

Police Bill Team
Scottish Executive Justice Department
Area 1W
St. Andrew's House
EDINBURGH EH1 3DG

Dear Madam,

"Supporting Police, Protecting Communities : Proposals for Legislation"

I refer to the above consultation paper and in particular to the invitation for comments contained therein with regard to proposals for reform of the law relating to marches and parades. On behalf of Dundee City Council, I wish to comment as follows.

The Council notes the various proposals which have been put forward in the consultation paper. However, the members of the Council's Licensing Committee have some concerns regarding certain aspects of these proposals. Firstly, the suggested increase in the notification period from 7 days to 28 days. It is hoped that this requirement will not be too inflexible and amount to an unreasonable restriction upon the right to peaceful assemblies. In particular, the provision allowed to local authorities to accept notifications within this period should be sufficiently wide to cater for more than just processions relating to unforeseen events. There should be a general dispensing power available to local authorities on cause shown.

The next area of concern relates to the extent to, and methods by, which the views of local communities are to be taken into account. It appears to be envisaged that there will be a duty on the local authority to publicise the notification in some form or other. If this involves a newspaper advertisement, this can be very expensive and, since there is to be no fee to pay for a notification, will lead to costs which cannot be recovered by the Council. Also, unless the grounds upon which a member of the public can object are restricted (e.g. as they are at present under the Civic Government (Scotland) Act 1982 and Licensing (Scotland) Act 1976 for applications for licences), the Council is of the view that it could be inundated with numerous frivolous or vexatious objections and representations from people or organisations opposed to the march who may see this procedure as a convenient way to try to stop it taking place at all. If the grounds are restricted to those suggested at Paragraph 14.17 of Sir John Orr's report (e.g. risk of serious public disorder, public safety, etc.), this would be a better way to deal with this issue.

Yours faithfully

Depute Chief Executive (Support Services)