

## **Notes of the Appleby Fair Multi-Agency Strategic Co-ordinating Group held on 21 May 2018**

**Attendance:** Matthew Neal, Eden District Council (Chairman)  
Billy Welch, Gypsy and Traveller Representative  
Bill Lloyd, Gypsy and Traveller Representative  
Daniel Evans, Cumbria County Council Highways  
Kevin Crawley, Cumbria County Council Highways  
Rob Lewis, Cumbria County Council  
Philip Cueto, Highways England  
Mike Clusker, Cumbria Fire and Rescue Service  
Andy Millburn, Cumbria Constabulary  
Roly Earl, Cumbria Constabulary  
Neil Graham, Cumbria Constabulary  
Ben Swinson, Cumbria Constabulary  
Charlotte Cory, Cumbria Constabulary  
Kevin Bancroft, North West Ambulance Service  
Sue Thompson, Environment Agency  
Neil Buck, Eden District Council  
Sarah Griffiths, Eden District Council  
Emma Brass, Eden District Council  
Oliver Shimell, Eden District Council

**Apologies:** Mark Pannone, Cumbria Constabulary  
Barry Cooper, Eden District Council  
Rob Melloy, RSPCA  
John Barwise, South Lakeland District Council  
Simon Rowley, South Lakeland District Council  
Nick Griggs, North West Ambulance Service

### **1. Minutes of the Previous Meeting held on 23 April 2018**

The minutes of the meeting held on 23 April 2018 were agreed for publication.

### **2. Matters Arising**

Bill Lloyd mentioned the official response from MASCG to the government consultation regarding powers for dealing with unauthorised development and encampments. He stated that he is responding himself and will be enclosing a copy of relevant protocol for responding to unauthorised gypsy and traveller encampments and in particular the Appleby document. The Chairman re-iterated that he would be responding on behalf of Eden District Council. It was agreed that it was important that the Government was made aware of the relevant protocols that were in place in Cumbria.

### **3. NOTAM (Notice to Airmen)**

Matthew Neal brought to the attention of the Group the NOTAM whereby the Civil Aviation Authority had been requested to issue a notice preventing the undertaking of low flying exercises over Appleby and surrounding areas during the period of Appleby Fair.

**Action:** The NOTAM was noted.

#### 4. Life Buoy Provision

Neil Buck introduced a briefing note setting out that the Appleby Town Council are reducing the number of life buoys from five to two, two being the original number of life buoys in 2012.

It was noted that there had been no fatalities through drowning in recent years and it may be that a boom will be put in place by the Fire Service depending on river levels.

It was agreed that it was not the responsibility of MASCG to provide a lifeguard service. In the event of any person getting in to difficulties in the river, Appleby Fair is in the fortunate position of being very well resourced with emergency responders.

**Action:** It was agreed that Appleby Town Council's intentions regarding life buoys be noted and they be reminded by Neil Buck of the need to consider carrying out a risk assessment prior to implementing such decision and having discussions with their insurance company.

#### 5. Issues Raised by Tom Harker

Matthew Neal reminded the Group about issues raised by Mr Harker which would have been discussed at the MASCG meeting of May 2017. He indicated that Mr Harker had spoken to him in early May 2018 complaining about the number of posts and parking restrictions and therefore lack of places for horse dealers to carry out their business. It was noted that Mr Harker had threatened to park his vehicles along with his horse dealing colleagues along the length of road from Jimmy Winters on the left hand side down to the 'White House'.

Billy Welch stated that in his view the proposed actions by Mr Harker did not have the support of the gypsy and traveller community

Inspector Ben Swinson indicated that if there was any parking of vehicles in places that were restricted they would be dealt with by the Police and that the Police and other agencies were well resourced to deal with any activities that were in breach of the requirements of MASCG.

**Action:** It was therefore for the Chairman of MASCG to report back to Mr Harker that his intended actions were not supported by MASCG and that any activities that Mr Harker alluded to would be dealt with by the Police and other agencies.

#### 6. Arrangements for MASCG Meetings during the Fair

Chief Inspector Ben Swinson indicated that it was his intention for meetings to be held at 9.30am on Thursday, Friday, Saturday and Sunday of the Fair. Matthew Neal indicated that he had agreed with Mark Pannone that Mark would Chair the meetings on Thursday and Friday and Matthew would Chair the meetings on Saturday and Sunday.

**Action:** That it be noted that the MASCG meetings during the Fair would take place at 9.30am on the Thursday to Sunday. Meetings to be chaired by Mark Pannone on Thursday and Friday and Matthew Neal to Chair the meetings on Saturday and Sunday.

#### 7. MASCG Silver Telephone Conferencing

This item was introduced by Roly Earl. He indicated that he believed that telephone conferences should take place at 11am daily from 1 June through to 6 June with strategic officers from the County Council, District Council and Police

and such other officers as may be necessary. Meetings could take place later in the day if there was a requirement to do so.

The rationale for the meetings was that difficult decisions may need to be made by staff on the ground, however such staff may not perceive themselves to be senior enough to make those decisions. Such decisions should have the support of MASCG.

**Action:** It be noted that Silver Command telephone conferences will take place at 11am and later in the day if necessary commencing on 1 June and up to and including 6 June. Such telephone conferences to be attended by strategic officers of the County Council, District Council and the Police and such other officers as may be necessary.

## **8. Police Cells Arrangements**

Chief Inspector Swinson indicated that custody provision use will be made of Carlisle and Kendal. Whitehaven, Workington and Barrow were available as back-up if the first mentioned premises were not available. Arrested persons could, if capacity allows, be processed and interviewed at the Appleby Police Station.

**Action:** The update regarding police cell arrangements be noted.

## **9. General Policing Issues**

Chief Inspector Swinson indicated that he and colleagues had met with Scottish Police and Police from North Yorkshire, Durham and Northumberland. Certain officers from other forces would be embedded at Appleby during the Fair. Strategic policing plans were in place over various issues. Communications about the police's intentions and activities were being sent out and messages about the Fair were being communicated to a wider audience. He indicated that there was inter-force working and that there had been a meeting of various police force senior officers. He was confident that in terms of policing, the Fair will be suitably resourced and well managed.

## **10. Public Meeting - 21 May 2018**

It was agreed that Matthew Neal and Ben Swinson would sit on the top table with Councillor Connell as Chairman of the meeting. Also in attendance would be Emma Brass, Kevin Crawley, Daniel Evans and Billy Welch.

It was agreed that the attendance at meetings over the years had reduced which is probably a reflection of the Fair over the years proceeding relatively smoothly.

## **11. Sub Group Reports**

### **a) Eden Parish Forum**

Emma Brass confirmed that there were no horse sales now taking place at the auction mart at Kirkby Stephen during the Fair. She also stated that there were two caravans currently encamped at Gilwilly Industrial Estate which were intending to travel to the Appleby Fair. She had visited but they were on private land and according to relevant policy there was no basis for the Council or any other public authority to intervene. The relevant landowner was quite happy for the travellers to stay at that particular site for the time being.

## **Opening Times of the Seven Licensed Sites**

Emma Brass referred back to discussions that took place in July 2017 at MASCG at which various conditions for the seven licensed sites around Fair Hill had been discussed. She raised concerns that if the licence conditions were continually breached then consideration should be given to removing the conditions. Matthew Neal stated that the conditions are clearly in place for a reason and what had been agreed at the July 2017 meeting was that contrary to what had happened at the 2017 Fair, any decision to allow the licence to open should be taken at MASCG level.

Bill Lloyd stated that in his view the enforcement of the conditions was a matter of discretion for the Police. Matthew Neal stated that the position was that in terms of enforcing the conditions the overriding principles of preventing of loss of life or serious injury guided any enforcement of conditions. Ben Swinson indicated that there were three options, the first was to enforce the licence conditions which is the default position, the second would be to decide based upon the position at the time on the eve of the Fair to allow the licensed sites to open earlier. The final option would be to open one or more of the sites early but not all.

Matthew Neal indicated that there is clearly a desirability to have consistency in decision making across the seven licensed sites but any decision would be a matter for MASCG depending upon the position on the ground in terms of the vehicle movement.

**Action:** It was agreed that the position with regard to conditions on the seven licensed sites be noted and that it be re-affirmed that any decision about earlier opening of the sites should be one for MASCG.

### **Mr Gibson's Field, East Cocklakes Farm, Alston**

Emma Brass indicated that a field which was somewhat remote on a dead end road and at high altitude had been put forward as a potential tolerated site. She had investigated it with other officers along with a gypsy and traveller representative.

**Action:** It be agreed that the site was not appropriate, being too remote, exposed, on a narrow unsuitable dead end road and too far from Alston. It was therefore not being an appropriate tolerated site.

## **b) Licensing**

Sarah Griffiths confirmed that she had met with the designated security company. Things were proceeding smoothly. All but one of the licensed premises would be open during the Fair. The one problem was in relation to the Tyson Fury boxing fight which may be shown on TV at the Kings Head. If the fight were to proceed to the full twelve rounds that would leave occupants drinking at the premises beyond the hours allowed for by the Charter. It was agreed the Police and relevant authorities would monitor the situation at the time.

The landlord of the Kings Head was giving careful consideration as to whether he wished to show the fight as the other licensees within Appleby were not intending to do so.

It was confirmed that Bridge End News had put in an application for off-sales licence but not on-sales which was proceeding through a TENS application.

In terms of public space protection orders signs were being erected in time for Appleby Fair to emphasise the new restrictions.

**Action:** That the update be noted.

**c) Communications**

Neil Graham indicated that he was putting out the press releases about the need or community and road safety and the fact that the horse sales event in Kirkby Stephen had been cancelled.

**Action:** That the update be noted.

**d) Highways**

Philip Cueto indicated stated that variable speed messages were already being put in place.

Kevin Crawley reiterated a similar message. He also stated that posts setting out the parking restrictions were in place also

He stated that in terms of the access to Jimmy Winter's field from the Flashing Lane that there was a slight problem in that Jimmy Winter had lawfully improved the access to his field but the verge was difficult to walk on as it was gravel and could be muddy in the wet. Officers were looking into this and he was confident that a solution would be devised in time for the Fair.

**e) South Lakeland Working Group**

Roly Earl indicated that the South Lakeland District Council had reported to him that preparations were proceeding smoothly and bouldering at the appropriate sites had been undertaken.

**Action:** That the update be noted

**12. Any Other Business**

There was no other business

**13. Date of Next Meeting**

The next meeting will be held on Monday 18 June 2018 2.00pm in the Council Chamber, Town Hall, Penrith.