

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 21 September 2016 at 12.30 p.m.

Present: Councillors Jim Brown, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

Attending: Raymond Lynch, Section Head (Legal); Peter Clyde, Licensing Standards Officers and Nuala Borthwick, Committee Officer.

Apologies: An apology for absence was intimated on behalf of Provost Douglas McAllister.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in the item of business on the agenda.

ADJOURNMENT

Having heard the Chair, Councillor O'Neill, the Committee agreed to adjourn for a short period to enable the applicant to appear before the Committee.

The meeting resumed at 12.38 p.m. with the applicant and all members listed in the sederunt in attendance.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PART V – PUBLIC PROCESSIONS - POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006 - NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION: INDEPENDENT REPUBLICAN BANDS SCOTLAND - CLYDEBANK

A report was submitted by the Strategic Lead – Regulatory concerning a Notice of Proposal to hold a Public Procession in Clydebank on Saturday, 1 October 2016 as requested by Mr Brian Keenan on behalf of the Independent Republican Bands Scotland (IRBS).

Having heard the Section Head (Legal), it was noted:-

- (a) that a Notice of Proposal and risk assessment had been submitted by Mr Brian Keenan on behalf of IRBS on 31 August 2016;
- (b) that the reason for the procession, as stated in the notice of proposal, was an Equality March;
- (c) that Inspector David Quinn and Sergeant Calum Fulton were in attendance on behalf of the Chief Constable, Police Scotland and that the applicant, IRBS, was represented by Mr Brian Keenan, Organiser;
- (d) that a precursory meeting had been held on 14 September 2016 and attendees included Mr Peter Clyde, Licensing Standards Officer, West Dunbartonshire Council, Sergeant Fulton, Police Scotland and that the applicant, IRBS, was represented by Mr Brian Keenan, IRBS;
- (e) that the route, as stated in the notice of proposal, requested that the procession commence at Morar Road, then left on to Kilbowie Road, then right onto Hawthorn Street, then left onto Janetta Street, then left onto Second Avenue, left onto Singer Street, right onto Crown Avenue, right onto Graham Avenue, right onto Kilbowie Road, left into Glasgow Road, then right into Cart Street for dispersal;
- (f) that a copy of the Procession Summary by Police Scotland had been distributed to the applicant and Members of the Committee in advance of the meeting; and
- (g) that an objection to the application, submitted by Mr Kris McGurk, Chairman, Regimental Blues, had been received outwith the 14 day period for submitting objections and it was therefore for the Committee to decide on whether to hear the objection.

Following discussion on whether to consider the letter of objection and having heard from Mr Keenan on the matter, it was agreed that the objection would not be considered by the Committee.

The Committee then heard from Inspector Quinn on behalf of Police Scotland who addressed the Committee in relation to the proposed route advising that a significant section of the proposed route would pass through predominantly residential areas of Clydebank and was therefore in contravention of Condition 11 of the Council's Code of Conduct for Public Processions. It was noted that the applicant had refused to enter into discussions on any alternative route which did not include Second Avenue, Clydebank.

Thereafter, the Committee heard from Mr Keenan, nominated spokesperson for the IRBS, who addressed the Committee in support of the application. Mr Keenan advised that the proposed route was a different route to that applied for on previous occasions and referred to other organisations marching on the same route in previous years and therefore questioned why it was not suitable for IRBS on this

occasion.

DECIDED:-

Following discussion and having heard Mr Keenan in answer to Members' questions, the Committee agreed to make an Order under Section 63(1)(i) of the Civic Government (Scotland) Act 1982 prohibiting the holding of the proposed procession. The reason for the Order was that a significant section of the proposed route would be through residential areas in Clydebank and therefore would be in contravention of Condition 11 of the Council's Code of Conduct given that there was a high risk of disruption to the local community.

The meeting closed at 12.56 p.m.