



To: **Executive Councillor for Arts & Recreation**
Report by: **Head of Active Communities**
Relevant scrutiny committee: **COMMUNITY SERVICES** 13/11/08

Strawberry Fair – Use of Midsummer Common
Non Key Decision:

1. Executive Summary

- 1.1 On an annual basis, Cambridge City Council ('the Council') permits the use of Midsummer Common for Strawberry Fair. Following the 2007 event, residents and other stakeholders raised a number of concerns. In response to these concerns, and in discussion with the Council and other stakeholders, the Strawberry Fair Committee ('SFC') implemented an improvement plan.
- 1.2 A review of the 2008 event has now taken place. This has considered the extent to which the improvement plan has been successful and has involved consultation with stakeholders including SFC, local residents and the Police. Following this consultation, the Council has identified a number of specific areas for which it believes further improvements are required in order for permission to be given for a future event.
- 1.3 Following discussion with the Council, SFC has submitted mitigation proposals. The Council has sought feedback on these proposals from stakeholders so that it can reach an informed perspective on whether to permit the use of Midsummer Common for Strawberry Fair in 2009.
- 1.4 The decision to permit use of Midsummer Common for events would usually be taken by officers following consultation and consideration; however, the issues surrounding the use of the Common by Strawberry Fair are complex in that the event has a very high profile, has evolved considerably over time, and the views of stakeholders often conflict. In these circumstances, and as permitted under point 4D of the Constitution, the Director of Community Services has referred the matter to the portfolio holder for decision.

2. Recommendations

- 2.1 The Executive Councillor is recommended to approve option a) but following scrutiny may wish to consider approving options b) or c) instead:
- a) Approve the use of Midsummer Common by Strawberry Fair in 2009 with the following two caveats:
 - i. Subject to agreement by the Strawberry Fair Committee to implement the specific conditions outlined in paragraph 3.27

- ii. Officers are required to evaluate the extent to which the organisation of the 2009 event is successful in reducing public nuisance before considering permission for future events.

OR

b) In addition to recommendation a) above, give further consideration to proposals for early closure of the Strawberry Fair in 2009. If this option is selected, given the concerns raised by both the Police and the SFC, further work would be needed to understand how the proposal would be managed, and a final decision would therefore need to be made in January 2009.

OR

c) Refuse permission for Strawberry Fair to take place in 2009

3. Background

3.1 Strawberry Fair has been held on Midsummer Common since 1974. The event is organised by over 1200 volunteers and takes place every year in the first week of June. The constitutional aim of the Fair is 'to provide entirely free entertainment for the benefit of the local community, including children. The entertainments will include music, arts, theatre and crafts'.

3.2 Strawberry Fair is a not for profit, independent organisation that is self-funding. The Fair also supports cultural activity throughout the year, such as gigs across Cambridge venues, which provide opportunity for local acts to perform. The 2008 Strawberry Fair event showcased 500 musicians, 90% of whom were local to the area. Many variations of music are provided ranging from jazz, soul, rock, indie, folk and electronic music.

3.3 Strawberry Fair makes significant provision for young people. This includes a circus school, bouncy castles, trampolines, a climbing wall, science experiments, painting, face painting, story telling and magic shows. One stage is devoted entirely to young performers 18 years and under, and the main stage runs a showcase for Cambridge Regional College student bands. According to the Council's 2007 Events Survey (undertaken by MRUK), young people rate the Strawberry Fair as the most popular cultural event of the year

3.4 The Fair has a devoted arts area that is supported by local arts groups, and a film festival that shows a large number of films directed and produced by local people. On the day of the Fair, there are 43 charities, both local and national, represented with a particular focus on providing opportunity for volunteering.

3.5 The Strawberry Fair market provides over 300 stalls and a diverse range of genuine ethnic traders. Strawberry Fair recycles 34% by weight of all the rubbish produced on the day. All generators run on renewable fuels, and one stage is solar powered.

- 3.6 Midsummer Common is owned and managed by the Council. The Council can permit events on the Common for the purposes of games and recreation and for any agricultural, horticultural or other show or for any other entertainment or exhibition or for any other public purpose of a temporary nature.
- 3.7 Following the Licensing Act 2003, the Council registered the Common as a Licensed Premises. This approach allowed the Council to permit the use the Common for regulated entertainment, the supply of alcohol, and therefore support a variety of cultural activity. The named Premises Licence holders are Liz Bisset, Debbie Kaye and Alistair Wilson, all of who are officers of the Council.
- 3.8 Strawberry Fair uses the Council's Premises Licence in accordance with the conditions of the Licence and other Council requirements. SFC pay for hire of the common and the use of the Licence in accordance with the annually approved fees and charges for the use of parks and open spaces.
- 3.9 A number of Council sections engage with the Fair, in particular Active Communities, Streetscene and Parking Services.
- 3.10 The Fair takes place under an Agreement of Hire between the Council and SFC. This sets out the legal, contractual, statutory and financial relationships between the City Council and SFC. The Agreement of Hire requires SFC to produce an Event Control Document in which much of the operational detail resides.
- 3.11 Following the 2007 Strawberry Fair, the Council organised a meeting at which stakeholders (including ward councillors and local residents groups) had an opportunity to provide feedback on the event. Concerns raised included unauthorised camping, public urination, litter, drunkenness, drug-taking, noise, camping on the Pound area of Midsummer Common and illegally parked vehicles on Walnut Tree Avenue.
- 3.12 The Strawberry Fair Committee was advised that before permission could be considered for 2008 event, it would need to provide realistic and deliverable proposals to respond to the concerns raised. The proposals would then be discussed with stakeholders before a decision was reached.
- 3.13 The SFC subsequently produced a report entitled 'Your Fair, Play Fair' which contained a range of improvement measures. This report is available as a background paper (a). The document was discussed at a meeting with ward councillors and stakeholders on 26 February 2008. Following further clarification of the detail, the Council granted conditional permission for the 2008 Strawberry Fair to take place on Midsummer Common.

- 3.14 An Agreement of Hire was signed between the Council and SFC and an Event Management Control document produced. This was discussed by the relevant agencies at a meeting of the Safety Advisory Group. All pre-event requirements were fulfilled, including risk assessments, public liability insurance and detailed event contingencies. The Strawberry Fair took place on 7 June and ran from 12 noon until 11pm.
- 3.15 On the day of the Fair, officers from the Community Services and City Services departments were on site from throughout the day and evening to carry out monitoring and enforcement activity. The Police estimated attendance to be in the range of 15,000 to 20,000 people.
- 3.16 Following the event, the Council organised a meeting on 4 July at which stakeholders had the opportunity to provide feedback on the event. Discussion focused around the effectiveness of the 'Your Fair, Play Fair' campaign. The general consensus was that Strawberry Fair Committee had made many improvements, particularly with regard to preventing camping in the Pound. However, there were still areas of significant concern, particularly around excessive alcohol consumption and public urination. These issues were identified as causing significant public nuisance to local residents and other members of the public. Notes of this meeting are available as a background paper (b).
- 3.17 A debrief of the Strawberry Fair 2008 took place at a meeting of the Safety Advisory Group (SAG) on 5 July. The main points identified by the agencies attending the meeting were:
- Toilet provision - although compliant with standards - was not adequate; the group noted four pee pods were not delivered to SFC by City Council as expected
 - Some environmental health issues around food safety were identified and subsequently followed up with local authorities.
 - All agreed the strategy to address camping in the Pound was successful
 - St John's Ambulance reported communication had been good; the number of incidents dealt with had fallen from 165 in 2007 to 100.
- 3.18 The Council held a meeting with Cambridgeshire Police on 14 August to discuss the event from a policing perspective. Both agencies concurred that whilst improvements to the event had undoubtedly taken place, there were concerns that needed to be addressed. The police reported the following observations:
- Approximately 300 officers were dedicated to the event
 - Following the Strawberry Fair 2008, levels of crime and anti social behaviour were reviewed to establish any significant patterns. Given the numbers attending the event it is reasonable to expect some rises in crime and disorder. Research was conducted by the Police to compare

levels of crime over the Strawberry Fair weekend with the five weekends before and five weekends after the event.

- The research shows that in the area of Midsummer Common there were some significant increases in both anti social behaviour and violent crime. The dramatic rise in total recorded crime can be explained as a result of cannabis seizures. Every individual caught in possession of cannabis results in a crime being recorded as a possession of drugs.
- Across Cambridge City there were also some significant rises in crime. Again total crime can be explained as a result of cannabis seizures. The rise in violent crime and Anti Social Behaviour is less dramatic than for the area of Midsummer Common. This may be due to peaks in other weekends due to other events.
- A total of 38 arrests were made, 10 of these for being for offences of supplying drugs. The area around Brunswick was identified as a key area for the problem of urination in public. A total of 17 Penalty Notice for Disorder (PNDs), were issued, resulting in an £80 fine to the offender.
- In addition, it is also of note that a significant proportion of offenders were from outside of Cambridge City, and the greatest number were from outside of the County. There were a total of 208 offenders either issued with a PND or who received a formal warning for cannabis on Midsummer Common. A total of 34 offenders were from the City (16%), 37 were from outside of the City (18%) and 137 were from outside of Cambridgeshire (66%)

3.19 The Police advise they have already considered improvements to the policing of the Strawberry Fair and are working on the following action points for the future:

- Working in greater partnership with the Council to ensure the Fair is a safe event.
- Earlier contact to be made with local residents for their involvement through the local neighbourhood team and residents associations. Also, Police are considering an enhanced team to respond to community needs on the day.
- Police will be looking at ways, working with the Council and SFC to help combat the problems with urination in the local area, as well as wider issues of anti-social behaviour.
- Police were satisfied with the Walnut Tree Avenue parking solution this year and will be looking to develop this as a future option.
- Cambridgeshire Constabulary will continue to support the British Transport Police at the train station to prevent drugs and any other potential trouble from coming into the city via the railway station.
- Police will continue to use stop and search powers looking for drugs and other illegal items.

- Police will work with the Council, organisers and licences in and around the Strawberry Fair site to ensure responsible and lawful sale of alcohol is being carried out.
- With the issue of drunken or rowdy behaviour in public places, the Police will be looking at an approach which will involve seizing alcohol from those under 18.

3.20 The Council agreed to consider the concerns and issues in more detail and subsequently established a list of improvements that would need to be addressed before permission could be given for Strawberry Fair in 2009. In response to the issues raised, the main areas for focus were agreed to be:

- Addressing excess consumption of alcohol and underage drinking at the Fair.
- Reducing public urination.

The full list is available as a background paper (c).

3.21 The Council met with SFC on 9 October to discuss the requirements, and to request that a proposal responding to the issues be prepared for 16 October. The SFC subsequently produced a report, 'Impact to Local Residents of Strawberry Fair 2008/2009' which is available as a background paper (d).

3.22 The Council organised a meeting with stakeholders on 24 October to discuss the Council's requirements and the solutions proposed by SFC. The purpose of the meeting was to clarify the concerns and understand the extent to which stakeholders believed the proposals put forward by SFC would deliver improvement. Notes from this meeting are available as a background paper (e). In addition to the issues already raised, the following points were noted:

- The 'access only' entrance points to the Brunswick area needs to be enforced/ policed to prevent unauthorised usage.
- Additional attention needs to be given to the potential displacement of campers and transit vehicles from the Pound to the Riverside and Stourbridge Common areas.
- Greater attention needs to be paid to illegal parking in the Brunswick area.
- The Police advised concerns about quantities of alcohol sold by local off licences must focus on unlawful activity, such as irresponsible selling of alcohol.
- The impact of the Fair on residents of Mitcham's Corner needs more consideration.
- A greater level of responsiveness from the Police to local problems as they arise is required.

3.23 In the list of suggested improvements drawn up by the Council and Police, The Executive Councillor had asked the SFC to consider an earlier

closing time of either 7pm or 9pm to help address some of the issues of nuisance to local residents. The Executive Councillor advised the stakeholder meeting that she receives feedback from a wide range of perspectives and has observed there is a great difference between the event the SFC plan and that experienced by local residents. The Executive Councillor has expressed reservations about the likely impact of improvements around the margins, and proposed the concept of early closing to prompt debate about how the nature of the event could be changed to address issues and concerns. The proposal to close early needs careful consideration, primarily to examine how the early curtailment of activity (and any benefits this may bring) is countered by the potential management of dispersal or non-dispersal.

3.24 The SFC view on the proposal for early closure is summarised below:

- In 2002, SFC, the Council and the Police introduced staggered finish times, with stages closing down at varying times thus encouraging crowds to disperse at manageable levels. This system has worked very effectively every year since with no trouble.
- There is no evidence to suggest that closing early will have a positive effect on the issues of major concern, nor is there evidence to suggest there is a significant increase in intensity of incidents after 7pm or 9pm..
- There are number of risks to closing the event early at what is considered to be a peak time, and this would need to be addressed. The key concerns would be that there are between 8,000-15,000 people on Midsummer Common and:
 - There would be no organised activity and SFC would have no authority to control those who chose to remain.
 - There would be various types of impact on surrounding areas and the City Centre.
 - Problems related to nuisance would not necessarily stop, but may move to other sites. There may be a increased risk of unlicensed entertainments and public disorder issues that would otherwise not occur.
- The Fair would potentially lose up to 30% of entertainment time, affecting approximately 100 local performers.
- Income and sustainability of the Fair would be adversely affected, as stallholders would see the event as less viable.

3.25 The Police have advised officers that:

- They are satisfied with the current arrangements for the staggered closing and end time of the event
- They have serious concerns as to how the impacts of an early closure on Midsummer Common, on the surrounding residential areas and in the city centre could be managed and by whom. In

particular, issues around crowd dispersal and public order would need to be further assessed and discussed by the relevant agencies.

3.26 Following careful consideration, and giving particular weight to the views expressed by the Police, officers have reservations as to the viability of the proposal to require an early closure of the event and would request that further work is done to clarify risks and how to mitigate these if this option is to be pursued. Officers would also request that a final decision on early closing, if this option is to be pursued, is deferred until the January Community Services Scrutiny Committee. SFC have requested that Council be aware that a delay to January in making a decision whether or not to give permission to the Fair in 2009 will impact adversely on their planning, particularly in having time to budget for and make any changes to infrastructure; also in their wish to implement a more robust assessment of traders which would need to start in December.

3.27 The recommendation to the Executive Councillor is based on officers' assessment of the SFC proposals made in response to the remainder of the suggested improvements, and the views expressed at the stakeholders meeting on 24 October 2008. Officers recommend that the following improvements should be conditional to the granting of permission to SFC for the use of Midsummer Common for Strawberry Fair in 2009:

- a) Increase the number of toilets in discussion with SAG.
- b) Ensure pee pods are sited at strategic points.
- c) Install fencing along path running along Brunswick walk. The distance from housing will be agreed by all parties. The fence is to be positioned so it funnels individuals toward pee pod locations.
- d) Publicise the penalties the Police may issue for public urination, both prior to and on the day of the event.
- e) Brief stewards and SIA staff to prevent/advise occurrences of public urination
- f) Operate a challenge 21 policy at all Fair bars
- g) Engage Designated Premises Supervisor (DPS) registered personnel supervising the sale of alcohol and Security Industry Authority (SIA) personnel at all Fair bars
- h) Work with all agencies to develop and deliver an effective strategy to prevent large quantities of off site sales of alcohol being brought onto Midsummer Common
- i) Utilise signage at all entry points to advise against excessive alcohol consumption and preventive and corrective actions that may follow.
- j) Utilise SIA staff to highlight and address any potential problems of excessive drinking.
- k) Promote and support the Police in using the powers provided by Section 27 of the Violent Crime Reduction Act 2006.ⁱ
- l) Promote and support Police powers to confiscate alcohol from under 18s.

- m) Work closely with the Police and other agencies to send out a strong message both prior to and on the day of the event to promote responsible drinking.
- n) Facilitate an onsite presence for all Council services in the Joint Services Control
- o) Liaise with the Council Licensing officer to provide a convenient timetable for submission of films to be shown at the Fair.
- p) Co-operate with the Council and the Police with regards to ensuring Council CCTV coverage meets licensing requirements.
- q) Liaise with County Council and the Police to enforce the 'access only' entrance points to the Brunswick area to prevent unauthorised usage
- r) Liaise with the County Council, City Council and the Police to deter camping on Stourbridge Common and the illegal parking of vehicles in the Riverside and Brunswick areas.
- s) Continue to reinforce and embed the improvements required by the Council for the 2008 Fair.
- t) Promote a greater awareness of the impact of the event on local residents and the extent to which this is an issue in relation to permission for future events.

3.28 The extent to which the conditions outlined above are successful in achieving a reduction in public nuisance as measured by stakeholders will determine whether the Council will either grant permission in future years, require more stringent conditions or refuse permission for the event to take place.

4. Implications

5. Background papers

- a) 'Your Fair, Play Fair' document; Strawberry Fair Committee (February 2008)
- b) Notes from stakeholder feedback meeting on 4 July 2008
- c) Council list of suggested improvement to Strawberry Fair in 2009
- d) 'Impact to Local Residents of Strawberry Fair 2008/2009'; Strawberry Fair Committee (October 2008)
- e) Notes from stakeholder meeting on 24 October 2008

6. Appendices

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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ⁱ Section 27 of the Violent Crime Reduction Act 2006 came into force on 22 August 2007. This provides the Police with a power to issue a direction to an individual to leave a locality to minimise the risk of alcohol-related crime or disorder arising and/or taking place.