

PERTH AND KINROSS COUNCIL

Licensing Committee – 14 May 2015

NOTIFICATION OF PUBLIC PROCESSION- 27 JUNE 2015

Report by Head of Legal Services

Name and Address:	David Walters 2 McCormack Place Perth PH1 2UH
Reason for Report:	<p>Notification dated 26 September 2014 and received 30 September 2014 has been given by Mr David Walters on behalf of St Andrew's True Blues LOL 209 Perth for their annual Boyne Celebrations. The procession is proposed to take place in Perth on Saturday 27 June 2015 at 8.30 am. It is estimated around 70 people will take part.</p> <p>The Notification was displayed on the Council's website from 11 November 2014 until April 2015.</p> <p>There are 3 objections to the application. An email from TES Roads Network dated 11 November 2014 (see attachment 4) and an email from Police Scotland dated 13 April 2015 (see attachment 5) are being treated as objections as a Temporary Traffic Restriction Order (TTRO) has not been applied for in this case. There is also an email from Councillor Peter Barrett dated 3 November 2014, objecting to the application (see attachment 3).</p> <p>List of attachments:-</p> <ol style="list-style-type: none"> (1) The Notice of a Proposed Public Procession (2) Risk Assessment – Proposed Public Procession (3) Objection from Councillor Peter Barrett dated 3 November 2014 (4) Objection from TES Roads Network Management dated 11 November 2014 (5) Objection from Police Scotland dated 13 April 2015 (6) Public Procession Conditions and (7) Public Processions Code of Conduct

Background Information:

The Committee has three possible courses of action open to it in determining the notification in terms of the Civic Government (Scotland) Act 1982, Section 63.

Option 1 – Accept the Notification as received.

Option 2 – Accept the Notification and make an Order imposing conditions such as those set out in attachment 6 to this report and any other conditions that the Committee considers appropriate. The conditions include provision for timing, route, compliance with police instructions, litter disposal, marshalling and stewarding arrangements. A Code of Conduct (see attachment 7) detailing what is expected of organisers and participants can also be issued although this does not form part of the conditions of the Order.

Option 3 – Reject the Notification and make an Order prohibiting the holding of the procession.

Contact Officer: Shona Douglas Ext 75154



CIVIC GOVERNMENT (SCOTLAND) ACT 1982
PART V - PUBLIC PROCESSIONS

POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006
PART 2 - PUBLIC ORDER

NOTICE OF A PROPOSED PUBLIC PROCESSION

This form should be completed by the organiser of the event and submitted to us at least 28 days before the date of the proposed procession. The organiser should also complete and return the Risk Assessment Form attached to this application. If your event is less than 28 days away and you have not submitted this form to us, you should contact the person named on this form as soon as possible in order to discuss whether you will be able to apply for an exemption to the required 28 day notice period. Please note that we are only able to grant an exemption in exceptional circumstances, such as the event is being organised in reaction to a recent event or announcement.

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

- send the completed form to the address at the bottom; and
- keep a copy for yourself.

We will give a copy of your notification to the Tayside Police.

If you require any assistance with completing the form, please contact us. Not completing all relevant sections of the form may delay or prevent us from considering your notification.

Organiser's Contact Details

David Walters

Name:

Address: 2 McCormack Place

Perth

Postcode: PH1 2UH

Phone number: Email address:

Chief Steward's Contact Details

David Curr

Name: 21 Chestnut Crescent

Perth

Address:

Postcode:

Phone number: Email address:

Procession Details

Name of Organisation or Band: St Andrew's True Blues LOL 209 Perth

Date and Start Time of Procession: Saturday 27th June 2015 marshal up 8.15am move off 8.30 am

Reason for Procession: Annual Boyne Celebrations

Proposed Route: Marshal up Tulloch Park Tulloch Road, via Tulloch Road, Crieff Road, Dunkeld Road, Barrack Street, Athol Street, North Methven Street, High Street, Scott Street, South Street, Tay Street, Dry Arch, Lay Wreath at Cameronian Monument, National Anthem Disperse for main Rally in Braxburn. We will only be holding one parade this year

(Please continue on a separate sheet if necessary)

Number of people expected to take part:approx 40 plus 30 in Band.....

Please provide details of the arrangements for controlling the event:

Trained Marshals

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

..... (Please continue on a separate sheet if necessary)

Number of stewards:as per ratio..... Number of vehicles:none.....

Do you intend to use a Perth and Kinross Council car park during this event? Yes/No NO

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

Band A:Castlemilk Flute Band.....

Name of Responsible Person:Sandy Watson.....

Band B:

Name of Responsible Person:

Band C:

Name of Responsible Person:

(Please fill in on a separate sheet if necessary)

Is this a sponsored event? Yes/No NO If yes, give details

Is this an annual event? Yes/No YES

Please provide any extra information about the procession which you think may be relevant:

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

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

Your signature: Date: *26/9/2014*.....

Send Completed form, together with completed Risk Assessment Form, to:
Committee Services
Chief Executive's Service
Perth and Kinross Council
2 High Street
PERTH PH1 5PH
Tel. (01738) 475000
Email. Committee@pkc.gov.uk
www.pkc.gov.uk



CIVIC GOVERNMENT (SCOTLAND) ACT 1982
PART V – PUBLIC PROCESSIONS

POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006
PART 2 – PUBLIC ORDER

RISK ASSESSMENT – PROPOSED PUBLIC PROCESSION

Section One

Name:David McGregor.....

Address:204b Crieff Road.....

.....Perth..... Postcode:ph1 2pe.....

Phone number: Email address:

Date of Procession:~~28.6.15~~ 27.6.15..... Time of Procession:08.30.....

Proposed Route:marshal up Fairfield Park 08.15, move off 08.30 via, Tulloch Road, Crieff Rd, Barrack St, Athol St, N.Methven St, High St, Scott St, South St, turn left into Tay St, Lay wreath at Cameronian Monument, National Anthem. Disperse to buses.....

(Please continue on a separate sheet if necessary)

Section Two

This section sets out the main areas of the risk assessment. You should provide as many supporting comments as you can.

Is the date of your procession particularly significant to the organisation?	yes
Has your organisation marched along the same route before?	YES

Section Two (cont.)

Are there enough trained stewards to control the numbers of marchers expected?	YES
Have there been any difficulties or tensions in the recent past with holding this procession?	NO
Please assess the level of risk there may be to public safety. (Please also say whether the risk is low, medium or high)	LOW
Please assess any risk to public order. (Please also say whether the risk is low, medium or high)	LOW
Please assess the risk of damage to property. (Please also say whether the risk is low, medium or high)	LOW
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)	LOW
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?	LOW

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.

At the end of the march, what are your arrangements for getting marchers to go home?	COACH
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?	NO
Is the proposed route shown on your notification as a route that your organisation commonly uses?	YES
Have you taken out insurance to help cover for any risks arising from the procession?	NO
What is your assessment of the risks to marchers if the route passes through communities which may be against the march?	NIL
Do you have enough security in place for any coaches and other vehicles used by the marchers?	YES
Have you considered the policing and attendance costs for holding the procession?	NO
Have you assessed what other priorities there may be in the area on the day of the march?	NO
Have you considered the effect on the community as a whole if the march went ahead?	YES
Could you combine this procession with other similar events in the area? If not, why not?	NO

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.

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:DAVID MCGREGOR.....

Relevant qualifications of the person carrying out the risk assessment:

.....CSCS No 01884014.....

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:DAVID WALTERS.....

Date: 29.10.14

Send Completed form to:

Committee Services
 Chief Executive's Service
 Perth and Kinross Council
 2 High Street
 PERTH PH1 5PH
 Tel. (01738) 475000 Email. Committee@pkc.gov.uk
www.pkc.gov.uk

We will make sure that a copy of your assessment is sent to Tayside Police.

Nicola Storrar

From: Councillor Peter Barrett
Sent: 03 November 2014 16:36
To: Civic Licensing - Generic Email Account
Subject: RE: Public Procession - St Andrew's True Blues LOL 209 Perth

Follow Up Flag: Follow up
Flag Status: Flagged

The presence of a 30 strong flute band from Castlemilik is excessive for a procession of 40 pedestrians and seems unnecessary for the purpose of a wreath laying. The route selected is not the most direct between the start and finish and will cause unwarranted disruption to traffic between 8.30 and 9.00am at a time when many commuters will be going to work. Noise from the band will cause early morning disturbance to city centre residents.

The applicants have given no explanation as to why this event cannot be combined with any other similar event despite immediately departing for a similar event in Broxburn. Given that the stated purpose of the procession is "the annual Boyne celebration" it is clear that the purpose can be achieved elsewhere by the same participants and permission should not be given.

If civic licensing is minded to grant permission then conditions curtailing the route and restricting noise nuisance in built up areas should be imposed,

- 1 marshal at South Inch Car park 8.30
- 2 8:45 process in silence to dry arch
- 3 9.00 national anthem at memorial 9.05, disperse by coach

--
Cllr Peter Barrett
Scottish Liberal Democrats
Perth City Centre



Nicola Storrar

From: TES Roads Network Management - Generic Email Account
Sent: 11 November 2014 10:41
To: Nicola Storrar; Tony Maric; TES Roads Network Management - Generic Email Account; Councillor John Flynn; Councillor Callum Gillies; Councillor Elspeth Maclachlan; Councillor Dave Doogan; Councillor Peter Barrett; Councillor Jack Coburn; Councillor Archie MacLellan; Councillor Heather Stewart; Gail Cain; Leigh Brown; Claire Leishman
Subject: RE: Public Procession - St Andrew's True Blues LOL 209 Perth

A TTRO will be required to facilitate this event.

Kind Regards

James Watson | Roads Network Management. The Environment Service, Perth & Kinross Council,
Email: | Tel: | Mob:
Address: No 35 Kinnoull Street, Pullar House, | Perth | PH1 5GD | Scotland www.pkc.gov.uk

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The information in this email is confidential and is meant solely for the intended recipients. The information contained in this email may not be the views of Perth & Kinross Council. It is possible for email to be falsified and the sender cannot be held responsible for the integrity of the information contained in it. If you have received this email in error, any disclosure, copying, or distribution of the information contained in it is strictly prohibited. If you are not the intended recipient, please advise the sender immediately and delete this email.
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Please consider the environment - do you really need to print this email?

Matthew Baker

From: Beattie, Scott < >
Sent: 13 April 2015 12:23
To: Civic Licensing - Generic Email Account
Subject: FW: St Andrews True Blues LOL 209, Perth
Attachments: Risk Ass - St Andrews True Blues LOL 209 Perth 270615.pdf; Pub Pro - St Andrews True Blue LOL 209 Perth 270615.pdf

NOT PROTECTIVELY MARKED

Afternoon

With regards to the St Andrews True Blues parade, Police Scotland does not have any objections, providing a TTRO is in place.

If you need any further details please let me know.

Many thanks.

Scott Beattie
PC 9256
Divisional Coordination Unit
HQ Dundee
Tel.
Email -

PERTH AND KINROSS COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

PART V – PUBLIC PROCESSIONS

CONDITIONS

- (1) The procession must commence at 8.30 am as stated in the foregoing Order.
- (2) The procession must keep to the route stated in the foregoing Order.
- (3) The Police will give instructions about the width of the carriageway which may be utilised by the participants. These instructions will vary in accordance with the particular type of carriageway, and these instructions must be obeyed.
- (4) Organisers and participants shall comply at all times with the directions or instructions given to them by the Police.
- (5) Where there are no footpaths, participants should keep to the left hand side of the road.
- (6) Any litter deposited by the participants must be removed from the marshalling up area immediately.
- (7) No musical instruments sounded before 8.20 am and no person associated with marches to congregate in the marshalling up area before 8.15 am.
- (8) The names and addresses of marshals for the procession must be notified to the Police 48 hours before the procession. In the event of any changes occurring in marshals, names and addresses of replacement marshals shall be supplied to the Senior Police Officer present prior to leaving the marshalling area.
- (9) Levels of marshalling for the procession must be agreed by the Police and the Organiser.
- (10) Any participants deemed to be under the influence of alcohol by the Police must be prohibited from taking part in the procession.
- (11) No alcohol will be consumed by any member of the procession at the assembly point.
- (12) Following the conclusion of the platform proceedings, participants must immediately vacate the area, and disperse to waiting transport.

REASONS

- (1) To enable proper arrangements to be made for police supervision, traffic management and, if necessary, road closures and the re-routing of bus services. In the interests of members of the public who are not involved in the procession.
- (2) – (5) To enable proper arrangements to be made for police supervision, traffic management and, if necessary, road closures and the re-routing of bus services. In the interest of public order, and to safeguard the interests of members of the public who are not involved in the procession. In the interests of the safety of those participating in the procession.
- (6) To safeguard the interest of members of the public who are not involved in the procession.
- (7) To enable proper arrangements to be made for police supervision, traffic management and, if necessary, road closures and the re-routing of bus services. To safeguard the interests of member of the public who are not involved in the procession.
- (8) – (12) To enable proper arrangements to be made for police supervision, traffic management and, if necessary, road closures and the re-routing of bus services. In the interest of public who are not involved in the procession. In the interests of the safety of those participating in the procession.



Public Processions

Code of Conduct

All organisers should:

- provide 28 days notice to the Council of the intention to hold a procession;
- give notification as early as possible in those cases where a series of similar processions is proposed;
- co-operate with the Council and the Police from the time of submission of the notification of a procession until the procession disperses;
- identify himself/herself to the Police Officer in charge at the commencement of the procession;
- ensure that the route is as agreed with the Council;
- ensure that the number of participants does not exceed that stated in the notification;
- ensure that the procession commences promptly, at the time stated, and finishes at the time stated;
- ensure that all participants have been informed of any conditions imposed on the procession (change of timing, change to route etc);
- ensure anyone under the influence of alcohol and drugs is not allowed to participate;
- ensure an appropriate ratio of stewards and marshals to participants (one to ten) and that all stewards:
 - are briefed by organisers and given guidance/instruction on their role prior to the procession;
 - carry proof of status;
 - co-operate with the Police as required;
 - are highly visible and easily identifiable;
 - conduct themselves in a proper manner;
 - ensure that participants comply with directions regarding their own public safety and that of the public;
- ensure that, wherever possible, processions follow main roads, rather than going through residential housing developments;
- ensure that all participants keep to the near or left hand side of the street except on one-way streets where they will keep to the right side;
- ensure that the Police are assisted in guaranteeing that passage is allowed for traffic and pedestrians;
- ensure that, if necessary, the procession is split into sections in order to avoid serious dislocation of traffic and to facilitate the crossing of pedestrians who have a right of free access and passage to or through any public area;

- ensure that all playing of music ceases when approaching and passing places of worship while services are in progress, as instructed by the Police;
- ensure all participants disperse as soon as the procession concludes;
- ensure that the behaviour of participants could not reasonably be perceived as being deliberately aggressive (ie threatening, abusive, homophobic, sectarian or racist);
- accept that he/she is responsible for the behaviour of all participants, including bands where appropriate (as well as followers) and for ensuring general compliance with the Council's Code of Conduct on public processions and Police instructions;
- note that the conditions of Section 62 of the Control of Pollution Act 1974, in relation to the use of loudspeakers, shall be observed;
- note that the terms of the Public Order Act 1986, in relation to the prohibition of the wearing of uniforms signifying association with any political organisations etc, shall be observed;
- ensure that no banners or similar placards likely to incite a breach of the peace or contravene the Terrorism Act 2000 are displayed;
- note that the terms of the local byelaws, wherein force, in relation to the prohibition of the consumption of alcohol by any person in a designated place, shall be observed;
- note that the Council may take into account any public disorder, anti-social behaviour or damage to property resulting from a specific procession if notification is received from the organiser for a similar march.

All participants in processions should:

- behave with due regard for the rights, traditions and feelings of others in the vicinity of the procession, particularly in areas where there has previously been public disorder around processions;
- behave with due respect at "sensitive" areas such as places of worship;
- refrain from using words or behaviour which could reasonably be perceived as being deliberately aggressive (ie threatening, abusive, homophobic, sectarian or racist);
- obey the lawful direction of procession organisers, stewards and the Police at all times;
- keep to the designated route as directed by the Police;
- refrain from consuming alcohol or drugs prior to or during the procession;
- not display banners or similar placards likely to incite a breach of the peace or contravene the Terrorism Act 2000;
- disperse in good order as soon as the procession concludes.