

Licensing Sub-Committee of the Regulatory Committee

10.00am, Friday, 4 March 2016

Proposed 'Stand Up To Racism and Fascism' Parade and Rally – 20 March 2016

Item number	6.2
Report number	
Executive/routine	
Wards	City Centre (Ward 11)

Executive summary

The City of Edinburgh Council has been notified of a proposed march and rally to take place on 20 March 2016.

The Council has limited powers in respect of marches. It can take no action and the march would proceed. Alternatively it has the power to attach conditions or, under limited circumstances, to ban the march.

It is planned that the march will use the High Street. The Regulatory Committee decided on 17 November 2014 that marches involving the High Street will be required to be submitted for the Licensing Sub-Committee's 'special consideration'.

Links

Coalition pledges	N/A
Council priorities	N/A
Single Outcome Agreement	N/A

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Recommendations

It is recommended that the Committee:

- 1.1 makes an order prohibiting the proposed procession; or
- 1.2 if not satisfied that it is necessary to prohibit the procession, to make an order in respect of the proposed procession, imposing the standard conditions for parades in Edinburgh (Appendix 2) and imposing a route away from Princes Street.

Background

- 2.1 Under the Civic Government (Scotland) Act 1982, anyone organising a procession in Scotland must notify the appropriate local authority and the police at least 28 days prior to the date of the event.
- 2.2 The City of Edinburgh Council has been notified that the 'Stand Up to Racism and Fascism' parade is intended to be held through the city on 20 March 2016 (Appendix 1).
- 2.3 In 2013 and 2014 the Committee attached certain conditions to similar events, after concerns were raised about public safety. Prior to 2013 the Council had banned similar marches.
- 2.4 The Council has limited powers available regarding the control of such events. These powers should only normally be exercised to prevent public disorder, risk to public safety, damage to property, or excessive disruption to the life of the community. [Download the Scottish Government Guidance to local authorities on marches and parades.](#)

Main report

- 3.1 An EPOG meeting is still to be held.
- 3.2 The proposed route is Princes Street, North Bridge, High Street. This route is unlikely to be acceptable given disruption to the tram system.
- 3.3 This proposed march has been referred to Committee for a decision on the basis that the proposed procession may be considered to be controversial, and the intention is to use the High Street and Princes Street.

- 3.4 Representatives from the organisation will be invited to address the Committee regarding the proposed processions.

Measures of success

- 4.1 That the Council discharges its statutory duties in respect of this notification.
- 4.2 That any parade is facilitated wherever possible and is managed in a way that minimises potential disruption to the life of the community.

Financial impact

- 5.1 None arising directly from this report.
- 5.2 Council resources will need to be deployed on the day, in particular with respect to any road closures.

Risk, policy, compliance and governance impact

- 6.1 Should the Committee decide to restrict or prohibit the procession, the person proposing to hold the procession may appeal against that decision to the Sheriff Court within 14 days of written reasons being received by them.
- 6.2 The march is politically contentious and therefore is not appropriate for officers to decide under delegated powers.

Equalities impact

- 7.1 The proposals in this report demonstrate a high degree of relevance to the public sector equality duty to eliminate unlawful discrimination, harassment and victimisation and to foster good relations. The proposals also demonstrate a high degree of relevance to human rights articles concerning freedom of thought, conscience and religion, and freedom of expression.
- 7.2 In coming to a decision, the Committee will have to consider the rights of the procession organisers to stage their procession, and the Council's duty to foster good relations and ensure the protection of public order and safety. These must be discharged against the relevant statutory duties.

Sustainability impact

- 8.1 There may be some short term environmental impact arising from any agreed procession:
- The proposed route crosses public roads, though arrangements have been made to mitigate any disruption caused; and
 - Arrangements will be made for the removal of placards and banners at the conclusion of the event.

Consultation and engagement

- 9.1 An EPOG meeting is still to be held.

Background reading / external references

[Report to Regulatory Committee 17 November 2014](#)

Scottish Government guidance - [Review of parades and marches in Scotland \(2006\)](#)

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Links

Coalition pledges	N/A
Council outcomes	N/A
Single Outcome Agreement	N/A
Appendices	Appendix 1 : Notification of intention to hold a parade Appendix 2 : Standard conditions