



**Regulatory Committee**

**Monday, 26 November 2007 6.30 p.m.  
Council Chamber, Runcorn Town Hall**



**Chief Executive**

**COMMITTEE MEMBERSHIP**

<b>Councillor Ged Philbin (Chairman)</b>
<b>Councillor Pamela Wallace (Vice-Chairman)</b>
<b>Councillor Bob Bryant</b>
<b>Councillor Carl Cross</b>
<b>Councillor Philip Drakeley</b>
<b>Councillor Harry Howard</b>
<b>Councillor Alan Lowe</b>
<b>Councillor Diane Inch</b>
<b>Councillor Steff Nelson</b>
<b>Councillor Ernest Ratcliffe</b>
<b>Councillor Kevan Wainwright</b>

*Please contact Gill Ferguson on 0151 471 7395 or e-mail [gill.ferguson@halton.gov.uk](mailto:gill.ferguson@halton.gov.uk) for further information.  
The next meeting of the Committee is on Monday, 21 January 2008*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	
<b>2. DECLARATION OF INTEREST</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
<b>3. CREAMFIELDS EVENT 2007</b>	<b>1 - 7</b>
<b>4. REGULATORY COMMITTEE ANNUAL REPORT</b>	<b>8 - 13</b>

**PART II**

**ITEMS CONTAINING "EXEMPT" INFORMATION FALLING  
WITHIN SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT  
1972 AND THE LOCAL GOVERNMENT (ACCESS TO  
INFORMATION) ACT 1985**

In this case the Sub-Committee has a discretion to exclude the press and public but, in view of the nature of the business to be transacted, it is RECOMMENDED that under Section 100(A)(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

<b>5. TAXI MATTERS</b>	<b>14 - 23</b>
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***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation***

***procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**REPORT:** Regulatory Committee  
**DATE:** 26 November 2007  
**REPORTING OFFICER:** Chief Executive  
**SUBJECT:** Creamfields Event 2007  
**WARDS:** Borough-wide

## **1. PURPOSE OF REPORT**

To consider a report from responsible authorities on issue's arising from the carrying out of the Creamfields Event

## **2. RECOMMENDED**

**That the Committee considers the reports from the responsible authorities.**

## **3. SUPPORTING INFORMATION**

- 3.1 The Creamfields Event application was granted subject to conditions by the Regulatory Committee on 1 June 2007.
- 3.2 The first Creamfields event took place in August 2006 and feedback on the event was presented to members of the Committee in November 2006.
- 3.3 The purpose of this report is to present the facts from the viewpoint of the responsible authorities who have now had the opportunity of dealing with two events.
- 3.4 It is also recognised that at the hearing on 1 June 2007 the Committee considered representations from a small number of interested parties as well as responsible authorities. It is not appropriate for this report to seek or represent the views of interested parties.
- 3.5 Reports on the event have been received from
  - Cheshire Police
  - Halton Borough Council Environmental Health – Noise Control
  - Halton Borough Council Environmental Health – Health & Safety
  - Warrington Borough Council

These reports are set out at Appendix 1. The responsible authorities have been invited to attend the Committee to introduce their reports and to answer any questions raised by the committee

**4 POLICY IMPLICATIONS**

None

**5 OTHER IMPLICATIONS**

None

**6 IMPLICATIONS FOR THE COUNCILS PRIORITIES**

**9.1 Children and Young People in Halton**

None

**9.2 Employment Learning and Skills in Halton**

N/A

**9.3 A healthy Halton**

N/A

**9.4 A Safer Halton**

None

**9.5 Halton's Urban Renewal**

N/A

**7 RISK ANALYSIS**

N/A

**8 EQUALITY AND DIVERSITY ISSUES**

N/A

**9 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents	Legal Services	John Tully/ Kay Cleary

## **APPENDIX 1**

### **CREAMFIELDS 2007 EVENT**

#### **POLICE**

Inspector Paul Carroll

Head of the Police Planning Team for 2007.

This report gives a summary of the Cheshire Constabulary planning and delivery of Policing for Creamfields 2007 music festival. The views have been obtained after the event itself followed by de-briefs with the planning team, parish councils and residents groups and with senior Police Commanders of the event. The views are those of Inspector Paul Carroll who presented the premises license conditions to the hearing of the committee on 1 June 2007 in sitting at Runcorn Town Hall.

#### Planning

The planning for this event commenced in earnest on 1 June 2007 and the team consisted of seven Officers with a mixture of new experience for staff and those who planned the 2006 event to give continuity. Staff from the team also attended the multi agency meetings held each month with other Emergency Services, event organisers and staff from Warrington and Halton Borough Councils.

#### Delivery of the Event Itself

The event build up on Saturday 25 August and event itself after gates open was far smoother this year. Factors which affected this were the better joint working and joint planning especially with Loudsound, the traffic plan which had been revised for 2007 to remove ingress at Junction 10 of M56 worked with no reported delays on the motorway and few delays on the local roads. Undetected reported crime was 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 most importantly there were no knifepoint robbery crimes in 2007. The actual categories of crime were Robbery 1, Violence against the person 8, Vehicle crime 2, Theft 38 (mobile phones and handbags/wallets) and others 3.

Policing levels remained at the same levels as 2006 but with some changes to deployment patterns to allow a greater responsiveness to tackling crimes in the near localities so giving greater reassurance to local communities plus tackle drugs possession with more robustness.

Most visitors remained on site until approximately 04:30 am and egress was managed well with buses and taxis on site as well as on site car parks. Taxi issues remained that some taxi drivers refused to go onto site and picked up on the A56 which is an area for improvement for 2008.

#### Commentary upon the licensing conditions for 2007

## Prevention of harm to children

This was covered in the license with the emphasis on Challenge 21 wristbands being issued. The organisers gave to police a method of operating statement which was accepted. The delivery of the challenges was welcomed by the organisers who value the condition and only want to improve upon this for 2008. The organiser states they issued approximately 1500 wristbands at the event itself (approximately 39,000 people attended).

## To Prevent Public Nuisance

This was covered by closure of footpaths closing the site and for 2007 this did not present any challenges for the Police planning team.

## To Prevent Crime and Disorder

The issues within the license included working with the organisers regarding security staff numbers and individual skills of such staff and reviewing the CCTV coverage. The organisers of the Event Loudsound Limited fully engaged with the Police Planning Team giving the Police full access to the staff they further employ to deliver their relevant elements of CCTV and security. This allowed a greater understanding of the CCTV capabilities for 2007 and will subject to review in 2008 again. The organisers agreed with the Police the numbers of security staff undertaking general stewarding and those needing Security Industry Accreditation Badge qualifications. The quality of the security operation was higher for this year.

## Conclusions

The event itself saw fewer attendees this year which may be a factor in terms of the absence of traffic congestion and reduction of crime levels. However the Police and Organisers did place a heavy emphasis before the event to understand how the Policing would take place and how the Organisers would comply with the premises license conditions.

The licensing committee are thanked for granting the license subject to our conditions. Cheshire Constabulary would anticipate the event for 2008 being held again in Daresbury and would support the license but again subject to certain conditions which are currently being formulated.

Ian Seville MIOL  
Police Licensing Officer.

It has been suggested that consideration might be given to granting a permanent Premises Licence for Creamfields.

This would be a major step and should be given careful consideration. My views are:-

1. Not yet!  
No one party in this undertaking can yet claim to have reached the top of the learning curve, we all have lessons yet to learn. I would strongly recommend that we retain the present time limited format of application for at least a further year.
2. After 2008 any permanent application would have to be very carefully controlled as the possibility for changes could have serious repercussions. I would, therefore, seek the following Conditions:
  - A) The Licence must be non-transferable. Whilst we have built up an excellent working relationship with Mr. King and all his team, a Premises Licence is a commodity, and, like any other commodities, it can be sold on. Should this licence ever be sold to a less scrupulous operator, the consequences would be severe. This issue has already caused problems in individual public houses; to have the same problems on the scale of a festival could be disastrous.
  - B) Again, given the scale of this event it would not be advisable to give an 'open-ended' permanent Premises Licence. Some level of intermediary control needs to be retained. To this end I would seek to limit the duration of the licence to a maximum of three years.
  - C) Any such permanent licence would, in effect, allow concerts to be staged at any time during the lifetime of the licence. This, in terms of police logistics, is an impossibility. Compound this with the series of events as outlined in point A above! Any such licence would therefore have to be restricted to the Saturday and Sunday of the weekend of the August Bank Holiday.

A great deal of work has been invested in this event by all involved parties. Let us not waste it in a needless attempt to move on too quickly.

#### **HALTON BOROUGH COUNCIL ENVIRONMENTAL HEALTH – NOISE**

Noise continues to be a significant concern for the Environmental Health Section when considering the impact of the Creamfield's event. The conditions set by Regulatory Committee for this year's event expanded on the experience of last year seeking to ensure that all potential noise sources from the site were subject to control. Prior to, and during, the event officers from the Environmental Health Section worked closely with the licensee's acoustic consultants to implement these conditions.

During the event residents could log complaints in one of three ways; with Halton Borough Council's Contact Centre, with Warrington Borough Council's switchboard, or with Creamfields' own complaint line. On the night of the event a total of 9 complaints were received. The complaints were generally



from the Hatton, Appleton areas of Warrington. Officers undertook monitoring in the Appleton area where noise from the main stage was clearly audible up until 23:00 hours. No complaints were received after 23:00 hours. A further complaint was received by e-mail via the Council website on the Monday morning.

Recordings indicate that the level of noise in these areas was considerably below that specified within the licence. It would appear that weather conditions had a major impact on the level of sound audible from the main stage prior to 23:00 hours in the Hatton and Appleton areas. Monitoring by officers of the Environmental Health Section indicate there were no breaches of the licence conditions pertaining to noise.

### **HALTON BOROUGH COUNCIL - ENVIRONMENTAL HEALTH: HEALTH & SAFETY, FOOD SAFETY & STANDARDS**

The Health & Safety service welcomed early contact and timely responses to 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.

Early notification of all businesses allowed the Service to carry out vital food safety checks on all businesses attending. No problems were encountered with these food businesses prior or during the event.

### **WARRINGTON BOROUGH COUNCIL**

Philip Ramsden. Principal EHO

#### **Overview.**

- 1.0 The Creamfields 2007 concert and dance event was essentially a repeat of the 2006 event.
- 1.1 Lessons learnt from 2006 were implemented in 2007 with improved noise control and traffic management.
- 1.2 The main stage, which operated to 23.00, was facing towards Halton and the majority of the tents had speakers that faced towards Halton.
- 1.3 Measured levels on site, at the control tower and dance floors were the same as 2006. However perceived noise levels in Appleton, Hatton and Dudlow Green appeared louder than 2006. Non of the measured levels exceeded the 65dBA criteria in the CoP on Noise from Concerts.
- 1.4 After 23.00, with the main stage closed, noise levels appeared less than 2006 in the above mentioned areas.
- 1.5 The only explanation for the increase perceived noise levels are atmospheric effects, 2006 was overcast, and 2007 was clear skies.

#### **Monitoring.**

- 2.0 Two Officers were available to respond to complaint from 12.00 noon on Saturday 25<sup>th</sup> August to 03.00 on Sunday 26<sup>th</sup> August.

- 2.1 Fixed continuous monitoring points were in operation at Rowswood on Park Lane, Redmays on the A56 and Wendholm on Firs Lane in Appleton. Results of this monitoring will be available in due course but subjectively there were no issues.

**Complaints Received.**

- 3.0 Five complaints were received from Halton Direct from residents in the Warrington area. Two via the Carecall / Duty Officer and two from Creamfields Complaint Line.
- 3.1 One message was left on the One Stop Shop voicemail, one email received on 28/08/07
- 4.1 16.40 XXXXXXXXXX Teddington Close Appleton, visited 17.20, music audible in back garden. Resident concerned, as she was disturbed in 2006. Revisit made after 23.00, no music audible.
- 4.2 18.30 XXXXXXXXXX Dale Lane, Appleton. Visited 18.38 Resident claimed loud music, since 12.00 noon, [main stage did not start until 15.00] No music audible when arrived but was barely audible when leaving at 19.00. Mr XXXXXXXX stated that our response to his complaint was "Outstanding"
- 4.3 [Via Halton Direct {HD}] 21.30pm. XXXXXXXXXX, Spark Hall Close, no contact details provided.
- 4.4 [HD] 21.30pm XXXXXXXXXX, Northwich Road, High Whitley. In Halton, no action required
- 4.5 [HD] 21.30pm XX Goose Lane and Goose Lane both approach Halton Officer in Hatton Village. Noise levels below CoP limits. No action by WBC.
- 4.6 [HD] 21.30 XXXXXXXX Acton Avenue, spoken to by telephone 21.35, visited 22.00. Music clearly audible outside property, at nuisance levels, Mrs XXXX appeared to want to complain about traffic hold ups in 2006. Visited 00.30 and 2.00 on 26<sup>th</sup> August, no music audible.

**Complaints after the event.**

- 5.1 Complaint via email on 28/08/07 from XXXXXXXXXXXXXXXX, Cann Lane South.
- 5.2 Voicemail message from Mrs XXXXXXX 01925 XXXXXXX, who is on holiday for two weeks but would like a complaint to be made.

**Conclusion.**

- 6.0 Despite the perceived noise levels being higher in Appleton, Hatton and Dudlow Green before 23.00. WBC, or other agencies, were not inundated with complaints. The level of complaint was very low for noise and no complaints were received relating to the traffic issues, litter or anti social behaviour.
- 6.1 Residents on Park lane were disturbed by contractors laying trackway outside of the agreed hours, this can be dealt with by better supervision if the event goes ahead in 2008.
- 6.2 Creamfields management, Showsec and Cheshire Police all appeared more relaxed and confident with the benefit of the 2006 event.
- 6.3 Media reaction to the event was positive.

**REPORT:** Regulatory Committee  
**DATE:** 26 November 2007  
**REPORTING OFFICER:** Chief Executive  
**SUBJECT:** Regulatory Committee Annual Report  
**WARDS:** Borough-wide

**1. PURPOSE OF REPORT**

To consider a report on activities during the last twelve months

**2. RECOMMENDED**

**That the Committee notes the report.**

**3. SUPPORTING INFORMATION**

**3.1** One of the functions of the Regulatory Committee is to receive reports from time to time on relevant matters relating to licensing.

**3.2** A number of bodies have been asked to contribute and reports have been received from: -

- The Councils Environmental Health Services (see Appendix 1)

The Police have advised that a report will be submitted at the meeting

Representatives from the Police and Environmental Health will be in attendance at the meeting and available to deal with any questions the Committee may have.

**3.3** In addition to the reports set out at 3.2 the position regarding licensing matters during the last twelve months and also matters relating to the Gambling Act 2005 are set out at Appendix 2.

**4. POLICY IMPLICATIONS**

None

**5. OTHER IMPLICATIONS**

None

**6. IMPLICATIONS FOR THE COUNCILS PRIORITIES**

- 9.1 **Children and Young People in Halton**  
None
- 9.2 **Employment Learning and Skills in Halton**  
N/A
- 9.3 **A healthy Halton**  
N/A
- 9.4 **A Safer Halton**  
None
- 9.5 **Halton's Urban Renewal**  
N/A

**7 RISK ANALYSIS**

N/A

**8 EQUALITY AND DIVERSITY ISSUES**

N/A

**9 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents	Legal Services	John Tully/ Kay Cleary

**APPENDIX 1**

## LICENSING REPORT 2006/07

## ENVIRONMENTAL HEALTH – NOISE

Last year Environmental Health reported on a significant increase in the number of complaints received regarding noise from licensed premises, and concluded that this could have been as a result of increased awareness of the Council's role in the licensing procedure, the particularly warm weather in the middle of the summer or as a direct result of the provisions within the Licensing Act 2003. As the table below demonstrates the number of complaints received has remained at a comparable level, despite a particularly inclement summer.

Dates	No noise complaints re. Licensed premises	No of premises complaints relate to.
25/11/02-24/11/03	0	0
25/11/03-24/11/04	26	19
25/11/04-24/11/05	49	19
25/11/05-24/11/06	96	36
25/11/06-24/10/07	78	32

Of the 33 premises that have been the subject of complaints, problems at 29 of them have been resolved informally. In general these complaints have been related to one or 2 isolated incidents of noise from music within the premises. Complaints have been received where licensees have located music systems in gardens or are operating outside of their licensed hours; contravening licence conditions. Since July this year complaints regarding 3 premises have been received alleging noise from people who have gone outside to smoke. In most cases however it appears that initial contact with the person responsible for the premises has been enough to resolve the situation.

One complaint is still currently outstanding and Environmental Health is waiting to hear from the complainant, following initial contact.

In the case of the other three complaints not resolved formal action has been taken. In all circumstances action has been taken under the statutory nuisance provisions of the Environmental Protection Act 1990. A notice was served on Punch Taverns regarding Simms Cross in September. Punch Taverns have appealed the notice on the grounds that they are not the appropriate 'person' on whom to serve the notice. Environmental Health are currently awaiting a court date for the matter to be heard.

Subsequently notices have been served on the named designated premises supervisors for the Derby, Widnes Road and the Victoria, Ann Street West, in October. The noise problems at the Derby related mainly to events held under Temporary Event Notices issued under the Licensing Act 2003. Environmental Health is not a consultee and cannot therefore comment on the

applications. The purpose of the notice was to control events after 23:00 hours.

The Victoria has been inviting local bands to play at the premises. The volume of noise from the bands has been excessive in the immediate vicinity several nights a week. The notice served on the premises controls noise from the premises at all times.

Further to last year's review of the Stockham Lodge conditions and subsequent reduction in the hours permitted for certain licensable activities complaints were again received this summer. Environmental Health contacted the management at the premises and carried out monitoring exercises but was unable to verify the complaints. The problem does however appear to be resolved for the time being.

In August this year the Environmental Health section bought 2 new noise monitoring instruments, bringing the number of up to date instruments within the Department to 3. These have been fundamental in taking formal action notices and although complaints from licensed premises remain high relative to previous years where we have identified long-standing problems we have been able to deal with them through the nuisance provisions.

## **Appendix 2**

Regulatory Committee Annual Report 2007

### Matters repealed in the last 12 months

#### **Dealing in Game and Killing Game**

The licensing regime which has existed since the Game Act 1831 was repealed on 1<sup>st</sup> July 2007.

### Matters altered in the last 12 months

#### **Dangerous wild animals**

The definition of what constitutes a dangerous wild animal for the purposes of the Dangerous Wild Animals Act 1976 has been altered.

The following are no longer deemed to be dangerous wild animals:  
Smaller primates woolly lemur, tamarins, night (or owl) monkeys, titis and squirrel monkeys, sloths, the North American porcupine, the capybara, crested porcupines, cacomistles, racoons, coatis, olingoes, the little coatimundi, kinkajou, binturong, cat hybrids which are predominantly domestic cat, hyraxes, guanaco, vicuna, emus, sand snakes, mangrove snakes and the Brazilian wolf spider.

The following have been added to the list of dangerous wild animals:  
The Argentine Black-headed snake, the Peruvian racer, the South American green racer, the Amazon false viper, the Middle Eastern thin-tailed scorpion and the dingo.

### Matters relating to Gambling

The Gambling Act 2005 came into effect on 1<sup>st</sup> September 2007. The former legislation controlling the following matters has been repealed: gaming machines in pubs, small lotteries, amusements with prizes (small bingo).

The Council is now responsible for issuing premises licences for betting shops, bingo halls, adult gaming centres, family entertainment centres.

In addition there is a new permit/registration system dealing with gaming machines (in pubs and clubs and family entertainment centres), prize gaming, and society lotteries.

The table below sets out the current position.

TABLE1

**Numbers of premises licences issued**

Betting Shops 23

Bingo Halls 2

Adult Gaming Centres 4 (soon to be 9 premises)

Family Entertainment Centres 0

**Number of permits issued**

Unlicensed Family entertainment Centre Gaming Machine Permit 0

Prize Gaming Permit 6

Club Gaming Permit 0

Club Gaming Machine Permit 1

Licensed Premises Gaming Machined Permits 0

Alcohol Premises (as of right machine) 8

Society Lotteries. 90

(The issuing/renewing of permits is dependent on when they were initially issued by either the Magistrates Courts or the Local Authority prior to the Gambling Act 2005 the full position on permits will not be known for 3 years)



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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