

PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE
09 AUGUST 2023
REPORT BY HEAD OF LEGAL AND GOVERNANCE SERVICES

TYPE OF APPLICATION	Notification of Public Procession
APPLICANT	David Walters 21 Duff Street Bertha Park Perth PH1 0AE District 65 Colonel Cleland Memorial Orange Lodge
PREMISES (if applicable)	N/A
THE APPLICATION	The public procession is proposed to take place at 1.15 pm on Sunday 20 August 2023 from Birnam Game Park to Dunkeld Cathedral.
RELEVANT LICENSING POLICIES	All notifiers of public processions are provided with the attached Public Processions Code of Conduct.
LEGAL POSITION	<p>The Applicant has notified the Committee about the proposed procession. The Committee's permission is not required to hold a public procession. Under the Civic Government Scotland Act 1982, anyone organising a parade or procession must notify the appropriate local authority and the police at least 28 days prior to the date of the event. Upon receipt of a notification, the Council has limited powers with respect to parades and processions.</p> <p>Relevant considerations which the Committee must take into account when considering a notification relate to public safety, public order, damage to property, and disruption to the life of the community.</p> <p>The aim of civic licensing and the public procession legislation is to balance the right to freedom of expression and assembly with the need to maintain public safety and order.</p> <p>Police Scotland and Environment Services have stated they have no objections to this application.</p> <p>One email of objection has been received from a member of the public regarding this application (see attached email of objection).</p>

	<p>In deciding whether or not to grant an order preventing procession from taking place or adding conditions the Council - will take into account the following:</p> <ul style="list-style-type: none"> • any Objections or Representations • any other relevant considerations
<p>OPTIONS</p>	<p>The Committee can choose to take no action; It has the power to attach conditions or, under very limited circumstances, to ban the parade or procession.</p>
<p>PROCEDURE</p>	<ul style="list-style-type: none"> • Identify parties. • Consider any preliminary issues. • Member of the public to speak to the objection. • Committee asks any questions to the objector. • Applicant makes a submission. • Committee asks any questions of the applicant. • Objector sums up. • Applicant sums up. • Committee makes a decision.