

# review of marches and parades in scotland

Guidance for **Scottish Local Authorities**

December 2006



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SCOTTISH EXECUTIVE

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## **Guidance on marches and parades – Ministerial foreword**



The right to march is a powerful visible sign of a robust democracy. But with those rights come responsibilities. That is a balance that must be struck, particularly as many believe that balance was lost in recent years. Sir John Orr's 'Review of Marches and Parades in Scotland' highlighted ways to modernise decision-making around marches to make the system and the processes within it much fairer and more transparent.

We acted on Sir John's advice and are now putting in place an enhanced structure where marches and parades can be properly notified, planned for and discussed in advance. Our reforms pose no threat to culture, tradition and free speech. But they do provide local authorities and local people with the tools they need to strike the right balance.

The challenge now for elected members, chief executives and council staff is to make sure that their local authority is ready to cope with the changes and implement the good practice highlighted in this guidance. It is vitally important that all local authorities continue to work with the police and the communities they serve. They need to build on their good relationships with the organisers who want to hold processions in their areas and create a stronger bond with communities so they are better informed of the decisions being taken. Sharing information with local people is vital as it ensures that everyone is prepared for the events that may be taking place.

My Ministerial colleagues and I are particularly grateful to the Scottish Executive's Working Group on Marches and Parades for producing this guidance. I would also like to thank Sir John Orr for his thorough report, and to the key marching organisations for the positive attitude they have taken over the period of the review and beyond.

Scotland is becoming a fairer, more tolerant, safer place to live and work. Our task, in law and in practice, is to make sure that marches and parades contribute to that.

A handwritten signature in black ink that reads "Cathy Jamieson". The signature is written in a cursive style with a horizontal line at the end.

**Cathy Jamieson**  
**Minister for Justice**



# Guidance on Public Processions

## General Information

### Introduction

1 This guidance is issued by the Scottish Ministers under Section 65A of the Civic Government (Scotland) Act 1982. It sets out the changes to the law of public processions made by the Police, Public Order and Criminal Justice (Scotland) Act 2006 ('the 2006 Act') and what your local authority need to take account of when assessing notifications to hold a procession. It also sets out the steps that your local authority should take when considering whether it is necessary for them to prevent a procession from taking place or place conditions on it under Part V of the Civic Government (Scotland) Act 1982 ('the 1982 Act'). The guidance has been prepared by a working group chaired by the Scottish Executive and involving those with an interest from the police and COSLA.

### Relationship to the report of the working group on marches and parades

2 We recommend that you read this guidance with the working group's report 'Review of Marches and Parades – Report of the Working Group on Marches and Parades' which is available at <http://www.scotland.gov.uk/Publications/Recent>. The working group's report gives you detailed information on how Scottish Ministers recommend that your local authority put all 38 recommendations in Sir John Orr's report 'Review of Marches and Parades in Scotland' into practice.

### What this guidance contains

**Section one** of the guidance sets out the law changes made by the Police, Public Order and Criminal Justice (Scotland) Act 2006.

**Section two** summarises some of the good practice highlighted in the working group's report which we encourage your local authority to adopt.

**Section three** gives your local authority a practical step-by-step guide through the administrative process and how the changes should fit in to the process for considering notifications.

### Annexes

**Annex A** is an example of a letter which your local authority could send to any organisations your local authority keep on their 'opt-in list' (see paragraphs 51 to 54 about the purpose of opt-in lists).

**Annex B** is a brief outline of what might appear in your local authority's 'How to' guide so that organisers can better plan their events.

**Annex C** provides an example of a risk-assessment form which your local authority could ask organisers to fill in.

**Annex D** is a standard notification form for organisers to complete.

**Annex E** is a process chart to take your local authority through all the major steps for assessing notifications. This is a separate document which your local authority can pin on the office wall.

### Who should read this guidance

3 We have drafted this guidance for local-authority use. It sets out the new duties and powers placed on local authorities by the 2006 Act and also suggests standard practices they should take account of and may want to adopt when considering notifications under the new arrangements. However, it is also particularly relevant to the chief executives of the two national park authorities in Scotland, the chief constables of the eight police authorities and will be of interest to all marching organisers. As a result, we have sent copies of this guidance to them along with the report of the working group.

### Organisations covered by this guidance

4 This guidance applies to all marches and parades held in Scotland. The 2006 Act has removed the ability for local authorities to exempt people and organisations who organise marches and parades in their areas from the requirement to give notice that they plan to hold an event. The only processions which are exempt from the notification process are those organised by funeral directors. This change will help to make sure that communities, local authorities, the police and the National Parks Authority (if it applies) have a full picture of all the processions that may be taking place in a particular local authority area. Any procession whose organiser will be exempt from the requirement to give notice, will be mentioned in an order made by the Scottish Ministers (see paragraphs 23 to 25).

## Categories of notification

5 Although from 1 April 2007 notifications of all processions (apart from funeral processions and any exempt processions) must formally be made to the relevant local authority and the police (and the National Parks Authority, if appropriate), we do not want to introduce too much paperwork. This is particularly true for events which are low-key or routine. As a result, your local authority may want to categorise notifications and consider – in line with the aim of making sure that they keep communities well enough informed and consult the police (and National Parks Authority, if appropriate) – how much of the good practice highlighted in this guidance would be necessary in cases where your local authority class the notification as:

- a traditional event;
- a routine march;
- a procession which is not contentious; or
- a procession which has a good history in the past.

6 There will be little point, for example, in beginning a community-consultation exercise if the event is a traditional one which, by its very nature, involves the community as a whole in marking or celebrating significant events in the past (Common Ridings, for example). However, we would emphasise that all local authorities must follow the legal duties imposed by the Civic Government (Scotland) Act 1982.

7 When considering whether your local authority should class an event as low-key, non-contentious or routine, they may want to consider the notification with the police and assess the factors listed in section 63(8) of the 1982 Act. If this assessment suggests – and the police agree – that your local authority can class the notification as low-key, not likely to cause a disturbance, or routine, they could ‘fast track’ it and handle most arrangements by phone or e-mail. It is also likely that your local authority would not need to hold a meeting (see paragraphs 60 to 61) or assess the risk against other tests (see paragraphs 62 to 64). These are, in any case, not legal requirements. However, we would remind you that it is a legal requirement for your local authority to consider the effect of a procession against the factors listed in section 63(8) of the 1982 Act. It is also a legal requirement for a local authority to consult the police before making an order which prevents a procession from taking place or places conditions on it.

8 If a number of similar events which are not likely to cause a disturbance take place regularly in communities throughout your area, your local authority may want to consider setting up a system with the police and organisers to make sure that your local authority take any new legal requirements in the 1982 Act, or lessons from previous experience fully into account. Your local authority may also want to arrange a meeting with the organiser and the police.

### **Monitoring local authorities and the police**

9 We do not presently collect and centrally hold any information on marches and parades in Scotland. In line with recommendation 7 of Sir John Orr's report, we want to have procedures in place to make sure that local authorities and the police are putting the new processes into practice in a way which is appropriate to their circumstances. As a result, we met the Accounts Commission and HM Chief Inspector of Constabulary and others to discuss how we might collect relevant information. Your local authority can find more information on monitoring, and when it will be collected, in the working group's report. We will also write to your local authority at a later date to explain how we plan to take the monitoring forward and what it will cover. However, to give a broad idea of activity, we may ask your local authority to provide information on:

- how they have put into practice the main changes to the legislation;
- the methods they use for letting communities know about processions;
- the number and types of processions being held in the area;
- the methods used for promoting lists of processions kept under section 63(9) of the 1982 Act and how the information needed under section 63 (10) of the 1982 Act is kept; and
- how information is shared between local authorities.

### **Legislation to be aware of when considering notifications**

#### ***Article 11 of the European Convention on Human Rights***

10 It is important for your local authority to keep in mind that the 'right to freedom of peaceful assembly' is protected by the European Convention on Human Rights. In particular, Article 11 of the European Convention on Human Rights sets out this right. The right to 'free assembly' is not an absolute one, and can be restricted if needed to:

- protect national security or public safety;
- prevent disorder or crime;

- protect health or morals; or
- protect the rights and freedom of others.

The restriction to be placed on the right to free assembly must also be in proportion so it is compatible with Article 11 of the Convention.

## Other legislation

11 Depending on the nature of the event, there is other legislation which may also apply to processions. This could include:

- the Public Order Act 1936, which forbids people from wearing uniforms signifying association with any banned organisations;
- the Public Order Act 1986, which relates to the powers of chief constables during or immediately before a march or parade; and
- the conditions in the Terrorism Act 2000 relating to being members of or supporting, or fund-raising for, an organisation forbidden by law. Local government licensing laws may also apply as may some conditions of road-traffic laws.

12 The following laws may also be relevant.

- The Health and Safety at Work Act 1974 (to see what measures your local authority need to take for events which may carry a risk to health and safety).
- The Food Safety Act 1990 (where food is provided or sold at the event).
- The Occupiers Liability (Scotland) Act 1960 (duty of care so that people do not suffer injury and so on).
- The Land Reform (Scotland) Act 2003 (for making orders to temporarily prevent people from having rights of access to land).
- The Road Traffic Regulation Act 1984 as amended by the Road Traffic (Temporary Restrictions) Act 1991 and the Road Traffic Regulation (Special Events) Act 1994 for any restrictions which are to be put in place such as closing roads, diversions, signs or traffic cones (see paragraph 29 for more advice).
- The Road Traffic Act 1967 (the conditions which set out the powers of the police).
- The Control of Pollution Act 1974 (for the use of loud speakers).

13 This is not a full list and there may be other laws which apply. Your local authority will need to consider each case on its merits and consult the police when appropriate.

### **Licences, permits and certificates**

14 Depending on the nature of the procession, your local authority may also need to provide licences, permits and certificates for it. These could include a public-entertainment licence, a liquor licence, a street trader's licence, a licence for using a park or open space, a lottery permit, a licence for a charitable collection or a market operator's licence. Your local authority should consider whether any type of licence is needed and give organisers a note of any fee which may apply.

# Section 1

## legislative changes and good practice

### **Legislative changes made to Part V of the Civic Government (Scotland) Act 1982**

- 15 The legislative changes that your local authority must take account of are that:
- we have increased the minimum amount of notice that organisers must give to your local authority about their intention to march (from seven days to 28 days);
  - we have removed the ability that a local authority previously had to exempt certain processions from the requirements to give notice;
  - your local authority must consider a range of issues when deciding whether to prevent a procession or place conditions on it;
  - your local authority must take account of whether a procession may place too much of a burden on the police;
  - your local authority must take into account the effect that a previous procession had on public safety issues and how far those involved kept to any code of conduct or guidance; and
  - your local authority must keep a list of processions that have been held in their area, or which have been prevented, to allow the public to see which processions happen regularly and which are likely to happen in the future.
- 16 We describe these changes in more detail, as follows.

### **Minimum period of notice**

17 We have extended from seven days to 28 days the notice period which a march organiser has to give of their plans to hold a public procession in section 62 of the 1982 Act. This extension to the period not only gives your local authority more time to consider notifications and reach a decision but also allows them more time to give the public notice of forthcoming events in the area. We would also recommend that your local authority asks organisers, particularly those who are responsible for organising larger events, whether it would be helpful if they sent notifications in well before the start of the minimum period. Early notification should help speed up the time it takes to confirm whether an event can go ahead. However, you should remember that your local authority should continue to keep in touch with the organiser in case of expected circumstances which may affect the decision (such as a rearranged football fixture) and so on.

## **Dispensations**

18 There is no change to the flexibility in section 62(4) of the 1982 Act which allows organisers to apply for a 'waiver to the legislative requirement' to give 28 days' notice. Your local authority should only waive the 28-day notice period in exceptional circumstances, for example if an organiser wants to arrange a procession in reaction to a recent decision or announcement (for example, a decision to close a factory or an unexpected announcement of redundancies).

19 There is no legal requirement to consult the community before deciding whether or not to waive the notice period for a procession. This is because we recognise that there may not be enough time in each case for your local authority to do this. However, the chief constable must be consulted before an order under section 62(4) of the 1982 Act is made. Your local authority will need to decide on the methods for publicising any order which exempts a person from giving 28 days' notice of a procession, but publicity options could include those provided in paragraph 36 below.

## **Exempt processions**

20 All processions, no matter how small, will undoubtedly cause some disruption to the community. For example, processions can restrict the movement of local residents, restrict normal business and restrict access to public facilities. Because of this, we have removed the condition in the 1982 Act to allow your local authority to exempt organisations or certain classes of processions from giving notice.

21 All organisers (apart from funeral directors) must now give notice of their intention to hold a procession. (However, see paragraphs 23 to 25 about Ministers' ability to make an order to exempt certain processions.) This will allow your local authority and the police to get information about all the events taking place in their area, and to plan around them and let the community know, if need be.

22 This change should not be difficult to deal with. Many of the previously exempt organisations will have already been letting your local authority and the police know, in an informal way, about their intention to hold a procession. And, depending on the nature of the event, they would also contact your local authority to ask for things such as road closures or a temporary licence. There are also certain types of processions, such as cavalcades, traditional Common Ridings each year and similar festivals, which will be simpler to process than others, and where tried and tested procedures are already in place.

**Section 62(11B)(b) of the Civic Government (Scotland) Act 1982:  
seeking formal exemption from the notification process**

23 Anyone organising a procession (apart from funeral processions) will have to formally give at least 28 days' notice to your local authority, the chief constable and the National Parks Authority (if this applies) under section 62 of the 1982 Act. However, in line with section 62(11B)(b) of the 1982 Act, the Scottish Ministers can make an order at the Scottish Parliament to give details of types of processions which are excluded from the requirements to give 28 days' notice. Your local authority must present their case to the Minister for Justice as to why they think a certain procession should be exempt from providing notice.

24 It is likely that this kind of order will be made if your local authority presents their case as to why they consider that a particular procession should be excluded from the notification process. Each case will be considered on its merits. If your local authority consider that it has a good enough case for a procession to be mentioned in this order, they can write to:

The Minister for Justice  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

The e-mail address is:  
[scottish.ministers@scotland.gsi.gov.uk](mailto:scottish.ministers@scotland.gsi.gov.uk)

25 The Minister will consider each request and may decide to make an order at the Scottish Parliament. The order can be amended (and further orders made) if it becomes clear at a later date that other processions should be made exempt from the notification process. We will regularly review the order to make sure that the list of exempt processions is relevant and up to date.

**When to prevent a procession or place conditions on it**

26 We have now withdrawn section 63(2) of the 1982 Act. We have inserted new section 63(8)(a) into the 1982 Act to give your local authority scope to consider a range of issues to help them decide whether they will need to prevent a procession or place conditions on it. They must consider the effect of holding the procession on the following factors before deciding whether to restrict a procession.

- Public safety
- Public order

## Section 1: legislative changes and good practice

- Damage to property
- Disruption to the life of the community (see paragraphs 30 to 33)

12 27 When reaching a decision on preventing a procession or placing conditions on it, your local authority should also take account of section 63(8)(b) of the 1982 Act and assess whether the procession (either alone or with other events) would place too much of a burden on the police. For example, it is important for your local authority to check with the police that they will be able to cope and that enough police officers will be available to patrol the march and keep order. This will be a particularly important issue to consider if several marches and feeder parades are planned to take place. Please remember that police costs are not an issue for consideration.

28 Your local authority should examine all the factors before deciding whether it would be appropriate to prevent a procession or place conditions on it (such as re-routing the event). Your local authority must also make sure that they can justify any restrictions which are placed on a march in line with the ECHR, and that the nature of the restriction is in proportion to the aim which it is trying to tackle.

### Managing traffic

29 Your local authority should also examine the effect on public roads if a procession is allowed, including the safety of all road users, spectators and those involved, and whether traffic can be controlled well enough by police. You can get the relevant guidance 'Galas and Events Affecting Public Roads – Guidance to Organisers' from our website. The web link is [www.scotland.gov.uk/Publications/2005/07/14155315/53182](http://www.scotland.gov.uk/Publications/2005/07/14155315/53182). It may be the case that your local authority will want to recover some or all of their costs from organisers to help meet certain obligations associated with holding marches and parades. For example, your local authority and the police might recommend that a traffic management consultant is appointed to prepare a traffic management plan. Your local authority may also want to ask the organiser to contribute to the cost, if this is reasonable. To avoid any misunderstanding, it is important that the local authority lets the organiser know their policy on these issues as early as possible or, at the very least, at the precursory meeting.

## **Disrupting the life of the community**

30 All processions, no matter how small, will cause some degree of disruption to communities and businesses. That is an inevitable consequence of holding processions. However, the degree of disruption may not, by itself (or with other events), be enough to prevent people from holding a procession, or from placing conditions on it. Your local authority will need to consider the circumstances of each notification and assess how far the procession would affect the community or any individual or organisation who can reasonably be considered to be part of a community affected by the notification, and to attach weight accordingly.

31 However, the most important question which your local authority need to tackle is whether the level of disruption which will or may be caused by a procession will be far greater than the right to free assembly and this means they need to place a restriction on the march.

32 As mentioned earlier in this guidance, any decision to make an order which prevents a procession or places a condition on a procession will have to keep to the ECHR. As a result, it is important that any order which is made about a procession is a proportionate response to the level of disruption to the community that this event may cause.

33 In considering whether an order should be made to place restrictions or prevent a procession, your local authority should consider the effect of a number of factors. While your local authority need to consider the circumstances of each procession on a case-by-case basis, some factors which may disrupt the life of the community may include:

- where restrictions are placed on them because roads are closed;
- a re-routed or restricted bus service or lots of shops being closed; or
- if the community cannot have access to the streets for a period of time.

## **Considerations against previous processions**

34 Your local authority must also take account of section 63(8)(c) of the 1982 Act. They should assess the current notification against any previous processions held by the organiser, or those in which people who took part in the past are likely to take part in the proposed procession. For example, if there was a violation of a condition placed on the earlier procession, your local authority should take this into account when reaching a decision on the current notification. Again, any restriction placed on a march must be in line with Article 11 of the ECHR.

### **Lists of processions to be provided to the public**

35 Section 63(9) of the 1982 Act places a duty on your local authority to put together and make available a list of processions which have been held in their area and processions which have been prohibited. This list must be made available free of charge. These arrangements will allow the public to find out which marches happen regularly and which ones are likely to happen in the future. They can then send your local authority any representations.

36 Your local authority can decide how best to meet this legislative requirement, but we think it would be good practice to keep and regularly update a list of processions on their website. Options could include:

- passing information to local libraries;
- publicising information in council offices;
- publicising information in council publications;
- putting lists on lamp-posts;
- circulating lists to community representatives, those on your local authority's opt-in list, interest groups and so on (electronically, wherever possible);
- press releases to local newspapers and freesheets; and
- placing lists on your local authority's website.

37 We would recommend that your local authority lay out the information for the list in a simple-to-read table which could give the public details of processions which have taken place in their area. Paragraph 42 of the working group's report provides detailed information on what these lists might contain. Your authority will be responsible for updating their lists regularly and for rolling them forward.

### **Receiving representations to a procession**

38 Your local authority may want to give communities the chance to comment on processions which are or might be held in their area. Although, Part V of the 1982 Act does not insist that a local authority must consult the community, and gather their views before each march takes place, section 63 (10) of the 1982 Act does place a duty on a local authority to give certain information to those who ask for it. Paragraph 41 of the working group's report recommends that to meet the requirements of section 63(10) of the 1982 Act your local authority should put together lists of processions which are or might be held in the area. The second set of bullet points in paragraph 42 of the report provides suggestions on what these lists might contain. Your local authority may want to say that representations to any particular march or parade on its list should be made to the appropriate contact within a certain time. The time frame will be for your local authority to decide, but we would suggest that they will want representations lodged with them at least two weeks before the date of holding the procession.

### **Making sure that the statutory period of notice is given**

39 The period of notice that your local authority must give organisers of what decisions have been made about a march under section 63(3)(a) of the 1982 Act has not changed. In most cases, your local authority will be able to give the organiser considerably more notice than the minimum needed. However, we know that there will be a few occasions where your local authority will not be able to give a decision until very close to the day of the event itself. This can give the organiser very little time to prepare any appeal. As a result, we would recommend, unless there is very good reason why they cannot do so, that your local authority tries to give their decisions to organisers at least one full week before the march is to be held.

# Section 2

## advice on good practice

### General

40 This section of the guidance provides advice on good practice which your local authority should take account of when considering notifications under Part V of the 1982 Act. When reading this section we would recommend that your local authority pay particular attention to the section of the working group's report on how the non-statutory recommendations in Sir John's report should be taken forward. This section summarises those which are most relevant to local authorities. It is, of course, important that your local authority involves the police and the National Park Authority (if appropriate) in all the changes that they will be putting into practice when considering notifications to hold processions.

### Drafting 'how to' guides

41 'How to' guides can be useful reference documents for organisers, and your local authority may want to give them these guides so that they can better plan and arrange events. The main benefits of this to your local authority are that the organisers will be working within a common framework and will be much more aware of what your local authority expect of them on the way they should plan and manage their processions.

42 We have not produced a thorough 'how to' guide to accompany this guidance as your local authority will no doubt want to draft guides to fit your circumstances. But **Annex B** to this guidance provides an outline of what might generally appear in a 'how to' guide. However, we would recommend that your local authority put together a guide which best fits the processions which are most commonly held in their area or draft sets of codes to cover all the events that your local authority have to deal with. It would be useful to share good practice widely and get support and advice from other local-authority contacts when preparing your guides.

### Drafting codes of conduct

43 We realise that a number of local authorities and police forces will already have voluntary codes of conduct in place for organisers to follow. We also know that some organisers will have their own codes for those taking part. These codes may cover things like:

- timing;
- routes;
- arrangements for assembling and dispersing the procession; and
- conditions about where people taking part should march (such as how wide the march will be and in what part of the road), or conditions about noise (such as where and when music can be played and loudhailers used).

44 With that in mind, we have not produced a standard code of conduct to accompany this guidance. Your local authority, the police and organisers of processions should create or adopt a particular code of conduct for those involved in the procession. While this should reflect local conditions and experiences, it should also account for the new statutory framework and the good practice set out in this guidance and the report of the working group. It is also for your local authority to decide whether to adapt one code for all processions or to provide a set of codes to suit particular kinds of processions. Your local authority should provide any codes of conduct to organisers alongside the notification form. As with the ‘how to’ guide (see paragraphs 41 and 42), it would be useful to share good practice widely and get support and advice from other local-authority contacts when preparing your codes.

### **Creating ‘single gateways’**

#### ***Purpose***

45 We realise that organisers often send their notifications to a number of local-authority departments. This means that they can then find themselves dealing with a number of contacts at the local authority and the police. This can cause confusion for the organiser and may lead to inconsistent advice being given out from different parts of the organisations. Because of this, we recommend that your local authority create a ‘single gateway unit’ or ‘single contact’. This will lead to:

- a clear structure so that organisers can reach the right person quickly;
- quicker response times;
- improved communication between your local authority, the police and the organiser;
- consistent and reliable advice being given out; and
- fewer chances of misunderstandings developing.

#### **The process**

46 We recommend that your local authority, the National Park Authorities and police forces begin discussions with COSLA and ACPOS to discuss how best to adopt the ‘single gateway’ process. A single gateway could be achieved by:

- creating a first point of contact within each organisation;
- showing the name, official address and phone number of the contact on the notification form and all relevant material that is sent out to the public (leaflets, guidance, posters and so on), websites and so on;

## Section 2: advice on good practice

- making sure, as far as practicable, that the first point of contact in the local authority acts as the source of advice for the organiser and, wherever possible, gathers together decisions made by other parts of the organisation (for example, decisions on routing the march, managing traffic, licensing and so on) and passes these on to the organiser, the police and members of the public; and
- making each organisation's first point of contact responsible for keeping and recording all information relating to the notification, including the information needed for monitoring purposes.

### Sharing information

47 We consider that it is important for your local authority to share their experiences about handling processions more widely among other local authorities and the police so that those involved in the process can learn from others. The single gateway process (see paragraph 46) would provide a straightforward channel of communication between local authorities. Sharing information on the following would be particularly useful.

- Local authority or police reports on processions held (if these can be released)
- Reports submitted to local authority committees (if these can be released)
- Methods used to consult the community
- Local press articles
- General guidance issued to marchers, organisers and those taking part, local authorities and police forces
- Revisions to the codes of conduct and 'how to' guides
- Procedures for considering risks
- Processions which have been prohibited and why
- Representations made by the community on specific processions, as long as your local authority have their permission to do this
- Additions to opt-in lists (see paragraph 51 to 54 on opt-in lists)
- Information held on processions, particularly information on any bands that may have been suspended by organisers
- Anything that has been released under the Freedom of Information (Scotland) Act 2002

48 Your local authority would need to consider the sensitivities (such as data-protection issues) surrounding sharing some of the information listed above and make sure that any information released keeps to any laws, for example, the Data Protection Act 1998) which apply. As a result, they should avoid making public any personal information. For example, your local authority would need to decide – in line with your local authority’s own policies – whether they wanted to share information with others on any representations they have received from the community about processions and so on.

49 Your local authority could share information by:

- publishing it on your local authority’s website; or
- communicating the information using a general e-mail address (see paragraph 50).

50 It is likely that the main contact for this would be the same person your local authority have identified as the ‘single gateway’. They could do this by creating an e-mail group, sharing good practice and experiences using a general e-mail address (a general list made up of each of the representatives from the 32 local authorities and eight police authorities together with a representative from COSLA, the Society of Local Authority Chief Executives and Senior Managers (SOLACE), the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR), the police associations and the Scottish Executive).

### **Keeping opt-in lists**

51 As we said earlier, section 63(10) of the 1982 Act places a duty on local authorities to make arrangements to make sure that anyone who asks for information on processions to be held in their area can receive the appropriate information. We believe that this important change makes it important for your local authority to make sure that certain individuals and organisations receive regular updates on processions to allow them to plan better and work around any problems which could be caused by the procession. This would mean that members of the public with links to these organisations and the organisations themselves are better informed of forthcoming events and can make representations to your local authority, if necessary.

52 We recommend that your local authority creates and updates an opt-in list to let those on the list know about processions that are about to be held (via e-mails or letter). Your local authority will see an example of the type of letter which your local authority could send to organisations on the opt-in list at **Annex A**. We suggest that your local authority give the organisations on the opt-in lists two weeks to respond with any views about holding the procession.

## Section 2: advice on good practice

53 Your local authority's website should also make it clear that they let organisations on their opt-in list know about processions beforehand. The web page should also invite other interested individuals, organisations and groups to get in touch to ask for their names be added.

54 Your local authority will need to decide which organisations they should include on their opt-in list. These could include groups like:

- local-authority committees;
- authority-wide groups like the Local Hotels' Association and the various bus operators;
- local groups like residents' and tenants' associations;
- community councils;
- relevant MP or MSP constituency offices;
- voluntary organisations; and
- tourist information centres;

and so on.

### Consulting communities

55 We have not changed the 1982 Act to place any other specific requirements or duties on local authorities to consult communities and gather their views for each procession they are told about. This is to avoid placing expensive, time-consuming and bureaucratic processes on them. Nevertheless, we do place a lot of emphasis on community consultation and the importance of gathering community views and the need to keep them informed of what is going on in their area. So that they are aware of the local authority's position, it may be helpful for the local authority to explain to anyone with an interest the decision-making process they follow and the conditions they have to keep to when taking decisions.

56 The 1982 Act has been amended (see new sections 63(8)(a)(iv), 63(9) and 63(10) of the 1982 Act) to make sure that there are ways of considering the effect that a public procession may have on the community and for providing information to those who may be affected by it. There are also aspects of this guidance which highlight areas of community involvement, such as keeping ‘opt-in lists’ and holding debriefing meetings (which your local authority should invite members of community groups to), which your local authority should include in their work. In particular, the changes to the 1982 Act in making sure your local authority take account of the effect of marches and parades on the community in terms of public safety, public order, risks of damage to property and risks of disruption to the life of the community will mean more community involvement. If your local authority want to get more information from communities on these issues, they could use existing processes for involving the community to consider the issues that arise generally with processions which they believe will take place each year in their area. However, we would emphasise that restrictions should not be placed on an organiser just to please those organisations or members of the community who disagree with the purpose of the march or the opinions or beliefs held by the marchers.

57 You can find information on the community planning process, which local authorities have a duty to organise, in the Statutory Guidance published following the Local Government in Scotland Act 2003. Your local authority could use the community planning process as a basis for considering how public services could be provided for public processions which take place regularly in certain areas. It is up to each community planning partnership to decide what priorities to set for each area. However, if it is decided to discuss processions as part of this process, local authorities should involve communities in line with their existing community planning arrangements.

58 Alongside this, we would remind your local authority of the new duty placed on them by section 63(10) of the 1982 Act which means they need to provide information to those who ask for it about processions which may be, or are about to be, held in the area. The way in which your local authority provide information about processions to those who ask for it is up to each local authority to decide. However, in keeping with the recommendations in the report of the working group, and to make best use of the potential for receiving community views, we recommend that your local authority keep lists. In those lists they could say that they would like to receive any representations about holding any particular procession within a set time limit.

## Section 2: advice on good practice

59 Your local authority will need to decide on the time limit, but it may be that they would want any responses from the public and those on their opt-in list at least two weeks before the date of the procession. Given that your local authority will receive notices individually here and there, they must regularly update their lists and publish revised versions. It is, of course, also important to send updated lists to those on your local authority's opt-in list and invite views (see paragraphs 51 to 54).

### Precursory meetings

60 A precursory meeting is a discussion between your local authority, the police and the organiser which is an informal way of providing a useful face-to-face opportunity for everyone to go through the notification and discuss any issues or problems. This is not a legal requirement but should benefit the arrangements for holding a procession. It may also be appropriate to invite community organisations along and any business representatives to receive their views. Or, your local authority may decide that it would be better for community organisations to be represented at the full decision-making meeting of the relevant council committee and to go to the debriefing meeting (see paragraph 65).

61 Your local authority may not always need a precursory meeting and they could discuss issues surrounding routine or small-scale marches over the phone or deal with them by e-mail instead. Paragraphs 79 to 82 of the working group's report provides more information on the circumstances of when a first meeting would be appropriate and gives details of what that meeting might need to cover.

### Assessing risk

62 Depending on the nature of the event, your local authority, in close discussion with the police, should carry out an assessment of the risk of holding the procession against the considerations set out in section 63(8) of the 1982 Act (including any information available on previous processions). This will lead to better and more informed decision-making because your local authority will have:

- identified the known dangers and risks associated with holding the procession;
- a better knowledge on which to decide whether and what precautions could be taken to reduce or get rid of risks; and
- a better idea of what preventative measures they may need to take now and for future processions.

63 Your local authority should pass their written assessment to the organiser for comment and they may want to compare their findings with any risk assessment they have carried out (see next paragraph).

64 Again this may depend on the nature of the event, but it may be appropriate to ask the organiser to carry out a risk assessment. Your local authority should let the organiser know whether they want them to carry out a risk assessment. Your local authority can find an example of the types of things that an organiser might have to cover in a risk assessment at **Annex C**. Your local authority should include the organiser's risk assessment in the decision-making process and compare it against their own.

### **Debriefing meetings**

65 Your local authority should try to arrange a debriefing meeting with the organiser and the police as soon as possible after a procession has taken place. They may also need to invite community organisations along so they can have their say on how the event was handled. These meetings will give those attending an opportunity to air their views and voice any concerns over holding the procession in the future. They may not need to hold a debriefing meeting for marches that have passed off without incident, but it would be advisable to hold a short meeting for all large-scale processions – even if these have not attracted trouble – to see if there was anything which could have been handled better. Your local authority will find examples of the types of issues that could be covered at a debriefing meeting in paragraph 90 of the working group's report. A member of the local authority should take a note of the debriefing meeting and send it to all those who come to the meeting.

### **Other good practice**

66 The working group's report responds to all of the 38 recommendations in Sir John Orr's report. This guidance accounts for most of that analysis, but there are other aspects of good practice in the report which we do not cover here. We can summarise these elements as follows and your local authority should consider them when reviewing their practices and deciding how they might best take them forward in their area.

- Organisers are ultimately responsible for considering the potential for combining processions, but your local authority, while continuing to respect important dates which are traditionally important to various organisations, may want to consider holding discussions with organisers about the possibility of re-routing some marches in future and combining some of them to reduce the volume. (See paragraphs 69 to 72 of the working group's report.)

## Section 2: advice on good practice

- Your local authority and the police should work together on keeping statistics of the number of processions taking place and how to work out the associated police costs. (See paragraphs 96 to 99 of the working group's report.)
- Your local authority, the police and the organiser should discuss the content of the organiser's codes of conduct, if this applies, to make sure that it reinforces the behaviour expected of those taking part. (See paragraphs 108 to 112 of the working group's report.)
- If your local authority have not already done so, they should work with the police to consider whether it would be necessary to put byelaws in place to prevent people from drinking alcohol in public places. (See paragraphs 124 to 125 of the working group's report.)

# Section 3

## step-by-step guide

### General

67 This section sets out the basic steps that your local authority should follow when taking decisions on notifications received at least 28 days before the procession. The step-by-step guide below sets out the process over a 28-day period and shows how the administrative process should work from the point of receiving the notification to holding the procession itself. Some organisers will send your local authority their notifications some months beforehand, which will give your local authority and the police a considerably longer time to plan and prepare for the procession and to let communities know. In these cases, we would expect your local authority to give organisers early notice of their decision.

68 As highlighted earlier in this guidance, decisions to be taken on the more routine processions or parades may not need to follow the entire process described below. Your local authority can decide how this should work. However, it may be possible for them to identify general events and draw together a list with the police and organisers of events which your local authority could class as routine and suitable for fast-tracking. However, your local authority must remember that they must follow the statutory duties imposed by the Civic Government (Scotland) Act 1982, as amended.

69 Even for processions which are to be taken through the full process, it may be possible to skip some of the recommended steps – such as the need to hold a precursory meeting, the need to assess the risk against other tests and the need for organisers to fill in a risk assessment. This would help to avoid making the process overly long for marches which, while not classed as ‘fast track’, can, nevertheless, be categorised as being of a more routine nature than others. We provide a separate chart to outline the various processes – including fast-tracking – with this guidance.

### The notice

70 All organisers (apart from funeral directors and any processions covered by an order made under section 62(11B)(b) of the 1982 Act) must give your local authority notice that they want to hold a procession. Your local authority can decide not to enforce the notice period of 28 days, but generally only in exceptional circumstances.

## Section 3: step-by-step guide

71 In line with section 62(1) of the 1982 Act, march organisers must give your local authority, the police and the National Parks Authority (if this applies) written notification that they plan to hold a procession. The notification must provide the information set out in section 62(3) of the Act. However, your local authority will want to note that the working group has drafted a standard notification form that they could give to all organisers. Your local authority can find this at **Annex D**. Your local authority may want to keep a stock of these forms at convenient places and give them to organisers when they ask. You should also give them your local authority's code of conduct and 'how to' guide with the notification form.

### Week one

#### Step one

##### *Day one – receiving the notification*

72 Your local authority should receive the notification form from the organiser at least 28 days before the procession is to be held. Your local authority should acknowledge that they have received the notification form and they should make sure that the police have a copy of it. Return any late or incomplete notification forms to the organiser and ask them to fill in the missing information and send it back (if there is enough time for them to do so). For late notifications (notifications which are sent within 28 days of the proposed date of the procession), ask the organiser to explain why the notification was sent in late with a note that they may want to consider applying for a waiver to the 28-day period. (See section 62(4)(b) of the 1982 Act.)

#### Step 2

##### *Days one to three – deciding how to handle the notification*

73 Decide, along with the police, whether the procession falls into one of the categories below.

- It needs to go through the entire suggested administrative process (in other words, where a first meeting will need to be held, a risk assessment carried out by the organiser, the views from the public taken and where conditions may have to be placed).
- It is one of the organisations or processions on your local authority's 'fast track' list (see paragraph 68) where most arrangements can be handled by phone or e-mail.
- It is not one of the organisations or processions on your local authority's fast track list but because of its nature it will be possible to put it through the fast-track procedures. Again, most arrangements should be handled by phone or e-mail.

***Days one to three – setting up the first meeting***

74 If your local authority are taking the notification through the full administrative process, they should contact the organiser, the police and any other groups that they feel should be represented (for example, the emergency services, community council representatives and so on) to arrange the first meeting. This meeting will help your local authority to tackle any early concerns and discuss issues of planning for the event and so on.

***Fast-track notifications***

75 For fast-track notifications, where your local authority and the police should be able to deal with the organiser mostly by phone and e-mail, your local authority may want to hold a one-off meeting with the organiser and the police to confirm the arrangements and to go over any issues or concerns which are still outstanding from the previous year's event.

76 Keeping in mind that your local authority must follow all the legislative steps set out in the Civic Government (Scotland) Act 1982, it may be possible, once your local authority have confirmation from the representatives at that meeting that all issues have been satisfactorily dealt with, to give the organiser early confirmation that the event can go ahead with or without conditions. After the event has been held, your local authority would need to hold a debriefing meeting (see paragraph 90 below) to review any issues.

77 The following steps mostly apply to notifications which should be taken through the full administrative process. However, there are some steps which fast-track notifications will also need to follow. The legal steps set out in this section of the guidance apply to all notifications.

**Step 3*****Day three – publicising the notification***

78 Your local authority should arrange to publicise the notification in line with their agreed practices (see also bullet points at paragraph 36 for methods of publicity), give up to two weeks for views to be sent in and explain how your local authority will take those views into account. Your local authority should also write to those on their opt-in list (see paragraphs 51 to 54) to let them know someone plans to hold a procession and ask for views. Given their nature, some 'fast-track' notification (for example, Common Ridings events) may need rather less in the way of community consultation.

***Day four – other tasks to carry out***

79 To meet the requirements of section 63(10) of the 1982 Act, it is suggested that your local authority should now add a note of the notification to the list that the working group recommends your local authority keep, and searches their files for records of any previous similar processions. The process needed under section 63(10) of the 1982 Act applies to fast-track notifications (as long as a person has asked for information about a particular procession).

80 Your local authority should keep these records to hand and prepare a short summary statement to highlight any areas of concern with the last procession in as far as they relate to section 63(8)(c) of the 1982 Act. Your local authority should prepare this statement in time for the first meeting. This process is a legal requirement and so also applies to fast-track notifications.

**Step 4**

***Day five – taking stock and arranging the first meeting***

81 Your local authority should take stock of the information collected so far and consult with the police (by e-mail) to see if there are any early concerns which they consider will need to be raised at the meeting with the organiser. This could include the proposed route, the timing of the event, the stewarding and so on. Your local authority should keep a note of these discussions along with any e-mail exchanges and raise any concerns with the organiser at the precursory meeting.

82 Your local authority should also begin collecting any relevant information about the list of considerations set out in section 63(8)(a) of the 1982 Act and discuss them with the police.

**Week two**

**Step 5**

***Day 6 – holding the precursory meeting***

83 It is recommended that your local authority hold a precursory meeting with the organiser and the police to discuss the notification and any concerns about holding the procession. It might be useful to keep a brief record of the meeting and outcomes agreed between everyone. Your local authority may also want to use this meeting to discuss the organiser's risk assessment, if needed. Your local authority will probably need more meetings along the way towards the final decision. A precursory meeting is relevant for fast-track notifications and it may be possible to have this meeting arranged much earlier in the process.

## **Step 6**

### ***Days 7 and 8 – assessing risk***

84 By now, your local authority should have enough information to make a preliminary assessment of the risks associated with holding the procession. It is recommended that the assessment is carried out with the police, and that this will help your local authority to reach an informed decision on the information and advice – if appropriate – to be included in their report for the committee.

## **Week three**

### **Step 7**

#### ***Days 9 to 18 – reviewing the evidence***

85 By day 18 your local authority should have received all the comments from those affected by the proposal and be in a position to consider whether the notification will need to be sent to a committee for consideration. In doing so your local authority should:

- compare the comments received from the police, the public and those on the opt-in list;
- examine the information gathered from the precursory meeting and any other meeting your local authority may have had about the notification;
- put together any other relevant information or evidence your local authority have to hand, particularly information on whether the organisers kept to the conditions for previous processions which they arranged (section 63(8)(c) of the 1982 Act); and
- assess the representations received and all other information your local authority have against all parts of section 63(8) of the 1982 Act and your council's Schemes of Administration and Delegation.

86 Taken together these will allow your local authority to decide whether the notification needs to be referred to a committee. If so, your local authority should, on or before day 18, issue a notice and agenda calling a committee meeting to all who made a representation. Your local authority should give at least three days' notice of that meeting. With that notice and agenda your local authority should include:

- a copy of the notification form;
- a copy of the comments received from the police;
- a copy of all representations received; and
- a report with details of all other relevant information your local authority have.

## **Week 4**

### **Step 8**

#### ***Making an order about a procession***

87 If the committee decides that conditions are to be placed on a procession or it is to be prohibited, your local authority should draft an order, tell the police and contact the organiser to let them know the decision. Your local authority should publicise the order as appropriate including updating information on their website. This process also applies to fast-track notifications.

### **Step 9**

#### ***Day 21 – Letter of confirmation***

88 If the committee decides that your local authority need to place restrictions on a procession, and even if this is decided that this will not be necessary, your local authority should give the organiser a letter of confirmation setting out what has been agreed and why certain decisions have been taken (section 63(3)(a) of the 1982 Act). Your local authority should include a copy of any order that is needed (see section 63(3)(a) of the 1982 Act) with the letter along with another copy of their code of conduct. This process also applies to fast-track notifications.

89 In most cases, it should be possible to complete all these steps well before the end of the 28-day period (see paragraph 39 on minimum period of notice) and at least one week before the procession is to be held. We appreciate that there may be rare occasions where it will not be possible to reach a decision until very close to the day of the procession itself. However, depending on section 63(4) of the 1982 Act, a local authority must give at least two days' notice of any decision to prevent or place conditions on a procession or any change to those decisions.

### **Step 10**

#### **Issues after the procession**

##### ***Debriefing meetings***

90 Your local authority should aim to arrange a debriefing meeting (if necessary) with the organiser and the police as soon as possible after the event (within 14 days of the event, if possible). These meetings allow those at the procession to give their views and voice any concerns over holding the parade in the future. It may be appropriate to invite representatives from community organisations so your local authority can hear their concerns. Take a note of the debriefing meeting and send it to all those who attend. Debriefing meetings are also relevant to fast-track notifications.

***Follow-up letter***

91 If any serious concerns have been raised at the debriefing meeting, your local authority should let the organiser know about them in a follow-up letter from your local authority or the police. The letter should set out all the concerns and how these might affect any future notices to hold a procession.

***Keeping records***

92 Your local authority should record the outcome of all events and hold it on file with other relevant papers and consider it when notices are made in the future by the organiser. Your local authority should also update the lists to be kept under section 63(9) of the 1982 Act. This process is also relevant to fast-track notifications.

**Summary**

93 We have designed this guidance to help your local authority understand the changes to the law which will apply from 1 April 2007 and the good practice they should follow from that date. With this in mind, it is important for your local authority to note that they must consider notifications they receive before 1 April 2007 against the existing conditions in the 1982 Act. Your local authority must consider notifications they receive from 1 April 2007 onwards against the new processes inserted into the 1982 Act by the 2006 Act, which amends the 1982 Act.

94 Not every notification needs to go through all the processes outlined in the step-by-step section above (in other words, precursory meetings, risk assessments, debriefing meetings and so on). Your local authority can decide the circumstances under which they will not pass a notification through all the steps. However, they must follow all the legislative steps for all notifications sent to them under section 62(2) and (3) of the 1982 Act. Your local authority must also keep to any duties which are placed on them under Part V of that Act.

## Scottish Executive contacts

95 If your local authority have any questions on this guidance, please send them, preferably by e-mail, to:

Mr Callum Percy  
The Scottish Executive Police Division 1:2  
Floor 1WR  
St Andrew's House  
Edinburgh  
EH1 3DG

Phone: 0131 244 2160

E-mail: [Callum.Percy@Scotland.gsi.gov.uk](mailto:Callum.Percy@Scotland.gsi.gov.uk)

### **Further copies of this guidance**

96 If your local authority want more copies of this guidance, e-mail:

Mrs A Muir  
The Scottish Executive Police Division 1:2  
Floor 1W.15  
St Andrew's House  
Edinburgh  
EH1 3DG

E-mail: [Alexandra.Muir@Scotland.gsi.gov.uk](mailto:Alexandra.Muir@Scotland.gsi.gov.uk)

### **Police Division 1:2**

**The Scottish Executive Justice Department**

**November 2006**

# Annex A

## Sample letter for your local authority to send to their opt-in organisations

### *Civic Government (Scotland) Act 1982 Part V – Notice of a public procession*

Dear Mr/Mrs

We have recently received the notification shown above to hold a procession. We are currently considering the details of the notification and will discuss it with the police and the organiser. We will take a decision on whether:

- the procession can go ahead without any conditions being placed on it;
- the procession can go ahead with an order made to place certain conditions on it; or
- the procession should be prevented from going ahead.

Article 11 of the European Convention on Human Rights sets out the ‘right to freedom of peaceful assembly and association’. This means people have a right to hold marches. However, it is not an absolute right and we can place restrictions on it if it is necessary. As a result, we are letting you know about the organiser’s intention to hold the procession so that you can consider how the procession might affect you and how you might need to plan and work around it. If you want to raise anything about the procession, please contact me by [insert date]. If you do make a representation, we may include it in papers the [insert title] Committee may consider. This means that your identity and those of any other people making a representation will become public.

We may invite you to come to any meeting we might have with the organiser and the police to discuss this notification. If the procession is to go ahead (with or without conditions), we may also hold a meeting with the organiser and the police after the procession is held to go over any other issues. We may also want to invite you to come to the [insert title] Committee’s meeting. We will write to you again to let you know if we will be inviting you to come to any of these meetings. The details of the procession are as follows.

<b>Date of procession</b>	<b>Proposed routes</b>	<b>Likely number of marchers</b>	<b>Organisation holding the procession</b>

You should send any questions or notes of concern about holding the procession to: [insert local authority contact details here]

Yours sincerely

# Annex B

## ‘How to’ guides for organisers

It may be helpful for your local authority to give organisers a ‘how to’ guide with the notification form. The purpose of the guide would be to act as a reference manual so organisers could take steps to make sure that their event goes more smoothly and in line with your local authority’s expectations. This annex sets out what might feature in a guide but we would leave it to your local authority to decide on the specific content and format of their own guide. The ‘how to’ guide should provide other information to that shown in your local authority’s code of conduct. A ‘how to’ guide might include the following.

### Section 1 – the law

The purpose of this section would be to describe the various legal requirements that organisers should be aware of (see paragraphs 11, 12 and 13 of the guidance).

### Section 2 – local licensing

This might set out what insurance and licenses are desirable or needed for organisers to arrange. (See paragraph 14 of the guidance.)

### Section 3 – step-by-step guide to organising an event

This section could give organisers a step-by-step guide on what they should take account of when planning their events. These might be issues such as:

- managing crowds;
- insurance arrangements;
- managing vehicles;
- health and safety issues;
- managing waste and hygiene;
- training stewards; and
- planning for unexpected events.

### Section 4 – checklist

This section could give organisers a checklist of items before and after the event for them to use along with a timescale by which each item should be carried out.

## **Section 5 – organisers’ risk assessment**

This section could tell organisers the circumstances under which they should assess risks and what the assessment is expected to cover. (See paragraph 64 of the guidance and Annex C.)

## **Section 6 – stewarding**

This section could set out what stewarding standards are generally expected of organisers and the training that stewards might need to receive before being put in charge of an event. As a result, this section might use the information from paragraph 116 of the working group’s report which highlighted the main areas where training might be offered.

## **Section 7 – contacts**

This section might give organisers a note of the most appropriate contacts at the local authority and who the other essential contacts might be. Useful contacts in the council could include those who give advice on environmental health, road closures, cleaning and licensing. Other useful contacts might include those from the emergency services (the police, the fire brigade and so on), and other main sources of help such as the Red Cross (for first aid).

## **Section 8 – code of conduct**

This could be a brief section to summarise what your code of conduct covers and the standard of behaviour that your local authority expect from those taking part.

# Annex C

## Draft risk assessment form for procession organisers

**Risk assessment form issued by [insert council's name]**

### General information for the organiser

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 which 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, you should 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 your 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 this 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 assessment compares to ours. In case there are problems, we may need further meetings.

**Section one**

<b>Your name, address and contact details:</b>	
<b>Date and time of procession:</b>	Date: ..... Time: .....
<b>Proposed main route of procession:</b>	

**Section two**

**Main risk assessment**

The table in this section sets out the main areas of the risk assessment. You should provide as many supporting comments as you can.

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 expected?	
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.)	

<b>Question</b>	<b>You must provide supporting comments in the boxes below</b>
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 procession. (Please also say whether the risk is low, medium or high.)	
<b>Taking account of all the information in this table, what is your opinion of the overall risk of holding the procession? Is it low, medium or high?</b>	

### 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 as a route that your organisation commonly uses?	
Have you taken out insurance to help cover for any risks arising from the procession?	
What is your assessment of the risks 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?	

The main considerations	Supporting comments
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.

- >
- >
- >
- >
- >

Please provide any other supporting comments in the box below.

**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 the person carrying out the risk assessment:.....

Name in BLOCK CAPITALS: .....

Relevant qualifications of the person carrying out the risk assessment:

.....

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 the following person.

[insert local authority contact details].

.....

We will make sure that a copy of your assessment is sent to the following police contact.

[insert police contact details].

.....

# Annex D

## Notice of proposal to hold a public procession

Important notice – 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 bottom of this form; and
- keep a copy for yourself.
- We will make sure that 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 that we may hold to discuss your notification in more detail.

Please provide the following details.

### Your contact details

**Name:** .....

**Address:** .....

..... **Postcode:** .....

**Phone number:** .....

**E-mail address:** .....

### Chief Steward’s contact details

**Name:** .....

**Address:** .....

..... **Postcode:** .....

**Phone number:** .....

**E-mail address:** .....

**Annex D**

Name of organisation or band:.....

Date and start time of procession: .....

Reason for procession: .....

The proposed route: .....

Number of people expected to take part: .....

Please provide details of the arrangements for controlling the event:

.....  
.....  
.....  
.....

(Please continue on a separate sheet, if you need to.)

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 band member for: Band A: .....

Band B: .....

Band C: .....

(Please fill in on a 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).

.....  
.....

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

.....

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

**Your signature:..... Date: .....**

Please return this form to:

[insert local authority contact details].

The person named above may need to contact you again to arrange a meeting to discuss your notification in more detail.

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