



Regulatory Committee

Monday, 18 January 2010 6.30 p.m.
Civic Suite, Town Hall, Runcorn

A handwritten signature in blue ink, appearing to read 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Ged Philbin (Chairman)
Councillor Pamela Wallace (Vice-Chairman)
Councillor Bob Bryant
Councillor Philip Drakeley
Councillor Harry Howard
Councillor Diane Inch
Councillor Alan Lowe
Councillor Peter Murray
Councillor Ernest Ratcliffe
Councillor Kevan Wainwright
Councillor Steff Nelson

*Please contact Gill Ferguson on 0151 471 7394 or e-mail gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 22 March 2010*

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

Part I

Item No.	Page No.
1. MINUTES	
2. DECLARATION OF INTEREST	
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.	
3. APPLICATION FOR A PREMISES LICENCE – LANGDALE NEWS 52 LANGDALE ROAD RUNCORN	1 - 4
4. CREAMFIELDS EVENT 2009	5 - 13

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: 18 January 2010

REPORTING OFFICER: Chief Executive

SUBJECT: Application for a premises Licence – Langdale News 52 Langdale Road Runcorn

WARDS: Grange

1. PURPOSE OF REPORT

To hold a hearing to assess relevant representation made in response to an application for a premises licence in respect of Langdale News 52 Langdale Road Runcorn

2. RECOMMENDATION

That the Committee consider the relevant representations and make a determination on the application.

3. SUPPORTING INFORMATION

- 3.1** An application has been made under section 17 Licensing Act 2003 (“the 2003 Act”)
- 3.2** This hearing is held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.3** The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 3.4** The hearing is solely concerned with those aspects of the application, which have been the subject of relevant representations as defined in the 2003 Act.

4 THE APPLICATION

- 4.1** Baljinder Singh Dhillon has applied for a premises licence in respect of Langdale News 52 Langdale Road Runcorn
- 4.2** The application relates to the supply of alcohol off the premises between the hours of **08.00** and **22.00** each day

5 RELEVANT REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

The following responsible authority has made relevant representations

5.1.1 CHESHIRE CONSTABULARY

Cheshire Police have requested two conditions to be attached the premises licence namely

1 CCTV

a) An effective CCTV system should be designed and installed in accordance with the Cheshire Constabulary's CCTV guidance document called 'CCTV in Licensed Premises – An Operational Requirement'. It must also include a colour monitor not less than 24" screen size clearly visible to customers showing them as they enter.

b) The Designated Premises Supervisor will need to demonstrate that their CCTV system complies with their Operational requirements. A commissioning test must be carried out with the licensing and CCTV Liaison Officers before hand over of the system and activation of the premises licence. The commissioning test will need to demonstrate the following

- Recordings are fit for their intended purpose.
- Good quality images are presented to the officer in a format that can be relayed on a standard computer.
- The supervisor has an understanding of the equipment / training
- Management records are kept
- Maintenance agreements and records are maintained
- Data protection principles and signage are in place.
- There are enough staff trained to be able to operate and download images when required by a relevant person

2 The sale of spirits shall be by counter service only.

5.2 INTERESTED PARTIES

The following interested parties have made relevant representations:

Mr & Mrs Silcock 57 Langdale Road Runcorn

Mr E Faulkner 53 Langdale Road Runcorn

Mrs K Bell 43 Langdale Road Runcorn

Mr P Brown 51 Langdale Road Runcorn

Mr & Mrs Foster 55 Langdale Road Runcorn

Mr & Mrs F Brown 77 Oxford Road Runcorn

Mr C M Palmer 49 Langdale Road Runcorn

The representations in the main relate to the matters set out below. Not all of these matters can constitute relevant representations since they do not relate to the licensing objectives.

- Langdale Road is a hot spot for anti-social behaviour residents suffer intimidating behaviour noise and public nuisance from the undesirables an off licence attracts.
- There are more off licences less than a mile away including easy access to supermarkets selling "cheap and cheerful" alcohol.
- The applicant has previously admitted the problems he encountered at his other store "dragging in undesirables" brought in by the selling of alcohol.

- Children buying sweets and drinks will be influenced by the fact that alcohol is being served in the same shop.
- Booze has always been the main cause of noise at nights by the “yobs” who congregate at night across the road outside the shops.
- If the application is granted not only will there be a lot of sweet papers chip cartons and plastic bottles littering the area but there will be more beer cans and bottles placed on garden walls and thrown into hedges and garden plants.
- The traffic situation will not be helped by longer hours of opening, delivery wagons parking on residents pavements completely blocking their view also destroying the pavement tarmac surface this also includes cars parking on double yellow lines straddling the pavements all day long
- There is a noticeable difference in the amount of traffic and people around in the evenings since the previous off licence closed.
- If a licence was granted to the business it would mean an increase in the opening hours of the newsagents and a return to the unsociable behaviour that is associated with the sale of alcohol.

The applicant Mr Dhillon has submitted a 260 signature petition in support of the application

6 OPTIONS

6.1 The Committee has the following options under section 17 of the 2003 Act:

- 6.1.1 It must Grant the application (where properly made) unless it considers that for the promotion of the licensing objectives it considers it necessary to take any of the following steps, namely -
- 6.1.2 Impose relevant conditions on the licence;
- 6.1.3 Reject the whole or part of the application.

7 POLICY IMPLICATIONS

None.

8 OTHER IMPLICATIONS

None.

9 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

10 RISK ANALYSIS

N/A

11 EQUALITY AND DIVERSITY ISSUES

N/A

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

Document

Place of Inspection

Contact Officer

Application Documents

Legal Services

John Tully/Kay Cleary

REPORT: Regulatory Committee
DATE: 18 January 2010
REPORTING OFFICER: Chief Executive
SUBJECT: Creamfields Event 2009
WARDS: Borough-wide

1.0 PURPOSE OF REPORT

To consider a report from responsible authorities on issue's arising from the carrying out of the Creamfields Event 2009

2.0 RECOMMENDED

That the Committee considers the reports from the responsible authorities.

3.0 SUPPORTING INFORMATION

- 3.1 The Creamfields Event application was granted subject to conditions by the Regulatory Committee on 8 June 2009.
- 3.2 The Creamfields events have taken place in August 2006, August 2007 and August 2008 and feedback on the events was presented to members at the meetings of the Regulatory Committee following the events.
- 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 four events.
- 3.4 It is also recognised that at the hearing on 8 June 2009 the Committee considered representations from a 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 and Halton Borough Council Environmental Health – Noise Control and Health & Safety and these reports are set out at Appendix A.
Warrington Borough Council will present their reports at the hearing
The responsible authorities have been invited to attend the Committee to introduce their reports and to answer any questions raised by the Committee

4.0 POLICY IMPLICATIONS

None

5.0 OTHER IMPLICATIONS

None

6 IMPLICATIONS FOR THE COUNCILS PRIORITIES

6.1 Children and Young People in Halton

None

6.2 Employment Learning and Skills in Halton

N/A

6.3 A healthy Halton

N/A

6.4 A Safer Halton

None

6.5 Halton's Urban Renewal

N/A

7.0 RISK ANALYSIS

7.1 N/A

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 N/A

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

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

Creamfields Event 2009

APPENDIX A

CHESHIRE CONSTABULARY

REPORT TO HALTON LICENSING COMMITTEE REGARDING CREAMFIELDS 2009

Inspector 2826 Giles Pierce
(Police Planning Team Leader)

This report summarises the views of Cheshire Constabulary regarding the planning and operation of the Creamfields 2009 music festival. It is based on a comprehensive debrief process involving all staff who were involved in the event and a number of formal debrief meetings.

PLANNING

Having gained experience from the 2008 event, with regards to a weekend camping event, and maintaining continuity within the Police Planning Team the process of planning was less problematic. As a result the operational plan was reviewed in full bearing in mind the outcomes of formal debriefs that had taken place, that included the internal Police debrief, the Multi-Agency debrief and the Community debrief. As in previous years officers with specialist knowledge were appointed to create individual strategies within their areas of expertise. Further to this Inspector Gary McIntyre headed the Community Policing Strategy that involved consultation with representatives of Parish Councils.

The licensing hearing for the 2009 event was less problematic than in 2008 for the Police as the hearing was focussed towards the responsibilities of the organisers and not on Police tactics and how we would Police the event. The organisers throughout the process agreed to all conditions requested by the Police.

As stated previously the Police formed a consultation group with representatives of Local Parish Councils which allowed the communities concerns and suggestions to be proactively addressed. Representatives of these Councils were offered the opportunity to meet with the planning team and were able to have direct contact with myself and Inspector Gary McIntyre.

LICENSING OBJECTIVES

Prevention of Harm to Children

Challenge "21" was enforced by the Designated Premise Supervisor (DPS) and his staff during the event.

The following details are the results of those checks:

In total over the festival weekend 4,728 challenges were made, of these checks 12 persons failed.

	CHALLENGES MADE
2006	150
2007	1500
2008	2324
2009	4728

As can be seen in previous years there continues to be significant rises in the numbers of challenges made by the DPS and his staff.

Further to this the Police did not receive any complaints relating to concerns for young persons at the event site.

Prevention of Public Nuisance

The Police provided extra resilience than in previous years in Policing the Communities and in particular on the roads bordering the event site. Designated teams of Police Officers and Police Community Support Officers patrolled the roads attempting to minimise disruption to the local community. Particular attention was focussed on attendees entering the event site as quickly as possible and the removal of alcohol from persons drinking on the public highway (pedestrians).

Officers were supported in their role by the area being deemed an “alcohol free zone” and the introduction of Section 27 of the Violent Crime Reduction Act 2006. This allowed officers to remove persons from a specified area if they were acting in an anti-social manner and alcohol was involved.

The Community Policing Strategy for the event also introduced a hot line for residents which had patrols available to respond.

Although there was a significant improvement in the Policing for the Communities there is still feedback that extra attention needs to be focussed on the Road Traffic Management Plan, specifically relating to the stewarding of traffic points and signage.

Prevention of Crime and Disorder

The 2009 event continued to record crimes significantly lower than similar music festivals across the Country.

The Crime Strategy includes working in partnership with other agencies, the organisers, Security and other Forces who host similar events to collate intelligence and respond to emerging crime trends.

Crime Type	2009	2008	2007	2006
Drug Offences	28	128	111	6
Violent Crime	5	9	8	18
Theft	58	32	38	42
Vehicle Crime	4	10	2	8
Robbery	1	2	1	13
Other	4	1	4	2
Total	100	128	164	89

As can be seen from the above table crime rates continue to drop at the event site. A significant reduction in drug offences can be attributed to the robust message sent out in previous years and for those attending the event. The rise in theft equates largely to the increase in theft from tents on the event site. The 2009 event had a significantly higher proportion of campers in comparison to the 2008 event.

Public Safety

The promoters, Security and Police worked together to ensure the appropriate levels of security, stewards and Police were in attendance throughout the event to maintain the safety of the public attending, living in the local communities and working at the event. Close attention was given to key times during the event and the management/deployment of staff. Detailed strategies are in place as to how best deal with emerging threats which allows a fast and effective response.

During the event there was concern raised at the Cream tent on the Saturday night regarding "crushing". Security and Police attended and managed the situation which involved evoking a "show Stop". As a result of this incident no formal complaints have been made or injuries reported to the Police. Loudsound have attended a full debrief for this incident and procedures discussed to improve the response should a similar incident occur again.

Conclusion

The Police are satisfied that the Creamfields 2009 event was a success and the Operational Policing Plan was effective in meeting it's aims and objectives. The working relationships with the organisers, the Multi-Agency Planning Team and the Community continue to build on creating a safe event for the public to attend.

Halton Borough Council Environmental Health – Noise Control Environmental Health – Health & Safety

In the build up to the event, the event itself and the subsequent de-build the division had regulatory responsibility for building control, and health & safety and food safety the division also monitored a number of conditions attached to the Licence in regard to public safety and public nuisance specifically in the areas of noise pollution, health & safety and food safety.

As in previous year staff from the environment directorate took an active part in the detailed planning process leading up to the event and were available on and off site throughout the event to monitor conditions and liaise with the applicant's event management team.

Officers carried out checks on building & structures on site, health & safety and food safety and in relation to these area conditions set in the license were complied with. There were no significant building control or food safety issues that were the cause of concern.

With regard to health & safety and the division's regulatory role in general there were no significant health and safety concerns. However on the day before the event (Friday) officers did request event organisers to provide protection to bolts and clamps supporting flag poles to prevent injury to the audience should they accidentally fall on to them. Also on the first day of the event (Saturday) officers initially had difficulty ascertaining that a mobile tattoo and body piercing business was duly licensed under the Local Government (Miscellaneous) Provisions Act 1982 to undertake cosmetic piercing and tattooing. This was eventually resolved by making out of hours contact with the home authority for the business. In future years should application be made the division would recommend that this years licence condition be amended to ensure adequate information is supplied in advance. In addition to the premises or vehicle, each individual person undertaking piercing or tattooing must be duly licensed with either Halton Borough Council or another UK local authority. Where necessary photographic ID will be required to verify identity.

Again as in previous years the division undertook noise monitoring off site independently of the applicants noise consultant with staff on site to respond to incidents working closely with the applicants consultants to address potential issues as they arose.

Vanguardia were the appointed noise control consultants. This year the noise management plan provided for a Vanguardia consultant stationed outside the site to monitor noise levels, be in direct radio consultants on site and liaise with both councils. As far as Halton was concerned this was a successful innovation.

Where it appeared that there could be a potential breach if not acted upon and Vanguardia were advised they were quick to act and noise conditions set in the license were complied with. Overall the noise management plan and its implementation were successful in managing potential noise issues at source.

Throughout the event monitoring was undertaken in Moore and Daresbury at the points where it was felt noise levels would be greatest , On Saturday staff used sound level meters (SLM) to ensure compliance, however this was more difficult on Sunday due to the rain (monitoring in moderate to heavy rain can distort readings).

All incoming calls to the Council were directed through the Council's 24-hour contact centre the contact centre was available for calls/complaints throughout the event. These were than relayed to staff monitoring the site.

On Saturday 2 complaints were received from Halton residents:

Hobb Lane (22:20)

Moss Lane (21:40)

On Sunday 3 complaints were received

Hobb Lane (15:00)

Moss Lane (20:40)

Moss Lane (21:50)

No complaints were received from HBC residents after 23:00 on either night.

Complainants were contacted.

At approx 21:20 on the Saturday during subjective assessments on Hobb Lane HBC staff had noted 'music clearly audible - bass and vocals also audience noise'.

This was relayed to both HBC and Vanguardia staff on site. At this point the sound engineer was advised by Vanguardia staff to lower the levels which he did. Subjective assessments on Hobb Lane after this time indicated the problem had been addressed as levels were perceptively lower than had been the case at 21:20. Following the event it has transpired that there was no breach of the 15 minute Leq.

It is a condition that the fairground which can cause issues off site closes at 11:00 pm on both nights. Sound systems on the fairground were closed down on time on the Saturday but were found to be operating after 23:00 hours on the Sunday night. However Vanguardia staff were prompt to approach individual operators and ensure the systems were turned off. Consequently the systems were switched off by 23:10 on Sunday.

The main stage was closed by 23:00 hours on both nights. On the Saturday there was some activity after 23:00 hours with technicians setting up instruments for the Sunday. Whilst this should not have happened it was closely monitored by the on site team, the sound was minimally amplified through on stage speakers and levels were low being barely audible in the arena and could not be heard off site. The applicant has been made aware of this.

Noise will continue to be an area of concern and should any further applications be received the division will be seeking the earliest dialog with the applicant's noise consultant on the noise assessment of the proposed site layout and the subsequent noise management plan.

Warrington Borough Council

To be reported at the hearing

Report to the Regulatory Committee at Halton Borough Council

Date of Report :18th January 2010

Report of, Philip S Ramsden. Chartered Environmental Health Practitioner
Principal Environmental Health Officer Warrington Borough Council.

Subject : Creamfields 2009.

The annual Creamfields concert took place over the August Bank Holiday Weekend in August 2009. The event ran from mid afternoon on Saturday 29th August, finishing mid day on Monday 31st August 2009. The event passed without any major incidents with regard to the noise levels at nearby residential properties. The Licence conditions, on the licence issued by Halton BC, were not breached.

Warrington Residents Reaction.

Fifty eight households contacted Warrington Borough Council, either directly, or via the Creamfields Hotline, Halton Direct or Cheshire Police. This is a larger number than in previous years but the contact details were published more widely and earlier than in other years.

The weather over the weekend was dry with winds of variable speed and direction; Saturday was more blustery which caused problems with using the sound level meters off site. Officers were available from 10.00am on Saturday until 04.00 on Sunday with an on site presence, measuring noise levels from the main stage and tented arenas, from 2.00pm until 01.30 on Sunday morning. On Sunday, officers were available on and off site from 12.30 pm to 12.00am on Monday.

On site monitoring is to establish if the licensing conditions, imposed by Halton Borough Council, are being met and this is carried out using a 15 minute monitoring period at a set distance from the stage or the dance floor. During the 15 minute period noise levels will fluctuate and the measurement period derives an equivalent value which is "A " weighted to mimic the way the human ear responds to noise. Using an "A" weighting ensures that the low frequency elements of the noise is represented in measurement.

Off site measurement is carried out under the same parameters of a 15 minute period using "A" weighting and is carried out near to any noise sensitive properties. Both of these measurements are in accordance with the Code of Practice on Environmental Noise at Pop Concerts, issued by the Noise Council.

The bass beat of the music was audible as far away from the site as three miles and we had reports from the areas of Latchford, Stockton Heath, Higher and Lower Walton, Appleton and in particular the areas close to the site on Chester Road and Park Lane.

Creamfields consultants, Vanguardia, had a consultant out for the majority of time when the festival was generating music and we have shared our results with the consultants and vice versa. Some of the measurements were taken at the same time as the consultants and showed comparable results.

During Saturday afternoon and evening measurements taken at Park lane and Chester Road were in the range of 53.4dB_{L_{Aeq}} to 58.0dB_{L_{Aeq}} the limit in the Code of Practice is 65dB_{L_{Aeq}}. [An increase on measured levels from 50dBA to 60 dBA is perceived as a doubling of the loudness] Road Traffic noise contributed to the measurement, but I am satisfied that it was the music from Creamfields which dominated the measured noise. No noise measurements by Warrington Officers, Halton Officers or Vanguardia exceeded the limits in the Code of Practice.

Subjective assessments, by WBC Officers were made in many areas of Stockton Heath, Walton and other areas surrounding the site. In Firs Lane and High Warren Close the noise of the wind in the trees was the dominant noise although Creamfields noise was clearly audible. On London Road Appleton, Stockton Heath Village, Lower Walton and Pewterspear the noise was audible, in particular the bass beat. In Latchford on Knutsford Road the noise was barely audible.

Most residents who we spoke to over the weekend were not happy about being affected by the noise from Creamfields and would have preferred it to be located elsewhere. Generally they accepted that Creamfields were operating within the Code of Practice.

The main stage finished on both nights at 11.00pm. On Saturday night the tented arenas continued until 04.00. We did receive two complaints after 11.00pm [none had been received in previous years] measurement was made at Firs lane at 43dB_{L_{Aeq}}, the base beat was barely audible; and at Chester Road the music noise was not measurable above the road traffic noise and was described as barely audible.

Measurement taken both on site and off site did not indicate that any of the licence conditions were breached. Subjective assessment off site indicates that the noise levels were comparable with previous years in the outlying areas.