



SCRUTINY TOPIC REGISTRATION

Date:	8 June 2018
Name of person proposing topic:	Councillor David Willingham (as chair of Licensing Committee)
Contact:	
Suggested title of topic:	Events impact
<p>What is the issue that scrutiny needs to address?</p> <p>At Licensing Committee on 6 June, during the item of business which considers any other item that the chairman considers urgent and which requires a decision, the issue of noise nuisance from large outdoor events was raised as a matter of concern. While there are some issues which are purely Licensing matters, a number of the issues affect many parts of the Council including the Place Strategy, Licensing and Enforcement. Members of the Licensing Committee felt that the most appropriate way to ensure that these issues were properly considered was for the matter to be referred to the Overview and Scrutiny Committee, as it is best placed to consider the wider picture and to make recommendations to Council, Cabinet and the Regulatory Committees in respect of any changes which should be considered.</p> <p>As background, the specific issue which brought this to the committee's attention was the Steps concert at Whaddon Road on Saturday 26 May, which attracted a considerable number of noise complaints to councillors and the council, but there have previously been matters such as Picnic in the Park, in Pittville Park which caused some concern for local residents.</p>	
<p>What do you feel could be achieved by a scrutiny review (outcomes)</p> <p>Review the process for events and understand how potential impact is assessed. Understand the consultation process with residents and councillors and in particular the process by which the council consults with councillors and local people prior to allowing council-owned land (such as Pittville Park) to be used for such events, as this is much earlier in the process than any licensing applications. Review the process for reporting problems when they occur and taking enforcement. Make recommendations accordingly.</p>	
If there a strict time constraint?	No but under the heading of " Culture and creativity thrive' in the council's corporate strategy and action plan there is an action to deliver a co-ordinated approach to the events programme by Dec 2018 so the impact on communities need to be considered as part of that overall approach and strategy.
Is the topic important to the people of Cheltenham?	Yes – for reason above
Does the topic involve a poorly performing service or high public dissatisfaction with a service?	There has been some dissatisfaction expressed by local residents regarding the impact of specific events.
Is it related to the Council's corporate objectives?	Yes.
<p>Any other comments:</p> <p>The O&S committee set up a scrutiny task group which reported in December 2016 to</p>	

Cabinet so it would be worthwhile reviewing their report and recommendations and how they have been implemented.

OFFICER IMPLICATIONS (for office use only)

Date:	14 June 2018
Officer name:	Tracey Crews
Officer title:	Director of Planning
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Please give your comments on this proposed topics, for example is there any other similar review planned or in progress, are there any potential resources constraints etc	
<p>Officers from the Licensing, Environmental Health, Community Engagement and Green Space teams are currently working on a Commercial Expansion of Events Infrastructure (Events) project, sponsored by Tracey Crews and Cllr Clucas.</p> <p>The objectives of the Project are to:</p> <ol style="list-style-type: none">1. Develop event sites and services to support opportunities for Cheltenham to continue to expand as a national and international event destination by 2019 in line with the place-making, tourism and inward investment strategy2. Increase income generation to support the provision of services from CBC by 20193. Expand opportunities for visitor and resident engagement through attendance at events dispersed across the borough by 2019 <p>The project is focusing on three areas to achieve these objectives. These are the development of existing and new locations, expansion of the commercial benefit opportunities and improvements to the process for organising events.</p> <p>This third area of focus is key to improving the service offered to both event organisers and local stakeholders and, both neighbourhood and stakeholder engagement is within the scope of the project. Similarly, the project intends to review the current process for considering the impact of an event on the local neighbourhood and will propose a clear strategy for engaging with councillors and residents, where appropriate, as part of the event consideration process.</p> <p>With regard to noise generated by outdoor events, some local arrangements already exist to supplement statutory provisions:</p> <ul style="list-style-type: none">• The environmental health (EH) team are involved in the current event application process, enabling them to engage with organisers prior to events on council owned land to mitigate the likelihood of a statutory nuisance being caused.• The EH team use the nearest available standard when recommending noise limits for new event locations (eg Cheltenham Town Football Club) and this guidance is also available on our website – it is the Noise Council Code of Practice on Environmental Noise at Concerts.	

- Noise limits and mitigation measures are often embedded in the premises licence conditions, using the Noise Council Code of Practice to determine what they should be.
- In addition, the council has noise conditions in Land Use Agreements (LUA) on specific sites (Montpellier and Imperial Gardens) and these are also reflected in the planning consent for those sites. Breaches of LUAs are a civil matter for the council to respond to as it decides appropriate.
- The council's website also contains information on how to make a complaint if affected by unreasonable noise from an event – eg alleged statutory noise nuisance.
- There is a legislative procedure for investigating and abating statutory noise nuisances under the Environmental Protection Act 1990. The EH team can serve an Abatement Notice for the likely occurrence of a statutory nuisance or when a nuisance has been determined to exist if they have the appropriate justification/evidence.

The O&S committee set up a scrutiny task group which reported in Feb 2013 to Cabinet so it would be worthwhile reviewing their report and recommendations and how they have been implemented.

After a number of iterations of the recommendations, the final report was taken to Cabinet in July 2013 and it was resolved that -

- An Events Consultative Group (ECG) had been established and has been operating in accordance with the agreed Terms of Reference.
- A Safety Advisory Group (SAG) had been established;
- An information page had been created on the council's website;
- the draft Safety Advisory Group Terms of Reference was approved
- the draft Events Consultative Group & Safety Advisory Group Communication Protocol were approved.
- An events form has been developed to capture all pertinent information.

The ECG membership includes ward councillors, CBC officers from Environmental Health, Green Space, Licensing, and other departments as required and is chaired by the Licensing Manager.

Officers propose that the Commercial Expansion of Events Infrastructure (Events) project process improvements and engagement proposals continue to be developed by officers and shared with Scrutiny, for feedback, prior to being put forward to cabinet for approval and that existing mechanisms for moderating and mitigating the impact of events (including noise) are utilised in the most effective way possible