

# WEST DUNBARTONSHIRE COUNCIL

## Report by the Chief Officer Regulatory and Regeneration

Licensing Committee – 8 June 2022

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**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 whether to depart from the code of conduct which prohibits the playing of music before 9.00 am, to allow the playing of music at 8.30 am as requested by the Dumbarton Orange & Purple District No. 27 within their notification.

### **2. Recommendations**

- 2.1** It is recommended that Members consider the request from Mr. Simon Wade to allow the accompanying band, The Pride of the Rock Flute Band, to play music at 8.30 am as the Dumbarton Orange & Purple District No. 27 procession passes through Alexandria on the morning of Saturday 2 July 2022.

### **3. Background**

- 3.1** The notice of proposal to hold a public procession and risk assessment was submitted by Mr. Simon Wade on behalf of the Dumbarton Orange & Purple District No. 27 on 13 April 2022. 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 on 13 April 2022.
- 3.2** A similar application was brought before the Licensing Committee in 2018 where Members decided to grant the request from Dumbarton Orange & Purple District No. 27 to allow the playing of music from 8.30 am.
- 3.3** A precursory meeting was held on 12 May 2022 with the organiser and Police Scotland. Discussions involved the request to deviate from the Council's code of conduct were raised and the requirement for no play zones at certain points of the routes.

### **4. Main Issues**

- 4.1** The Council's code of conduct states:-

'Unless specifically stipulated in the notification, no band shall play or music shall be played before 9.00 am and after 9.00 pm.'

4.2 The purpose of the restriction on times when music should not be played is to minimise disruption to local communities.

4.3 An email dated 14 April 2022 was received from Councillor Bollan objecting to the request to play music prior to 9.00 am (Appendix 1).

## 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, in considering whether or not to depart from the code of conduct by allowing music to be played at 8.30 am 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 on 13 April 2022. One Objection was received - please see Appendix 1.

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.

9.3 Dumbarton East & Central Community Council were invited to comment by email on 13 April 2022. No comments were received.

9.4 Police Scotland were sent a copy of the Notice of Proposal on 13 May 2022.

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Licensing Team,  
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**Appendices:** Email dated 14 April 2022 from Councillor Bollan.

**Background Papers:**

1. Notice of Proposal to hold a Public Procession submitted 13 April 2022.
2. Email to Elected Members dated 13 April 2022.
3. Email to Dumbarton East & Central Community Council dated 13 April 2022.

**Wards Affected:** Dumbarton and Leven Wards

