

Civic Government (Scotland) Act 1982 and Police, Public Order and Criminal Justice (Scotland) Act 2006 – James Connolly Parade, Saturday 9 June 2012

Licensing Sub-Committee of the Regulatory Committee

20 April 2012

1 Purpose of report

- 1.1 To bring to the attention of the committee notification of a procession proposed to take place in Edinburgh.

2 Main report

- 2.1 Mr William McDowall, on behalf of the Celtic Commemoration Committee (CCC), submitted a completed Notice of Proposal to Hold a Public Procession form on 13 March 2012 (see Appendix 1), giving notice of the intention to hold a James Connolly Commemoration Parade on 9 June 2012.
- 2.2 Receipt of the notification was acknowledged on 19 March 2012. A further letter was sent on 19 March 2012 to inform Mr McDowall that the event would be considered by the Council's Licensing Sub Committee, that the Council's Public Safety Team had been asked to confirm with him the date the Events Planning and Operations Group would meet to consider arrangements for the event, and to advise Mr McDowall to proceed with an application for permission to use the Meadows for the part of the event intended to take place there (see Appendix 2).

- 2.3 The event was considered by the Council's Events Planning and Operations Group (EPOG) at a meeting on 28 March 2012 (see Appendix 3). Mr McDowall was again advised to submit an application for permission to use the Meadows for part of the event and other arrangements for controlling the event were discussed and agreed between the organiser and the relevant agencies involved. Concerns were expressed regarding the amount of traffic disruption that the proposed route would cause.
- 2.4 Three options for the route, including the original proposed route, were discussed at the EPOG meeting and it was noted that Mr McDowall preferred option 3, starting at the east end of King's Stables Road, and marching to outside 108 King's Stables Road at its west end for a rally to be held. Mr McDowall agreed to consult members of his group and confirm whether or not they would agree to this. A further Events Planning and Operations Group meeting has been scheduled for 26 April 2012.
- 2.5 Lothian and Borders Police submitted a response to the notification on 11 April 2012 (see Appendix 4), proposing that the Regulatory Committee consider two options for the event, a static rally in King's Stables Road, or a procession using an alternative route to the one notified by the organiser. Lothian and Borders Police have noted that they favour the first option, a static rally, as this would have the least impact on resource levels, would cause less disruption and would satisfy some of the desired intent and purpose of the Celtic Commemoration Committee (CCC).
- 2.6 To date, there has been no formal notification of any counter-procession or demonstration, although it is recognised that this may follow. Notification of any counter-procession would require to be notified to the police and the local authority, would be the subject of EPOG meetings and would ultimately be reported to the committee. In the response, the Assistant Chief Constable states that, "It can be reasonably foreseen a CCC event will attract some level of opposition".
- 2.7 The Assistant Chief Constable also advises that, "If the event goes ahead, there may be some disruption to daily city business and it would be wrong o totally discount the possibility of disorder. While I cannot guarantee there will be no disruption or disorder, I am confident Lothian and Borders Police, with the assistance of the Council, can put into place an operation to minimise such and allow the CCC event to go ahead. The policing commitment to this event may be significant but achievable."

3 Financial Implications

- 3.1 The financial implications to the Council are expected to be minimal and, should it be necessary to make a Temporary Traffic Regulation Order, costs would be absorbed within existing budgets.

4 Environmental Impact

- 4.1 There may be some short term environmental impact arising from any agreed procession or static rally regarding noise and any traffic diversion required.

5 Equalities Impact

- 5.1 The legal powers of the Council in relation to parades are limited in terms of the Civic Government (Scotland) Act 1982 and the Police Public Order and Criminal Justice (Scotland) Act 2006. In law there is the presumption of the constitutional right of people to hold a parade in support of their beliefs. The Council must also keep in mind that the rights of freedom of expression and freedom of assembly as set out in Articles 10 and 11 of the European Convention of Human Rights. It is also the Council's responsibility, however, to ensure that events in the city, including processions, are held as safely as possible and with the minimum disruption to other members of the public and it endeavours to strike an appropriate balance between the competing demands on the use of the city's streets.

6 Recommendations

- 6.1 It is recommended that the Committee makes an Order in respect of the procession, imposing conditions as suggested by the Chief Constable and subject to the organiser's agreement to adhere to the recommendations of the Events Planning and Operations Group.

Alastair Maclean
Director of Corporate Governance

Appendices	1 – Notification form submitted by Mr McDowall, dated 13 March 2012 2 – Letter of acknowledgement, dated 19 March 2012, and letter advising of further actions, dated 19 March 2012, sent to Mr McDowall 3 – Event Planning and Operations Group, minute of meeting held on 28 March 2012 4 – Response to proposal, from Lothian and Borders Police – dated 11 April 2012
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Wards affected	10, 11, 15
Background Papers	None