

Agenda

Meeting of the Licensing Committee

Date: Wednesday, 5 June 2024

Time: 14:00

Venue: Civic Space, 16 Church Street, Dumbarton G82 1QL

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk
committee.admin@west-dunbarton.gov.uk

Dear Member

Please attend a **Meeting of the Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:

Councillor Ian Dickson
Councillor Gurpreet Singh Johal
Councillor Jonathan McColl
Councillor June McKay
Councillor John Millar
Councillor Lawrence O'Neill
Councillor Chris Pollock
Councillor Hazel Sorrell

All other Councillors for information.
Chief Officer – Regulatory and Regeneration

Date issued: 23 May 2024

MEETING OF LICENSING COMMITTEE

WEDNESDAY, 5 JUNE 2024

AGENDA

1 STATEMENT BY THE CHAIR

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

4 MINUTES OF PREVIOUS MEETING 5 - 10

Submit for approval, as a correct record, the undernoted Minutes of meeting for:

(a) (Ordinary) Licensing Committee held on 17 April 2024; and

(b) (Special) Licensing Committee held on 8 May 2024.

5 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

6 APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE – FLAT 1-1 57 ALBERT ROAD, CLYDEBANK G81 3BQ 11 - 16

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence submitted by Mr. Andrew Scott, 23 Benny Drive, Denny FK6 5FF.

7/

7 APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE 17 - 19

Submit report by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for the grant of a Public Entertainment Licence submitted by Mr Sarbaz Sardar Maulood, Flat 1/1 171 Springfield Road, Glasgow G40 3JB.

8 CIVIC GOVERNMENT (SCOTLAND) ACT 1982 21 - 25
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

Submit report by the Chief Officer – Regulatory and Regeneration providing information 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 p.m.

9 EXCLUSION OF PRESS AND PUBLIC 27

The Committee is asked to consider passing the following resolution prior to consideration of the undernoted items of business:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Civic Space on Wednesday, 17 April 2024 at 2.00 p.m.

Present: Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay, John Millar, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

Attending: Michael McDougall, Manager of Legal Services; Robert Mackie, Senior Licensing Officer and Lynn Straker, Committee Officer.

Also Attending: Sergeant David Holmes, Police Scotland and Mr Allan MacLeod.

Apologies: Apologies were intimated on behalf of Councillor Ian Dickson.

Councillor Lawrence O'Neill in Chair

DECLARATIONS OF INTEREST

Councillor John Millar declared an interest in Item 10 on the Agenda - Application for renewal of a Taxi/Private Hire Car Driver's Licence so accordingly he would not participate in discussion or decision of this item.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Licensing Committee held on 21 February 2024 were submitted and approved as a correct record.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

**APPLICATION FOR GRANT OF A SHORT TERM LET LICENCE – KELLY
PROPERTY BRO'S LTD., AT FLAT 1/2 333 MAIN STREET, ALEXANDRIA
G83 0BP**

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence for Kelly Property Bro's Ltd., at Flat 1/2 333 Main Street, Alexandria G83 0BP.

Mr McDougall, Manager of Legal Services, noted Mr Kelly's attendance was formally requested for this meeting however, he was not in attendance today. After discussion, Members agreed to continue the application.

DECIDED:-

The Committee agreed to continue the application.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 REVIEW OF KNOWLEDGE TEST REQUIREMENT

A report was submitted by the Chief Officer – Regulatory and Regeneration advising Members of the outcome of the consultation relating to whether the Knowledge Test for Taxi and/or Private Hire Car Drivers continues to be necessary.

After discussion and having heard the Manager of Legal Services in further explanation, the Committee agreed to note the outcome of the consultation and retain the requirement for the Knowledge Test.

DECIDED:-

The Committee agreed to note the outcome of the consultation and retain the requirement for the Knowledge Test.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 REVIEW OF TAXI FARES AND CHARGES CLYDEBANK TAXI LICENSING ZONE

A report was submitted by the Chief Officer – Regulatory and Regeneration detailing the review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing Zone.

After discussion and having heard the Manager of Legal Services in introduction to the report, Members of the Committee then heard from Mr MacLeod, detailing his representation and his proposals for taxi fares and related charges as opposed to the proposal from West Dunbartonshire Council.

After further discussion, and having heard Mr MacLeod and the Manager of Legal Services in answer to Members' questions, the Committee agreed to the proposed scales for taxi fares and related charges as detailed in the report and to authorise Officers to conclude the review by notifying each taxi operator of the new scales, their right to appeal to the Traffic Commissioner and, if there is no subsequent appeal against the scales, by giving public notice that the new scales are to come into effect.

The Committee also asked if Officers could consult with other licensing authorities as to their consultation practices around reviews of taxi fares and charges.

DECIDED:-

The Committee agreed to to the proposed scales for taxi fares and related charges as detailed from West Dunbartonshire Council and to authorise Officers to conclude the review by notifying each taxi operator of the new scales, their right to appeal to the Traffic Commissioner and, if there is no subsequent appeal against the scales, by giving public notice that the new scales are to come into effect and instructed Officers to write to other licensing authorities to ask about their consultation practices when carrying out reviews of taxi fares and charges..

EXCLUSION OF PRESS AND PUBLIC

The Committee agreed to approve the following resolution to exclude the press and public from the meeting to allow the following item to be heard:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

APPLICATION FOR RENEWAL OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for the renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Sean Buckley, 3 New Cordale Road, Renton, Dumbarton G82 4DE.

Members first heard from the Manager of Legal Services in introduction to the report and then from the Licensing Sergeant, Police Scotland, who detailed the letter from the Chief Constable, Police Scotland. Mr Buckley was then heard as to why he felt his Licence should be renewed. After discussion and having heard the Licence holder in further explanation, and in answer to Members' questions, the Committee agreed to grant the renewal of the Taxi/Private Hire Car Driver's Licence noting that if, during the trial proceedings, the Licence holder pleads guilty or is found guilty, then the matter can be brought back to the Licensing Committee to consider whether the Mr. Buckley remains a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence on submission of a further letter from the Chief Constable, Police Scotland.

DECIDED:-

The Committee agreed to grant the renewal of the Taxi/Private Hire Car Driver's Licence noting that if, during the trial proceedings, the Licence holder pleads guilty or is found guilty, the matter can be brought back to the Licensing Committee to consider whether Mr. Buckley remains a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence on submission of a further letter from the Chief Constable, Police Scotland.

The meeting closed at 2.59 p.m.

DRAFT

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Council Chambers, Clydebank Town Hall on Wednesday, 8 May 2024 at 2.09 p.m.

Present: Councillors Gurpreet Singh Johal, Ian Dickson, Jonathan McColl, June McKay, Lawrence O'Neill and Chris Pollock.

Attending: Michael McDougall, Manager of Legal Services; Sergeant Ben Rusden, Police Scotland; Robert Mackie, Senior Officer (Licensing Services); Lawrence Knighton, Licensing Standards Officer and Lynn Straker, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Millar and Sorrell.

Councillor Lawrence O'Neill in Chair

STATEMENT BY CHAIR

Councillor O'Neill, Chair, welcomed Members to the meeting and noted that the application detailed under Item 5 – Application for Grant of a Short Term Let Licence had now been withdrawn.

DECLARATIONS OF INTEREST

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

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

EXCLUSION OF PRESS AND PUBLIC

The Committee agreed to approve the following resolution to exclude the press and public from the meeting to allow the following item to be heard:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S / PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence.

Mr McDougall was heard, in introduction to the hearing, and advised Members the licence holder was properly cited but was not in attendance at the meeting. After discussion and having heard Sergeant Rusden, Police Scotland and the Manager of Legal Services in further explanation and in answer to Members' questions, Members agreed to immediately suspend the Taxi Driver's / Private Hire Car Driver's Licence for the unexpired period of his licence on the grounds that he was no longer a fit and proper person to hold a taxi/private hire car driver's licence as the carrying on of the activity to which the licence relates is likely to cause a threat to public order or public safety.

DECIDED:-

Members agreed to immediately suspend the Taxi Driver's / Private Hire Car Driver's Licence on the grounds that he was no longer a fit and proper person to hold a Taxi/Private Hire Car Driver's licence as the carrying on of the activity to which the licence relates is likely to cause a threat to public order or public safety.

The meeting closed at 2.20 p.m.

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 5 June 2024**

Subject: Application for grant of a Short Term Let Licence

1. Purpose

- 1.1 To consider an application for grant of a Short Term Let Licence submitted by Mr. Andrew Scott, 23 Benny Drive, Denny FK6 5FF.

2. Recommendations

- 2.1 It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1 Mr. Scott submitted an application for grant of a Short Term Let Licence to the Council on 29 September 2023 to operate on a secondary letting basis from the premises at Flat 1-1 57 Albert Road, Clydebank G81 3BQ.
- 3.2 No objection or representation has been submitted by the Police in connection with the application.
- 3.3 On 2 October 2023 an objection was received from Ms. Michelle Nelson, 55 Albert Road, Clydebank G81 3BQ. A copy of the objection is included at Appendix 1.
- 3.4 At the meeting on 21 February 2024, it was noted that the objector was unable to attend. It was agreed that consideration of the application be continued to a further meeting in order that the applicant and objector may be given a further opportunity to appear before the Committee.

4. Main Issues

- 4.1 For the purpose of the discharge of their functions under the Civic Government (Scotland) Act 1982, the Committee must ordinarily reach a final decision on each application within the period of 9 months from the date the application was submitted. For applications for a Short Term Let Licence submitted prior to 1 October 2023, the transitional arrangements allows 12 months from the date the application was submitted for a final decision to be made.
- 4.2 The application submitted by Mr. Scott was submitted on 29 September 2023 therefore a final decision on the application must be made no later than 28 September 2024.

- 4.3 When processing applications for a Short Term Let Licence, a copy of the application is sent externally to Police Scotland and the Scottish Fire and Rescue Service for comment. The application form is also sent internally to Planning, Building Control and Environmental Health for their comments.
- 4.4 A response was received from Police Scotland on 3 November 2023 marked 'no police objection' and a 'no comments' response was received from the Scottish Fire and Rescue Service on 26 October 2023.
- 4.5 On 6 November 2023 a response was received from Environmental Health advising that they had no adverse comment to make in relation to the application.
- 4.6 On 8 November 2023 a response was received from Building Standards advising that they had no adverse comment to make in relation to the application.
- 4.7 On 12 December 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.
- 4.8 Ms. Nelson, along with the applicant, have been invited to address the Committee in relation to the objection.

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 There is no increased risk to the Council associated with the contents of this report.

8. Equalities Impact Assessment (EIA)

- 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 Police Scotland, Scottish Fire and Rescue Service, Planning, Building Standards, Environmental Health and Councillors representing the Clydebank Central Ward were consulted in relation to the application. A site notice was displayed at the premises by the applicant for a period of 21 days allowing members of the public an opportunity to object.

10. Strategic Assessment

- 10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date 8 May 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: 1.Objection – Michelle Nelson

Background Papers:

1. Application for grant of a Short Term Let Licence submitted by Mr. Andrew Scott, Flat 1-1 57 Albert Road, Clydebank G81 3BQ.
2. Letter to Mr. Scott dated 6 February 2024.
3. Letter to Ms. Nelson dated 6 February 2024.
4. Letter to Mr. Scott dated 10 May 2024.
5. Letter to Ms. Nelson dated 10 May 2024.

Wards Affected: Clydebank Central

From: [Robert MacKie](#)
To: [Carolann Anderson](#)
Subject: For Redaction
Date: 06 February 2024 11:18:09

From: Shelley Neeson [REDACTED] >
Sent: 02 October 2023 14:32
To: Licensing <Licensing@west-dunbarton.gov.uk>
Subject: Note of objection to the application for the short term let licence at 57 Albert Road 1/1

I would like to note an objection to the application for the short term let application for licence at 57 Albert Road flat 1/1.

My name is Michelle Neeson and I am the owner and live in the flat below (number 55) with my daughter.

My objection is on the ground that I am a single parent living below this flat and have already previously been subjected to numerous incidents of antisocial behaviour at all hours of the day and night when this landlord first bought this flat. I cannot go back to having various people coming and going from this property and turning it back into a party flat, with loud music and strong smell of cannabis coming into my home. This had a detrimental effect on my mental health along with my daughter's health.

Having several different males coming and going from the flat having parties caused not only me and my daughter fear and alarm but also surrounding residents fear and alarm and this was mostly every weekend and sometimes during the week too. Although the partying has now stopped there are still various males that come and go from the flat.

I have also been flooded several times from this flat the last time I had to move out of my home from March 2022 until December 2022 due to the repairs as every room of my home was damaged with water ingress from above. This is bad enough however I have come home this weekend to again see water stains on my bathroom ceiling, and fear further repairs are needed due to lack of care and the fact that it is being used as some sort of air bnb.

Another point I would like to raise is the issue with bins, as there is not a consistent tenant in the property the bins do not get emptied when they should and are often left for weeks in the back court overflowing. This is extremely worrying as will encourage rats to the area and the smell and mess is resulting in my daughter being unable to use the garden to play. Who will be responsible for this if there is not a permanent tenant in the flat?

Albert Road is mainly made up of elderly residents and residents with families. We have had to put up with Antisocial Behaviour from the homeless flat at the bottom of the road, often resulting in Police Scotland having to attend again causing fear and alarm to all residents. Granting this license will cause further antisocial problems for residents in this quiet street.

Please acknowledge receipt of this email.

Kind regards
Michelle Neeson
55 Albert Road

Sent from [Outlook for iOS](#)

WEST DUNBARTONSHIRE COUNCIL
Report by Chief Officer – Regulatory & Regeneration
Licensing Committee – 5 June 2024

Subject: Application for grant of a Public Entertainment Licence

1. Purpose

- 1.1** To consider an application for the grant of a Public Entertainment Licence submitted by Mr Sarbaz Sardar Maulood, Flat 1/1 171 Springfield Road, Glasgow G40 3JB.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mr Maulood submitted an application for grant of a Public Entertainment Licence to the Council on 3 October 2023.
- 3.2** No objection or representation has been submitted by the Police in connection with the application.

4. Main Issues

- 4.1** For the purpose of the discharge of their functions under the Civic Government (Scotland) Act 1982, the Committee must reach a final decision on each application within the period of 9 months from the date the application was submitted.
- 4.2** The application submitted by Mr Maulood was submitted on 3 October 2023 therefore a final decision on the application must be made no later than 4 July 2024.
- 4.3** When processing applications for a Public Entertainment Licence relating to Sunbed Salons, a copy of the application is sent externally to Police Scotland and the Scottish Fire and Rescue Service. The application form is also sent internally to Planning and Environmental Health for their comments.
- 4.4** A response was received from Police Scotland on 10 October 2023 marked 'no police objection' and a 'no comments' response was received from Fire Scotland on 4 December 2023.
- 4.5** On 13 October 2023 a response was received from Planning advising that they had no adverse comment to make in relation to the application.

4.6 No public objections or representations have been received further to a site notice being displayed.

4.7 On 14 May 2024 Environmental Health advised that the applicant had not been in contact to arrange an inspection of the premises having previously indicated that the application may be withdrawn.

4.8 Both the applicant and Environmental Health have been invited to address the Committee to provide an update on the current position regarding the premises. The Committee having heard from all parties is required to determine the application in accordance with Schedule 1 to the 1982 Act.

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 There is no increased risk to the Council associated with the contents of this report.

8. Equalities Impact Assessment (EIA)

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 Police Scotland, Scottish Fire and Rescue Service, Planning and Environmental Health were consulted in relation to the application. A site notice was displayed at the premises by the applicant for a period of 21 days allowing members of the public an opportunity to object.

10. Strategic Assessment

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date 14 May 2024

Person to Contact: Robert Mackie,
Senior Officer (Licensing Section),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

1. Application for grant of a Public Entertainment Licence submitted by Mr Sarbaz Sardar Maulood, Flat 1/1 171 Springfield Road, Glasgow G40 3JB.
2. Letter to Mr Maulood dated 15 May 2024.

Wards Affected: N/A.

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.

Person to Contact: Robert Mackie,
Senior Officer (Licensing Services),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A

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



NOT FOR PUBLICATION

**by virtue of Paragraph 14 of Part 1 of Schedule 7A of
the Local Government (Scotland) Act, 1973**

**ANY ACTION TAKEN OR TO BE TAKEN IN
CONNECTION WITH THE PREVENTION,
INVESTIGATION OR PROSECUTION OF CRIME**

**PLEASE NOTE THAT CONFIDENTIAL INFORMATION
AND PAGES HAVE BEEN REMOVED**

