



DERBY CITY COUNCIL

COUNCIL CABINET
12 OCTOBER 2005

ITEM 5

Report of the Director of Corporate Services

Section 14A Public Order Act 1986

RECOMMENDATION

- 1.1 To authorise the making of an Order under Section 14A of the Public Order Act 1986 to prohibit the holding of all trespassory assemblies on the land owned by Rolls Royce Limited at Raynesway, Derby from 0001 hrs on Saturday 22 October 2005 to 2359 hrs on Monday 24 October 2005, subject to the consent of the Secretary of State .
- 1.2 To authorise the Director of Corporate Services to take any further action in consultation with the Leader he considers necessary in the interests of preventing serious disruption to the life of the community.

REASONS FOR RECOMMENDATION

2. The Chief Constable has applied for the Council to make such an order as he believes that any trespassory assembly may result in serious disruption to the life of the community.

SUPPORTING INFORMATION

- 3.1 The Council received, on 11 October 2005, a request from the Chief Constable of Derbyshire Constabulary to make an order under Section 14A of the Public Order Act 1986, prohibiting the holding of all trespassory assemblies on the land owned by Rolls Royce Limited at Raynesway, Derby from 0001 hrs on Saturday 22 October 2005 to 2359 hrs on Monday 24 October 2005.
- 3.2 The Chief Constable advises that there is a weekend of action planned for 22-24 October 2005 against Rolls Royce in Derby. Rolls Royce is advertised as the driving force behind Trident, Britain's nuclear weapons system. The organisers of the weekend of action are a loose collective known as Trident Ploughshares. It is believed that they will be supported by East Midlands CND. The intention of the organisers is to engage in direct action, including the blockade of the entrance to the Rolls Royce site at Raynesway, Derby on Monday 24 October 2005 with the intention of preventing work at the site. Any blockage of the site is likely to cause serious disruption to the flow of traffic through Derby as the Rolls Royce site at Raynesway, Derby is in close proximity to one of the main arterial routes through Derby.

- 3.3 Trident Ploughshares was launched in May 1998. Its purpose is to disarm the British nuclear Trident System. Trident Ploughshares continues to target what are described as Trident sites within the UK the list includes Rolls Royce premises at Derby. I am informed Trident Ploughshare protest tactics have included mass blockade of premises, attacks on outer perimeters to gain access onto sites and co-ordinated action to defeat security systems amounting to costly acts of criminal damage. A number of these tactics have been used against Rolls Royce in Derby previously when the site has been targeted in both planned and spontaneous demonstrations. A common factor in all the demonstrations is the targeting of the main gate and subsequent serious disruption to the road network and business community.
- 3.4 There is a weekend of action organised by Trident Ploughshares and supported by East Midlands CND planned for 22-24 October 2005 against Rolls Royce in Derby. The events are advertised on the internet and flyers are as follow:
- Saturday 22 October 2005, leafleting and street theatre in Derby followed by a public meeting.
 - Sunday 23 October 2005 includes non-violent direct action training, as well as briefings and planning for Monday's action.
 - Monday 24 October 2005, there will be a non-violent blockade of the site, peacefully closing the plant by using our bodies to block entrances.

The website advertising the weekend of protest includes pictures of the security fencing that surrounds the Rolls Royce site. On previous protests at the Rolls Royce site protestors have attempted and been successful in incurring onto the site by attacking the fence. This is a tried and tested tactic employed by Trident Ploughshares activists. Razor wire top and bottom with an internal electric fence protect the security fence around the site. To breach the fence would require a co-ordinated approach and this could be the purpose of the training for direct action advertised on the flyer and website. The website further includes a map showing the location of Rolls Royce on Raynesway and a detailed map showing the main gate to the premises and the proximity of the A5III Derby Ring Road.

3.5 Summary of the grounds for the belief that Trespassory Assembly will cause serious disruption to the life of the community

- The area of land in front of the gates at the Rolls Royce premises is private land. It extends towards the highway and the West Service Road for approximately 8 metres with lines painted on the road surface distinguishing the land owned by Rolls Royce from the public highway. Information is that this is the area to be targeted by the protestors. There are 1200 workers who work at Rolls Royce with some 600-800 vehicles requiring access to Rolls Royce between 0700 and 0930 hours. The site only has one vehicular access for the staff. The main entrance is only approximately 50 metres from the A511 Derby Ring Road, Derby. There is limited access alternatives to other large commercial premises situated on the West Service Road of Raynesway with Rolls Royce these include British Oxygen Corporation, Balfour Beatty and the Regional Head Office of Severn Trent.
- Other businesses on the West Service Road have been affected through traffic disruption at protests in the past. The numbers associated with attendance at the premises are listed below:

BOC, Raynesway situated immediately next door to the Rolls Royce main entrance requires 24hour access, a workforce of 28 with 15/20 HGV deliveries scheduled between 0700 hours and 0900 daily. The site gives access to the Rolls Royce site divided by a security fence. This is a potential trespass route to protestors.

Minelco, Raynesway, West Service Road requires 24hour access, a workforce of 40 with 6/7 HGV loads an hour.

Balfour Beatty, Raynesway, West Service Road requires 24hour access, a workforce of 600 requires access to site between 0700 and 0815 hours. Potential trespass route to Rolls Royce security fence as this company shares a long boundary with Rolls Royce.

Seven Trent Officers, Raynesway, West Service Road requires 24hour access, a workforce of 800 with approximately 400 cars requiring access to the site from 0700-0900 hours. These premises have been subject to criminal damage associated with previous protest at Rolls Royce.

- Protest in this area would seriously affect the free flow of traffic in the area from the public highway into the Rolls Royce site. It would soon lead to major disruption on the A511 Derby Ring Road, the West Service Road and other minor roads through the backing up of traffic. The possibility of road collisions can not be excluded. There are in excess of 2000 vehicles requiring access to businesses on the West Service Road in the morning rush hour. A blockade of the site would cause serious disruption to the community in this area of Derby.

- 3.6 The application of the Chief Constable is supported by Rolls Royce Limited which confirms that they do not give permission for any persons not related to their normal business any access to the Raynesway site. Over the last few years there have been a number of incidents where protest/peaceful demonstration has evolved into serious disruption at the site caused when a large number of cars backs up at the site entrance making it impossible not only for their own employees to get into work, but also those of our neighbours. On occasions the disruption has been so bad that this has radiated out into the surrounding areas. A major concern is the fact that the site entrance is only a few yards from Raynesway, part of the very busy A5111 ring road and when this disruption occurs, the potential for a serious road traffic accident is always present.
- 3.7 The Chief Constable has also consulted the Head of Traffic for his views on the likely disruption. He advises that any disruption of the traffic flow into the West Service Road caused by the delay or turning back of a large quantity of vehicles would tail back into the A5111 and cause serious congestion and seriously add to the potential for road collisions on a busy high speed road.
- 3.8 Although it is believed that a trespassory assembly would cause serious disruption to the life of the community there is an area of land nearby where a public assembly could be accommodated. This would allow for a protest in close proximity to the main gates of the Rolls Royce site without preventing the free flow of traffic. The Chief Constable has therefore designated this area where a lawful can take place under S14 Public Order Act 1986.
- 3.9 In order to reduce the risk of serious disruption to the life of the community, it is recommended the Secretary of State's consent is sought to the making of the order.

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| OTHER OPTIONS CONSIDERED |
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4. Not to make the order.

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| For more information contact: | Michael Foote Tel 01332 255448 email michael.foote@derby.gov.uk |
| Background papers: | Letter from Deputy Chief Constable dated 11 October 2005 |
| List of appendices: | Appendix 1 - Implications |

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| IMPLICATIONS |
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Financial

1. All costs will be kept within Corporate Services budgets.

Legal

- 2.1 Section 14A of the Public Order Act 1986 allows the Council, with the consent of the Secretary of State, to make an order to prohibit the holding of trespassory assemblies where the assembly is likely to be held without the permission of the occupier of the land and may result in serious disruption to the life of the community.
- 2.2 The prohibition needs to be a proportionate response to the risk of disruption to the life of the community.

Personnel

3. None.

Equalities impact

4. None directly arising.

Corporate objectives and priorities for change

5. The proposal will support the objective to provide healthy, safe and independent communities.