

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 5 June 2024

**Subject: 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:
Dumbarton Orange & Purple District No. 27**

1. Purpose

- 1.1 The purpose of this report is to assist the Committee in considering the procession route to be taken by the Dumbarton Orange & Purple District No. 27 for the proposed public procession due to take place on Saturday 6 July 2024 at 5.30 pm.

2. Recommendations

- 2.1 It is recommended that Members consider the route requested within the Notification to hold a Public Procession from the Dumbarton Orange & Purple District No. 27 alongside the alternative routes suggested by Police Scotland.

3. Background

- 3.1 The notice of proposal to hold a public procession and risk assessment was submitted by Mr. Iain Turner on behalf of the Dumbarton Orange & Purple District No. 27 on 12 February 2024. The reason for the procession, stated on the notice of proposal, is for the Annual Boyne Celebration. The notice of proposal was subsequently advertised on the Council's website and the Tell Me Scotland website on 14 February 2024.
- 3.2 The route requested by the Dumbarton Orange & Purple District No. 27 is the same route the procession has taken for many years in July for their annual procession.
- 3.3 Notification of the proposed procession was sent to Police Scotland, all Councillors whose ward the procession passes through along with all Members of the Licensing Committee on 14 February 2024.
- 3.4 A response was received from Police Scotland on 4 April 2024. Within their response the Police highlighted issues that had taken place at the corresponding procession in 2023. As a consequence of these issues the Police had suggested an alternative route for a specific part of the procession.
- 3.5 Within the Police response there were a number of issues highlighted surrounding the corresponding procession in 2023. The report states that the accompanying band, The Pride of the Rock Flute Band, deliberately slowed

their pace and increased the volume outside the Dumbarton Harp Social Club. The Police also state that there was noticeable tension and hostility between the procession followers and the Police which combined with the slowing in pace and increased volume outside of the Dumbarton Harp Social Club, resulted in tensions escalating into disorder. One male, a follower, was arrested and charged under Section 38 of The Criminal Justice and Licensing (Scotland) Act 2010 and was also charged with Assault with a sectarian aggravation. The Police response also referred to remarks made to the Police that the reason for the disorder was due to the lack of a visible Police presence outside the Dumbarton Harp Social Club when the procession passed this point on the route.

3.6 The Police response also states that The Pride of the Rock Flute Band deliberately slowed their pace and increased their volume under the railway bridge at Townend Road. At this point in the procession the order specified that the procession should turn left into Bankend Road however it would appear that the Police instructed the procession to proceed along Station Road instead before arriving at the dispersal point.

3.7 A precursory meeting was held on 13 May 2024 attended by representatives of both the Dumbarton Orange & Purple District No. 27 and Police Scotland along with the Civic Licensing Standards Officer. Discussions involved the route requested by the Organiser and alternative routes put forward by Police Scotland. Police Scotland voiced concerns regarding incidents which arose at a specific point on the route last year and suggested that the procession avoided this point on the route for the procession due to take place on 6 July 2024.

3.8 Representatives of the Dumbarton Orange & Purple District No 27 put forward their views on why these incidents occurred and did not see any reason to change the route of the procession as put forward by the Police.

4. Main Issues

4.1 The Notification to hold a Public Procession on 6 July at 5.30pm, submitted by Dumbarton Orange & Purple District No 27, advises of the following route:-

Start on Castle Road at Castle end and proceed forward taking a right turn into Castlegreen Street. Continue forward until the junction where the procession turns left onto the A814 then continue forward until reaching the traffic lights at McDonalds. Take a left turn into Castle Street then onto High Street following the one way system before taking a left turn into High Street with a further left turn onto Bridge Street. Continue along West Bridgend and upon reaching the junction take a right turn onto the A814. Proceed forward along the A814 and upon reaching the roundabout take a left turn onto Townhead Road then proceed under the railway bridge and turn left into Bankend Road. Proceed further along until upon reaching the dispersal point at Bankend Hall. The accompanying band throughout the procession will be Pride of the Rock Flute Band, Dumbarton.

4.2 Contained within the Police response was an alternative route which deviates

from the proposed route after entering High Street. The alternative route is detailed as follows:-

Once entering High Street take a left onto Riverside Lane then take the first right turn into Quay Street before turning right back onto High Street. Proceed from High Street onto Church Street towards the roundabout. Cross the roundabout before turning left into Station Road until the junction at the traffic lights on Glasgow Road/A814. Turn left onto Glasgow Road/A814 back towards the roundabout before turning left onto Church Street. Pass beneath the railway bridge before turning left onto Bankend Road before dispersing.

4.3 The main differences in the routes involve avoiding passing Dumbarton Harp Social Club on High Street and processing across Bridge Street, through Westbridgend before joining Glasgow Road/A814 at a more westernly point. Station Road would now be included in the procession route.

4.4 Part V (Section 8) of the Civic Government (Scotland) Act 1982 states that considerations to which the local authority shall have regard when deciding whether to prohibit the holding of a procession or impose conditions on it under this section shall include—

- (a) the likely effect of the holding of the procession in relation to—
 - (i) public safety;
 - (ii) public order;
 - (iii) damage to property;
 - (iv) disruption of the life of the community;
- (b) the extent to which the containment of risks arising from the procession would (whether by itself or in combination with any other circumstances) place an excessive burden on the police;
- (c) where the person proposing to hold the procession has previously held one in the area of the authority or the persons likely to take part in the procession, or some of them, are the same persons as took part in one previously held in that area, or some of them—
 - (i) whether the previous procession was held in breach of a prohibition under this section on its being held or of a condition so imposed on the holding of it;
 - (ii) whether any guidance or code of conduct issued by the authority as to the holding of the previous procession or as to the holding of processions generally was followed; and
 - (iii) the effect of the previous procession in relation to the matters mentioned in sub-paragraphs (i) to (iv) of paragraph (a) above and in

paragraph (b) above.

5. People Implications

5.1 There are no personnel issues.

6. Financial Implications

6.1 There are no financial implications.

7. Risk Analysis

7.1 The Committee should consider the risk of disruption to the community.

8. Equalities, Health & Humans Rights Impact Assessment

8.1 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

9.1 Details of the procession were posted on the Council's website and the Tell Me Scotland website on 6 April 2024. No objections have been received.

9.2 Notification of the proposed procession was sent to those elected Members whose ward the processions pass through within both the Dumbarton and Leven Wards as well as Members of the Licensing Committee. No adverse comments were received.

9.3 Dumbarton East & Central Community Council and Silverton and Overtoun Community Council were notified of the proposed procession by email on 15 February 2024. No comments were received.

9.4 Police Scotland were sent a copy of the Notice of Proposal on 12 February 2024.

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Appendices: 5:16:2 Police Procession Summary

Background Papers:

1. Notice of Proposal to hold a Public Procession submitted 12 February 2024.
2. Email to Elected Members and Ward Members..
3. Email to Dumbarton East & Central Community Council and Silverton and Overtoun Community Council.

Wards Affected: Dumbarton Ward