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Regulatory Committee

Wednesday, 17 January 2018 6.30 p.m.
Council Chamber, Runcorn Town Hall

A handwritten signature in blue ink that reads 'David W R'.

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 for further information.
The next meeting of the Committee is on Wednesday, 14 March 2018*

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

Part I

Item No.	Page No.
1. MINUTES	1 - 3
2. DECLARATION OF INTEREST	
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.	
3. CREAMFIELDS EVENT 17	4 - 13
4. SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	
PART II	
In this case the Board has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is RECOMMENDED that under Section 100A(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.	
5. TAXI MATTER	14 - 32

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.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 29 November 2017 in the Council Chamber, Runcorn Town Hall

Present: Councillors K. Loftus (Chair), Wallace (Vice-Chair), Fry, P. Hignett, A. McInerney, Nelson, Parker, G. Stockton and Wainwright

Apologies for Absence: Councillor Wall

Absence declared on Council business: None

Officers present: N. Wheeler, K. Cleary and J. Tully

Also in attendance: 2 Members of the public

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

REG12 MINUTES

Action

The Minutes of the meeting held on 4th October 2017, having been circulated were signed as a correct record.

REG13 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Committee considered

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

public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

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

REG14 TAXI LICENSING MATTER

Case no. 701

RESOLVED: That

1. the application be granted; and
2. the applicant to meet with the Taxi Enforcement Officer to ensure that the applicant is fully aware of all taxi licensing conditions.

(N.B. Councillor Nelson declared an interest in the following item of business to avoid any allegation of bias. He left the room during consideration of the item and took no part in the discussion)

REG15 TAXI LICENSING MATTER

Case no 702

The Committee considered the information received from the applicant.

RESOLVED: That

1. the request be approved in principle, subject to a range of conditions; and
2. the Council's Licensing Manager be given delegated authority to determine applications which may be made by the applicant reflecting the above decision of principle and to determine all consequential matters relating to such applications.

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Meeting ended at 7.30 p.m.

REPORT:	Regulatory Committee
DATE:	17 January 2018
REPORTING OFFICER:	Strategic Director Enterprise, Community and Resources
PORTFOLIO:	Resources
SUBJECT:	Creamfields Event 2017
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 2017

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 Reports on the event have been received from Cheshire Police (which is set out at Appendix A) and from the Council's Environmental Health Department (which is set out at Appendix B).
- 3.5 The Police have been invited to attend the Committee to introduce their report and to answer any questions raised by the Committee. Halton Borough Council's Environmental Health Department has also been invited to attend the meeting and present its 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

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

APPENDIX A



**Report to Halton Licensing Committee
Creamfields 2017**

Planning

Police planning for the 2017 event was undertaken by Inspector Mark Gammage, who was conducting the lead planning role for the first 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 2017 event was again based mostly on site with the continued development of the police operation alongside the promoters. A significant policing operation was also in place within the Custody Facility at Runcorn – which, for the first year, had to be dedicated for the Festival with non-festival related prisoners from the Halton/Warrington areas being taken to Blacon or Middlewich Custody Suites.

There was a significant push from Festival Republic (and Cream) to reduce the policing bill this year with agreement being made to use private security to lead the search processes on all gates, supported by police. In addition the opening hours were reduced to minimise the number of security and police officers required and patrolling of the campsites was left to private security.

The use of social media continued in the form of the well followed “**Creamfieldscops**” Twitter feed and was again used throughout the 2017 event.

The event for 2017 would again see good weather conditions though there were some testing wetter periods during the construction phase.

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

Public Safety

A few traffic issues were encountered during the build phase with large goods vehicles trying to access the site queuing back onto the A56. The access via the Production entrance, and subsequent accreditation process to be allowed access onto the site, need reviewing for 2018. No significant traffic issues with the ingress/egress of festival goers during the event were noted.

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

There was however 21 reports of assault made leading to 6 arrests during the event. There was a widely shared image circulating on social media that was then taken up by the National Press. The image showed a male with a serious facial injury that he had no recollection of how it had occurred. A detailed investigation has failed to confirm or disprove whether the injury was caused as a result of a fall from a fence whilst under the influence of drugs or an assault.

The provision of an on-site hospital allowed for festival goers to be treated without transfer to the Warrington General – thus reducing the demand on the hospital. The total number of patients seen, either at the hospital, arena medical area or elsewhere on site was 1133. However the number requiring transfer to Warrington General was 35 (compared to 16 in 2016.) 17% of treatments related to the use of illicit drugs, with the second highest reason being sprain/strains at 6.2%.

4 sexual offences (increase from 2 in 2016) were reported this year - two rapes and two sexual assaults. In all four cases there was no support from the victims to progress the investigations.

Prevention of Harm to Children

Challenge “21” was again enforced by the Designated Premises Supervisor (DPS) and his staff during the event.

In addition to Challenge 21 the previously agreed protocol for the safeguarding of young people was in place and proved effective.

Prevention of Public Nuisance

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 caused 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 Republic's 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 traffic management plan.

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

The local community very much welcome the engagement of the promoters at pre-event resident group meetings. On the whole, views were 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.

Prevention of Crime & Disorder

This year the campsites for Creamfields 2017 opened on the Thursday 24th 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 2017 was as follows, showing a comparison with the previous year's event.

Crime Type (Home Office Group)	Total 2016	Total 2017	% change
Drug Offences	163	155	-5% (-8)
Theft	70	44	-37% (-26)
Violence Against a Person	18	20	+5% (+1)
Criminal Damage	1	2	+100% (+1)
Arson	1	0	-100% (-1)
Robbery	1	0	-100% (-1)
Public Order	7	3	-57% (-4)
Sexual Offences	2	4	+100% (+2)
Possession Weapons	3	10	+233% (+7)
Burglary	2	0	-100% (-2)
Traffic Offence	1	2	+100% (+1)
Other	1	6	+500% (+5)
Total	270	244	9.6% (-26)

As anticipated, drug offences continue to be the most significant crime issue at the event and the area of greatest concern in terms of public safety. Despite a significant media campaign from Cheshire Police and Festival Republic, festival goers continue to ignore the warnings about trying to take drugs into this festival.

It was anticipated that with fewer officers being deployed on the entrances that arrests would drop considerably. However, arrest numbers remained constant with the majority of arrests being generated when police officers conducted an "Exposure of intimate body parts" search – demonstrating that offenders were either "plugging" or concealing their drugs around their intimate areas to avoid detection by private security.

This led to significant numbers of prisoners needing hospital treatment (as per National Police guidance when persons are arrested having concealed drugs internally). This had a significant impact on the ability of Warrington General Hospital Accident & Emergency Department to operate for the wider community and led to Gold level discussions and intervention.

The use of Home Office and Specialist search providers also resulted in the detection of a number of offences – and demonstrated the lengths people were going to to get drugs into the site.

There was also a noticeable increase in the number of people attempting to get weapons into the venue (10) – three of whom were security staff. This is a concern but does highlight the effectiveness of the search regime.

Arrest Summary

BREAKDOWN OF Arrests/cautions	Total 2016	Total 2017	% change
Possession with Intent to Supply	112	124	+10.7% (+12)
Concerned In Supply of Drugs	0	3	None in previous year (+3)
Possession of Controlled Drugs	51	26	-49% (-25)
Assault/Assault Police/Resist Arrest	6	6	same
Wanted/ FTA Warrant	6	1	-83% (-5)
Sec 5 Public order / BOP/Breach of s69 notice/D&D	5	3	-60% (-2)
Theft	5	2	-60% (-3)
Handling of stolen goods	0	3	None in previous year (+3)
Possess Offensive weapon/bladed article	3	10	+233% (+7)
Immigration Offences	2	2	same
Crim Damage	1	0	-100% (-1)
Driving Offences	1	2	+100% (+1)
Breach of Bail	0	1	None in previous year (+1)
Total	192	183	-4.7% (-9)

Drugs Summary:

As in previous years surrender bins were placed on the approaches to the entrances (along with warning notices) giving festival goers the opportunity to surrender drugs/weapons without penalty and thus reduce the amount of drugs getting into the site.

All bags are then checked by Security before they then walk past passive drugs dogs & security staff who identify/profile individuals that may be in possession of drugs.

It is a condition of entry that festival goers may be searched along with their possessions. Positive drug dog indications or those suspected of carrying drugs would then go for a hand swab to test for drugs. Positive tests would result in a more thorough search by security officers. If drugs were not recovered then the security officer would present the suspect to a Cheshire Police Sergeant who would make an assessment on whether sufficient grounds existed for an Exposure of Intimate Body Parts search under the Misuse of Drugs Act. If so, then the suspect would be strip- searched and, if drugs were recovered, then arrested. If nothing was found, or the grounds for the strip-search were not made out, then

the suspect was passed back to the security officer for them to make a decision as to whether to allow entry.

The arrest figures show an increase in arrests for Possession with Intent to Supply (up 10%) and a decrease in possession offences (down 49%) on last year. This decrease is unfortunately not something to be celebrated. It was often the case that smaller quantities of drugs were just being confiscated due to the pressures on custody and availability of resources to deal.

The focus of the operation at the entrances is to prevent drugs from getting into the event and ultimately make the event safer. 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. Whether this approach is sustainable is currently up for debate as the policing cost is significant, as are the subsequent criminal justice costs.

Conclusion

Creamfields 2017 saw a 9% decrease in overall recorded crime when compared with 2016 figures. Despite the reduction in policing numbers the number of arrests for serious drug offences (Possession with intent to supply) still rose by 10% and highlights the unfortunate fact that Creamfields still attracts a lot of people who wish to take illegal drugs whilst at the festival.

The trend for setting tents on fire at the end of the festival, which is not peculiar to Creamfields, unfortunately continued with one security officer being injured when an aerosol exploded.

There remains a good relationship between all partners and this will continue in the planning for the 2018 event. Maintaining public safety remains the primary concern for Cheshire Police and discussions are currently underway to determine whether our focus on searching/arresting for drug offences is actually contributing to this objective. With budgets under significant pressure the number of resources that Cheshire Police contribute towards this event is also under review.

The key improvements working together into 2018 will need to be:-

- The continued review of the traffic management plan to minimise disruption to the local and wider communities.
- Review of the police involvement in the search operation.
- Review of police staffing structures and deployment

Inspector Mark Gammage
Cheshire Constabulary

APPENDIX B

ENVIRONMENTAL HEALTH DEPARTMENT

Creamfields 2017

Noise:

The license for the creamfields festival contains a number of conditions relating to the control of noise. These conditions are monitored by a competent noise control consultant on behalf of the event organiser. Licence conditions require that a noise management plan is submitted for scrutiny by the environmental health department prior to the commencement of the festival. The noise consultant is also required to submit a report of activity undertaken during the festival to monitor noise from the festival site and ensure that the conditions relating to noise are complied with. The report submitted indicated that the noise conditions relating to off-site noise were complied with in residential areas throughout the event.

As with previous years there were however a number of complaints from residents. Most complaints seem to relate to low frequency bass noise. In certain atmospheric conditions it is possible for low frequency bass noise to be audible off site even though the off-site noise levels are within agreed limits.

In total Halton council received 5 complaints from residents, Warrington council received 17 and creamfields own residents helpline received 72 complaints. This year the majority of the complaints appeared to be from the immediate vicinity of the festival site or from Warrington residents affected by low frequency bass noise.

Food and Health & Safety:

No health and safety concerns were reported this year. The food team undertook a number of targeted food hygiene inspections of food vendors based on information received from other local authorities.



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

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