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Ribble Valley
Borough Council

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Dear Councillor

The next meeting of the **LICENSING** Committee will be held at **6.30 pm** on **TUESDAY, 1 FEBRUARY 2022** in the **Council Chamber**.

I do hope you can be there.

Yours sincerely

M. H. Scott

CHIEF EXECUTIVE

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 8)
3. **DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS**

Members are reminded of their responsibility to declare any disclosable pecuniary, other registrable or non-registrable interest in respect of matters contained in the agenda.

4. **PUBLIC PARTICIPATION**

ITEMS FOR DECISION

5. **RENEWAL OF WHALLEY CUMULATIVE IMPACT ASSESSMENT - APPROVAL OF DRAFT FOR CONSULTATION** (Pages 9 - 54)

Report of Chief Executive enclosed.

ITEMS FOR INFORMATION

6. **PLATES ON HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES** (Pages 55 - 56)
7. **UPDATE ON THE TAXIS AND PRIVATE HIRE VEHICLES (SAFEGUARDING AND ROAD SAFETY) BILL** (Pages 57 - 58)

Report of Chief Executive enclosed.

8. **COMPLIANCE CHECKS ON OFF-LICENCES** (Pages 59 - 60)

Report of Chief Executive enclosed.

9. **MINUTES OF LICENSING SUB-COMMITTEE - 7** (Pages 61 - 62)
DECEMBER 2021

Copy enclosed.

10. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

None.

11. **EXCLUSION OF PRESS AND PUBLIC**

None.

Electronic agendas sent to members of Licensing – Councillor Jan Alcock JP (Chair), Councillor Richard Bennett (Vice-Chair), Councillor Ian Brown, Councillor Stella Brunskill JP, Councillor Steve Farmer, Councillor Gaynor Hibbert, Councillor Simon Hore, Councillor Angeline Humphreys, Councillor Richard Newmark, Councillor Donna O'Rourke, Councillor Simon O'Rourke, Councillor Sarah Rainford, Councillor James (Jim) Rogerson, Councillor Gary Scott and Councillor Robin Walsh.

Contact: Democratic Services on 01200 414408 or committee.services@ribblevalley.gov.uk

Minutes of Licensing

Meeting Date: Tuesday, 2 November 2021, starting at 6.30 pm
Present: Councillor J Alcock (Chair)

Councillors:

R Bennett	S O'Rourke
I Brown	S Rainford
S Farmer	J Rogerson
G Hibbert	G Scott
A Humpheys	R Walsh
D O'Rourke	

In attendance: Head of Legal and Democratic Services and Solicitor

Also in attendance: Councillor G Mirfin

422 APOLOGIES FOR ABSENCE

Apologies for the meeting were received from Councillors S Brunskill, S Hore and R Newmark.

423 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 7 September 2021 were approved as a correct record and signed by the Chairman.

424 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

There were no declarations of pecuniary or non-pecuniary interests.

425 PUBLIC PARTICIPATION

Two residents of Whalley spoke in relation to decision Item 8.

426 ANNUAL REVIEW OF FEES AND CHARGES

The Chief Executive submitted a report to determine the annual fees for hackney carriage, private hire, scrap metal and sex establishment licences.

Members were reminded that the legislation provides that fees should be set at a level that is considered reasonable with a view to recovering the costs of issue and administration.

The report outlined the current fees charged alongside the proposed fees to be charged; the uplift in fees was approximately 3% rounded up or down as most appropriate

RESOLVED THAT COMMITTEE:

1. Agree to set the fees for Hackney Carriage and Private Hire Licences for the year 2022/2023 as those set out in Appendix 1 of the report.

2. Agree to set the fees for Scrap Metal Dealers Licences for the year 2022/2023 as those set out in Appendix 2 of the report.
3. Agree to set the fees for Sex Establishment Licences for the year 2022/2023 as those set out in Appendix 3 of the report.

427

PRIVATE SECURITY ACT 2001

The Chief Executive submitted a report seeking approval to nominate officers to the Security Industry Authority (SIA) for such officers to be granted powers of inspection by the SIA under Section 19(2) of the Private Security Industry Act 2001 (“the Act”) and to arrange any officer training that may be required.

Members were reminded that:

- Within the Ribble Valley, several licensed premises utilise the services of door staff licensed by the SIA. Some of these establishments engage staff voluntarily, based on their own risk assessments. Other establishments have door staff on certain days and at certain times, because of conditions on their licence.
- Currently, the Council’s licensing enforcement staff do not have the power to require door staff to produce documents or information to verify their membership of the SIA. In most circumstances, such documents or information are produced voluntarily on request, by staff who wish to cooperate with the Council and other regulatory authorities.

The report noted that:

- An approach had been received from the SIA seeking to establish whether the Council would wish them to grant powers to certain specified officers of the Council under Section 19(2) of the Act.
- If members approved the recommendations, confirmation would be provided that any Council officers nominated are fit and proper and appropriately trained to be granted authority under section 19(2) of the Act.

RESOLVED THAT COMMITTEE:

1. Authorise the Head of Legal and Democratic Services to nominate Council officers to the Security Industry Authority to be granted powers of inspection by the SIA under Section 19(2) of the Private Security Industry Act 2001
2. Authorise the appropriate training be provided to Council officers so nominated.

428

GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES - OUTCOME OF CONSULTATION

The Chief Executive submitted a report seeking members approval to the Council’s Statement of Principles under the Gambling Act 2005 for 2022-2025.

Members were reminded that:

- The Gambling Act 2005 (the “Act”) gave the Council responsibility for licensing a variety of types of premises, for example betting offices and arcades.

- There were only a few premises in the Council's area which hold such licences. However, many premises that are licensed under the Licensing Act 2003 also held permits under the Act for gaming machines.
- The Act requires Councils to have a statement of principles, to publish it every three years and to review it from time to time and that the Council's revised statement is required to be in place by January 2022.
- On 7 September 2021, the Council's Licensing Committee reviewed the Council's Statement of Principles on Gambling ("Statement") as required by the Act. The Statement was approved by Committee to form the basis of a consultation exercise. That consultation ran from 10 September 2021 to 24 October 2021.
- The Council had received no responses from those consulted.

The report noted that in the absence of responses, Committee was asked to approve the Statement as set out in Appendix 1 to the report and recommend its adoption to Full Council.

***RESOLVED THAT COMMITTEE:

Approve the Statement of Principles under the Gambling Act 2005 for 2022-2025 and recommend its adoption to Full Council.

429

EXPIRY OF WHALLEY CUMULATIVE IMPACT ASSESSMENT - REVIEW OF RESPONSES TO RECENT SURVEY

The Chief Executive submitted a report informing Committee of the results of the Whalley Cumulative Impact Assessment Survey.

Members were reminded that in June 2021, Committee resolved to authorise the Head of Legal and Democratic Services to make enquiries of the responsible authorities to assess whether there was sufficient evidence to support a Cumulative Impact Policy for Whalley and the area to which the policy would relate; consult informally with licensees in Whalley, the Parish Council and community groups and to report back with recommendations based on responses received.

The report noted that:

- The Council had received 65 responses from the community consultation exercise and that these were shown in Appendix 2 of the report.
- When considering the responses, Committee needed to decide whether they evidenced sufficient concern about crime and disorder, public safety, public nuisance, or protection of children from harm in the Whalley and Painter Wood area for the Council to progress to the next stage of the process.
- Should Committee decide to progress to the next stage, then further evidence would have to be collated to allow the Council to assess whether there is a sound evidential basis to any decision to publish a cumulative impact assessment.

RESOLVED THAT COMMITTEE:

Authorise the Head of Legal and Democratic Services to seek and collate the evidence necessary to create an evidence base and to consult formally upon the proposed continuation of the cumulative impact assessment for Whalley and Painter Wood as required by the Licensing Act 2003.

Please note that Councillor G Mirfin was given approval to speak on this Item.

430

TAXI ENFORCEMENT OPERATION - UPDATE

The Chief Executive submitted a report informing Committee of the results of an inspection of licensed private hire and hackney carriage vehicles.

The report noted that:

- On 6 September 2021, the Council's Taxi Enforcement Officer carried out an inspection of licensed private hire and hackney carriage vehicles, in a joint operation with the Police, and Vehicle and Operator Services Agency.
- Eight vehicles were inspected. Two vehicles were found not to be of the required standard and the drivers were served with delayed prohibition notices which requiring work to be carried out on their vehicles within 7 days. The notices related to worn brake pads and worn ball joints.
- The Council's Taxi Enforcement Officer confirmed that the works had been carried out and both vehicles had been issued with new MOT certificates.

431

MEMBER TRAINING

The Chief Executive submitted a report informing Committee of the training to be provided for sitting on Licensing Sub-committees.

Members were reminded that:

- Licensing Sub-Committees are held periodically to determine licensing applications and/or review licences.
- Licensing responsibility is heavily governed by statute and guidance; therefore, the discharge of these functions requires that Members have a good understanding of the latest statutory frameworks.
- Licensing, as an area of local authority decision-making, has become a fertile topic for legal challenge.

The report noted that:

- The evening's training session would focus on the procedural and legal issues surrounding Sub-committees relating to hackney carriage and private hire licencing.
- A further training session would be held in relation to Sub-committees that determine issues under the Licensing Act 2003.

432

REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

EXCLUSION OF PRESS AND PUBLIC

None.

The meeting closed at 7.57 pm

If you have any queries on these minutes please contact the committee clerk, Mike Hill mike.hill@ribblevalley.gov.uk.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 1 FEBRUARY 2022.
title: RENEWAL OF WHALLEY CUMULATIVE IMPACT ASSESSMENT -
APPROVAL OF DRAFT FOR CONSULTATION
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: STEPHEN BARKER - SOLICITOR

1 PURPOSE

1.1 To seek Committee's approval of the attached draft Cumulative Impact Assessment (CIA) for Whalley prior to formal consultation. If approved the assessment would form part of the Council's Licensing Policy.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives } The Council has formulated a Cumulative
- Corporate Priorities } Impact Assessment in response to
- Other Considerations } concerns expressed by local residents.

2 BACKGROUND

2.1 The Council adopted a CIA for Whalley and Painter Wood ward in 2019, and this has formed part of the Council's Licensing Policy since 1st May 2019. Unlike the balance of the Licensing Policy, which has to be reviewed every 5 years, a CIA expires after 3 years. The imminent expiry of the CIA has been considered at meetings of Committee on 15th June 2021 and 2nd November 2021.

2.2 Detailed background can be found in the respective reports to Committee which are attached at Appendix 1.

3 ISSUES

Evidence to support the CIA

3.1 Following on from the decision of Committee to progress renewal of the CIA for Whalley, information was sought to form the evidence base necessary to justify the assessment.

3.2 Attached at Appendix 2 is a draft CIA for 2022-2025.

3.3 Members will note that the evidence relating to crime and disorder shows a relatively low number of recorded Incidents and in certain areas show a trend of decreasing numbers of recorded incidents. This evidence relates to the crime and disorder element of the licensing objectives. The information and statistics in the CIA have been impacted by the periods of lockdown and restrictions in 2020 and 2021.

Members should also take into account the clear response from local residents, both in terms of the number of responses and expressions of support, together with the

evidence provided from the records of the Environmental Health and Enforcement Officers, all of which relates to the licensing objectives, particularly the prevention of public nuisance.

Effect of the CIA

- 3.4 As with the previous CIA, it is important that the effect of a CIA is understood at the outset. The introduction of a CIA would not be retrospective, would not automatically have effect in that responsible authorities would still have to make representations in relation to each application, and would create a rebuttable presumption of refusal of applications for new premises licences and club certificates and variation of such licences and certificates but would still require each application to be considered on its merits.

Scope of the CIA

- 3.5 Following a decision at Committee in April 2018, it was decided to limit the area of the CIA to the Whalley and Painter Wood boundary.
- 3.6 The streets included within the CIA are set out in the draft.
- 3.7 It was also apparent from the responses received from local residents, that whilst there are considered to be sufficient premises which operate until 1800 hours, the majority of problems in relation to crime and disorder and public nuisance related to premises which opened after 1800 hours and were primarily aimed at serving the night-time economy.
- 3.8 The CIA would therefore not have effect in relation to licensed premises which only open up until 1800 hours. Apart from this exception the CIA would apply to all other licensed premises whether on or off licence, club or premises licences.

Other considerations

- 3.9 Members should note that the introduction of a CIA in a village environment is unusual, they are more typically used in town centres and city districts. It is therefore not possible to advise Members about the effectiveness of the CIA which may be challenged by applicants for a licence. During the period since introduction of the CIA, two applications have been considered on their merits by the Licensing Sub-Committee and no representations were made on two further applications which were therefore granted in accordance with the requirements of the Licensing Act 2003.

Process

- 3.10 Members are asked to approve the attached CIA which will then be the subject of formal consultation. It is proposed that the consultation period should be for a period of 6 weeks in order to enable a report to be prepared compiling the responses and enabling any modification of the draft to be presented to the next meeting of Committee.
- 3.11 If the CIA is accepted, this will be referred to Full Council for inclusion within the Council's Licensing Policy.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Officer time in conducting the formal consultation
- Technical, Environmental and Legal – N/A save as above
- Political – N/A
- Reputation – Consideration of renewal of the CIA enhances the reputation of the Council
- Equality & Diversity – N/A

5 **RECOMMENDED THAT COMMITTEE**

5.1 Consider and approve the draft CIA attached at Appendix 2 to form the basis of consultation as set out at 1.4 in the CIA.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: 15 JUNE 2021
 title: EXPIRY OF WHALLEY CUMULATIVE IMPACT ASSESSMENT
 submitted by: CHIEF EXECUTIVE
 principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of the expiry of the Cumulative Impact Assessment ('CIA') in respect of the Whalley and Painter Wood Ward on 30 April 2022, and to seek Committee's approval for review of the CIA.

1.2 Relevance to the Council's ambitions and priorities

- | | | |
|------------------------|---|--|
| • Community Objectives | } | The Council aims to be a well managed Council providing efficient services based on evidence and identified customer needs; consideration of this issue will enhance this. |
| • Corporate Priorities | } | |
| • Other Considerations | } | |

2 BACKGROUND

2.1 The Council's Statement of Licensing Policy for 2021-2026 was approved by Full Council on 15 December 2020. The Licensing Act 2003 requires that this process is undertaken every 5 years. As part of that review, consideration was given as to whether review of the Whalley CIA, introduced on 30 April 2019, was required. Due to the lack of current evidence of issues, either of improved compliance or any deterioration in the position, the CIA was not altered or revoked on introduction of the current policy.

2.2 A CIA is a means of addressing particular issues in an area, where there is considered to be a detrimental impact on the promotion of the licensing objectives. Most CIAs have been introduced in larger towns or cities, where the impact of the night-time economy has had some detrimental impact on residents or public order. The CIA means that, unlike in normal circumstances, an applicant for a new premises licence or variation of a premises licence must demonstrate how grant of the application will not undermine the licensing objectives.

2.3 Concerns were raised by residents of Whalley about the impact of the night-time economy on residential amenity, particularly in relation to the licensing objectives of prevention of public nuisance and prevention of crime and disorder. A preliminary survey of residents, businesses and other affected parties was conducted over the Spring of 2018, with 194 responses being received. The Council therefore embarked on the formal consultation process to create an evidence base and carry out formal consultation. While an evidence base was collated, only one response was received to the formal consultation. The Police made no representations. Following consideration of the evidence base and the outcome of the consultation, and recommendation by this Committee, Council approved the CIA on 30 April 2019.

2.4 Although a CIA forms part of the Council's Statement of Licensing Policy, due to the somewhat exceptional nature of a CIA, it is only effective for 3 years. At that time, a

Licensing Authority must review whether a CIA is still required. This review can take place earlier if there is evidence of a change in circumstances.

- 2.5 In the unusual circumstances over the last 15 months, the night-time economy has been very quiet, and very few, if any, issues have been reported. A number of Licensing authorities at the time of review of their Statement of Licensing Policy, have in fact dispensed with CIAs.
- 2.6 Since the CIA has been in place in Whalley, one premises has applied for a new licence and subsequently varied it by extension of hours. No representations were received and therefore the CIA was not engaged. Two other premises have applied for new licences and, following receipt of representations, the Licensing Sub-Committee was content that the applications would not have a detrimental impact on the licensing objectives, and the licences were therefore granted.

3 ISSUES

- 3.1 In order to continue the CIA, the Licensing Authority would need to have evidence of an impact upon the licensing objectives such as:
- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - statistics on local anti-social behaviour offences;
 - health-related statistics such as alcohol – related emergency attendances and hospital admissions;
 - environmental health complaints, particularly in relation to litter and noise;
 - complaints recorded by the local authority, which may include complaints raised by local residents or resident associations;
 - residents' questionnaires;
 - evidence from local Councillors; and
 - evidence obtained through local consultation.
- 3.2 Where existing information is insufficient or not readily available, but the licensing authority believes there are problems in its areas resulting from the cumulative impact of licensed premises, it can consider conducting or commissioning a specific study to assess the position. This may involve conducting observations of the night-time economy to assess the extent of incidents relating to the promotion of the licensing objectives, such as incidents of criminal activity and anti-social behaviour, examples of public nuisance, specific issues such as underage drinking and the key times and locations at which these problems are occurring.
- 3.3 The steps to be followed in considering whether to renew a CIA within the statement of licensing policy are summarised in the Guidance as:
- Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm.

- Consider whether there is good evidence that crime and disorder or nuisance are occurring or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
- Consult those specified in Section 5(3) of the Act, and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement.

3.4 The effect of reviewing the CIA of this kind is to continue a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates, which are likely to add to the existing cumulative impact, will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

3.5 However, the policy would need to stress that this presumption does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, referring to information which had been before the licensing authority when it developed its statement of licensing policy, before a licensing authority may lawfully consider giving effect to its special policy. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implications identified, save that if a study was commissioned funding would need to be identified.
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality and Diversity – No implications identified.

5 RECOMMENDED THAT COMMITTEE

5.1 Authorise the Head of Legal and Democratic Services to make enquiries of the responsible authorities to assess whether there is sufficient evidence to support a cumulative impact policy for the Whalley Ward and the area to which the policy would relate.

- 5.2 Consult informally with licensees in the Whalley Ward, the Parish Council and community groups.
- 5.3 Report back to Committee with recommendations based on the responses received.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: TUESDAY, 2 NOVEMBER 2018
title: EXPIRY OF WHALLEY CUMULATIVE IMPACT ASSESSMENT – REVIEW
OF RESPONSES TO RECENT SURVEY
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of the results of the Cumulative Impact Assessment Survey.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives - }
- Corporate Priorities - } The Council aims to be a well-managed Council and these proposals support that objective.
- Other Considerations - }

2 BACKGROUND

2.1 Committee will recall that a report was submitted in June 2021 requesting that Committee review and consider implementation for a further period of the Cumulative Impact Policy in Whalley. Committee resolved to authorise the Head of Legal and Democratic Services to make enquiries of the responsible authorities to assess whether there is sufficient evidence to support a Cumulative Impact Policy for Whalley and the area to which the policy would relate; consult informally with licensees in Whalley, the Parish Council and community groups and to report back with recommendations based on responses received.

2.2 As a result the Council set up a cumulative impact survey both online and in paper format. A link to the survey was published on the Council's website and publicised through press releases, social media and by letters sent to the Parish Council, all licensed premises, ward Councillors and Whalley Chamber of trade on 20 September 2021. The survey closed on 10 October 2021. The survey related to the area of Whalley and Painter Wood to reflect the ward boundaries. A map showing this area outlined in blue accompanied the survey as did a list of all premises within that area and a map showing their location. Copies of these documents are enclosed as Appendix 1.

3 ISSUES

3.1 The Council received 65 responses. The results of those responses have been collated into a report which is enclosed as Appendix 2. Committee should note the contents and in particular the responses to questions 5-8 and decide whether this evidences sufficient concern about crime and disorder, public safety, public nuisance, or protection of children from harm in the Whalley and Painter Wood area to progress to the next stage of the process.

- 3.2 Should Committee decide that it should be progressed then further evidence must be collated to allow the Council to assess whether there is a sound evidential basis to any decision to publish a cumulative impact assessment. This may include:
- Local crime and disorder statistics including statistics on specific types of crime and crime hotspots.
 - Statistics on local anti-social behaviour offences
 - Health related statistics such as alcohol related emergency attendances and hospital admissions.
 - Environmental health complaints, particularly in relation to litter and noise.
 - Complaints recorded by the Local Authority, which may include complaint raised by the local residents or resident's associations.
- 3.3 The Council would then consider this evidence alongside its own evidence of the impact of licensable activities within its area and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:
- Trends in licence applications, particularly trends in applications by types of premises and terminal hours.
 - Changes in terminal hours of premises.
 - Premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – no implications identified
- Technical, Environmental and Legal – the Council is required to review any Cumulative Impact Assessment at least every three years
- Political – no implications identified
- Reputation – no implications identified
- Equality and Diversity – no implications identified

5 **RECOMMENDED THAT COMMITTEE**

5.1 Authorise the Head of Legal and Democratic Services to seek and collate the evidence necessary to create an evidence base and to consult formally upon the proposed continuation of the cumulative impact assessment for Whalley and Painter Wood as required by the Licensing Act 2003.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

**CUMULATIVE IMPACT ASSESSMENT
LICENSING ACT 2003
2022-2025**

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Part 1

Introduction

- 1.1 Cumulative impact is the potential negative effect on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The licensing objectives are set out in the Licensing Act 2003 ('the Act') and cover four key areas:
- The prevention of crime and disorder.
 - Public safety.
 - The prevention of public nuisance.
 - The protection of children from harm.
- 1.2 A Cumulative Impact Assessment ('CIA') helps to inform the Statement of Licensing Policy ('the Policy') with the aim of limiting the number of licence applications granted where there is evidence to show that the number of licensed premises in a particular area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 1.3 To avoid duplication this Assessment should be read in conjunction with the Council's Licensing Policy, the Act, its regulations and the latest edition of the Home Office Revised guidance issued under section 182 of the Licensing Act 2003.

Consultation on the Assessment

- 1.4 The Council is required by the Act to consult the following groups of people:
- a) The Chief Officer of Police.
 - b) The Fire Authority.
 - c) The Director of Public Health.
 - d) Representatives of holders of existing premises licences, personal licences and club premises certificates in the Whalley & Painter Wood Ward.
 - e) Such other persons considered to be representatives of business and residents in the **area**, including:
 - relevant Council Departments;
 - Responsible Authorities;
 - Ward Councillors;
 - Parish Councils.
- 1.5 In preparing this assessment an informal consultation took place between 20 September 2021 and 10 October 2021 to gauge public support. A copy of the initial study is attached at Part 5.

Part 2

The Assessment

- 2.1 The Parish of Whalley is home to a number of popular restaurants, bars, entertainment and late-night refreshment venues, which operate in an ever changing and dynamic environment.
- 2.2 The Council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. As such this Assessment of the cumulative impact of licensed premises imposes restrictions only to the extent that they are justified by the available evidence having particular regard to the guidance issued by the Secretary of State.

- 2.3 This Assessment has considered all types of licensed premises carrying on licensable activities within Whalley, including the sale of alcohol for consumption on or off the premises (or both), the provision of late-night refreshment and regulated entertainment, but will apply only in relation to premises which operate as set out at 2.4 below. The Assessment does not apply to Temporary Event Notices ('TENs'): however, the evidence upon which the Assessment is based may be used by the relevant responsible authorities when submitting objections to TENs.
- 2.4 The Council considers that, in a specified part of the Borough known as Whalley and Painter Wood Ward, a CIA has identified that the number of premises licences and/or club premises certificates are such that it is likely that granting further licences or variations to existing relevant authorisations, with the exception of premises which operate solely during the daytime eg cafes, and which do not supply alcohol after 6pm, would be inconsistent with our duty to promote the licensing objectives.
- 2.5 Although this Assessment provides an evidential basis for applications within a CIA to be refused; it does not relieve responsible authorities or any other persons of the need to make a relevant representation. Each application will be considered on a case-by-case basis and applicants are expected to demonstrate why the operation of the premises would not add to the cumulative impact already being experienced. The Assessment will never be used as a ground for revoking an existing licence or certificate.
- 2.6 The evidential basis for the Assessment is set out in Part 3 below; Part 4 includes a map of the area identified by this Assessment.
- 2.7 This Assessment shall be kept under review and changes may be made in relation to local circumstances, the Licensing Act, associated regulations or statutory guidance and national legislation.

Part 3

Evidential Basis

- 3.1 The evidential basis for the Assessment has been supplied by Lancashire Police through the Ribble Valley Community Safety Partnership, and also incorporates data from other partner agencies. The statistical data below focusses on three key areas:
- Alcohol related crime.
 - Anti-Social Behaviour (ASB).
 - Matters relating to public safety and welfare.
- 3.2 The data relates to occurrences reported within the existing Whalley CIA area and covers the period October 2018 to September 2021. It should be noted that statistics for the years 2020 and 2021 were affected by the Covid 19 pandemic. The long - term trend for ASB in the Ribble Valley had been downward, but due to the restrictions imposed in March 2020 there were significant increases. There was a reduction in numbers after the lifting of restrictions in July 2021, particularly ASB related to breach of the Covid restrictions.

Statistical Data

- 3.3 A concentration of occurrences has been identified within areas of high footfall. These zones encompass a higher concentration of bars, off licences, late night takeaways as well as hotel and retail premises. In addition, the highest levels of activity are recorded at weekends, between 18:00 and 02:00, with levels at their highest between 19:00 and 23:00.

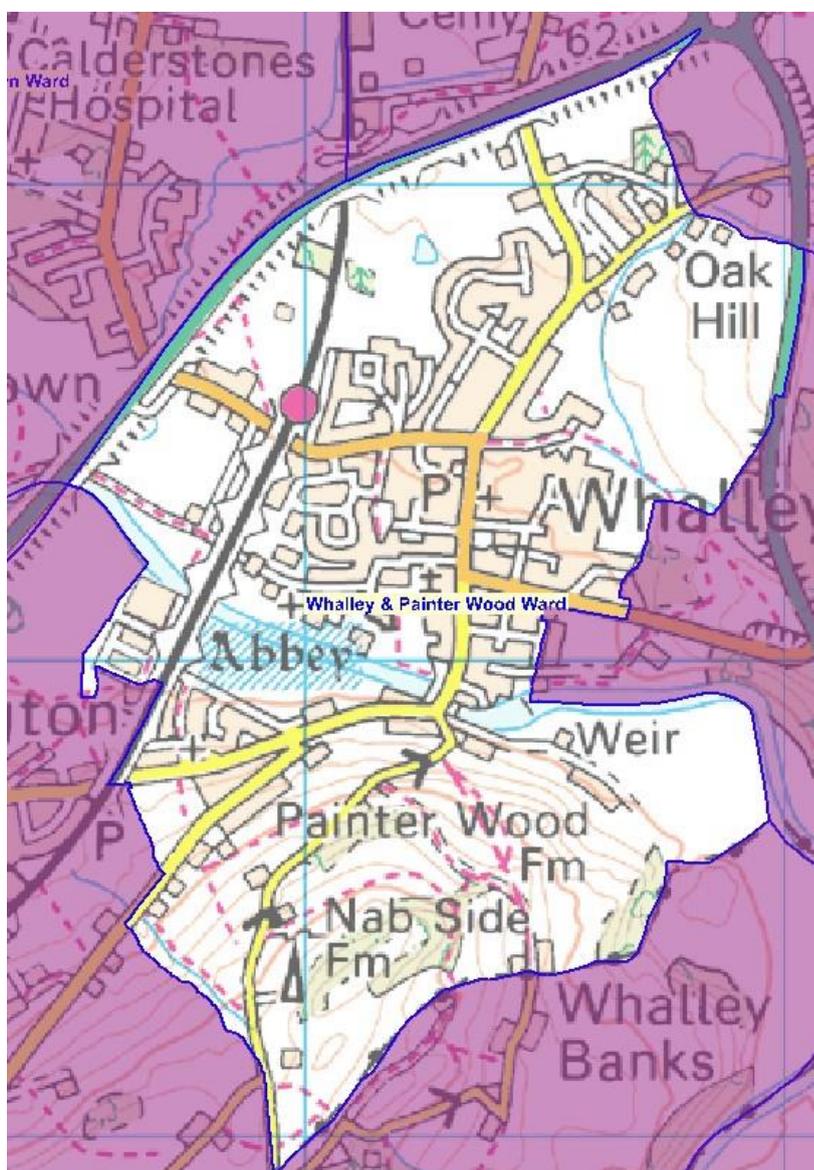
In terms of seasonal variations, occurrences were most prevalent during the summer months (June to September) peaking in August. Increases were also identified in December as a likely result of the Christmas and New Year period.

A separate issue has developed over the period in question relating to youth related ASB accounting for a significant number of the incidents recorded in locations away from Whalley village centre.

3.4 The following tables provide an additional breakdown of the data focusing on types of occurrences compared against the previous year.

Concerns have been raised due to the increase in Anti-Social Behaviour (ASB) in Whalley, along with activity associated with the night-time economy (NTE) and violent crime.

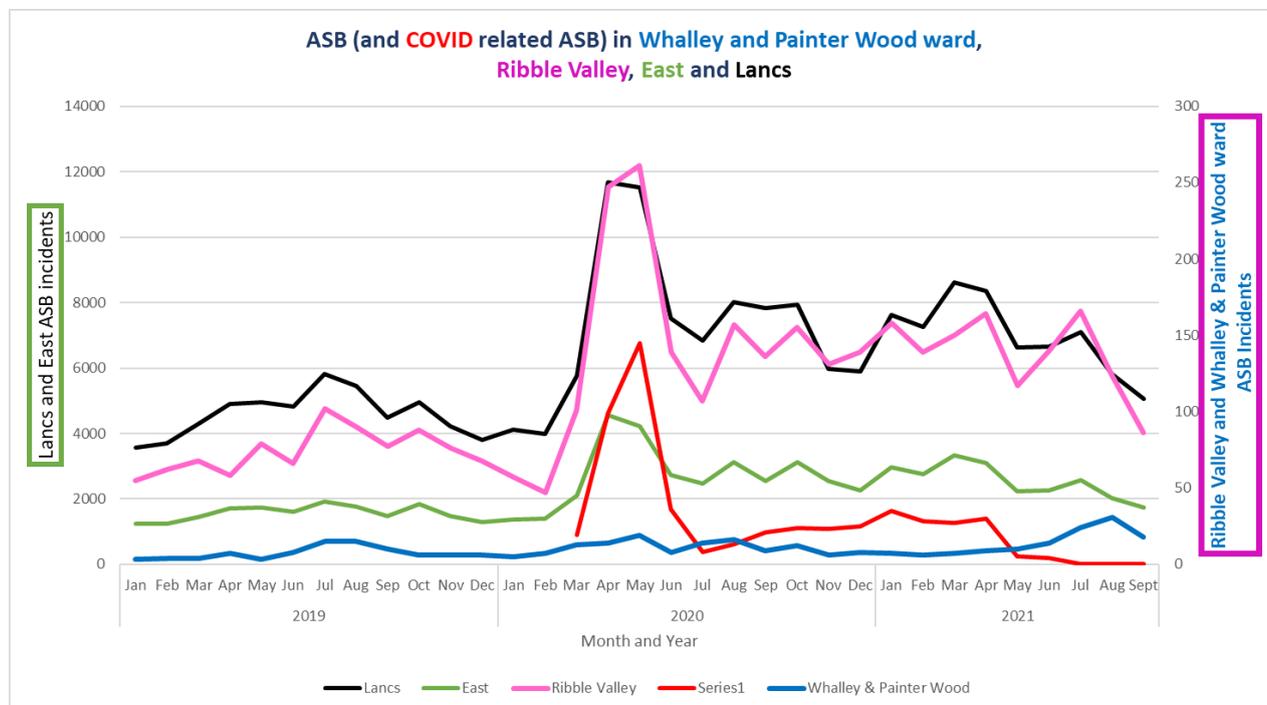
The below map shows the ward of Whalley and Painter Wood, this is the area of focus for the report. This ward covers the central area of Whalley and includes Whalley Abbey, The Sands, the railway station and Whalley cricket ground.



Anti-Social Behaviour (ASB)

All ASB January 2019 to September 2021

In the below chart the data for Whalley and Painter Wood ward and Ribble Valley CSP aligns to the right axis whilst Lancashire and East align to the left axis.



The long-term trend for anti-social behaviour in the Ribble Valley along with Lancashire was a downward trend. However due to the restrictions imposed in March 2020 to reduce the impact of the coronavirus there have been significant increases in the Ribble Valley and pan-Lancashire.

With the lifting of all restrictions in July 2021 there has been a reduction in the volume of ASB incidents, particularly ASB incidents related to the breach of Covid regulations.

January 2021 to September 2021 records little change in the volume of ASB incidents recorded in the Ribble Valley when compared to 2020 (down 9 to 1,243 incidents). The reduction in East is 6.3% and pan-Lancashire the reduction is 6.1%. In the ward of Whalley and Painter wood there has been a 20% increase, up 21 incidents to 126.

The following table displays 12-month totals of ASB incidents October to September for each of the areas shown and a comparison of 2020/21 to 2019/20 and 2018/19.

Month / Year	Oct - Sept			Change 2020/21 v 2019/20		Change 2020/21 v 2018/19	
	2018-19	2019-20	2020-21	numeric	%	numeric	%
Lancs	52669	80219	82925	2706	3.4	30256	57.4
East	17959	29079	30870	1791	6.2	12911	71.9
Ribble Valley	811	1484	1668	184	12.4	857	105.7
Whalley & Painter Wood	89	123	152	29	23.6	63	70.8

Whilst there has been a small percentage increase in Lancashire and East when comparing

2020/21 to 2019/20, the percentage increase in Ribble Valley and Whalley with Painter Wood is 12% and 24% respectively. When comparisons between 2020/21 and 2018/19 are considered the percentage, increases are much greater. It must be noted that incidents in 2018/19 are pre-Covid, from March 2020 there were substantial increases in the recording of ASB incidents as many incidents included the breach of Covid regulations including gatherings, parties, attendance at shops, public houses etc.

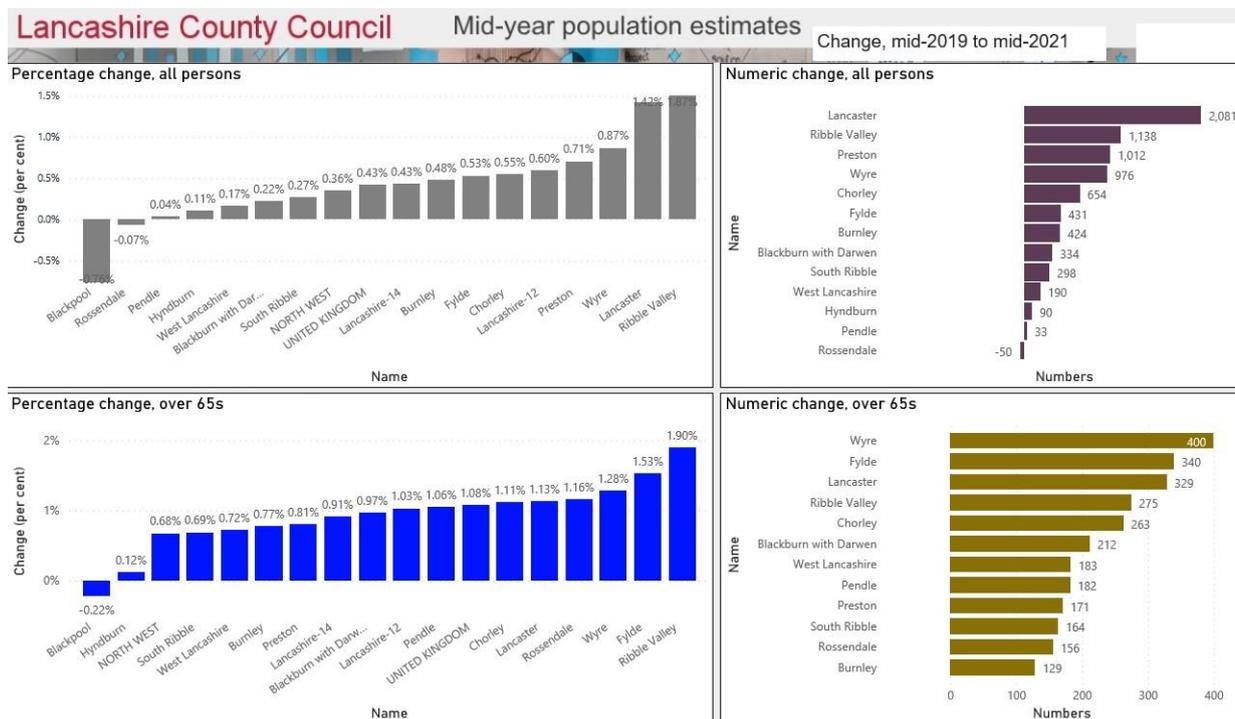
On looking at the rate of ASB incidents, in the most recent 12-month period October 2020 to September 2021 the rate of ASB incidents per 1,000 population are as follows:

Lancashire	55.5
East	57.8
Ribble Valley	28.4
Whalley with Painter Wood	59.5

The rate of ASB incident in Ribble Valley is the lowest of the 14 CSP districts.

The rate of ASB incidents in Whalley & Painter Wood is significantly higher than the Ribble Valley average, and is the highest rate in Ribble Valley, however it is not significantly higher than the Lancashire average. Blackpool records the highest rate of ASB incidents per thousand population.

Lancashire Insight¹ estimates that Ribble Valley records the greatest percentage increase in population between mid-2019 to mid-2021, up 1.87%, an increase of approximately 1,138 persons.



¹ <https://www.lancashire.gov.uk/lancashire-insight/population-and-households/population/mid-year-population-estimates/>

This increase in population is not necessarily a causation of an increase of ASB incidents in Ribble Valley but it may be a factor that underlies the statistics and the social impact of an expanding and evolving population.

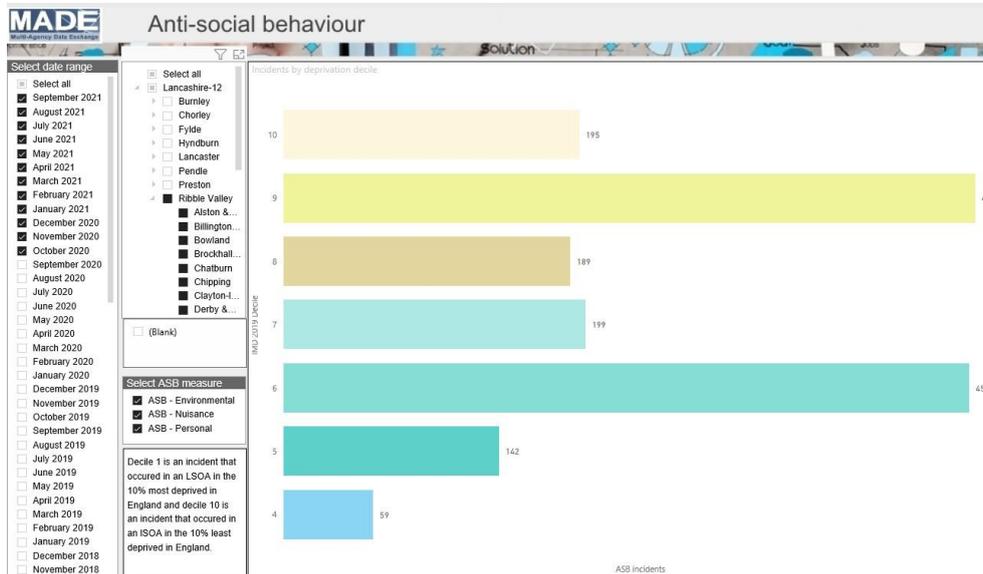
Whalley and Painter Wood ward is not an area of deprivation it is a thriving village with an attractive night-time economy, contains a variety of independently owned businesses and a range of residential properties that are much in demand.

Whalley and Painter Wood ward (Oct 2020-Sept 2021) – *data in pink text relates to 2018/19*
 33% of ASB incidents occurred in IMD decile 10 (least deprived) – *23% = 21 incidents*
 8% of ASB incidents occurred in IMD decile 9 (9th least deprived) – *7% = 6 incidents*
 59% of ASB incidents occurred in IMD decile 6 – *70% = 63 incidents*



ASB in Ribble Valley v Blackburn by Index of Multiple Deprivation

Ribble Valley



There are no ASB incidents recorded in IMD in decile 1 in Ribble Valley, nor are there any ASB incidents recorded in Decile 2 or 3.

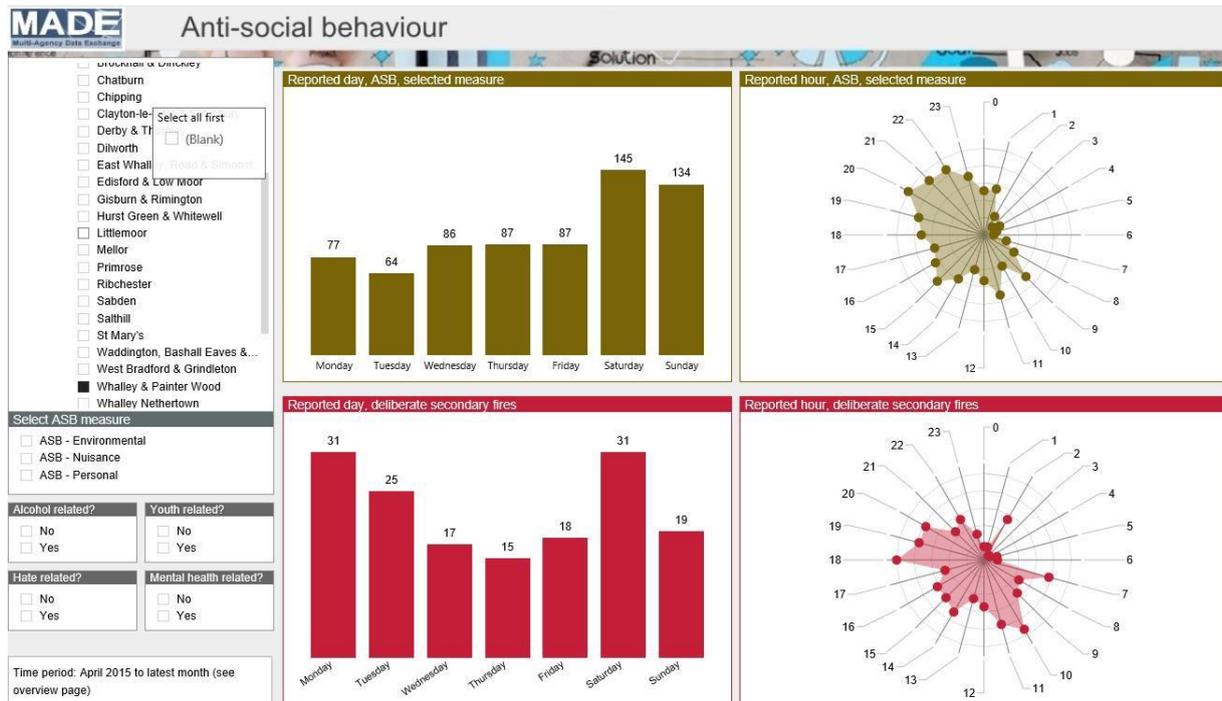
Blackburn with Darwen District



50% of ASB incidents occurred in IMD decile 1 (most deprived)
 23% of ASB incidents occurred in IMD decile 2 (2nd most deprived)
 1% of ASB incidents occurred in IMD decile 9 and 10 (least most deprived)

Temporal Analysis of ASB in Whalley and Painter Wood

The following slide is sourced from MADE and is underpinned by data from April 2015 to September 2021. Collectively the peak days for incidents of ASB are Saturday and Sunday with the peak hours for incidents between 7pm and 10pm.



On examining more recent data for the twelve-month period October 2020 to September 2021, the peak days for ASB incidents in Whalley with Painter Wood are Saturday and Sunday.

August 2021 recorded a high monthly total of incidents (31), almost half of the incidents were youth related (14) and a third of the ASB incidents occurred at The Sands -including Whalley Abbey (11)

Month/Year	2020			2021									Grand Total
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
Monday	1	1	1		2	3	2	1	1	3	7	1	23
Tuesday			1		1			2	2	1	3	1	11
Wednesday	4	1	1	1				1	2	4	3	3	20
Thursday	1		4	2	1		3	1	2	3	1		18
Friday	1	2		2	1	1	1	1	1	5	2	1	18
Saturday	2	1		2		3	3	4	3	1	6	6	31
Sunday	3	1	1		1				3	7	9	6	31
Grand Total	12	6	8	7	6	7	9	10	14	24	31	18	152

All ASB in Whalley and Painter Wood October 2020 to September 2021

Hour	October 2020 to September 2021																							Grand Total	
Day	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Monday			1	1						1		2	2		1		1	1	1	3	4	1	3	1	23
Tuesday			1							1		1	1	1				1		1		1	1	2	11
Wednesday	1	1						1			2	3	3	1	1	2	1			1	2		1		20
Thursday									1	1	1			2		1	1		2	2	4	1	1	1	18
Friday		1							1	1		1		1	2	3		2	1		1		2	2	18
Saturday	2	2			1			1	1	1	1	1		1	1	2	3	1	4	2	4	2		1	31
Sunday	3	1							3			3	1		2	1	4	1	1	3	3	2	3		31
Grand Total	6	5	2	1	1			2	6	5	4	11	7	6	7	9	10	6	9	12	18	7	11	7	152

The peak hour for ASB incidents is 8pm to 8:59pm (18).

Approximately 26% of the ASB incidents are youth related (40). These incidents are identified by a 'youth flag' added by the officer or Call Taker, the data is also manually scanned for relevant text eg youth, teen, kids, boys and girls etc and categorised accordingly.

The peak days remain the same, Saturday and Sunday along with Monday (9 each day), and the peak hour remains the same 8pm to 8:59pm (7).

Peak Streets for ASB

The Sands and King Street both record 31 incidents of ASB between October 2020 to September 2021.

55% of the ASB incidents at The Sands are youth related (17) and 81% of the incidents on King Street are non-youth related (25).

ASB Incidents	Non-Youth	Youths	Grand Total
Street			
THE SANDS	14	17	31
KING STREET	25	6	31
QUEEN STREET	13	0	13
ACCRINGTON ROAD	10	0	10
DEER PARK CRESCENT	7	0	7
RIDDINGS LANE	4	2	6
HAYHURST CLOSE	6	0	6
STATION ROAD	3	2	5
THE CLOISTERS	4	1	5
MITTON ROAD	2	2	4
CHURCH LANE	3	0	3
WOODFIELD VIEW	3	0	3
ABBOTS CROFT	2	1	3

Examples of the ASB incidents occurring at The Sands are shown below:

Examples of complaints/concerns:

- Youths trespassing in the grounds - Whalley Abbey - on going issues - they are climbing over the old wall - around 5/6 of them - all in their teens.
- Long standing antisocial behaviour by youths in the area. Tonight, have knocked off a load of the bins on the street.
- 3 teens are refusing to leave they have been causing criminal damage in this area.
- 3 males around 15 - 16 yrs. that are kicking balls against the ruins, and then started giving the informant abuse when they were asked nicely to leave.
- 3 youths in the school grounds they have jumped over the fence.

- 7-8 children, aged around 15yrs, running round the grounds, they are breaking down fencing and trampling all over the Abbey.
- Caller reporting her house has been egged during the night.
- Group of young male and female adults (14 yrs.+) in the grounds of the Abbey making noise.
- Group of youths being abusive to residents and riding dangerously on mopeds.
- Teenagers smoking cannabis and causing damage in the Abbey.
- Group of teenage males are gathering in the Abbey throwing things at each other and causing a general nuisance.

Examples of the ASB incidents occurring on King Street are shown below:

- 13 of the incidents relate to four licensed premises on King Street, alcohol was a factor in at least six of these incidents.
- Two incidents were recorded at the bus station.
- Four incidents reported at/outside the Coop.

Violence Against the Person

In the most recent twelve-month period pan-Lancashire "Violence against the person" offences account for approximately 44% of all reported crime.

This crime group includes: Non-injury violence – including non-injury assaults, harassment, malicious communication, modern slavery, controlling and coercive behaviour and stalking. Violence with injury includes assaults with injury, wounding, death by driving and attempted murder. The crime class of Homicide is also included in the group.

The below table shows the volume of Violence Against the Person (VAP) offences for each area and the change from the most recent 12-month period to the previous year. The percentage of all crime that is included in the Home Office classification of Violence Against the Person is also shown.

Month / Year	Oct - Sept		Change 2020/21 v 2019/20		VAP as percent of all crime 2020/21
	2019-20	2020-21	numeric	%	
Area					
Lancs	52692	56372	3680	7.0	44%
East	20074	20844	770	3.8	43%
Ribble Valley	979	939	-40	-4.1	42%
Whalley & Painter Wood	60	52	-8	-13.3	34%

The Ribble Valley and Whalley with Painter Wood ward both record a reduction in VAP offences when compared to the previous year, this contrasts with a pan-Lancashire increase.

The ward Whalley with Painter Wood records a lower percentage of offences that are classed as VAP than Ribble Valley and pan-Lancashire.

The Home Office classification of Violence Against the Person (VAP) includes the following crimes classes:

Violence Against the Person Crime Class	October - September		Change 2020/21 v 2019/20	
	2019/20	2020/21	numeric	%
Assault without Injury	19	17	-2	-10.5
Assault with Injury	22	13	-9	-40.9
Malicious Communications	11	10	-1	-9.1
Harassment	3	6	3	100.0
Stalking	1	2	1	-
Threats to Murder	0	2	2	-
Kidnapping	1	0	-1	-
Assault without Injury on a Constable	1	0	-1	-
Wounding	1	0	-1	-
Other	1	2	1	-
Grand Total	60	52	-8	-13.3

Whalley with Painter Wood ward recorded reductions in both assault with and without injury offences when compared to the previous year.

On looking at the temporal data for assaults with and without injury and Wounding offences over the two-year period October 2019 to September 2021 there have been 73 offences recorded.

- The peak days for assaults are Saturday and Sunday with the peak hours between 8pm and 4am.
- A third of the offences involved alcohol (25).
- At least 25% of the offences involved domestic abuse.

The peak repeat streets for location of assaults are shown in the below table.

Street	Total		
KING STREET	20	Of the 20 offences occurring on King St in the two-year period, at least 8 occurred in licensed premises and are associated with the night-time economy, occurring between 8pm and 3:59am.	
ACCRINGTON ROAD	13		
Station Road	4		
Walmsley Brow	4		
Longworth Road	3		
Church Lane/The Sands	3		
Chew Mill Way	2		In at least 9 of the 20 offences, alcohol was a contributory factor.
HAYHURST CLOSE	2		
The Sands	2		Offences also occurred on the street and in domestic settings.
Clitheroe Road	2		
Whalley Road	2	The 13 offences on Accrington Rd all occurred in connection with the night-time economy and licensed premises. Offences	
CORN MILL MEWS	2		
Limefield Avenue	2		

took place between 7pm and 3:59am. None were domestic related and alcohol was a factor on at least 4 occasions.

Offences on Station Road and Walmsley Brow all occurred in domestic properties, with several offences recorded at two singular incidents.

Assault victim profile:

AGE GROUP	Gender		Not Recorded	Total
	Male	Female		
10-14	3	2	1	6
15-19	8	5		13
20-24	6	2		8
25-29	4	1	1	6
30-34	7	2		9
35-39	1	2		3
40-44	5	1		6
45-49	4	4		8
50-54	3	1	1	5
55-59	4	2		6
60-64		1		1
Over 70	2			2
Grand	47	23	3	73

At least 64% of assault victims are male (47) and 32% of victims are female (23).

15-19 year olds is the peak age group for victims (13).

- 8 offences are connected to the night-time economy.
- The remaining 5 offences occurred "outside".
- 8 victims are male
- 5 victims are female

Environmental Health Complaints

Ribble Valley Borough Council

WHALLEY & BILLINGTON COMPLAINTS ANALYSIS

2015

A	Atmospheric Pollution	3
E	Environmental Land/Water	9
F	Food	1
L	Licensing	4
S	Health, Safety & Welfare	2
Y	Consultations	1

TOT: 2015 20

2016

C	CDRP/NSIR LOGS	1
E	Environmental Land/Water	8
F	Food	7
L	Licensing	4
M	Miscellaneous	1
W	Water Supply	1
Y	Consultations	1

TOT: 2016 23

2017

C	CDRP/NSIR LOGS	1
E	Environmental Land/Water	8
F	Food	2
L	Licensing	7
M	Miscellaneous	1
P	Public Health/Pests/Dogs	1
Y	Consultations	1

TOT: 2017 21

2018

C	CDRP/NSIR LOGS	1
E	Environmental Land/Water	7
F	Food	5
L	Licensing	3
P	Public Health/Pests/Dogs	1
S	Health, Safety & Welfare	2
V	Abandoned Vehicles	1

TOT: 2018 20

2019

E	Environmental Land/Water	4
F	Food	4
L	Licensing	26
P	Public Health/Pests/Dogs	1

TOT: 2019 35

2020

D	Drainage	1
E	Environmental Land/Water	3
F	Food	9
I	Infectious Disease	22
L	Licensing	3
M	Miscellaneous	2
P	Public Health/Pests/Dogs	1
Y	Consultations	3
TOT: 2020		<u>44</u>

NB Covid restrictions enquiries and enforcement

2021

E	Environmental Land/Water	5
F	Food	2
L	Licensing	7
M	Miscellaneous	1
Y	Consultations	1
TOT: 2021		<u>16</u>

*** GRAND TOTALS: 179

Licensing Enforcement Complaints

(1st January 2021 onwards)

Table of analysis

Area	ASB (including noise) stated to be after midnight	Other ASB	Other complaints
Queen St/Accrington Rd	8	1	0
King St	1	0	1
Other (non Whalley)	11	6	6
Totals:	20	7	7

- 12th April 2021 - Partial reopening of licensed premises
- 19th July 2021 - Hospitality returns to some sort of normality for the first time in 18 months.

Analysis

- Queen Street/Accrington Road complaints from 3 different complainants with one of these providing the vast majority.
- Complaints relating to ASB after midnight in and around Queen Street/Accrington Road account for 42% of that total.
- Total number of complaints received from the Whalley area is 47% of the total received for the Ribble Valley.

3.5 CONCLUSION

It is considered that the statistical data evidenced above, together with that provided by the Environmental Health and Licensing Enforcement Officers, and representations from local residents and those who represent them, clearly supports the need for the renewal of the CIA for Whalley and Painter Wood.

Part 4 Cumulative Impact Zone

- 4.1 Below is a map indicating the extent of the cumulative impact zone together with a list of the licensed premises included:

Whalley Licenced Premises - Map 2

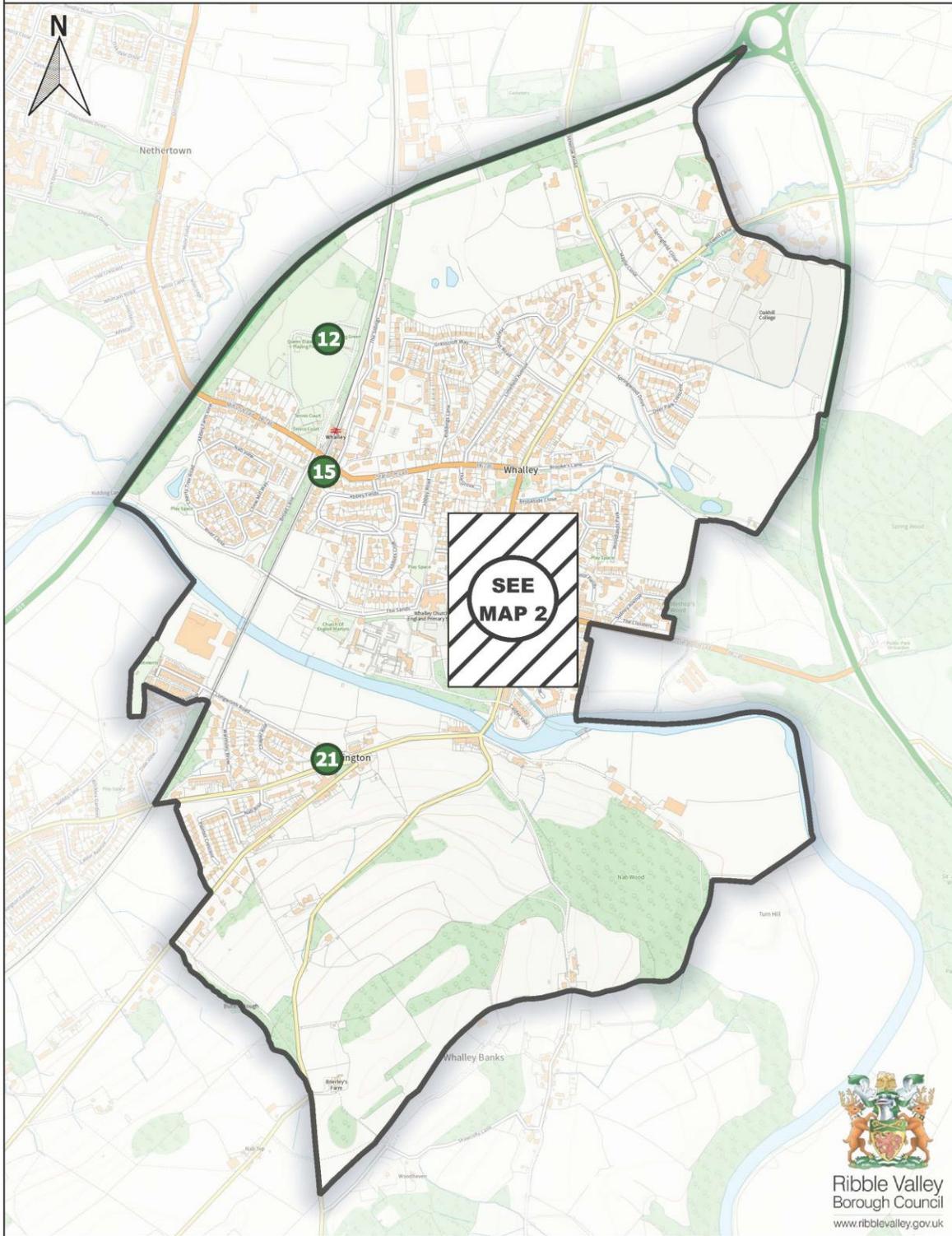


Scale: 1:5,000

Date: 16 Sep 2021

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Whalley Licenced Premises - Map 1



Scale: 1:10,000

Date: 16 Sep 2021

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Premises Name	Address	Tertiary Class	Map Reference	Map
Rendevous	16 ACCRINGTON ROAD WHALLEY CLITHEROE BB7 9TD	Public Houses and Bars	1	2
Forum Whalley Limited	41 KING STREET WHALLEY CLITHEROE BB7 9SP	Public Houses and Bars	2	2
Amico Mio	49 KING STREET WHALLEY CLITHEROE BB7 9SP	Restaurants and Cafes	3	2
Jack's of Whalley	59 KING STREET WHALLEY CLITHEROE BB7 9SP	Public Houses and Bars	4	2
The Whalley Wine Shop	63 KING STREET WHALLEY CLITHEROE BB7 9SW	Shops and Showrooms	5	2
King Street Kitchen	73 KING STREET WHALLEY CLITHEROE BB7 9SW	Restaurants and Cafes	6	2
The co-operative food	60 KING STREET WHALLEY CLITHEROE BB7 9SL	Shops and Showrooms	7	2
De Lacy Arms	61 KING STREET WHALLEY CLITHEROE BB7 9SP	Public Houses and Bars	8	2
Swan Hotel	62 KING STREET WHALLEY CLITHEROE BB7 9SN	Public Houses and Bars	9	2
Abbey Club	12 ACCRINGTON ROAD WHALLEY CLITHEROE BB7 9TD	Licensed Private Members Clubs	10	2
Benny's Bar	3 ACCRINGTON ROAD WHALLEY CLITHEROE BB7 9TD	Public Houses and Bars	11	2
Whalley Sports Club	WHALLEY CRICKET CLUB MITTON ROAD WHALLEY CLITHEROE BB7 9RT	Sporting Activities	12	1
The Aviary	QUEEN STREET WHALLEY CLITHEROE BB7 9TA	Public Houses and Bars	13	2
Spar	9 GEORGE STREET WHALLEY CLITHEROE BB7 9TH	Shops and Showrooms	14	2
Food by Breda Murphy	41 STATION ROAD WHALLEY CLITHEROE BB7 9RH	Restaurants and Cafes	15	1
Trishna	25 KING STREET WHALLEY CLITHEROE BB7 9SP	Restaurants and Cafes	16	2
Tastebuds	1 GEORGE STREET WHALLEY CLITHEROE BB7 9TH	Restaurants and Cafes	17	2
Romero Pizza and Kebabs	37 KING STREET WHALLEY CLITHEROE BB7 9SP	Fast Food/ Takeways Outlets	18	2
Whalley Village Hall	ACCRINGTON ROAD WHALLEY CLITHEROE BB7 9TD	Public and Village Halls	19	2
Dog Inn	55 KING STREET WHALLEY CLITHEROE BB7 9SP	Public Houses and Bars	20	2
Brass Band Club	BILLINGTON AND WHALLEY BRASS BAND CLUB WHALLEY ROAD BILLINGTON	Licensed Private Members Clubs	21	1
Deux Amis	5 GEORGE STREET WHALLEY CLITHEROE BB7 9TH	Restaurants and Cafes	22	2
Salvage House	UNIT 6A ABBEY WORKS KING STREET WHALLEY CLITHEROE BB7 9SP	Public Houses and Bars	23	2

The Whalley Wine Bar	65 - 67 KING STREET WHALLEY CLITHEROE BB7 9SW	Public Houses and Bars	24	2
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Part 5

CIA Initial Study

- 5.1 Cumulative Impact Assessment - an initial study relating to licensed premises in Whalley
- copy report attached.

RIBBLE VALLEY BOROUGH COUNCIL

Cumulative Impact Assessment - an initial study relating to licensed premises in Whalley

REPORT



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

MICHELLE HAWORTH

OCTOBER 2021

Methodology

The Cumulative Impact Assessment Survey was set up online and paper copies were made available at the library in Whalley. Electronic responses and paper copies were received.

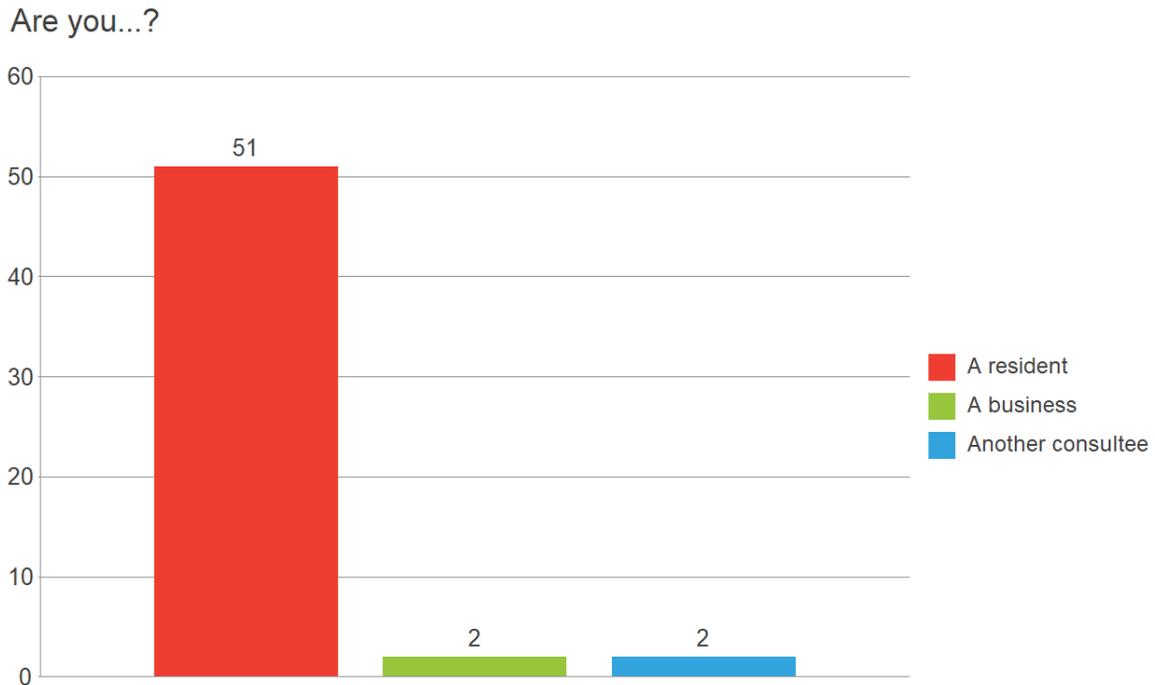
The link to the survey was published on the Council’s website and publicised through press releases, social media and by letters sent to the Parish Council, all licensed premises, ward councillors and Whalley Chamber of Trade on 20 September 2021 and the survey closed on 10 October 2021.

In total **65 responses** were received.

The Results

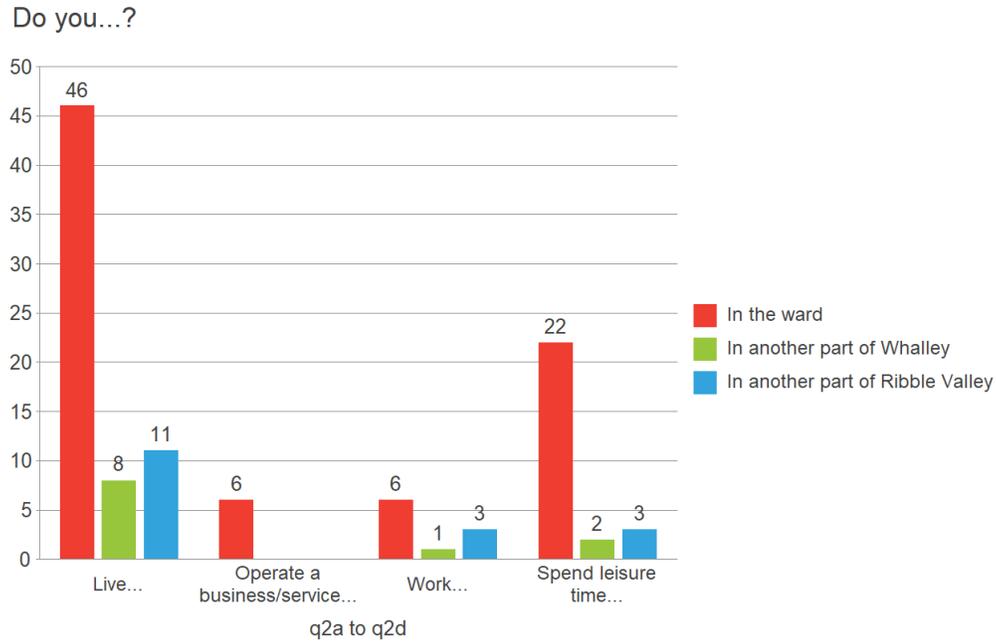
Q1 – Are you...?

60 people responded to this question. 93% replied that they are a resident and 3.5% replied that they are a business and 3.5% another consultee.



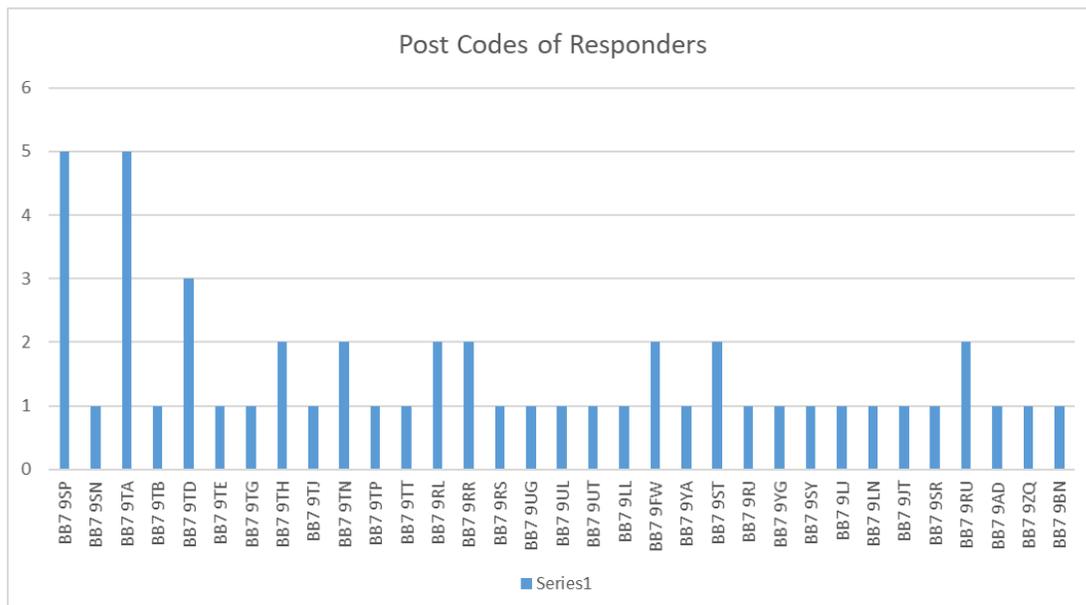
Q2 – Do you...?

The majority of respondents (46) live in the ward. 22 respondents also spend leisure time in the ward.



Q3 – If you live, work or operate a business in the ward please can you tell us your postcode?

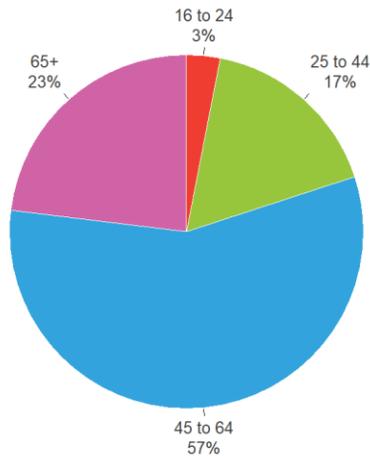
50 people responded to this question. Unsurprisingly there is a high response rate from the postcode areas covering the streets around Rendezvous and The Aviary and also from the streets including and branching off from King Street, the main street, where many of the licensed premises are located.



Q4 – What is your age?

65 people provided an answer to this question. There was a good response across all age groups with 57% of respondents aged 45 to 64.

Age of respondent



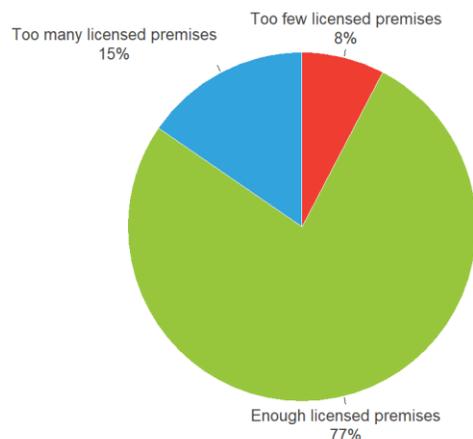
Q5 – How do you feel about the number of licensed premises in the Whalley and Painter Wood ward area at the moment?

This question was broken down to:

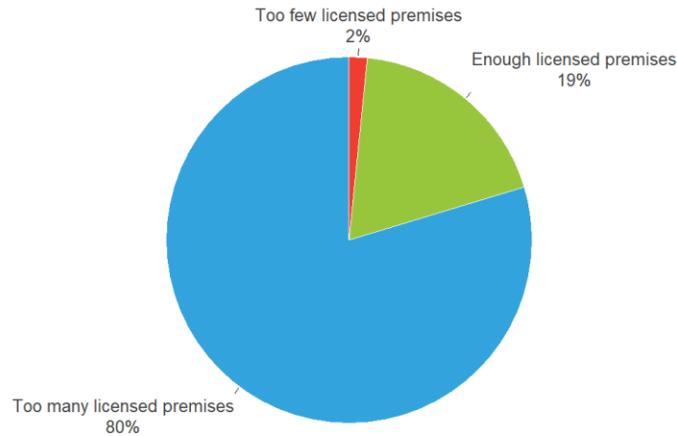
- Those that operate during the day (e.g tea rooms) - 65 people answered this question - and
- Those that operate at night – 64 people answered this question.

76.9% of respondents feel that there are enough licensed premises that operate during the day and 79.7% of respondents feel that there are too many licensed premises that operate at night.

Those that operate during the day (e.g tea rooms) ...



Those that operate at night...



Q6 – Do you think the Council’s Licensing Committee should in future consider restricting...

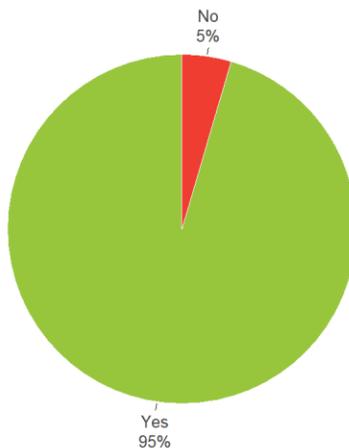
The question was broken down to:

- The number of new premises given a license to operate in the Whalley and Painter Wood ward area – 65 people responded to this question
- The hours that a new premise is licensed to operate – 65 people responded to this question.

93.8% of respondents feel that the Council’s Licensing Committee should in future consider restricting the number of new premises given a license to operate in the Whalley and Painter Wood ward area.

95.4% of respondents feel that the Council’s Licensing Committee should in future consider restricting the hours that a new premise is licensed to operate.

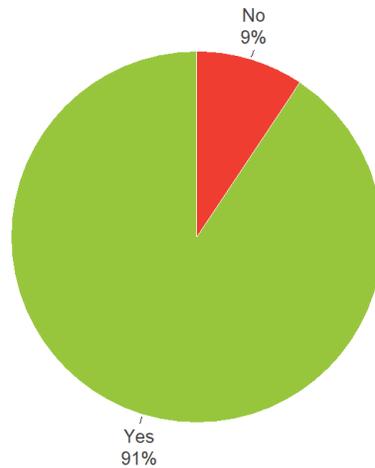
The hours that a new premise is licensed to operate



Q7 – Would you support increased controls on the way new premises in the Whalley and Painter Wood ward area operate?

64 people responded to this question. 90.6% of respondents would support increased controls on the way new premises in the Whalley and Painter Wood ward area operate.

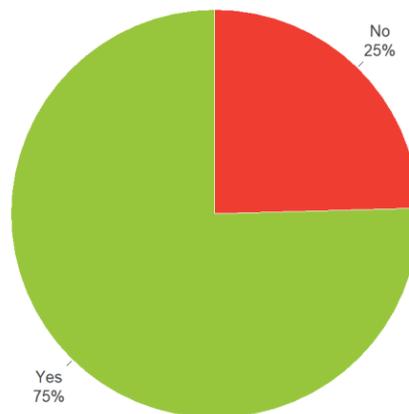
Would you support increased controls on the way new premises in the Whalley and Painter Wood ward area operate



Q8 – Have you been affected by the cumulative impact of the number of licensed premises in the Whalley and Painter Wood ward area?

57 people responded to this question. 75.4% of respondents answered that they had been affected by the cumulative impact of the number of licensed premises in the ward area.

Have you been affected by the cumulative impact of the number of licensed premises in the Whalley and Painter Wood ward area



Those that answered yes were asked to provide further information of how they had been affected (this could include details of public nuisance, damage or harm to themselves or their property.) 49 comments were received.

Below are the comments received -

1. "Music very loud which is disturbing my family from sleeping at night time. My son has ADHD and it's becoming a big problem with him as he is crying at nighttime because of the loud noise coming from Avairy and Rio's. We have also been targeted on our property with drunken people after midnight. I feel that the police need to be more on scene, to evaluate what is going on."
2. "Increased noise and anti social activity particularly at weekends we suffer on Cornmill Mews from activities at the Salvage Yard, particularly discos etc in an entirely inappropriate building with no sound attenuation in place at all . This site is surrounded by residential property, we are perhaps 30 metres away. During events all windows and doors are open and people spill onto the adjacent yard and access road without any parking etc How on earth was this entirely unacceptable use given consents in the first place ? Afterwards and at weekends we then have people worse for wear up and down the adjacent footpath and across the Mews , which is both disturbing and intimidating .We avoid King Street and the area at the junction at these times as it often mayhem attracting people from the wider area , why should Whalley residents suffer . We must have ten or twelve licenced premises , the village is saturated , no more please . We are sure the police will verify all of the above , we have a virtually permanent police presence at weekends . This used to be a quiet and pleasnat village which is being destroyed by noise , disturbanca and anti social behaviour , no more ."
3. "There are too many licensed premises in the village. There are some very responsible licensed premises namely The Swan, Whalley wine bar, The Dog. Bennys is a concern - there are minimum controls re numbers attending, age checks, not selling to persons who are clearly drunk. Rendezvous has always been an issue in how the licensee deals with egress. The Salvage Works is a real concern. They have live bands operating after midnight and they don't have the doors closed. The volume of the music coupled with the fact that people are drinking outside contributes to excessive noise that is disturbing. There are also customers from The Salvage Works and the Forum who then urinate and vomit on business and residential premises. There has been a huge rise in alcohol related anti social behaviour, nuisance, damage and violence around the abbey grounds, neighbouring roads and there appears to be little done to manage this. There are further noise issues associated with the motorcycle busines s who operate from early morning up to 10pm at night with excessive engine testing, revving and excessive noise. The amount of litter on weekend mornings resulting from empty alcohol vessels, smashed glasses and takeaway wrappers is also a concern. There is also a concern re the number of people drinking outside pubs etc with no action taken by the premise owners. There also appears to be an increase in overt drug taking inside licensed premises and in the abbey."
4. "I am upset and distressed by the amount of anti social behaviour and music disturbance I am subjected to every weekend without fail. I am also upset about how this affects my child, regularly woken by mainly the shouting. I am not able to live safely in my home, I am always anxious about weekend and what has and could happen. I can't even use my front door at the weekend because of what I may stumble across and am usually too frightened to even look out of my window due to the people outside my house. I have a right to live free from fear and this is not happening at the moment"

5. "I am affected by the cumulative impact of the number of licensed premises on a weekly basis, specifically the weekends, Friday and Saturday nights. It is impossible to sleep with revellers shrieking, shouting, fighting, taxis pipping, car doors slamming, taxi driver chatting and revellers arguing about their fare. However, on top of all of this, and by far the worst disturbance for me is the thudding music noise that emanates from specific licensed premises near me which have not been designed nor adequately soundproofed for loud and/or live music through the day, night or early hours. This is such an unacceptable intrusion on my well-being and after years of complaining about this issue, to no avail, I have had to resort to the extreme measure of sometimes leaving my house at weekends and staying elsewhere just to get a night's sleep. This is despite doing everything I can think of to sound-proof my home, including recently removing my original internal doors and having new ones fitted to try and minimise the noise. I sleep with a fan on thorough the night to try and distract me from the utter torture of the thumping bass/ music noise. This cannot be considered an acceptable situation. I have had many, many frequent and weekly instances of intruders on and damage to my property. Revellers come into my garden to urinate, take drugs and sometimes just congregate. I have recent footage from one of my CCTVs which captured two drunk men on top of my garage roof. This has left me very, very anxious at night and adds to my inability to settle and sleep and feel safe in my home. I have had my garden fences and trellis broken (both back and front garden) on a regular basis for the past seven years and it is common to see drugs packets scattered about at the front and back of my house in the weekend mornings. There is vomit, broken glass, cigarette butts and discarded pizzas boxes all over the streets of Central Whalley and it is such a disgrace that as custodians of our beautiful village the powers that be cannot seem to protect it better than at present. Central Whalley has always been a vibrant place to be, but unfortunately the saturation of it by late night drinking establishments has made it attractive to all manner of out-of-towners who see it as a destination to drink as much as you can throughout the early hours. As such, it has become an intimidating, out-of-control and unpleasant place for residents to live. There seems to be very little thought, respect or care for those of us that live here. Indeed, I have been told on numerous occasions that I shouldn't have 'chosen to live next to wine bars', which is very frustrating and much uniformed as I didn't 'choose' to live next to wine bars! I have lived here prior to ALL the wine bars and objected to each and every license that RVBC has passed, for the reasons that have now transpired. Any intelligent person understands that businesses are needed and that hospitality have had a particularly awful time recently with Covid. However, this nightlife blight has been going on long, long before Covid and I find it very insulting to use Covid as an excuse to facilitate the continual ruining of our lives."
6. "Late night noise from people arriving at and dispersing from The Aviary Cocktail Bar and Rios Nightclub. Noise from music systems. Shouting and screaming, aggressive behaviour, drunken behaviour. Urination on the street and in gardens. Broken glass on street. Late night noise from taxis arriving and dispersing on Accrington Road and Queen Street, which are both residential streets This noise can continue until 4am leading to inability to sleep or to have windows open - recommended in Covid times. The streets don't necessarily feel safe. I just want to have peace and quiet on the street where I live - a right enjoyed by others who do not live in the middle of Whalley."

7. "Yes. We live on the same residential area that 'The Aviary' and 'Rendezvous' are located, and clearly both of these premises (more referring to the Aviary), clearly don't understand the concept of noise control. I dread each weekend as I know it'll be another weekend of zero sleep."
8. "Increased littering and noise (nuisance) at night"
9. "The noise pollution in Whalley is simply awful, I visit my parents regularly and it's got to the point where we cannot relax in the garden or house for that matter, due to heavy music and crowds of people leaving these somehow licensed premises. I simply can't understand why RVBC would allow bars to be located in the middle of a residential area with minimal restrictions of noise pollution/opening hours. Is it someone's job to be regulating this? I feel like it should be."
10. "Public nuisance, in the evening it is extremely unpleasant walking around the centre and sometimes the outskirts of Whalley. I have been subject to harassment and abuse from people that do not live within the area and who have had too much to drink and become aggressive and unpleasant. It also makes parking very difficult particularly on Church Lane where people visiting the pubs and wine bar park. I am concerned that people leave their cars overnight and it would become impossible for emergency vehicles to get down Church Lane and onto the Sands."
11. "I feel worried about the future of Whalley and the possibility of night time drinking behaviour creeping into the day. Following the extension of the wine bar the outside atmosphere seems to have changed in the DAY. I had an unpleasant experience trying to navigate the pavement outside the wine bar. The seating area was packed (Friday afternoon) and there were large groups of people congregated on the pavement section communicating with the customers in the seating area. I had to fight my way through and felt very unsafe and humiliated. As a female in my early sixties, I now take a detour and avoid this section of pavement if on my own. It does seem that people are congregating on the pavement outside in a manner that did not occur before the extension. I appreciate that the pandemic staycation situation may have an impact. However, this is a public pavement which is used by children going to and from the primary school and people visiting the GP surgery and the Pharmacy. With the recent increase in anti social behaviour what type of message do we give to young people? I am not against the wine bar as it brings visitors to Whalley but I hope that when you grant licences in future you take into account the impact on pedestrians and consider their safety."
12. "Very noisy at times with people returning in the early hours"
13. "The amount of vandalism, litter, vomit and other unsavoury events are occurring more and frequently. I live in Billington and we are affected by inebriated persons travelling through the village, as well as speeding cars and taxis, particularly by the Billington metal railway bridge."
14. "Kept awake at night with street noise/loud voices/taxis until 4a.m. Detritus on pavement and street outside front door (fag ends, vomit, takeaway cartons) Unable to

have windows open in Summer because of noise resulting in disturbed sleep patterns
Anxiety/not feeling safe at weekends to go outside"

15. "Some of the licenced premises on King St & Queen St are attracting a number of ""unsavoury characters"" to the village. I personally have witnessed increasing instances of drugs use / drugs dealing in the car parks & public houses. Whilst my wife has been verbally abused on two recent occasions. When we moved to Whalley 9-years ago there were just 4-pubs & 2-licenced restaurants on King St + Rendevous on Accrington road. Whereas now there are 12-drinking establishments on King St alone! Also, there used to be a regular evening community police patrol around the village centre at weekends. Whilst a police car was regularly in attendance on the bus terminus on most evenings. Unfortunately I very rarely see a police presence in & around Whalley theses days. Which I'm sure is also contributing to the proliferation of unsociable behavior in a village once considered to be one of the top ten places to live in England!!"
16. "We live just far enough away from the areas which operate as a night time economy and where fellow Whalley residents have their lives blighted by the fall-out in the early hours of the morning. We should limit the opening hours - 4.30 am is way too late in a residential area."
17. "There has been an increase of anit-social behaviour. Don't feel safe shopping in Whalley as a result of people drinking there and it being a small town. I feel sorry for the residents who live there"
18. "disturbances in the street, Drunk and disorderly on the streets. noise in the street. Parking issues"
19. "I am disgusted at the state of the pavements in Whalley, especially along King Street and Accrington Road. They are so stained with spilt beer/alcohol, urine and vomit (I know this is what it is because the smell is unmistakable) that I feel sick myself walking along them. It is putting me off visiting Whalley to spend my money. I blame this on the council's continued support of Whalley's night time economy above the needs of the residents and day time visitors. Whalley was once a nice village. Now it is jam packed with houses, traffic and nightclub/ wine bar filth."
20. "The council should be paying more attention to the amount of houses being built without any plans to increase medical and educational facilities"
21. "The source of the disturbance is Benny's Bar & Cafe at 3 Accrington Road. After the pubs close, drinkers congregate at Benny's in order to continue socialising until the early hours of the morning. This in itself is not an issue, but the fact that the door staff at Benny's allow adolescent drinkers to gather in loud groups outside their premises is the cause of much of the disturbance. A certain amount of noise is to be expected at weekends, but recently, it has also been occurring during the week which is intolerable. Sadly, central Whalley is fast becoming a no-go area after dark, and my family and I are now considering moving out of the vilIage. The management at Benny's should be reminded that they are operating in a mixed residential & commercial area of Whalley and therefore have an obligation to behave accordingly. If not, their licence to serve alcohol should be revoked."

22. "See the after effects when visiting"
23. "My elderly mother lives in the centre of Whalley. I am worried about her going out in the evening, particularly at weekends when people travel to Whalley and there is rowdy behaviour."
24. "Bus loads of single sex parties being dropped off in village centre already rowdy at school pick up time. Driving through crowds of intoxicated revellers staggering off pavements and into traffic, proliferation of taxis parking & obstructing roundabout at king st & Accrington road. Inability to walk down pavement due to smokers outside the Forum, Whalley wine shop, the DeLacy Arms & Jacks. Vomiting & urination in front facing gardens. Verbal harassment of young girls by intoxicated men"
25. "After living in the area for just 3 years I've been shocked at the negative impact the number of evening licensed premises has on the area. I have personally witnessed several scenes of violence spilling out onto the street, drug paraphernalia left on the bus stations, drug taking and dealing (reported to the police), vandalism and a constant stream of broken glass and rubbish left on the streets without fail particularly on a Sunday morning. To the point where several residents have simply stopped going into Whalley on these times. Even something as simple as walking our dog in the village on a Sunday morning is problematic due to the broken glass often left outside the pubs and clubs. It is in my opinion imperative that the existing publicans and businesses do more to safeguard Whalley and forge better ties to the community by tackling some of the issues already present before inviting more."
26. "Nuisance and antisocial behaviour. Unacceptable in a village where homes lie side by side with licensed establishments"
27. "Continual noise , flower beds destroyed, we live on waters edge so only have access down Queen street where after 10pm the street is rowdy , doormen not allowing us down to our home . Abusive language and no thought for residents, traffic is horrendous at weekends when there's pop up bars, special events always include alcohol so eventually leads to fighting we often walk around on a Sunday morning and look at the aftermath of a bank holiday or busy weekend and look at the uprooted plants, bottles and glasses left anywhere. Absolutely no more licensed premises please. Enough is enough. We enjoy a night out but when its busy with taxis bringing people in that's the problem. Whalley is classed as a great night out with drinkers from Accrington, Gt Harwood etc not for residents now."
28. "I find it dangerous to drive through the centre of Whalley at night -(if you unfortunately have to) especially Accrington Road area. Rowdy drunken behaviour in the streets. Same as comments I made on the last review- rowdy behaviour, RVC should clean the streets during day at weekend due to vomit and litter of all kind !!!!! If RVC want to promote the town of Whalley as tourist centre you need to look after it."
29. "It is pushing up rents, and stopping real shops opening. What the village needs is fresh fruit and vegetables, plastic free recycling shops, a charity shop or second hand renewable, a repair cafe. It is very intimidating walking through the village at all times of the day and the pavements and shops all being full of people drinking copious amounts

of alcohol, so much so that we now avoid the centre as much as possible where once it was a place to meet other locals and stop and chat. But then again, I'm not a tory."

30. "Noisy and rowdy behaviour in and around the railway station as people go to and from Whalley centre."
31. "No longer venture out late evening. Too many drunken people. Also the disarray in the village the morning after is evident for all to see"
32. "Lots of noise due to drunken people, litter thrown all over due to them getting take aways"
33. "We have only been in our house for 18 months. In this short time: -numerous noise disturbance on a regular, weekly basis from venues themselves (music) -numerous noise disturbances on a regular, weekly basis from passers by- singing, shouting etc. - 4 separate incidents in which floral window boxes were pulled off the window sill and smashed up. - wires going into the wall to the Sky box pulled out of the wall -wing mirror damage to our parked car outside our property -vomit over our parked car outside the property -most recently, physical fight outside the front door which we had to go outside and split up"
34. "I live just up the road from Rios & The Aviary plus a very short distance from the centre itself. The weekends are so noisy, especially late at night & into the early hours with people leaving & taxis. I do not feel safe walking down to coop for a pint of milk after 9pm, the village is full of drunks & drug takers. The following morning the village is a mess with glasses, bottles, left behind clothing, piles of sick & takeaway rubbish. The publicans/licensees need to take more responsibility for cleaning up the village. And late licences should be reduced to help people move on earlier & let residents sleep/feel safe in their homes!"
35. "Noisy and rowdy behaviour in and around the railway station as people go to and from Whalley centre."
36. "Increased antisocial behaviour by drunken visitors to Whalley. I feel the quality of establishments and the hours are BOTH important. Some of the lower quality premises are drawing less desirable types into the village centre, (eg H2o and Aviary), where's for example Whalley Wine Bar attracts the right type of custom for a village like Whalley."
37. "We have only been in our house for 18 months. In this short time: -numerous noise disturbance on a regular, weekly basis from venues themselves (music) -numerous noise disturbances on a regular, weekly basis from passers by- singing, shouting etc. - 4 separate incidents in which floral window boxes were pulled off the window sill and smashed up. - wires going into the wall to the Sky box pulled out of the wall -wing mirror damage to our parked car outside our property -vomit over our parked car outside the property -most recently, physical fight outside the front door which we had to go outside and split up"
38. "I haven't been personally effected though I am aware many people have. I have one big question- how on earth has Bennys bar been able to maintain their business within

that particular unit for so long when so many others have failed???? Mmmmm I wonder???"

39. "lack of normal shop for a village, anti social behaviour, noise, traffic and parking, crime increased."
40. "Although I live just off the main road it can still be extremely noisy late at night and often into the early hours with people leaving the licensed premises. I have had many disturbed nights. When you walk through the village, even during the day, there are folk outside neary every pub drinking and blocking the pavement. It does not show our village in a very good light to visitors. It never used to be this bad!"
41. "Public nuisance in the form of noise, people returning from venues, shouting and swearing in the street. Car doors banging, engines running whilst people get money from cash points. Resulting in lack of sleep. Difficulty accessing property due to delivery vans making daytime deliveries"
42. "Yes as I believe more licensed premises in the area will invite more people to come into the town from other areas and towns which might then causes conflicts with the locals and potential vandalism noise pollution and general distressed of neighbourhood"
43. "I have been impacted greatly by these so called bars particularly the ones open until morning hours. I am affected by taxis, particularly loud music, which I have been informed is ""within Ribble Valley limits"", I can hear this in my home which is causing great distress to my health and wellbeing, to the point where I am struggling to function and run my business on the Monday and Tuesday after the weekend openings, then it starts all over again on Thursday. The people milling about these new places are causing disruption with shouting and fighting. Saturday and Sunday whilst walking to the shops I am greeted with used condoms, drug packets and vomit. This is a residential area, some of these places cannot be soundproofed adequately because of the large amount of windows in them and should not have been given a licence for music in an area so close to housing with families, some with small children. My business is supplying an important service to the pub/bar and hotel sector , I have spoken to a large number of these operators who cannot understand how these bars in Whalley have been given continuous permission to operate in these ways without repercussions"
44. "Late night disturbance and minor vandalism perpetrated by inebriated pedestrians proceeding towards Barrow."
45. "Noise nuisance Swearing , shouting, screeching from drunken people Taxi horns hooting until 5 a.m. Loud vehicle engine noise and misuse of one way street until 5 a.m. Vehicle damage Litter: glasses, bottles, underwear, drug paraphernalia, pizza boxes, faeces, vomit, urine. Being kept awake until 5 a.m. on Saturday and Sunday mornings. Mental health issues for people who are carers and get no sleep at the weekends. The anti social behaviour makes me feel anxious, frightened and frustrated. Many people in this area are women living on their own."

46. "Noise in the evening Litter: bottles, drug bags, vomit, trespassers, taxi drivers making noise until 5 a.m. Lack of sleep leading to tiredness, irritability and mental health problems. Having to listen to offensive language. Unpleasant experiences when I am walking to church on Sunday morning. Unwillingness to walk through the village after 8 p.m. due to large groups of drunks"
47. "It has become ridiculous at weekends 4 or 5 bars operating into the small hours in a residential area means noise, fighting, vandalism and huge amounts of drug dealing. We have had people waking our kids up fighting and screaming outside our windows at 3 or 4am. No dedicated policing at closing times and this is made worse because every bar is operating different hours so the noise nuisance is continuous from 11 am. At the very least there should be dedicated officers in Whalley all night over the weekends. I don't think the council truly understand the impacts Whalley now has coaches pulling up in the bus station delivering parties from Yorkshire and the amount of drugs then attracts teenagers who have caused havoc in the Abbey."
48. "Customers who have already been drinking in village centre migrate to the late night bars in my area. I'm woken by music noise, ASB on streets and in alleys. Am considering moving due to the impact on my mental health. Too nervous to go out into the village on weekend evenings. The night-time economy is ruining Whalley and many neighbours want to leave the area."
49. "Late night driving is often noisy. Late night drinkers arrive in Whalley, often already drunk - drink more. Drugs are also evident (empty packets on co-op car park or on pavement). They then consume more and fights breakout, they trespass in people's gardens, wreck shop windows. They seem to lose all sense of what is right or wrong. Vomit and broken glass regularly found on Saturday am and Sunday am. Late night drinkers are the main problem - publicity about the 'lively music scene' in Whalley seems to be attracting undesirable visitors. I go out at nights for choir, book group and the pub/cinema in Clitheroe. I no longer feel safe returning home on my own now that drunks - male and female - and potentially drunk visitors are around on my return.."

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

INFORMATION

meeting date: TUESDAY, 25 JANUARY 2022
title: PLATES ON HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To inform Committee of a change to the information displayed on the plates fixed to Hackney Carriage and Private Hire vehicles.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- The Council aims to be a well-managed authority; these proposals support that objective.

2 BACKGROUND

2.1 The Council must issue plates to be displayed on Hackney Carriages by virtue of the Town and Police Clauses Act 1847 and on Private Hire vehicles by virtue of the Local Government (Miscellaneous Provisions) Act 1976. There is a statutory requirement for the plate on a Hackney Carriage to indicate the number of persons who can be carried in that vehicle, and the dimensions of this information are specified. Apart from this, the content and design of the plate for both categories of vehicle are entirely at the discretion of the Council.

2.2 Currently, the plates on vehicles licensed by the Council include details of the type of licence (Hackney Carriage or Private Hire), the licence number, the vehicle registration number, vehicle type (ie make and model), the expiry date and the number of passengers that the vehicle is licensed to carry.

2.3 Depending on the age of the vehicle, a licence will be issued for a period of 4 months, 6 months, or 12 months. A new plate is issued on each occasion to show the expiry date of the licence. The proprietor pays a fee of £15.50 for each new or replacement plate. Each plate is approximately 18cm by 24cm (7 inches by 9 inches) and is comprised of hard plastic to which the paper bearing the information is affixed. When a plate is returned the plastic is eventually recycled.

3 ISSUES

3.1 Many authorities have less information on their plates than is currently required in the Ribble Valley. In particular, if the expiry date information is omitted, the plate can last for many years, as the information does not change.

3.2 The Council's conditions for Hackney Carriages require that a plate is displayed identifying the vehicle as a Hackney Carriage, the number of passengers that may be carried and the licence number. The conditions for Private Hire vehicles require the display of plates, but without stipulating the information to be displayed.

3.3 It is therefore intended that the plates for Hackney Carriage and Private Hire vehicles should be altered by the removal of the information on the renewal date. The Council's officers monitor the impending expiry date of licences and, in the event that a renewal application is not received, will take steps to recover and remove the plate.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – there will be a saving on officer time and in the resources required on issue of a new plate on each renewal.
- Technical, Environmental and Legal – no implications identified.
- Political - no implications identified.
- Reputation – no implications identified.
- Equality & Diversity – no implications identified.

5 CONCLUSION

5.1 Committee is asked to note the contents of this report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

meeting date: TUESDAY, 25 JANUARY 2022
title: UPDATE ON THE TAXIS AND PRIVATE HIRE VEHICLES
(SAFEGUARDING AND ROAD SAFETY) BILL
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: STEPHEN BARKER – SOLICITOR

1 PURPOSE

1.1 To inform Committee of the progress of a Private Member's Bill, seeking to improve the safety of taxi passengers.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives - } The Council aims to be a well-managed
- Corporate Priorities - } Council, providing efficient service based on
- Other Considerations - } identified customer needs.

2 BACKGROUND

2.1 In 2018, a Private Member's Bill was introduced to Parliament which would have required authorities to record all refusals of applications for Hackney Carriage and Private Hire Drivers' Licences on a national register, as well as requiring authorities to cross-reference such applications against the register. Although the Bill had its second reading in the House of Commons on 2 February 2018, it did not progress further.

2.2 The Local Government Association ("LGA") had supported the introduction of the register. During the period when the Bill was stalled after its second reading, the LGA proposed a voluntary national database as an interim measure. The LGA commissioned the National Anti-Fraud Network ("NAFN") to develop and host the register. At its meeting on 10 April 2018, this Committee authorised the Council to sign up to the national database and join the National Anti-Fraud Network. This is now one of the checks conducted on receipt of applications for drivers' licences.

3 ISSUES

3.1 A Private Members' Bill was introduced on 16th June 2021 by Peter Gibson MP, seeking to improve the safety of passengers. The problem which is addressed is that a licensing authority might revoke a driver's licence for wrongdoing, only for the driver to obtain a licence from another authority and then be able to continue to work, including, potentially, in the former licensing authority area.

3.2 The Bill aims to resolve the problem in two ways. Firstly, it would mandate authorities to record taxi licence refusals, revocations and suspensions on a national database, and authorities would be required to consult that database before determining an application for a driver's licence. This would put the current voluntary scheme on a statutory footing. Secondly, it would allow local authority enforcement teams to report instances of wrongdoing by drivers to the authority by which the

offender is licenced; that authority must then have regard to such a report and respond to it.

3.3 The Bill passed Committee stage in the House of Commons on 3 November 2021, and the remaining Commons stages for the Bill are scheduled to be debated on 21 January 2022. Committee will be updated on progress of the Bill at the meeting.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No implication identified.
- Technical, Environmental and Legal – No implication identified.
- Political – No implication identified.
- Reputation – No implication identified.
- Equality & Diversity – No implication identified.

5 CONCLUSION

5.1 Committee is asked to note the contents of this report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS
(If any)

For further information please ask for Stephen Barker, extension 3216.

REF: SB/CMS/LICENSING/1 FEBRUARY 2022

4 **CONCLUSION**

4.1 Committee is requested to note the report.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3206.

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Tuesday, 7 December 2021, starting at 5.30 pm

Present: Councillor R Bennett (Chair)

Councillors: S Brunskill and S O'Rourke

In attendance: Solicitor, Administration Assistant (Licencing) and Jane Horsfield

1 WELCOME

At the start of each hearing, Councillor Bennett welcomed attendees to the meeting.

2 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

The Council's Taxi Enforcement Officer apologised for his absence.

3 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS.

There were no declarations of disclosable pecuniary, or other registrable and non-registrable interests.

4 EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

By virtue of the next items of business being exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 the press and public be now excluded from the meeting.

5 LICENCE HEARING - TAXIS (PERSON 1)

The Sub-committee received a report from the Head of Legal and Democratic Services informing them of an application for a private hire driver's licence and requesting that the Sub-committee determine whether the applicant was a fit and proper person to hold such a licence.

The applicant who attended the hearing, produced a letter from his solicitors that made representations and observations on his behalf. The applicant also responded to questions from the Sub-committee.

The Sub-committee, having considered the submissions (including a submission by the applicant's character witness) and the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Council's Policy and Guidelines on Relevant Convictions, determined that the applicant was not a fit and proper person to hold a private hire driver's licence.

RESOLVED:

That the application be refused.

6 LICENCE HEARING - TAXIS (PERSON 2)

Item withdrawn.

LICENCE HEARING - TAXIS (PERSON 3)

The Sub-committee received a report from the Head of Legal and Democratic Services requesting that they determine what sanctions should be applied against a driver under the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") and the Council's Infringement Points Scheme (Hackney Carriages) ("the Scheme").

The driver attended the hearing and made submissions and responded to questions by the Sub-committee.

The Sub-committee took account of all the submissions, and the provisions of the Act and the Scheme.

RESOLVED:

- That the driver remained a fit and proper person to hold a licence.
- That the driver should be issued a formal warning.
- That the driver be notified that if they accumulated further infringement points during the period of two years from the most recent breach, which had occurred on 17th September 2021, this would result in a further Sub-committee hearing to determine any appropriate action.

The meeting closed at 6.20 pm

If you have any queries on these minutes please contact the committee clerk, Mike Hill at mike.hill@ribblevalley.gov.uk.