

# Public Document Pack



## Regulatory Committee

Wednesday, 18 January 2017 6.30 p.m.  
Council Chamber, Runcorn Town Hall



**Chief Executive**

### **COMMITTEE MEMBERSHIP**

Councillor Kath Loftus (Chair)
Councillor Pamela Wallace (Vice-Chair)
Councillor Mike Fry
Councillor Pauline Hignett
Councillor Tony McDermott
Councillor Angela McInerney
Councillor Stef Nelson
Councillor Stan Parker
Councillor Gareth Stockton
Councillor Kevan Wainwright
Councillor Andrea Wall

*Please contact Gill Ferguson on 0151 511 8059 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 Wednesday, 15 March 2017*

**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 Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
<b>3. LEGAL SERVICES LICENSING FUNCTIONS</b>	<b>1 - 12</b>
<b>4. CREAMFIELDS EVENT 2016</b>	<b>13 - 23</b>
<b>5. RE-ADOPTION OF LEGISLATION AND CHANGES TO TAXI LICENSING CONDITIONS</b>	<b>24 - 28</b>

***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 2017

**REPORTING OFFICER:** Strategic Director Enterprise, Community & Resources

**PORTFOLIO:** Resources

**SUBJECT:** Legal Services Licensing Functions

**WARDS:** Borough-wide

**1. PURPOSE OF REPORT**

The purpose of this report is to update members on the changes made to the Legal Services Licensing Functions.

**2. RECOMMENDED: That**

- 1. the amended information contained in the Legal Services Licensing Functions be noted: and**
- 2. although the Committee will continue to receive training on relevant areas the Committee is invited to identify any areas of interest to be included in future training.**

**3. SUPPORTING INFORMATION**

- 3.1** At the Committee meeting on 18 September 2006 members were advised of a document relating to the various licences dealt with by Legal Services and resolved that the information as outlined be published on the Councils web site.
- 3.2** This document was updated and presented to members at previous meetings and has been further updated again to reflect changes up to the beginning of December 2016.
- 3.3** The amended version of the Legal Services Licensing Functions is attached to this item and will be presented to members at the meeting and then put onto the Councils web site.

**4. POLICY IMPLICATIONS**

There are no policy implications

**5. OTHER IMPLICATIONS**

There are no other implications from this report

**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 RISK ANALYSIS**

N/A

**8 EQUALITY AND DIVERSITY ISSUES**

N/A

**11 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>
Various Information	Legal Services	John Tully/ Kay Cleary

## **Legal Services Licensing Functions Introduction Nature of Licensing**

Licensing covers a whole spectrum of controls which have been imposed by Parliament over many years.

The Licensing function within Legal Services is dealt with by the Environment and Licensing Group. The Licensing Section comprises 4 full time and 1 part time members of staff who are directly involved with processing licence applications (including the Licensing Manager). The Environment and Licensing Group Solicitor is also involved with a substantial number of legal issues and Committee matters arising out of the Council's licensing functions. Another Solicitor within the Group deals with additional matters such as appeals against decisions made by the Council. A number of Council directorates are also involved as illustrated in Table 2 below.

The underlying purpose of Local Authority licensing is protection of people, animals or the environment.

Some comprise elaborate registration systems (e.g. Street Collection Permits and Societies Lotteries) where the issue of the permit is not the end of the process.

In this document the word "licence" is used to include licence, permit, registration and notice.

Some licensing relates to animal welfare (e.g. riding establishment permits) where establishing proper welfare conditions is a pre-condition of grant.

Other types of licensing involve consideration of a range of policy considerations and often complex interactions between applicants and the public (e.g. Taxi Licensing, Alcohol/Entertainment Licensing and Gambling Licensing).

It follows from the above that the process of licensing can vary from a straight application and grant (two transactions) to a range of interactions over a period of months leading to a grant (or conditional grant) or refusal of an application – the latter two giving rights of appeal.

For all but the simplest type of licence the application process involves contact with a range of internal departments (mainly planning, highways and environmental officers) and external agencies (mainly police and fire authorities) together with other disciplines (e.g. Vets).

Charges for licences are equally variable. Some charges are set by the Council, some by central government, and some can't be charged for.

The following Tables provide a snapshot of a number of issues associated with Licensing.

**Table 1**  
**Types of licences involved**

<b>Licence type administered by Legal Services</b>	<b>What these licences deal with</b>
Adult Gaming Centres	Require a premises licence under section 150 Gambling Act 2005 for the use of gaming machines which have higher stakes and prizes than allowed in family entertainment centres.
Alcohol, Regulated Entertainment and Late Night Refreshment	The supply of alcohol, regulated entertainment and late night refreshment (as defined in the Licensing Act 2003) require a premises licence. See also Temporary Event Notices (Licensing Act 2003).
Alcohol Premises (as of right ) gaming machines	See Licensed Premises Gaming Machine Permits
Animal Boarding Establishments	Boarding establishments for dogs and cats require a licence under the Animal Boarding Establishments Act 1963.
Betting Shops	Require a premises licence under section 150 Gambling Act 2005
Bingo Halls	Require a premises licence under section 150 Gambling Act 2005
Bingo (other than Bingo Halls)	See prize gaming
Club Gaming Permits	These authorise the use of certain gaming machines as well as the provision of facilities for gaming and games of chance as defined in section 271 Gambling Act 2005
Club Gaming Machine Permits	These authorise the use of certain gaming machines as defined in section 273 Gambling Act 2005
Dangerous Wild Animals	The keeping dangerous wild animals requires a licence under the Dangerous Wild Animals Act 1976
Dog Breeding	The keeping breeding establishments for dogs requires a licence under Breeding of Dogs Acts 1973 as amended
Family Entertainment Centre (Licensed)	Require a premises licence under section 150 Gambling Act 2005 for the use of gaming machines which have a lower stakes and prizes than allowed in adult gaming centres
Family Entertainment Centre (unlicensed) Gaming Machine Permits	Used where Family Entertainment Centres do not hold Premises Licences and authorises the use of Category D gaming machines under section 247 Gambling Act 2005
Gaming Machines	See under the relevant types of premises
Hawkers	In designated places a consent is required under section 30 Cheshire County Council

	Act 1980 for the following activities – touting for hotels and restaurants etc; hawking, selling or offering things for sale; trade photography; hiring vehicles, chairs seats or animal rides.
Hypnotism	Exhibitions of hypnotism require the consent of the Council under the Hypnotism Act 1952
House to House Collections	Permits are required under the House to House Collections Act 1939 for collections house to house for charitable purposes. “Collection” means an appeal to the public whether for consideration or not to give money or other property. “Charitable” includes charitable, benevolent or philanthropic purposes.
Late Night Refreshment	A Premise Licence is required for the provision of Late Night Refreshment as defined in Schedule 2 Licensing Act 2003. See Alcohol above. See also Temporary Event Notices (Licensing Act 2003
Licensed Premises Gaming Machine Permits	These may permit the use of Category C or D Gaming Machines on (alcohol) licensed premises in accordance with section 283 Gambling Act 2005. Note also section 282 which provides for the automatic entitlement to one or two Category C or D Gaming Machines subject to conditions.
Lotteries (Small Society)	Small societies may promote lotteries subject to a range of conditions subject to registration with a local authority under Schedule 11 Gambling Act 2005
Motor Salvage Operators	See Scrap Metal Dealers Act 2013
Occasional Use Notices	See Temporary Use Notices (Gambling Act 2005)
Pet Shops	A licence is required for keeping a pet shop under the Pet Shops Act 1951
Performing Animals (from September 2006)	Exhibiting or training performing animals requires a licence under the Performing Animals (Regulation) Act 1925
Prize Gaming Permits	Prize gaming is defined in section 288 Gambling Act 2005 and permits for prize gaming are obtained under section 289 and Schedule 14 of that Act. Prize gaming is gaming where neither the nature nor the size of the prize is determined by reference to the number of persons playing or the amount paid for or raised by the gaming. Bingo is a good example of prize gaming and prize gaming permits may be used for bingo where no Bingo Premises Licence is in place.
Regulated Entertainment	A Premise Licence is required for the

	provision of regulated entertainment as defined in Schedule 1 Licensing Act 2003. See Alcohol above. See also Temporary Event Notices (Licensing Act 2003).
Riding Establishments	A Licence is required under the Riding Establishments Acts 1964 and 1970 for the keeping horses for being let out on hire for riding or instruction in riding
Scrap Metal Dealers	No person may carry on a business as a scrap metal dealer (site or collector) unless authorised by a licence under the Scrap Metal Dealers Act 2013
Sex Establishments	These require a licence under the Local Government (Miscellaneous Provisions) Act 1982. The term "sex establishment" includes sex cinemas, sex shops and sex entertainment venues.
Street Collections	Collecting money or selling articles for charitable or other purposes in any street or public place requires a permit under the Police, Factories, etc., (Miscellaneous Provisions) Act 1916
Street Trading	A street trading consent is required under the Local Government (Miscellaneous Provisions) Act 1982 for selling or exposing or offering for sale of any article (including a living thing) in a street. Note that there are nine categories of activity (e.g. news vending) which are excluded from the definition. But also note that some of these exceptions may still be caught by the Hawking category listed above.
Taxi and Private Hire	Licensing hackney carriage (taxi) vehicles and drivers and private hire vehicles, drivers and operators is controlled by the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847
Temporary Event Notices (Licensing Act 2003)	Usually referred to as TENS. These allow activities otherwise requiring a premises licence under the Licensing Act 2003 to be carried on without a premises licence on a limited number of occasions subject to a range of conditions. See Part 5 Licensing Act 2003.
Temporary Use Notices (Gambling Act 2005)	Usually referred to as TUNS. These allow activities otherwise requiring a premises licence or a permit under the Gambling Act 2005 to be carried on without a premises licence on a limited number of occasions subject to a range of conditions. See Part 9 Gambling Act 2005. Note also Occasional Use Notices



	(OUNS) under section 39 Gambling Act 2005 which relate betting on a horse-race track, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place.
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**Table 2**  
**Persons involved other than Legal Services**

<b>Licence type administered by Legal Services</b>	<b>Persons involved other than Legal Services</b>
Adult Gaming Centre	Police; Fire; Gambling Commission; H M Revenue & Customs; Health & Safety Authority; Environmental Health Authority; Planning Authority; Child Welfare Authority
Alcohol, Regulated Entertainment & Late Night Refreshment	Police; Fire; Planning Authority; Health & Safety Authority; Environmental Health Authority; Child Welfare Authority; various maritime and waterways authorities
Alcohol Premises (as of right) machines	None
Animal Boarding Establishments	EHOs; Vets
Betting Shops	See Adult Gaming Centre
Bingo Halls	See Adult Gaming Centre
Bingo (other than Bingo Halls)	None
Club Gaming Permit	Gambling Commission; Police
Club Gaming Machine Permits	Gambling Commission; Police
Dangerous Wild Animals	EHOs; Vets
Dog Breeding	EHOs Vets
Family Entertainment Centre Premises Licence	See Adult Gaming Centre
Family Entertainment Centre (unlicensed) Gaming Machine Permits	None
Gaming Machines	See relevant licence or permit
Hawkers	Property Services
House to House Collections	Charities Commission; Police
Hypnotism	N/A
Late Night Refreshment	See Alcohol above
Licensed Premises Gaming Machine Permit	None
Lotteries (Small Society)	None
Motor Salvage Operators	Police
Pet Shops	EHOs
Performing Animals	EHO's
Prize Gaming Permits	None
Regulated Entertainment	See Alcohol above
Riding Establishments	EHOs; Vet
Scrap Metal Dealers	Police
Sex Shops	Police
Street Collections	Charity Commission; Police
Street Trading	Highways; EHOs

Taxi & Private Hire Drivers/Operators	CRB; DVLA; Occupational Health; Police; other licensing authorities; HDL
Taxi & Private Hire Vehicles	HBC Fleet Management Section; Insurers; Police; other Licensing authorities; HDL

**NOTE TO TABLE 2**

Some licence/permit applications are purely administrative in nature and do not involve other Council departments or external agencies. However, Table 2 is designed to give a flavour as to the extent of involvement outside of the Council's Legal Services in the determination of applications

**Table 3****Other Legislation to be implemented in 2016/2017**

Animal Welfare Act (relevant to most animal related licensing)
Charities Act (Street and House to House Collections regime)
Immigration Act (Taxi Licensing and Premises Licences)

**NOTE TO TABLE 3**

In the first three cases listed in Table 3 the legislation has been made but relevant regulations to bring the legislation into effect have not been made.

**Table 4****Miscellaneous**

	Can the Application be made in Person (1)	Can the Application be made by Post (2)	Is there an automatic entitlement to Grant (3)	Are Policy Matters Involved (4)
Adult Gaming Centres	N	Y	N	Y
Alcohol	N	Y	N	Y
Alcohol Premises (as of right) gaming machines	N	Y	Y	Y
Animal Boarding Establishments	N	Y	N	Y
Betting Shops	N	Y	N	Y
Bingo Halls	N	Y	N	Y
Bingo (other than Bingo Halls)	N	Y	Y	Y
Club Gaming Permits	N	Y	N	Y
Club Gaming Machine Permits	N	Y	N	Y
Dangerous Wild Animals	N	Y	N	Y
Dog Breeding	N	Y	N	Y
Family	N	Y	N	Y

Entertainment Centre Premises Licence				
Family Entertainment Centre (unlicensed) Gaming Machine Permit	N	Y	Y	Y
Hawkers	Y	Y	N	Y
House to House Collections	N	Y	N	Y
Hypnotism	Y	Y	N	Y
Late Night Refreshment	N	Y	N	Y
Licensed Premises Gaming Machine Permits	N	Y	Y	Y
Lotteries (Small Societies)	N	Y	Y	Y
Motor Salvage Operators	N	Y	N	Y
Pet Shops	N	Y	N	Y
Performing Animals	N	Y	N	Y
Prize Gaming Permits	N	Y	Y	Y
Regulated Entertainment	N	Y	N	Y
Riding Establishments	N	Y	N	Y
Scrap Metal Dealers	Y	Y	N	N
Sex Shops	Y	Y	N	Y
Street Collections	N	Y	N	Y
Street Trading	Y	Y	N	Y
Taxi & Private Hire Drivers/Operators	Y	N	N	Y
Taxi & Private Hire Vehicles	Y	N	N	Y

**NOTES TO TABLE 4**

- (1) Where applications can be made in person there is a Licensing Section public counter on the 4<sup>th</sup> floor Municipal Building Kingsway W idnes which is open Monday to Friday 10.00 to 12.00 and 13.00 to 16.00
- (2) Where applications can be made by post they must be sent to the Council's Legal Services Licensing Section at the address shown on the relevant application form (but note that a number of applications must also be sent to statutory consultees and may also require advertisement)

- (3) Where there is not an automatic entitlement to the grant of an application objections may be made to the application
- (4) Where policy matters are involved (e.g. the Council's Statement of Licensing Policy), applicants are advised to familiarise themselves as to the relevant policy – details can be found on the Council's website
- (5) Certain Licences/ Permits/ Registration may be applied for using GOV UK website.

**Table 5**  
**Charges**

Licence type administered by Legal Services	Charges set by Central Government	No charges allowed	Charges set by the Council
Adult Gaming Centres	Y***		
Alcohol	Y		
Alcohol Premises (as of right) gaming machines	Y		
Animal Boarding Establishments			Y
Betting Shops	Y***		
Bingo Halls	Y***		
Bingo (other than Bingo Halls)	Y		
Club Premises Permits	Y		
Club Premises Gaming Machine Permits	Y		
Dangerous Wild Animals			Y
Dog Breeding			Y
Family Entertainment Centre Premises Licence	Y***		
Family Entertainment Centre (unlicensed) Gaming Machine Permit	Y		
Hawkers			Y
House to House Collections		Y	
Hypnotism		Y	
Late Night Refreshment	Y		
Licensed Premises Gaming Machine Permits	Y		
Lotteries (Small Societies)	Y		
Motor Salvage Operators			Y
Pet Shops			Y
Performing Animals			Y
Prize Gaming Permits	Y		
Regulated Entertainment	Y		
Riding Establishments			Y
Scrap Metal Dealers			Y
Sex Establishments			Y
Street Collections		Y	
Street Trading			Y
Taxi & Private Hire Drivers/Operators			Y

Taxi & Private Hire Vehicles			Y
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**NOTE TO TABLE 5**

The coding Y\*\*\* means that central government sets the maximum charge that may be imposed by the Council. In these cases the Council sets the actual charges up to the maximum figure allowed.

**Table 6****Approximate numbers of licences 2016**

(NOTE: Numbers change regularly: this table is a snapshot of the position as at 30 November 2016)

Licence type administered by Legal Services	Numbers
Adult Gaming Centres	6
Alcohol, Regulated Entertainment & Late Night Refreshment:	
Premises Licences	377
Club Premises Certificates	21
Personal Licences	1260
Temporary Event Notices /Apr-Nov 15	73
Alcohol Premises (as of right) gaming machines	80
Animal Boarding Establishments	9
Betting Shops	24
Bingo Halls	2
Bingo (other than Bingo Halls)	0
Club Gaming Permits	4
Club Gaming Machine Permits	17
Dangerous Wild Animals	0
Dog Breeding	2
Family Entertainment Centre Premises Licence	0
Family Entertainment Centre (unlicensed) Gaming Machine Permit	1
Hawkers	1
Hypnotism	1
House to House Collections	33
Licensed Premises Gaming Machine Permits	20
Lotteries (Small Societies)	75
Pet Shops	11
Performing Animals	1
Prize Gaming Permits	7
Riding Establishments	1
Scrap Metal Dealers	40
Sex Shops (Sex Entertainment Venue)	0
Street Collections	48
Street Trading (No of Vehicles Licensed)	37
Taxi and Private Hire Drivers (SSD)	429
Private Hire Operators	13

Private Hire Vehicles	98
Taxi (Hackney Carriage) Vehicles	267
Transfer of Premises Licence (Apr/Nov 16)	16
Vary Designated Premises Supervisor (Apr to Nov 16)	57

<b>REPORT:</b>	Regulatory Committee
<b>DATE:</b>	18 January 2017
<b>REPORTING OFFICER:</b>	Strategic Director Enterprise, Community and Resources
<b>PORTFOLIO:</b>	Resources
<b>SUBJECT:</b>	Creamfields Event 2016
<b>WARDS:</b>	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 2016

### **2. RECOMMENDED: That the Committee considers the reports from responsible authorities.**

### **3. SUPPORTING INFORMATION**

- 3.1 The Creamfields Event application was granted on 27 January 2016 for an indefinite period for the 5 days over the August Bank Holiday each year (Thursday to Monday) and subject to conditions.
- 3.2 The Creamfields events have taken place in Daresbury each year in August since 2006 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 several events.
- 3.4 A report on the event has been received from Cheshire Police and the report is set out at Appendix A.
- 3.5 The Police have been invited to attend the Committee to introduce their report and to answer any questions raised by the Committee however the Officer who produced the report Inspector Stewart Sheer has now left Cheshire Constabulary. Halton Borough Council's Environmental Health has also been invited to attend the meeting and present a report to the Committee.

**4 POLICY IMPLICATIONS**

See note below

**5 OTHER IMPLICATIONS**

See note below

**6 IMPLICATIONS FOR THE COUNCILS PRIORITIES**

**9.1 Children and Young People in Halton**

**9.2 Employment Learning and Skills in Halton**

**9.3 A Healthy Halton**

**9.4 A Safer Halton**

**9.5 Halton's Urban Renewal**

See note below

**7 RISK ANALYSIS**

See note below

**8 EQUALITY AND DIVERSITY ISSUES**

See note below

NOTE; - The Councils Policies and Priorities are of course very important considerations in decision making and must always be taken into account as far as possible. However, in the case of Regulatory Committee matters, they can only be considered so far as is consistent with one or more of the Licensing Objectives under the Licensing Act 2003

**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>
Report Documents	Legal Services	John Tully/ Kay Cleary





## Report to Halton Licensing Committee Creamfields 2016

### Planning

Police planning for the 2016 event was undertaken within the Force Planning and Resilience Unit based at Cheshire Police Headquarters again with Inspector Stewart Sheer conducting the lead planning role for the fourth year, with support from the resource planning team and specialist leads.

The relationship with key stakeholders Festival Republic, Cream and Security, continues to be positive and one of co-operation and active problem solving looking to achieve a safe festival for all concerned.

The core policing operation for the 2016 event was again based mostly on site with the continued development of the police operation alongside the promoters.

The security operation this year was structured slightly differently and headed up by a company called Integras as the overall security coordinators responsible for the management and deployment of all the various security companies involved including Showsec.

Improvements were agreed early in the planning process to the Staff search process to prevent drugs being brought into the event through this route. The main changes being that of the facilities provided for the search. A much larger tent process area, and appropriate tracking, in order that the search would be efficient regardless of the weather and volume. Showsec would again lead the search operation here supported by the Cheshire police.

Key changes to the event for 2016 were to be the redesign of the VIP ticket holders entrance at the south of the event and the intention to trial a security lead search operation with a view to reducing police officer numbers in the future without compromising safety. Of course the main change to the event this year was the introduction of the additional day and the ramping up of the Friday into a fuller event day.

Improved use of social media continued in the form of the now well followed “**Creamfieldscops**” officer and was also a key intention for the 2016 event.

The rationale as with the previous years for the event continues to be that the Police do not enter the arena unless it is absolutely necessary and was again unchanged for 2016.

The event for 2016 would again see good weather conditions though there were some testing wetter periods in the early days of the planning and event.

APL was again responsible for the construction and site management issues through the event and was again well prepared for foreseeable eventualities.

As with all years the road infrastructure again caused some real concerns leading up to the event with the re lining of the M56 roundabout at Daresbury being required, only days from the gates opening again. There were again concerns around the impact of the Mersey Gateway construction project, along with others and this was to be monitored closely through the event.

### Public Safety

The addition of the extra day saw a tangible change to the feeling of the individual days with much of the past years traffic issues resolved. With the exception of some short lived peak periods, especially on egress, the traffic attending the event felt much lighter and better spread across all the days.

This clearly improved the ability for both the police and the traffic management staff to deal with any issues quickly and reduce risk.

The cycle path continues to benefit foot traffic and the continued improvements in the traffic management plan retaining the bridge over the A56 issues with pedestrian foot fall continued to feel much improved. Festival Republic returned to Blue Arrow to oversee the traffic management plan placing SEP back under their control.

Police officers were again deployed at the request of Festival Republic on the campsites which, at full capacity, contain 55,000 campers. The use of buggies to ensure prompt response to incidents on what is a vast site were again utilized, also doubling as serious incident vehicles with crime scene preservation kit. This year the regular officers were again supported by the Special Constabulary and this was very much a positive with over 140 specials working during the days of the event.

Police worked closely with the event organisers focusing on creating a safer environment within the campsites and festival footprint. Campsite hubs were in place again following on from previous years' successes and they were enlarged this year to enhance their use. The Campsite village again featured with a slightly amended location again containing the main police station for the event. Use of

the police station facilities has vastly improved since the introduction of the village with most crimes now being reported on site rather than off site in previous years. The second police station was again sighted alongside the medical and Chill Welfare facilities near to the north entrance. Also sited at this location was the site ejection process moved up from the North search based on feedback from the previous year.

Communication with festival goers in the case of emergency messages again had the provision of screens and the better utilisation of the social media networks. The social media police post to manage the Creamfieldscoops Twitter & Facebook site live-time was again in place and was enhanced and supported by the promoters with the inclusion of the site within the lanyard booklet provided to all attendees. This officer was the single point for police social messaging on site.

There was some evidence of fence jumpers due to the ejection process but numbers were manageable and dealt with appropriately. This issue no longer presents the problems of previous years due to the continued fence management.

Watch towers were again built at strategic points along the event, and proved a useful and highly visible means of stewarding/Policing the event. They were useful during a spate of tent fires nothing significant and fairly common to festival camping.

Festival republic owned the management of the sites ejection process supported by police at the new location next to welfare. This worked well this year and continued to follow the thoughtful and measured approach, taking into account any elements of vulnerability prior to ejection. Worthy of note that the ejections are from within the venue and do not include those turned away at the gates.

The ejections process maintained the ability for the organisers to allow the opportunity for festival goers deemed unsuitable for arena entry, to use the exterior welfare facilities but be excluded from the rest of the event until they were deemed to be fit to re-enter. This approach is very much supported by the police as if completely ejected from the site they would present a heightened risk and would become a police issue.

There was still a need for police resources again this year at the taxi ranks at the key egress times and, was much improved on the previous year. There were some minor ques at peak egress times but acceptable.

The relationship with Integras security management and the police planning team was excellent with the approach being very much one of a joined up team effort.

Numbered vests on all of the security staff was in place again, allowing for all staff members, regardless of level, to be easily identifiable. This was increased to include the cleaning firms due to issues from 2015 and provided a clear identification for both officers and public alike.

The event sadly this year saw its first death on site on the 26<sup>th</sup> of August when a 26 year old male from Cornwall was found unconscious by security and despite

best efforts of security, police and medical staff sadly the male died. Cause of death at this time is unconfirmed as police still await toxicology reports and I am therefore unable to comment further.

## **Prevention of Harm to Children**

Challenge "21" was again enforced by the Designated Premises Supervisor (DPS) and his staff during the event. In total there were in excess of 19000 checks conducted through the whole of the event those accepted issued with the appropriate wrist band.

In addition to the Challenge 21 the previously agreed protocol for the safeguarding process for young person's attempting to gain entry to the event was again in place. There were no instances where the protocol was required to be invoked.

## **Prevention of Public Nuisance**

Traffic plan was much improved this year and with the additional day saw a completely different dynamic in the flow of traffic. Teams reported in that traffic flow was good and never really seemed to get the levels of previous years. Attendance at the event was more widely spread and this clearly had a knock on effect on the number of vehicles using the road.

Egress on the Sunday and Monday in the early hours was of course busy but short lived and due to the time minimal impact on passing traffic and the local community. Closedown on the bank holiday Monday continued the theme with traffic flowing better and clearing much quicker than previous years.

Festival Republics continued use of a bridge over the A56 remained positive and will continue to be a feature of future events. Segregation of the specific traffic types entering and leaving the event from old and new car park areas again had a positive impact preventing extended nuisance to the local community and the public passing through the area.

Police motorcycle support was again in place and essential to support the Blue Arrow traffic management plan problem solving throughout the key periods.

Policing of the communities around the event was again conducted using where possible locally based Neighbourhood Policing Unit officers to provide high profile reassurance to local residents and members of the public attending the event.

A Community Debrief set up by Festival Republic in co-operation with the community policing operation was repeated for a fourth year and now embedded as part of the process. The local community very much welcome the approach and the engagement of the promoters. On the whole, views were very positive, there were some minor issues but these were identified and dealt with quickly. The community response team was again welcomed by the community dealing with issues such as litter and continues to be recommended for the coming years. Some issues getting through on the event line were reported and resolved.

## Prevention of Crime & Disorder

This year the campsites for Creamfields 2016 opened on the Thursday 25th August at 12:00. This year's event capacity was for 55,000 camping with a day ticket capacity of 13,000 each day and an overall capacity of 69,999.

Recorded crime for Creamfields 2016 was as follows, showing a comparison with the previous year's event.

Crime Type (Home Office Group)	Creamfields 2015	Creamfields 2016	% difference
Drug Offences	118	163	+38% (+45)
Theft	126	67	-47% (-59)
Violence Against a Person	16	16	Same
Criminal Damage	1	1	Same
Arson	0	1	+1
Robbery	1	1	Same
Public Order	6	7	+1
Sexual Offences	4	2	-50% (-2)
Possession Weapons	3	3	Same
Burglary	0	2	+2
Traffic Offence	1	1	Same
Other	1	1	Same
<b>Total</b>	<b>277</b>	<b>265</b>	<b>-4% (-12)</b>

As anticipated, drug offences continue to be the most significant crime issue at the event and this year saw a marked increase in the numbers of persons arrested for possession with intent to supply drugs. This is an excellent result as the focus of the search operation is to increase public safety by removing those that would attend the event with the intention of making money through the sale of drugs.

The increased numbers are believed to be as a result of the additional day which spread the festival goer's attendance and allowed a more focused search operation. In actuality less people were searched this year than last year with better results. The introduction of the new process for search at the enhanced VIP entrance proved reasonably successful with the G4S security firm taking the lead supported by the police. Whilst I am satisfied that the process was a success there is still work to be done to ensure that it is a suitable replacement for part of the police search. The increase in possession with intent to supply drugs, arrest numbers, is continued evidence of the cooperation and the robust joint search operation essential for this event.

Also noted is the decrease in recorded thefts at the site which is a real positive as the majority of crimes are now reported on site at either one of the two police stations. Better control measures at the entrances, management of the fences and resolution of some staff issues is likely to be the main reasons for the marked improvement.

## Arrest Summary

Total Arrested Persons = 142

Total on site Cautions = 50

BREAKDOWN OF Arrests/cautions	Total 2015	Total 2016	% difference
Possession with Intent to Supply	59	112	+90% (+53)
Possession of Controlled Drugs	59	50	-15% (-9)
Assault	4	6	+50% (+2)
Wanted / FTA Warrant	1	6	+600% (+5)
Sec 5 Public order / BOP/Breach of s69 notice/D&D	6	5	-33% (-2)
Theft	0	2	+2
Burg from Tent	0	3	+3
Possess Offensive weapon/ammo	3	3	Same
Immigration Offences	0	2	+2
Crim Damage	0	1	+1
Driving Offences	1	1	Same
Sexual Offences	1	0	-1
Fraud/Deception/money laundering/counterfeit	1	1	Same
<b>Total</b>	<b>135</b>	<b>192</b>	<b>+44% (+59)</b>

## Drugs Summary:

As in previous years surrender bins were again in operation at the festival giving festival goers the opportunity to surrender any drugs and saw an increased use by the festival goer's all of which reduces the amount of drugs getting in and the risk.

Their bags are then briefly checked by Security before they then have to walk past passive drugs dogs and Police spotters to identify individuals that may be in possession of drugs.

It is Festival Republics condition of entry to the event that festival goers may be searched along with their possessions. Positive drug dog indications or those suspected by Officers would go for a hand swab to test for drugs. Positive tests would result in a search. Before any further search took place individuals were given a further opportunity to surrender any drugs.

There were 162 recorded incidents of persons being found in possession of drugs: 50 for possession and 112 for Possession with Intent to Supply (PWIT).

This is a 90% increase and whilst those levels of increase would normally be a concern this is actually a positive and it is evidence of the continued improvements in the search operation by both police and security. It should also be noted that some of the arrests were for Nitrous oxide which was illegal for the first time this year in supply amounts though not possession only.

Once again there was a search process with passive search dog on the production entrance where members of staff and concession vehicles entered the site and resulted in 14 arrests 13 for possession with intent to supply. The arrests sadly confirm the importance of continuing to search at the Staff Entrance. It should be noted that this is fully supported by the promoters Festival Republic which was evidenced by the huge improvements in the working environment this year.

The focus of the operation at the entrances is to prevent drugs from getting into the event and ultimately make the event safer. The effectiveness of the various entrance Police / Security searches is further evidenced by the amount of drugs surrendered and also the quantities discarded in the entrance lanes leading to the searches themselves.

The Event itself has probably one of the most robust search regimes in the country for such an event, to restrict volumes of drugs getting onto site and minimize the drugs risk.

### **Public Order / Violence**

There were no significant public disorder or violence issues at the event this year evidencing that we have sufficient control measures in place to prevent problem groups getting in but also the appropriate capability to respond with either security or police.

There was however 16 reports of assault during this year's event which mirrors 2015 and leaves work to try and reduce this figure. The 16 assaults broke down as follows, 6 assaults on staff (security, medical); 4 assaults on Police; 2 domestic related assaults; 2 assaults committed by people known to AP, 1 assault by security staff and 1 s47 assault where a female was glassed by unknown offender, not serious injuries.

Of these 16 reported assaults there were 6 arrests: 3 for assault on staff, 2 for assault on Police and 1 for the domestic assault.

Clearly these types of offences are always a concern going forward to the 2017 event however they must be taken in context when you are effectively policing a small size town.

The most serious offence this year was the report of a female stating that she had been pulled into a tent by an unknown male and raped. Enquiries are ongoing. Sexual offences were down this year with only two occurrences but still an ongoing concern.

## Conclusion

Creamfields 2016 saw a 4% decrease in overall recorded crime at the time of writing when compared against 2015 figures. The headlines are very much the increase in drugs offences of 38% and the 47% decrease in theft offences very much the direction that we would have hoped for at the start of the years planning. Both numbers are positives as less people have suffered loss of property and the 38% being a reflection of the number of arrests for drugs possession and the 90% increase in PWIT arrests.

The death on site this year of the 26 year old male was clearly a low point for all persons concerned in the planning and implementation of those plans in the event. The joint working when dealing with the sad death was professional and slick ensuring the preservation of evidence whilst also, in the initial stages, doing all that could be done to try to preserve the males life. There are some minor changes that will be added into the plans for next year around post management of scene evidence. The focus of much of the operation is one of public safety and I am content that the vigorous measures that are in place to reduce drugs use within the event, the media from all concerned sending the messages advising against use are as much as can be done, and much more than is done elsewhere in the country. Messages this year even went as far as directing to web addresses which give safety advice to those who “choose to use” and whilst it will always be the position of the police that drugs are not lawful this kind of approach is appropriate if your strategy is one of safety.

The general atmosphere on the campsites was, in the main, again perceived to be a safer environment, benefiting from increased visibility of police and security. The retention of the campsite village was a positive for this giving central location to the campsite environment. The only real issues on the campsites this year were the trend for setting tents on fire which is not peculiar to Creamfields and one victim stating that she was actually in the tent at the time.

Whilst the event has an excellent response management to these fires, which are anticipated, any lessons learned should form part of the plans for 2017.

This on-going positive relationship is something that we will continue to maintain through any planning process in 2017 to further reduce the potential for violent crime, the presence of weapons, illegal drugs, and impact on any national trends that may come to Creamfields.

The relationship between the police planning team, event organisers and multi-agency group has continued to be good and we will continue to work together towards making Creamfields an even safer event, with Cream and Festival Republic.



In conclusion, the 2016 event, with the exception of the death had no major issues and on the whole ran very well with many of the planning objectives achieved.

The key improvements working together into 2017 will need to be:-

- The continued review of the traffic management plan monitoring of the Mersey Gateway project and its potential impacts.
- Further development of the VIP search process and security lead operating processes.
- Progress and implementation of VIP search Process at South Entrance
- Review of police staffing structures and deployment

**Inspector Stewart Sheer**  
**Cheshire Constabulary**

<b>REPORT TO:</b>	Regulatory Committee
<b>DATE:</b>	18 January 2017
<b>REPORTING OFFICER:</b>	Strategic Director Enterprise, Community and Resources
<b>PORTFOLIO:</b>	Resources
<b>SUBJECT:</b>	Re-adoption of legislation and Changes to taxi licencing conditions
<b>WARDS:</b>	Boroughwide

## **1.0 PURPOSE OF THE REPORT**

An information item to:-

- (1) Update the Committee regarding the adoption/re-adoption of legislation relating to (a) Taxi Licensing matters under the Local Government (Miscellaneous Provisions) Act 1976 ("the 1976 Act") and to (b) Street Trading matters under the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act");
- (2) Form a record of the various decisions relating to (1) above; and
- (3) Update the Committee about the adoption of Taxi Licensing conditions..

## **2.0 RECOMMENDATION: That the content of the report be noted.**

## **3.0 BACKGROUND INFORMATION**

- 3.1 At its meeting held on 18<sup>th</sup> January 2016 the Committee began the process of adopting/re-adopting Part II of the 1976 Act. This process has now been completed. Appendix 1 lists the relevant minutes.
- 3.2 At its meeting held on 18<sup>th</sup> January 2016 the Committee began the process of adopting/re-adopting the provisions relating to the designation of streets in the 1982 Act. This process has now been completed. Appendix 2 lists the relevant minutes.
- 3.3 At its meeting held on 5<sup>th</sup> October 2016 the Committee resolved to recommend that the Executive Board adopt amendments and additions to Hackney Carriage and Private Hire Vehicle Conditions. This process has now been completed and Appendix 3 lists the relevant minutes.

3.4 The reports associated with the minutes show that all relevant procedural requirements were complied with.

**4. POLICY IMPLICATIONS**

There are no policy or finance implications arising out of this agenda

**5. 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>
Background files	Legal Services	John Tully/Kay Cleary

**Part II Local Government (Miscellaneous Provisions) Act 1976**

**1. Regulatory Committee 18<sup>th</sup> January 2016**

**(Minute REG 30)**

On 18<sup>th</sup> January 2016 the Regulatory Committee recommended to Council that the Council resolve that it intends to pass a resolution at a future meeting (the "Adoption Resolution")

- (1) to adopt to the extent that they are not in force in the Borough the provisions of Part II of Local Government (Miscellaneous Provisions) Act 1976 (the "1976 Act"), (other than section 45), to apply to the whole area of the Council on and after the appointed day stated in that resolution
- (2) the OD-LD be directed to publish and serve notice as required by section 45 of the 1976 Act
- (3) following compliance with item (2) of the resolution the matter be reported back to Council for the Adoption resolution to be considered.

**2. Council 2<sup>nd</sup> March 2016**

**(Minute COU 76)**

On 2<sup>nd</sup> March 2016 Council resolved that Council intends to pass a resolution at a future meeting (the Adoption Resolution)

- (1) To adopt to the extent that they are not already in force in the Borough, provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act), (other than section 45), to apply to the whole area of the Council on and after the appointed day started in the resolution;
- (2) The Operational Director, Legal and Democratic Services, be directed to publish and serve notice as required by Section 45 of the 1976 Act; and
- (3) Following compliance with item (2) of this resolution, the matter be reported back to Council for the Adoption Resolution to be considered.

**3. Council 14<sup>th</sup> September 2016**

**(Minute COU 30)**

On 14<sup>th</sup> September 2016 Council resolved to pass the adoption resolution in the following terms

- (1) To the extent that they are already in force the provisions of Part II of Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act) (other than section 45) are to apply to the whole area of the Council on and after the appointed day
- (2) The appointed day for the purposes of this resolution shall be 24 October 2016 (being not before the expiration of the period of one month beginning with the day on which the resolution is passed)
- (3) All powers, duties and provisions in the Councils Constitution relating to Part II of the Local Government (Miscellaneous Provisions) Act 1976 and all existing policies, practices and conditions relating thereto shall continue to apply on and after the appointed day

## **APPENDIX2**

### **Street Trading – Local Government (Miscellaneous Provisions) Act 1982**

#### **1. Regulatory Committee 18<sup>th</sup> January 2016**

##### **(Minute REG 31)**

On 18<sup>th</sup> January 2016 the Regulatory Committee recommended to Council that the Council

- (1) Pass the Designation Resolution set out in the Appendix to the report and
- (2) the OD – LD be authorised to prepare and publish notice as required by Schedule 4 of Local Government (Miscellaneous Provisions) Act 1982

#### **2. Council 2<sup>nd</sup> March 2016**

##### **(Minute COU 77)**

On 2<sup>nd</sup> March 2016 Council resolved to

- (1) Pass the Designation Resolution set out in Appendix 1 attached to the report; and
- (2) That the Operational Director, Legal and Democratic Services, be authorised to prepare and to publish notice as required by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

#### **3. Council 14<sup>th</sup> September 2016**

##### **(Minute COU 31)**

On 14<sup>th</sup> September 2016 Council recommended to

- (1) Pass the Designation resolution as set out at paragraph 4 to the report and

(2) The OD-LD was directed to publish the (Schedule 4) notices required by Schedule 4 Paragraph 2 (9) of the Local Government (Miscellaneous Provisions) Act 1982

### APPENDIX 3

#### **Hackney Carriage and Private Hire Vehicle amendments and Additions**

##### **1. Regulatory Committee 5<sup>th</sup> October 2016**

###### **(Minute REG 14)**

On 5<sup>th</sup> October 2016 the Regulatory Committee met to consider amendment and additions to Hackney Carriage and Private Hire Vehicle Conditions. The Committee resolved to amend and add conditions and were advised that the decision of the Regulatory Committee is made by way of recommendation to the Executive Board.

##### **2. Executive Board 20<sup>th</sup> October 2016**

###### **(Minute EXB 51)**

On 20<sup>th</sup> October 2016 Executive Board resolved that

- 1) the policy changes amending existing conditions relating to hackney carriage and private hire licensing as recommended by the Regulatory Committee at its meeting on 5 October 2016, be adopted as Council Policy;
- 2) the adoption shall take effect on 24 October 2016; and
- 3) to reflect the decision of the Council at its meeting held on 14 September 2016 (which related to the adoption and re-adoption of part II Local Government (Miscellaneous Provisions) Act 1976), all existing policies of the Council relating to public and private hire (as amended by the changes made in resolution 1), shall be adopted and re-adopted on 24 October 2016.