

Marches, Parades and Processions in East Ayrshire

General Guidance

Overview

This guidance is taken from the Police, Public Order and Criminal Justice (Scotland) Act 2006.

The guidance applies to all marches, parades and processions held in Scotland. At the present time, all organisations are included in the terms of the Act and notification of any march, parade or procession must be made to the relevant local authority.

The Law

In addition to the terms of the Police, Public Order and Criminal Justice (Scotland) Act, organisers of any march, parade or procession should make themselves aware of the requirements and restrictions of the following statutes:

- Public Order Act 1936 – forbids people from wearing uniforms signifying association with any banned organisation(s);
- Public Order Act 1986 – relates to the power of the Chief Constable during or immediately before a march, parade or procession
- Terrorism Act 2000 – relates to relation to the wearing of clothing or items in support of a proscribed organisation
- Criminal Justice (Scotland) Act 2003 – relates to offences aggravated by religious prejudice

Local licences, restrictions etc

If an application to march etc is deemed acceptable, a 'Letter of Confirmation' will be issued to the organiser. However, the 'Letter of Confirmation' refers to the march only. If it is your intention to offer other forms of entertainment, for example a funfair, you should ensure that appropriate licence(s) are obtained. Staff in your local licensing office, situated at Council Headquarters, London Road, Kilmarnock, will be only too happy to provide information and can be contacted on 01563 576014 or 554618.

Intimation of intention to march etc

The Act requires that at least 28 days notice of an intention to march be given to the local authority. Organisers are encouraged to give as much notice of an intention to march as is possible. In certain circumstances, for example, the unexpected closure of a local factory leading to redundancies, the 28 day notice may be waived. Each application for waiving of the 28 day notice will be considered in terms of the particular circumstances.

On receipt of the notice of intention, a copy will be forwarded to Police Scotland who will make enquiries as appropriate to your application. It may be that a precursory meeting will be organised to discuss your proposals further.

Should it be deemed necessary, you may be asked to produce a risk assessment. This will lead to better and more informed decision making.

Intimation of your intention to parade will be notified on the Council's website and will also be passed to appropriate community bodies for their information and consideration.

Organising an event

The 'Review of Marches and Parades in Scotland' can be found at www.scotland.gov.uk/publications/2006/12/06144351.

While many parades or processions are community based, such as gala day events, they all require planning. Notwithstanding the 28 days notice required by the Act, you should try to give as much notice as possible giving an opportunity for the authorities to determine if there are other planned events already in place for your choice of date. For example, there may already be a larger event intimated which could make it difficult for the police to provide attention at your event.

Considerations

What are the ages of the participants in the parade? Obviously, if you have a lot of younger children, you should have more stewards available

Have you considered how far your parade will stretch once it starts? Consider the impact on local traffic and the local community.

How many stewards do you intend to have? This will depend on the nature of your event; the proposed route; has the event taken place previously; and how was your event received by the general public.

Are your stewards suitably experienced? Do you have anyone who has health and safety training? Are your stewards capable of dealing with eventualities? Have you considered what those eventualities might be? Have any stewards been trained in first aid?

Have you considered public liability insurance? What would happen if some damage was caused to a third party by virtue of your event being on the public roads?

Have you thought about litter issues at the marshalling point and the dispersal point for your event?

What will you do if you get very wet weather on the day of your event?

This list is by no means exhaustive.

Contacts

The following contact numbers are provided for your information:

Police Scotland, Kilmarnock	101
Police Scotland, Cumnock	101
Ayrshire Roads Alliance	01563 576310
East Ayrshire Council (Environmental Health) (advice on noise, food health safety)	01563 553520
East Ayrshire Council (Cleansing)	01563 554033

Code of conduct

The Code of Conduct which you agree to adhere to is attached to the notification form. It is important that you read it carefully and ensure you are aware of the responsibilities placed on you, as the organiser, on members of your own organisation and on members of any other supporting organisations.

The law is clear – the onus rests with you as the organiser to ensure that all participating are aware of their responsibilities.

Civic Government (Scotland) Act 1982

Code of Conduct Marches and Parades

- 1 28 days' intimation shall be given to the authority of the intention to hold a procession.
- 2 Sufficient stewards and marshals shall be present to ensure that participants comply with directions.
- 3 The Chief Steward's details shall be provided on the application form and all stewards and marshals shall be easily identifiable.
- 4 The details of all bands and a responsible member representing each band shall be included in the application form.
- 5 The organiser and the Chief Steward shall identify themselves to the Police Officer in charge at the commencement of the procession.
- 6 Those marching, including marshals, shall not do so more than four abreast and shall keep to the near or left hand side of the street except one way streets where they will keep to the right hand side.
- 7 If required, the Police Officer in charge may decide to split the procession into sections to avoid serious disruption to traffic.
- 8 The band(s) taking part shall cease to play when approaching and passing places of worship.
- 9 No halberds or weapons of any description shall be carried.
- 10 No cause for complaint shall be given.
- 11 No obstruction shall be caused.
- 12 The instructions of the Police shall be obeyed.
- 13 The conditions of Section 62 of the Control of Pollution Act 1974 in relation to the use of loudspeakers shall be observed.
- 14 The terms of the Public Order Act 1936 in relation to the prohibition of the wearing of uniforms signifying association with political organisations etc; the Terrorism Act 2000 in relation to the wearing of clothing or items in support of a proscribed organisation and the Criminal Justice (Scotland) Act 2003 in relation to offences aggravated by religious prejudice shall be observed.
- 15 No band shall play before 7.30 a.m. or later than 9 p.m.
- 16 Organisers shall assist the Police in ensuring that passage is allowed for traffic and pedestrians.
- 17 The organiser shall be responsible for ensuring that these conditions are brought to the notice of persons, bodies and bands participating.

Notice of proposal to hold a public procession

As the organiser of your event, you should give us at least 28 days' notice of your intention to hold a procession. If you cannot provide the notice needed, you should contact the person named at the end of this form to apply for an exemption. We can only make an exemption in exceptional circumstances.

You should read the attached code of conduct and fill in all sections of the form and:

- Send it to the person named at the end of this form
- Keep a copy for yourself
- We will make sure we give a copy of your notification to the police
- We may ask you to fill in and return a risk-assessment form with this notification form. We will let you know if this is necessary.
- You must bring your copy of this form, along with any risk assessment form which we may ask you to fill in, to any meeting we may hold to discuss your notification in more detail.

Please provide the following:

Your contact details

Name:
Address:
..... Postcode:
Phone number:
Email address:

Chief Steward's contact details

Name:
Address:
..... Postcode:
Phone number:
Email address:

Name of organisation or band:

Date and start time of procession:

Reason for procession:

The proposed Town and Route:

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Number of people expected to take part:

Please provide details of the arrangements for controlling the event:

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(Continue on a separate sheet if necessary)

Number of stewards attending: Number of buses or coaches:

Names of any bands and the names of each band member who will be taking responsibility for the bands. The named band member must be present on the day and must identify themselves to the police.

Name of bands: Band A

 Band B

 Band C

Name of responsible member for : Band A

 Band B

 Band C

(Continue on separate sheet, if necessary)

Please provide any extra information about the procession which you think may be relevant (reasons why it is not possible for this procession to be combined with other similar ones)

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Please provide details about the return procession (if this applies)

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I, the organiser, have read the code of conduct attached to this letter and agree to keep to its standard conditions.

Your signature:

Date:

Please return this form to:

Governance
Legal, Procurement, Regulatory and Estates
Civic Government Licensing Section
Council Headquarters
London Road
Kilmarnock
KA3 7BU

Tel: 01563 576014

You may be contacted to arrange a meeting to discuss your notification in more detail.

Risk assessment form issued by East Ayrshire Council

General information

We are asking you to fill in this risk assessment form to help us understand what dangers and risks might be associated with holding your event. This form will take you through the most common areas of risk which we and the police might want to raise with you. We and the police may carry out our own assessment of risk and may want to discuss our assessment with you before any meeting is held or at the first meeting itself.

When a risk assessment may not be needed

We will tell you if you do not need to fill in this risk assessment form. You may not need to carry out a risk assessment, for example, if we consider that your procession is routine or it has already been decided that the procession will carry little to no risk.

Purpose of filling in the risk assessment form

A risk assessment of the procession will help to:

- Identify any dangers associated with holding it;
- Evaluate the level of any known risks;
- Decide who is at risk and in what way and how the risk to them could be got rid of; and
- Decide, where other types of risk have been identified, whether it would be possible to introduce appropriate measures to allow the procession to go ahead.

Who should be filling this form in

It would be preferable if you were a suitably qualified person (e.g. someone who is trained in health and safety regulations). If that is not possible, someone else in the organisation with a strong knowledge of the area where the march is to be held should fill it in. We will then check the form and compare it to the assessment of risk we and the police may be carrying out.

How to fill in the form

You should work your way through the form section by section. If there are parts to sections which you cannot fill in, contact the person named at the end of the form. If your overall assessment shows that there is a high risk associated with holding the procession, you should get in touch as soon as possible to discuss if we can find solutions to reduce or remove the risk. Once we have considered the notification, the risk assessment and all other evidence, we may contact you to hold a meeting.

Who you should send the form to

You should send the risk assessment form, with your notification form, to the person named at the end of this form at least 28 days before you plan to hold a procession. If you cannot send your risk assessment with the notification, you should speak to the person named at the end of the form for advice.

Next steps

We will assess the risks associated with holding your procession within the first two weeks of us receiving your notification and risk assessment forms. You should remember to keep a copy of this form for your records and bring it with you for any meeting which we may hold. This is because we and the police may want to raise issues with you about how your risk assessment compares to yours. In case there are problems, we may need further meetings.

Section One

Your name, address
and contact details:

Name:

Address:

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Contact No:

Date and time of
procession:

Date:

Time:

Proposed main route
of procession:

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Continue on a separate sheet if necessary

Section 2 – Main Risk Assessment

Question

You must provide supporting comments in the boxes below

Is the date of your procession particularly significant to the organisation?

Has your organisation marched along the same route before?

Are there enough trained stewards to control the number of marchers?

Have there been any difficulties or tensions in the recent past with holding this procession?

Please assess the level of risk there may be to public safety. (Please also say whether the risk is low, medium or high.)

Please assess any risk to public order. (Please also say whether the risk is low, medium or high.)

Please assess the risk of damage to property. (Please also say whether the risk is low, medium or high.)

Please assess the risk of disruption to local business, the community or shoppers and traffic from holding the processions. (Please also say whether the risk is low, medium or high.)

Taking account of all the information available in this table, what is your opinion of the overall risk of holding the procession? Is it low, medium or high?

Section Three

This section details other information which you should consider as part of a general assessment of the procession. You should assess the following:

The main considerations

Supporting comments

At the end of the march, what are your arrangements for getting marchers to go home?

Are you organising any other social events at the end of the march? (Please give details of what these are.) And will you need a police presence?

Is the proposed route shown on your notification one commonly used by your organisation?

Have you taken out insurance to help cover for any risks arising from the procession?

What is your assessment of risk to marchers if the route passes through communities which may be against the march?

Do you have enough security in place for any coaches and other vehicles used by the marchers?

Have you considered the policing and attendant costs for holding the procession?

Section Three cont'd

Have you assessed what other priorities there may be in the area on the day of the march

Have you considered the effect on the community as a whole if the march went ahead?

Could you combine this procession with other similar events in the area? If not, why not?

Section Four

Final assessment

If the local authority is holding a meeting, I would like to raise the following points about this risk assessment.

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Please provide any other supporting comments in this box.

Section Five

Declaration

I have assessed the risks associated with holding the above procession.

I will come to any meeting which may be needed.

Signature of person carrying our risk assessment:

Name in BLOCK CAPITALS:

Relevant qualifications of the person carrying out the risk assessment:

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Signature of organiser:

(You only need to fill in this part of the form if you are not the person who carried out the risk assessment.)

Name in BLOCK CAPITALS:

Date:

Section Six

Please return the filled-in risk assessment form with the notification form to:-

Governance - Legal, Procurement, Regulatory and Estates, Civic Government Licensing Section,
Council Headquarters, London Road, Kilmarnock, KA3 7BU.

We will make sure that a copy of your assessment is sent to the Superintendent in charge of
policing East Ayrshire, Police Scotland, Kilmarnock.