

**DUDHOPE PARK - APPLICATION FOR USE BY SCOTTISH SOCIALIST PARTY
(AN140-2002)**

The Scottish Socialist Party (SSP) have applied to use Dudhope Park for the end point of a march and for the purpose of hosting speakers, together with musical entertainment on 27th July, 2002.

The application to hold a public procession will be considered by the Licensing Committee on 24th July.

The procession will comprise approximately 400 people with 20-30 stewards. The Chief Constable has been consulted regarding the application to hold a procession and has formally objected to it on the grounds that he has serious concerns in respect of public road safety and traffic management issues.

The likely numbers of people who will assemble in Dudhope Park, the likely duration of the assembly at the park, the likely duration of the speeches and the likely nature and duration of the musical entertainment was not specified in the application to use Dudhope Park so the Director of Leisure and Arts contacted the SSP asking for this information. They indicated on Friday afternoon that approximately 200 people would attend the rally in the park, the speeches would take approximately 30 minutes and that there would be approximately 3 hours of music from a portable disco unit. When questioned about the noise that would be generated the SSP would only say that the unit was small and would be sited on the back of a lorry which would also be used for the speeches.

The Chief Constable has also intimated that the procession and rally have been organised by the SSP as part of a nationwide campaign to legalise cannabis and provide heroin on prescription to registered drug addicts.

In terms of the City Council's Management Rules regulating Parks, Open Spaces and Places of Public Resort or Recreation, no person is to deliver or utter any speech, lecture or address in a park (Rule 31(1)(i)) or hold or cause to be held or take part in any public assembly (Rule 31(1)(ii)) without the prior written consent of the Council.

In addition, in terms of Rule 33 no person is to give or take part in or attempt to give or take part in any performance in any park except with the prior written consent of the Director of Leisure and Arts.

In considering whether or not to give such consent it is important to bear in mind the purposes for which the Council manage and maintain parks, including Dudhope Park, as the Management Rules are designed to ensure that these purposes are not unduly interfered with.

In general terms parks fulfil three purposes:-

- (i) recreation for the public including the elderly;
- (ii) exercise for the public and their dogs;
- (iii) pleasure grounds for children

The Sub-Committee must therefore consider whether this application would prevent or unreasonably restrict public recreation, the use of the park by the public and their dogs for exercise and the use of the park by children for playing.

If the application is to be granted the Committee must also consider if conditions ought to be imposed, for example, that the SSP should provide the necessary insurances indemnifying the Council against damage to property, injury or loss of life etc to members of the public, that any services being provided by the Department are paid for by the SSP, that the SSP should ensure that access and use of the park by the public is not restricted in any way, that the SSP should ensure that any litter is tidied, that all of the other Management Rules are complied with etc.

Now that the Director of Leisure and Arts has been provided with information about the likely numbers of people who will assemble in Dudhope Park, the likely duration of the assembly at the park, the likely duration of the speeches and the likely nature and duration of the musical entertainment he takes the view that granting this application would prevent or unreasonably restrict public recreation, the use of the park by the public and their dogs for exercise and the use of the park by children for playing and he therefore recommends that the application be refused.