

Marches, Parades and Static Demonstrations Guidance

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1: Introduction

This document offers guidance and best practice on holding marches, parades and static demonstrations in Scotland.

It sets out the duties and responsibilities of public authorities in Scotland – mainly, but not only, local authorities and Police Scotland – whose principal aims are to provide appropriate assistance and co-ordination to facilitate a safe and orderly event which minimises the inevitable impacts on the wider community.

It explains the duties and responsibilities of organisers of such assemblies, and how they, too, can help to facilitate the safe and proportionate exercise of their rights of assembly.

It sets out:

- the key laws relating to marches and parades
- what local authorities need to take account of when assessing notifications to hold a march or parade
- the (limited) circumstances in which a local authority may prohibit a march/parade from taking place or place special conditions on it, and the steps they should take when considering these issues.

The guidance also explores one of the most complex safety issues around public assembly: making any necessary and appropriate arrangements to facilitate the regulation of traffic.

This document is guidance and users should seek their own legal advice as to how to meet the legal obligations under the relevant legislation.

1.1 Types of assembly

This guidance addresses two broad types of peaceful assembly: marches, parades and processions (which move along a particular route) and static demonstrations (which assemble at a particular point and do not move from it).

Examples of marches, parades and processions might include protest marches (relating, for example, to a factory closure or major political decision), Loyal Order parades, Irish Republican parades, Remembrance Day parades and Pride marches.

Examples of static assemblies might include a service at a war memorial, a protest at a public square or outside a public building, or a counter-demonstration to another assembly.

1.2 Who should read this guidance?

This guidance is intended to help local authorities carry out their key functions in relation to marches and parades. However, it is also hoped that this guidance will provide information to all key parties to any march, parade or static demonstration – not only the local authority, but Police Scotland, traffic authorities, march, parade or static demonstration organisers and participants, and the general public. It therefore sets out the policies and procedures in place for each of these parties, outlines the overarching human rights framework in which public bodies operate, and offers examples of best practice.

2: Overall framework

2.1 Marches and parades legislation

The current framework under which marches and parades are facilitated by local authorities was established in 2006 after a comprehensive review and report by the late Sir John Orr. The resultant [Police, Public Order and Criminal Justice \(Scotland\) Act 2006](#) made amendments to [Section V of the Civic Government \(Scotland\) Act 1982](#). The key aspects of the legislative framework – which are explored in more detail at Section 3: Key legislation – are that:

- Organisers must give the relevant local authority and Police Scotland notification of their intention to march at least 28 days prior to the march/parade
- The local authority must consider a range of issues when considering notification of a march/parade

- The local authority must take account of whether a march/parade may place too much of a burden on the police (note that this does not include the direct financial costs of policing the parade)
- The local authority must take account of the effect that any previous march/parade by the same organiser had on public safety issues and how far those involved had kept to any code of conduct or guidance
- The local authority must make public a list of processions in their area, including those which were prohibited, to allow residents and business to see which processions are happening and to plan accordingly if necessary

2.2 Static demonstrations

Static demonstrations are not clearly defined in legislation, but might be taken as any public assembly (Section 16 of the [Public Order Act 1986](#) defines this as ‘an assembly of 20 or more persons in a public place which is wholly or partly open to the air’) which has gathered in pursuit of articulating views potentially protected by Article 11 of the European Convention on Human Rights (ECHR) on ‘freedom of assembly and association’. Organisers of such assemblies are not formally required to notify their local authority or Police Scotland of the intention to gather, although it is good practice for organisers to do so.

In particular, informing the relevant local authority and Police Scotland will allow them to help organisers plan their event in a way which will ensure safety and minimise the disruption to the community.

Consideration of the impact on the broader community is central to balancing the rights of those participating in events and those in the wider community to go about their business as undisturbed as possible.

The overall framework described above was formally assessed in two independent reports to the Scottish Government in [2016](#) and [2020](#). Both reports found that the processes involved in notifying, accommodating, and carrying out marches and parades worked well, especially when good relations had developed between march organisers, local authorities and Police Scotland. This guidance draws upon these reports to highlight good practice, not least in building and maintaining good relations.

3: Key legislation

3.1 Human Rights legislation

The overarching legal framework for marches, parades and static demonstrations is that of Human Rights, in particular the [European Convention on Human Rights](#) (ECHR) and its incorporation into Scots law through the [Human Rights Act 1998](#).

Article 11 of the ECHR is a key factor in considering marches, parades and static demonstrations. Enshrining freedom of assembly and association, it states that:

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of [their] interests.
2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

The rights of freedom and assembly are not unrestricted rights, and conditions or prohibitions to 'free assembly' may be imposed to:

- protect national security or public safety
- prevent disorder or crime
- protect health or morals
- protect the rights and freedom of others

Any restriction placed on the right to free assembly must also be proportionate to remain compatible with Article 11.

Under section 6 of the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with an ECHR right. Therefore, local authorities have to ensure that their decision making around marches and parades is compliant with Article 11 and the other articles of the ECHR.

Freedom of peaceful assembly is not an unlimited right: it does not translate into being able to march anywhere at any time. The human rights of other groups – including the communities that a march, parade or static demonstration occurs in – must also be taken into account. Here it may be necessary for public authorities to strike a careful balance between freedom of peaceful assembly and the rights of others by placing conditions on the manner in which the assembly proceeds. For example, it may be reasonable to distinguish between a restriction on ECHR rights to assemble and express opinion on one hand, and, on the other hand, a restriction on the manner in which those rights are exercised.

This is particularly relevant where the specific timing or route of a march/parade may necessitate conditions on timings and route for the limited reasons further explored in Section 4.9: Prohibitions and special conditions. This may also be particularly relevant in the context of the regulation of traffic, where local authorities may consider it appropriate to suggest conditions where their aim is to facilitate the safe conduct of a demonstration.

It should be emphasised that Article 11 of the ECHR only applies to assemblies which are peaceful – it does not apply where participants are intent on violence or otherwise reject the foundations of a democratic society.

3.2 Marches and parades legislation

Sections 70 and 71 of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006](#) made amendments to the [Civic Government \(Scotland\) Act 1982](#) which had previously provided the key legislative framework for marches and parades. Taken together, these acts provide a clear basis for policy on marches and parades.

Notifications: The organiser of a march/parade must formally notify the relevant local authority and Police Scotland of their intentions at least 28 days before the date of their march/parade. That notification should provide details of the proposed date, time and route, the number of people expected to participate, and the arrangements made for stewarding the march/parade. Wherever possible march organisers should submit their notifications as early as is possible for them to do so, as this will help to make room for the safe facilitation of their march/parade. This is particularly the case where the march/parade is

likely to have a significant impact on traffic as the relevant authority may need to apply for a Temporary Traffic Regulation Order (TTRO). This is discussed further in Section 5 on Managing traffic.

Exemptions: the only standard exemption to the notification process applies to funeral processions organised by a funeral director acting in the ordinary course of their business. In exceptional circumstances a march/parade may be exempted by a specific order by the Scottish Parliament.

Dispensations: [Section 62\(4\) of the Civic Government \(Scotland\) Act 1982](#) allows march/parade organisers to apply for a 'waiver' to the required 28 days' notice. A local authority should only waive the 28-day notice period in exceptional circumstances, for example if there is clear evidence that the march/parade will need to be organised quickly in response to a recent decision or announcement (such as a decision to close a factory, the unexpected attendance of a political figure at a public event, or an unexpected announcement of redundancies). Police Scotland must be consulted before an order under this section of the 1982 Act is made.

Record of marches and parades: local authorities are required to compile a list of previous and upcoming marches and parades in their area, including those proposed but prohibited, and to make this list freely available.

Local authority duties: the local authority must consider the notification and inform the organiser as early as they can of any likely special conditions or prohibition on the holding of the march/parade. Any such conditions/prohibition should be made only after consultation with Police Scotland. The organiser should be formally notified before the parade is due to take place of whether any condition/prohibition is being imposed upon it and the reasons for these must be provided in writing.

Section 63(3) and 63(4) of the 1982 Act states that the council should do this 'as early as possible ... insofar as it is reasonably practicable for them to do so' and must deliver their decision 'at least 2 days before the date of the [procession]'. Best practice means that statutory minimum should be regarded as two business days, and that local authorities should strive in all cases to deliver their decision at least one week before the date of the march/parade.

Conditions/prohibitions: Section 63(8) of the 1982 Act sets out the considerations which the local authority can and should have regard to when deciding whether to prohibit the holding of a procession or impose conditions on it. These include:

1. The ‘likely effect’ of the holding of the procession on public safety, public order; damage to property; or disruption to the life of the community

‘Disruption to the life of the community’ is discussed further in Section 4:10.

Police Scotland have separate powers to give directions, in advance or ‘on the spot’, under Section 12(1) of the 1986 Act which notes that police may place conditions on a march/parade if the commander ‘reasonably believes that’:

- (a) it may result in serious public disorder, serious damage to property or serious disruption to the life of the community, or
- (b) the purpose of the persons organising it is the intimidation of others ...

Where a local authority is making a decision about whether to prohibit or impose conditions in relation to a proposed procession, that decision will be fact-specific and may require the local authority to obtain legal advice about the decision. However, decided case-law may provide some assistance. The [Note by Sheriff S Reid Esq. in the Summary Application Under section 64 of the Civic Government \(Scotland\) Act 1982 at the instance of Apprentice Boys of Derry, Bridgeton \(Pursuer\) against Glasgow City Council\(Defender\)](#) [2019] SC GLA 80 has useful commentary about the legislative framework, including Article 11 of the ECHR. There is also guidance by the Organisation for Security and Co-operation in Europe (OSCE) which has produced summaries on freedom of peaceful assembly under [Guidelines on Freedom of Peaceful Assembly](#).

2. Where ‘containing the risks’ of the parade are likely to ‘place an excessive burden on the police’.

As mentioned at Section 2,1, the local authority must take account of whether a march/parade may place too much of a burden on the police, but it should be noted that this does not include the direct financial costs of policing the parade.

3. Where the organiser and/or ‘persons likely to take part’ in the notified parade had previously been involved in a march/parade in the council area which had breached a prohibition order or imposed conditions, or had impacted negatively in terms of public safety, public order; damage to property; disruption to the life of the community.

The issue of ‘disruption to the life of the community’ is discussed further in Section 4.10.

3.3 Static demonstrations legislation

[Section 14 of the Public Order Act 1986](#) allows for restrictions on a static demonstration only where police can show that it was likely to result in ‘serious public disorder, serious damage to property or serious disruption to the life of the community’ and/or where the purpose of the demonstration was ‘the intimidation of others’. Restrictive conditions may only apply to the number of people who may take part in the demonstration, its location, and its maximum duration.

There is nothing in the Public Order Act 1986 that allows the prohibition of a static demonstration.

There is no obligation to give advance notice of a static demonstration under the Civic Government (Scotland) Act 1982.

3.4 Other legislation

Depending on the specific nature of, and plans for, the march or parade, further legislation may be applicable. This might include:

- **Public Order Act 1936**, which creates an offence of wearing uniforms signifying association with any banned organisations in a public place or at a public meeting.
- **Public Order Act 1986**, which relates to the powers of chief constables during or immediately before a march or parade (section 12) or a static public assembly (section 14). Section 12(1) provides for separate powers for police to give directions in advance or “on the spot” if the commander ‘reasonably believes that’ it may result in serious public disorder, serious damage to property or serious disruption to the life of the community, or

if the purpose of the persons organising it is the intimidation of others.

- **Terrorism Act 2000**, relating to being members of, supporting, or fund-raising for an organisation forbidden by law - or wearing clothing/carrying or displaying articles that arouse reasonable suspicion that the person is a member of, supports, or is fund-raising for an organisation forbidden by law.

Depending on the specific plans for the march/parade, some consideration might need to be given to:

- **Land Reform (Scotland) Act 2003** (for making orders to temporarily prevent people from having rights of access to land).
- **Road Traffic Regulation Act 1984** as amended by the **Road Traffic (Temporary Restrictions) Act 1991** and the **Road Traffic Regulation (Special Events) Act 1994** which contains provision in relation to the making of temporary traffic regulation orders (TTROs), such as orders prohibiting the use of a specified length of road (see Section 4.13 of this guidance on managing traffic for further information on this issue).
- **Road Traffic Act 1967** (the conditions which set out the powers of the police).
- **Control of Pollution Act 1974** (for example, the use of loudspeakers).

The following laws may also be relevant, particularly if the march/parade is intended to begin or conclude with a public event with, for example, speeches or music.

- **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).
- **Food Safety Act 1990** (where food is provided or sold at the event).
- **Occupiers Liability (Scotland) Act 1960** (duty of care so that people do not suffer injury and so on).

Police Scotland have powers to restrict traffic and close roads. The local authority should bear this in mind when considering what arrangements might best suit the circumstances of the event and discuss this with Police Scotland. Relevant legislation might include:

- **Road Traffic Regulation Act 1984** (section 67).
- **Road Traffic Act 1988** (sections 35 and 163).
- **Police and Fire Reform (Scotland) Act 2012** (section 20).

This is not a full or exhaustive list of legislation and there may be other laws which apply. Local authorities will need to consider each case on its merits and consult Police Scotland when appropriate.

4: Good practice

4.1 Notifications

Local authorities must ensure that they make information on the notification process for a march/parade easily accessible and understandable to the public. Ideally this should be on an easily findable section on the local authority's main website and should include information not only for organisers, but also for potential objectors and for the general public.

Most local authorities now offer themselves as a single gateway for notifications, meaning that march organisers do not need to notify both the local authority and the police separately. Best practice means that those local authorities who do not yet offer this single gateway should implement this simple procedure.

We recommend that local authorities encourage organisers to submit notifications well ahead of the 28-day minimum period. This can be particularly helpful for those organising larger marches and parades. Early notification can help speed up the time it takes to confirm the broad details of a march/parade (for example, the date, time, and likely route) and local authorities should do all they can to ensure that this early confirmation of broad detail happens in practice whenever possible.

For large and complex marches/parades, it may be necessary to put in place appropriate Temporary Traffic Regulation Orders (TTROs – discussed in section 5 on managing traffic) in order to ensure the safe management of traffic in connection with the event. These orders are made by the traffic authority.¹ There is a lead in time for the promotion

¹ Traffic authorities are defined in section 121A of the Road Traffic Regulation Act 1984 as the relevant roads authority for the road in question. In terms of section 151(1) of the Roads (Scotland) Act, the Scottish Ministers are the roads authority for trunk roads, special roads and other roads constructed by them under section 19 of that Act and local authorities are the roads authority for all other roads in their area.

and making of these orders. For marches and parades which take place on or impact traffic on the trunk road network the lead in time is typically between 6 and 8 weeks. Similar lead-in times can apply for those marches and parades which take place on local roads. Early notification to your local authority is therefore very helpful in ensuring that the need for traffic regulation can be quickly identified and put in place timeously.

While it is likely that final decisions will be made close to the notified date of the march, the local authority should, in keeping with the spirit of the legislation, acknowledge receipt of a notification as soon as possible.

Thereafter, both local authority and police should raise any known issues with organisers at their earliest opportunity. This will ensure that organisers are alerted to any likely issues or problems and are given adequate opportunity to address any concerns. If special conditions or a prohibition are to be put in place, organisers should be given reasonable time to prepare and, if necessary, to make any appeals.

Whatever the specific circumstances of the notified march/parade, and whether or not problems are likely, local authorities and organisers should remain in contact, not least because unexpected circumstances may arise.

A march or parade itself does not need the 'permission' of the local authority. However, there may, in some cases, be specific aspects of its organisation that do require licences, permits and certificates, for example a public entertainment licence, a street trader licence, or the landowner's agreement for using a park or open space. The local authority should consider whether any type of licence, permit or certificate is needed and give organisers advance information about such requirements, including any fee which may apply. Links to further guidance on such public events can be found in the Useful Links section of this guidance.

Whilst organisers of static demonstrations are not required to submit advance notification, local authorities should encourage organisers to voluntarily notify their intention to hold a static demonstration and ensure that a clearly advertised point of contact is in place.

4.2 Codes of Conduct and Standard Conditions

Most local authorities have developed 'codes of conduct' and a list of local standard conditions for marches and parades in their area. In

general, such codes and standard conditions will cover the timing and routes of marches and parades, expectations about stewarding, arrangements for assembly and dispersal, responsibilities of organisers, and conditions around the use of loudhailers or the playing of music.

While having clear 'standard conditions' can be helpful in avoiding unnecessary duplication of effort for all parties, and for creating transparency and consistency, these conditions still need to be necessary, proportionate, and justifiable under section 63 of the [Civic Government \(Scotland\) Act 1982](#) for each specific procession, and therefore notified to each specific march/parade organiser in advance. Copies of 'standard conditions' could be made available to organisers along with the notification form and be easily findable on local authority websites.

Local authorities who do not have codes of conduct and/or guidance on standard conditions should consider whether - as a matter of good practice – they should now produce and publish them.

Organisers should be encouraged to familiarise themselves with any 'standard conditions' and 'codes of conduct' and ensure that they understand what is expected by them, in consultation with the local authority.

Appendix 1 contains links to further examples and resources that may assist local authorities and organisers when considering codes of conduct. However, please note that these are prepared by local authorities and are not documents prepared by the Scottish Government.

[4.3 Assessing risk](#)

The local authority, in close discussion with Police Scotland, should carry out an assessment of the risk of holding a march/parade against the considerations set out in the [Civic Government \(Scotland\) Act 1982](#).

Section 63(8) of that Act, as discussed further at section 4.10 of this guidance, requires local authorities to consider 'the likely effect of holding the procession' in relation to public safety, public order, damage to property, and disruption to the life of the community'. Additionally, it directs local authorities to consider if 'the containment of risks arising from the procession' would place an 'excessive burden' on the police, and whether the organiser of the march, or those likely to be taking part in it, had previously been involved in a procession which had broken

conditions/prohibitions, or had otherwise produced concerns on the issues specified by the Act.

This is a useful framework around which to structure a risk assessment as this will allow for informed decision making. It will help to:

- identify the likely risks associated with holding the procession.
- inform local authorities, Police Scotland and organisers on what measures could be taken to reduce or remove such risks.
- provide local authorities and Police Scotland with a more informed view on what preventative measures they may need to take now and for future processions.

Depending on the nature, scale and/or duration of the march/parade, it may be appropriate to ask the organiser to also carry out a risk assessment and to consider it within the decision-making process. Some local authorities include a risk assessment with the notification form itself, which means that all marches/parades are systematically risk assessed. Local authorities should support less experienced organisers in going through such an assessment.

Appendix 2 contains links to further examples and resources that may assist local authorities and organisers when considering risk assessment.

4.4 Precursory meetings

A precursory meeting is an informal discussion between the local authority, the police and the organiser, providing a useful face-to-face opportunity for everyone to go through the notification and to discuss any evident issues or problems. A precursory meeting is not a legal requirement, and may not always be necessary, but it will almost always be helpful. For large and complex marches/parades such meetings might usefully begin up to twelve months before. Likewise, where the organiser of a static demonstration has provided the local authority with a notification of their intentions, an informal discussion to help the safe facilitation of the demonstration is strongly encouraged.

Many successful marches/parades and static demonstrations pass off well because of the hard work put in by organisers in conjunction with local authorities and police prior to their assembly. Much of this hard work – and the goodwill between parties – goes unnoticed by the wider public. Local authorities might wish to consider whether a concise summary of decisions made by them, organisers and Police Scotland in

the process of dealing with the notification can routinely be made publicly available. This may help to provide transparency and legitimacy to the robust processes for facilitating marches and parades that often go unseen.

Many local authorities now arrange a Safety Advisory Group (SAG) or an Event Planning & Operations Group (EPOG) for major events which require multi-agency cooperation. These bring together local authority, event organiser, police, traffic authority and any other parties relevant to a proposed march/parade (such as the Fire or Ambulance services). There are several benefits to such a multi-agency approach, but key is that it provides a 'one stop shop' for event organisers. Working with the SAG/EPOG allows organisers to plan safely for their march/parade and feel supported by their local authority and Police Scotland.

Best practice suggests the SAG/EPOG model should also be used wherever possible to help facilitate static demonstrations. Engagement through the SAG/EPOG can help build the organisational capacity of organisers and foster good relations and trust.

In 2015, the Convention of Scottish Local Authorities (COSLA) recommended the multi-agency SAG/EPOG model to its members, and it is recommended that local authorities not currently operating such a system should give serious consideration to doing so.

4.5 Communicating decisions

The local authority must inform organisers of what decisions have been made about their march/parade 'at least two [business] days' before it is due to take place. In most cases, councils will be able to communicate those decisions much more timeously. There will be some occasions where the local authority will be unable 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 general rule, local authorities should strive to give their decisions to organisers at least one full week before the march/parade is to be held. Where course organisers have given considerably more than the minimum 28 days' notice of a march/parade then local authorities should, at minimum, give a prompt written acknowledgment that the notification has been received.

4.6 Debriefing meetings

It is best practice for local authority officers and police to meet with the organiser of a march/parade or static demonstration following the event. Consideration should be given to whether it is practicable and appropriate to also include relevant community representatives in such de-briefs. Whilst the benefits of such de-briefs will seem most readily obvious where there has been a large and complex event, or where issues and problems have arisen, there are many benefits for holding de-briefs for 'routine' and 'uneventful' marches/parades and demonstrations. De-briefs, particularly where organisers are likely to arrange similar events in future, help build good relationships, establish trust, and develop good practice.

Meetings and ongoing engagement with both organisers and communities can also contribute to the Public Sector Equality Duty, a duty under the Equality Act 2010 for public authorities to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. This is discussed further in this guidance at Section 4.8.

Further information on the Public Sector Equality Duty can be found at: <https://www.gov.scot/publications/scottish-governments-equality-duties/>.

It is best practice for the local authority to provide and share written documentation of what went well at a march/parade, and what could have been done better, not least as a useful starting point for any future march/parade by that organiser or group.

4.7 Lists of processions

Local authorities are required to make lists of past and forthcoming marches/parades available to the public, including those which were prohibited.

Good practice would see local authorities provide accessible and easily findable information on their main local authority website about all future notified marches and parades (and a digest of past marches and parades) with detail on the purpose/organiser, date, start time and estimated end time, and details of the route. This would, at minimum, allow local residents and businesses to find out about marches/parades in their area.

Best practice would provide this clear and comprehensive list of marches and parades along with a clear indication of the deadline for the

public to submit comments and/or make objections. In the case of major marches/parades where a significant degree of inconvenience to local businesses and residents is likely, local authorities would also consider other, and more proactive, means of informing communities.

4.8 Consulting communities and fostering good relations

The Public Sector Equality Duty under [Section 149 of the Equality Act, 2010](#) puts the onus on public bodies to ‘foster good relations between persons who share a relevant protected characteristic and persons who do not share it’, and to be mindful of the need to eliminate unlawful discrimination and advance equality of opportunity. Certain marches, parades or static demonstrations may directly relate to the protected characteristics defined at Section 4 of the Equality Act – age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion/belief, sex, and sexual orientation. Proactive engagement by Police Scotland, local authorities, and other public bodies with the assembly organisers and with relevant communities will help to build and sustain the good relations and trust necessary between all parties to ensure such assemblies are facilitated smoothly and may help local authorities to comply with their statutory duty.

There is evidence that many people are broadly unsympathetic to public assemblies: they are concerned about the inconvenience they may cause to the general public, to businesses, and to traffic; they may worry about a perceived threatening atmosphere; or they may find the motivations and aims of the marchers or demonstrators offensive.² However, it must be remembered that the key framework in which public authorities should approach peaceful marches, parades and static demonstrations is in light of facilitating ECHR Article 11 rights.

Community consultations over marches/parades and static demonstrations should proceed with four key aims:

- To keep communities well-informed about what is happening in their area
- To inform communities about the steps they can take to make representations to their local authority

² See, for example, Community Impact of Public Processions Research at <https://www.gov.scot/publications/community-impact-public-processions/>.

- To ensure that communities are aware of the necessarily limited grounds upon which the council can place special conditions on, or prohibit, a march/parade
- To foster good relations around marches/parades and static demonstrations, to help tackle prejudice and promote understanding

Local authorities must 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. Much of the groundwork in each of these respects can be done through community involvement – by providing clear and accessible guidance on local authority websites and communicating/circulating such information to particular communities at particular times. Involving community representatives in post-event de-briefings, where appropriate, can help clarify issues, build trust and foster good relations.

Fostering good relations might take the form of initiating, or sustaining, dialogue with, and between, community organisations and assembly organisers so as to reduce any potential anxieties, and so that views and concerns can be aired and responded to in a respectful and constructive way. Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it is a statutory responsibility of public bodies under the Public Sector Equality Duty.

4.9 Prohibitions and special conditions

As outlined in this guidance, local authorities must consider the effect of holding the procession on the following factors before deciding whether to restrict a procession.

- Public safety
- Public order
- Damage to property
- Disruption to the life of the community

Local authorities should also assess whether the procession (either alone or with other events in the vicinity) would place too much of a logistical burden on the police (note that police costs are not a valid issue for consideration). Local authorities should examine all of these factors before deciding whether it would be appropriate to prevent a procession or place conditions on it (such as rerouting the event). Any

such restriction must be in line with ECHR, and the nature of the restriction must be in proportion to the aim which it is trying to tackle.

An important point to note is that whilst Article 11 allows for freedom for peaceful assembly, it may be necessary and appropriate for the local authority to place special conditions on the precise manner on which that freedom is exercised. Again, that condition must be proportionate. An example of this might be a parade, with musical bands, which will pass a war memorial where a commemorative service is taking place. It may be entirely proportionate for the local authority to put a special condition on the parade such that all music will stop when the parade is passing the memorial. Similarly, many local authorities have what are often known as 'standard conditions', and one such condition might be that music will cease on a march/parade passing a place or worship where a religious service is taking place. However, as noted at section 4.4, all conditions, including 'standard' ones, have to be notified to the organiser in advance of each march/parade.

In general, special conditions will be appropriate and proportionate to a relatively small number of marches/parades, and prohibitions to fewer still. Legislation makes it clear that a prohibition is a last resort, imposed in circumstances where imposition of conditions would be ineffective.

However, as with all local authority decisions relating to marches and parades, each notification must be considered on a case-by-case basis, with any conditions applied, whether considered 'standard', 'special' or otherwise, being appropriate and proportionate.

4.10 Disruption to the life of the community

All marches and parades, no matter how small and no matter their purpose, will inevitably cause some degree of disruption to communities and businesses. However, the degree of disruption may not, by itself (or with other events), be enough to justify preventing people from holding a march/parade, or to merit the local authority or Police Scotland placing conditions on it. Indeed, marches and parades are themselves a part of community life. Local authorities must consider the precise circumstances of each individual notification and assess how far the march/parade 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.

‘Community’ in this context might be thought of as residents of an area through which a march/parade will pass, as well as local businesses and their staff, other workers and shoppers. ‘Disruption’ might comprise of the physical occupation of space (such as restricting access of people and traffic to public spaces or roads) but also issues such as noise or the potential for a threatening atmosphere. Here the volume and scale of marches/parades, as well as issues of access and egress to assembly and dispersal points are important aspects to consider.

The question for the local authority is whether the level of disruption likely to be caused by any particular march/parade will be far greater than the benefits of an unrestricted application of the right to free assembly in that particular context, and thus necessitate a restriction or prohibition. Any such restriction/prohibition on these grounds must be a proportionate response.

Those interested in these issues may also find the Scottish Government’s independent study of the [Community Impact of Public Processions](#) (2015) useful.

There is a particular burden on public resources when relationships between the key parties to marches and parades are under strain. Investment in ‘fostering good relations’ at local levels may improve the resilience of these relationships, and build (in particular with march/parade organisers) trusted channels of discussion and negotiation. Building such relationships should be seen as the responsibility of all parties to a march or parade: organisers, police, and local authorities. Whilst fostering good relations between individuals and groups across protected characteristics is a statutory requirement under the Public Sector Equality Duty, it should also be seen as best practice in all situations. Where relationships around marches and parades have been damaged or eroded, the local authority, in the first instance, should strive to repair them.

4.11 Considerations against previous processions

Local authorities must also assess notification of a march/parade against any previous processions held in their jurisdiction by the organiser or by 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, the 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.

In such circumstances, it would be good practice for the organiser to proactively make the necessary arrangements and plans to reassure the local authority that there was unlikely to be a recurrence of the violation or difficulty.

4.12 Objections

Local authorities should provide clear and concise guidance on how members of the public can make comments or objections about marches and parades, the deadlines by which these need to be received, and what considerations can be taken into account. This is not merely a matter of good practice; in certain contexts, this may fall under the Public Sector Equality Duty.

Ensuring that members of the public understand the limits of what actions a local authority can legitimately take is important, as is dealing with comments and objections on which a local authority cannot legally act. This understanding can be difficult to achieve, not least in cases where a march/parade is objected to because of what it is seen (by some) to represent. In such cases, communities may require reassurance, and here the long term aims of 'fostering good relations' should be pursued.

A local authority's legal duty is to have regard to all relevant considerations, and to disregard all irrelevant considerations. While the weight to be given to a relevant consideration is for a local authority to determine, by definition it cannot be unreasonable to give some weight to it.

Councils should also carefully consider what kinds of comments and objections are communicated to the organiser. Introducing objections that the council cannot properly and lawfully take into account into discussions with the organiser may cause confusion, and may undermine, rather than foster, good relations. Councils may wish to consider a 'screening' process where objections – perhaps heartfelt but legally irrelevant – are excluded from the formal considerations as part of the process following notification.

5: Managing traffic

5.1 Managing traffic

Marches, parades and static demonstrations are very likely to impact upon the flow of road traffic. These impacts, and their specific implications at certain times and in certain places, must be assessed in regard to each particular assembly.

The factors that a local authority must take into account when considering a notification of a march/parade (under [section 63\(8\) of the Civic Government \(Scotland\) Act 1982](#)) include, among other things, public safety, public order and disruption to the life of the community. Part of this consideration should be the management of road traffic, and the local authority should consider how to mitigate road safety concerns and significant disruption to transport links.

The relevant traffic authority (i.e. the Scottish Ministers for trunk roads, special roads and other roads constructed by them, and the local authority for all other roads in their area) have powers under sections 14 and 16A of the Road Traffic Regulation Act 1984, and under section 62 of the Roads (Scotland) Act 1984, to make temporary traffic regulation orders (TTROs) in connection with the regulation of traffic around a march, parade or demonstration. Police Scotland also have powers to regulate and direct traffic under the legislation referred to in Section 3.4 of this Guidance. The selection of which powers and which approach to traffic regulation is most appropriate will depend on the particular circumstances of the march, parade or demonstration in question. This requires constructive dialogue between Police Scotland, local authorities and traffic authorities to make the most efficient and effective use of the powers available.

Issues relating to traffic management and the most effective way to address them whilst ensuring the safe facilitation of the march/parade can be one of the most complex issues faced by local authorities, traffic authorities and police during the notification process. For this reason, march/parade organisers are very strongly encouraged to submit their notification as soon as is possible and to make themselves available for precursory meetings. For large and complex marches/parades – which will inevitably have a very significant impact on road traffic – such meetings might usefully commence up to twelve months prior to the event.

Decisions on what traffic regulation measures are appropriate must also be taken in accordance with each authority's obligations under the Human Rights Act 1998 and, in the case of Scottish Ministers as traffic authority, the Scotland Act 1998. The agencies involved in making these decisions - local authorities, traffic authorities and Police Scotland - all recognise the importance of protecting the right to peaceful assembly. However, the right to peaceful assembly is not unlimited and it will sometimes be necessary to impose restrictions on the exercise of that right where that is required in the interests of a democratic society for (among other reasons) the prevention of disorder or crime.

In the context of traffic management, this may mean that it is necessary to require traffic management measures are put in place in connection with a march, parade or assembly. To assist traffic authorities in determining what traffic management measures may be necessary, appropriate and proportionate in order to support the exercise of the right to assembly while also protecting public order and safety, organisers should consider, and be in a position to explain, the essential aspects of their planned event. This might include the significance of the proposed date or time, the rationale for proposing that a particular route is taken or that an event is held at a particular place, and whether the purpose of the event could be achieved by its being held on another day, on another route, or in a different format.

In some cases, such 'essentials' will be simple to explain. A Remembrance Day parade, for example, is likely to take place on Remembrance Sunday and involve a service at a war memorial at 11:00. In other cases, the essentials of an event will not be so readily apparent to traffic authorities, local authorities and police. Both the notification form itself and a precursory meeting(s) can be useful in making sure all parties involved in facilitating the event are adequately informed.

Local authorities can then assess the likely effect on public roads if a procession takes place, including the effect on the safety of all those involved, such as road users and spectators. They can then determine if traffic regulation is necessary to maintain safety. If it is necessary then they should consider, in discussion with the traffic authority and Police Scotland, to what extent the traffic regulation powers available should be utilised. Decisions on the road traffic requirements of any march/parade

must be tailored to the individual circumstances of the event to ensure they are appropriate and proportionate.

All public bodies have a responsibility to carefully consider how their resources are best used. This makes collaboration between public authorities even more essential. For some marches/parades, depending on their precise circumstances, it may be a more efficient use of limited resources, and less disruptive to the life of the community, for the police to manage traffic using their powers to regulate and direct traffic. In such situations, it may not be reasonable or appropriate to put in place a Temporary Traffic Regulation Order (TTRO). Equally, in other circumstances a TTRO may be a better use of resources and/or a more effective way to manage any risk to public safety.

In 2020, Police Scotland and COSLA jointly prepared a 'position statement on marches, parades and static demonstrations – road traffic', outlining key principles, the legal frameworks and practical considerations relating to their facilitation of road traffic management for such events. As this was prepared by Police Scotland and COSLA, it does not form part of this SG guidance, and has therefore not been endorsed by Scottish Ministers. However, all parties to the facilitation process may find the information useful. The document is published on the COSLA website and can be found at:

https://www.cosla.gov.uk/_data/assets/pdf_file/0009/43002/COSLA-and-Police-Scotland-Position-Statement-on-Marches,-Parades-and-Static-Demonstrations-Road-Traffic.pdf.

5.2 Recovery of road traffic costs

The regulation of traffic for the facilitation of marches, parades and static demonstrations, including any recovery of costs, is a matter for local authorities and Police Scotland. As outlined in section 5.1 of this guidance, all parties may find the position statement on road traffic management agreed between COSLA and Police Scotland of interest.

Guidance on marches, parades and static demonstrations produced by the Organisation for Security and Co-operation in Europe (OSCE) – of which the United Kingdom is a participating state – has also been produced. As with the COSLA / Police Scotland agreement, the OSCE guidance is not endorsed by the Scottish Government but may be of interest to all parties. On the recovery of costs, including those relating to traffic management and TTROs, it states that the costs of providing

adequate security and safety (including policing and traffic management operations) should be fully covered by the public authorities.³

5.3 Practical considerations

March/parade organisers can help to achieve swift consideration of the traffic implications of their assembly by early engagement with their local authority. The minimum notification period is 28 days, but in practice, organisers, particularly where the march/parade is of significant scale, should advise the local authority as early as possible, even if on an informal basis.

While organisers of static demonstrations are not legally required to give notice to the local authority, organisers of such events are also encouraged to contact the local authority as early as possible. Local authorities should include clear and readily findable information about event notification processes on their websites, both in relation to those which require the statutory 28-day notification and those which don't.

Organisers of static demonstrations can also help with the effective planning for assemblies by identifying their main contact and providing this to their local authority and/or Police Scotland. Using social media can be an effective means of promoting an event, but it can also make it unclear who the organiser is and who is responsible for compliance with any statutory duties.

Local authorities, police, march organisers, traffic authorities (and, where relevant, other public sector bodies such as the Scottish Fire and Rescue Service and the Scottish Ambulance Service) should work together to identify the road traffic implications of marches and parades. Many local authorities already have multi-agency Safety Advisory Groups (SAG) or Event Planning & Operations Groups (EPOG) to coordinate planning for major events. Traffic issues which could be considered include: -

- The scale of the march/parade, number of participants, route, and the time it is likely to occupy specific public roads.
- Routes of any 'feeder' parades.
- Road junctions on the march/parade route.
- Pavements - to what extent are they likely to be congested by those watching the event?

³ Human Rights Handbook on Policing Assemblies, OSCE 2016 [73405.pdf \(osce.org\)](#)

- Are counterdemonstrations likely?
- How people plan to get to the starting point of the march/parade, whether by public transport or other arrangements, such as the need for coach parking.
- Arrangements to facilitate dispersal at the end of the march/parade.
- Diversion routes for traffic or pedestrians who may be restricted by road restrictions.
- Routes to enable emergency services to access incidents.
- The capacity of the organiser to provide effective stewarding.
- Who is to implement control measures, and do they have the required professional expertise to do so?
- The extent of disruption to the life of the community.
- The cumulative impact of road measures in place in an area, whether from other events, planned roads maintenance or works by public utilities.
- The prevailing terror threat and risk and the extent to which road traffic control can protect participants and the general public by supporting measures to ‘target harden’ crowded places⁴
- Relevant intelligence.

The road traffic control measures which are necessary will depend on the exact circumstances of the march/parade. Key considerations are to facilitate the right of peaceful assembly, to ensure the safety of those marching and of the general public, and to minimise disruption to the community and other road users. Any road traffic regulation measures must be both necessary and proportionate.

For example, in some situations it may be a more efficient use of public resources, and less disruptive to the life of the community, for the police to manage traffic using their powers. This might involve temporarily stopping or diverting traffic at junctions. Similarly, a local authority may be able to alter traffic light phasing or install temporary lights to facilitate a march/parade. Equally, there may be circumstance in which a TTRO would be the most appropriate way to regulate traffic, for example where it is necessary to close a length of road to other traffic for a period of time to allow the march/parade to pass through safely or to regulate the

⁴ See <https://www.gov.uk/government/publications/crowded-places-guidance>

speed of traffic on a length of road. For smaller parades, accepted as less challenging in terms of size or complexity, it is likely that ad-hoc management of traffic by police would be appropriate. TTROs are more likely to be used for larger marches/parades where it is not possible to safely manage traffic on an ad-hoc basis. Where a TTRO is required, it is the responsibility of the traffic authority to put this in place.

If a TTRO is deemed necessary for the safety of march/parade participants and other road users then it can be secured under [Section 16A of the Road Traffic Regulation Act 1984](#). This section provides that a traffic authority may make an order under that section where they are satisfied that traffic on a length of road should be restricted or prohibited for the purpose of facilitating the holding of a relevant event, enabling the public to watch a relevant event or reducing the disruption to traffic likely to be caused by the relevant event. A “relevant event” is defined as any social event, sporting event or entertainment held on a road. Before making an order under this section, the traffic authority must be satisfied that it is not reasonably practicable for the event to be held otherwise than on a road. The authority must also have regard to the safety and convenience of the alternative routes suitable for the traffic affected by the order.

In terms of [Section 16\(B\)\(6\)](#) of the 1984 Act, only one such TTRO on any given stretch of road within a 12 month period without the further permission of Scottish Ministers and local traffic authorities will factor this requirement into their processes for subsequent orders.

In addition, [section 62](#) of the 1984 Act makes provision enabling a roads authority to make an order restricting or prohibiting traffic where an order cannot be made under section 14 or 16A of the Road Traffic Regulation Act 1984 but the authority consider that such restrictions or prohibitions are required in the interests of public safety or convenience.

5.4 Practical examples

Here we give 5 practical examples of different march/parade scenarios and suggest good practice in decision making, in particular around the issue of traffic management. We highlight issues that should be considered by the local authority, the traffic authority and by police, as well as the event organiser. We hope these hypothetical scenarios provide some further examples of good practice for the reader. However, each march/parade must be looked at on a case-by-case basis, and engagement between local authorities and march/parade organisers at an early stage is vital.

Scenario 1 – The Remembrance Parade

The Location

- The location is a medium sized rural town with a traditional street layout of main roads and side roads feeding into residential and commercial areas.

The Event

- The event is an Armistice Day parade from a church in a residential area to the war memorial in the town centre. The route is a mile long partly along residential roads and partly along the main street. The main street is a traditional layout with a single lane in each direction and adjacent parking.
- The event is on a Sunday morning about 11:00 and is expected to take some 20 minutes. Around 50 participants are expected.

Public authority considerations

- This is a relatively small and short duration mobile event.
- Use of a Temporary Traffic Regulation Order (TTRO) would generate disproportionate disruption to the local community, due to the need to implement road closures in advance of the event and the inevitable delay in removing traffic management after the event has passed. There is also the practical challenge of attempting to control traffic egressing side streets.
- In terms of efficient use of public resources and minimising disruption to the local community the most practical solution would be to have the event accompanied by mobile Police Officers.

Organiser considerations

- As this is likely to be an annual event on a predictable day (Remembrance Sunday) the organiser should submit their notification as soon as possible (for example, after the conclusion of the previous year's event).

Scenario 2 – The Centenary Parade

The Location

- The location is a housing scheme on the outskirts of a large city. The road layout is a traditional mix of main roads/spine roads and more minor residential roads.

The Event

- The event is a centenary parade of a local community organisation, commencing from a local community centre and returning to the same location on a route of 2 miles through the local area. The parade will be on both main roads and residential streets.
- The event is on a Saturday morning about 11:00 with an estimated 100 participants. It is expected to take an hour to complete the full route.

Public authority considerations

- Given the relatively small and mobile nature of the event a static solution in the form of a Temporary Traffic Regulation Order (TTRO) with road closures and diversion routes would not be considered appropriate. This would be impractical in terms of managing side road access and would be unduly disruptive to local road users.
- Rather, a mobile policing solution would offer the preferred solution.

Organiser considerations

- It is likely that organisers would be considering this event well in advance of the centenary – it would be helpful, therefore, for the organiser to be in early contact with the local council and to consider putting in a notification as soon as is possible.

- The organiser should discuss with the council and police how stewarding arrangements could be organised, not least since the parade will go through residential areas.

Scenario 3 – The Band Parade

The Location

- The location is a semi urban town of medium size. A main road (single carriageway each way) runs through the town, with a distance of 4 miles from one side of the town to the other.

The Event

- The event is a band parade with an estimated 500 attendees.
- The parade will start in a park on the edge of the town and proceed a distance of some 2 miles along the main road to the town centre where it will disperse.
- The estimated duration of the event is one hour and it is held on a Friday evening.

Public authority considerations

- This is a relatively large event which will impact upon a main road.
- It would be appropriate to implement a Temporary Traffic Regulation Order (TTRO) to divert traffic to alternative routes for the duration of the event.
- Along the 2-mile route of the mobile parade, given the presence of numerous side streets, it is not practical to manage side street traffic via TTROs with closures and diversions. For this reason, it is intended that the band parade is continuous with a mix of parade stewards and a police presence guiding traffic locally and, in particular, preventing egress from side streets.
- This solution is therefore a mix of TTROs and traffic being managed locally by the Police.

Organiser considerations

- Given the likely traffic implications of this parade it is in the interests of its safe facilitation that the organiser notifies the local authority as early as possible – not least since it is likely that the local authority will wish to organise a TTRO.
- Stewarding arrangements will also need careful planning so, again, early engagement with the council and police will help to make this effective for a successful parade.

Scenario 4 – the Big Parade

The Location

- The location is a medium sized town in the central belt. There is a main road running through the town and the roads are otherwise a mix of distributor roads and residential roads. The main road (single carriageway each way) runs generally east to west.

The Event

- The event is a large parade with some 10,000 participants and a similar number of attendees.
- It is held on a Saturday in the summer, and both starts and finishes in a large park on the south side of the main road. The parade will proceed northwards crossing the main road and travel some 3 miles along local roads before returning to again cross the main road and to finish in the park where it will disperse. The estimated time from start to finish is 2 hours.

Public authority considerations

- The safe facilitation of the parade is best managed using a range of solutions.
- Given the significant impact on the main road, TTROs, road closures and a diversion route are appropriate.
- Where the parade moves through residential areas with numerous side streets, traffic is best managed by police, with officers at the front of the parade and periodically along the length of the parade.

- Parade stewards would provide a visible supporting presence also.

Organiser considerations

- This parade will have very significant traffic implications, so in the interests of its safe facilitation the organiser should notify the council as soon as possible – not least since it is highly likely that the council will require to secure a TTRO.
- Stewarding arrangements will also need careful planning so, again, early engagement with the council and police will help to make this effective for a successful parade.

Scenario 5 – The Big Day

The Location

- The location is a large city with a traditional city centre in a grid layout. Suburban districts surround the city centre radiating outwards in all directions.

The Event

- The event is a large annual parade comprising some 10,000 participants with a number of followers.
- Feeder parades begin in suburban areas moving inwards to form a main parade through the City Centre, stopping at the war memorial before moving out of the City Centre and progressing to a large park.
- The event is some 6 hours in duration overall, albeit mobile throughout.

Public authority considerations

- This is a complex, large and long series of events that will require careful planning for its safe facilitation. Disruption to community life will be inevitable and, again, will require substantial planning.

- In terms of traffic issues, and the safety of spectators and/or followers, the parade is best managed using a combination of resources.
- Where the feeder parades move through residential areas with numerous side streets, traffic is best managed by Police Officers at the front of the parade and periodically along the length of the parade. Parade stewards would provide a visible supporting presence also.
- Where the feeder parades then join up and make their way to the war memorial, and thereafter to the large park, the very significant impact on the City Centre means that a Temporary Traffic Regulation Order (TTRO) and road closures are appropriate within a core area around the war memorial and the route to the park adjacent to the city centre. Once dispersed, the road closures can be removed.

Organiser considerations

- This is a very complex large scale annual parade, and as much notice as possible should be given to the local authority.
- Given this is an annual event it would be helpful to begin planning for it more or less immediately after the previous year's event, and perhaps after the debrief meeting with the local authority and police.
- The parade will have significant and complex traffic implications, in terms of the safety of the participants and the likely large number of spectators. To facilitate this, the local authority will require to organise a TTRO.
- Stewarding arrangements will be complex, both in co-ordination of several feeder parades and in safe entry to, and dispersal from, the large park. Good stewarding will also be crucial along the route of the parade, and close collaboration between the organiser and the police, both in planning and on the day itself, will facilitate this.
- The use of the park for the conclusion and dispersal of the parade will also need careful liaison with the city council, and there may be issues around (for example) providing toilet facilities and dealing with litter. Again, early engagement on these issues is essential.

Useful links

All UK legislation can be found at <https://www.legislation.gov.uk>

Several local authorities offer useful and accessible advice. Examples include:

- Glasgow City Council has an extensive and informative [Code of Conduct](#).
- Midlothian Council provides [Guidance and Procedure for the Administration of Public Procession Notifications](#).
- Moray Council have a useful document explaining its [Policy and Guidance on Public Procession for Organisers and Participants](#).
- South Lanarkshire Council offers a '[How to guide ...](#)' on public processions.
- West Dunbartonshire Council provides useful links to a range of processions information on their [Parades and Demonstrations pages](#).

The [European Convention on Human Rights](#) (ECHR) underpins all UK legislation around marches, parades and static demonstrations.

The Organization for Security and Co-operation in Europe (OSCE) has several essential resources related to public assembly:

- (2010) [Guidelines on Freedom of Peaceful Assembly](#)
- (2011) [Handbook on Monitoring Freedom of Peaceful Assembly](#)
- (2016) [Human Rights Handbook on Policing Assemblies](#)
- (2019) [Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States \(May 2017–June 2018\)](#)

The Scottish Government has published a number of reports and studies relating to marches, parades, and static demonstrations. Three recent ones are:

- (2015) [Community Impact of Public Processions](#)
- (2016) [Independent Report on Marches, Parades and Static Demonstrations in Scotland](#)

- (2020) [Review of the 2016 Independent Report on Marches, Parades and Static Demonstrations in Scotland](#)

A 2019 Sheriff Court ruling gave a legal opinion on various issues, including the issue of impacts on the community around marches and parades:

- Sheriffdom of Glasgow And Strathkelvin at Glasgow, [Note by Sheriff S Reid Esq. in the Summary Application Under section 64 of the Civic Government \(Scotland\) Act 1982 at the instance of Apprentice Boys of Derry, Bridgeton \(Pursuer\) against Glasgow City Council\(Defender\)](#), [2019] SC GLA 80

Useful advice on public events and entertainments not covered by this guidance can be found in the following:

- [Visit Scotland Events Scotland Guidance](#)

Within this guidance the following may be particularly relevant:

- [Management Guide](#)
- [Event Production](#)
- [Health and Safety](#)
- [Policing and Security](#)

Useful information on ongoing and planned roadworks can be found at the [Scottish Road Works Register](#)

Appendices

Appendix 1 – Examples of Codes of Conduct and Standard Conditions

Many local authorities publish on their websites what are commonly referred to as 'codes of conduct' and 'standard conditions' - which are commonly suggested conditions - along with guidance for marches, parades and processions. These vary from local authority to local authority and so march/parade organisers should ensure that they familiarise themselves with the specific content in the relevant local authority area(s) for their event.

Here we offer links to some examples so that organisers can have some idea of what to expect. However, as with all local authority decisions relating to marches and parades, each notification will be considered on a case-by-case basis, with any conditions applied, whether considered 'standard', 'special' or otherwise, being appropriate and proportionate to that specific event.

[North Lanarkshire Council - Code of Conduct](#)

[South Lanarkshire Council - Code of Conduct](#)

[South Lanarkshire Council - Conditions for Processions, Marches and Demonstrations](#)

[West Dunbartonshire Council - Code of Conduct](#)

Appendix 2 – Links to example risk assessment

Assessing the likely risks of any assembly, and acting towards addressing and reducing those risks, is a core part of good event planning. Some local authorities ask for a risk assessment by the organiser as a formal part of the notification process. While over and above the information required to be provided by section 62 of the Civic Government (Scotland) Act 1982, completion of such a form is therefore voluntary, but encouragement to complete a well-designed risk assessment form is good practice in helping a local authority to consider a notification.

Here we give links to where examples of risk assessment forms can be found, so that potential organisers can have some idea of what to expect. Local authorities should note that some organisers, particularly those inexperienced at organising marches/parades, may find these exercises unfamiliar and daunting, and will need appropriate help and support in conducting risk assessment.

As with all local authority decisions relating to marches and parades, each notification will be considered on a case-by-case basis, with any conditions applied, whether considered ‘standard’, ‘special’ or otherwise, being appropriate and proportionate to that specific event.

[Falkirk Council - Risk Assessment Form](#) (link provided via the [Falkirk Council](#) public processions webpage).

[Perth and Kinross Council - Risk Assessment Form](#) (link provided via the [Perth and Kinross Council Public Procession webpage](#)).

[West Dunbartonshire Council - Risk Assessment Form](#) (link provided via the [West Dunbartonshire Council - Parades and Demonstrations webpage](#)).

Appendix 3 – Steps for good pre-and post-event engagement for marches and parades

1. Decision by organiser to hold a public assembly

Organiser(s)

- Consult relevant council web pages for information on the notification process, including forms to complete and contact details for the local authority.
- Consider what your assembly will look like including: proposed date, time, and route; the number of people expected to participate; the arrangements made for stewarding.
- Familiarise yourself with any relevant ‘Codes of Conduct’.
- Consider and assess the foreseeable risks that may be produced and/or faced by the assembly.
- **For marches and parades - at least 28 days before proposed date, submit formal notification to the local council.**

Local Authority

- Make information about the notification process available online ensuring it is easily located, relevant, up-to-date, and user-friendly.
- Engage informally with organiser(s) if contacted to provide guidance and advice.

Traffic Authority ¹

- Make information about the process for putting in place road traffic regulation measures for public assemblies available online.

Police Scotland

- Engage informally with organiser(s) if contacted to provide guidance and advice.

2. Notification is submitted by organiser to local authority

Organiser(s)

- Continue to engage with local authority/Police Scotland as needed as notification is considered.

Local Authority

- Acknowledge receipt of notification as early as possible.
- Assess any risk, identify issues, and consider any necessary measures or conditions in line with framework and duties to facilitate safe assembly.
- Engage with Police Scotland to inform decision-making process.
- Continue to engage with organiser as needed, with the aim of mutually agreed decision making, and communicating all decisions clearly and in good time, including holding precursory meetings if required.

Traffic Authority ¹

- In discussion with partners, assess the likely effect on public roads to determine if traffic regulation is necessary, and if so, what form that will take.
- In discussion with partners, assess the likely effect on public roads to determine if traffic regulation is necessary, and if so, what form that will take.
- The road traffic regulation measures which are necessary will depend on the exact circumstances of the march/parade.

Police Scotland

- Engage with local authority providing information to inform local authority's decision making
 - Assess the policing needed to facilitate the assembly including any practical considerations and potential traffic management measures.
-

3. Decisions communicated to organisers

Organiser(s)

- Engage with local council and Police Scotland, taking on-board any feedback on plans for the assembly, including any changes and conditions placed on the event.

Local Authority

- Communicate any conditions clearly to organisers, explaining why decisions reached.

Traffic Authority ¹

- Work with partners and event organisers to put in place any traffic regulation measures required.

Police Scotland

- Continue to engage with local authority and organisers.

4. Assembly takes place

5. Post-event assessment takes place

Organiser(s)

- Engage with local authority and Police Scotland in post-event assessment and de-briefing to inform future planning.

Local Authority

- Engage with organisers and Police Scotland to assess and provide constructive (written) feedback on the event.
- Consider if a debrief meeting should take place.

Traffic Authority ¹

- Engage with the post-event assessment if appropriate.

Police Scotland

- Engage with organisers and local authorities to provide constructive event feedback.

¹ Local authority for the local road network; Transport Scotland on behalf of Scottish Ministers for the trunk road network.

The Sub-Group

This Scottish Government guidance was created following consultation with the Sub-Group on Scottish Government Guidance for Marches and Parades.

The Sub-Group was established in October 2020 with the following remit:

To propose revisions, amendments and any other changes required to the Scottish Government guidance on marches and parades to ensure that it is accurate, up-to-date, and fit for purpose. This will be done with a view to putting the revised guidance to Scottish Ministers for approval and publication.

The members of the sub-group were:

- Mike Callaghan (COSLA)
- Andrew Fraser (Society of Local Authority Lawyers and Administrators in Scotland – SOLAR)
- Elaine Galletly (Society of Local Authority Lawyers and Administrators in Scotland – SOLAR)
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