

## REGULATORY COMMITTEE

*At a meeting of the Regulatory Committee on Monday, 26 November 2007 in the Council Chamber, Runcorn Town Hall*

Present: Councillors Philbin (Chairman), Wallace (Vice-Chairman), Bryant, Drakeley, Howard, A. Lowe, D Inch, Nelson and E. Ratcliffe

Apologies for Absence: Councillors Cross and Wainwright

Absence declared on Council business: None

Officers present: G. Ferguson, K. Cleary, J. Findlow, J. Tully, L. Capper, I. Mason and W. Salisbury

Also in attendance: Cllr Ashcroft (St Helens Council), D Broster (St Helens Council), I Seville (Cheshire Constabulary) and P Ramsden (Warrington Council)

### ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

#### REG12 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – URGENT BUSINESS

The Committee was advised that a matter had arisen which required immediate attention by the Committee because a decision was required before the date of the next meeting (Minute REG17 case 671 refers), therefore pursuant to Section 100 B (4) and 100 E Local Government Act 1972, the Chairman ruled that the items be considered as a matter of urgency.

#### REG13 MINUTES

The minutes of the meeting held on 1<sup>st</sup> June, 18<sup>th</sup> June and 30<sup>th</sup> July 2007 having been printed and circulated were taken as read and signed by the Chairman as a correct record.

#### REG14 CREAMFIELDS EVENT 2007

The Committee received a report from the following

*Action*

responsible authorities on issues arising from the Creamfields Event:-

- Cheshire Constabulary;
- Halton Borough Council Environmental Health – Environmental Protection;
- Halton Borough Council Environmental, Health (Health and Safety); and
- Warrington Borough Council.

Ian Seville attended the meeting and summarised the views of Inspector Paul Carroll from Cheshire Constabulary who was unable to attend and also his own views as Police Licensing Officer regarding the planning and delivery of policing for Creamfields 2007 Music Festival. It was noted that reported crime had reduced, with a reduction of approximately 50% over 2006 levels and the types of crimes reported showed a significant reduction in the more serious types and more importantly, there were no knifepoint robbery crimes in 2007.

Arising from the discussion members expressed concern that there was insufficient traffic signage at the festival, there were various problems around taxi vehicles dropping off and picking up festival-goers, and there appeared to be a shortage of stewards to operate a successful traffic management plan on the site.

On behalf of Halton Borough Council (Environmental Health) (Environmental Protection) Isobel Mason attended the meeting and addressed the Committee on issues around noise/noise readings and the number of complaints received from residents. It was reported that Monitoring had taken place in the Appleton area where noise from the main stage was clearly audible up until 23.00 hours. Recordings had indicated that the level of noise in these areas was considerably below that specified within the Licence. Monitoring by Officers from the Environmental Health Section indicated that there were no breaches of the Licence conditions pertaining to noise.

Wendy Salisbury attended and addressed the Committee on behalf of Halton Borough Council Environmental Health (Health and Safety, Food and Safety Standards) the Committee were advised that the Health and Safety Service welcomed early contact and timely responses to the enquiries from Creamfields staff. Work transport on the site continued to be a concern although clearly some changes had been made and attempts were made to improve conditions throughout the weekend. No

problems were encountered with food businesses prior to or during the event.

In addition, Members considered comments from Mr. P. Ramsden on behalf of Warrington Borough Council, which provided an overview of the event, monitoring that had taken place, complaints received during the event from local residents and complaints after the event. Despite the perceived noise levels being higher in Appleton, Hatton and Dudlow Green before 23.00, Warrington Borough Council or other agencies were not inundated with complaints. The level of complaint was very low for noise and no complaints were received relating to traffic issues, litter or anti-social behaviour. Residents on Park Lane were disturbed by contractors laying trackway outside of the agreed hours, however this could be dealt with by better supervision if the Creamfields Event went ahead in 2008.

RESOLVED: That the report be noted.

#### REG15 REGULATORY COMMITTEE ANNUAL REPORT

The Committee considered a report from responsible authorities on activities during the past 12 months with regard to matters within the jurisdiction of the Committee. The responsible authorities were:-

- Cheshire Constabulary; and
- Environmental Health Services.

The report also included matters relating to legislative changes throughout the year, in particular to Dealing in Game and Killing Game which was repealed on 1<sup>st</sup> July 2007 and to the definition of what constitutes a dangerous wild animal, in addition the Gambling Act 2005 which came into effect on 1<sup>st</sup> September 2007. The Council now have responsibility for issuing Premises Licences for betting shops, bingo halls, adult gaming centres, family entertainment centres. In addition, there was a new permit/registration system dealing with gaming machines (in pubs and clubs and family entertainment centres), prize gaming and society lotteries. The Committee were advised on the current position surrounding these matters.

RESOLVED: That the reports from the responsible authorities be noted.

#### REG16 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Committee during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

## REG17 TAXI MATTERS

The Committee were asked to determine two referral cases, details of which had been circulated to Members of the Committee only.

Both of the applicants attended the Committee in support of their applications.

RESOLVED: That in respect of

Case Number 670

The Hackney Carriage Vehicle Licence be revoked with immediate effect. The grounds for revoking the licence were:

- the vehicle was unfit for use as a Hackney

- Carriage Vehicle;
- the history of the vehicle in terms of failed tests and missed tests is such that the Committee did not believe the vehicle would be fit for use in a reasonable time; and
  - it was unacceptable given the limited number of Hackney Carriage vehicles in the borough to allow a vehicle to remain off the road (albeit because it was unfit) for an indefinite period.

Case Number 671

That due to exceptional circumstances, which were outlined to the Committee by the applicant, a Licence Cover Note be granted pending receipt of a CRB check.

*Meeting ended at 10.05 p.m.*