

HOUSE OF LORDS  
HOUSE OF COMMONS  
JOINT COMMITTEE ON DRAFT CONSTITUTIONAL RENEWAL BILL

*Submission from the Mayor of London (ev 14)*

## Introduction

1. The Greater London Authority (GLA) has been responsible for Parliament Square Garden under the GLA Act 1999 since 2000. The vision for Parliament Square is that it should provide a symbolic and dignified setting for Parliament and the surrounding historic buildings, in keeping with its World Heritage setting. It should be both accessible and meaningful to Londoners and visitors.
2. Currently there are shared responsibilities in relation to Parliament Square. Westminster City Council (WCC) manages the pavements along the east and south of the main grassed area and also the road networks whilst the GLA is responsible for Parliament Square Garden. The Metropolitan Police Service (MPS) are currently responsible for authorising demonstrations within the SOCPA designated area. However, permission is also needed from the GLA under the byelaws if protests are to take place on Parliament Square Garden and WCC regulations will also apply.
3. Excluding the permanent protests in Parliament Square, there have been five public gatherings on Parliament Square Garden with approval from the GLA since the introduction of the Serious Organised Crime and Police Act (SOCPA) from 1 August 2005 until 31 May 2008. The MPS have data on all SOCPA authorised rallies that took place in the vicinity of Parliament.
4. The Mayor fully supports proposals which enhance democracy in London and which serve the interests of all those who live, work or visit the capital.
5. There is a responsibility to manage high quality public spaces as a fundamental part of delivering an urban renaissance in London. Accordingly, the management of a key public space such as Parliament Square Garden requires the promotion of a safe and accessible environment for the benefit of all Londoners and visitors.

## Conditions and powers

6. One of the key problems in managing protests under SOCPA is the different bodies involved in the process of granting permissions and managing the Squares. The MPS currently issue permissions for land managed by two separate authorities.

7. In the longer term the GLA would welcome a more coherent means of managing both the pavement and garden space of Parliament Square.

8. Powers should be proportionate to the scale and character of event. Further the imposition of conditions on assemblies and marches should be proportionate and consistent. It may be appropriate to develop criteria to focus on timing, scale, size, and information on organisers requesting permissions, for example.

9. A key concern with regard to conditions of protests to be held on Parliament Square is proportionality and duration. If a protest takes place it will inevitably limit other public uses of the square, and therefore protests should be limited in duration. The Mayor supports the right to peaceful protest, including in the vicinity of Parliament unless there is a quantifiable and justifiable safety or security risk.

## Considerations

10. There are proposals to redevelop Parliament Square and create a more accessible, safe and high quality public place. Therefore any discussions on the management of protest on Parliament Square must consider the planned physical changes to the area. Crucially, there are approximately 34 million pedestrians using the Parliament Square area per year and currently approximately 470,000 people access the central garden space every year (source Atkins-Intelligent Space).

11. The proposals for improvements to the Square will include pedestrianisation on the south side to connect with Westminster Abbey, landscape improvements to the central garden and access to the Square opened up from the north, east and west. As a result accessibility will be significantly enhanced and as a minimum projection 34 million pedestrians per year would then be able to cross directly onto Parliament Square Garden. The physical improvements and therefore how the Square is designed, managed and maintained will need to deal with this vast increase in visitor numbers.

12. The nature of the Square will remain as a symbolic and dignified setting for Parliament and the surrounding historic buildings, in keeping with its World Heritage Site surrounds (Parliament Square is adjacent to the Westminster World Heritage Site). There is a clear need to consider the character of space given its connection to the World Heritage Site.

#### Models for managing demonstrations

13. The Mayor shares the opinion that Trafalgar Square is a good model for successfully managing demonstrations. However the differences in the physical layout and booking processes for Trafalgar Square need to be acknowledged. Trafalgar Square has the benefit of safe pedestrian access to the square, hard landscaped surfaces with distinct standing areas and 'walls' on three sides to create enclosure and decrease the immediate impact of the surrounding road. The GLA operates an approvals process to book Trafalgar Square and liaises with the MPS as required.

14. This application process ensures a balanced range of uses of the square which includes groups wishing to protest, use by visitors, and also minimizes impact on Trafalgar Square neighbours, for issues such as noise control and duration of protest. Importantly, Trafalgar Square has a long and established historical tradition as a place to protest as opposed to Parliament Square, which does not have the same level of historical character. Both the GLA and the MPS recognise these constraints on Parliament Square and currently offer Trafalgar Square as a practical alternative to the use of Parliament Square.

15. Prior to SOCPA, the management and administration of protests on Parliament Square Garden, under the Public Order Act 1986 and GLA byelaws provided a largely effective and simple route for applications to protest. This could be a way forward in managing protest around Parliament whereby the GLA considers application for use and would take advice from the MPS on safety and public order issues.

16. If parts of SOCPA were repealed then the pre SOCPA arrangements of requests for use of Parliament Square Garden would be via the applications process to the GLA. The MPS's response around the suggested revisions to the Public Order Act is supported. The GLA would work with WCC and the Police to manage protests according to respective responsibilities.

17. The Local Government & Public Involvement in Health Act 2007 provides powers for local authorities to implement changes to their byelaws, at present procedural guidance is awaited to enable this. This would provide the opportunity for the GLA to review our current byelaws in light of any changes made to the legislation and the management of protests in the vicinity of Parliament.

## Static/permanent protests

18. Whilst the Mayor respects the right of Brian Haw to hold his protest, the Mayor does not agree that Parliament Square Garden should be used as a free campsite, creating an unsightly public health hazard of offence to the thousands of Londoners and visitors who use this public space every day. The amenity of Parliament Square Garden must be protected and remain a sanitary environment for all.

19. It is pivotal that, as at Trafalgar Square, all static protests where possible, depending on size should allow people to actively engage with the Square as a public space at all times. In this way, protests that have been time specific have been able to be more effectively managed than those without. There are different management issues and considerations if duration is 24 hours or longer and if overnight. In accordance with conditions on time, place, numbers and size of protest similar conditions could include duration of protest.

20. The impact on the Authority's ability to manage the permanent protests and camping around Parliament Square has required a significant resource investment to prevent low level disorder issues, to carry out maintenance and to manage special events on the Square. There have been instances of abuse to GLA staff and contractors whilst carrying out their responsibilities and day-to-day duties to look after and manage Parliament Square Garden. GLA staff should not be subjected to any type of harassment or abuse whilst carrying out their duties and the GLA finds such acts entirely unacceptable and takes such abuses very seriously. In addition MPs have made complaints to the GLA regarding noise levels and abuse from demonstrators.

## Loudspeakers

21. The GLA is aware of complaints and the current difficulties in managing the use of loudspeakers in the vicinity of Parliament. WCC comments regarding the need to review the current provisions around granting permission for use of loudspeakers is supported, however any changes would need to allow for use of loudspeakers to be granted as part of the conditions for protest where considered necessary. There will need to be exceptions for feasible use of loudspeakers on Parliament Square Garden such as by Police, Emergency Services and where necessary and permissible under protest applications process to the GLA.

22. In terms of restrictions on the use of loudspeakers this is covered in our byelaws pursuant to the GLA Act 1999. The GLA does not have the ability to seize loudhailers or other noise transmitting devices and the GLA may take the opportunity to review the byelaws (Local Government & Public Involvement in Health Act 2007) powers to include scope for loudspeakers and right to seize powers, as per trading under the byelaws, for up to 28 days.