



THE ROYAL BRITISH LEGION

REMEMBRANCE PARADES POLICY UPDATE

Please note that due to COVID-19 pandemic all remembrance events must follow the guidelines and advice issued by the government or local authority and might need to be cancelled depending on the situation.

Introduction

This update applies to branches in England and Wales and explains why road closures (known as TTMOs in England and TROs in Wales) at Remembrance parades must be left to a local authority to own and run. The Board of Trustees' policy on road closures and TTMOs is that branches must never organise, pay for or deploy a TTMO. That has been the policy for some time but, henceforth, there will be no exceptions granted to that policy.

Northern Ireland is not covered by this newsletter, as the Parades Commission governs street parades. Branches outside the UK who organise Remembrance parades are reminded that they must at all times comply with local rules and legislation.

Background

A serious road accident at a 2018 parade focused attention on how serious the consequences of a road traffic accident can be for the victims and those close to them. In this case, the accident left a supporter with life changing injuries. The accident also drew attention to the burden of cost such an accident can have, with claims for damages often running into the tens of millions of pounds. In this case, the Legion has benefitted from the support of its insurers. However, those insurers have made it clear that the approach to TTMOs must be more formal and, in future, all branches must adhere to the policy.

To be clear, a parade on the public highway is not an essential element of a successful Remembrance. This newsletter is focused on the parade and not the wider Remembrance event.

Legion Policy on Remembrance Parades

1. Remembrance events should, wherever possible, be organised by a Civic Authority. All aspects of an event that is organised by a Civic Authority should remain the responsibility of that Civic Authority. Temporary Traffic Management Orders ("TTMOs") may only be organised and deployed by the Civic Authority and on no account should TRBL staff or volunteers be deployed to manage traffic.
2. Where TRBL must be the Event organiser (because the Civic Authorities refuse) TRBL may take this role but there can be no street Parade, no road closure and, therefore, no need for a TTMO unless this aspect of the event is owned by a Civic Authority. Whilst the branch can be involved in determining a Parade route, it should not itself contract with a third party and may not take responsibility for the design, planning and deployment of a TTMO.
3. On the day of the Parade, TRBL and its volunteers must not engage in the deployment, management or removal of any TTMO. This includes, for example, placing barriers, directing traffic or driving vehicles that are involved in the TTMO.

Tradition

Some branches enjoy a long history of a parade being part of their Remembrance. A challenge we must all face is that if a civic authority will not step up and take ownership of the TTMO then the branch may not do it for them. This will mean that, in some cases, long-standing parades will cease to take place. The Membership Council recognises how contentious this is, but in our increasingly litigious society, the Legion has been left with no choice but to take this stance.

Please remember that a parade is not the Remembrance event. It is very common to have a Remembrance event that does not include a parade on the public highway. A local authority in the home counties provides a useful example. Of the 25 Remembrance events that took place within their municipal boundary in 2019, only 8 involved a parade with road closure, with 17 static events centred on a church or memorial. The local authority is deliberately not named here as we do not want to infer that they intend to change this arrangement. The point is that a Remembrance event does not have to involve a parade and it is not unusual to run an event in this way.

Policy compliance

Please do not try and find a way around the policy or ignore the need for a TTMO. Parading on the public highway without a TTMO is illegal and undertaking this activity would breach the Legion Code of Practice. Equally, trying to arrange your own insurance is not allowed. The sheer complexity of health & safety law in this area is beyond the skills of most branch officers and must be left to organisations who can afford to employ people with the appropriate expertise.

Our insurance policy is based upon branches complying with the rules. Non-compliance will lead to significant problems with our insurer and substantial impact on the conditions of any future insurance.

Remembrance parades and relations with local authorities

Arranging Remembrance events and/or parades is a civic duty for local authorities – the Legion supports and attends those civic events, not the other way around. However, branches often take on a more significant role than merely being an attendee. That role has, in many cases, come to be relied on by local authorities who are more than happy to pass some or all of their costs and duties to us. Notwithstanding the leading role that the Legion often plays, branches must always remember that arranging the event is a local authority's civic duty. This year, the Director General has once again written to local authorities to remind them of their civic duty.

Local lobbying and reputational risk

All branch officers and members represent the Legion, especially when they engage with third parties, such as local authorities. Whilst it may be tempting to lobby the council or individual councillors, please do so responsibly or not at all. Inappropriate contact or lobbying damages the Legion's reputation and its ability to divert local authority spending to support the needs of our beneficiaries. It is with regret that we must accept that many local authorities will simply be unable to afford to provide the support they have given us in the past.

Amalgamating parades

Local authorities often support multiple Remembrance events. Members are asked to note the often-parlous state of local authority finances and to take a pragmatic and supportive approach if their own local authority withdraws support for a local parade, citing the existence of a larger parade nearby. Whilst recognising the long-standing history of many small Remembrance parades, affected branches may be left with two choices:

- i) Become part of a larger scale parade; or
- ii) Retain a local event but without an on-road parade.

One or two larger events can provide an effective, visible and successful Remembrance. To be clear, attending a larger parade should never preclude the laying of wreaths locally, later the same day, but without the parade the local branch may be used to.

There are branches whose memorial is sited in the middle of the road. We would hope that the location of these memorials will help to persuade the local authority to maintain its ownership of the road closure. However, if the local authority declines to own and run an appropriate traffic management order then the branch will need to consider an alternative approach. The Legion will not grant the branch a policy exception in these circumstances.

Summary

The aim of the Legion policy is twofold: to protect people from the trauma of traffic accidents and to avoid the Legion having to pay large sums of money in damages claimed by the victim. The effect of the policy is that no branch or officer has the authority to commit the Legion to liability of this kind. Put simply, TTMOs must be left to the experts.