

Appleby Fair 2022 Evaluation Report



1. Introduction

This is the annual Evaluation Report for Appleby Horse Fair 2022. Appleby Horse Fair (the Fair) is a unique occurrence with a necessarily unique approach to how relevant agencies respond to it. It is important to understand that the Fair is not an organised event, rather a traditional gathering and that no single organisation or entity is responsible for it. This is the basis on which the Multi Agency Strategic Co-ordinating Group (MASCg) operates. MASCg was established in 2008 to better co-ordinate the activities of the various agencies that have either statutory responsibilities or other contributions relevant to the Fair. MASCg has oversight of community safety and regulatory issues, but does not organise or manage the Fair and is not collectively responsible or liable for it.

MASCg's principal objective is the preparation, delivery and co-ordination of a multi-agency operational plan to support a safe and enjoyable Fair. MASCg comprises officers from:

- Appleby Town Council
- Cumbria Constabulary
- Cumbria County Council
- Cumbria Fire and Rescue Service
- Eden District Council including
- National Highways
- North West Ambulance Service
- RSPCA
- South Lakeland District Council.

MASCg also includes three councillors representing settled communities and two representatives of the Gypsy and Traveller communities.

The purpose of this Evaluation Report is to consider whether and to what extent the MASCg succeeded in its objective of delivering a safe and enjoyable Appleby Horse Fair. The previous 2021 Fair was held against the backdrop of the unprecedented circumstances of the COVID 19 pandemic which heightened concerns about the Fair in local communities. Some of these concerns remained in 2022 which has prompted MASCg to re-examine the future nature of the Fair. This is addressed later in section 8 of the report.

2. Setting the date for the 2022 Fair

The traditional time for the Fair, starting the first Thursday in June, clashed with the date of the Queen's Platinum Jubilee. This was raised at the post fair public meeting following the 2021 Fair. MASCg announced in October 2021 that agreement had been reached to support the Fair starting Thursday 9 June 2022, falling the week following the Jubilee celebrations to help all communities to enjoy the Jubilee and not to overstretch the resources required for both.

3. Community Engagement and Communications

Engagement with the public in the build up to, during and after the Fair followed a similar approach as in 2021. A public meeting was held at Appleby Public Hall before the Fair on 18 May 2022 which assisted in the final phases of operational planning.

Community Action Groups (CAGs) which allow community members to discuss any worries or issues they have with Police, Councillors and other agencies were held daily at 18.00 between the 2 and 12 June. These were in person with a virtual dial in option in Appleby Public Hall, except on the 7 June which was only virtual.

A post Fair public meeting was held on 7 July again in Appleby Public Hall. The post fair meeting highlighted issues and lessons learned for the 2023 Fair which are covered in section 5. There were many questions raised about managing the Fair as an organised event. This issue is covered in detail in section 8 below.

The www.applebyfair.org website continues to be the main outlet for communicating information about the Fair. This is planned to be upgraded during 2023.

4. Supporting the Fair

The approach to supporting the Fair followed the usual three stages but reflecting the slightly later time in June:

Phase 1 – travel to the Fair which started in May/early June 2022;

Phase 2 –the Fair itself from 9 to 12 June 2022; and

Phase 3 – leaving the Fair which commenced from 12 June 2022.

Phase 1

In advance of Phase 1, the usual ‘don’t arrive too soon message’ was issued on all communication platforms. There was no change in the availability of stopping places since the 2021 Fair.

The Public Space Protection Orders introduced in 2019 remained in place to regulate drinking in public places in Appleby, Kirkby Stephen and Long Marton and there were no significant anti-social behaviour issues experienced during Phase 1.

Cumbria County Council Highways Department introduced the same measures which were implemented during the 2021 Fair in order to reduce road safety concerns prohibiting verge parking in unauthorised areas and reducing speed limits. Consolidating the traffic regulation order in 2021 meant that the restrictions which were previously introduced under temporary measures now formed part of the main order.

In 2022 the Phase 1 of the Fair coincided with the Queens Jubilee Celebrations in Kirkby Stephen and only two licenced premises in the Town opened with six deciding to close during this period, a further two rural pubs close to the Town also opened. Platinum Jubilee celebrations passed peacefully with no disruption by the Gypsy and Traveller Community.

Phase 2

The facts and figures on the key operational interventions and outcomes during Phase 2 are set out in Appendix 1.

In term of numbers attending the Fair, the number of caravans counted in the Eden area has previously given a reasonable indication of how busy the Fair is. The number for 2022 at 1,231 was only up 21 or 2% on the number in 2021.

As tested in previous years, the Sands was closed off on early Thursday afternoon to create a safer space for gathering crowds. It reopened following cleansing at 1830 hours. On Friday the road was closed between 1100-1840, on Saturday 1145-1800 and on Sunday 1300-1645.

The Police again had a dedicated option within the 101 for issues connected to Appleby, as well as web chat, email and 999 if necessary. There were 2820 calls into 999/101 during phase 2 across the force area. 93% of 101 calls were answered within 5 minutes. Webchat and online reporting also recorded an additional 630 digital contacts. Out of the total 3,450 customer contacts during the period of phase 2, 155 were directly related to the Fair.

In respect of Policing and public order, recorded crimes were up 12% from 2021 levels at 28 from 25. Arrests were also up, by 38%, at 18 in 2022 from 13 in 2021. The most significant change was in respect of dispersal orders which rose from 6 in 2021 to 28 in 2022. The increases in arrests and dispersals were as a direct response to a firmer line being taken by Police regarding anti-social behaviour and violent crime following concerns raised by both settled and Gypsy and Traveller communities and to reinforce the commitment to ensuring Appleby Fair is a safe and enjoyable event for all communities.

There was also a significant rise in fixed penalty notices issued, up 140% from 58 to 139, attributable mainly to parking infringements within the “no waiting” areas. Vehicles being uplifted and removed also increased as a result of similar obstruction issues and some uninsured or unlicensed vehicles.

Police were required to deal with an incident of disorder on Battlebarrow which understandably received a great deal of attention. It should be noted that the matter was resolved without violence of any description and officers reacted extremely quickly to the potential threat and put themselves between the group and those peacefully enjoying the Fair on The Sands, in order to keep people safe. Police investigations into this incident is on-going and whilst those involved may have left the County, we have worked with other police forces to identify those who came to the Fair to cause disorder and take action against them, which may include steps to prevent them attending Appleby Horse Fair in future. A number of arrests have been made in relation to this ongoing investigation.

During Phase 2 of the Fair a total of seven licensed premises operated during the standard Fair timings. In Appleby three Licensed Premises in the Town opened during phase 2 with two serving outside only and the rural premises were open at Bolton, Long Marton, Sandford, Dufton and Crosby Ravensworth. There was also a mobile bar between the Rising Sun and Croft Ends Junction. There were no reported incidents at any of the Licensed Premises.

In response to ant-social behaviour experienced last year, the relocation and increased provision of temporary toilets from Shire Hall to The Sands including the provision of a gents urinal unit had a positive impact. The additional facilities significantly reduced such behaviour in 2022.

Also in previous years we had received some adverse comments relating to odour from nearby properties at Shire Hall and the relocation of the toilets from here eliminated any similar complaints in 2022. Relocating from Shire Hall also prevented the need to gain the private landowners permissions to site the toilets at this location and also provided a saving to the Council relating to payable land rent.

Cleansing in the Town went well, including following closure of The Sands. In respect of the cleansing of the Transit Sites and stopping places, operations generally went well but some areas were not able to be cleaned immediately after people had moved on due to geographical distance and traffic restrictions in places. This will also be addressed in the actions for next year's Fair.

In respect of highways matters, Cumbria County Council Highways department introduced new restrictions under emergency powers during the 2022 Appleby Fair, which included a 40mph speed limit on Powis Lane and a road closure opposite the Midland from its junction with Clifford Street to its junction with Station Road. The reasoning for the introductions of these restrictions were to address road safety concerns highlighted by the Police. These temporary measures worked well and will therefore be introduced in future years.

In addition to the temporary measures, there were also some changes to the one-way system which operates through the Town at the request of the Police to minimise traffic congestions, this will be reviewed each year with early communication being provided to the Appleby Tourist Information Centre in advance of the Fair to enable better communication to those impacted.

Comments and suggestions which were received through the community engagement meetings in advance of, during and following the fair in relation to the measures introduced on the public highway were noted and the highways department intend to make improvements where possible for the 2023 Fair.

The Fair was a busy one for the RSPCA with instances where they offered advice and assistance up 11% at 193 in 2022 compared to 174 in 2021. However the number of verbal warnings issued and cases referred for summons both fell. The RSPCA were pleased that the number of people attempting to sell puppies was down significantly with only one litter of eight puppies being seized compared to 29 puppies in 2021.

The Ambulance Service dealt with 41 recorded injuries during the Fair, slightly down on the 2021 number of 44.

Phase 3

People left the Fair and travelled away without any significant issues. The clean-up following the Fair in both public spaces and on private went well as in previous years. It is important to note that the clean-up of private land is the responsibility of the landowner or the tenant and not the public authorities.

5. Action Points for Planning for the 2023 Fair.

The key operational actions identified at this stage for planning for the 2023 fair are:

- Continually review plans in the light of changing national laws, regulations and guidance;
- An additional clean-up after the normal 6pm main clean of The Sands will continue to be implemented when required;
- Transit site and stopping place clean up arrangements will be reviewed to ensure that priority is given to the highest risk areas and that clean up arrangements are completed as quickly as resources allow
- A more appropriate location for the temporary bar to be considered to ease pressure on licenced premises in the Town Centre;
- In respect of controlling stopping on the A685 and other surrounding areas where road safety is a concern and inconsiderate parking is seen to cause a potential hazard, the Highways Department are considering areas where ditching and bunding within the verge could be used. These locations however require careful consideration, due to the impact which it could cause to buried services but most importantly the impact it may have on surrounding areas; and
- Undertake the annual review of the encampment policy to ensure that it continues to be up to date and effective.

The issue as to whether new legislation brought about by the Police Crime, Sentencing and Courts Act 2022 and how that would impact policing of encampments was raised at the post Fair meeting. The Act introduces a new summary criminal offence of residing on land without consent in or with a vehicle. The Act also amends existing powers previously available under the Criminal Justice and Public Order Act (CJPOA) 1994.

The Act states that whilst the Government expects the police to act where appropriate against those who break the law, the police must also continue to consider their

obligations under human rights legislation, their Public Sector Equality Duty and wider equalities legislation.

Critical to the new legislation is the term “**significant** damage, disruption or distress” and **If the police deem the harms to not be significant, then the offence under Section 60C would not apply.** It is only the police that can make this determination and there may be conflicting views as to whether this threshold is met. Based on assessments of previous years, it is unlikely the new legislation would apply although it does give the police powers should the threshold be reached. Each case will continue to be assessed based on individual circumstances.

A specific question had also been in relation to children and horses on public roads. The Police had consulted with specialist departments and the law is that there is no lower age limit to ride a horse or horse/sulky combination on a public road. There is some legislation that could and has been used by police:

- 1) Section 49 of the Highway Code 49 - Safety equipment. Children under the age of 14 must wear a helmet which complies with the Regulations. It must be fastened securely.
- 2) Rule 48 Safety equipment and clothing. All horse-drawn vehicles should have two red rear reflectors. It is safer not to drive at night but if you do, a light showing white to the front and red to the rear must be fitted.

The Police have stated that they will continue to use legislation where any act appears wholly unsafe to a rider or other road user but any change to enforcement would need to be supported by an education campaign beforehand, as we would do for any other group.

6. The Cost of the Fair

The total cost for the 2022 Fair to the agencies involved in MASCG was £305,969. This is broken down by agency in Appendix 1. To be clear, these costs include the additional staff time associated with the Fair and do not include the cost of normal working hours if they coincide with the Fair. This cost has decreased from £496,535 in 2021, a fall of 38%, although is a c.£50k increase or 20% from the last pre-pandemic fair in 2019.

The decrease in cost from 2021 is due mostly to a reduction in costs borne by the Police, which at around £157k is about half of that spent in 2021.

7. Date for the 2023 Fair.

The 2023 Fair will revert to its traditional timeframe of Thursday 8 June to Wednesday 14 June with the main days being Thursday 8th, Friday 9th, Saturday 10th and Sunday 11th June.

8. The Future of the Fair

The report on the 2021 Fair included the findings of a working group established by MASCG to explore whether the Fair could or should become an organised, ticketed event, which was raised at the public meeting on 2 September 2021. In short this work concluded that the Fair should continue in its current form. This issue was raised again at the pre and post Fair public meetings in 2022. At the post Fair meeting, commitment was given to re-examine this position through independent experts.

Consultants Opinion Research Services were commissioned in autumn 2022 to carry out this work. The specification for this commission is given in Appendix 3. As well as examining the legalities and practicalities of the Fair becoming an organised event the consultants will also advise on the adequacy of transit site provision which is another key issue impacting both the gypsy and traveller and settled communities.

Consultation with the relevant communities will be central to the consultants' work. It is

intend to carry out consultation prior to and during the 2023 Fair and then present conclusions later in the summer.

9. Local Government Reorganisation

Local Government Reorganisation (LGR) in Cumbria comes into force on 1 April 2023. The current two tier, County and District system of local government will be replaced by a single Unitary Authority. Across the geography most pertinent to the Fair this will see Cumbria County Council, Eden District Council and South Lakeland District Council being absorbed into the new Westmorland and Furness Council. The contributions made by officers and members of the outgoing Councils to MASCG will continue into the new Council although some of the representatives will change.

10. Conclusion

The decision to support the 2022 Fair going ahead a week later than the traditional time sought to avoid its coincidence with the Platinum Jubilee Celebrations in Appleby. There was some concerns in those settled communities that have stopping places used during Phase 1 that their celebrations could also be disrupted. In practice there was no disruption caused by people traveling to the Fair.

The operations of the all the partners went well. The better coordination of road closures and cleansing learnt from the Fair in 2021 was evident. The changes in location and type of toilet facilities also helped reduce associated anti-social behaviour.

The firmer line taken by the Police in respect of anti-social and violent behaviour is demonstrated in the rise in the relevant statistics. Interventions in relation to vehicle related offences was particularly prominent. The effective intervention by the Police to diffuse the incident on Battlebarrow should be noted as a success.

The planning for the Fair in 2023 is progressing along the usual lines and Local Government Reorganisation will not impact upon local authority resources. The outcomes of the study into the future of the Fair will be considered when planning for the fair in 2024. MASCG remains committed to its role of helping to ensure that the Fair, as far as possible, is safe and enjoyable for everyone.

Les Clark

Chairman of Appleby Fair Multi-Agency Strategic Co-ordinating Group

Appendix 1 – Interventions and Outcomes

Agency	2022	2021	2019	2018	2017	2016	2015
South Lakeland District Council							
Number of temporary toilets*	9	9	57	55	57	31	31
Number of skips provided	2	2	2	4	4	4	4
Tonnes of waste collected	5	1.3	2.14	4.5	5	5.94	5.5
Eden District Council							
Total caravans and bow tops in Eden area	1,231	1,210	1,172	1,191	991	1,103	1,297
Number of bow tops included in the total figure	137	137	171	172	176	153	202
Number of outlying encampment caravans and bow tops included in total figure	232	235	246	179	269	281	262
Number of market stalls (market fields)	221	223	237	250	243	276	241
Number of unlicensed street traders	0	0	0	0	0	0	0
Number of licensed street traders	6	6	6	6	6	6	6
Tonnes of waste removed including litter	27.98	27.5	26	27	25	33	29
Number of skip loads from outlying stopping places (from 2018)	-	-	-	6	-	-	-
Number of litter bins	41	40	41	43	43	41	41
Number of temporary toilet facilities	68	58	57	55	57	31	31
Cumbria Constabulary							
Arrests	18	13	8	8	17	10	11
Crimes	28	25	21	17	12	11	24
Drug Offences	0	1	0	0	1	1	1
Incidents	82	86	103	115	76	65	61
Fixed Penalty Offences	139	58	51	22	18	30	71
Dispersal Orders	28	6	4	12	4	77	8

Agency	2022	2021	2019	2018	2017	2016	2015
RSPCA							
Incidents where owners of animals were given advice or assistance	193	174	131	198	168	274	151
Verbal warnings	8	11	5	14	12	13	10
Police cautions	0	0	0	0	0	0	0
RSPCA adult written caution	No longer recorded	0	0	0	0	0	0
Cases reported for summons	1	2	3	2	1	2	4
Animals referred for vet treatment	Unknown	0	Unknown	Unknown	Unknown	0	0
Equines put to sleep	1	0	1	2	1	0	2
Puppies put to sleep	0	0	0	0	0	0	0
Equines transported away from the Fair	6	6	10	9	8	6	9
Stray dogs taken in by Eden District Council	1	0	1	0	0	1	2
Dogs/Puppies taken in by RSPCA	8	29	0	0	1	0	0
North West Ambulance Service							
Recorded injuries	41	44	23	34	42	96	59

*The lower numbers of temporary toilets in 2016 and 2017 did not include those provided at the transit sites.

Appendix 2 - Financial Information

The external costs of the various activities undertaken as part of the operational plan have been met by the relevant agency. A number of services were provided in partnership. The cost includes additional staff time not normal working hours.

The breakdown of external costs for the 2022 Fair are as follows:

Organisation	2022 (£)	2021 (£)	2019 (£)	2018 (£)	2017 (£)	2016 (£)	2015 (£)
Eden District Council	40,700	42,038	33,300	31,023	30,134	26,756	27,835
South Lakeland District Council	3,282	3,167	2,421	2,310	2,430	2,390	2,551
Cumbria County Council	22,150	33,326	50,000	45,375	62,488	46,513	69,607
Environment Agency	1,182	966	1,500	1,200	2,100	1,200	1,500
Cumbria Fire and Rescue	500	800	800	300	1,238	814	858
NWAS/PCT (joint cost)	13,093	11,604	11,653	13,681	16,000	14,159	9,925
MASCG media spend (joint cost) ¹	6,238	0	944	1,200	1,500	1,200	1,230
Cumbria Constabulary ²	167,597	344,464	115,000	81,003	78,440	74,400	65,600
RSPCA ³	50,954	51,129	39,932	37,851	35,760	14,479	12,740
Public Health	-	9,041	-	-	-	-	-
Total	305,696	496,535	255,550	213,943	230,090	181,911	191,846

¹ Costs previously included in individual agency budget

² Change in accounting for costs

³ Funded by charitable donations rather than public funds

Appendix 3 – Specification: Strategic Advice on Appleby Horse Fair

Eden District Council on behalf of the Appleby Horse Fair Multi Agency Strategic Coordination Group (MASCg) wish to commission appropriately experienced consultants to carry out a piece of work to inform MASCg on current basis and how its organisation and the provision of support could change in the future. The Fair is unusual, probably unique, in that it is a traditional gathering of people rather than an organised event, but with significant support provided by statutory, voluntary and other organisations largely at their own expense. MASCg coordinates the work of these organisations on the Fair.

The commission has two parts:

- A strategic evaluation of the legalities and practicalities of the Fair becoming an organised event.
- A focused evaluation of the provision of transit sites.

These two matters are significant, sensitive and high profile issues that require a clear, evidence based position to be established for both.

The question of whether the Fair could become an organised event has been raised repeatedly in recent years. Whilst a high level piece of work was carried out in 2021 by representatives of MASCg, a definitive answer to the question needs establishing.

The provision of transit sites and use of inappropriate stopping places has been an ongoing concern, particularly in respect of the health and safety of people travelling to the Fair including the use of busy roadsides such as the A685.

The key matters to be covered in each piece of work and the expected outcomes are set out below. The importance of evidence gathering through effective consultation must be understood and demonstrated.

The findings should be presented in a written report. This will be made public and should be presented in a clear, accessible manner.

Part 1 – Future of the Fair

- As a precursor to the evaluation, establish and demonstrate a clear understanding of how the Fair currently operates.
- Identify the relevant legislation pertinent to the Fair becoming an organised event, and provide an evaluation of if and how these laws could be applied in the specific context of the Fair. Issues for consideration include the legality of limiting access to parts of Appleby most associated with the Fair and the ability to alter existing permissions and licences.
- Evidence gathering through engagement with the Gypsy and Traveller community, the settled community, other groups considered relevant and MASCg to understand the issues, sentiments and practicalities around the Fair becoming an organised event.
- Engage with appropriate event providers to gauge the appetite for the market to provide event management for the Fair.
- Drawing from the evaluation for this information, provide a clear conclusion on whether the Fair could become an organised event or not from both a legal and practical perspective.
- If the conclusion is yes, provide recommendations for the headline steps in an implementation plan and a realistic timetable for delivery.

Part 2 – Transit Sites

- An overall qualitative and quantitative assessment of the adequacy of transit provision for the Fair, including the impact of recent loss of capacity.
- Mapping of the key travelling routes to Appleby across the country, identification of transit sites/provision and other informal stopping places within the current boundary of Cumbria and an assessment of their suitability/risks.
- Evidence gathering through interviews with the Gypsy and Traveller communities, the settled communities impacted by transit sites and MASCG to inform the evaluation of current provision, preferences for stopping places and the potential siting and use of new sites.
- Drawing from the evaluation, provide a clear conclusion on whether existing provision is adequate or not.
- If not, provide recommendations for the scale and broad location for new transit sites. The potential impact of the conclusions drawn from Part 1 of the work should be taken into account.

In the quotation tenderers should set out:

1. The cost of the work (50% of evaluation score).
2. Their methodologies for carrying out both parts of the work (25% of evaluation score).
3. Their experience relevant to carrying out the work and the people that will be employed (25% of evaluation score).