

# Notice of meeting and agenda

## Regulatory Committee

**9.00 am, Wednesday, 24 July 2013**

Dean of Guild Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

### Contact

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Tel: 0131 529 4261

## **1. Order of business**

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- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **2. Declaration of interests**

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **3. Deputations**

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- 3.1 If any.

## **4. Minutes**

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- 4.1 Regulatory Committee of 21 June 2013 (circulated – submitted for approval as a correct record).
- 4.2 Licensing Sub-Committees of 21 and 26 June 2013 (circulated – submitted for approval as correct records).

## **5 House in Multiple Occupation Licensing**

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- 5.1 Balfour Beatty – Fee Structure for Holyrood Road – report by the Head of Housing and Regeneration (circulated)

## **6 Parades and Processions**

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- 6.1 Civic Government (Scotland) Act 1982 – notification of procession – Scottish Defence League – report by the Director of Services for Communities (circulated)

### **Carol Campbell**

Head of Legal, Risk and Compliance

## **Committee Members**

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Councillors Barrie (Convener), Blacklock (Vice-Convener), Aitken, Burgess, Cairns, Gardner, Bill Henderson, Heslop and Redpath.

## **Information about the Regulatory Committee**

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The Regulatory Committee consists of 9 Councillors and is appointed by the City of Edinburgh Council. The Regulatory Committee usually meets every eight weeks.

The Regulatory Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

## **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Stephen Broughton, Committee Services, City of Edinburgh Council, City Chambers, High Street, Edinburgh EH1 1YJ, Tel 0131 529 4261, e-mail [stephen.broughton@edinburgh.gov.uk](mailto:stephen.broughton@edinburgh.gov.uk)

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/cpol](http://www.edinburgh.gov.uk/cpol).

The views expressed in any letters of representation are not necessarily the views of the City of Edinburgh Council.

For remaining items of business likely to be considered in private, see separate agenda.

## Regulatory Committee

9.30 am, Friday 21 June 2013

### Present

Councillor Barrie (Convener), Blacklock (Vice- Convener), Aitken, Bridgman (substituting for Councillor Cairns), Bill Henderson, Heslop, Lunn (substituting for Councillor Gardner), Main (substituting for Councillor Burgess) and Redpath.

### 1. Minutes

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#### Decision

- 1) To approve the minute of the Regulatory Committee of 3 May 2013 as a correct record.
- 2) To approve the minutes of the Licensing Sub-Committees of 24 and 26 April and 22 and 24 May 2013 as correct records.

### 2. Review of Taxi Fare Structure – Outcome of Consultation

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The Council, as licensing authority for taxis, was required to review and fix the scale of fares and other charges which may be used by taxis licensed within the City. The review must take place at intervals not greater than 18 months.

The current fees were last reviewed by the Regulatory Committee in October 2011 and at that time fares were increased. In May 2010 the committee authorised the passing on of the £1 fee for drop off at the Airport.

In its work plan the Committee agreed to commission consultants to review the fare structure and to make recommendations on any changes. Halcrow Ltd was commissioned in November 2012 to undertake this work and undertook the research between December 2012 and February 2013.

The Regulatory Committee at its meeting on 3 May 2013 received a presentation from Halcrow on the research and consultations carried out and considered a report by the Director of Services for Communities on the outcomes of the work undertaken.

At that meeting Regulatory Committee agreed:

- 1) To note the presentation by Halcrow Ltd.
- 2) To agree a fare increase of 3.6% based on the Consumer Price Index with a proposed implementation date of 29th July 2013.
- 3) To agree to use the Consumer Price Index as the basis for future price reviews.
- 4) To agree to increase the fee for soiling of Taxi's to £50.
- 5) To agree further consultation with the taxi trade and other stakeholders on a simplified festive tariff.
- 6) To agree further consultation on an enhanced tariff between 12 am and 5 am, specifically to examine whether this would increase the available number of taxi's at this time.
- 7) To agree to receive a further report on the outcome of consultations as outlined in 5 and 6 above.
- 8) In respect of the wording in the Fare Table For Taxis, to instruct the Director of Services for Communities:
  - a) To consider an alternative for the description of the airport drop-off zone.
  - b) To further consult on consolidating the call out charge and the airport pick up charge to a single charge of 80p.
- 9) To note that a report would be submitted to the June meeting of the Regulatory Committee following the advertisement of the proposed fare increase.

The Director of Services for Communities advised that the proposal was advertised in the Edinburgh Evening News on Friday 10 May 2013. The advert was also published on the Council's website. Interested parties had been invited to submit any comments or objections in writing by Friday 7 June 2013.

No comment or objection has been received in respect of the proposals to raise the fares by 3.6% or to the increase in the soiling charge to £50. One letter was received from an MSP asking for further details of the consultation on introducing revised fare structures between 12am and 5am. This would be the subject to further consultation and was not relevant to the Taxi Fare Structure changes.

### **Decision**

- a) To note the content of the report by the Director of Services for Communities and that the Council's statutory duties have been met.
- b) To confirm the previous decision to implement, effective from 29 July 2013, a Taxi fare increase of 3.6% based on the Consumer Price Index.

- c) To confirm the previous decision to implement, effective from 29 July 2013, an increased charge for customers soiling Taxis of £50,
- d) To approve the revised Fare Card detailed at Appendix 2 of the report by the Director of Services for Communities.
- e) To note the revised wording within the fare card with respect to the £1 drop off fee at Edinburgh Airport.

(Reference – Regulatory Committees 16 November 2012 (item 2) and 3 May 2013 (item 8); report by the Director of Services for Communities, submitted.)

### **3. Licensing Policy Development: Member Officer Working Group**

The Regulatory Committee on 16 November 2012 adopted a Work Plan which included proposed reviews of policies which were vital in ensuring that the Licensing function remained fit for purpose.

Details were provided of proposals to establish a Member Officer Working Group to oversee the development of new policies. The establishment of the Member Officer Working Group ensured elected members were directly involved in policy development.

#### **Decision**

- a) To agree to the establishment of a Member Officer Working Group and membership as detailed in the report by the Director of Services for Communities and;
- b) To agree to the draft terms of reference for the Group as set out in Appendix 1 to the report by the Director of Services for Communities.

(Reference –report by the Director of Services for Communities, submitted.)

## Licensing Sub-Committee of the Regulatory Committee

10.00 am, Friday, 21 June 2013

### Present

Councillor Barrie (Convener), Blacklock (Vice Convener), Aitken, Bridgman (substituting for Councillor Cairns), Gardner, Bill Henderson, Lunn (substituting for Councillor Gardner, items 1 to 3.1(20), Main (substituting for Councillor Burgess), and Redpath.

### 1. Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006

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Details were provided of 20 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

### Decision

To determine the applications as detailed in Appendix 1 to this minute.

(Reference – list of applications, submitted.)

### Declarations of Interest

Councillor Main declared a non financial interest in agenda item 3.1(6) as she had dealt with the applicant in regard to the application left the room and took no part in consideration of that item

Councillor Main declared a non financial interest in agenda item 3.1(8) as she had dealt with the objector in regard to the application left the room and took no part in consideration of that item

Councillor Redpath declared a non financial interest in agenda item 3.1(8) as she knew the objector in regard to the application left the room and took no part in consideration of that item

Councillor Aitken declared a non financial interest in agenda items 3.1(11) and (12) as she knew the applicant left the room and took no part in consideration of that item

## 2. Use of Emergency Powers to grant application for temporary Public Entertainment Licence, 31 May – 2 June 2013

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Details were provided of the action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in terms of paragraph 3.1 of Committee Terms of Reference and Delegated Functions to grant application for temporary Public Entertainment Licence, 31 May – 2 June 2013

### Decision

1. To note the action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in terms of paragraph 3.1 of Committee Terms of Reference and Delegated Functions to grant a temporary Public Entertainment Licence.
2. To note that the applicant had been advised of the need to adhere to the timescales for submitting applications in future.

(Reference – report by Head of Service, Community Safety, submitted.)

## 3. Resolution to Consider in Private

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The Sub-Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 3, 12 and 14 of Part 1 of Schedule 7(A) of the Act.

## 4. Request for Suspension of Street Trader Licence

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Details were provided of a request from the Chief Constable for the suspension of a Street Trader Licence.

The Licence Holder was heard.

### Decision

Not to suspend the licence

(Reference- Licensing Sub-Committees of 1February 2013 (item 12) and 24 May 2013 (Item 6): report by the Chief Constable, submitted)

## 5. Request for Suspension of Public Entertainment Licence

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Details were provided of the action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in terms of paragraph 3.1 of Committee Terms of Reference and Delegated Functions to suspend a Public Entertainment Licence with immediate effect under paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982 on 7 June 2013 following a request from the Chief Constable.



The suspension could only remain in place for a maximum of six weeks or until the next scheduled meeting of the licensing authority.

The Sub-Committee was invited to consider whether or not to continue the suspension.

The Licence Holder and their legal agent were heard.

### **Decision**

1. To note the action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in terms of paragraph 3.1 of Committee Terms of Reference and Delegated Functions to suspend a Public Entertainment Licence with immediate effect under paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982 on 7 June 2013 following a request from the Chief Constable.
2. To recall the suspension of the licence as it had not been shown that there was a serious threat to public order or safety in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982.
3. To hold a suspension hearing in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982 on Wednesday 24 July 2013 .

(Reference –report by Head of Service, Community Safety, submitted.)

## APPENDIX

### Applications for Miscellaneous Licences

Agenda Item No/Type of Licence/Applicant/Premises	Conditions applied for	Decision
<b>House In Multiple Occupation Licences (Renewal)</b>		
Item No 3.1.(1) Wendy Halstead, 84 Longstone Road EH24 2AY	7 Occupants	<p>1. To repel the objections and grant the renewal of the licence subject to the Council's Standard Conditions for this category of licence.</p> <p>2. To note the applicants undertaking not to use the premises for homeless accommodation</p> <p>3 Also subject to monitoring for the duration of the licence by the Director of Services for Communities.</p>
<b>Street Trader Food Temporary Licences (New)</b>		
Item No 3.1.(2) Edinburgh 2013 Ltd and Jelena Coutts	<p>2 to 25 August 2013</p> <p>0900 to 0130 daily</p>	<p>1. To repel the objections and grant the licence for the hours 9 am to 11 pm subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Subject also to a condition that all amplified music and vocals be controlled to the satisfaction of the Director of Services for Communities.</p> <p>3. To authorise the Director of Services for Communities to process and determine all employee licence applications subject to the employee having undergone the appropriate fit person checks and food hygiene training. The applicant to provide confirmation of the food hygiene training to the department of Services for Communities.</p>
<b>Late Hours Catering Exemption Order</b>		
Item No 3.1.(3) Edinburgh 2013 Ltd and Jelena Coutts	<p>2 to 25 August 2013</p> <p>2300 to 0130 daily</p>	To note the application had been withdrawn.

<b>Late Hours Catering Temporary Licence</b>		
Item No 3.1.(4) Avatar Foil Limited and Kenneth Scott	15 July to 31 August 2013  2300 to 0300 daily	To repel the objections and grant the licence subject to the Council's Standard Conditions for this category of licence.
<b>Street Trader Food Temporary Licence (New)</b>		
Item No 3.1.(5) Avatar Foil Limited and Kenneth Scott	15 July to 31 August 2013  2300 to 0300 daily	<p>1. To repel the objections and grant the licence for the hours 10 am to 3 am subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Subject also to a condition that all amplified music and vocals be controlled to the satisfaction of the Director of Services for Communities.</p> <p>3. To authorise the Director of Services for Communities to process and determine all employee licence applications subject to the employee having undergone the appropriate fit person checks and food hygiene training. The applicant to provide confirmation of the food hygiene training to the department of Services for Communities.</p> <p>(On a Division see note below)</p>
<b>House In Multiple Occupation Licences (Renewal)</b>		
Item No 3.1.(6) Kaukab Munir 44(2F1) Thirlestane Road	5 Occupants	<p>1. To repel the objections and grant the renewal of the licence subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Also subject to monitoring for the duration of the licence by the Director of Services for Communities.</p>
Item No 3.1.(7) Todd Dimmick 46(2F1) Nicolson Street	3 Occupants	<p>1. To repel the objections and grant the renewal of the licence subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Also subject to the satisfaction of the Council's Joint Inspection Team in respect of the Council's Standards for Houses in Multiple Occupation for the reconfiguration of the rooms in the property.</p>

Item No 3.1.(7A) Harry and Harriet Crump. 16(2F2) Warrender Park Crescent	5 Occupants	To repel the objections and grant the renewal of the licence subject to the Council's Standard Conditions for this category of licence.
Item No 3.1.(8) David Burgess 21(4F1) Warrender Park Terrace	5 Occupants	To repel the objections and grant the renewal of the licence subject to the Council's Standard Conditions for this category of licence.
<b>Second Hand Dealer Licence 1 Year (New)</b>		
Item No 3.1.(9) Richard Paul Sumner Antiques N Stuff, 102 Causewayside	N/A	<p>1.To grant the licence subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Also subject to the following additional conditions recommended by the Chief Constable</p> <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.</li> <li>• The above records must be preserved for two years</li> </ul>
Item No 3.1.(10) Cash Brokers, 152-154 Portobello High Street	N/A	<p>1. To grant the licence subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Also subject to the following additional conditions recommended by the Chief Constable</p> <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available, and the other shall show the seller's name and address and be no more than 6 weeks old.</li> <li>• A photograph shall be taken of every seller at the time of the transaction.</li> <li>• The above records must be preserved for two years.</li> <li>• Prior to purchasing a mobile phone, a check shall be carried out on the IMEI number of the phone to establish whether the phone has been reported lost/stolen or blocked.</li> </ul>

**Public Entertainment Commercial Operation Licence (New)**

Item No 3.1.(11) Tom Montgomery Central Hall, 2 West Tollcross	N/A	1. To repel the objection and grant the licence for six months subject to the Council's Standard Conditions for this category of licence.  2. To agree to refund 50% of the application fee  Note: Councillor Main requested that her dissent be recorded
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**Charitable Theatre Less Than 200 Licence (Temporary)**

Item No 3.1.(12) Tom Montgomery Central Hall ,2 West Tollcross	10 to 17 August 2013	To repel the objection and grant the licence subject to the Council's Standard Conditions for this category of licence.  Note: Councillor Main requested that her dissent be recorded
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**Second Hand Dealers Licence 1 Year (New)**

Item No 3.1.(13) Richard Dunnett 157 Lower Granton Road	N/A	1.To grant the licence subject to the Council's Standard Conditions for this category of licence.  2. Also subject to the following additional conditions recommended by the Chief Constable  • Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.  • The above records must be preserved for two years
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**Second Hand Dealers Licence 3 Year (Renewal)**

Item No 3.1.(14) Instant Cash Loans Limited and Simon Rice Moneyshop 11 Leith Walk

N/A

1.To grant the licence subject to the Council's Standard Conditions for this category of licence.

2. Also subject to the following additional conditions recommended by the Chief Constable

- Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.
- The above records must be preserved for two years

**Metal Dealers Licence 1 Year (New)**

Item No 3.1.(15) Instant Cash Loans Limited and James Drummond 38 Queen Street

N/A

1.To grant the licence subject to the Council's Standard Conditions for this category of licence.

2. Also subject to the following additional conditions recommended by the Chief Constable

- Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.
- The above records must be preserved for two years

**Second Hand Dealers Licence 3 Year (Renewal)**

Item No 3.1.(16) Instant Cash Loans Limited and James Drummond 38 Queen Street	N/A	1.To grant the licence subject to the Council's Standard Conditions for this category of licence.  2. Also subject to the following additional conditions recommended by the Chief Constable  • Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.  • The above records must be preserved for two years
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**Public Entertainment Commercial Operation Licence (Renewal)**

Item No 3.1.(17) University of Edinburgh and Geoffrey Turnbull Edinburgh College of Art Lauriston Place	N/A	To repel the objection and grant the renewal of the licence subject to the Council's Standard Conditions for this category of licence.
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**Second Hand Dealers Licence 1 Year (New)**

Item No 3.1.(18) George Pirie Antiques 22 Howe Street	N/A	1.To grant the licence subject to the Council's Standard Conditions for this category of licence.  2. Also subject to the following additional conditions recommended by the Chief Constable  • Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.  • The above records must be preserved for two years
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<p>Item No 3.1.(19) Wm Armstrong and Carol McMorris 14 Teviot Place</p>	<p>N/A</p>	<p>1.To grant the licence subject to the Council's Standard Conditions for this category of licence.</p> <p>2. Also subject to the following additional conditions recommended by the Chief Constable</p> <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller who presents themselves on the premises. One form of identification shall be photographic where this is available the other shall show the seller's name and be no more than 6 weeks old.</li> <li>• The above records must be preserved for two years</li> </ul>
<p><b>Public Entertainment Commercial Operation Licence (New)</b></p>		
<p>Item No 3.1.(20) Castle Concerts Ltd and Barry Wright Edinburgh Castle Esplanade</p>	<p>10 to 22 July 2013 0800 - 2300</p>	<p>1. To grant the licence for the dates 17, 20 and 21 July 2013, 0800 to 2230 subject to the Council's Standard Conditions for this category of licence, and subject also to the following additional conditions</p> <p>1. The licensee shall appoint a suitably qualified person(s), to the approval of Services for Communities, prior to the event. This person(s) should liaise between all parties including the Licensee, Promoter, sound system supplier, sound engineer and Services for Communities on the matters relating to noise control prior to and during the event.</p> <p>2. Provision shall be made for a representative of Services for Communities to be present at the mixing desk throughout the concerts to the manager's box and the perimeter catwalk for the representatives of Services for Communities to permit the monitoring of noise levels.</p> <p>3. The noise level at the manager's box shall not exceed an Equivalent Continuous Sound Level (Leq) of 94dB(A) in any 15 minute period throughout the duration of the concert.</p> <p>4. A noise propagation test sound check shall be undertaken at least 3 hours prior to the start of the event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operating in a</p>



		<p>similar manner as intended for the event. The sound system used for the test shall be similar in character to the music likely to be produced on the night.</p> <p>5. The Licensee shall ensure that the promoter, sound system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the suitably qualified person(s) regarding noise levels be implemented.</p> <p>6. The appointed suitably qualified person(s) shall continuously monitor noise levels at the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The Licensing Authority shall have access to the results of the noise monitoring at any time.</p>
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**Note:** Agenda Item 3.1(5)

**Motion**

1. To repel the objections and grant the licence for the hours 10 am to 3 am subject to the Council's Standard Conditions for this category of licence.
  2. Subject also to a condition that all amplified music and vocals be controlled to the satisfaction of the Director of Services for Communities.
  3. To authorise the Director of Services for Communities to process and determine all employee licence applications subject to the employee having undergone the appropriate fit person checks and food hygiene training. The applicant to provide confirmation of the food hygiene training to the department of Services for Communities
- Moved by Councillor Barrie, Seconded by Councillor Blacklock

**Amendment**

1. To repel the objections and grant the licence for the hours 10 am to 11 pm subject to the Council's Standard Conditions for this category of licence.
  2. Subject also to a condition that all amplified music and vocals be controlled to the satisfaction of the Director of Services for Communities.
  3. To authorise the Director of Services for Communities to process and determine all employee licence applications subject to the employee having undergone the appropriate fit person checks and food hygiene training. The applicant to provide confirmation of the food hygiene training to the department of Services for Communities
- Moved by Councillor Aitken, Seconded by Councillor Redpath.

## **Voting**

For the Motion            5 Votes

For the Amendment 3 votes

## **Decision**

1. To repel the objections and grant the licence for the hours 10 am to 3 am subject to the Council's Standard Conditions for this category of licence.
2. Subject also to a condition that all amplified music and vocals be controlled to the satisfaction of the Director of Services for Communities.
3. To authorise the Director of Services for Communities to process and determine all employee licence applications subject to the employee having undergone the appropriate fit person checks and food hygiene training. The applicant to provide confirmation of the food hygiene training to the department of Services for Communities

## Licensing Sub-Committee of the Regulatory Committee

**2.00 pm, Wednesday, 26 June 2013**

**Present:-** Councillors Barrie (Convener), Blacklock (Vice-Convener), Corbett (substituting for Councillor Burgess), Gardner, Bill Henderson, Heslop, Mowat (substituting for Councillor Aitken) and Redpath.

### **1. Applications for Variation of Private Hire Car “Pre-Booked Hires Only” Door Sticker Licence Conditions**

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The Sub-Committee at its meeting on 22 May 2013 had continued a request by Adam Pырzyna for the variation of the Private Hire Car Licence conditions to remove the requirement for “Pre-Booked Hires Only” door stickers, to allow the licence holder to obtain further evidence of the level of high quality executive/tourism work from the management of the companies that contract him for these services.

At this meeting the applicant provided further information in support of his request.

#### **Decision**

To refuse the variation request.

(Reference – Licensing Sub-Committee 22 May 2013 (item 2), report by the Head of Service, Services for Communities, submitted.)

### **2. Resolution to Consider in Private**

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The Sub-Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 3, 12 and 14 of Part 1 of Schedule 7(A) of the Act.

### **3. Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982**

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The Director of Services for Communities provided details of 16 applications for Miscellaneous Licences under the Civic Government (Scotland) Act 1982.

#### **Decision**

That the applications be determined as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – list of applications, submitted.)

### **4. Police Comments and Requests for Suspension of Licences**

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The Head of Service, Services for Communities, advised the Sub-Committee of letters of comment or requests for suspension of Licences from the Chief Constable.

#### **Decision**

That the requests be determined as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – report by the Head of Service, Services for Communities, submitted.)

# Regulatory Committee

9am, Wednesday, 24 July 2013

## Balfour Beatty – Fee Structure for Holyrood Road

Item number	5.1
Report number	
Wards	Ward

### Links

Coalition pledges	<a href="#">P8</a>
Council outcomes	<a href="#">CO10</a>
Single Outcome Agreement	<a href="#">SO4</a>

### Cathy King

Head of Housing & Regeneration

Contact: Libby Strong, Shared Repairs Service Manager

E-mail: [libby.strong@edinburgh.gov.uk](mailto:libby.strong@edinburgh.gov.uk) | Tel: 0131 529 6798

# Executive summary

## Balfour Beatty – Fee Structure for Holyrood Road

### Summary

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The University of Edinburgh has commissioned a large development of student housing at Holyrood Road which the Balfour Beatty group have been contracted to provide.

The Balfour Beatty group would be responsible for applying for the Houses in Multiple Occupation (HMO) licences, where relevant, and have asked if a discount would be available for the project and specifically if the reduced rates for University Accommodation outlined in Regulatory Committee report of October 2006 would be available to them.

### Recommendations

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1. The Committee is asked to note the contents of the report in order to determine which fee structure that should be applicable to Balfour Beatty, or if an alternative discount should apply.

### Measures of success

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Not applicable.

### Financial impact

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The Council current scale for licensing applications was approved with effect from 1 April 2013. Any reduction of fee would be required to be absorbed by the HMO fee budget for the applicable financial year.

### Equalities impact

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An Equality & Human Rights Impact Assessment into the associated legislation, was carried out prior to the enactment of the Private Rented Housing (Scotland) Act 2011. <http://www.scotland.gov.uk/Topics/People/Equality/18507/EQIASearch/PrivRentedHsg>

### Sustainability impact

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Not applicable.

## Consultation and engagement

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Not applicable.

## Background reading / external references

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- Appendix 1 - City of Edinburgh Council licence application fees list 2013/2014
- Appendix 2 – Licensing of Houses in Multiple Occupation – Review of Application Fees for University Accommodation

## Balfour Beatty – Fee Structure for Holyrood Road

### 1. Background

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- 1.1 The University of Edinburgh has commissioned a large development of student housing at Holyrood Road. Balfour Beatty group have been contracted to provide this housing.
- 1.2 The Holyrood Road site is well progressed and will provide sleeping accommodation for approximately 900 people in a variety of accommodation types including flats, and hotel style accommodation.
- 1.3 The Balfour Beatty group would be responsible for applying for the Houses in Multiple Occupation (HMO) licences, where relevant, and have asked if a discount would be available for the project and specifically if the reduced rates for University Accommodation outlined in Regulatory Committee report of October 2006 would be available to them.

### 2. Main report

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- 2.1 The University of Edinburgh has commissioned a large development for housing that has been in development since 2004. Outline planning consent was granted in 2007 and construction is underway.
- 2.2 The development consists of a variety of accommodation types from studio flats to shared rooms flats, as well as hotel style rooms with shared cooking and recreational facilities.
- 2.3 Although the land is owned by the University of Edinburgh, it is has been leased to the Balfour Beatty group, who have carried out the construction of the project. Balfour Beatty will let the finished building back to the University of Edinburgh, while maintaining responsibly for the ongoing facilities management functions.
- 2.4 Balfour Beatty, in this context, is considered to be the owner of the property as it has a long lease which can be recorded on the Land Register as an interest against the property. Therefore responsibility for submitting HMO applications lies with Balfour Beatty (where relevant). The University of Edinburgh will be named on the application as having responsibility for the day-to-day management of the properties.
- 2.5 It is anticipated by Balfour Beatty that HMO licences will be required for the 2014/2015 academic year.



- 2.6 In May 2013 Balfour Beatty asked for clarification of the pricing structure that would apply to this project and, in particular if the discounted fees, that were agreed for university HMO applications, would apply to this scheme.
- 2.7 The Committee report of October 2006 outlined a fee structure applicable solely to the University of Edinburgh, Edinburgh Napier University, Queen Margaret University, and Heriot-Watt University (appendix 2).
- 2.8 The university fee structure is different from the normal fee structure and results in an effective discount to those universities.
- 2.9 While there are a number of privately operated student halls of residence, none have previously been granted a reduced or discounted rate. It should also be noted that registered social landlords do not receive a discount.
- 2.10 A representative of Balfour Beatty has been invited to address the Committee on the terms of the request for the fee to be reduced.

### **3. Recommendations**

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- 3.1 The Committee is asked to note the contents of the report in order to determine which fee structure that should be applicable to Balfour Beatty, or if an alternative discount should apply.

## **Cathy King**

Head of Housing & Regeneration

## Links

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<b>Coalition pledges</b>	P8 Make sure the city's people are well-housed, including encouraging developers to build residential communities, starting with brownfield sites
<b>Council outcomes</b>	CO10 Improved health and reduced inequalities
<b>Single Outcome Agreement</b>	SO4 Edinburgh's communities are safer and have improved physical and social fabric
<b>Appendices</b>	Appendix 1 - City of Edinburgh Council licence application fees list 2013/2014 Appendix 2 – Licensing of Houses in Multiple Occupation – Review of Application Fees for University Accommodation

## APPLICATION TYPES, CATEGORIES & FEES

The following table details all licences, permits, and registrations that can be applied for at the Licensing Department, City of Edinburgh Council. This information is correct as of the date printed on the footer of each page. If you have any queries regarding which application type applies to you, please do not hesitate to contact us at:

The Licensing Section, City of Edinburgh Council, 249 High Street, Edinburgh, EH1 1YJ.

T: 0131 529 4208, F: 0131 529 4207, E: [licensing@edinburgh.gov.uk](mailto:licensing@edinburgh.gov.uk), [www.edinburgh.gov.uk/licensing](http://www.edinburgh.gov.uk/licensing)

Office Hours: Mon, Wed, Thu 08:30 – 16:30, Tue 10:00 – 16:30 and Fri 08:30 – 15:00

	TYPE	SUB TYPE	DURATION	FEE £	NOTES
	<b>CIVIC GOVERNMENT (SCOTLAND) ACT 1982</b>				
1.	<b>BOAT HIRE</b>	new	1 year	505	
2.		temporary	6 weeks	170	
3.	<b>CHANGE OF MANAGER</b>	for all civic except taxis		73	
4.	<b>HOUSE IN MULTIPLE OCCUPATION</b>	5 or 5+ persons (new)	1 year	585	
5.		5 or 5+ persons (renewal)	1 year	410	
6.		4 persons (new)	1 year	545	
7.		4 persons (renewal)	1 year	370	
8.		3 persons (new)	1 year	505	
9.		3 persons (renewal)	1 year	330	
10.		identical footprint / mirror image (new/renewal)	1 year	50	
11.	<b>INDOOR SPORTS</b>	new/renewal	1 year	843	
12.		temporary	6 weeks	588	
13.	<b>KNIFE DEALERS</b>	new	1 year	157	
14.		renewal	1 year	110	
15.	<b>LATE HOURS CATERING</b>	exemption	2 months	88	
16.		new	1 year	492	
17.		renewal	1 year	359	
18.	<b>MARKET OPERATORS</b>	50-300 stalls - temporary	6 weeks	279	
19.		50-300 stalls	1 year	1034	
20.		over 300 stalls - temporary	6 weeks	385	
21.		over 300 stalls	1 year	1527	
22.		under 50 stalls - temporary	6 weeks	173	
23.		under 50 stalls	1 year	524	
24.		Charitable/community/voluntary org. - 10 stalls max	1 year	111	
25.		temp - outdoor city centre	6 weeks	67	per pitch
26.	<b>METAL DEALERS</b>	new / renewal	1 year	504	
27.		exemption	3 years	1514	
28.	<b>PUBLIC ENTERTAINMENT</b>	Commercial operation capacity > 10,000	new / temporary	9005	
29.		Commercial operation capacity 5,001 - 10,000	new / temporary	5403	
30.		Commercial operation capacity 1,001 - 5,000	new / temporary	2702	

31.		Commercial operation capacity 201 - 1,000	new / temporary	1350	
32.		Commercial operation capacity 1 - 200	new / temporary	900	
33.		Commercial operation capacity > 10,000	Renewal (1 year)	6754	
34.		Commercial operation capacity 5,001 - 10,000	Renewal (1 year)	3602	
35.		Commercial operation capacity 1,001 - 5,000	Renewal (1 year)	1801	
36.		Commercial operation capacity 201 - 1,000	Renewal (1 year)	900	
37.		Commercial operation capacity 1 - 200	Renewal (1 year)	732	
38.		Charitable Organisation (< 200) / Community Events	6 weeks	112	
39.		Amusement Devices > 20		3602	
40.		Amusement Devices 6 - 20		1801	
41.		Amusement Devices 1 - 5		732	
42.		Amusement Device 1 only		160	(note 1)
43.		Sunbeds		170	(per bed)
44.		Hypnotism permission		112	
45.		Live animal supplement		170	
46.	<b>PUBLIC ENTERTAINMENT VARIATION</b>	Capacity increase			(note 2)
47.		Change of use capacity > 10,000		8987	
48.		Change of use capacity 5,001 - 10,000		5403	
49.		Change of use capacity 1,001 - 5,000		2702	
50.		Change of use capacity 201 - 1,000		1350	
51.		Change of use capacity 1 - 200		900	
52.		Other		112	
53.	<b>SECOND-HAND DEALER</b>	new	3 years	486	
54.		renewal	3 years	344	
55.		new	1 year	164	
56.		renewal	1 year	115	
57.		exemption		87	
58.		temporary	6 weeks	87	
59.		antique fairs dealers	1 year	44	
60.		stamp & book fairs dealers	1 year	24	
61.		record/transaction books		8	
62.	<b>SEX SHOP</b>	new/renewal	1 year	1329	

63.	<b>SKIN PIERCING/TATTOOING -</b> Where activity carried out mainly from premises	Principal Operator with employees - New	1 year	225	
64.		Renewal	3 Year	225	
65.		Each additional employee		58	
66.		Self Employed Operator - New	1 Year	225	
67.		Renewal	3 Year	225	
68.	<b>SKIN PIERCING/TATTOOING -</b> Where activity <u>not</u> carried out mainly from premises	Peripatetic (mobile) Operators	1 Year	225	
69.		Renewal	3 Year	225	
70.		One Off Events		225	
71.	<b>STREET TRADERS</b>	food - allowing named employees	1 year	334	
72.		food - no employees	1 year	250	
73.		non food - allowing named employees	1 year	210	
74.		non food - no employees	1 year	170	
75.		Charitable Organisation	6 months	71	
76.		food – change of vehicle		73	
77.		non food, change of vehicle		52	
78.		food - temporary	1 day	21	per person
79.		non food - temporary	1 day	12	per person
80.	<b>VARIATION - CIVIC</b>	variation of any civic licence except public ent.		43	
81.	<b>VENISON DEALER</b>		3 Years	339	
82.	<b>WINDOW CLEANERS</b>		3 years	147	
83.			1 year	49	
<b>84.</b>	<b>OTHER LICENCE TYPES</b>				
85.	<b>ANIMAL BOARDING</b>		1 year	282	
86.	<b>CINEMAS</b>	multi-screen	1 year	618	
87.		single screen	1 year	309	
88.		temp	1 month	206	
89.		transfer		124	
90.		up to 4 screens	1 year	618	
91.		variation		0	
92.	<b>DANGEROUS WILD ANIMALS</b>		1 year	282	
93.	<b>DOG BREEDING</b>		1 year	282	
94.	<b>PERFORMING ANIMALS</b>		1 year	504	
95.	<b>PET SHOPS</b>		1 year	332	
96.	<b>PUBLIC CHARITABLE COLLECTION</b>			0	

97.	<b>RIDING ESTABLISHMENTS</b>		1 year	504	
98.	<b>THEATRE</b>	Commercial operation - capacity > 1,000	new / temporary	2702	
99.		Commercial operation - capacity 201 - 1,000	new / temporary	1350	
100.		Commercial operation - capacity 1 – 200	new / temporary	900	
101.					
102.		Commercial operation - capacity > 1,000	Renewal (1 year)	1801	
103.		Commercial operation - capacity 201 - 1,000	Renewal (1 year)	900	
104.		Commercial operation - capacity 1 - 200	Renewal (1 year)	732	
105.					
106.		Charitable/ Community Organisation (<200)	max 4 p.a.	112	
107.		Street Theatre	per day	44	Per event / per day
108.	<b>THEATRE VARIATION</b>	Capacity increase			(note 3)
109.		Change of use capacity > 1,000		2702	
110.		Change of use capacity 201 - 1,000		1350	
111.		Change of use capacity 1 - 200		900	
112.		Other		112	
113.	<b>ZOO</b>		6 years	850	
114.	<b>TAXI &amp; PRIVATE HIRE</b>				
115.	<b>ADVERTISEMENT APPROVAL</b>	interior (tip up seats)		7	
116.		Screen advertising system (subject to approval)		7	
117.		exterior doors (include interior)		18	
118.		superside (include interior)		32	
119.		full livery (include interior)		91	
120.	<b>TAXI/PHC BOOKING OFFICE</b>	New	1 year	500	
121.		Renewal	1 year	500	
122.	<b>CANCELLATION OF INSPECTION</b>			91	
123.	<b>CHANGE OF MANAGER</b>			91	
124.	<b>CHANGE OF VEHICLE</b>			137	
125.	<b>CONDITIONS BOOK</b>			13	
126.	<b>DUPLICATE CERTIFICATE OF COMPLIANCE</b>			20	
127.	<b>DUPLICATE ID BADGE</b>			13	

128.	<b>DUPLICATE LICENCE</b>			39	
129.	<b>MEDICAL EXAMINATION NOT ATTENDED (without notice)</b>			91	
130.	<b>BUPA FURTHER ASSESSMENT NOT ATTENDED (without notice)</b>			176	
131.	<b>PRIVATE HIRE CAR</b>	new vehicle	1 year	1567	
132.		renewal vehicle	1 year	267	
133.		new driver	1 year	72	
134.		renewal driver	3 years	156	
135.	<b>PARTNERSHIP</b>			1567	
136.	<b>REPLACEMENT PLATE (INCLUDING DISABLED)</b>			26	
137.	<b>REPLACEMENT PRE-BOOKED DOOR SIGN</b>	per sticker		10	
138.	<b>TAXI</b>	new vehicle	1 year	1567	
139.	<b>TAXI</b>	renewal vehicle	1 year	267	
140.	<b>TAXI</b>	new driver	1 year	91	
141.	<b>TAXI</b>	renewal driver		156	
142.	<b>BRACKETS</b>			26	
143.	<b>TAXI TEST RE-SIT</b>	(if within 6 months of original application)		0	
144.	<b>VARIATION TO INCORPORATE INSPECTION ON CHANGE OF VEHICLE</b>			48	
145.	<b>VEHICLE RE-TEST (first)</b>			0	
146.	<b>VEHICLE RETEST (second and thereafter)</b>	Second and thereafter		46	
147.	<b>WHEELCHAIR EXEMPTION CERTIFICATE</b>			0	
<b>148.</b>	<b>MISCELLANEOUS FEES</b>				
149.	<b>AGENDA</b>	Monthly		10	
150.	<b>CERTIFIED COPY LICENCE</b>	civic		34	
151.	<b>DECISION LIST</b>			50	
152.	<b>DUPLICATE ID BADGE</b>			13	
153.	<b>RESEARCH FEE</b>			33	

## NOTES/....

### **Note 1: Public Entertainment - Amusement Devices Single Device Discount**

The amount payable is £160.00 if the entertainment is a single device only.

### **Note 2: Public Entertainment Variation - Capacity Increase**

Where an application to vary a licence is made, the effect of which will be to increase the capacity of the premises, the fee will comprise a base fee of £112 plus a supplement being the difference between the fee for a licence for the premises calculated on the original occupant capacity and the fee for a licence for premises with the increased capacity. For the avoidance of doubt, if the change in capacity does not lead to a change in fee band only the base fee of £112 will be payable.

**Note 3: Theatre Variation - Capacity Increase**

Where an application to vary a licence is made, the effect of which will be to increase the capacity of the premises, the fee will comprise a base fee of £112 plus a supplement being the difference between the fee for a licence for the premises calculated on the original occupant capacity and the fee for a licence for premises with the increased capacity. For the avoidance of doubt, if the change in capacity does not lead to a change in fee band only the base fee of £112 will be payable.



## Licensing of Houses in Multiple Occupation – Review of Application Fees for University Accommodation

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### Regulatory Committee

13 October 2006

#### Purpose of report

- 1 To request the Committee to adopt a revised application fee structure to be applied for the year 2006/07 in respect of applications for House in Multiple Occupation (HMO) licences made by universities.

#### Main report

- 2 The Universities of Edinburgh, Napier, Queen Margaret and Heriot Watt and Jewell and Esk Valley College operate large premises that require HMO licences. On 17 August 2001 the Regulatory Committee agreed that the renewal fees for these HMO licences should be assessed on an individually negotiated basis.
- 3 Following a review of fees charged previously and an assessment of the HMO licensing workload it is proposed that a fee table, as set out below, be agreed and that application fees payable by the universities should be calculated on the basis of their property portfolios with reference to the fee table. This fee table is based on fee calculations agreed previously with University of Edinburgh with the addition of a 2.5% increase for the year 2006/07:

HALLS OF RESIDENCE	£369.00
FLATS (Per block):	
Blocks with less than 20 flats	£738.00
Blocks with 20 – 49 flats	£1,107.00
Blocks with 50+ flats	£1,476.00

- 4 The Committee is requested to set the application fees for the year 2006/2007. It is recommended that the appropriate fees for each university are calculated on the basis of the table set out in paragraph 3 above. Applying this fee table

the fees payable by each university for the year 2006/07 would be as follows:

University of Edinburgh	£31 365.00
Napier University	£12 546.00
Queen Margaret University	£3 690.00
Heriot Watt	£6 273.00
Jewell and Esk Valley College	£369.00

### Recommendation

That the Committee approve the fee table detailed in paragraph 3 and the fees as set out in paragraph 4 above to take effect on applications for HMO licence received on or after 1 April 2006.

**Jim Inch**  
Director of Corporate Services

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Appendices	None
Contact/tel	Robert Millar, Principal Solicitor, 0131-529-4150
Wards affected	City wide
Background Papers	None

# Regulatory Committee

9:00am Wednesday 24 July 2013

## Civic Government (Scotland) Act 1982 – Notification of procession – Scottish Defence League

Item number	6.1
Report number	
Wards	City Centre

### Links

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Coalition pledge:	Not relevant
Council outcomes:	Not Relevant
Single Outcome Agreement	Not Relevant

### Mark Turley

Director of Services for Communities

Contact: Andrew Mitchell, Community Safety Manager

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

# Executive summary

## **Civic Government (Scotland) Act 1982 – Notification of procession – Scottish Defence League**

### Summary

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To refer to the Committee for decision a notification of public procession, proposed by the Scottish Defence League (SDL), to take place in the city centre area on Saturday 17 August 2013.

### Recommendations

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- 1 It is recommended that Committee hears from the applicants and relevant officers and;
  - a) makes an order in respect of the proposed procession, imposing conditions as recommended by the Police and appropriate Council officers; or
  - b) makes an order prohibiting the proposed procession.

### Measures of success

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That the Council discharges its statutory duties in respect of this notification.

### Financial impact

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None arising directly from this report. If allowed to proceed a Temporary Traffic Regulation Order (TTRO) will be required and the costs of this will be absorbed within existing budgets. In the event of the procession going ahead, there will be Council officers on duty on the day to assist the Police.

### Equalities impact

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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.

In coming to a decision, 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. In addition, human rights law indicates that, in exercising the rights identified above, there are a number of incumbent duties and responsibilities. For example, the need to protect public order and public safety, the protection of morals, and the protection of the reputation and rights of others.

## Sustainability impact

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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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The SDL's representative has met with Council officers, Police officers and other relevant agencies at Events Planning and Operations Group (EPOG) meetings, to discuss arrangements for the procession. Officers have given detailed consideration to the general organisational arrangements that the City of Edinburgh Council and Police Scotland would expect the SDL to have in place for their procession.

## Background reading / external references

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- [Appendix 1](#): Notification of Proposal to Hold a Public Procession from the Scottish Defence League, dated 8 April 2013
- [Appendix 2](#): Email chain regarding the date and route of the procession, concluding with an email from the SDL's representative, Graham Walker, to Morag Stevenson, Licensing Team, dated 27 May 2013.
- [Appendix 3](#): Events Planning and Operations Group minute of 28 May 2013.
- [Appendix 4](#): Events Planning and Operations Group summary sheet, dated 1 July 2013.
- [Appendix 5](#): Extract from Scottish Government Guidance for Local Authorities – Marches and Parades in Scotland, December 2006.
- [Appendix 6](#): Response to proposal, from Police Scotland, dated 2 July 2013.

## Civic Government (Scotland) Act 1982 – notification of procession – Scottish Defence League

### 1. Background

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- 1.1 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.
- 1.2 The City of Edinburgh Council, jointly with other relevant agencies, works together with the organisers of most large, complex, or contentious, events to:
  - Ensure the appropriate people are consulted;
  - Consider measures that may be required to be put in place to ensure the safety of the event; and
  - Ensure minimal disruption and inconvenience to others.
- 1.3 In pursuit of the above aims, discussion between the Council, the Police, other relevant agencies and the event organiser, is co-ordinated by the Council's Events Planning and Operations Group (EPOG), chaired by a member of the Council's Public Safety Team.
- 1.4 On 8 April 2013, notification of a proposed public procession was submitted to the City of Edinburgh Council by the Scottish Defence League (SDL).
- 1.5 Following some preliminary discussions between the organiser and the Police, the EPOG process facilitated discussions between the relevant parties, as outlined above, and its conclusions are given in the main report to assist the Committee in its consideration of the proposal.

### 2. Main report

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- 2.1 On 8 April 2013, the SDL submitted a 'Notice of Proposal to Hold a Public Procession' form to the City of Edinburgh Council. The notification form is attached as [Appendix 1](#) to this report. The proposal was for the procession to be held on Saturday 24 August 2013, between 1400 and 1500 hours, using the route Market Street (assembly point), then eastwards down the Royal Mile, to finish up outside the Scottish Parliament. The reason for the event was given as

“Freedom of speech” and it was expected to attract approximately 150 participants.

- 2.2 Following preliminary discussions with the Police, the SDL’s representative notified the Council on 27 May 2013 that the date for the procession had been changed to Saturday 17 August 2013 and the assembly point changed to East Market Street. The organiser of the procession had agreed to move the date of the event to avoid a clash with ‘Festival of Politics’ being held at the Scottish Parliament on the date originally notified. The email chain is attached as [Appendix 2](#) to this report.
- 2.3 The SDL’s representative has met with Council officers, Police Scotland and other relevant agencies at EPOG meetings, to discuss arrangements for the procession. Officers have given detailed consideration to the general organisational arrangements that Council and Police officers would expect the SDL to have in place for their procession. A copy of the EPOG minute of 28 May 2013 is attached as [Appendix 3](#) to this report and a copy of the EPOG summary conclusions, dated 1 July 2013 is attached as [Appendix 4](#) to this report.
- 2.4 In terms of section 63 of the 1982 Act, the Council may, after consulting with the Chief Constable, make an order either prohibiting the holding of the procession or imposing conditions on the holding of the procession.
- 2.5 In considering these options, the local authority is required to have regard to:
- The likely effect of the procession being held in relation to public safety, public order, damage to property, and disruption to the life of the community;
  - The extent to which containment of risks arising from the procession would place an excessive burden on the Police; and
  - Any previous processions organised in the local authority’s area involving the person organising the current procession, or any persons likely to take part in the current procession.
- 2.6 The Council is also required to have regard to Scottish Government Guidance on Parades and Processions. Extracts from the guidance are attached as Appendix 5 to this report.
- 2.7 The Police response reports that there have been four main SDL events in the city over the last few years. The first was held in February 2010 and the Police reported some noteworthy disruption linked to a counter-protest being held. Events held in September 2011 and May 2012 were static rallies and disruption was reported as minimal. The most recent event, held in September 2012, was a procession followed by a protest rally. The Police report that there has been no significant disorder, no damage to property and that the level of disruption to the life of the community (mainly evident in the necessity to manage road traffic) has reduced event-by-event, as a result of enhanced cooperation between all of

those involved and, most particularly, the Council's Events Planning and Operations Group (EPOG) process. The Police response is attached as Appendix 6 to this report.

- 2.8 The Police response states, "There can be little doubt that the media and certain sections of the public are linking SDL to EDL [English Defence League] and similar right wing organisations and by default, associated events. There can also be little doubt that some of the opinions expressed by SDL are regarded as controversial." For these reasons, the Police would expect the SDL event to attract some level of opposition and report that, based on previous similar events, the Police would anticipate an opposition rally that would be as large, or larger, in numbers.
- 2.9 The Police operation therefore has to allow for the likelihood of two marches, probably starting in different areas of the city and following different routes to the same location and the likelihood that static rallies would be held there. Whether these events take the form of marches followed by static rallies, or static rallies on their own, they would create a significant policing demand. However the Police recognise that they have a duty, under the European Convention of Human Rights, to protect certain rights, peaceful assembly being one of them. With the co-operation of the event organisers, Police Scotland and the City of Edinburgh Council, the Police believe an operation can be conducted that will minimise disruption and the likelihood of disorder.
- 2.10 Police Scotland have asked that should an order being made in respect of a procession being held, a number of conditions be attached.
- 2.11 Notification of any counter-procession would require to be notified to the Police and to the local authority, would be the subject of EPOG meetings and would, ultimately, be reported to Committee for consideration. To date, there has been no notification of a counter-procession or demonstration.
- 2.12 The Committee is being asked to consider the route considered by the Council's Events Planning and Operations Group – East Market Street (assembly point), then into New Street, the Canongate, Royal Mile, Horse Wynd, to the public assembly area outside the Scottish Parliament where a brief rally with speeches would take place. The date for the event would be Saturday 17 August 2013 and the timings would be assembly from 1330 hours, moving off at 1400 hours prompt, with the whole event, including the rally with speeches, finished by 1515 hours. Approximately 150 participants are expected to attend.
- 2.13 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.



### 3. Recommendations

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- 3.1 It is recommended that Committee hears from the applicants and relevant officers and;
- a) makes an order in respect of the proposed procession, imposing conditions as recommended by the Police and appropriate Council officers; or
  - b) makes an order prohibiting the proposed procession.

#### Mark Turley

Director for Services for Communities

### Links

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**Coalition pledges:** Not relevant

**Council outcomes:** Not relevant

**Single Outcome:  
Agreement** Note relevant

#### Appendices

[Appendix 1](#): Notification of Proposal to Hold a Public Procession from the Scottish Defence League, dated 8 April 2013.

[Appendix 2](#): Email chain regarding the date and route of the procession, concluding with an email from the SDL's representative, to the Licensing Team, dated 27 May 2013.

[Appendix 3](#): Events Planning and Operations Group minute of 28 May 2013.

[Appendix 4](#): Events Planning and Operations Group summary sheet, dated 1 July 2013.

[Appendix 5](#): Extract from Scottish Government Guidance for Local Authorities – Marches and Parades in Scotland, December 2006.

[Appendix 6](#): Response to proposal, from Police Scotland, dated 2 July 2013.

## Appendix 1



### Notice of Proposal to Hold a Public Procession (or similar event, e.g. march, parade, race, sponsored walk, protest demonstration, etc)

Important notice – As the organiser of your event you should give us at least 28 days' notice of your intention to hold a procession or similar event. However, if you can give more notice than this, that would be preferable. If you cannot provide the notice needed, you should contact the person named at the end of this form to apply for an exemption. We can only make an exemption in exceptional circumstances.

You should fill in all sections of the form (continuing on a separate form if you need to) and:

- send it to the person named at the bottom of this form
- keep a copy for yourself
- we will make sure that we give a copy of your notification to the police
- we may ask you to fill in and return a risk-assessment form and we will let you know if this is necessary
- you may require a separate permission or a licence for your event and we will let you know if this is necessary
- you must bring your copy of this form, along with any risk-assessment form which we may ask you to fill in, to any meeting that we may hold to discuss your notification in more detail

Please provide the following details:

Title of event ..... SCOTTISH DEFENCE LEAGUE .....

Date of event ..... 21 AUGUST .....

#### Your contact details

Name: ..... GRAHAM WALKER .....

Address: ..... [REDACTED] .....

Postcode: ..... [REDACTED] .....

Phone number: ..... [REDACTED] .....

Email address: ..... [REDACTED] .....

W2/Misc/NPHPP/MS210507/CE

#### Chief Steward's contact details (if different to above)

Name: .....

Address: .....

Postcode: .....

Phone number: .....

Email address: .....

If there are to be bands, please give the name of each band and the names of each band member who will be taking responsibility for the bands. The named band members must be present on the day and must identify themselves to the police.

Name of bands: Band A: .....

Band B: .....

Band C: .....

Name of responsible band members for: Band A: .....

Band B: .....

Band C: .....

(Please fill in on a separate sheet, if necessary.)

Name of organisation: ..... SCOTTISH DEFENCE LEAGUE .....

Reason for event: ..... FREEDOM OF SPEECH .....

Start time: ..... 14:00 ..... Finish time: ..... 15:00 .....

Assembly area and time (for moving or static events):

..... MARKET STREET .....

The proposed route (for moving events): ..... DOWN ROYAL MILE TO .....

..... THE SCOTTISH PARLIAMENT .....

W2/Misc/NPHPP/MS31 May 2007/CE



The return route (if this applies): .....

.....  
 .....

Estimated number of people (or vehicles, horses, etc) expected to take part: .....

..... 150 people .....

Please provide details of arrangements for controlling the event:

..... We will have our own Stewards And .....

..... First Aid .....

Number of stewards attending: ..... 15 .....

Number of buses or coaches: .....

Please provide any extra information about the event which you think may be relevant.

.....  
 .....

.....  
 .....

.....  
 .....

.....  
 .....

**Please take a few minutes to complete the checklist on the next page. This will allow us to quickly identify if we/you are required to take any further procedural action.**

Your signature: ..... [Redacted] ..... Date: ..... 8/4/2013 .....

You may be contacted again to arrange a meeting to discuss your notification in more detail.

If you would like further information or advice, please contact Morag Stevenson on 0131 529 4125 or by e-mail at [morag.stevenson@edinburgh.gov.uk](mailto:morag.stevenson@edinburgh.gov.uk).

**Please return form to: Morag Stevenson, Licensing, City of Edinburgh Council, 249 High Street, Edinburgh, EH1 1YJ.**

**Please consider the following checklist and identify any aspect that may apply to your event. This will help us identify and assess the needs of your event and allow us to consider what support mechanisms and resources may be required. This will also help us to determine quickly whether or not any separate specific permission or licence may be required, and if there are any other procedures you should follow.** (If you are in any doubt, please do not hesitate to contact us for advice, using the telephone number given at the end of the notification form. Our officers have an extensive knowledge, understanding and experience of dealing with events and will be happy to offer you their advice. Likewise, if we are unclear about the information you have given, you may be contacted for clarification.) **Please tick all that apply:**

- Beach
- Calton Hill/Corstorphine Hill
- Canal
- Castle Street
- City Chambers/City Chambers Quadrangle
- Coastal Promenade (e.g. Silverknowes, Cramond or Portobello)
- Craigmillar Castle
- Cycleway
- East Lothian
- East Market Street/Market Street
- Edinburgh Castle/Castle Esplanade
- Festival Square
- Fife
- Filming
- Floats/other vehicles/horses
- Food preparation/distribution
- Foreign consulate building
- Forth Estuary/Forth Road Bridge
- Forth Rail Bridge
- George IV Bridge
- Hawes Pier (South Queensferry)
- High Street
- Holyrood Park (otherwise known as Arthur's Seat/Queen's Park)
- Horses
- King's Stables Road
- Lord Provost
- Midlothian
- Money collection
- Mound/Mound Precinct
- Music/Personal address system/Other noise
- Parking permission/restriction
- Parks/public garden
- Parliament Square West
- Pentland Hills
- Princes Street
- Road closure
- Shopping Mall
- St Andrew's Square Garden
- Stations
- Street furniture (e.g. market stall, gazebo, trailer, etc)
- Theatres (e.g. Ross Band Stand, Usher Hall, etc)
- Waverley Bridge
- Walkways
- West Lothian

## Appendix 2

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**From:**

**Sent:** 27 May 2013 15:39

**To:**

**Subject:** Re: Scottish Defence League - August 2013

good afternoon morag futher to talks with audry from the police she asked if it would be possible to change the date to 17 of august I can confirm that is okay also it will start at east market street I popped in to see you last Friday but you were on the phone thank you

**From:**

**To:**

**Sent:** Friday, 3 May 2013, 13:58

**Subject:** RE: Scottish Defence League - August 2013

Dear

**Scottish Defence League**

**Saturday 24 August 2013**

Thank you for submitting the completed notification form regarding the above event and for your email below clarifying the date for the event.

I will write to you again once I have received comments from the Chief Constable and the Council's Director of Services for Communities. As part of this process, you may be contacted by some of my colleagues in the Council or the Police to discuss arrangements for the event with you, or to clarify the details of the event.

If you would like further information regarding the Council's events processes, you may like to visit our website <http://www.eventsedinburgh.org.uk/> and click on the 'event planners' tab on the home page.

In the meantime, please do not hesitate to contact me again if you wish to discuss this further.

Regards,

Licensing Team

City of Edinburgh Council

Tel 0131 529 4125

## Appendix 3

### EVENTS PLANNING AND OPERATIONS GROUP [EPOG]

### SCOTTISH DEFENCE LEAGUE FREEDOM OF SPEECH

(Event Date: Saturday 17<sup>th</sup> August 2013)

Meeting: Tuesday 28 May 2013 at 09:30hrs,

St Leonard's Police Station, St Leonard's Street, Edinburgh.

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#### Present:

City of Edinburgh Council (CEC): (JMN) Public Safety (Chair & minute)  
(SF) Road Services  
(NF) Legal  
(NC)

Lothian & Borders Police (LBP): (CN)  
(RH)  
(JF)  
(TG)  
(AF)  
(PH)

Scottish Fire & Rescue Service (WP)

Scottish Defence League (SDL): (GW)

A copy of the minute has been sent to:

- NHS Lothian
- Scottish Ambulance Service
- City Centre Neighbourhood Team
- Police Scotland Licensing

ITEM	PROCEEDING	ACTION
1	<b>Introduction and Apologies</b> 1. JMN opened the meeting and introductions were made. 2. Apologies were received from	

<p style="text-align: center;"><b>2</b></p>	<p><b>Event Organiser's Proposal</b></p> <ol style="list-style-type: none"> <li>1. GW informed the group that he expects around 200 attendees, perhaps a few more. There had been a great deal of recent support on the SDL Facebook page.</li> <li>2. GW agreed to a change of date from the original 24 August to 17 August, recognising the difficulties faced at Parliament due to their event. EPOG noted appreciation of this.</li> <li>3. GW agreed to similar arrangements as before with any SDL coaches being met on the outskirts of Edinburgh and being escorted to the venue, but did say that SDL are having trouble securing transport. PH noted that Police bike teams were available to lead coaches in to the venue and away again at the end of the rally.</li> <li>4. GW also asked EPOG to note a route clarification. The proposed route will be to assemble in East Market Street, move on to the Royal Mile at the Canongate via New Street then down the Canongate, Horse Wynd to rally point at Scottish Parliament. There will be speakers at the rally but no sound system, just megaphone. <b>GW</b> to inform AF of speakers once known.</li> <li>5. Assembly time would be at 13:30, step off at 14:00 with speeches and rally finished by 15:15.</li> <li>6. CN asked for a road closure to be in place for the event. <b>SF</b> will prepare the necessary TTROs.</li> <li>7. GW expects there to be a counter protest. CN advised that there would be an identified counter protest area. AF requested temporary toilet provision for the protest and counter each area. JMc &amp; SF advised that CEC have no toilets but that there are public toilets at the Queen's Gallery café. The matter will be raised with the neighbourhood team (GP). GW advised that participants had been advised not to drink before the event, but could not vouch for counter protest.</li> </ol>	<p style="text-align: center;"><b>GW</b></p> <p style="text-align: center;"><b>SF</b></p> <p style="text-align: center;"><b>JMc / GP</b></p>
<p style="text-align: center;"><b>3</b></p>	<p><b>Police Scotland</b></p> <ol style="list-style-type: none"> <li>1. CN will be Police Silver for the event, Mark Williams will be Gold with Matt Richards as Bronze. JF will manage any counter protest and AF will be the SDL liaison.</li> <li>2. CN is planning to manage a peaceful protest and any counter demo will be policed in the same way, although Police Scotland will be prepared for more robust policing if necessary.</li> <li>3. GW stated that he was aware of changes to the police structure and also aware of the attitude towards religious "hatred" and what would be offensive to others.</li> <li>4. CN added that freedom of speech would be tolerated but offensive actions, language or behaviour would not be.</li> <li>5. RH asked for agreement on liaison regarding banners etc. GW agreed to abide by police direction on this matter.</li> <li>6. TG advised that if there were any doubts on any of these matters then GW should simply ask for advice from Police.</li> <li>7. RH asked if there were plans to meet anywhere after the rally? GW indicated that SDL would go back to the bars that had been used after previous events</li> <li>8. RH asked how many coaches could be expected, if they could be hired? GW; unknown, and it is also not known until the day how many would want to go back to the bar.</li> <li>9. AF noted that the chosen bar had been unable to accommodate all attendees in the past. CN; would not want attendees spilling in to the street. GW indicated that the area chosen had several bars in the near vicinity of one another and all had been used in the past.</li> <li>10. <b>JMc</b> to copy Police Licensing in to the minute.</li> <li>11. RH; what will happen if the Council refuse the application? GW: advised that SDL would then plan for a static demonstration at the Scottish Parliament. There would probably be an appeal against refusal.</li> <li>12. CN noted that arrangements for such an eventuality would require minor alterations to drop off points.</li> </ol>	<p style="text-align: center;"><b>JMc</b></p>

4	<p><b>Scottish Fire &amp; Rescue Service</b></p> <ol style="list-style-type: none"> <li>1. Details about the finalised route etc required.</li> <li>2. Will access be maintained through TTROs if necessary? CN: Yes!</li> <li>3. Timings for JACC attendance requested. <b>PH</b> to supply.</li> </ol>	<b>PH</b>
5	<p><b>City of Edinburgh Council</b></p> <p><b>Corporate Governance:</b></p> <ol style="list-style-type: none"> <li>1. <b>NC</b> will ensure business liaison is in place.</li> </ol> <p><b>Legal</b></p> <ol style="list-style-type: none"> <li>1. <b>NF</b>; Regulatory on 24 July most likely, although notification may not have to go to Committee if agreement is reached at Director / Convenor level. A report will still be needed from Police (<b>CN</b>)</li> </ol> <p><b>Road Services</b></p> <ol style="list-style-type: none"> <li>1. <b>SF</b> will prepare TTRO for Horse Wynd to run from 13:00 – 16:00.</li> <li>2. Barrier requirements to be finalised. CN will speak to SF after meeting.</li> </ol> <p><b>Neighbourhood Team</b></p> <p><b>JMc</b> to copy GP in to minute.</p> <p><b>Communications Team:</b></p> <p><b>JMc</b> to copy Stewart Argo in to the minute. CN; Susan Lumsden will be police Comms Officer.</p> <p><b>Public Safety:</b></p> <p>No further comment.</p>	<p><b>NC</b></p> <p><b>CN</b></p> <p><b>SF</b></p> <p><b>SF/CN</b></p> <p><b>JMc</b></p> <p><b>JMc</b></p>
7	<p><b>Any Other Competent Business</b></p> <ol style="list-style-type: none"> <li>1. If the protest reverts to a static demo will SDL still agree to conditions? GW; Yes, SDL have done in the past and will do so again.</li> <li>2. GW: any static demo will be in the place and at the time planned for this demo.</li> </ol>	
8	<p><b>Date(s) of Next Meeting(s)</b></p> <p><b><u>NEXT EPOG:</u></b></p> <p><b>TBC</b></p>	<p><b>All to note</b></p> <p><b>ALL</b></p>

## Appendix 4

### EVENT SUMMARY INFORMATION

#### EVENT PLANNING OPERATION GROUP

Event:	Freedom of Speech, March and Rally
Date(s) of Event: Timings of Event:	Saturday 17 <sup>th</sup> August 2013. Assembly 13.30hrs Move off 14.00hrs Speeches and Rally completed by 15.15hrs
Organiser/Organisation Principal Contact & Phone Number	Scottish Defence League
EPOG Chairperson	, Senior Public Safety Officer
Expected Attendance	150
Location/Route:	Assemble – East Market St then into New Street, the Canongate, Royal Mile, Horse Wynd with rally and speeches outside Parliament.
Event Summary/Remarks:  Event imposed Conditions/ Restrictions	Organiser agreed to move date to avoid clash with Festival of Politics at the Parliament.  Potential for counter demonstration.

#### AGENCIES INVOLVED (Indicate with an “X”)

Lothian & Borders Police	x	CEC Public Safety	x
Scottish Ambulance Service	x	CEC Roads Services	x
L & B Fire & Rescue Service	x	CEC Legal	x
Voluntary First Aid Provider		CEC Waste Management	
NHS Lothian	x	CEC Neighbourhood	x

Signed for Public Safety \_\_\_\_\_ 1/7/13\_

Send to: Morag Stevenson, CEC Corporate Services, Committee Services



### Appendix 5

#### When to prevent a procession or place conditions on it

26 We have now withdrawn section 63(2) of the 1982 Act. We have inserted new section 63(3)(a) into the 1982 Act to give your local authority scope to consider a range of issues to help them decide whether they will need to prevent a procession or place conditions on it. They must consider the effect of holding the procession on the following factors before deciding whether to restrict a procession.

- Public safety
- Public order

- Damage to property
- Disruption to the life of the community (see paragraphs 30 to 33)

27 When reaching a decision on preventing a procession or placing conditions on it, your local authority should also take account of section 63(3)(b) of the 1982 Act and assess whether the procession (either alone or with other events) would place too much of a burden on the police. For example, it is important for your local authority to check with the police that they will be able to cope and that enough police officers will be available to patrol the march and keep order. This will be a particularly important issue to consider if several marches and feeder parades are planned to take place. Please remember that police costs are not an issue for consideration.

28 Your local authority should examine all the factors before deciding whether it would be appropriate to prevent a procession or place conditions on it (such as re-routing the event). Your local authority must also make sure that they can justify any restrictions which are placed on a march in line with the ECHR, and that the nature of the restriction is in proportion to the aim which it is trying to tackle.

#### Managing traffic

29 Your local authority should also examine the effect on public roads if a procession is allowed, including the safety of all road users, spectators and those involved, and whether traffic can be controlled well enough by police. You can get the relevant guidance 'Glas and Events Affecting Public Roads – Guidance to Organisers' from our website. The web link is [www.scotland.gov.uk/Publications/2005/07/14155315/53182](http://www.scotland.gov.uk/Publications/2005/07/14155315/53182). It may be the case that your local authority will want to recover some or all of their costs from organisers to help meet certain obligations associated with holding marches and parades. For example, your local authority and the police might recommend that a traffic management consultant is appointed to prepare a traffic management plan. Your local authority may also want to ask the organiser to contribute to the cost, if this is reasonable. To avoid any misunderstanding, it is important that the local authority lets the organiser know their policy on these issues as early as possible or, at the very least, at the precursory meeting.



To: Carol Campbell  
Acting Head of Legal and Administrative  
Services  
City of Edinburgh Council  
City Chambers Business Centre G3  
249 High Street Edinburgh  
EH11YJ

From: ACC Mike McCormick  
Police Scotland  
(Events East – EERPU)  
Fettes Avenue  
Edinburgh  
EH4 1RB

2<sup>nd</sup> July 2013

**NOTIFICATION OF PROPOSAL TO HOLD A PUBLIC PROCESSION  
17<sup>th</sup> AUGUST 2013 - SCOTTISH DEFENCE LEAGUE**

I refer to the above and your recent letter in which you request a 'report on the terms of the notification'.

I understand the event is to take place on 17 August 2013. The proposal is that SDL participants will assemble in East Market Street. At 1330 hours, 150 participants will march to the Scottish Parliament via New Street and High Street and have a static rally there, which will conclude at 1515 hours.

As you may be aware both Police Scotland and the City of Edinburgh Council have been in discussions with the organisers of the event and the route suggested on the notification was one of those discussed.

There can be little doubt that the media and certain sections of the public are linking SDL to EDL and similar right wing organisations and by default, associated events. There can also be little doubt that some of the opinions expressed by SDL are regarded as controversial.

It should, therefore, be expected that the SDL event will attract some level of opposition. Previous experience in Edinburgh in February 2010, September 2011 and May 2012, (as well as in other parts of Scotland) has shown that it would be appropriate to anticipate an opposition rally that will be as large or indeed larger in numbers.

For these reasons, if the event goes ahead, there will be some disruption to daily business and, again noting recent experience of SDL events, it would be wrong to discount the possibility of disorder and / or criminality.

I expect the Council, in considering the application, will have regard to the following criteria so offer some comment on each.

**Public Safety:**

This will be commented upon by the Councils Public Safety Team.

**Public Order:**

There have been four, main, SDL events in the city over the last few years - February 2010, September 2011, May 2012 and September 2012. Although the February 2010 event was unstructured and required the attention of a significant number of police resources, the others have been more organised and there have been no significant public order issues at any of the events.

**Damage to Property:**

There has been no damage to property at any of the previously mentioned events.

**Disruption to the Life of the Community:**

The most disruption to the life of the community occurred in February 2010 when there were unplanned road closures due to the possibility of SDL and opposing factions coming together and the resultant likelihood of disorder.

In the September 2011, May and September 2012 events extensive efforts were made to reduce the likelihood of unplanned road closures and minimise disruption. In September 2011, the event took place in the city centre. Road closures were planned and alternative traffic management measures put in place. There was no unplanned disruption.

In May 2012 the route for the march and rally point were not as close to the city centre and although there were a few road closures and some traffic management measures in place these were all planned and there was no unplanned disruption.

In relation to the event on 29<sup>th</sup> September 2012 there were no incidents of note that would influence the current police position.

**Excessive Burden on the Police:**

As soon as an event such as this is notified it is important that the planning of the policing operation commences. The operation must cater for the likelihood of two marches (SDL and an opposition event). It must cater for the likelihood of the marches starting in different areas of the city and following different routes to the same place and the likelihood that static rallies will be held there. Whether the event takes the form of a march and static rally or a static rally on its own it will still create a significant policing demand.

Notwithstanding the burden this event will place on policing, it is recognised that there is a duty upon the police, under ECHR, to protect certain rights, peaceful assembly being one of them. Some detail on the police operation can be made available to the Council if required

**Previous Processions:**

As mentioned there have been four main SDL events in the city over the last few years. The first in February 2010 involved some noteworthy disruption linked to counter protest whilst the events on September 2011 and May 2012 were as static rallies with disruption minimal. The most recent event in September 2012, was a march followed by a protest rally. There has been no significant disorder, no damage to property and the level of disruption to the life of the community (perhaps most evident in management of road traffic) has reduced event-by-event, as a result of enhanced cooperation between all of those involved and most particularly, the Councils Events Planning and Operations Group (EPOG) processes.

With the cooperation of the event organisers, Police Scotland and the City of Edinburgh Council an operation can be conducted that will minimise disruption and the likelihood of disorder.

Police Scotland would ask for the conditions contained within the attached appendix to be attributed to any permission granted.

Submitted for your consideration.

Yours sincerely,

**Mike McCormick**

**Assistant Chief Constable**

## APPENDIX

- 1 SDL will nominate a spokesperson / single point of contact for the duration of the 'planning' and the event
- 2 The SDL spokesperson will regularly update the Council/Police with the number of expected participants, coaches and the areas from where these participants and coaches will be attending
- 3 SDL participants will travel, predominantly, by coach
- 4 The coaches will gather at a predetermined point on the outskirts of the city where they will be met by police – circa 1230hrs
- 5 The coaches will be accompanied by police to the assembly point described in the application
- 6 Drivers will remain with the coaches at all times
- 7 Where SDL participants do not arrive by coach they will make their way to the assembly point described by a route to be agreed between the organisers and the Council/Police
- 8 SDL participants will walk from the assembly point to the rally point on the 'correct' side of the road not more than six and not less than four abreast – moving off circa 1300hrs
- 9 No militaristic uniforms will be worn
- 10 No banners, placards, flags and posters or similar bearing inflammatory images or words will be displayed
- 11 No staves or large poles to be attached to placards or banners carried during the walk
- 12 No person on the walk will use a megaphone or similar instrument other than for the control of participants
- 13 Sufficient readily identifiable SDL stewards are present to supervise the walk
- 14 SDL stewards will ensure that provisions are made for regular and sufficient pedestrian passage across the walk
- 15 SDL participants will at all times continue moving and no part will stop unless for emergency purposes, on direction of or with agreement of the police, or at rally point
- 16 The rally will be held in an area identified by the police
- 17 The SDL spokesperson will provide the council/police with details of those who are speaking at the rally
- 18 The rally will last for no more than 45 minutes – resulting in conclusion of the event as a whole around 1400hrs
- 19 At the conclusion of the rally SDL participants will get on board their coaches (which will be re-positioned nearby) without delay
- 20 The SDL spokesperson will ensure, as far as is reasonably possible, there is sufficient coach transport for ALL SDL rally participants
- 21 During the event any instructions given by the police are immediately complied with.