

# Licensing Sub-Committee of the Regulatory Committee

**2.30pm, Monday, 16 September 2019**

## **Proposed Parade: March and Rally for Independence**

Report number

Executive/routine

Wards

City Centre (Ward 11)

Council Commitments

### **Executive Summary**

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The City of Edinburgh Council has been notified of a parade to take place on 5 October 2019 entitled March and Rally for Independence. The proposed route for this parade encompasses the High Street and Princes Street.

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.

This parade has also been referred to the committee as a route has not been agreed with the applicant. The applicant was offered the opportunity to meet with officers to conduct an Event Planning and Operations Group (EPOG), however the applicant has not engaged in this process.

## Proposed Parade: March and Rally for Independence

### 1. Recommendations

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- 1.1 It is recommended that the Committee either:
  - 1.1.1 makes an order prohibiting the proposed procession; or
  - 1.1.2 makes an order to requiring the procession to take an alternative route under Section 63 (1) of the Civic Government (Scotland) Act 1982 due to the significant disruption that the intended route would cause and imposing conditions attached at Appendix 2.

### 2. Background

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- 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 by AUOB Scotland Ltd (All Under One Banner) of intent to hold a March and Rally for Independence (further details in Appendix 1(a)). The route proposed by the organiser intends to use the High Street and Princes Street.
- 2.3 The proposed route has caused concern with regard to the disruption that the closure of Princes Street would create.
- 2.4 At its meeting on [19 August 2019](#) the Licensing Sub-Committee considered an application submitted on 13 July 2019 and agreed to make an order in respect of a parade notification submitted by All Under One Banner for a March for Independence on the same date (5 October 2019) and similar route to this proposed notification, albeit in the opposite direction.
- 2.5 This application included in appendix 1(a) was submitted on 13 August 2019 and is made by an organisation with a similar name to an organisation who intend holding the March for Independence approved on 19 August 2019. The planned events will take place at the same time and location, although the route proposed in this application is the opposite direction to the route approved on 19 August 2019.
- 2.6 It is not possible to facilitate two parades at the same time and location without significant risk to public safety and excessive disruption to the life of the community and traffic infrastructure.
- 2.7 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.

- 2.8 Given the nature of the proposed event which coincides with a similar event which has already been considered by the Licensing Sub-Committee the organiser was invited to participate in the EPOG, however they have not engaged with officers.

### **3. Main report**

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- 3.1 Notification forms and other documents and information relevant to the proposed parade are attached as appendices.
- 3.2 The recommended conditions (Appendix 2) are, in most cases, sufficient to mitigate and manage any possible disruption to the community. However, on this occasion the proposed route may cause undue disruption to the city.
- 3.3 Representatives of the organisation will be invited to address the Committee regarding the proposed parades.
- 3.4 An impact assessment has now been completed in relation to the organisers' proposed use of Princes Street. The following concerns and risks are brought to the attention of committee members for consideration.
- 3.4.1 The current terms of the proposed parade intend to make use of Princes Street for the procession. It is noted that the organiser suggests that approximately 150,000 participants may attend with only 250 volunteers deployed. This represents a ratio of just 1 steward to every 600 participants.
- 3.4.2 Appropriate consideration of this notification would ordinarily require an EPOG meeting to allow officers the opportunity to engage with the organiser for further assessment of the proposal to cooperatively mitigate issues or concerns. However, on this occasion the organiser has not engaged in this process and significant concerns have not been addressed with regard to the large number of participants, the impact of the suggested route and the potential for conflict between the proposed events coinciding on the same day.
- 3.4.3 The Edinburgh Tram network will suffer significant disruption to its operation, as an entire network power shutdown from Shandwick Place will be required in order to facilitate a sufficient margin of safety for participants to travel through Princes Street. Whilst every attempt will be made to resume full Tram services as soon as possible after it is safe to restore power to Princes Street after the procession has cleared, as a result of the power shutdown it is anticipated that disruption to services will last for a minimum of four hours. The costs associated with managing the impact of the Tram disruption, including loss of revenue, is expected to be in the region of £15,000. Edinburgh Trams will seek to recover any incurred costs from City of Edinburgh Council in full, as the proposed closure of Princes Street and

subsequent disruption to services exceeds the agreed closures currently provided for within the Operating Agreement.

- 3.4.4 It is noted that a number of bus services which travel directly or indirectly into the city centre will also suffer significant disruption, as the proposed use of Princes Street will sever all main East to West and North to South arterial routes. This disruption will affect almost the entire bus provision and services in the city, including disruption to services operated by Lothian Buses (approximately 60 services), East Coast (approximately five services), Lothian County (approximately five services), First, Stagecoach, Citylink and Borders Buses. As a result it is likely that any person attempting to travel into the city will experience significant disruption both during and for a lengthy period before and after the procession, as preparations are made for implementing road closures and removal of these closures and subsequent dispersal of pedestrians and congested traffic. Whilst attempts will be made to facilitate alternative route arrangements for bus services, there are few suitable locations within the city for buses to turn, and surrounding streets in the vicinity of the closures will be heavily congested with overflow and general traffic.
- 3.4.5 A number of bus services which travel directly or indirectly into the city centre will also suffer significant disruption. The proposed use of Princes Street will sever all main East to West and North to South arterial routes. Closure will have an impact on their ability to respond to emergency situations. This disruption will affect almost all of the bus services in the city, including disruption to services operated by Lothian Buses (approximately 60 services), East Coast (approximately five services), Lothian Country (approximately five services), First, Stagecoach, Citylink and Borders Buses. As a result, it is likely that any person attempting to travel into the city will experience significant disruption both during and for a lengthy period before and after the procession, as preparations are made for implementing and removal of the road closures as well as the subsequent dispersal of pedestrians and congested traffic. Whilst attempts will be made to facilitate alternative route arrangements for bus services, there are few suitable locations within the city for buses to turn, and surrounding streets in the vicinity of the closures will be heavily congested with overflow and general traffic.
- 3.4.6 The closure of Princes Street will also have a large impact on how people can travel to and from Waverley Station and would lead to subsequent disruption to rail services. The disruption is also likely to affect passengers travelling to and from Edinburgh Airport (as Skylink services and other methods of travel between the city's main travel hubs (Waverley Station and Edinburgh Airport)) would be affected. In addition to travellers, members of staff who work in these locations will also be impacted and this may result in collapse of services for several business operators. This will include bus and train staff who may not be able to access their normal work place, leading to

a shortage of drivers with the impact that services will be disrupted. It is likely that this disruption will continue for several hours after the procession has ended

3.4.7 The nature and significance of the disruption is predicted to extend not only beyond the reach of the city centre but the city's outer boundary.

3.4.8 There is also a likelihood of an increase in private car use by those who will be unable to make use of the public transport network. This effect will be particularly felt by commuters, who are likely to use a car to travel to work in the morning in preparation for their normal bus journey home being disrupted. Many people will be unable to make travel connections or reach desired destinations. Furthermore, risks to those with mobility difficulties will see a significant increase as they will be particularly affected.

## **4. Measures of success**

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

4.2 That the parade is facilitated wherever possible and is managed in a way that minimises potential disruption to the life of the community.

## **5. Financial impact**

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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**

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6.1 Should the Committee decide to restrict or prohibit the procession, the persons 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**

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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**

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8.1 None.

## 9. Consultation and engagement

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9.1 Statutory consultation has taken place regarding the parades.

## 10. Background reading/external references

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

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Regulatory Services Manager

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## 11. Appendices

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11.1 Appendix 1(a): Application form

11.2 Appendix 1(b): Email from organiser

11.3 Appendix 2: Standard Conditions