

## **Cabinet – 15 March 2017**

### **Remembrance Day Working Group – report from Corporate and Public Services Overview and Scrutiny Committee**

**Portfolios:** Community, Leisure and Culture  
Regeneration

**Services:** Engineering and Transport and Communities and Partnerships

**Wards:** All

#### **1. Summary**

The Corporate and Public Services Overview and Scrutiny Committee (the Committee) has been considering the future of Remembrance Day Parades through a working group since June 2016. The working group has produced two interim reports that have been presented to Cabinet previously. The working group's third interim report was approved by the Committee on 21 February 2017.

The report, copy attached at Appendix 1, provides the working groups findings and conclusions following a meeting with parade organisers and receiving advice from the Councils Risk and Insurance Team.

#### **2. Recommendation**

**That Cabinet consider the report and recommendations of the Remembrance Day Working Group.**

#### **Background papers**

None associated with this report.

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# Remembrance Day events in Walsall



As presented to the Corporate and Public Services  
Overview and Scrutiny Committee on 21 February  
2017



**Walsall Council**

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## Introduction

The Corporate and Public Services Overview and Scrutiny Committee (the Committee) identified the need to consider the potential impact of a change in Police Policy towards assisting with rolling road closures at Remembrance Day events.

To complete this task a small Working Group was established.

## Terms of Reference

Draft terms of reference were discussed and agreed by a meeting of the working group that took place on 19 July 2016. The terms of reference were subsequently agreed by a meeting of the Committee on 26 July 2016.

The full version of the Working Groups terms of reference can be found at Appendix 1 to this report.

## Membership

The working group was made up of the following Councillors from the Committee:

Stephen Craddock (Lead Member)	Mike Bird
Carl Creaney	

Further to this four non-voting co-opted members were appointed to the working group for their external expertise in Remembrance Day events. They were:

Councillor Gary Perry, President Pelsall Royal British Legion	Mr Alan Dodsworth, Chairman and Poppy Appeal Organiser for Pelsall Royal British Legion
Colour Sergeant Thomas Miller, Regimental Support Warrant Officer, Kingstanding MOD. Aldridge Remembrance Day event.	Councillor Tim Wilson

## Methodology

The Working Group has held 5 meetings during its investigations and engaged in correspondence with the Deputy Chief Constable and Police and Crime Commissioner. The working group has submitted two previous interim reports to the Committee on 8 September 2016 and 18 October 2016.

## Witnesses

Since its last report the Working Group met and discussed issues or received evidence relating to Remembrance Sunday events with the following witnesses:

<b>Name</b>	<b>Position</b>	<b>Method of engagement</b>
Deputy Chief Constable Louisa Rolfe	West Midlands Police	Letter
Lee Bragginton	Walsall Wood Remembrance Day Parade	Meeting
Harry Fry	Aldridge Remembrance Day Parade	Meeting
Bob Cooke	Aldrige Remembrance Day Parade	Meeting
Anne Bond	Bloxwich Remembrance Day Parade	Meeting
Martin Harrison	Bloxwich Remembrance Day Parade	Meeting
John Bird	Brownhills Remembrance Day Parade	Meeting
Bill Wright	Brownhills Remembrance Day Parade	Meeting
Don Welch	Streetly Remembrance Day Parade	Meeting
Mark Welch	Streetly Remembrance Day Parade	Meeting
Gareth Scraff	Willenhall Remembrance Day Parade	Meeting
Frank Risker	Short Heath Remembrance Day Parade	Meeting
Mr Greenwood	Short Heath Remembrance Day Parade	Meeting

## Report Format

This report is a summary of the working group's findings and conclusions.

## Context

The Corporate and Public Services Overview and Scrutiny Committee has previously received two interim reports from the Remembrance Day Working Group at meetings held on 8 September, 2016 and 18 October 2016.

Since the establishment of the Working Group, Walsall Council and the Police and Crime Commissioner (PCC) have jointly funded traffic management costs for Remembrance Day events in Walsall for 2016. The working group has recommended that Walsall Council and the PCC continue to jointly fund traffic management costs for Remembrance Day events in future.

## Progress with working groups recommendations

In its interim report to the Corporate and Public Services Overview and Scrutiny Committee on 18 October 2016 the Working Group made four recommendations. These are recapped below with commentary on activity that has taken place since the last report:

- 1. A process be developed whereby traffic management companies employed to assist with Remembrance Day events in 2016 claim their costs directly from Walsall Council and the Police and Crime Commissioner;**

*Following the 2016 parades, event organisers have been asked to submit their invoices directly to Walsall Council for payment. The Police and Crime Commissioner will reimburse the Council for its share of the traffic management costs.*

- 2. In order to ensure their long term sustainability Walsall Council and the Police and Crime Commissioner continue to jointly fund the traffic management costs of Remembrance Day events in Walsall from 2017 onwards. In order to meet this cost:**
  - a. Walsall Council should consider top slicing the Area Panel Project Funding budget;**
  - b. The Police and Crime Commissioner should meet the cost through his council tax precept.**

*At its meeting on 14 December 2016 Walsall Council's Cabinet agreed to provide a 30% contribution, subject to a cap of £1,000, to the traffic management costs of the Remembrance Day parades that took place in in the period 2017-19.*

*A response to the Working Group's recommendations is still awaited from the PCC. The Lead Member of the Working Group is meeting with the PCC on 13 March 2017 to discuss the recommendations and feedback received from parade organisers.*

*With respect to the Police on 18 November 2016 the Working Group received a letter from Deputy Chief Constable Louisa Rolfe. The letter outlined, in detail, the reasons why West Midlands Police (WMP) are no longer able to assist with traffic management at Remembrance Day events. Reasons included the amendment of the forces Safety First policy and resource issues. A full copy of the letter is attached at **Appendix 2** to this report.*

**3. The working group seek an audience with the Home Secretary to discuss the situation that has arisen in Walsall;**

*The Working Group have received a copy of a letter from Brandon Lewis MP, Policing Minister, via Wendy Morton MP. The letter reports that the issue of policing at Remembrance Day parades is one in which he cannot intervene and Home Office have no plans to issue guidance to the Police. A full copy of the letter is attached at **Appendix 3** to this report.*

**4. The working group continues to meet until a sustainable solution to meeting the costs of the traffic management costs of Remembrance Day events has been identified and agreed.**

*The Working Group met with Parade Organisers on 11 January 2017, is seeking a meeting with the PCC and plans to continue to meet.*

## Meeting with parade organisers

The working group met with a number of parade organisers on 11 January 2017. The purpose of the meeting was to review the effectiveness of the interim arrangements put in place for 2016 and discuss the impact of recent decisions on the long term sustainability of parades.

### *2016 Review*

Parade organisers were disappointed with the decision of WMP to no longer assist with traffic management at Remembrance Day events. Organisers were frustrated by the late notice of the withdrawal of WMP support with traffic management. Further frustrations were expressed as Police Officers were still in attendance at events.

In general terms, Parade Organisers felt that the Traffic Management Companies employed had provided a sufficient service. However, it was felt that, in some cases, roads were closed longer than was necessary causing significant disruption. It was also felt that the levels of street signage used was considered excessive. One Parade Organiser reported that the Traffic Management company they employed had implemented an alternative plan to the one approved, on the day of the event.

The Working Group was informed that the total cost of traffic management at all 10 local parades was £30,040.41. A detailed breakdown of costs is contained in **Appendix 4**. *Please note this appendix is exempt from publication as it contains commercially sensitive information.*

### *Future sustainability*

Parade organisers were concerned that future parades may not take place as WMP were not providing assistance with traffic management.

The challenge facing Parade organisers was raising money to pay for traffic management costs. The financial contribution towards traffic management costs from Walsall Council was appreciated but that still left a large funding gap for traffic management costs. On top of this event organisers also need to purchase public liability insurance (PLI).

The majority of Parade Organisers were concerned about how they would raise this money year-on-year. As an organisation, the Royal British Legion did not organise or fund Remembrance Day parades. It's resources were focused on assisting ex-servicemen and women. In order to raise money for future events, the organisers of the Pelsall Parade had established an independent company to undertake fundraising. In order to improve their understanding of the position of the Royal British Legion on the organisations role with Remembrance Day Parades the Working Group plan to request a meeting with a national level representative.



Returning to the financial support from Walsall Council, after a discussion with the parade organisers, the working group would like the level of financial support to increase. It was felt this would assist parade organisers in a more sustainable way moving forward. The Working Group were also of the opinion that the PCC should fund the other half of the costs of traffic management to continue the partnership established in 2016. The Working Group were conscious that traffic management costs would increase by 20% in 2017 as they would include VAT as invoices would be paid by parade organisers rather than the Council which was VAT exempt.

**The working group recommends that:**

- 1. Walsall Council provides 50% of the traffic management costs, subject to a cap of £1,500 per parade, to the event organisers of Remembrance Day parades;**
- 2. The Police and Crime Commissioner provides 50% of the traffic management costs, subject to a cap of £1,500 per parade, to the event organisers of Remembrance Day parades to assist with traffic management costs;**

#### *Public Liability Insurance*

The Working Group discussed PLI with Parade Organisers. Organisers reported that PLI costs were around £500 per event. Parade Organisers reported that the cost of PLI was another challenge to the future sustainability of Remembrance Day parades.

The Working Group was pleased to be informed that the Councils Risk and Insurance Team were investigating the viability of a PLI policy that could be shared by all Parade Organisers in the borough. If successful this would reduce the overall costs for PLI per event.

#### *Partnership Working*

The Working Group discussed an idea that parade organisers could work in partnership with a Council Officer such as a Town Centre Manager or Area Manager, to organise Remembrance Day parades. The Council Officer would act as the official event organiser but in practice the local community would make the practical arrangements. This concept is already used for some events such as the Aldridge Christmas Market and would mean that Remembrance Day parades could use the Councils PLI. The Working Group did not have the opportunity to investigate this matter fully.

**The working group recommend that Cabinet consider the viability of this type of partnership arrangement for organising Remembrance Day parades.**

## **Conclusion**

The Working Group believe that ensuring that those who have lost their lives in conflict are remembered is highly important and, even in these austere times, the PCC and Council should do what they can to ensure that Remembrance Day parades continue long into the future. It is the working groups view that the PCC and Council should provide funding for traffic management at Remembrance Day parades from 2017 onwards.

Further to this, investigations should take place into any suggestions that could assist the long term sustainability of Remembrance Day parades. This should include establishing whether Remembrance Day parades could be organised under the auspices of a Town Centre or Area Manager. The Councils Risk and Insurance Team should also investigate whether or not a PLI policy that is shared by all Parade Organisers is feasible.

## **Recommendations**

**That:**

- 1. Walsall Council provides 50% of the traffic management costs, subject to a cap of £1,500 per parade, to the event organisers of Remembrance Day parades;**
- 2. The Police and Crime Commissioner provides 50% of the traffic management costs, subject to a cap of £1,500 per parade, to the event organisers of Remembrance Day parades;**
- 3. Walsall Council explore whether it can work in partnership with the local community to organise Remembrance Day events, , through the Town Centre Managers and/or Area Managers;**
- 4. Walsall Council investigate whether a collective Public Liability Insurance policy can be obtained for Remembrance Day parade organisers;**
- 5. The Working Group meet with a senior representative from the Royal British Legion to clarify the organisations position with regard to the organisation of Remembrance Day parades;**
- 6. The Working Group Lead Member request a meeting with the Police and Crime Commissioner;**
- 7. The working group continues to meet until a sustainable solution to meeting the costs of the traffic management costs of Remembrance Day events has been identified and agreed.**

## TERMS OF REFERENCE

<b>Work Group Name:</b>	Remembrance Day Parade Working Group
<b>Committee:</b>	Corporate and Public Services Overview and Scrutiny Committee
<b>Municipal Year:</b>	2016/17
<b>Lead Member:</b>	Cllr Stephen Craddock
<b>Lead Officer:</b>	
<b>Support Officer:</b>	Craig Goodall
<b>Membership:</b>	Cllr Carl Creaney Cllr Mike Bird
<b>Co-opted Members:</b>	Cllr Gary Perry Thomas Miller Alan Dodsworth

<b>1. Context</b>	<p>West Midlands Police have recently made the decision to not provide assistance with road closures at Remembrance Day Parades.</p> <p>In 2015 Walsall held 11 Remembrance Day Parades that could be affected by the change in Police policy.</p>
<b>2. Objectives</b>	<p><b>What do you want it to achieve? It is important to have clearly defined outcomes at the start to give the working group direction and ensure it adds value.</b></p> <p>The working group wish to understand what impact the Police's decision has on the 11 Remembrance Day parades in detail, identify potential ways forward for the whole borough and create a defined process for the future.</p>
<b>3. Scope</b>	<p><b>What should be included and excluded?</b></p> <p>The working group wish to understand what roles are played by different organisations and individuals.</p> <p>What does the law say around traffic management and road closures?</p> <p>Are there potential alternative methods of delivering a suitable act of remembrance?</p> <p>The working group accept that the Council should not have to accept responsibility to provide the service for moving road closures in lieu of the Police.</p>

<b>4.</b>	<b>Equalities Implications</b>
	<p>There is a legal and moral obligation to ensure that, when undertaking a scrutiny review, the impact of policies; procedures; strategies and activities is considered within the 6 strands of equality (Age, Disability, Gender, Race, Religion or Belief, and Sexual Orientation)</p> <ul style="list-style-type: none"> <li>• How will the working group consult with each of these six groups regarding this review and its outcomes?</li> <li>• If an EIA has been carried out for this service\policy then what were its outcomes? Can this be mapped into the review? If no EIA has been carried out by the service is one required and can this be reported to the working group?</li> </ul> <p>The working group will ensure that any of their recommendations do not have a negative impact on local people due to their age, disability, gender, race, religion or belief and sexual orientation.</p>
<b>4.</b>	<b>Who else will you want to take part?</b>
	<p>Think about who else, other than lead officers and members, it would be useful to include either as part of the working group or to bring information at specific points. For example- partners, stakeholders, other authorities.</p> <p>Louisa Rolfe – Deputy Chief Constable, West Midlands Police Parade organisers Steve Griffiths – Walsall Council, Highways Mayor’s Office British Legion Other areas – South Staffs MPs</p>
<b>5.</b>	<b>Timescales &amp; Reporting Schedule</b>
	<p>Needs to be completed within the same municipal year and so should be able to report to full panel by the last meeting at the latest but consider the subject- is there anything else that it may need to tie into (e.g. academic or financial year or to coincide with national/sub-regional developments)</p> <p>How often will update be provided to full panel?</p> <p>Terms of reference to be presented to Corporate and Public Services Overview and Scrutiny Committee on 26 July 2016.</p> <p>Final report and recommendations to be presented to the Corporate and Public Services Overview and Scrutiny Committee on 8 September 2016.</p>
<b>6.</b>	<b>Risk factors</b>
	<p>Are there any obstacles that can be predicted? For example, is it dependent on other organisations outside your control and duty to cooperate? Identifying these factors early and how they will be mitigated should help minimise their impact.</p>

	<b>Risk</b>	<b>Likelihood</b>	<b>Measure to Resolve</b>
	Short timescale preventing working group speaking to all necessary parties	<b>HIGH</b>	Set a schedule of meetings to invite witnesses too  Seek written submissions from witnesses

Date Agreed:		Date Updated:	
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18<sup>th</sup> November 2016

Dear Councillor Craddock

Thank you for the opportunity to confirm the agreed position between Walsall Council, West Midlands Police and the Police and Crime Commissioner on our approach to public events on the highway and, in particular, Remembrance Parades.

West Midlands Police remain committed to supporting the local parades as important commemorative events and will provide guidance and support to the organisers of Remembrance Parades to ensure they are safe. In 2016 we worked with the local authority and, by implementing the Safety Advisory Group process, provided professional guidance to organisers as to how they can reduce risks on the highway. I hope that organisers across Walsall now have a greater understanding of how they can ensure an appropriate approach to parade planning and build in sufficient time to secure appropriately trained stewards.

This year, due to insufficient exploration of alternative arrangements, the Police and Crime Commissioner and Local Authority made one-off contribution to the costs of stewarding. As Steve Pretty, Head of Service Planning, Engineering and Transportation, confirmed on 25 October 2016:

*"This funding arrangement will be available for 13 November 2016 only. Event Organisers will be expected to make their own arrangements for traffic management and alternative arrangements for funding these events in future years."*

As mentioned at your scrutiny committee we remain committed to assisting in this endeavour and put organisers in touch with other areas where parades are self-sufficient or support organisers in developing a cohort of skilled volunteers to assist with stewarding.

You should be aware that powers to implement road closures are derived from legislation and vary on the circumstances, the immediacy of the situation and the body enforcing the closure. Independent police powers to direct or stop traffic in the course of their duties are limited to detecting and preventing crime, or, in the case of an emergency situation. Consequently, independently closing roads for pre-planned events such as Remembrance Parades, is outside of the authority of the police and can only legally be done under the power of a Traffic Regulation Order.



The Traffic Management Act of 2004 places the responsibility for traffic management matters for events on or affecting the highway on the Highway Authority (usually the Local Authority) for the area in which the event takes place. Any closure of roads for a pre-planned event can only be authorised through a Traffic Regulation Order and it is usually the case for a Traffic Management company to implement the order using signs, such as road closed signs, diversion route signing, cones, barriers and general direction signs. These are required to maximise the safety of those attending the event and reduces the risk to any stewards who are involved in the directing of traffic.

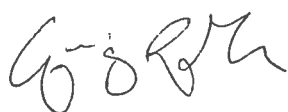
Like any public body, West Midlands Police must adopt a fair, consistent and lawful approach to organised events. Our *Safety First* policy provides guidance and common minimum standards for our approach to such events based on this statutory framework, and aims to create a consultative approach between police, partner agencies and event organisers so public events are safe, with identified lines of responsibility and accountability.

Following its introduction in 2002, the policy has been reviewed regularly. Following the 2015 Remembrance Parades it became clear that the policy had been inconsistently applied across the seven metropolitan local authority areas.

In previous years, police in Walsall have supported the traffic management function, contrary to this policy and the accepted statutory framework. Given the number and simultaneous timing of the parades, it has been a significant resourcing requirement. Last year, nearly 40% of the 240 police officers deployed to assist with Remembrance Parades across the West Midlands were allocated to Walsall. Historically some officers have provided this service in their own time but there is also a requirement for the police to maintain a commitment to responding to emergencies and calls for service elsewhere in Walsall and beyond. The review in 2015 identified that this resourcing commitment not only impacted on local policing in Walsall, it was inconsistent with the agreed approach in other Local Authority areas across the West Midlands. This situation, although motivated by good intentions, cannot continue.

Thank you for your understanding in this matter.

Yours sincerely



**Louisa Rolfe**  
**Deputy Chief Constable**





Home Office

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Wendy Morton MP  
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03 OCT 2016

CTS Reference: M10309/16

Thank you for your letter of 17 August about the difficulties in your constituency in organising the traditional Remembrance Day parades.

The Government fully recognises the enormous sacrifices that have been made by British military personnel, both now and in the past. Remembrance ceremonies and parades are an important and valued part of how communities honour the sacrifices made by our service personnel.

The issue you raise on behalf of the Constituency of Aldridge-Brownhills in respect of their annual Remembrance Day parade is one in which I cannot intervene directly. The police have not historically had a policy of routinely policing Remembrance parades and are more likely to determine the level of policing required for an event on the basis of an assessment of crime, disorder and public safety. There are no plans for the Home Office to issue guidance to the police on this matter.

However, it may be helpful if I also explain my understanding of the legal position. Legally, controls on how specific roads are used, including prohibitions or restrictions on their use, are matters for the relevant local authority, not the police. The police role is to enforce criminal offences created, for example by local traffic regulation orders or by the general law. How they carry out such enforcement is a matter for their discretion.

In the first instance, the arrangements for any on-road event are a matter for the event organisers. I am sure that Walsall Police's Safety Advisory Group (SAG) would work with the event organisers and the local authority to help with the planning of the parade. I sincerely hope it is possible that through such discussions, it will be possible to hold a safe and successful parade.

I hope that this helps to help to clarify the Government's position.

Brandon Lewis MP