

USE OF PUBLIC OPEN SPACES

Following protests/rallies/equivalent, reflecting a diverse range of causes and views, this briefing provides a background to the approach taken to such activities on land under Town Council ownership/control where public rights of access are engaged.

The public spaces of Towns and Cities have historically been, and continue to be, places where citizens have assembled variously to celebrate, mourn, socialise, receive information, formulate views, peacefully protest and exercise freedom of expression. Of course for some of those causes there may also be strongly held and opposing views.

As a local authority the Town Council represents all its residents irrespective of race, colour, creed, political affiliation etc. Therefore, subject to any applicable usage requirements, advice from the Police and event size, it seeks to treat protest groups comparably and fairly. In turn, those groups are obliged to behave lawfully, safely and reasonably.

No protest flags, posters or other paraphernalia are permitted to be fixed to Town Council buildings or monuments without the consent of the Council and, to date, protest groups have respected that position and engaged constructively. Should any flags, posters or other protest paraphernalia be left behind on Town Council land they are removed and disposed of by Council staff.

In the interests of completeness it can also be noted other public authorities may also have statutory and/or landowner responsibilities including:

- a) the Highway Authority as to land in its ownership or control. In particular, how the highway streetscene – roads, pavements, streetlights etc are managed.
- b) the Police as to whether, and if so how, any public order or other offences are addressed, alongside powers to address anti-social behaviour. The Police also have some specific powers in relation to particular types of protest.
- c) West Devon Borough Council regarding land in its ownership, and also as the waste authority if littering offences occur and as the local planning authority in relation to planning consents, where applicable, for flags/banners etc. It also has some statutory remedies available to it regarding anti-social behaviour.