

## **EAST AYRSHIRE COUNCIL**

### **SPECIAL LOCAL GOVERNMENT LICENSING PANEL – 23 JULY 2001**

#### **NOTIFICATION OF INTENTION TO HOLD A PUBLIC PROCESSION**

##### **Report by Director of Community Services**

#### **1. PURPOSE OF REPORT**

- 1.1 To invite the Panel to consider a notification of intention to hold a public procession.

#### **2. BACKGROUND**

- 2.1 A notification of intention to hold a public procession has been submitted by Billy Chalmers, 2 Dallowie Road, Patna. In accordance with normal procedures Mr Chalmers has also forwarded a copy of the notification to Strathclyde Police.
- 2.2 The notification is in respect of a proposed procession by Drongan Young Conquerors Flute Band on Friday 27 July 2001, commencing at 6.45pm. The band will be accompanied by the Pride of Motherwell Jimmy Steele Memorial Flute Band.
- 2.3 It is the intention to assemble outside Drongan primary school and process through various streets in Drongan, all as detailed in the notification.

#### **3. DISCUSSION**

- 3.1 A letter of objection dated 18 July 2001 and accompanying report has been received from the Divisional Commander, 'U' Division Strathclyde Police, on behalf of the Chief Constable. (Copy attached as Appendix 1)
- 3.2 A copy of this report, including the appendices, has been forwarded to Mr Chalmers and/or his legal representative.
- 3.3 Mr Chalmers and/or his representative and Strathclyde Police have been invited to attend this meeting and be heard by the Panel.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Nil.

## **5. LEGAL IMPLICATIONS**

- 5.1 In terms of Section 63 of the Civic Government (Scotland) Act 1982, the Council may, after consulting the Chief Constable in respect of a procession notice of which has been given in terms of Section 62(1) of the Act, make an order prohibiting the holding of the procession or imposing conditions on the holding of it.
- 5.2 In terms of Section 64 of the Act, an appeal to the Sheriff shall lie at the instance of the person who, in accordance with Section 62 of the Act, has given notice of a proposal to hold a procession in public against an order made under Section 63(1) of the Act in relation to the procession.
- 5.3 Any appeal under Section 64 of the Act shall be made by way of a summary application and lodged with the Sheriff Clerk within 14 days from the date on which the copy of the Order and statement of reasons were received by the appellant.

## **6. POLICY IMPLICATIONS**

- 6.1 Nil.

## **7. CONCLUSIONS**

- 7.1 A notification of intention to hold a public procession has been submitted by Billy Chalmers, 2 Dallowie Road, Patna.
- 7.2 The notification is in respect of a proposed procession by Drongan Young Conquerors Flute Band on Friday 27 July 2001, commencing at 6.45pm. The band will be accompanied by the Pride of Motherwell Jimmy Steele Memorial Flute Band.
- 7.3 A letter of objection dated 18 July 2001 and accompanying report has been received from the Divisional Commander, 'U' Division Strathclyde Police, on behalf of the Chief Constable
- 7.4 The Panel may consider the letter of objection dated 18 July 2001 and information provided during the course of the meeting, in reaching a decision.

## **8. RECOMMENDATIONS**

- 8.1 It is recommended that the Panel consider the notification of intention to hold a public procession and the objection received, by way of a Hearing.

William Stafford  
**Director of Community Services**

19 July 2001

WS/GS

### **LIST OF BACKGROUND PAPERS**

1. Notification of intention to hold a public procession dated 21 June 2001 and received on 26 June 2001.

Any person wishing to inspect any of the background papers listed above should telephone 01563 576111 and ask for Mr John Crawford, Head of Protective Services or e-mail on [john.crawford@east-ayrshire.gov.uk](mailto:john.crawford@east-ayrshire.gov.uk).

**AGENDA**