

Licensing Sub-Committee of the Regulatory Committee

2.30pm, Monday, 16 December 2019

Proposed Parade/Procession: December 2019

Executive/routine

Wards

City Centre (Ward 11)

Council Commitments

Executive Summary

The City of Edinburgh Council has been notified of a parade which is proposed to take place in December 2019.

The Council has limited powers in respect of parades. It can take no action and the parades would proceed as the organisers intend. Alternatively, it has the power to attach conditions or, under limited circumstances, to ban the parades. The Committee needs to decide whether to exercise any of these options.

In January 2018 the Regulatory Committee decided to continue the practice that all parades involving the High Street must be submitted for Committee consideration.

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Proposed Parade/Procession: December 2019

1. Recommendations

- 1.1 It is recommended that the committee makes an order in respect of the proposed parade, imposing conditions attached at Appendix 2.

2. Background

- 2.1 Under the Civic Government (Scotland) Act 1982, anyone organising a parade or 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 of intent to hold the Torchlight Procession in the city (further details in Appendix 1). It is proposed that the parade will use the High Street.
- 2.3 The Council has limited powers available regarding the control of such parades. 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.

3. Main report

- 3.1 Notification form and other documents relevant to the proposed parade are attached as Appendix 1.
- 3.2 The recommended conditions (Appendix 2) are sufficient to mitigate and manage any possible disruption to the community.
- 3.3 A representative of the organisation will be invited to address the committee regarding the proposed parade.

4. Measures of success

- 4.1 That the Council discharges its statutory duties in respect of these notifications.
- 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.

5. Financial impact

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

6. Risk, policy, compliance and governance impact

- 6.1 Should the committee decide to restrict or prohibit the procession, the person proposing to hold the procession may appeal against that decision to the Sheriff Court within 14 days of written reasons being received by them.

7. Equalities impact

- 7.1 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.

8. Sustainability impact

- 8.1 None

9. Consultation and engagement

- 9.1 Statutory consultation has taken place regarding the parades.

10. Background reading/external references

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

11. Appendices

- 11.1 Appendix 1: Notification form and relevant information
- 11.2 Appendix 2: Proposed conditions