



Glasgow City Council

Public Processions Committee

Report by Executive Director Corporate Services

Contact: Mike Thomson Ext: 75376

Item 1

22nd January 2014

Public Procession
West of Scotland Bands Alliance

Purpose of Report:

To advise the Public Processions Committee of considerations in relation to a proposed procession by the West of Scotland Bands Alliance and the failure to reach agreement on satisfactory arrangements to allow the procession to proceed.

Recommendations:

The Public Processions Committee is asked to:

- Note the content of this report.
- Impose the following conditions
 - a) the procession will assemble at 9.30am and start at 10.00am
 - b) all music will cease to be played 100 metres to the west of the Tron Church at Nelson Mandela Place and shall not commence again until each band passes the Montrose Street/George Street junction
- Impose the following alternative conditions if they feel those outlined at paragraph 14b) are insufficient to address the concerns identified in the report
 - a) the procession will assemble at 10.00am and start at 10.30am
 - b) the procession will take place on the following route: Garnock Street, Royston Road, Castle Street, High Street, Glasgow Cross, Saltmarket, into Glasgow Green via the McLennan Arch and disperse inside Glasgow Green

Ward No(s): 9, 10 & 11

Citywide:

Local member(s) advised: No Yes

Consulted: No Yes

1. On 31st October 2013, a Public Procession Notification was submitted by the West of Scotland Bands Alliance. This proposed a route from Kelvingrove St, Argyle St, St Vincent St, Pitt St, West George St, Blythwood Sq, West George St, Nelson Mandela Pl, West George St, George Square, George St, High St, Glasgow Cross, Saltmarket into Glasgow Green through McLennan Arch and disperse in Glasgow Green. The Procession notification indicated that there would be 200 participants and the procession would take 1 hour 30 minutes. The planned date for the procession is Sunday 26th January and it is proposed that this would assemble at 11.30 am and march off at 12.00 pm. The reason for the procession is to commemorate Bloody Sunday.
2. On 10th January 2014, the organisers from the West of Scotland Bands Alliance met with officers from Police Scotland and Glasgow City Council to discuss arrangements for the proposed procession on 26th January.
3. At this meeting, Council officials invited the organisers to speak to their proposals and outline the reasons underlying the choice of specific route as this was not the route that this parade had followed in the previous 2 years. The organisers indicated that the route was chosen to avoid two parades for the same cause through WOSBA and the Celtic Commemoration Committee combining their respective parades, this was a route that the Celtic Commemoration Committee had marched previously and this was now the preferred route for this particular parade.
4. City Council officials expressed concern that should this procession take place on the route submitted, there would be a significant risk to public safety, public order and a high likelihood of disruption to the life of the community. This assessment was based on written information supplied to the City Council indicating that there would be a counter demonstration to this procession and that there was opposition to this parade on the grounds that it allegedly “disrespected” the cenotaph. It was suggested to the organisers that in view of these City Council concerns that they revert to the route which had been followed in the previous two years which presented lower risks and had been undertaken in a well organised and managed manner, with little opposition, thus minimising any adverse impact on the functioning of the City Centre. It was further suggested that they might also consider an alternative route that WOSBA had submitted in a notification in 2012. In the view of City Council officials these routes recognised the organisers’ right to undertake a procession whilst recognising that these were the previously expressed preferred routes. It was pointed out that there was no history of the route applied for being used for this particular procession.
5. The organisers indicated very firmly that they were not willing to agree to revert to the route followed in the previous two years and that the route submitted was now

their chosen route for this parade. There being no ability to reach agreement between the Organiser on the one hand and the Council and Police on the other, it was indicated that the matter would likely require to be referred to the Public Processions Committee for resolution. It was indicated however that the City Council and Police Scotland would liaise further on this matter and speak with the organisers again to seek to resolve matters.

6. Following further discussions between City Council officials and Police Scotland, a further proposal was identified in an effort to seek to respond to and manage the identified risks. This was communicated to the organisers by telephone on 14 January. The proposal was that the procession take place earlier in the day to seek to reduce the potential impact on shoppers and visitors in the event of the demonstrators seeking to disrupt the procession. Furthermore, a no play music zone, extending from before the Tron Church until the Montrose Street/George Street junction, should be implemented in view of the strongly held positions by loyalist and republican communities, the likelihood of a counter demonstration and the risk to public safety. This risk was heightened by the recognition of the significance of the cenotaph in the year that marks the centenary of the commencement of World War I.
7. The organisers indicated that they could not agree to the revised proposal but would be willing to assemble at 10.30am and move off at 11am and negotiate around the extent of the no play music zone. This was rejected by Council officials as it failed to adequately address concerns about public safety, public order and disruption to the life of the community.
8. In discharging its responsibilities in relation to processions, it is incumbent on the Council to assess the four criteria contained in the legislation and attach weight accordingly. In addition, the Council is required to consider any representations received on the proposed procession. The four criteria are public safety, public disorder, the likelihood of damage to property and disruption to the life of the community. In placing any restrictions, the Council must satisfy itself that the measures are proportionate and necessary
9. It is the view of Council Officers that they have discharged their responsibilities in regard to Processions appropriately and have taken account of concerns in relation to the risk to public safety, the risk of public disorder and disruption to the life of the community. It is the statutory responsibility of the Police to protect public safety and it is important that the Council affords this matter due weight and seeks to ensure proportionate and necessary measures to minimise risk are put in place. There is clear written evidence that a counter demonstration against this procession will be mounted. What is not clear is the extent and size of this demonstration and whether any attempt will be made to disrupt the procession. Taking into account the strong views held by different groups regarding Bloody Sunday and the specific significance afforded to the cenotaph in this centenary

year in relation to WW I, it is considered necessary to put in place appropriate measures to seek to manage the perceived risks.

10. There is a significant risk of disruption to the life of the community should the procession be permitted to take place as proposed as a result of potential confrontation between participants and demonstrators. Bystanders and visitors to the City Centre could inadvertently be caught up in any confrontation. Whilst it is the responsibility of Police Scotland to protect public safety and the safety of those participating in the parade and which Police Scotland have given assurances that they will do, the City Council equally has a responsibility to ensure that others are free to go about their legitimate business without undue interference or potential exposure to their personal danger and safety. In these circumstances, it is considered appropriate that the precautionary principle is followed and appropriate measures are put in place to minimise risk.
11. It is the Council's responsibility to appropriately assess and manage risk, ensure public safety, minimise threats to public order and assess the impact of processions on the community. This has been done in this instance, whilst respecting the organiser's right to assemble but balanced by the Council's obligations in discharging this function to minimise disruption to the life of the community and protect the rights and freedoms of others. On balance, it is considered that there are clear risks that if this procession was allowed to proceed as currently proposed there would be a significant likelihood of public disorder with risks to public safety and extended disruption to the life of the local community. Accordingly, it is recommended that consideration is given to the timing of the procession being brought forward thus reducing any perceived negative impact on the functioning of the City Centre and people going about their legitimate business. In addition, it is recommended that consideration be given to putting in place an extended no play music zone, in line with paragraph 2.1.1 of the Council's Policy and Code of Conduct. Such an approach recognises the organisers' rights of freedom of assembly but balanced by the risks to others, including the participants on the procession. Participants in the procession will still be able to take to the streets, promote the cause which lies behind the procession notification, maintain the original start and finish points but take place earlier, with some limits on the playing of music, in order to minimise the risk of disorder.
12. In the event that the Committee feels these additional conditions are insufficient to meet the concerns outlined above, it is recommended that the Committee consider imposing the following route on the organisers: Garnock Street, Royston Road, Castle Street, High Street, Glasgow Cross, Saltmarket, into Glasgow Green via the McLennan Arch and disperse inside Glasgow Green. This route has been undertaken by this particular parade in the previous two years and as indicated above, did not give rise to any significant issues.

13. **Service Implications**

Financial: none

Legal: none

Personnel: none

Service Plan: none

Environmental: none

Sustainable Procurement and Article 19: None

14. **Recommendations:**

The Committee is asked to:-

- a) Note the content of this report
- b) Impose the following conditions
 - the procession will assemble at 9.30am and start at 10.00am
 - all music will cease to be played 100 metres to the west of the Tron Church at Nelson Mandela Square and shall not commence again until each band passes the Montrose Street/George Street junction
- c) Impose the following alternative conditions if they feel those outlined at paragraph 14b) are insufficient to address the concerns identified in the report
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