

## SERVICE UPDATE

<b><u>Name of Function:</u></b>	Commissioning
<b><u>Date:</u></b>	28 <sup>th</sup> April 2023
<b><u>Title of Update:</u></b>	Protests and Processions
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### **INTRODUCTION:**

Scottish Government has established an Action Group on Processions to work through the conclusions and recommendations of a short life working group on same. The Group will agree how best to respond to each one, whether that be identifying the need for further in-depth consideration; the need for testing; moving straight to implementation; or not taking any further action. It is anticipated that the Action Group will prepare a report setting out their advice which will go to the Scottish Government, COSLA, and Police Scotland to consider and agree next steps.

Aberdeen City Council is represented on the Action Group through COSLA.

This service update provides the latest known position on the Action Group, in the context of any implications for Aberdeen City. It addresses the action in the Committee Business Planner – *“to agree the Council’s position on the public protection aspects of protests and processions where there are traffic management implications arising from applications”*.

### **UPDATE:**

1.1 The short life working group was set up to consider whether Scotland required a similar approach to protests and processions to that being taken elsewhere. The group published its [findings](#) in November 2022 and concluded specifically on this point that *“whilst there are considerable tensions over the facilitation of processions in some areas, most particularly Glasgow, there are other areas where there are few if any problems. This has suggested to us that there is no immediate need for wholesale change in the regulation of processions across Scotland”*.

1.2 Below is a summary of the main findings:

- Recognition that one size will not fit all and some authority areas have more activity and complexity in this area than others.
- Relevant information to be more prominent on local authorities’ websites.
- Information sharing to be encouraged between local authorities on best practice and such like.

- “Disruption of the life of the community”, which is often a ground for restriction or refusal of permission, is only one of many rights that require to be balanced, and should not necessarily be given precedence.
- Increased community training and mediation could assist in reducing the need for public order policing.
- No present need for a Parades Commission in Scotland.
- No merit in a 14-day consultation period.
- Public processions could be exempt from events which require Temporary Traffic Regulations Orders (TTROs).

1.3 On this final point, COSLA’s Community and Wellbeing Board agreed in February to seek further discussion on how TTROs and Traffic Management are funded. There are obvious implications for local authority budgets if this exemption is applied, given the clear need for public safety at such events. The Council currently meets the costs of May Day and Pride marches. Any traffic management and TTROs required for other protests or processions would be considered within the licensing application process, which includes consideration of public safety requirements by Police Scotland as consultees. If conditions are placed on a licence, other than the May Day and Pride marches, the costs require to be met by the applicant if the organisers do not wish a static protest eg at the Castlegate.

1.4 Below is an extract from the findings of the working group, at 10.7:

“The working group welcomes the agreement on TTROs between COSLA and Police Scotland and agrees that the determination of the road traffic requirements of any march or parade must depend on the individual circumstances of the event. *Moreover, measures relating to temporary traffic regulation should be agreed between the police and Local Authority in a way that protects the different rights engaged and also makes best use of public resources.* Nonetheless, drawing on the example of Northern Ireland, the working group also considers that public processions and related open-air public meetings could be expressly exempted from the category of ‘special events’ to which TTROs pertain.”

1.5 The Council’s representatives on COSLA will continue to make representations on this aspect of the Action Plan.