

**CORPORATE SERVICES (PUBLIC PROCESSIONS) SUB – 12 May 2011**

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**Motherwell, 12 May 2011 at 2 pm.**

A Meeting of the **CORPORATE SERVICES (PUBLIC PROCESSIONS) SUB-COMMITTEE**

**PRESENT**

Councillor McAuley, Convener; Councillor Hogg, Vice-Convener; Councillors Carrigan, Chadha, Grant and Stewart.

**CHAIR**

Councillor McAuley (Convener) presided.

**IN ATTENDANCE**

The Head of Central Services and Administrative Officer (Committee and Civic Governance Services).

**ALSO IN ATTENDANCE**

Representing the Notifier: Mr. Hart and Councillor S. Love.

Representing the Chief Constable: Chief Inspector McKenzie and Constable Thomson.

**APOLOGIES**

Councillor Goldie.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. No declarations were made.

**NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN WISHAW ON SATURDAY, 14 MAY 2011 BY MR. JOHN HART**

2. There was submitted (1) notification dated 9 May 2011 of a proposal by Mr. John Hart to process in Wishaw on Saturday, 14 May 2011, and (2) a report dated 9 May 2011 by the Chief Constable submitting representations in respect of that proposal.

The Sub-Committee then heard (1) Chief Inspector McKenzie outline the Chief Constable's representations in respect of the proposal, and (2) Councillor Love speak in support of the notification.

Thereafter, Mr. Hart, Councillor Love, Chief Inspector McKenzie and Constable Thomson withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. Hart, Councillor Love, Chief Inspector McKenzie and Constable Thomson were then re-admitted to the meeting and the Sub-Committee, on resuming consideration of the matter, agreed that the Council make an Order under Section 62(4) of the Civic Government (Scotland) Act 1982 dispensing with the requirement of sub-section 2 of that Section in relation to the time limit for the giving of notice of the proposed procession and that an Order be made in terms of Section 63 of the Civic Government (Scotland) Act 1982 restricting the playing of music in the course of the procession to hymn tunes.

**Decided:** that, after discussion and careful consideration of all representations made, the Sub-Committee determined that an Order be made in exercise of the powers provided by sub-section 4 of Section 62 of the Civic Government (Scotland) Act 1982 dispensing with the requirement of sub-section 2 of that Section in relation to the time limits for the giving of notice of the proposal to hold a public procession in Wishaw on Saturday, 14 May 2011 and that an Order be made under Section 63 of that Act restricting the playing of music in the course of the procession to hymn tunes.

**Motherwell, 1 June 2011 at 2.30 am.**

A Meeting of the **CORPORATE SERVICES (PUBLIC PROCESSIONS) SUB-COMMITTEE**

**PRESENT**

Councillor McAuley, Convener; Councillors Carrigan, Chadha, Goldie, Irvine, Nolan and Stocks.

**CHAIR**

Councillor McAuley (Convener) presided.

**IN ATTENDANCE**

The Head of Central Services and Administrative Officer (Committee and Civic Governance Services).

**ALSO IN ATTENDANCE**

Representing the Notifiers: Mr James Mathieson, Senior and Mr. James Mathieson, Junior, Sons of William Flute Band and Mr. Dempsey and Mr. Donald, Whinhall True Blues Flute Band.

Representing the Chief Constable: Chief Inspector McKenzie and Constable Thomson.

**APOLOGIES**

Councillor Hogg.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. No Declarations were made.

**NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN GLENMAVIS ON SATURDAY, 4 JUNE 2011 BY SONS OF WILLIAM FLUTE BAND**

2. There was submitted (1) notification dated 10 February 2011 of a proposal by Sons of William Flute Band to process in Glenmavis on Saturday, 4 June 2011, and (2) a report dated 4 March 2011 by the Chief Constable submitting representations in respect of that proposal.

The Sub-Committee then heard (1) Chief Inspector McKenzie outline the Chief Constable's representations in respect of the proposal, and (2) Mr. Mathieson, Senior speak in support of the notification.

The Sub-Committee noted, also, in the course of the meeting (1) the organiser's offer to leaflet local residents advising them of the procession and asking them to park their vehicles outwith the parade route, so as to reduce the level of traffic disruption, and (2) that the number of participating bands had been reduced to 12.

Thereafter, Messrs. Mathieson, Chief Inspector McKenzie and Constable Thomson withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Messrs. Mathieson, Chief Inspector McKenzie and Constable Thomson were then re-admitted to the meeting.

**Decided:** that, after careful consideration of all representations made and having noted the organiser's offer to leaflet local residents, the Sub-Committee agreed that no Order be made in terms of Section 63 of the Civic Government (Scotland) Act 1982 in respect of the proposal.

**NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN AIRDRIE ON SATURDAY, 4 JUNE 2011 BY WHINHALL TRUE BLUES FLUTE BAND**

3. There was submitted (1) notification dated 20 March 2011 of a proposal by Whinhall True Blues Flute Band to process in Airdrie on Saturday, 4 June 2011, and (2) a report dated 27 April 2011 by the Chief Constable submitting representations in respect of that proposal.

The Sub-Committee then heard (1) Chief Inspector McKenzie outline the Chief Constable's representations in respect of the proposal, and (2) Mr. Dempsey and Mr. Donald speak in support of the notification.

Thereafter, Mr. Dempsey, Mr. Donald, Chief Inspector McKenzie and Constable Thomson withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. Dempsey, Mr. Donald, Chief Inspector McKenzie and Constable Thomson were then re-admitted to the meeting.

**Decided:** that, after careful consideration of all representations made, the Sub-Committee agreed that no Order be made in terms of Section 63 of the Civic Government (Scotland) Act 1982 in respect of the proposal.

**Motherwell, 8 June 2011 at 2.30 pm.**

A Meeting of the **CORPORATE SERVICES (PUBLIC PROCESSIONS) SUB-COMMITTEE**

**PRESENT**

Councillor Hogg, Vice-Convener; Councillors Chadha, Goldie, Irvine, Nolan, Stewart and Stocks.

**CHAIR**

Councillor Hogg (Vice-Convener) presided.

**IN ATTENDANCE**

The Head of Central Services and Administrative Officer (Committee and Civic Governance Services).

**ALSO IN ATTENDANCE**

Representing the Notifiers: Mr. Bonnes and Mr. Stewart, Harthill Loyalists Flute Band and Mr. McCulloch and Mr. Tollan, Craigneuk Undaunted Purple Heroes LOL 68.

Representing the Chief Constable: Superintendent Connel, Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall.

**APOLOGIES**

Councillors Carrigan and McAuley.

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. No declarations were made.

**The Convener exercised his discretion and varied the order of business as hereinafter Minuted.**

**NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN HARTHILL ON FRIDAY, 10 JUNE 2011 BY HARTHILL LOYALISTS FLUTE BAND**

2. There was submitted (1) notification dated 15 November 2010 of a proposal by Harthill Loyalists Flute Band to process in Harthill on Friday, 10 June 2011, and (2) a report dated 19 May 2011 by the Chief Constable submitting representations in respect of that proposal.

Chief Inspector McKenzie made a preliminary submission that, notwithstanding receipt of notification in November 2010 and receipt of further information on 21 April, 9 May and 13 May 2011, no timeous notification had been received. That submission was made on the basis that final information regarding number of stewards was provided less than 28 days before the date of the proposed event. Having heard the Head of Central Services and having regard to the provisions of Section 62 of the Civic Government (Scotland) Act 1982, the Sub-Committee concluded that timeous notification of the proposals had been received.

The Sub-Committee then heard (1) Chief Inspector McKenzie outline the Chief Constable's representations in respect of the proposal, and (2) Mr. Bonnes and Mr. Stewart speak in support of the notification.

Thereafter, Mr. Bonnes, Mr. Stewart, Superintendent Connel, Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. Bonnes, Mr. Stewart, Superintendent Connel, Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall were then re-admitted to the meeting.

**Decided:** that, after careful consideration of all representations made, the Sub-Committee agreed that no Order be made in terms of Section 63 of the Civic Government (Scotland) Act 1982 in respect of the proposal.

**NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN WISHAW ON SATURDAY, 18 JUNE 2011 BY CRAIGNEUK UNDAUNTED PURPLE HEROES LOL68**

3. There was submitted (1) notification dated 11 May 2011 of a proposal by Craigneuk Undaunted Purple Heroes LOL68 to process in Wishaw on Saturday, 18 June 2011; (2) representations from Councillor Frank McKay expressing concerns in respect of the proposed procession, and (3) a report dated 26 May 2011 by the Chief Constable submitting representations in respect of that proposal.

The Sub-Committee then heard (1) Chief Inspector McKenzie outline the Chief Constable's representations in respect of the proposal; (2) Councillor McKay explain his concerns in respect of the proposed procession, and (3) Mr. McCulloch speak in support of the notification.

Mr. McCulloch on behalf of the notifier, in the course of the meeting, advised that the assembly and start times of the procession had been incorrectly listed on the notification and that they should be amended to 5.15 pm and 5.30 pm respectively. Chief Inspector McKenzie on behalf of the Chief Constable made no submission or representation with regard to that amendment. The Sub-Committee noted the position and proceeded to consider the notification on the basis of the amended times.

Thereafter, Mr. McCulloch, Mr. Tolan, Councillor McKay, Superintendent Connel, Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. McCulloch, Mr. Tolan, Superintendent Connel, Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall were then re-admitted to the meeting.

**Decided:** that, after careful consideration of all representations made, and having noted that the assembly and start times of the procession were amended to 5.15 pm and 5.30 pm respectively, the Sub-Committee agreed that no Order be made in terms of Section 63 of the Civic Government (Scotland) Act 1982 in respect of the proposal.

**NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN WISHAW ON SATURDAY, 18 JUNE 2011 BY WISHAW MURRAY BRANCH CLUB – APPRENTICE BOYS OF DERRY**

4. There was submitted (1) notification dated 31 May 2011 of a proposal by Wishaw Murray Branch Club – Apprentice Boys of Derry to process in Wishaw on Saturday, 18 June 2011, and (2) a report dated 6 June 2011 by the Chief Constable submitting representations in respect of that proposal.

There was submitted, also, letter of 7 June 2011, submitted on behalf of the notifier.

The Sub-Committee noted that the notifier was neither present nor represented. Chief Inspector McKenzie submitted that, in the absence of the notifier, the Sub-Committee should give no consideration to the request that an Order be made in terms of Sub-Section 4 of Section 62 of the Civic Government (Scotland) Act 1982 dispensing with the requirements of Sub-section 2 of that Section in relation to the time limits for the giving of notice of the proposal to hold the public procession. Separatim Chief Inspector McKenzie submitted that no such Order should be made.

The Head of Central Services advised the Sub-Committee that the failure of the notifier to be present or represented did not preclude the Sub-Committee from giving consideration to the making of such an Order on the basis of the written submissions by the notifier and any oral submissions made on behalf of the Chief Constable. Following consideration, the Sub-Committee determined that it was competent to give consideration to the making of an Order in terms of Sub-Section 4 of Section 62 and, further, determined that an Order be made under that Sub-Section dispensing with the requirements of Sub-Section 2 of Section 62.

The Sub-Committee then considered the notification and heard Chief Inspector McKenzie outline the Chief Constable's representations in respect of the proposal.

Thereafter, Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Chief Inspector McKenzie, Sergeant Hamilton and Constable Hall were then re-admitted to the meeting.

**Decided:** that, after discussion and careful consideration of all submissions made, the Sub-Committee determined that an Order be made in exercise of the powers provided by Sub-Section 4 of Section 62 of the Civic Government (Scotland) Act 1982 dispensing with the requirements of Sub-Section 2 of that Section in relation to the time limits for the giving of notice of the proposal to hold a public procession in Wishaw on Saturday, 18 June 2011 and that no Order be made under Section 63 of that Act in respect of the proposal.