

# Licensing Sub-Committee of the Regulatory Committee

10.00am, Friday, 4 March 2016

## Proposed Apprentice Boys of Derry March – 28 May 2016

Item number

Report number

Executive/routine

Wards

### **TABLED ITEM**

Sighthill/Gorgie (Ward 7)

#### **Executive summary**

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The City of Edinburgh Council has been notified of a proposed march by the Apprentice Boys of Derry, to take place on 28 May 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.

The proposed march is referred to Committee as it may be considered to be controversial.

#### **Links**

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Coalition pledges

N/A

Council priorities

N/A

Single Outcome Agreement

N/A

## Proposed Apprentice Boys of Derry March – 28 May 2016

### Recommendations

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It is recommended that the Committee:

- 1.1 Makes an order in respect of the proposed procession, imposing the standard conditions for parades in Edinburgh ([Appendix 2](#)).

### Background

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- 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 Apprentice Boys of Derry intend to hold a march through the city on 28 May 2016 (Appendix 1).
- 2.3 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

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- 3.1 An EPOG meeting was held on 20 January 2016 and was attended by the applicant Keith Rutherford. Appendix 3 contains only the notes from the EPOG meeting relevant to this application. It is understood that no concerns were raised regarding the conduct of the event and the applicant has agreed to the draft conditions.
- 3.2 The proposed route is Distillery Lane, Dalry Road, Gorgie Road, Wheatfield Road.
- 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.

### Measures of success

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- 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

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- 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

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- 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

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- 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

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- 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

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- 9.1 An EPOG meeting was held on 20 January 2016.

## Background reading / external references

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

## Susan Mooney

Head of Service

Contact: Andrew Mitchell, Community Safety Manager

E-mail [andrew.mitchell@edinburgh.gov.uk](mailto:andrew.mitchell@edinburgh.gov.uk) | Tel: 0131 469 5822

### Links

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**Coalition pledges** N/A

**Council priorities** N/A

**Single Outcome Agreement** N/A

**Appendices**

[Appendix 1](#): Notification of intention to hold a parade

[Appendix 2](#): Standard conditions

Appendix 3: Note of EPOG meeting 20 January 2016  
(Apprentice Boys of Derry March notes only)

Appendix 4: Police letter