

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

Agenda Item No.11

meeting date: TUESDAY, 18 SEPTEMBER 2018
title: REVIEW OF RESPONSE TO CUMULATIVE IMPACT ASSESSMENT SURVEY
submitted by: CHIEF EXECUTIVE
principal author: MAIR HILL, 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 - } The Council aims to be a well-managed Council these proposals support that objective.
- Corporate Priorities - }
- Other Considerations - }

2 BACKGROUND

2.1 Committee will recall that a report was submitted to it in April 2018 requesting they give consideration to the implementation of a 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 the 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 2 July 2018. The survey closed on 29 July 2018. The survey related to the area of Whalley and Painter Wood to reflect the new 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 194 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

- 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 –
- Technical, Environmental and Legal –
- Political – N/A
- Reputation – See above
- Equality and Diversity – N/A

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 formally consult upon the proposed cumulative impact assessment for Whalley and Painter Wood as required by the Licensing Act 2003.

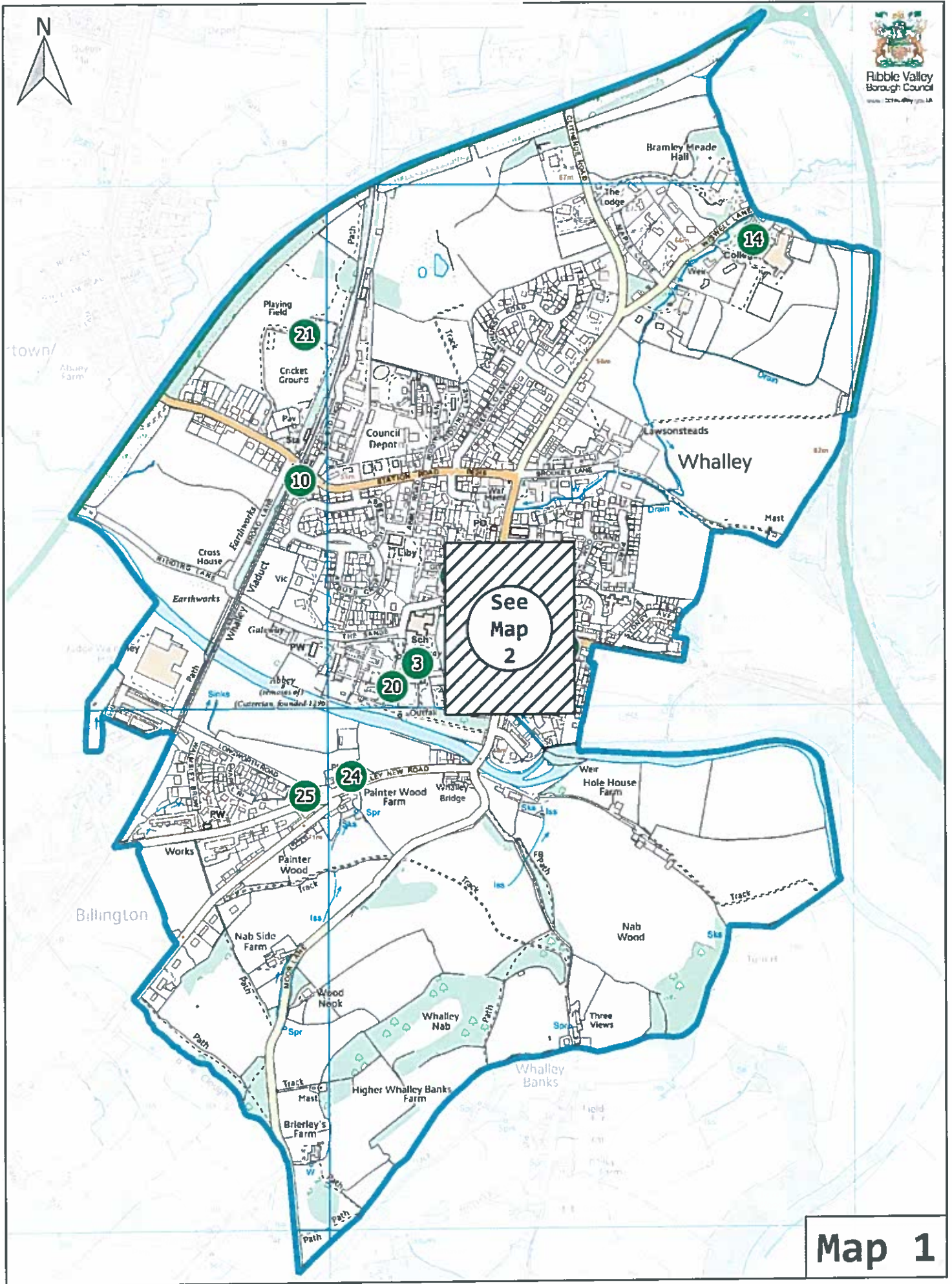
Mair Hill

MAIR HILL
SOLICITOR

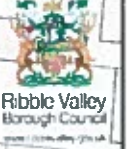
Marshal Scott

MARSHAL SCOTT
CHIEF EXECUTIVE

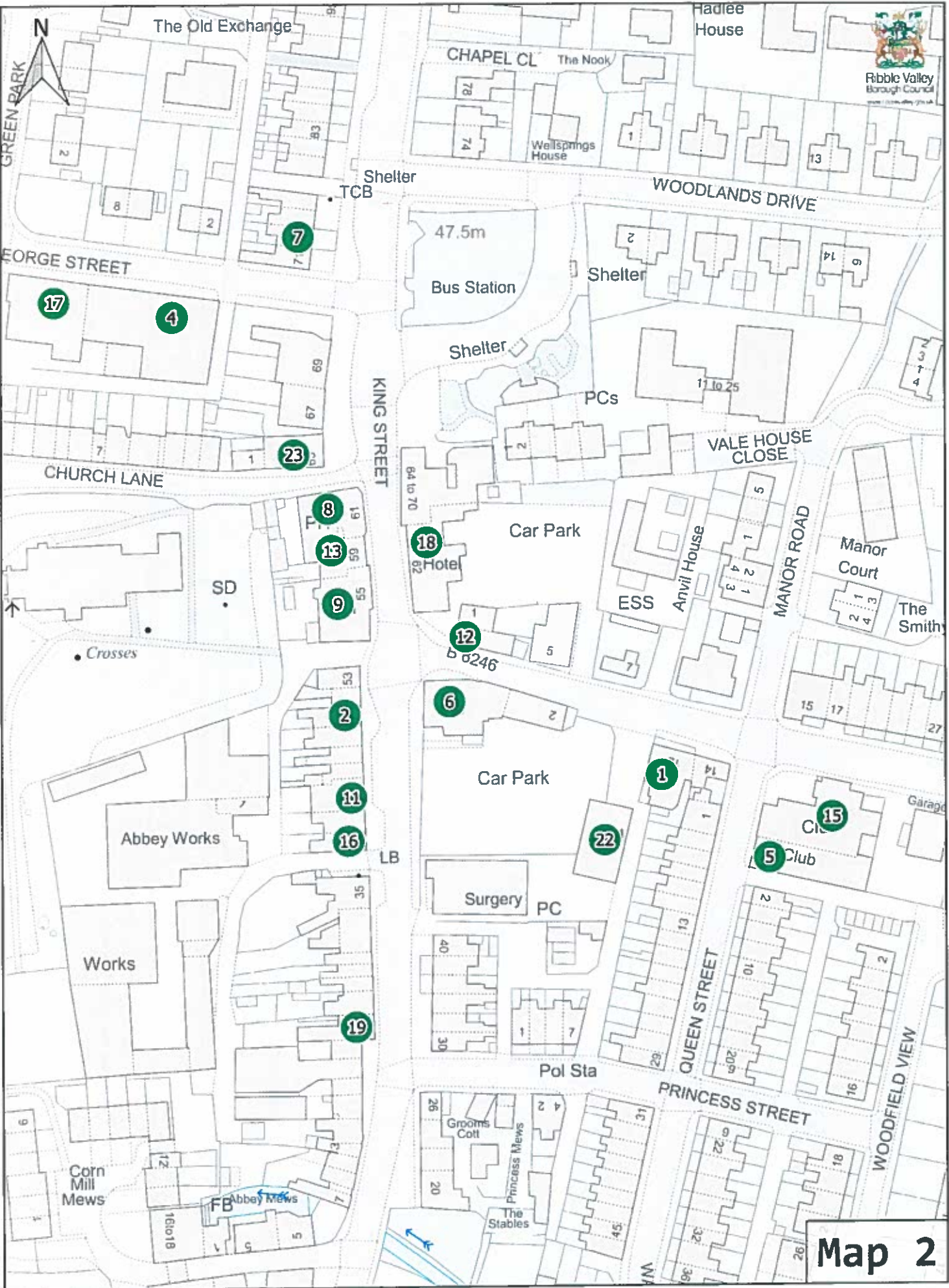
For further information please ask for Mair Hill, extension 3216.



Map 1



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Map 2

10000000. You are permitted to use this

Business Name	Address	Type	Map Reference	Map
Abbey Club	12 Accrington Road, Whalley, Clitheroe, BB7 9TD	Club	1	2
Amico Mio	Amico Mio, 49 King Street, Whalley, Clitheroe, BB7 9SP	Restaurant	2	2
Artisan Café	Café Artisan, The Studio, North Range, Whalley Abbey, The Sands, Whalley, Clitheroe, BB7 9SS	Café & Gift Shop	3	1
Benedicts of Whalley	Benedicts of Whalley, 1 George Street, Whalley, Clitheroe, BB7 9TH	Café Bar	4	2
Brady's	Brady's Wine Bar, Queen Street, Whalley, Clitheroe, BB7 9TA	Wine Bar	5	2
Co-op	60 King Street, Whalley, Clitheroe, BB7 9SL	Off Licence	6	2
Cucina Seventy Three	Cucina Seventy Three, 73 King Street, Whalley, Clitheroe, BB7 9SW	Restaurant	7	2
De Lacy Arms	De Lacy Arms, 61 King Street, Whalley, Clitheroe, BB7 9SP	Public House	8	2
Dog Inn	Dog Inn, 55 King Street, Whalley, Clitheroe, BB7 9SP	Public House	9	2
Food by Breda Murphy	Food by Breda Murphy, 41 Station Road, Whalley, Clitheroe, BB7 9RH	Restaurant	10	2
Forum	Forum Whalley Limited, 41 King Street, Whalley, Clitheroe, BB7 9SP	Bar & Restaurant	11	2
H2O Bar	3 Accrington Road, Whalley, Clitheroe, BB7 9TD	Bar	12	2
Jack's of Whalley	Jack's of Whalley, 59 King Street, Whalley, Clitheroe, BB7 9SP	Bar & Restaurant	13	2
Oakhill Academy	Oakhill College, Wiswell Lane, Whalley, Clitheroe, BB7 9AF	School and Leisure Centre	14	1
Rendezvous	Rendezvous, 16 Accrington Road, Whalley, Clitheroe, BB7 9TD	Nightclub	15	2
Romeros	Romero Pizza and Kebabs, 37 King Street, Whalley, Clitheroe, BB7 9SP	Takeaway	16	2
Spar Store	Spar, 9a George Street, Whalley, Clitheroe, BB7 9TH	Shop/ Off Licence	17	2
Swan Hotel	Swan Hotel, 62 King Street, Whalley, Clitheroe, BB7 9SN	Hotel/ Bar	18	2
Trishna	25 King Street, Whalley, Clitheroe, BB7 9SP	Restaurant	19	2
Whalley Abbey	Whalley Abbey, The Sands, Whalley, Clitheroe, BB7 9SS	Hotel & Conference Centre	20	1
Whalley Sports Club	Whalley Cricket Club, Mitton Road, Whalley, Clitheroe, BB7 9RX	Club	21	1
Whalley Village Hall	Whalley Village Hall, Accrington Road, Whalley, Clitheroe, BB7 9TD	Village Hall	22	2
Whalley Wine Shop	The Whalley Wine Shop, 63 King Street, Whalley, Clitheroe, BB7 9SW	Bar & Off Licence	23	2
Widge Walmsley	The Judge Walmsley, Whalley Road, Billington, Clitheroe, BB7 9NT	Public House	24	1
Whalley Brass Band Club	Brass Band Club, Whalley Road, Billington, Clitheroe	Club	25	1

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

Methodology

The Cumulative Impact Assessment Survey was set up online and paper copies were made available on the main reception. Electronic responses and paper copies were received.

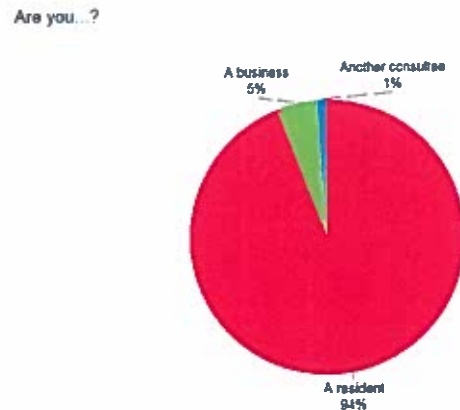
The link to the survey was published on the Council's website and publicised through press releases, social media and by letters sent to the Parish Council, all licensed premises, ward councillors and Whalley Chamber of Trade on 2 July and the survey closed on 29 July 2018.

In total **194 responses** were received.

The Results

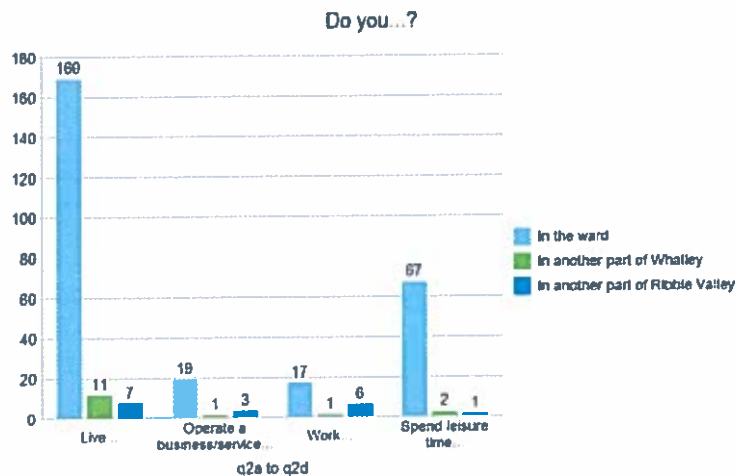
Q1 – Are you...?

186 people responded to this question. 94% replied that they are a resident and 5% replied that they are a business.



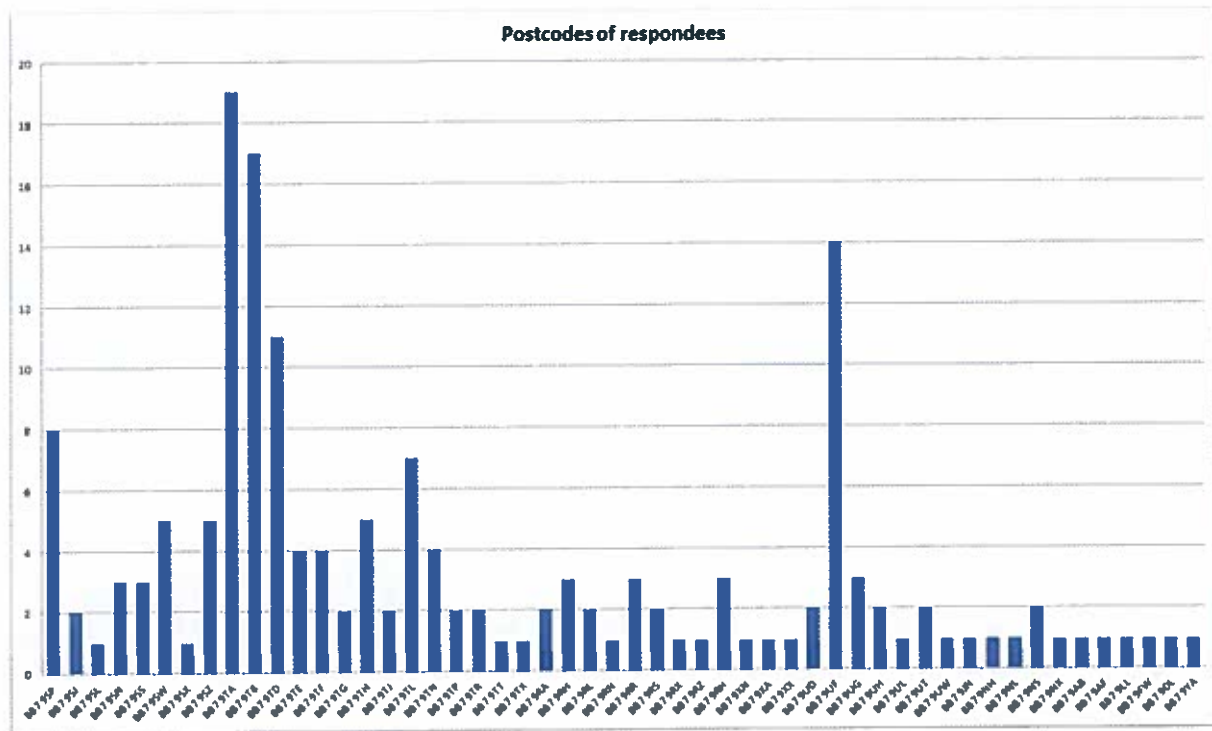
Q2 – Do you...?

The majority of respondents (169) live in the ward. 67 respondents also spend leisure time in the ward.



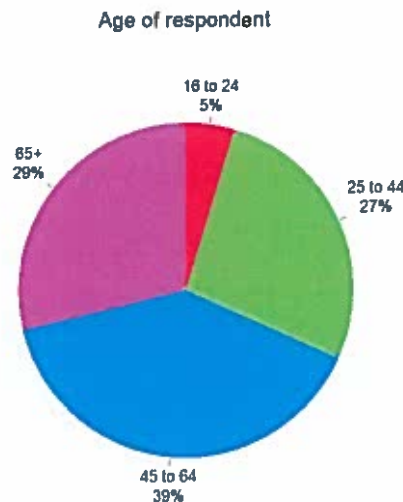
Q3 – If you live, work or operate a business in the ward please can you tell us your postcode?

162 people responded to this question. Unsurprisingly there is a high response rate from the postcode areas covering the streets around Rendezvous and Brady's 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?

191 people provided an answer to this question. There was a good response across all age groups with 39% of respondents aged 45 to 64.



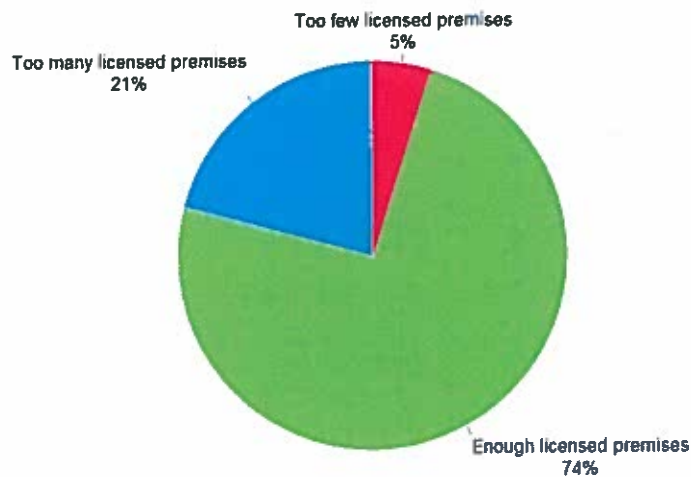
Q5 – How do you feel about the number of licensed premises in the Whalley and Painter Wood ward area at the moment?

This question was broken down to:

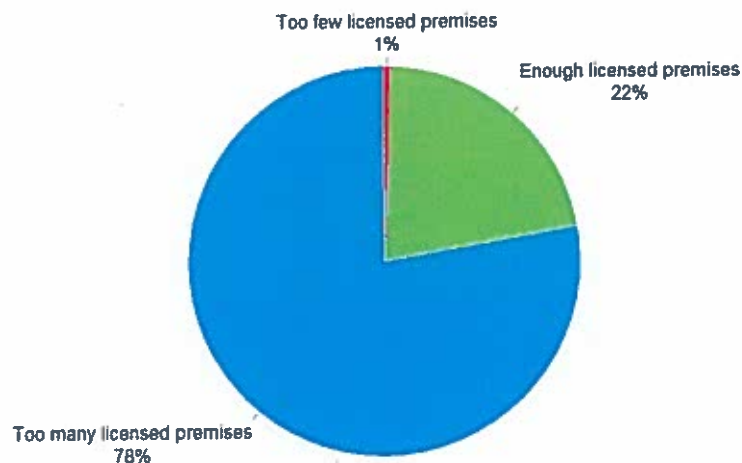
- Those that operate during the day (e.g tea rooms) - 182 people answered this question - and
- Those that operate at night – 188 people answered this question.

74% of respondents feel that there are enough licensed premises that operate during the day and 78% 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...

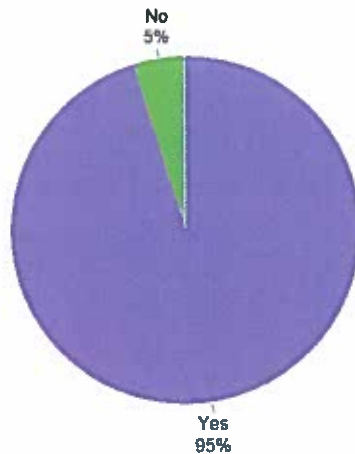
The question was broken down to:

- The number of new premises given a license to operate in the Whalley and Painter Wood ward area – 189 people responded to this question
- The hours that a new premise is licensed to operate – 184 people responded to this question.

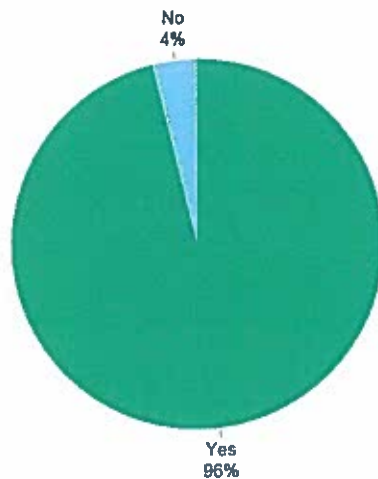
95% of respondents feel that the Council's Licensing Committee should in future consider restricting the number of new premises given a license to operate in the Whalley and Painter Wood ward area.

96% 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 number of new premises given a license to operate in the Whalley and Painter Wood ward area



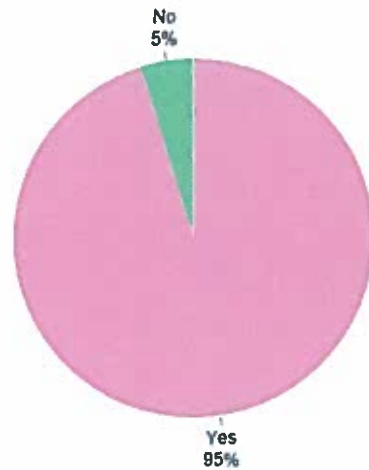
The hours that a new premise is licensed to operate



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

190 people responded to this question. 95% of respondents would support increased controls on the way new premises in the Whalley and Painter Wood ward area operate.

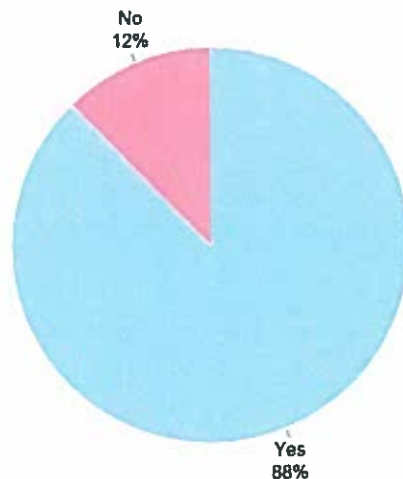
Would you support increased controls on the way new premises in the Whalley and Painter Wood ward area operate?



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

180 people responded to this question. 88% 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.) 171 comments were received.

Below are some examples that represent the comments received.

1. I live above taste buds. I see fights, glass smashing, people peeing in the back alley, where I access my property. Also sick in the back alley. It's very loud, cars racing round with loud exhausts, music playing very loud. It effects me and my family because I have to be up early for work.
2. It is very difficult trying to drive through the village, especially on a Friday night because of the amount of intoxicated people. They can be quite rowdy and I feel for the residents of the centre of Whalley.
3. Excessive noise as people leave premises late at night and early in the morning. People, maybe because they are under the influence of excessive alcohol, treating the roads (King Street and Accrington Road) as if they are pedestrianised. People wander out into the road causing danger to themselves and road users. Too often there are fights in the centre of the village caused by people under the influence, which makes us reluctant to be out in the village later in the evenings. Businesses such as the Wine Shop operate in a responsible and considerate way, others let them down. Needing bouncers on the doors of pubs and clubs is a sad reflection on the night life in Whalley at present.
4. The noise from King Street has increased massively in the late evening and early hours of the morning at the weekends. We frequently hear lots of shouting between 11pm and 2am. The streets are extremely dirty on Saturday and Sunday mornings littered with wrappers, take away boxes and cigarette butts outside of premises. Frequently I have passed with my dog in the mornings and had to avoid piles of sick on the pavement.
5. Every weekend morning there is litter around the village centre from various bars. Bottles and glasses left on walls, pavements etc. Its also not unusual for vomit to be around the village centre in the mornings at the weekends.
6. Damage to vehicle, feeling unsafe in own village at night. Dog walking issues due to glass and sick.
7. Queen Street has changed. Every weekend my life is hell. I can't sleep to the front of the house due to the very loud noise. From my front window I regularly witness urinating, vomiting screaming and shouting. I don't feel safe. The security do nothing, I've witnessed fights. In the morning, the street is carnage, we have to go out and wash away the sick etc and clear away all the cans, bottles and glasses. I can't go out at night as its too intimidating coming home. I've been shouted at too many times. My mental health has suffered, I'm now on medication. I'm at the point of asking to stay with family/friends at the weekend as I can't take any more.
8. We enjoy a full, rich and varied social scene without any downsides, we hear very little noise and enjoy what the village has to offer.
9. Sometimes shouting, singing, arguing, laughing loudly late at night and in the early hours of the morning. Rubbish from takeaways in the street. Abandoned glasses and bottles from the pubs. Sick on the pavement. Occasional vandalism. All of the above mainly confined to Fridays and Saturdays.
10. For me personally its the litter from the take away after a night out and also beer bottles being dumped in flower beds or on the floor. It affects the look and feel of the village. The community groups work hard to ensure the area looks lovely and I feel it could be outsiders coming in a for a night out who don't consider the work they put in and obviously don't care. Also I feel there aren't enough bins on the way out of the village which doesn't help with the litter issue.
11. It is loud very late on in the night and early morning when places are closing which keep people awake.
12. Bradys Wine bar and night club, its a disgrace to grant a licence for drink and music to a night club in a residential area (as a ex licensee I cannot think of another one in East Lancashire).there are people being sick and urinating in the street, the residents

and their children can't sleep for the noise, and also its bringing disreputable people to the village with drug dealing around the premises, the council must do something to bring this beautiful village back to what it was before Bradys opened.

13. Noise levels on Accrington rd on a Thursday, Friday, Saturday and sometimes Sunday evenings has got worse and worse over the past few years. Taxis idling outside my house until the very early hours. Beer bottles and glass left on the pavements and in my garden. There had always been some noise from rendezvous but since Bradys and now h20 have opened it can be unbearable. Due to amount of taxis waiting for fares I suspect most of the clientele are from out of town and not actual locals.
14. The increased number of venues in village centre had seen an influx of people at weekends causing trouble and disruption. I have been disturbed many times by noise carrying from Bradys/rendezvous on the weekend and when previous living on King St in Whalley was disturbed every weekend by people making their way home towards Billington when rendezvous closed. The amount of broken glass in the village in a weekend is unacceptable and I no longer walk my dog through the village on weekends.
15. As a long term member of Whalley in Bloom, who incidentally, are all volunteers just trying to make Whalley a lovely place for residents and visitors, I have been disgusted by the amount of rubbish, beer bottles/glasses/cans/takeaway cartons, not to mention vomit and discarded drugs, which I have found both on the streets and in the flower beds. I would also like to mention the rowdy behaviour, shouting, swearing etc., which we can hear from our house between midnight and 4.00 am. We moved to Whalley 17 years ago. This is not what we moved here for. The problem is, no-one listens to what the residents have to say!!!!!!
16. Noise and damage to cars. Being sick in the garden and urinating.
17. Woken regularly in the early hours of Friday, Saturday and Sunday mornings by screaming, fighting, arguing, swearing, singing, urinating outside my sitting room window, hooting of vehicle horns, excessive revving of private vehicles, taxi doors, taxi engines revving. A drunken girl lying on the pavement outside my door. 2. Vomit, faeces, drug paraphernalia, condoms, empty bottles and glasses on pavements, windowsills and back lanes. 3. The reticence to leave my property by the front door as crowds of drunken people have congregated. I have talked to elderly people on the street who no longer go out after teatime. They are using their back doors and back bedrooms. 4. Moving bedroom in my house at the weekends so that I can sleep without being wakened. 5. Purchasing sound dampening curtains. 6. Sheds in back yard have been entered during the night. 7. I have been sworn at and told to live somewhere else. 8. Yellow van left permanently outside Brady is making the street scruffy. 9. Cigarette ends, chewing gum, cigarette packets strewn over street as well as cigarette smoke drifting through windows. 10. Constant noise of bouncers welcoming people, screeching groups who are not asked to be quiet, the door clicking as it closes, chefs and machinery from Brady's. 11. A-boards obstructing the pavements. 12. Screaming from The Dog Inn interrupting Evensong at St. Mary and All Saints Church (8.7.18) 13. My car wing mirror smashed by taxi at 2.30 am 14. Taxis and private vehicles using one-way street incorrectly. 15. Constant dread of the weekend approaching and having to deal with the noise and inappropriate behaviour. In the recent hot weather it has been impossible to have windows open due to the noise. 16. Parking difficulties for residents due to staff and visitors to licensed premises. 17. Children have always played together on this street but now they hear and see all kinds of dreadful behaviour from drinkers. 18. I have heard from younger people that drugs are regularly taken in the pubs and evidence has been found on our street. 19. Finally, friends of mine who used to come and meet me here in Whalley now prefer to go somewhere else as they see Whalley as 'rough'.

18. Wakeful nights up to 4 a.m. b. Litter: bottles, vomit, pizza boxes, chip wrappers, cans, empty alcopop bottles, pools of urine including stains up the wall. c. Fear of using village shops after 9 p.m. due to intimidating behaviour and noise. d. Parking in private areas without permission overnight. e. There are only a couple of licensed premises where my older friends and myself feel safe or comfortable for a meal or drink. (no evidence of police presence day or night)
19. We have been in continual contact over the past few years with Andy Glover RVBC and have sent numerous (some lengthy and detailed) correspondence regarding Whalley night life. The impact upon the quality of life has been nothing short of devastating. In short, I barely sleep at all through the weekend due to all the noise, people shouting and milling about taking drugs and seeing in our garden. Only this weekend, someone has somehow, got into our front garden (which is very private and secure). I was alerted to this on Sunday morning as the gate had been unbolted from the inside. This is how we live ; completely under siege. Unfortunately, it seems that you would have to experience living like this before you can understand how awful it is and, as no one from RVBC has visited central Whalley from 1.30 - 4pm (the critical times) no one has seen a representative picture of what this night life culture has created. We have people/ gangs milling about all the time and they regularly wander in to private gardens without any qualm whatsoever. In the absence of any police presence, I used to go out and confront them, however, after a very frightening incident some months ago when I became surrounded by a group outside Brady's , I no longer do so - which means they are left unchallenged. The whole thing is an abysmal nightmare. The only slight glimmer of improvement is that Bradys is now an Italian which is preferable and actually has the capacity to be quite nice. Mick at Bradys has been an improvement as the noise / loud music under the previous owner nearly drove me to a breakdown. In fact, I had to give up my role as a Head of year and return to be a normal teacher as I was just too exhausted to do the job after sometimes no sleep at all over the week end nights and just a few snatched hours through the day (which resulted in a completely spoilt weekend – no way to live at all. The drugs are a terrible problem with people openly sniffing drugs off bin lids. All of the above has been well documented in my correspondence to RVBC - this is just to reiterate in response to this survey. I cannot complain enough about what has been created although I am complaining about Whalley as a whole, not Bradys. We went to central Manchester recently and got a far more peaceful night's sleep. Moreover, I feel frightened in my own home. I should not have people in my garden. The resulting detritus is also a disgrace, sick, bottles, drug packets, cigarette butts. The music coming from Rendevous in the early hours is outrageous - I don't know anyone who has to tolerate such conditions. Despite the unprecedented recent heatwave, we have had to sleep with our windows shut due to the noise. There have been many weekends where we have almost left in th3 night to check in at a hotel somewhere - just to get away from the noise. Central Whalley is absolutely saturated with licensed premises.
20. 'Night economy' (aka sleep poverty!) belongs in towns and cities, not in village settings, particularly in the middle of a residential area. How could it not have a negative impact on the rate payers there. Two nights out of seven every week (three on Bank Holidays) I suffer from sleep deprivation due to decisions made by people who do not suffer the consequences. Shouting, screaming, singing, car door slamming, sometimes fighting right outside my home. This goes on until 3 or 4 in the morning. It is not just the noise. but the unease of drunken people loitering about. People in my garden urinating, being sick, taking drugs - I have even had someone in my enclosed pond-which is quite frightening. I am not a kill joy or a NIMBY but some situations just shouldn't be allowed to happen by the people in charge of our well - being - and this is one of those such situations. The problem is very specifically

located but very damaging to those it affects. I hope the people analysing this survey will take this into account. Fortunately, the recent morphing of Brady's into an Italian restaurant setting rather than an incredibly noisy bar has relieved the situation at the back of my property, particularly the drug taking.

21. It's Saturday 14th July 22.57 pm. If anyone from RVBC was here right now they would in no doubt about how Whalley's night life is affecting us. It's been very hot day. I should imagine, its people have the luxury of sleeping with their windows open to let some air in. Unfortunately, we aren't so lucky. We have had to shut our window in attempt to try and stop the music from Brady's keeping us awake. Sadly, even with the window shut, we can still hear the base line and beat and we will be able to until they shut at 1.30 am. Then we will still be kept awake by people shrieking and shouting, wandering into our garden to urinate, loitering in the street taking drugs. Additionally, the noise music blaring from Rendevous will be sure to keep us awake until 4am then the noise from taxi drivers, more drunken people shouting, screaming, urinating, most likely fighting. That will be our Saturday night, similar to a all the other Friday and Saturday nights that we have to endure. I hope all those at RVBC who were involved in passing the licenses for these premises have a lovely, restful night's sleep themselves.
22. People congregating around Queen Street waiting for nightclub to open. The noise of people smoking / talking loudly from Brady's on the corner of the building on Queen street The impact of taxis and cars parking near to our home in the early hours of the morning dropping off and picking up people. The related noise and disturbance of people leaving at least a couple of licensed premises near our home means we are unable to have any of our grandchildren staying over the weekend much to their dismay. We are unable to sleep with our bedroom window open because of the noise of people on Manor Road /Accrington Road/ Whalley centre as people make their way to and from these premises, which is annoying as we sleep at the back of the house and even more so with the hot weather we have had over the last few weeks. The vomit, rubbish, broken bottles and glasses that are found in the morning. On one occasion there was blood stains and bloody paper towels on the path on our side of the road which remained there all morning until I removed the towels. Damage to hedges where people have been fallen or been pushed into. Luckily nothing too serious.
23. Baby woken every weekend Kept awake by shouting and swearing Broken glass, sick and drug paraphernalia outside my house Taxis using the street outside my house as a taxi rank, even queuing up in the middle of the road and shouting to each other, playing music and pipping their horns Groups gathering and shouting Litter being left and not being swept up
24. Because my property is not central I do not personally suffer from the noise and antisocial behaviour during the weekend, but I am well aware that it exists, particularly in the Queen Street, Accrington Road and King Street areas which are very much residential. I am also aware of the litter generated in the centre of Whalley, particularly outside the H2O bar, and the 'volunteers' who regularly do their best to keep Whalley looking respectable.
25. I operate a hotel business in the village and we have seen a marked increase in the number of complaints made by our hotel guests with regard to the noise in the village in the early hours. This increase in complaints has risen in line with the increase in licensed premises and the number of premises operating beyond "traditional" licensing hours. The village is attracting more footfall for the night-time economy and additional anti-social behaviour. The loss of premises for day-time trading is a

worrying trend as "entrepreneurs" perceive hospitality to be easy profit and smaller premises offer cheaper rates and conversion costs. Investors are by-passing traditional pubs and seeking "pop-up" bars and coffee shops - this has added to the decline of many historic pubs and coaching inns throughout the UK and often the blame has been placed at the door of the pubcos. This is no longer the case as rents are now governed by improved legislation. If local councils keep doling out licenses to inappropriate premises, then our high streets will be filled with cafe bars and gin shops and have no attraction during the day - our pavements will be littered with poseur tables and "smoking solutions" and our children are forced to step into the road to avoid them. In a nutshell - Whalley is most certainly affected by the increase in licensed premises and we should seek a return to the process of "one out, one in" - whereby a new licence cannot be obtained unless a historic licence is surrendered.