



Office of the  
Deputy Prime Minister  

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Creating sustainable communities

*Good Practice in Managing the  
Evening and Late Night Economy:  
A Literature Review from an  
Environmental Perspective*

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September 2004

Office of the Deputy Prime Minister: London

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## Foreword

This literature review has been written at the end of the first year of the Civic Trust's project to investigate good practice in the management of the night-time economy. The Central Cities Institute at the University of Westminster is working as a partner to the Civic Trust on this project. The project, which is set to run over three years, is part-funded by a Special Projects award granted by the Office of the Deputy Prime Minister (ODPM). We would like to thank the ODPM and the sponsors who match funded the first year of the project and made this literature review possible.

The literature review has been written at a time in which the policy context is subject to rapid change. In the course of its production two major Government documents have been launched: the *Guidance Notes*<sup>1</sup> to the Licensing Act 2003 and the *Alcohol Harm Reduction Strategy for England*<sup>2</sup>. Every effort has been made to incorporate the findings of these documents into the review. The review is written in advance of the guidelines for good practice in the management of the night-time economy that the *Alcohol Harm Reduction Strategy* recommends that the Office of the Deputy Prime Minister will provide to all local authorities in England<sup>3</sup>.

The report has been written to provide an overview of current good practice and its present and future context, in policy and 'on the ground'. It is written from an environmental perspective and concentrates attention on the public realm of towns and cities.

Many people have commented on this report and thanks are due to Paul Davies, Keith Thorpe, Billy Kayada, Bob Michel, Nigel Lawrence, Robin Burgess, Kelly Egan, Kate Noble, Philippa Goffe, Angus Huntley, Nigel Dotchin, Lee Kettlewell, Sal Ratnayake and Judith Hind. Every effort has been made to address items raised and any errors or omissions are the responsibility of the author and the views expressed are the author's own.

<sup>1</sup> Department of Culture, Media and Sport (DCMS) *Draft Guidance issued under Section 182 of the Licensing Act 2003. Tabled Before Parliament on 23 March 2004*. London: DCMS, [www.dcms.gov.uk](http://www.dcms.gov.uk)

<sup>2</sup> Cabinet Office, Prime Minister's Strategy Unit (2004) *Alcohol Harm Reduction Strategy for England*, London: Strategy Unit (crown copyright) [www.strategy.gov.uk](http://www.strategy.gov.uk)

<sup>3</sup> *Ibid*, recommendation 26<sup>1</sup>

## Executive Summary

Local authorities sought to regenerate their town and city centres in the early 1990's. Encouragement in the growth of the night-time economy (NTE) formed a component of such strategies. The liberalisation of alcohol and entertainment licensing laws has paralleled growth in the NTE. In the late 1990's different localities encouraged the granting of late licenses. The Licensing Act 2003 repeals existing legislation and when fully enacted in 2005, will deregulate further by abolishing a fixed terminal hour for drinking.

The structure of the alcohol related entertainment industry has changed. The industry has become characterised by corporate ownership of 'brands' of venues, with a decline in the significance of local, independent operators. Corporate owners operate across an international, national or regional area. The nature of premises has also been the subject to transformation. In the 'first wave' of expansion of the NTE, venues have become more numerous and, in response to a youth orientated dance culture, larger. The distinctions between pub, café-bar, bar and nightclub are becoming blurred.

Around the millennium, problems associated with the appearance of large numbers of young people, late at night, in a state of inebriation began to be recognised by public agencies and residents' groups. These are concentrated in particular micro-districts or 'hot spots'. Problems have occurred with drunkenness, anti-social behaviour, crime, and disorder. This is acting as a deterrent to other social groups in making full use of their urban centres.

Many local authorities have responded with imaginative initiatives. The most successful of these are multi-agency, public/private and holistic strategies that incorporate a variety of measures. These address issues such as late night transport, waste management, environmental improvements, the reduction of crime and disorder and a reduction in conflicts between residents and revellers. A proactive approach to the expansion of the NTE has been achieved in some localities at home and abroad. Again a multi-agency holistic approach that combines a consensus for intervention with directed growth appears to have been most successful.

The potential for further growth in the NTE poses renewed challenges for public agencies. The Government has responded by giving the police extra powers. The Alcohol Harm Reduction Strategy for England encourages local authorities to make use of the variety of multi-agency approaches outlined in this report, adapted to local circumstances. This report highlights future challenges for governance at the central, regional and local tiers. In particular, it is argued that attention should be directed towards:

- Controlling the future direction of the NTE through planning rather than licensing controls in particular localities.
- The provision of late night transport and extra cleansing.
- Gathering a coherent, consistent database to monitor changes and provide appropriate responses in the '10 trailblazer areas' of good practice recommended by the AHRSE.
- Establishing a mechanism for ensuring the longevity of new multi-agency working arrangements.

- Establishing secure, consistent and fair mechanisms for providing the extra funding that good practice in the management of the NTE requires.
- Encouraging partnerships to take as keen an interest in a pro-active approach that supports non-alcohol focused activities in urban centres in the evening and at night as in alleviating the impacts of binge drinking.



## 1.0 The Structure of the Report

1.1 This report is written in response to the current challenges posed to public authorities by evening and night-time activities in town, city and urban sub-centres in England. Many of these challenges are posed by a growth in alcohol related entertainment and through the emergence of a youth orientated culture of binge drinking. New legislation and policies have been devised by Government to respond to problems posed by these night-time activities. This report has been written in anticipation of the full enactment of the Licensing Act 2003 in the summer of 2005 and the implementation of the recently announced *Alcohol Harm Reduction Strategy for England*<sup>4</sup>. The focus of this report is on the management of the public realm. The internal management of licensed premises is only considered in passing, for whilst important, it forms a separate area for more detailed discussion.

1.2 The report has the following objectives:

- To explain the background to the growth in alcohol related entertainment
- To set out briefly the challenges posed to local authorities
- To describe examples of best practice in policy response, drawing on national and international experience
- To discuss pro-active initiatives on the part of public authorities in creating a suitable environment for the expansion of the night-time economy in their areas
- To situate a discussion of these examples in a policy context and within a framework of critical, constructive review drawing on research evidence
- To draw conclusions for future research and action.

1.3 The report as a whole draws on secondary sources such as published academic research, Government research publications, policy documents and research published by charities, local authorities and lobby organisations. It also refers to primary empirical research conducted by the author for other projects. The discussion of problems posed by 'hot spots' in the night-time economy uses the findings from a national postal survey of local authorities in England carried out between December 2003 and January 2004 by the Central Cities Institute, University of Westminster as part of this Civic Trust project<sup>5</sup>.

1.4 The report is structured in four parts. The first provides a brief account of the evolution of the current policy context and the challenges posed in order to explain why good practice in the management of the night-time economy is necessary. It also provides a framework for understanding the limits and restrictions within which management practices are situated.

<sup>4</sup> Cabinet Office, *op cit*

<sup>5</sup> See [www.civictrust.org.uk/evening/survey.html](http://www.civictrust.org.uk/evening/survey.html)

1.5 The second section sets out some examples of good practice that are a direct response to the challenges posed. There is some overlap between this and the third section which provides an account of pro-active approaches to developing and managing evening and night-time activities. The rationale for the distinction is that the growth of evening and night-time economies provide benefits for urban centres and sub-centres and can make a significant contribution to the Government's objective of achieving an urban renaissance<sup>6</sup>. A positive approach to growth that provides benefits and avoids problems is therefore desirable.

1.6 National and international examples are provided. International examples have been provided as inspiration or aspiration, but not as a blueprint for good practice. Previous research carried out by the Central Cities Institute has demonstrated that cities in countries outside England are subject to different legislative regimes for licensing, planning, environmental protection and policing<sup>7</sup>. These substantially alter possibilities for action.

1.7 The final part makes some concluding comments on future prospects for action. It highlights areas that require further investigation and may inform the future evolution of the Civic Trust's project.

<sup>6</sup> Urban Task Force (Department of the Environment, Transport and the Regions) (1999) *Towards an Urban Renaissance* London: E & FN Spon

<sup>7</sup> Central Cities Institute (2002) *Licensing Reform: A Cross-Cultural Comparison of Rights, Responsibilities and Regulation* London: University of Westminster

## 2.0 Policy context

This context portion of the review is structured into two major chronological periods. The first is a review of policies and attitudes pre-2000 when a general encouragement was given to expansion in the evening and night-time economies. The second part considers policy formulation since 2000, when there has been a greater recognition that an expansion of the late night economy brings disbenefits as well as benefits. The shift in attitudes that occurred around the millennium is acknowledged by the authors of a major study into security and the night-time economy. They comment that they received little support from the police, when they started the project in 1998. By 2000 they were being employed as consultants on what ‘had suddenly become a problem’<sup>8</sup>.

### 2.1 Encouragement: 1991-2000

#### 2.1.1 *The Lager Lout Phenomenon*

Fears about the state of many town and city centres in Great Britain were highlighted by the *Out of Hours* report<sup>9</sup> in 1991. The authors raised concerns that town and city centres were losing their sense of civic culture, becoming simply shopping and commercial centres by day and ‘near-deserted ghost towns by night’. The report encouraged councils to regard their town centres ‘less as a nine-to-five retailing and employment centre and more as an eighteen hours a day, seven days a week, economic, social and cultural centre’.

These findings were expanded into a book that also reported a feeling amongst local authority respondents that cities were being hijacked or colonised by the young, the ‘so-called lager lout phenomenon’<sup>10</sup>. The Home Office had already responded to such concerns by commissioning a detailed study<sup>11</sup>. This report revealed that the cases of disorder to which the police were called out were mainly temporal and associated with pub closing times in the summer months. A response which included the extension of licensing hours and a greater mixture of uses in town centres was called for.

#### 2.1.2 *Policies for Civic Rejuvenation: the 24-hour City*

The idea of expanding civic culture in the evening and late evening was taken up enthusiastically by many British towns and cities in the 1990s under the banner of the ‘24-Hour’ city<sup>12</sup>. A review of policies carried out in 1995<sup>13</sup> found that cities such as Manchester, Leeds, and Nottingham had introduced specific measures to facilitate a greater use of their town and city centres, which included cultural animation, environmental improvements, encouraging more housing developments in city centres, better lighting and a relaxation in the granting of special hours certificates allowing entertainment venues to stay open for longer.

<sup>8</sup> Hobbs, D. (et al) (2003) *Bouncers: Violence and Governance in the Night-time Economy*, Oxford: Oxford UP. p.5

<sup>9</sup> COMEDIA in association with the Calouste Gulbenkian Foundation (1991) *Out of Hours: A study of economic, social and cultural life in twelve town centres across the UK*, London: COMEDIA

<sup>10</sup> Worpole, K. (1992) *Towns For People: Transforming Urban Life* Buckingham: Open University Press

<sup>11</sup> Tuck, M. (1989) *Drinking and Disorder: A Study of Non-Metropolitan Violence* Home Office Research Study No. 108, London: HMSO

<sup>12</sup> Lovatt, A. (et al.) (eds.) (1994) *The Twenty-Four Hour City: Selected Papers from the First National Conference on the Night-time Economy*, Manchester Institute of Popular Culture

<sup>13</sup> Heath, T. (1997) ‘The Twenty-Four Hour City Concept – A Review of Initiatives in British Cities’, *Journal of Urban Design*, Vol. 2, No.2, pp.193-204

### 2.1.3 Planning Policies

Support was given by planning policy guidance to the move to expand activities into the evening. National planning policy provided some encouragement to an expansion of evening and night-time uses. Planning Policy Guidance 6 (Town Centres and Retail)<sup>14</sup> makes reference to the evening economy in relation to town, district and local retail centres. Local authorities are advised (para. 2.19) to develop a strategy for uses that support the evening economy of their town centres. This includes 'complementary uses, such as restaurants, cafes and pubs'. Authorities were also advised to take residential amenity into account in formulating their strategies and to take steps to avoid the 'cumulative' impact of a concentration of restaurants and take-away food outlets through planning measures and not through the granting of licenses. These impacts are thought to lie in a number of factors such as loss of residential amenity, problems with traffic, parking and loss of retail diversity.

The 1996 revision of PPG6 includes a recommendation that larger city centres create distinct quarters or zones for leisure and entertainment uses. These would include cinemas, nightclubs, pubs, restaurants, bars and cafes. It is left to individual authorities to decide whether such a separate zone was desirable, or whether a mixed development approach should be pursued. PPG6 seeks to encourage local planning authorities to encourage mixed uses in town centres and to encourage residential uses. In all, the guidance note wishes to support the vitality of town and city centres, encouraging diversity of use, accessibility, inward investment, refurbishment of buildings and an attractive environment.

A Government sponsored report of 1994 had stressed the importance of footfall and commercial activity to the vitality of town and city centres.<sup>15</sup> DoE Circular 5/94 *Planning Out Crime*<sup>16</sup> similarly adopted 'what amounts to an 'animation' or "crowding out" approach to crime prevention'<sup>17</sup>. It encouraged authorities to promote a wide range of uses throughout the evening, arguing that people tended to avoid town centres after dark because there were not many people about. It suggested that creating lively streets full of people, with an interaction between the insides of buildings and the public realm would promote 'natural surveillance' and enhance public safety. It also made the recommendation that the evening and late night economies be promoted through the synchronisation of late night buses and trains with the closing times of venues, whilst acknowledging that this lay outside the remit of LPA powers.

<sup>14</sup> DoE (Department of the Environment) *Revised Planning Policy Guidance Note 6: Town Centres and Retail Development* London: HMSO

<sup>15</sup> URBED in association with Comedia, Hillier Parker & Bartlett School, University College London (1994) *Vital and Viable Town Centres: Meeting the Challenge*, London: HMSO

<sup>16</sup> Department of the Environment/Welsh Office (1994) *Planning Out Crime Circular 5/94* London: HMSO

<sup>17</sup> Tiesdell, S. & Slater, A.M. (2003) *Managing Urban Vitality: Spatial and Temporal Control in the Evening and Night-Time Economy* Report for the RICS Foundation December 2003, Aberdeen: University of Aberdeen

### 2.1.4 Urban Renaissance

The theme of urban revitalisation continued into the Urban Task Force report<sup>18</sup>, which first coined the phrase ‘urban renaissance’ in its championing of design led regeneration. The term urban renaissance referred to a revitalisation of towns and cities in a traditionally European model, where urban areas and in particular, town and city centres become inclusive places where people live, work and participate in leisure activities on a harmonious basis. The Urban White Paper<sup>19</sup> took up this theme, but introduced a social agenda, making a case for equality and the renewal of poorer neighbourhoods, amongst other issues. Although both key policy documents made reference to evening and night-time activities, neither included any specific policy recommendations with regard to the evening and night-time economies. Rather, approving reference was made to cities such as Manchester, where its bar and club culture accompanied by an influx of city centre residents, appeared to be achieving the goals of the urban renaissance for the evening and night.

The overall economic context that these specific policies were enacted in was that of support to the private market and an emphasis in using private sector funds for city and town centre regeneration<sup>20</sup>. Local authorities were encouraged to become entrepreneurial and to form partnerships with the private sector in order to bring inward investment and a new image to centres suffering from de-industrialisation and economic re-structuring<sup>21</sup>. This context continues at the time of writing.

### 2.1.5 Relaxation of Licensing Controls

The expansion of alcohol related entertainment and a bar and club culture had been facilitated by two major policy changes in liquor licensing, during this period of encouragement for expansion. The first was enacted in the Licensing Act 1988 which permitted continuous opening hours for weekdays, thereby allowing the opening of continental style cafes between the hours of 11 am to 11pm (in London). This was further continued by a revision of the legislation in 1995 with permitted all day Sunday opening. The second major change occurred in 1999 when the *Good Practice Guide*<sup>22</sup> to licensing magistrates took away the necessity to issue licenses on a basis of ‘need’. This meant that a concentration of premises would not prevent the issue of a license unless the police could demonstrate an impact on public safety. Trends in the globalisation of capital, a shift towards consumption in post-industrial societies and more locally, the Beer Orders Act have provided an impetus towards a ‘relentless expansion of night-life’<sup>23</sup>.

<sup>18</sup> Urban Task Force, DETR *op cit*

<sup>19</sup> DETR (2000) *Our Towns and Cities: The Future. Delivering an Urban Renaissance*, Cm4911, Urban White Paper November DETR/The Stationery Office

<sup>20</sup> Harvey, D. (1989) *The Condition of Post Modernity* Oxford: Blackwell

<sup>21</sup> Stoker, G (ed) (2000) *The new politics of British local governance*, London: Macmillan

<sup>22</sup> Justices’ Clerks Society (1999) *Good Practice Guide: Licensing* London: JCS

<sup>23</sup> Hollands, R. & Chatterton, P. (2003) Producing Nightlife in the New Urban Entertainment Economy: Corporatization, Branding and Market Segmentation *International Journal of Urban and Regional Research* Vol. 27, Issue 2, pp.361-385 (June)

### 2.1.6 Concentration of Ownership

As entertainment venues based on the supply and consumption of alcohol proliferated, ownership and control of venues has become concentrated in the hands of a relatively small number of major operators. In the 'first wave' of expansion the mass youth market (18-30 year olds) were identified as the target market for operators. Consumption has been increasingly focused on brands, with operators rolling out venues across 20, 40 or more town centres. Chatterton & Hollands<sup>24</sup> argue that this process is driving out independent operators, such that urban landscapes are becoming urban 'brandsapes' at night<sup>25</sup>.

In 2002 it was estimated that in large provincial centres international/national operators control approximately two-thirds of the pub market, while independent operators owned between 5% and 30%, with the rest being in the proprietorship of regional operators. Corporate domination of the nightclub sector is also proceeding and in 2003 Luminar was the largest operator in the UK, owning 15% of nightclubs<sup>26</sup>.

This pattern of ownership suggests that power over the night-time economy rests in the hands of a relatively small number of international, national and regional companies. The role of venue managers acting locally is likely to be constrained by corporate policies devised in head offices. More investigation of central/local relations within companies needs to be carried out and taken into account in formulating management strategies for night-time activities. It should also be noted that there is some evidence to suggest that other mainland European countries and the USA have different patterns of ownership with a greater proportion of local operators. Again, this would have an impact on perceptions of local 'ownership' of problems associated with late night alcohol consumption.

### 2.1.7 Increase in Size of Venue

There has been a blurring of the traditional distinctions between pubs, restaurants and night-clubs. As many venues have been able to gain extended licensing hours, with a condition of the license extension being the provision of music, the distinction between bars and nightclubs has become difficult to maintain<sup>27</sup>. The advent of dance music accompanied this change and 'clubbing' became a phenomenon of youth culture that emerged in the late 1980's and early 1990's<sup>28</sup>. It has become possible for operators to maintain larger and larger venues, with capacities of 1500 customers not being uncommon. These venues have been dubbed 'high impact' premises, because of the effect of their operation and closing time upon their immediate environs. The current Deputy Commissioner of the Metropolitan Police in London is particularly concerned about them, calling them 'drinking factories'. Referring to a fight at 3 am between 250 people in London's West End he told the *New Statesman*:

<sup>24</sup> *Ibid*

<sup>25</sup> The national survey of local authorities (*op cit*) found that only a minority regarded this as a problem and those that did tended to be concentrated in London

<sup>26</sup> Chatterton, P. & Hollands, R. (2003) *Urban Nightsapes: youth cultures, pleasure spaces and corporate power* London: Routledge

<sup>27</sup> *Ibid*

<sup>28</sup> Chatterton, P. & Hollands, R. (2001) *Changing Our 'Toon' Youth, nightlife and urban change in Newcastle* Newcastle: University of Newcastle Upon Tyne

“I am convinced that we will have to develop a regime whereby the larger establishments are treated differently from the smaller ones, with the considerable profits made in them being slightly offset by a direct charge for additional policing”<sup>29</sup>

The views of licensing officers might be set against this in that they argue that larger establishments tend to be better managed<sup>30</sup>. The trend towards larger venues is not peculiarly British and the same phenomenon has been noted in Dublin<sup>31</sup> and in New York<sup>32</sup>, where some premises can accommodate up to 3,000 customers.

The mis-use of alcohol is not the only substance abuse problem related to changes in night-life. A wide range of surveys published between 1996 and 2000 found that people who go clubbing tend to use illegal drugs more often and in higher quantities than their peers. A survey published in 1997 found that 22% of a sample of nearly 500 young people interviewed in clubs stated that drug use was one of the things that they liked about going to dance events<sup>33</sup>.

### *2.1.8 Conservation of buildings*

Some of the larger venues have been achieved through urban regeneration. The conversion of redundant banks, warehouses and cinemas into entertainment venues has ensured the conservation of many valuable buildings and the preservation of familiar streetscapes<sup>34</sup>. In Glasgow this type of change of use has guaranteed the conservation of some fine industrial buildings that might otherwise have fallen into disrepair<sup>35</sup>.

### *2.1.9 Future changes in night-life provision*

In a ‘second wave’ of nightlife expansion there has been an increase in market segmentation, with companies operating different ‘brands’ of venues aimed at different target audiences. More affluent, older consumers have been identified as a growth market in addition to niche markets such as gay males. ‘Chameleon’ bars have proved popular, operating as café bars during the day and as bar/clubs in the evening/night-time. The market is volatile and ownership changes constantly.

<sup>29</sup> Blair, I. ‘When Drinking is a Crime’ *New Statesman*, *One too many? Special Supplement*, 15 March 2004, p.xxv

<sup>30</sup> Snapshots of the Evening Economies a Civic Trust/Westminster Council Event 22/23 April 2004

<sup>31</sup> Central Cities Institute, *op cit*

<sup>32</sup> Interview with Gretchen Dykstra, Commissioner, Department of Consumer Affairs, New York City 15 March 2004

<sup>33</sup> Webster, R., Goodman, M. & Whalley G. (2002) *Safer Clubbing Guidance for licensing authorities, club managers and promoters* London: The Home Office and London Drugs Forum in partnership with Release, pp.13-14

<sup>34</sup> House of Commons ODPM: Housing, Planning, Local Government and the Regions Committee (2003) *The Evening Economy and the Urban Renaissance* Twelfth Report of Session 2002-3 HC396-1 London: The Stationery Office, Ev 19

<sup>35</sup> Town Centres Ltd. (in association with Chesterton plc and PRP Planning) (2001) *West End Entertainment Impact Study* London: Westminster City Council, p.78

## 2.2 Revisionist Views 2000-2004

### 2.2.1 Growth in Problems

From 2000 onwards, papers, reports and campaigning documents appeared that queried the benefits of an unlimited expansion in the evening and the night-time economies. They expressed concern that a mono-culture of entertainment venues, based on the consumption of alcohol and directed towards a youth market was appearing in specific 'hot spot' micro-districts in many centres in the evening and towards the early hours of the morning. This development was in direct contradiction to the expressed aims of promoting a diversified, inclusive and safe evening and night-time environment. Problems with drug misuse were also associated. Research studies demonstrated the extent to which older people were being deterred from using town centres at night<sup>36</sup>. The documents making this case appeared from a variety of sources: from academic research, civic organisations and from within government itself<sup>37</sup>. These developments have been the subject of residents' campaigns, academic study, scrutiny by local authorities and a House of Commons Inquiry. The weight of evidence is such that Government has now accepted that these problems are important and has incorporated strategies for dealing with them in its recently published Alcohol Harm Reduction Strategy for England (AHRSE) published on March 16 2004.

Rather than reviewing all the evidence, in what would now be a redundant exercise, the problems will be briefly described. The national postal survey carried out as part of this project asked local authorities to rank the problems in the degree of seriousness as they saw them<sup>38</sup>. This overall ranking order, which was based on a scale of 5 to 1 with 5 being extremely serious, will be used in the list that follows. For the sake of brevity only problems that over 10% of respondents rated as being serious or extremely serious will be discussed. The ordering of this list provides a contrast to the framework in which problems associated with the night-time economy have been discussed, which has tended to highlight crime, personal health and problems for residents.

#### a. Lack of transport (52.8%)

A lack of late night transport in all but a few cities causes problems as drunken people move around after venues have closed. Because of their state of inebriation they are victims, as well as causes, of crime. Fights are more likely to break out in taxi ranks, bus queues and fast food outlets.

<sup>36</sup> Bromley, R., Thomas, C. & Millie, A.(2001) Exploring Safety Concerns in the Night-Time City *Town Planning Review*, Vol. 71, pp.71-96, Thomas, C. and Bromley, R. (2000) City-centre Revitalisation: Problems of Fragmentation and Fear in the Evening and Night-time Economy, *Urban Studies*, Vol. 37, pp.1403-1429

<sup>37</sup> House of Commons, op cit; Town Centres Ltd, op cit; House of Commons ODPM: Housing, Planning, Local Government and the Regions Committee (2003) *The Evening Economy and the Urban Renaissance: Memoranda submitted to the Urban Affairs Sub-committee* HC396-II London: The Stationery Office. Civic Trust (the) & IAS (Institute for Alcohol Studies) (2002) *Open All Hours? A report on licensing deregulation by the Open All Hours? Campaign*, London: The Civic Trust; Central Cities Institute (2001) *Open All Hours? City Centre Communities Matter', Report of Conference Proceedings*, University of Westminster, 24 March, 2001; Hadfield, P. (et al) (2001) The '24-hour city' – condition critical *Town and Country Planning* November, pp 300-301; Central Westminster Police/Community Consultative Group (1998) *A Good Night Out Licensing Working Party Report*, University of Westminster, Llewelyn Davies, Civic Trust (2002) *Mixed Use Development, Practice and Potential* [www.odpm.gov.uk/intradoc-cgi/](http://www.odpm.gov.uk/intradoc-cgi/)

<sup>38</sup> [www.civictrust.org.uk/evening/survey.shtml](http://www.civictrust.org.uk/evening/survey.shtml)



b. Litter/rubbish on Streets (33.7%)

Large numbers of people out on the streets produce litter, from fast food, drink, cigarette packets and other detritus. Rubbish collections typically are geared to day-time footfall. Inebriation may also lead normally responsible people to become more careless.

c. Street Fouling (30.3%)

The consumption of alcohol, often in large volumes, and a release of inhibition have lead to urination and in some cases defecation, being a problem. This has obvious implications for public health.

d. Area feels Threatening or Unsafe (29.2%)

The presence of large numbers of drunken young people leads to an increased reluctance amongst other groups in the population to go out at night. Previous academic studies have found that older and higher status groups are reluctant to stay in town centres later into the evening and night<sup>39</sup>. This problem defeats the objective of the 'urban renaissance' in the creation of lively, welcoming town and city centres. The feeling of threat can restrict the flourishing of other types of non-alcohol based night-time activities, such as theatres. The Society of London Theatres has twice given evidence expressing its concerns that this may already be happening in London's West End<sup>40</sup>.

e. Noise Disturbing Local Residents (28.1%)

Noise can disturb in three different ways. There can be noise transmission from live or recorded music in venues to adjacent residences. There can also be noise break-out from the premises to the street. Finally there can also be the problem of noise coming from the street disturbing local residents. Residents can and do experience all of these together. The danger is that if this problem becomes too extreme, it may be impossible to deter people from leaving town centre living.

f. Rowdiness, Fighting in the Street (23.6%)

This is a category that covers anti-social behaviour, such as shouting and swearing, which might appear threatening but is not criminal, to serious assault.

g. Vandalism (15.7%)

Vandalism can damage both public and private property. The Headingley Network, in their evidence to the House of Commons Inquiry, described local residents' cars and front gardens being damaged<sup>41</sup>. Again, if severe, this could deter residential development in these micro districts.

<sup>39</sup> Bromley, R.D.F., Tallon, A.R. & Thomas, C.J. (2003) Disaggregating the space-time layers of city centre activities and their users *Environment and Planning A*, Vol. 35, No. 10, pp. 1831-1851, Oct

<sup>40</sup> House of Commons, op cit, p49, Westminster City Council (2003) Report of the Scrutiny Committee on the Licensing Bill, London: Westminster City Council

<sup>41</sup> House of Commons, Memoranda, op cit, EVE 41

#### h. Drug Dealing (13.6%)

Rather than ‘crowding out’ crime, it can be that the presence of large numbers of people can ‘cover up’ crime. Moreover, large numbers of people emerging from clubs and bars form a ready clientele for dealers.

It may be thought that local authorities have been loath to take steps to limit the unfettered growth of the night-time economy in areas where its operation has caused the problems discussed. It should be noted that local government has experienced legislative difficulties in this regard.

### *2.2.2 Migration of A3 Uses*

One of the reasons that venues have been allowed to proliferate in certain cities is through the ‘migration’ in A3 uses<sup>42</sup>. At the time of writing, the General Use Classes Order (revised 1995) as set out in the Town and Country Planning Act 1990, places caf  s, restaurants, pubs, bars, wine bars and shops that sell hot food into the same category. This means that an owner can buy a licensed restaurant, convert it into a bar and then apply for an extension of licensing hours without having to apply for planning permission. Because of this permitted change in use, local authorities lost planning control over the number and type of licensed premises in their centres and sub-centres. Following representations made during the passage of the Licensing Act 2003 through Parliament, the Under-Secretary of State announced in March 2003<sup>43</sup> that this particular loop-hole in planning law would be changed and that pubs and bars would be placed in a separate category to restaurants. At the time of writing this change is still awaited. The Select Committee Inquiry also made the recommendation that large ‘super pubs and clubs’ be put in a special category of use class ‘D’; using capacity rather than surface area as a distinction<sup>44</sup>.

### *2.2.3 ‘Family Friendly’ Venues?*

Licensed premises need a liquor license in addition to planning permission. There is evidence to suggest that unscrupulous operators are providing a distorted view of their premises in order to either gain licenses or to gain an extension of hours. Examples of such duplicity might include the assertion that a premises is intended to be a ‘family friendly’ caf   bar that serves food. Whilst this may well be true in daytime hours, in the evening and at night food is no longer served, the tables are taken away, the music is turned up the venue is transformed into a high-impact bar with a nightclub atmosphere. Detection of such deception and enforcement of the licensing conditions is of course possible, both within the existing and the new Licensing Acts, but depends on sufficient licensing personnel being available to local authorities<sup>45</sup>.

<sup>42</sup> Town Centres Ltd, *op cit.* pp.11-14, House of Commons Memoranda, *op cit.* EVE25 Appendix 2

<sup>43</sup> Statement issued by ODPM on 4 March 2003

<sup>44</sup> House of Commons, *op cit.*, p.17

<sup>45</sup> House of Commons, Memoranda, *op cit.* EVE 41, Hobbs et al, *op cit.*, p.259

## 2.2.4 Revocation of Licenses

Liquor licenses<sup>46</sup> are difficult to revoke under present legislation. The Licensing Act 2003 will provide powers for the police and other interested parties to make a case for revocation of a license or a change in operating conditions, but again collection of the evidence will rely on police and local authority manpower.

It has been noted already that the entertainment industry has a high degree of corporate ownership. There is evidence that local authorities and residents groups face difficulties in situations where disagreements over the granting of a license or over the conditions of a license lead to a court case, because large corporations have access to expensive, specialist legal advisers and representatives<sup>47</sup>.

## 2.2.5 Cumulative Impact

These arguments have been particularly acute over ‘cumulative impact’ because of the difficulties of proving that one particular venue will lead to a significant increase in crime and disorder. The Licensing Act 2003 provides for local authorities to declare ‘special policy’ areas, provided that they can demonstrate that these areas are already suffering from higher levels of crime, disorder and public nuisance than others due to an accumulation of licensed premises. Section 3.27 of the Guidance to the Licensing Act prevents local authorities from declaring a ‘quota’ for these areas and instead states that each new application must be argued on its merits. This requirement will necessitate local authorities gathering a baseline of evidence.

## 2.2.6 Safer Clubbing

This account of the growth in the night-time economy and its attendant problems form the background to the current evolution in Government policy. The Government formed a national strategy to combat illegal drug use in 1997. This was updated in 2002 and included, amongst other measures, recommendations for the better management of dance venues and clubs. The document *Safer Clubbing Guidance for licensing authorities, club managers and promoters*<sup>48</sup> was published in 2002.

## 2.2.7 Licensing Act 2003

Two further major changes are being put into place that the Government hopes will alleviate problems associated with environmental management of the NTE whilst permitting the benefits of night-time activities to be enjoyed. The first, already mentioned, is the Licensing Act 2003, which will be in force by 2005. This legislation repeals previous licensing laws and places responsibility for liquor licensing in the hands of local authorities. Local authorities are charged with setting local licensing policies that should achieve the four objectives specified in Section 4 of the Act:

- the prevention of crime and disorder;
- public safety;

<sup>46</sup> Central Cities Institute, *op cit.*, p.38 Interviews with residents

<sup>47</sup> Ibid, p.39, Hobbs et al, *op cit.*, p.258

<sup>48</sup> Webster, Goodman & Whalley (2002), *op cit*

- the prevention of public nuisance; and
- the protection of children from harm.

The legislation has the overall intention of liberalization and in particular, does away with the notion of set terminal hour for licensed premises in any shape or form. The Government are of the view that the operators in the same area will choose to set different hours of operation and this will prevent the problems that arise from over-concentrations of people leaving licensed premises simultaneously. This view is based on a research study carried out in the early 1990's<sup>49</sup>. The Government's prognosis of the impact of relaxing controls over the terminal hour had been contested during the passage of the legislation through Parliament and by the Metropolitan Police in London<sup>50</sup>.

### 2.2.8 Alcohol Harm Reduction Strategy

The second projected change is the AHRSE which sets out a holistic framework of actions to better manage night-time activities. It states:

*The key to managing the night-time economy lies in the effective joining-up of resources.*<sup>51</sup>

The section that follows discusses the components of a holistic framework drawing on specific examples and making reference to current and proposed legislation.

<sup>49</sup> Marsh, P. & Kibby, K.F. (1992) *Drinking and Public Disorder: A report of research conducted for the Portman Group by MCM Research* London: The Portman Group

<sup>50</sup> Response of the British Entertainment and Dance Association (BEDA) to the Government's White Paper on Licensing Reform, cited in Hobbs et al, op cit. P.252, see also Metropolitan Police Clubs and Vice Operational Command Unit (2004) *Preliminary Assessment of the Impact Of The Licensing Act 2003 On The Metropolitan Police Service* [www.ias.org.uk](http://www.ias.org.uk)

<sup>51</sup> Cabinet Office, Strategy Unit, op cit., p.54

## 3.0 GOOD PRACTICE EXAMPLES: Responding to Problems

### 3.1 Providing Night-time Transport

#### 3.1.1 Night buses

The AHRSE states that Local Transport Plans provide a means by which Local Authorities can achieve transport strategies to better manage the night-time economy.

Manchester has already initiated such a strategy with regard to late night buses. In the late 1990s, the city's night-time economy had grown to accommodate 500 licensed premises in the City Centre, 200 of which had late licenses. The Greater Manchester Police estimated that 100,000 people were attracted into the city centre on Friday and Saturday nights and that that figure could double on some weekends. The police were convinced that the lack of late night public transport was contributing to an increase in anti-social incidents in the early hours. Following the deregulation of buses outside London in 1986, private operators were happy to continue late night buses to the south of the city centre, where the two universities were located, but had ceased late night operations in the north. They were not convinced that there was sufficient demand for them to re-start the service almost a decade and a half later.

In 2001 the Greater Manchester Passenger Transport Executive decided to subsidise a network of seven new late night bus routes between Manchester and other district centres. This proved to be a success and nearly a year later the service was expanded to 25 night bus routes operating on Fridays and Saturdays, mostly until 3 am. These services are commercially viable and the subsidy provided valuable 'pump priming'. Security on the buses is assisted by officers from the Greater Manchester Police force and the bus company, who prevent drunken and aggressive passengers from getting on. The provision of night buses has been expanded to centres outside Manchester such as Altrincham and Wigan. A new Metrolink contract for the trams was extended to provide a service until midnight and it was anticipated that this would be extended until 1 am<sup>52</sup>.

Transport for London (TfL) have taken steps to provide safer routes home for late night passengers. The Safer Travel at Night Campaign is an ongoing campaign involving the Greater London Authority (GLA), Transport for London (TfL) and the Metropolitan Police<sup>53</sup>. Sixteen new night bus routes have been introduced since April 2000, so that there are 93 night bus routes in 2004. There was a 20% increase in the use of night buses in 2001-2002, an increase of 3 million trips. New buses have been fitted with CCTV for extra security and the whole fleet will be equipped by 2005. West Midlands Travel operate a late night bus service in Wolverhampton. The scheme was initially devised by the police, club owners and the main bus operator. It started in 1996 and is now self-financing<sup>54</sup>. Under the scheme the clubs provide a registered door supervisor on each of the buses that serve the most popular routes for club-goers<sup>55</sup>.

<sup>52</sup> House of Commons ODPM: Housing, Planning, Local Government and the Regions Committee (2003) *The Evening Economy and the Urban Renaissance: Memoranda submitted to the Urban Affairs Sub-committee* HC396-II London: The Stationery Office, Ev 16

<sup>53</sup> [www.london.gov.uk/mayor/safer\\_travel](http://www.london.gov.uk/mayor/safer_travel)

<sup>54</sup> Working Solutions (1998) *Keeping the Peace: A guide to the prevention of alcohol related disorder* London: The Portman Group, p.11

<sup>55</sup> House of Commons ODPM: Housing, Planning, Local Government and the Regions Committee (2003) *The Evening Economy and the Urban Renaissance: Memoranda submitted to the Urban Affairs Sub-committee* HC396-II London: The Stationery Office, Ev 34

### 3.1.2 Taxis

TfL have also introduced a licensing system for mini-cabs. An advertising campaign, “know what you are getting into” was launched in the autumn of 2002 to warn younger women of the dangers of getting into unlicensed minicabs late at night. TfL have also allowed licensed taxis to charge an extra supplement at night in order to attract more drivers to work late night. Taxi toutting has now been made a recordable offence in England and Wales, so that the police can take DNA samples from any driver caught toutting. This is aimed at preventing criminals from acting under the guise of cab drivers. The Docklands Light Railway has also instigated a scheme that it is testing, which provides links to over 100 mini-cab firms for its passengers. This means that passengers can pre-book a minicab to pick them up directly from their DLR station<sup>56</sup>. A scheme in Leicester was initiated in 1996, focused on university students. It provided an assisted minicab booking service that was paid for in advance. This avoids the problem of young people spending all their money on drink and not having sufficient funds to get home<sup>57</sup>.

### 3.1.3 Avoiding Queues

The careful location of taxi ranks and bus stops can also alleviate anti-social behaviour. As large queues form arguments and fights break out<sup>58</sup>. In Leeds, for example, taxi ranks and bus stops have been dispersed to avoid large concentrations of people<sup>59</sup>. In Manchester the queues for taxi ranks and buses are especially policed.

### 3.1.4 Driving and Parking

Parking forms a particular problem where, in the absence of public transport, customers drive their cars into the centre. Police in the Hackescher Höfe area of Berlin have introduced special parking charges for the evening<sup>60</sup>. In the scheme started in Leicester, mentioned above, clubs provided free soft drinks to a designated car driver and a driver rescue service for situations where the driver realises that s(he) is over the drink drive limit. The Safer Clubbing report highlights the dangers of driving when under the influence of controlled drugs and again recommends that promoters should help their customers to travel safely home, either by providing buses themselves and including the cost in the ticket price or by providing freephone links to reputable cab firms or other types of assistance<sup>61</sup>.

### 3.1.5 Staying Open until Transport Starts Again

An entirely alternative approach to the lack of late night public transport is for the venues to remain open until the first buses and trains start running again. One club in Holland reportedly stays open until 6 am and provides its clients with a free breakfast<sup>62</sup>.

<sup>56</sup> [www.london.gov.uk/view\\_press\\_release.jsp](http://www.london.gov.uk/view_press_release.jsp)

<sup>57</sup> Working Solutions, *op cit.*, p.11

<sup>58</sup> Richardson, A. & Budd, T. (2003) *Alcohol, crime and disorder: a study of young adults* Home Office Research Study 263 London: Home Office Research, Development and Statistics Directorate. p.63

<sup>59</sup> Allen, C. & Goody, H. (LGA) (2002) *all day and all of the night: an LGA discussion paper* London: LGA Publications, the Local Government Association, p.20

<sup>60</sup> Central Cities Institute, *op cit.*, pp 48-49

<sup>61</sup> Webster, Goodman & Whalley, *op cit.*, p.50

<sup>62</sup> Marsh, P. & Kibby, K.F. (1992) *Drinking and Public Disorder: A report of research conducted for the Portman Group by MCM Research* London: The Portman Group, p.132

## 3.2 Dealing with Litter

### 3.2.1 Partnership with Licensees

The activities of businesses in the Nyhavn area of Copenhagen City Centre provides an example of successful partnership. The Nyhavn Business Association was formed to represent the traders and other businesses along the canal. One frontage adjacent to the canal had formed into an 'entertainment strip' with bars and restaurants, many of which opened late, till 5 a.m. and one which, because of historical precedent, had 24 hours opening. The success of the area had brought its own problems and a huge amount of waste was created. This, combined with the wooden decking which was used outside of the restaurants as a base for outdoor seating, led to a proliferation of rats. The backyards, where rubbish was normally stored, were narrow and difficult to access. New working rights legislation ensured that rubbish operatives were no longer obliged to drag heavy dustbins through narrow passageways. The Nyhavn Business Association and the Nyhavn Residents' association thought it unacceptable to place bins on the quay and a proposal was drawn up in 1995 to re-pave the quay and to build a central suction system which would take the refuse out into lockable waste ducts 500m away, where it is more easily collected and disposed of. The Residents Association, together with the Business Association and the property owners, raised one million Kroner to do this, which was supplemented by the municipality<sup>63</sup>.

In Temple Bar, Dublin, the trader's association TASCQ (Traders in the Area Supporting the Cultural Quarter) formed in 1999. They agreed to contribute £200,000 a year for extra street cleaning. This includes a special bottle collection at 5 a.m., the provision of 21 extra 'Eurobins' (large refuse containers the size of small skips with covers) and the hosing down of the streets<sup>64</sup>.

### 3.2.2 Sweeping the Frontage

The Department of Consumer Affairs in New York is currently considering a proposal to demand that major night-time entertainment venues sweep the pavement in front of their premises "*within an hour of closing or before 6 am in the morning, whichever became earlier*". This suggestion is made in the context of all businesses in New York being required to sweep the pavements outside their premises up till one hour after the opening of business<sup>65</sup>.

Local authorities in Britain do have powers to require owners/occupiers of premises to keep the areas adjacent to their street frontages clean. Notices may be issued under Section 93 of the Environmental Protection Act 1990. It is, as the Government notes, 'a matter of choice' whether or not local authorities exercise this power.

<sup>63</sup> Central Cities Institute, *op cit.*, pp.59-60

<sup>64</sup> <http://www.templebar.ie/environment.asp> and interview with Annette Nugent, Temple Bar Properties, December 2001

<sup>65</sup> Interview with Gretchen Dykstra, Commissioner, Department of Consumer Affairs, New York City 15 March 2004

### 3.2.3 Local Authority Extra Provision

Our national survey of local authorities found that Hackney, Camden and Southampton City Councils had made provisions for extra street cleaning and waste collection. Manchester City Council has had special refuse bins designed that prevent the public from removing litter and presumably strewing it around<sup>66</sup>. Westminster City Council has recently let the largest waste management contract in Europe that includes collections through the night. The performance of the contractors is monitored using a GPS system, day and night.

Liverpool has developed an innovative scheme ‘Crystal Clear’ to prevent glass being taken out of licensed premises into public spaces. This multi-agency scheme incorporates features such as specially provided bottle banks funded by the breweries and an agreement attached as a condition to all Public Entertainment Licenses that door staff must prevent customers from taking bottles and glasses outside. It was supported by the health authority, as well as the police and the City Council and the local Clerk of the Northern Brewers and Licensed Retailers Association. The scheme has run a number of times since 1999 and each time is launched with a commercially run ‘social marketing campaign’. Funding for the campaign has mainly come from licensees and the health authority<sup>67</sup>.

## 3.3 Prevention of Street Fouling

‘Street fouling’ can be limited through the provision of extra public toilets. Many town centre public toilets have been closed in recent years as part of local government’s efforts to reduce revenue costs<sup>68</sup>. Some authorities have reversed this trend, taking steps to accommodate the needs of male vertical drinkers. The City of Westminster has provided 12 portable *pissoirs* in the West End for over two years, for use on Friday and Saturday nights. 1,400 men use these and the two fixed urinals and a pop-up loo every weekend. The Council collect on average 230 gallons of urine each weekend<sup>69</sup>. LB Hammersmith and Fulham have also provided urinals on Shepherd’s Bush Green<sup>70</sup>.

## 3.4 Enhancing Perceptions of Safety

### 3.4.1 Providing a Welcoming Environment

There are many good examples of local authorities improving their town centres as attractive retail environments. The Alcohol Harm Reduction Strategy highlights the example of Stroud in improving its street environment through public realm improvements. These incorporate the redevelopment of the town square, keeping the town centre clean, sign-posting and permanent public art; in addition efforts have been made to increase activity in the town centre with live events and a farmers market. An increase in the number of town centre residents has been encouraged through ‘living over the shop’ schemes and reusing derelict buildings. The town centre is being made more attractive through building its identity by promoting its civic design strengths and ‘theming’ quarters with locally-relevant motifs. A database of local artists exists for public art projects and a feeling of safety is enhanced by good quality street lighting.

<sup>66</sup> Town Centres Ltd *op cit.*, p.72

<sup>67</sup> Home Office (2004) *Alcohol Audits, Strategies and initiatives: Lessons from Crime and Disorder Strategic Reduction Partnerships* Home Office Development and Practice Report 20 London: Home Office, p.17

<sup>68</sup> Greed, C. (2004) *Inclusive Urban Design: Public Toilets* Oxford: Architectural Press

<sup>69</sup> City of Westminster (2003) *Managing Urban Renaissance: Making it Work* (Promotional Pamphlet)

<sup>70</sup> Allen & Goody, *op cit*



Ten to fifteen years ago Leeds City Council made a deliberate attempt to improve the environment of the city centre to make it more attractive for leisure activities.

“... we recognised that if you have got large numbers of people coming into the city centre to enjoy what it has to offer, whether it is in the day, the evening or late at night, it has to feel attractive and it has to feel safe.” Pauline de Silva Leeds City Centre Manager<sup>71</sup>

A considerable amount was spent on new street lighting and an extension to and refurbishment of pedestrianised areas<sup>72</sup>. The City paid attention to the yards, alleys and refurbishing the fine nineteenth century shopping arcades. De Silva comments “...although it is a major city it is difficult to find the sort of back alley areas that do not feel particularly safe...”

Many towns and cities have taken up the recommendations made in the *Safer Clubbing* report and have encouraged promoters to run well-managed and ventilated premises that provide for the health and safety of their customers. Staff are encouraged to develop constructive relations with the local police and licensing officers. In Newcastle upon Tyne, for example, the police report that problems with drug dealing in the city centre are relatively rare<sup>73</sup>. The City Council and the police set up a pub watch scheme with radio links to the police so that club and pub owners can inform the police of suspected drug use on the premises. The City Council also presaged the national scheme for registered door supervisors with its own scheme, set up under the Newcastle Act 2000. The Act also prevents the handing out of free literature without a license. This means that if the Council has concerns about the particular night that a club is advertising, the audience that they are promoting it to or the content of the advertisement, they can withdraw permission for the promoter to distribute leaflets.

### 3.4.2 Banning Drinking in Public Places

In 1988 Coventry created an alcohol by-law that banned dinking alcohol on the street. It started as an experiment, with a maximum fine of £500 on conviction, and became permanent two years later. Similar experiments were carried out in six other towns. An evaluation carried out a year after concluded that the measure had been successful in reducing public contact with incivilities and increasing public perception of Coventry as a safe place to visit<sup>74</sup>. By 1997 42 similar by-laws were in place. Liverpool Corporation achieved a wide acceptance of the ban through mounting a ‘saturation’ advertising campaign using local media, adverts on buses and adverts on beer mats<sup>75</sup>. An independent study concluded that whilst the byelaw had had a positive effect, especially in relation to rowdy and anti-social behaviour, it had not had any effect on under age drinking or other types of criminal activity. Factors influencing its success in reducing the fear of alcohol related crime and

<sup>71</sup> House of Commons ODP: Housing, Planning, Local Government and the Regions Committee (2003) *The Evening Economy and the Urban Renaissance* Twelfth Report of Session 2002-3 HC396-1 London: The Stationery Office, Ev 7 10 Feb 2003

<sup>72</sup> Allen, C. & Goody, H. (LGA), *op cit*

<sup>73</sup> [www.civictrust.org.uk/evening](http://www.civictrust.org.uk/evening)

<sup>74</sup> Ramsey, M. (1990) *Lagerland Lost? An experiment in keeping drinkers of the streets in central Coventry and elsewhere* Crime Prevention Paper 22 London: The Home Office

<sup>75</sup> Allen, C. & Goody, H. (LGA), *op cit*

disorder and actually reducing alcohol consumption included whether the byelaw was part of a wider initiative that included for example door supervisor schemes, CCTV, the use of proof of age cards and the longevity of the byelaw itself<sup>76</sup>. Subsequent to these initial experiments Sections 12-16 of the Criminal Justice and Police Act 2001 allows local authorities to adopt powers to designate areas which have known anti-social drinking and nuisance attached to them. These powers have replaced the banning byelaws. To date over 100 local authorities have designated such areas. Under-age drinking in public places can be tackled using the provisions of the Confiscation of Alcohol (Young Persons) Act 1997 and Section 155 of the Licensing Act 2003 which gives the police power to confiscate both sealed and open containers of alcohol<sup>77</sup>.

## 3.5 Noise Prevention

### 3.5.1 Legislation

Noise disturbance to residents can come from two different sources. The first is in noise breakout from the venues themselves, to adjacent properties either through transmission through the structure or through airborne sound and the second comes from the noise of people in the street. At the time of writing noise prevention legislation in England focuses on the first source. The Building Regulations make provision for sound insulation. The Environmental Protection Act 1990 Part III and the Noise and Statutory Nuisance Act 1993 both make provision for dealing with noise emissions that constitute a disturbance from premises. There is no legislation to prevent noise from the street although Planning Policy Guidance Note 24 urges planning authorities to take noise generating activities into account in their development plans by reducing conflicts between noise generating activities and where this is impossible to put further measures into place through conditions and agreements attached to the granting of planning permission. In addition, the Anti Social Behaviour Act 2003 gives Environmental Health Officers powers to close noisy premises, while the Licensing Act 2003 allows the police to close premises on the grounds of noise and disorder.<sup>78</sup>

### 3.5.2 Projected Impacts of the Licensing Act 2003

DEFRA commissioned a report to consider and advise on the potential noise impacts, both beneficial and adverse, of the Licensing Act 2003. A number of new recommendations were made. These included a proposal that licensed premises should be encouraged to stay open longer than a purely commercial justification would imply, in order to reduce the noise impacts of customers leaving. With this regard the report also argued for licensing authorities to impose staggered terminal hours on individual premises within the same locality. Calls were made for a closer integration of the working of planning, licensing and environmental protection departments within local authorities and for more resources to be provided to environmental protection and licensing departments for enforcement.

<sup>76</sup> Working Solutions, *op cit.*, pp.9-10

<sup>77</sup> Police Standards Unit and Crime Directorate (2004) *Violent Crime – Tackling Violent Crime in the Night-Time Economy – Guidelines and Tactical Options* The Home Office [www.policereform.gov.uk/psu/index.html](http://www.policereform.gov.uk/psu/index.html)

<sup>78</sup> Cabinet Office, Strategy Unit, *op cit.*, p.63

The report noted the ‘intractable’ problem of controlling noise from customers leaving licensed premises once they had left the immediate vicinity of the venue itself. Suggestions included educational campaigns, advice and reminders within the premises by means of posters and direct intervention of the door staff. More radically the suggestion of ‘quiet zones’ created through local authority byelaw was mooted. The creation of ‘special policy’ areas within the Guidance to the Licensing Act was applauded, but it was noted that these could only be designated after significant levels of disturbance had already been created<sup>79</sup>.

### 3.5.3 ‘Descans dels veins’ – Respecting the Peace in Barcelona

The City of Barcelona has already implemented educational campaigns to reduce noise disturbance from outdoor drinking at tables and chairs on the pavement or in squares. Licenses in the city appear to be granted on the basis of micro-management, with cafes and bars on narrow streets, where noise disturbance is greater because the sounds reverberate, being required to remove their outdoor tables and chairs at an earlier time than those on wider streets. A typical time for earlier removal might be midnight with the bar itself closing at 1 am or 2 am. The City Council sponsors campaigns aimed at three different groups: customers, bar workers and bar owners. They have used measures such as banners, with signs in Catalan, reminding customers to be quiet. Attractively designed drinks coasters and postcards reinforce the same message. Licensees are also encouraged to display notices that set out the clearing away and closing times for their premises. Outdoor seating is licensed on an annual basis and licenses are enforced through inspections and a series of sanctions<sup>80</sup>.

### 3.5.4 Planning Conditions

A survey of planning authorities in major cities in Britain in 2002<sup>81</sup> found that the overwhelming majority used planning conditions to impose acoustic insulation on entertainment venues. Few used other conditions as a matter of course. Manchester routinely attaches the following conditions to planning permissions for new A3 uses and similar noise generating developments:

- the provision of acoustic glazing
- the provision of acoustically treated ventilation
- the installation of an acoustic lobby at entrances and exits to premises to act as a physical barrier between the inside of premises and the outside environment
- the installation of sound limiters linked to any sound amplification equipment at appropriate levels
- prohibition of the external playing of amplified music

<sup>79</sup> MCM Research (2003) *Implications for noise disturbance arising from the liberalisation of licensing laws: Report of research and consultation conducted by MCM Research Ltd for the Department for Environment, Food and Rural Affairs (Defra)* London: MCM Research Ltd.

<sup>80</sup> Interview with Merced Dominguez and Arantxa Millas, Noise Reduction Team, Ajuntament de Barcelona, Torrente de la Olla, 7 November 2002

<sup>81</sup> Tiesdell & Slater, *op cit*

- restriction of the hours of operation of outside drinking areas
- establishment of maximum noise levels.

The planning authority also imposes as a condition on developers that new residential development is insulated to a standard that would preserve residential amenity, irrespective of the use proposed, on the basis that the ground floor may be used for A3 or other similar uses in future<sup>82</sup>.

PPG6 offers local authorities the choice of whether to disperse entertainment venues throughout a mixed-use town centre or whether to provide concentrations, as in Norwich's Riverside area. Sheffield has produced Quarter Action Plans in order to further elaborate policies in the city's UDP. In the Cathedral Quarter these include a proposal for a 'music street' where pre-midnight live music venues and restaurants would be encouraged, rather than it being a street of pubs. Tiesdell & Slater<sup>83</sup> conclude that the Quarter Action Plans are examples of the type of document that could be produced under the new system for development plans in England and Wales.

### 3.5.5 Planning – England

Many cities in mainland Europe and the USA have sophisticated planning and environmental controls to reduce conflicts created by noise generated by night-time activities. Government in the UK is considering measures to bring itself into line with the EU directives and has started a process of mapping noise, including night-time noise, in areas containing more than 250,000 people. This process has already taken place in London and provides a valuable resource for local authorities in the prosecution of their licensing objectives. The Greater London Authority is in the process of formulating an ambient noise strategy and requires local authorities in London to consider how noise conflicts can be resolved in their Unitary Development Plans<sup>84</sup>.

### 3.5.6 Residential Design

Conflicts between town centre residents and night-time activities can be reduced through design measures in residential blocks. New housing in Temple Bar, Dublin, is designed to incorporate active but quieter uses, such as hairdressers on the ground floor, with flats above. The flats are protected from the activities on the street by being configured into a perimeter block around a quiet internal courtyard. Access to the courtyard and the flats is limited to one gate, which is securely locked and under the control of the residents. The typical nineteenth century Berlin apartment block formed a precedent for this approach to design. Many of these blocks have interconnecting courtyards and this, whilst forming a protected and fascinating shopping/leisure environment during the day, can cause problems at night. In the renovated Hackescher Höfe itself, a large factory development renovated into mixed uses, the problem was solved by gating off the primarily residential inner courtyards after 9pm at night and introducing security guards<sup>85</sup>.

<sup>82</sup> Town Centres Ltd *op cit.*, p.72

<sup>83</sup> Tiesdell & Slater, *op cit*

<sup>84</sup> Mayor of London (2003), *City soundings The Mayors Draft London Ambient Noise Strategy*, London: Greater London Authority

<sup>85</sup> Central Cities Institute, *op cit.*, p.84

### 3.5.7 Noise Control – New York

The types of controls that are operated abroad include strict zoning controls in planning legislation. For example New York and Berlin do not permit large club/bars in residential areas. Although this type of control assists, it does not entirely alleviate problems. For example, the former industrial neighbourhoods of Chelsea and Hell's Kitchen in Manhattan accommodate approximately 200 of the 300 of New York City's premises with 'cabaret' licenses (broadly speaking nightclubs that allow dancing). Some of these premises are very large and have capacities of up to 3,000. Problems have been experienced with noise, amongst other issues, because despite the industrial classification, people do live in these neighbourhoods. This situation has been exacerbated by the recently imposed smoking ban, which has resulted in customers standing outside to smoke. It is not only size that is the issue, for as the New York City Commissioner commented, a bar in a quiet neighbourhood with an over-loud jukebox can also generate a similar level of complaint<sup>86</sup>.

New York has a Noise Code that prohibits any establishment from emitting sounds of music at a level such that any residential unit in the vicinity may hear it at a level of above 45dB(A). However New York City Council has problems enforcing this code because of a lack of Environmental Protection Officers. The City Council is currently considering whether in a future revision of its cabaret laws Licensing Officers could be given powers of enforcement<sup>87</sup>.

### 3.5.8 Noise Impact Studies – Berlin

In Berlin a noise impact report is considered as part of the process of application for a premises license. Environmental Protection Officers use a sophisticated software programme to model the impacts of the new premises on neighbouring residential properties. Using the results, recommendations are then made about levels of sound insulation and numbers of permitted seats both inside and outside the premises<sup>88</sup>.

## 3.6 Dealing with Crime and Disorder

Research carried out to date on violence in the night-time economy has found that young males are overwhelmingly the perpetrators and victims of violence. Many injuries are caused to the face by striking with bottles or glasses. The peak days for violence are weekends and the most peak locations are in and around pubs and clubs. Violence is also associated with queues for taxis and fast food<sup>89</sup>.

There are many examples of partnership working already in existence throughout England. Nearly three quarters of respondents in the national survey of local authorities stated their intention to set up closer partnership arrangements with their local police forces in terms of setting up neighbourhood warden or community support officer schemes, joint licensing enforcement visits together with the development of community safety strategies. This type of partnership working is encouraged by the Alcohol Harm Reduction Strategy.

<sup>86</sup> Interview with Gretchen Dykstra, Commissioner, Department of Consumer Affairs, New York City 15 March 2004

<sup>87</sup> Interview with Gretchen Dykstra, Commissioner, Department of Consumer Affairs, New York City 15 March 2004

<sup>88</sup> Central Cities Institute, *op cit.*, p.71

<sup>89</sup> Finney, A. (2004) *Violence in the Night-Time Economy: Key Findings from the Research No. 214* London: Home Office Research, Development and Statistics Directorate, p.1

### 3.6.1 Policing

Manchester City Centre Safe Project is an agency run by Greater Manchester Police. It adopts a holistic and long-term approach to reducing alcohol related crime in the city centre. It comprises twenty separate initiatives that tackle different parts of the problem. For example, it was involved in introducing the 'Nite Net' radio system that links pub, clubs, CCTV and police officers together in the night-time hours. They can then warn each other of aggressive customers who have been ejected from venues and can target police activity towards particular groups of troublemakers. City Centre Safe also pioneered other initiatives that are described separately further on in this report. The Project works with other agencies and services such as education and health and has the support of the City Council. It works with operators and the drinks industry and draws on the work of academics in the field. Since its inception in 2000, serious assaults in the city centre have fallen by 17%<sup>90</sup>.

Westminster City Council introduced wardens in the West End, Paddington and Bayswater. Since 2002 it has run a 'City Guardian' scheme in Leicester Square. The Police Reform Act 2002 allows chief officers of police forces to designate police authority employees as Community Support Officers and to designate appropriate persons under a community safety accreditation scheme. City Guardians wear a uniform that is practical but not militaristic and they are connected to the police radio and CCTV systems, that includes a mobile CCTV van. Guardians warn those who are engaged in anti-social behaviour of the consequences of their actions should they persist. Their effectiveness is bolstered by an increased police presence which can be called upon for a speedy response.

### 3.6.2 Surveillance – Pubwatch Schemes

Pub watch and club watch schemes have flourished in recent years. These are partnerships between, for example, local pub licensees, club licensees, off-licenses, retailers and even minicabs. A National Pubwatch scheme was set up in 1998 to provide support to these local initiatives. The Licensing Act 2003 recommends that all premises subscribe to a 'watch' scheme.

The Charter scheme in Shepherd's Bush Green, Hammersmith and Fulham provides an example. It was set up by local residents, the police, the council and licensees. The aim of the Charter is to promote socially responsible management of licensed premises in the area. A 'safety net radio scheme' was set up that linked licensed premises to the Council's CCTV control room. It also promotes alcohol awareness and safety campaigns with plans to promote a responsible management awards scheme<sup>91</sup>.

Some pubwatch schemes now incorporate video as well as radios and pagers. They work by sending messages about troublemakers to others included in the scheme, to ensure that people expelled from one venue do not enter another. This device has been used in some areas by licensees to enforce a ban on particular people entering any premises for a period set by the licensees<sup>92</sup>.

<sup>90</sup> [www.citycentresafe.com](http://www.citycentresafe.com)

<sup>91</sup> Mayor of London (2003) *The London Agenda for action on alcohol: Mayor of London's priorities to reduce alcohol related harm in the capital* London: Greater London Authority, p.13

<sup>92</sup> Working Solutions, *op cit.*, p.17

In Burnley a scheme entitled BAND has been successfully set up<sup>93</sup>, Burnley Against Night-Time Disorder. In response to a perception of violence and disorder in the town centre this multi-agency partnership was set up that included representatives from licensees and taxi firms in addition to public sector, police and town centre management representatives. Staff from the Royal British Legion run the CCTV. The scheme involved conducting surveys, providing publicity and banning individuals who had been arrested for crimes involving violence, criminal damage or drugs supply from entering licensed premises for a specified period. Licensees had to apply to join up with the scheme. The police felt that the publicity giving numbers of banned persons acted as a deterrent.

### 3.6.3 Surveillance – CCTV

Over three quarters of the respondents (77.5%) in the national survey expressed an intention to extend the pubwatch schemes in their areas with direct links into police CCTV control centres. There has been no systematic research as yet into the efficacy of pubwatch schemes. The most immediate observation that arises is that whilst such initiatives support the private interests of licensed trade and to a certain extent public interests too, in assisting the maintenance of order inside premises, the watch schemes nevertheless expel troublemakers and potential offenders into the public realm, leaving the problems to be resolved by the local police force. The use of CCTV helps to focus police effort but ultimately the responsibility is passed onto public resources.

There is conflicting evidence over the efficacy of town centre CCTV schemes. On the whole there is evidence to suggest that it has a significant desirable effect on crime reduction, although that reduction might be rather small across all crimes. Recent evidence suggests that CCTV is more effective in reducing crimes against property than crimes against the person<sup>94</sup>. Its effectiveness tends to be greatest in the short-term and requires public renewal of awareness<sup>95</sup>. Another study suggests that CCTV may be effective against certain types of offence over a longer period, but requires other factors to support it, such as the local media<sup>96</sup>. A comparative study using evidence from Accident and Emergency Departments suggests that CCTV surveillance was associated with an increased detection of violence by the police and that reduced the severity of injuries experienced. There were variations between different areas<sup>97</sup>. It is clear that CCTV needs to be seen as part of a 'package' of measures to be effective.

<sup>93</sup> Home Office, *op cit.*, pp.10-12

<sup>94</sup> Brown, B. (1995) *CCTV in Town Centres: Three Case Studies* Police Research Group-Crime Disorder and Prevention Series Paper 68 London: The Home Office, p.68

<sup>95</sup> Welsh, B.C. & Farrington, D.P. (2002) *Crime Prevention Effects of Closed Circuit Television: A Systematic Review* Home Office Research Study 252, London: The Home Office, p.41

<sup>96</sup> Griffiths, M. (2003) *Town Centre CCTV: An Examination of Crime Reduction in Gillingham, Kent*. London: The Home Office

<sup>97</sup> Sivarajasingam, V., Shepherd, J.P. & Matthews, K. (2003) Effect of closed circuit television on assault injury and violence detection *Injury Prevention* Vol.9, Issue 4., pp.312-316

### 3.6.4 Providing a Refuge

Following the unfortunate death by drowning of three young drinkers, including an inebriated 17 year old, in the river in Norwich, an innovative and integrated scheme was set up to help incapacitated consumers who may have become isolated from their friends. Representatives of local club operators, the police, the Students Union at East Anglia University and other voluntary agencies formed a steering group. Ideas such as an SOS phone home, a sponsored taxi on the inter venue/police radio system and an innovative proposal known as the SOS bus were developed. The SOS bus has had its insides taken out and is equipped to receive young people who are overcome by drink and /or drugs. Outreach workers go around the city to look for ‘abandoned incapables’ and take them back to the bus where they can wait in safety until they are capable of making their way back home. The scheme is staffed by volunteers and has been given publicity by the local media and support from the community police unit<sup>98</sup>.

### 3.6.5 New Powers

The Alcohol Harm Reduction Strategy encourages police forces to:

- *encourage greater use of Fixed Penalty Notices (FPNs) to clamp down on low-level drunk and disorderly behaviour such as noise and urinating in public;*
- *encourage greater use of Fixed Penalty Notices for a wider range of offences, such as littering, and for bar and retail staff found to have sold alcohol to those already drunk;*
- *encourage full use of preventative/prohibitive measures such as Acceptable Behaviour Contracts and applications for Anti-Social Behaviour Orders in appropriate cases to tackle unacceptable behaviour;*
- *use conditional cautions, once introduced, as a basis for directly targeting the offence – linked to an agreement not to frequent local pubs;*

In addition, police forces can confiscate alcohol, whether in opened or unopened containers, from drunk and disorderly persons<sup>99</sup>.

The House of Commons Inquiry<sup>100</sup> heard evidence that pilot studies in four areas had demonstrated the efficacy of penalty notices for disorder in combating alcohol related offences. They commented that to be effective as a deterrent, fines must be enforced. Police in England and Wales now have the power to issue penalty notices for disorder offences of the type associated with the night-time economy. These are often drink related, such as drunk and disorderly behaviour and the Public Order offence of behaviour likely to cause harassment, alarm or distress. Penalty notices for disorder can also be issued by Community Support Officers in support of the police role, for example for enforcing designated non-drinking areas.

<sup>98</sup> House of Commons, Memoranda, *op cit.*, Ev 21

<sup>99</sup> Cabinet Office Strategy Unit, *op cit*

<sup>100</sup> House of Commons, *op cit.*, p.28



The Inquiry also heard evidence that the use of ASBO's was more problematic. ASBO's and Acceptable Behaviour Contracts are suitable for persistent easily identifiable offenders. The circumstances of busy late night activities do not permit such ready identification<sup>101</sup>.

The Anti-Social Behaviour Act 2003 also gives the police powers to close premises where there is the production, supply or use of Class A drugs and serious nuisance or disorder. This power enables the police to take rapid action, in 48 hours if necessary<sup>102</sup>.

### **3.6.6 Home Office Initiatives**

The Home Office launched a summer alcohol misuse enforcement campaign in June 2004. The campaign involved a broad range of partners, including Crime and Disorder Reduction Partnerships, trading standards officers, the fire service, the alcohol industry and the government. The initiative operated in eighty towns and districts in England and Wales and had the aim of increasing awareness of the powers of the police and local partners to combat alcohol related violence and disorder and to address the illegal and irresponsible selling of alcohol.

This initiative formed part of a five year plan launched by the Home Office to combat alcohol misuse<sup>103</sup>. The five year plan also announced guidance issued to police forces and Crime and Disorder Reduction Partnerships on the prevention of violence in the night-time economy. The guidance includes many of the ideas elaborated in this document together with innovative operational proposals for local police forces and stakeholders<sup>104</sup>.

<sup>101</sup> Ibid, p27

<sup>102</sup> Guidance issued under Section 182 of the Licensing Act 2003, s.11.49

<sup>103</sup> Home Office (2004) *Confident Communities in a Secure Britain: The Home Office Strategic Plan 2004-08* (Cm 6287) HMSO, [www.homeoffice.gov.uk/docs3/strategicplan.html](http://www.homeoffice.gov.uk/docs3/strategicplan.html)

<sup>104</sup> Police Standards Unit (2004) *op cit*

## 4.0 Pro-active policies for change

This section discusses some pro-active approaches.

### 4.1 Job Creation

The Association of Licensed Retailers estimate that the ‘hospitality sector’ employs over half a million staff and contributes over 3% of GDP<sup>105</sup>. Town Centres Ltd estimate that a licensed restaurant (93-560m<sup>2</sup> area) typically employs up to five full-time and 25 part-time staff. A night club (1,860-2,800m<sup>2</sup> area) would employ between 50 and 90 staff of whom half would be full-time and half part-time<sup>106</sup>.

The expansion of the night-time economy in Manchester city centre has created an estimated 12,000 jobs for bar, waiting, catering and security staff<sup>107</sup>. The Greater London Authority estimate that there are 58,400 employees in London’s bars, making up 1.5% of all London’s jobs. There was an increase of 37% in London’s bar jobs between 1995 and 2001, or 16,000 jobs. This increase outstripped an overall growth of 16% in jobs in London over the same period<sup>108</sup>.

There are many reasons why local authorities would wish the night-time economy to expand in their area or, it having expanded, would wish to sustain it. West Berkshire Council, for example, is developing a Vision 2025 to improve the vitality and viability of Newbury in partnership with Newbury Town Centre Management Scheme. South Lakeland has put together a local partnership in Kendal to develop a strategy towards developing and marketing the night-time economy as a tourist/business location, seeing it as an asset of its local environment.

### 4.2 New Developments

Norwich has developed a new area by its riverside, master planned by Sir Terry Farrell. The Riverside development has achieved a mix of uses that includes leisure facilities such as a bowling centre, a multiplex cinema, various types of restaurants, pubs and clubs. The venues attract people at different times of day, through to the late night. The City Planning Department is proud to have regenerated the area so that “there is a busy atmosphere to that centre throughout the day”<sup>109</sup>. The development contains two large nightclubs, which together have a clientele of 2680<sup>110</sup>. The Prince of Wales Road connects the Riverside development to the city. The Riverside development seems to have achieved a successful balance of leisure and residential uses, a balance that has been produced with a judicious use of functional zoning. There are more conflicts in the Prince of Wales Road area<sup>111</sup>, where there are a string of fast food take-aways and an established residential population. Many of the road accidents that occur in Prince of Wales Road happen because of pedestrians walking into traffic in the late evening or early morning. The City Council has tackled this accident ‘cluster’ with a scheme to improve the streetscape and street management. A series of traffic light controlled crossings will slow traffic to about 15 mph.<sup>112</sup>

<sup>105</sup> House of Commons, *op cit.*, p.8

<sup>106</sup> Town Centres Ltd, *op cit.*, p.29

<sup>107</sup> House of Commons, Memoranda, *op cit.*, Ev 16

<sup>108</sup> GLA Economics (2004) *Spending Time, London’s Leisure Economy* London: Greater London Authority

<sup>109</sup> Stephen Osborn, Planning Officer, in House of Commons Memoranda, *op cit.*, Ev 15

<sup>110</sup> Tiesdell & Slater, *op cit*

<sup>111</sup> Ibid

<sup>112</sup> House of Commons, Memoranda, *op cit.*, Ev 21

## 4.3 Encouraging Diversity and Local Distinctiveness

### 4.3.1 Leeds

In Leeds, the town centre management have tried to attract a more diverse audience into the city centre on specific days by holding events in the city's new public space Millennium Square. Events have included an open-air ice rink, concerts, French and German Markets, a fashion show and street theatre. The Town Centre Manager, Pauline de Silva reported:

*"At those events we have had parades, we have had young children in the city centre at 10.00 p.m. and 11.00 at night and we have never had any trouble."*<sup>113</sup>

This has not altered the overwhelming dominance of young people at 12.00 and 1.00 am, but it has been successful in its own terms.

### 4.3.2 Temple Bar, Dublin

In Dublin's Temple Bar, an attempt was made in the initial framework plan of 1991 to 'build' in diversity by imposing a tight development control regime that was enforced through conditions imposed in the lease and through a tax reduction scheme operated by the owners Temple Bar Properties Ltd. This ensured that land-uses were mixed vertically within buildings and that small specialist shops, cafes and restaurants could flourish. This diversity was undermined once the five-year lease conditions expired. Business owners made applications to the planning authority, Dublin Corporation, for expansion to their premises. Temple Bar Properties opposed such changes to their original concept for the neighbourhood, but their objections were dismissed as being overly pessimistic. 'Super-pubs', large 'pubs' with late licenses that accommodate up to 1500 clients, flourished and started to dominate the quarter, along with hotels with large bars that were in reality, nightclubs. Once the Corporation realised that the character of the area was being damaged, a revision to the Dublin City Development Plan (1999) incorporated special conditions for Temple Bar, which presumed against the granting of planning permission for public house/restaurant/nightclub uses or for extension for such use. This, combined with a national policy of preventing major out of town retailing, is helping to prevent the destruction of Temple Bar's diversity<sup>114</sup>.

### 4.3.3 Norwich at Night

Norwich City Council has developed a marketing tool, a booklet titled *Norwich at Night*, which advertises the City's activities at night. It has proved popular with the public and advertisers and has reached a second edition<sup>115</sup>.

<sup>113</sup> House of Commons, *op cit.*, Ev 7

<sup>114</sup> Central Cities Institute, *op cit.*, p.55-57

<sup>115</sup> House of Commons, Memoranda, *op cit.*, Ev 21

#### 4.3.4 Need for Diversity

The House of Commons Inquiry recommended that local authorities develop action plans that encourage non-alcohol centred evening activities. Late opening shops, museums and galleries and the identifications of events that have a wider appeal to people of all ages<sup>116</sup>. Newcastle City Council are looking into the possibility of opening museums and libraries after 5pm. This real functional diversification is a key component of any urban renaissance strategy.

### 4.4 Re-branding Neighbourhoods

#### 4.4.1 Rapid Change

There are many successful examples of new quarters or micro-districts re-branding themselves in cities, with the night-time economy providing the initial excitement and ambience. In many of the examples, problems later occur and the image of the area changes. The fashionable 'scene' moves elsewhere and the area becomes tainted by its image for violence or difficulty. The speed with which this happens is such that it seems risky to even offer successful examples, for, within a period of months, perceptions of the area might change. Areas where this transition has been documented are: Dublin's Temple Bar<sup>117</sup>, Manchester's Gay Village<sup>118</sup>, Wind Street, Swansea<sup>119</sup> and the MareMagnum development in Barcelona<sup>120</sup>.

#### 4.4.2 Northern Quarter – Manchester

Manchester's Northern Quarter has been regenerated as a creative quarter. In 2001 it had managed to retain an individual identity with a large number of independent bars, pubs and clubs. It has its own radio station and the City Council supports an annual street festival, where a diverse range of quality live bands play to people on streets closed off to traffic. The management of the Quarter is supported by a voluntary association that draws its members from the local commercial and residential community.<sup>121</sup> However, Hobbs (*et al*) comment that the Northern Quarter, might be identified with similar areas in other cities as 'branded specialist enclaves' and represent market segmentation and niche marketing rather than a 'more radical form of functional diversity'<sup>122</sup>.

<sup>116</sup> House of Commons, *op cit.*, p.39

<sup>117</sup> Montgomery, J. (1995) The Story of Temple Bar: creating Dublin's Cultural Quarter *Planning Practice and Research* 10(2), pp.135-172

<sup>118</sup> Hobbs et al, *op cit.*, p.102

<sup>119</sup> Bromley, Thomas & Millie, *op cit.*, p.91

<sup>120</sup> Chatterton, P. & Hollands, R. (2003) *Urban Nightscapes: youth cultures, pleasure spaces and corporate power* London: Routledge., pp.2-3

<sup>121</sup> Town Centres Ltd., p.70

<sup>122</sup> Hobbs et al, *op cit.*, p.260

### 4.4.3 Shoreditch Triangle

At present it would appear that the 'Shoreditch Triangle' in London is keeping its image as a fashionable location for the night-time economy without any conspicuous reports of excessive disorder or crime. It has many of the ingredients: an established community of artists, a declining industrial base, anchor cultural attractions (the Cube gallery, Hoxton Square), a tight-grained urban fabric, proximity to the City, media exposure and the support of active regeneration agencies. It will be interesting to monitor whether this fashionable quarter suffers from the ills that have afflicted similarly re-branded neighbourhoods or whether it succeeds in retaining a diverse night-time economy that incorporates small independent venues and cutting edge cultural production.

## 4.5 Introducing a Café Culture

Copenhagen is a northern city with a climate that is colder in winter than northern cities in England. Yet over the last forty years the city centre has been gradually transformed into an outdoor café culture, more typical of a Mediterranean, southern, city. The experiment started in 1962 when StrØget, the main street was pedestrianised along its 1.1km length. This aroused protests the citizens were "Danes, not Italians". Pedestrianisation was gradually extended into coherent network of streets, with 100,000m<sup>2</sup> of road space converted to use solely for pedestrians<sup>123</sup>.

The number of pavement cafes has greatly increased in Copenhagen over the last ten years in response to its pedestrianisation policy. There are now 5,000 seats available in pavement cafes. The licensing of tables and chairs on the pavement, in particular and the design and regulation of the public realm in general, is the responsibility of the City Council. Approximately 2000 licenses for tables and chairs and other temporary uses of the public realm, such as street performers, are given out each year.<sup>124</sup>

The licenses for pavement eating and drinking are given out annually and each restaurant or bar owner has to apply for them afresh each year. Pavement seating is not permitted on the pedestrianised streets, but is permitted in public squares. The Environmental Protection Agency and the police set the opening hours. Music is not permitted outside and tables and chairs have to be cleared away by mid-night.

Three years ago the Kommune (City Council) found that the number of pavement seats had proliferated considerably. In order to regulate the numbers, a charge was introduced. This operates on a sliding scale dependent on the area. Owners are expected to consult with the residents, but it is not a requirement. Owners cannot automatically expect to get the same space year on year. If there is a concentration of seating space in any one space then the Roads and Parks Department might call a meeting to consult the residents<sup>125</sup>.

<sup>123</sup> Gehl, G, & Gemzoe, L. (2001) *New City Spaces* Copenhagen: Danish Architectural Press

<sup>124</sup> Interview with Section Leader, Roads and Streets, Building and Construction Department, City of Copenhagen

<sup>125</sup> Central Cities Institute, *op cit.*, pp.69-70

## 4.6 Stakeholder Partnerships and Collaboration

### 4.6.1 Alcohol Harm Reduction Strategy – Call for Partnership

The Alcohol Harm Reduction Strategy encourages local authorities to:

- *work with industry to set up local partnership schemes as set out above, encouraging membership as part of licensing policy;*
- *ensure that all the services they provide themselves linked to the night-time economy (licensing, trading standards, transport strategy, street cleaning, environmental health) are co-ordinated to deal with the consequences; and*
- *co-ordinate a strategy for managing the night time economies in their areas as part of existing local strategies*<sup>126</sup>.

Recommendation 26 of the Strategy also commits the ODPM to providing guidance to all local authorities in England on managing the night-time economy.

### 4.6.2 Current Initiatives

Some local authorities are already doing this. Brighton and Hove City Council has a Licensing Strategy Group that includes officers from the City Council's Tourism, Planning, Environmental Health, Youth and Leisure departments and representatives from local entertainment operators and the police. Cherwell has created a Safer Socialising Initiative Working Group which combines representatives of the licensed trade, district council, town council, health authority, chamber of commerce, bus company, taxi firms etc, to consider issues that relate to or affect the night-time economy. LB Hammersmith and Fulham have set up a Night-time Economy Group with multi-agency representation. This has already carried out a survey of all residents in the borough. Macclesfield already has put joint licensing enforcement visits in place representing the local authority, the police and the fire service. Nottingham, Cheltenham and Harrogate are in the process of drafting strategies for the night-time economy.

### 4.6.3 Staying the Course

The AHRSE suggests that local authorities set up multi-stakeholder working groups to work alongside Crime and Disorder Reduction Partnerships and, presumably in tandem with town centre management multi-agency partnerships and Local Strategic Partnerships<sup>127</sup>. Tiesdell and Slater's<sup>128</sup> in-depth case studies of the management of the night-time economy in two different English cities found that in one, a multi-agency group to integrate planning, licensing and city centre management had been set up a few years ago. This had worked 'tolerably well' for a few years, but then had

<sup>126</sup> Cabinet Office Strategy Unit, *op cit.*, p.63

<sup>127</sup> "Working with the industry. Local authorities will take the lead in setting up local social responsibility schemes as described in Chapter 6 to feed into the management of the night-time economy and in bringing together all the statutory partners needed to manage it effectively." Cabinet Office Strategy Unit *op cit.*, p.88

<sup>128</sup> Tiesdell & Slater, *op cit*

broken down. This example would suggest a need for a more thorough investigation of how such multi-agency groups might be sustained and how they might interact with other multi-agency groups and working parties. The partners in BAND in Burnley felt that the financial contribution from licensees helped to sustain interest and commitment towards the multi-agency partnership.

#### ***4.6.4 CivicWatch: Westminster***

The Metropolitan Police, Westminster City Council, London Transport Police, London Fire Service, London Ambulance Service and the Piccadilly Circus Partnership set up a joint action project called Civic Watch in October 2003. This project, which does not call on any extra Council or police resources, provides a structure for the better co-ordination and management of all services relating to the public realm of the city in three geographical areas. This includes the West End 'Stress Area'.

Key features of the structure include:

- Daily briefings between street and environmental management, the Metropolitan Police, British Transport Police, Council licensing officers and the Civic Watch management team;
- Drawing on the evidence supplied by the CCTV system partially funded by the Piccadilly Circus Partnership (see 3.6.1);
- Rapid response by City Guardians and Rangers to minor incidents, using CCTV and immediate response by the police to serious problems;
- Rapid solutions to environmental maintenance issues such as poor lighting;
- Monthly accountability report back meetings held by the Leader of the Council, the Borough Police Commander and the Directors of key services.

The project has achieved a successful resolution of many problems. All categories of crime and disorder have been reduced apart from violent crime. Many new schemes have been introduced such as a 'yellow card' system where bar workers give customers who are nearly drunk a yellow card, informing them it is their last drink. The yellow card provides details of taxis and buses. The project will continue and will seek to make further improvements<sup>129</sup>.

#### ***4.6.5 Section 17 Crime and Disorder Act 1998***

Whilst the pro-active policies and partnership arrangements discussed have the target of promoting a better managed night-time economy, for Crime and Disorder Reduction Partnerships and local authorities such arrangements can only be pursued within the remit of their focus on crime reduction. Home Office advice is that the promotion of the night-time economy must not compromise local authorities duties to comply with Section 17 of the Crime and Disorder Act 1998. Section 17 recognises that there are key authorities who have responsibility for the provision of a wide and varied range of services to and within the community. In carrying out these functions, section 17 places a duty on them to do all they can to reasonably prevent crime and disorder in their area. It is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making.

<sup>129</sup> Snapshots of the Evening Economy, *op cit*

## 4.7 Data collection and new approaches to licensing/planning strategies

### 4.7.1 Special Policy Areas

The designation of Special Policy Areas where cumulative impact has taken place requires the police, local authority and other interested parties to provide statistical evidence. This evidence should make a formal assessment of the cumulative effect of problems of crime, disorder and public nuisance within a specified boundary. It should also be informed by consultation with the relevant stakeholders<sup>130</sup>.

Westminster City Council commissioned a study<sup>131</sup> to assess suitable indicators of 'cumulative impact'. This study considered ambulance call-outs, parking, noise, cleansing and other issues in addition to crime, disorder and anti-social behaviour. The Home Office commissioned a study that identifies the indicators that Crime and Disorder Reduction Partnerships should gather with relation to the night-time economy<sup>132</sup>. It is also recommended that local authorities should make any extra information that they collect available to their local Crime and Disorder Reduction Partnerships, even if it is outside their audit and strategy cycle. The National Crime Survey has now also been altered to include two indicators of offences that relate specifically to the night-time economy.

A recent survey of the audits and strategies produced by the 367 Crime and Disorder Reduction Partnerships revealed that almost all of the audits (97%) included reference to alcohol related crime and anti-social behaviour. Despite this, few strategies include projects and initiatives to tackle alcohol related crime and disorder related to the night-time economy. Those that did were well thought out, multi-tiered and adopted a holistic approach<sup>133</sup>. The next round of triennial audits of crime and disorder commenced with effect from April 2004 and for the first time this year will include misuse of drugs. Strategies will be implemented from April 2005. Crime and Disorder Reduction Partnerships will be expected to agree robust targets with their Government office in the Regions based on the priorities agreed as part of these strategies covering the period 2005-2008. These strategies should flow from an evidence based approach resulting from the 2004 audit.

### 4.7.2 Management Zones

In the London Plan, the Mayor of London proposed that London Boroughs consider designating 'Entertainment Management Zones' in their local Development Plan documents<sup>134 135</sup>. The GLA has funded a project to gather baseline data to produce a solid evidentiary base for the development of future policies towards the night-time economy in Camden Town. This data gathering has been extensive and has included specialist pedestrian flow surveys and anti-social behaviour observations.

<sup>130</sup> DCMS (2004) Draft Guidance, *op cit*

<sup>131</sup> Elvins, M. & Hadfield, P. (2003) *West-End 'Stress Area' Night-Time Economy Profiling: A Demonstration Project* Durham: University of Durham

<sup>132</sup> Tierney, J. & Hobbs, D. (2003) *Alcohol-related crime and disorder data: guidance for local partnerships* Home Office Online Report 08/03

<sup>133</sup> Home Office 2004, *op cit.*, p.2

<sup>134</sup> URBED, CASA & Lovatt, A. (2002) *Late-Night London: Planning and Managing the Late-Night Economy* SDS Technical Report Six London: Greater London Authority

<sup>135</sup> Greater London Authority, Mayor of London, Draft London Plan Examination in Public: Sub Matter 6b Specific Sectors of the Economy, 17 February 2003, s6.4.6, [www.london.gov.uk/mayor/strategies/sds/submissions\\_to\\_eip/MayorofLondon\\_6b.pdf&e=724](http://www.london.gov.uk/mayor/strategies/sds/submissions_to_eip/MayorofLondon_6b.pdf&e=724)



Data which combines information from police crime and disorder statistics, licensing information, information on night bus ridership from Transport for London, consumer surveys, data from the waste management department, data from NACRO concerning drug use and street drinkers has been analysed using graphs and GIS mapping techniques. Attempts have been made to seek the views of all interested parties, including youth. The build up of information provides a clear idea of the nature and extent of problems in relationship to time of night and day of the week. This baseline information is being used to inform the production of guidelines and strategies to better manage the evening and night-time economy in Camden Town<sup>136</sup>. An overview of the spatial patterns and distributions of activities has proved helpful in the formulation of integrated management proposals and in the production of Draft Supplementary Planning Guidance towards Food and Drink, Entertainment and Specialist Retail Uses in Camden Town and in other parts of the Borough.

### 4.7.3 Guidance offered by Government

The Draft Guidance to the Licensing Act recommends that partnership bodies should follow the guidance set out in the Home Office Practice Development and Practice Report, *Guidance for Local Partnerships on Alcohol-Related Crime and Disorder Data*<sup>137</sup>. The exercises carried out by LB Camden and Westminster City Council drew on a wider set of data that related to more aspects of the night-time economy.

## 4.8 Management of Premises

### 4.8.1 National Recommendations

Annex J of the Guidance issued under Section 182 of the Licensing Act 2003 sets out the Safer Clubbing checklist for club owners, managers and event promoters. In terms of environmental management the key provisions are the recommendations to develop constructive working relationships with licensing authority officers and police officers with licensing responsibilities, the sharing of information on drug use and drug dealing with the police and other local venues, ensuring that all door staff are properly accredited and the consideration of safe transport home for clubbers. The provision of free and easily accessible supplies of cold water is also recommended. Ensuring that all staff are properly trained and that experienced and fully trained first aiders are included amongst them would also help to enhance clubbers safety.

The Alcohol Harm Reduction Strategy recommends a similar code of good practice for premises operators. Previous research has found that the type of premises that are most at risk of violent incidents are those that are overcrowded and ill-ventilated, have inconvenient access routes through them and where the management is overly permissive<sup>138</sup>. The code addresses these issues and others and would include the following recommendations that are specifically relevant to environmental management:

- *clear and prominent sign-up to a 'designated driver scheme' (whereby people are encouraged to designate a driver for the evening who will not drink);*

<sup>136</sup> See also Bromley, R.D.F. & Nelson, A.L. (2002) Alcohol-related crime and disorder across urban space and time: evidence from a British city *Geoforum* Vol.33, No. 2, pp. 239-254, May

<sup>137</sup> Home Office (2004) Alcohol Audits, Strategies and initiatives: Lessons from Crime and Disorder Strategic Reduction Partnerships Home Office Development and Practice Report 20 London: Home Office

<sup>138</sup> Finney, A., *op cit.*, p.1

- *an agreement that all bar staff will have a minimum level of training on managing alcohol misuse: although qualifications do exist the take-up is very low, which reflects the fast turnover of staff. Businesses might for example band together to buy in training. This will complement the licensing of door staff from March 2004, which will be piloted in Hampshire and the Isle of Wight;*
- *abiding by the existing British Beer and Pubs Association code on irresponsible promotions, with a commitment not to sell drinks at unsustainably low prices or to encourage high levels of irresponsible consumption (e.g. “all you can drink for £10”);*
- *a commitment to provide reasonably priced soft drinks and to make free water available on all bars. A start has already been made by the requirement imposed by the Department for Trade and Industry to display all prices of soft drinks;*
- *designing premises to minimise the risk of harm and disorder, for example by using the “Safer by Design” scheme;*
- *use of safer forms of glass. As there is no clear consensus, we propose asking a working group of industry representatives, police and doctors to make a definitive recommendation which would then form the industry standard; and*
- *where such schemes exist, agreement to join radio/text pager schemes linked to the police.*

All retailers of alcohol, on and off-license, would be strongly encouraged to sign up to this code and would receive accreditation<sup>139</sup>.

#### 4.8.2 Local Recommendations

The Strategy suggests that this code would be developed locally, in the stakeholder partnerships discussed above and/or in Crime and Disorder Reduction Strategic Partnerships. The Greater London Authority is also proposing a similar code for London<sup>140</sup>. The AHRSE suggests that local authorities take the lead in these partnerships and should include the locally agreed code as part of their licensing strategy. Given the corporate ownership of much of the alcohol related entertainment industry, it would seem appropriate for the regional tier of government to draw up these codes of practice, rather than each individual local authority duplicating the work of that adjacent.

#### 4.8.3 Private Sector Landlords

The example of Charter Quay in Kingston-upon-Thames provides an example of how landlords can assist in the resolution of conflicts between leaseholder residents and licensees. St George plc, the owners of an award winning mixed development scheme have taken a pro-active approach in responding to residents' concerns about the noise levels from bars and restaurants and food smells. They have been able to negotiate different commercial practices from their business tenants<sup>141</sup>.

<sup>139</sup> Cabinet Office, Strategy Unit, *op cit.* p.59

<sup>140</sup> Mayor of London, *op cit*

<sup>141</sup> [www.civictrust.org.ulc/evening/](http://www.civictrust.org.ulc/evening/)

Westminster Property Owners Association also made the suggestion that landlords and developers could impose and enforce good practice on their licensee tenants<sup>142</sup>.

It is unfortunate that private sector landlords are currently not included as parties to the legislation covering compulsory contributions to Business Improvement Districts<sup>143</sup>.

## 4.9 Paying the Price

### 4.9.1 Raising Private Finance

Many of the proposals discussed above require extra resources. Some voluntary arrangements from outside England have been described, but there are very few examples in England that provide an extra supplement drawn from the private sector to support the public sector's direct revenue costs in managing the night-time economy.

The AHRSE comments that the NTE can also create major costs for the tax payer in terms of additional policing, resourcing the criminal justice system and providing additional services to the town centre. In order to resolve this problem the Strategy suggests that a 'financial contribution' should be paid from the drinks industry to local authorities. Guidance on the amount would be the subject of negotiation at a national level between Government and the Industry. The collection and administration of the fund would rest at local level and be determined by local needs. The AHRSE foresees that the fund would provide extra CSO's, supplement pubwatch schemes, and provide additional waste collections or extra bus services. The precise nature of the expenditure would be guided by advice by CDRSP's and the local community<sup>144</sup>.

### 4.9.2 Business Improvement Districts

The Local Government Act 2003 provides framing legislation for the formation of Business Improvement Districts (BIDs). This idea, which originated in Canada and has proved popular in the USA, provides for BIDS Partnerships to levy a supplementary tax, over and above the business rate, within a defined geographical area, to fund extra services. The levy is collected by the local authority. The ODPM is contributing to a project led by the Association of Town Centre Management, the BIDS Pilot Project, that supports 22 pilot BIDs in locations in England and Wales. So far it would appear that two of the projects are explicitly examining issues associated with the management of the night-time economy. These are Blackpool and Birmingham Broad Street<sup>145</sup>. Reading Borough Council has also put proposals in its business plan for extra services directly related to the night-time economy such as an expansion of their Citysafe scheme, door staff training/registration, extra police presence and Street Wardens/ambassadors. These would apply to the evening economy in Friar Street as well as to all retail streets<sup>146</sup>.

<sup>142</sup> Travers, T. (2001) *Managing the Balance: Quality of Life in the Centre of London* Report by the London School of Economics for the Westminster Property Owners Association

<sup>143</sup> Reilly, J. (2004) Business Improvement Districts *Urban Design Quarterly*, Summer, Issue 91, p.22

<sup>144</sup> Cabinet Office, Strategy Unit, *op cit.*, p.59

<sup>145</sup> Reilly, J. (2004) *op cit.*, pp.20-21

<sup>146</sup> [www.ukbids.org/doc.asp](http://www.ukbids.org/doc.asp)

The Piccadilly Circus Partnership (PCP) provides another example of a nascent BID from a different initiative associated with the Central London Partnership, situated in London's West End. The PCP funds 'Rangers', uniformed meters and greeters to act as the eyes and ears of the police. They are there for the tourist day up to 10pm<sup>147</sup> and will stay later from May 2004 onwards. The Partnership also helps to fund the CCTV system. It has 217 businesses playing a voluntary levy and is an active participant in the Civic Watch scheme (see 4.6.4).

### 4.9.3 Section 106 – Planning

In terms of new developments that incorporate night-time economy uses, the AHRSE points out that developers and local planning authorities can make agreements under Section 106 of the Town and Country Planning Act 1990<sup>148</sup>. Currently this takes the form of a negotiated agreement, but the Office of the Deputy Prime Minister is proposing a new approach to improve speed and certainty. This would offer the option of either a planning charge or a negotiation. The Royal Borough of Kingston-upon-Thames has been able to use Section 106 monies plus extra funding from the Government Office for London to pay for a second radio surveillance network.

## 4.10 Planning for the Future

### 4.10.1 PPG6 – Evaluation

A report evaluating the impact of Planning Policy Guidance Note 6 Town Centres and Retail Development points to its focus on retail development. The authors of the report comment that the note offers "*little or no useful guidance on leisure, offices or other town centre uses.*"<sup>149</sup> The report notes the dynamic nature of the leisure sector and the need for a pro-active development framework.

### 4.10.2 Draft Planning Policy Statement 6: Planning for Town Centres

Draft PPS6, on which consultation closed in March 2004, recommends a pro-active approach to planning for the evening (and by inference) night-time economies. In common with PPG6 it recommends the identification of specific leisure quarters in larger city centres. It requires local planning authorities (LPAs) to consider the scale and quantity of leisure development and to take into account their cumulative impact and likely effect upon residential amenity. It also points out that LPAs should ensure that their planning policies are consistent with their licensing strategies required by the Licensing Act.

PPS 6 reminds LPAs of the powers and regulatory frameworks at their disposal. LPAs can use powers of compulsory purchase for the assembly of suitable development sites. PPS6 also requires LPAs to draw up a town centre strategy that incorporates a management initiative and a designated town centre manager. The new structure of Local Development Frameworks, Area Action Plans and site specific Supplementary Planning Documents will provide a flexible development control framework that can provide for forward spatial planning at the level of the town centre<sup>150</sup>.

<sup>147</sup> [www.londonbids.info/infopoint/publications.asp](http://www.londonbids.info/infopoint/publications.asp)

<sup>148</sup> Cabinet Office, Strategy Unit, *op cit.*, p.61

<sup>149</sup> CB Hillier & Cardiff University (2004) *Policy Evaluation of the Effectiveness of PPG6* The Stationery Office [www.odpm.gov.uk/intradoc-cgi/](http://www.odpm.gov.uk/intradoc-cgi/), p.8

<sup>150</sup> ODPM (2004) *Consultation on Draft Planning Policy Statement 6: Planning for Town Centres* [www.odpm.gov.uk/](http://www.odpm.gov.uk/)

## 5.0 CONCLUDING COMMENTS – Looking to the Future

5.1 The first section of this literature review set out the background to the description of the good practice examples. It is to be hoped that the implementation of these practices can help to ameliorate existing difficulties and can shift the balance towards more civilized town centres. Hobbs<sup>151</sup> argues that only more integrated and interventionist actions on the part of local authorities can create a civilised and welcoming night-time economy. The initiatives described provide many examples of such integration. Under newly introduced legislation the police have been given more powers of intervention into personal behaviour, supported by accredited persons in the shape of CSO's, Rangers and Guardians. Local authorities are in a more difficult position, with their powers constrained and their responsibilities extended.

5.2 Many of the good practice examples discussed have incorporated a partnership approach. These partnerships have often involved the creation of new, imaginatively formed bodies, comprising representatives from the licensed trade, business, community organisations and a variety of public sector bodies. The challenge will be to sustain these new initiatives over the longer term, and to place their operations into existing partnerships and working parties. More investigation needs to take place into how to sustain and support this new style of integrated working. The AHRSE recommends that the Home Office provide the central co-ordination point for the collection and dissemination of good practice. This places a duty on the Department for Transport, the ODPM and the Home Office to act in concert together.

5.3 Previous evidence has highlighted the significance of achieving a genuine functional diversity in the sense of the provision of a variety of activities that are not alcohol centred and that also have a broad demographic appeal, in the night-time economy. It is to be hoped that the new partnership arrangements for managing the night-time economy will take as keen an interest in broadening and diversifying the appeal of urban centres throughout the evening and into the night as in alleviating the problems associated with binge drinking.

5.4 There is uncertainty about the effect of the Licensing Act 2003 on town centres. Monitoring of its impacts using the good practice guidance referred to in collecting baseline data will play an important role in establishing the nature and extent of change. The collection of such baseline data will require local authorities to be transparent and to be prepared to handle unwelcome and possibly sensitive information about their areas. The AHRSE proposes that 10 'trail blazer' areas of good practice be identified. These would appear to be good starting points for the systematic collection of data.

5.5 One of the implications of the new Licensing Act is that local authorities need to divert their attention away from licensing as a means of intervention and control for the NTE and move towards a pro-active use of the planning system. Section 106 agreements have already been referred to. The Planning and Compulsory Purchase Act and PPS6 will, when enacted, encourage local planning authorities to set out more detailed, area-based frameworks that would provide a positive planning context for developing a healthy night-time economy. Town centre strategies and management schemes would also contribute to the management of the evening and night-time economies.

<sup>151</sup> Hobbs (2003), *op cit.*, p.267

5.6 The Licensing Act 2003 permits the declaration of special policy areas where evidence can be provided of cumulative effect. It would be imprudent of local authorities to rely on this measure as a means of alleviating problems. It is vital that the proposals made by the Secretary of State to change the use class order, to prevent a migration in A3 uses are implemented before the Licensing Act 2003 comes fully into force in 2005.

5.7 Passenger Transport Authorities could play a greater role in transport provision for the night-time economy. Transport for London and the Greater Manchester Passenger Transport Executive have set a standard for the provision of night buses that could serve as a model elsewhere.

5.8 The National Survey exposed a need for more local authorities to develop waste and cleaning strategies to service the needs of the NTE. There are a few beacon examples that could be emulated more widely.

5.9 Arrangements for funding new integrated ways of working and extra services are still at a tentative stage. These arrangements need to be put into place as a matter of urgency so that the local authorities that wish to expand or better manage their NTE's may do so in a condition of certainty. Central Government, according to the AHRSE will negotiate a framework for financial contributions from operators in the management of the night-time economy.

5.10 Good management of the NTE will require multi-agency working on the part of public bodies and commitment and contribution from the licensed trade, entertainment operators and other types of businesses. More investigation needs to be carried out into:

- how to sustain these new forms of partnership working over a period of years
- how to place and integrate their activities into other initiatives that operate at a local level
- the attitudes and issues that the licensees, corporate owners and other businesses bring to the management of the NTE at headquarters and local levels
- how to use the experience of Westminster City Council's Civic Watch scheme in other towns and cities.

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### **Relevant Legislation and Statutory Instruments**

Anti Social Behaviour Act 2003

Building Regulations 1991

Crime and Disorder Act 1988

Criminal Justice and Police Act 2001

Environmental Protection Act 1990

Licensing Act 2003

Local Government Act 2000

Local Government Act 2003

Noise and Statutory Nuisance Act 1993

Police Reform Act 2002

The Town and Country Planning (Use Classes) Order 1987

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

### **Planning Policy Guidance**

See [www.odpm.gov.uk/stellent/groups/odpm\\_control/documents](http://www.odpm.gov.uk/stellent/groups/odpm_control/documents)

*Planning Policy Guidance 6: Town Centres and Retail Development*

*Planning Policy Guidance 24: Planning and Noise*

### **Web Sites**

[www.strategy.gov.uk](http://www.strategy.gov.uk)

[www.odpm.gov.uk](http://www.odpm.gov.uk)

[www.dcms.gov.uk](http://www.dcms.gov.uk)

[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

[www.defra.gov.uk](http://www.defra.gov.uk)

[www.policereform.gov.uk/psu](http://www.policereform.gov.uk/psu)

[www.civictrust.org.uk/evening](http://www.civictrust.org.uk/evening)

[www.london.gov.uk/mayor](http://www.london.gov.uk/mayor)

[www.citycentresafe.com](http://www.citycentresafe.com)

[www.ukbids.org](http://www.ukbids.org)

[www.actm.org](http://www.actm.org)

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