TACKLING ALCOHOL-FUELLED DISORDER IN TOWN AND CITY CENTRES

GET DRUNK & DISORDERLY, GET ARRESTED, GET AN £80 FINE.

‘HOW TO’ GUIDE
Introduction

This short guide brings together

- Advice on both new and existing powers for combating alcohol-fuelled disorder;
- Real-world examples to show how they are being used in practice;
- Information on where to go and who to talk to in order to find out more.

The guide has been prepared with ACPO and the LGA and is intended to share best practice, generate ideas and stimulate local debate in the light of the opportunities presented by the police’s 3rd Alcohol Misuse Enforcement Campaign (AMEC) and the Licensing Act 2003.

Its structure outlines options available to the police and councils, often through working in partnership.

1. **Interventions to tackle alcohol-fuelled disorder** highlights important enforcement powers and how they are being strengthened by legislation. The section firstly highlights the process by which problem premises can be tackled, and secondly highlights possible interventions against problem individuals.

2. **Managing the night-time economy** shows how councils are using street scene policies and partnership approaches to promote safety and responsibility amongst licensees and drinkers.

This document is not intended to be a comprehensive summary of government guidance for managing the entire night time economy in town and city centres. Detailed information and guidance from all parts of government, including DCMS, ODPM and the Home Office can be found on-line or via a number of other channels:

- A dedicated alcohol disorder website bringing together detailed guidance, case studies and best practice from all of government can be found at www.together.gov.uk
- On-line advice sessions for practitioners with government licensing experts on the dedicated website
  - November 16th 2pm - 4pm
  - November 23rd 10am-12pm
- A new telephone action line on alcohol disorder, combining practical advice with some legal support where necessary (020 7072 7447).
- Seminars around the country on the potential of town centre management and joint working to manage the night-time economy. See the website for more detail.
1 Interventions to tackle alcohol-fuelled disorder

The Licensing Act will add key powers to the existing range of interventions that can be used to tackle problem **licensed premises** across the country. Local agencies should aim to:

a) Build an evidence base from police, council departments, citizens and other agencies to identify premises linked to disorder and inform licence reviews when necessary.

b) Target enforcement efforts at staff and licensees in problem premises for serving alcohol to under-18s or to people who are drunk. Aim to change corporate behaviour in all local premises by hitting problem premises visibly, systematically and hard.

c) Where there is evidence, review licences and place appropriate conditions to reduce the impact of disorder.

d) Monitor closely whether conditions are adhered to and in the event of a breach consider exercising new police closure powers, or review licences again to further constrict or revoke the licence.

e) Deploy enhanced emergency 24-hour closure powers in the face of imminent violence or public nuisance.

A comprehensive range of powers already exist to address the behaviour of **individual drinkers**. Specific tactics need to reflect local circumstances and priorities, but evidence from previous AMECs suggests the following techniques, among others, are particularly effective:

- Targeting interventions at troublesome individuals early in the evening, especially by using Fixed Penalty Notices (FPNs).
- Confiscation of alcohol from people drinking in the street.

The following examples show how the range of available interventions against problem premises and individuals is being used in practice - and where the Licensing Act will enhance enforcement powers after November 24\(^{th}\).

**Tackling problem premises**

a) **Building an evidence base: gathering data to identify problem premises**

Revoking the licences of problem premises has often proved a difficult process under the old legislation, although the example below shows that it can be done. The new Licensing Act places the local authority at the centre of the licensing process and will streamline the closure process for the worst offenders.

Local agencies can take full advantage of the new licensing powers by gathering data from local authority, police, and other sources. Alongside obvious police, trading standards and environmental health data, other data sources could include:

- CCTV incident logs
• Street cleaning records.
• Citizen complaints
• A&E records

**Best Practice: Nottinghamshire Police** applied for revocation of licence after The Works, a 2,300-capacity city centre club generated more incidents than any other licensed premises in the city for three years running. They built their supporting evidence around:

• Crime records underpinning monthly ‘top 10’ rankings of problem premises
• Data from summer and Christmas 2004 AMECs (including evidence of underage drinking, defective CCTV, lack of food available)
• Two unheeded written warnings to the licensee

**Result:** *The Works’ licence was revoked in September 2005*

**Contact:** Inspector Paul Winter
0115 844 5923
Paul.winter@nottinghamshire.police.pnn.uk

**b) Targeting problem premises: real-world test purchasing operations**

An effective way to change the problematic behaviour of licensed premises across an area is to identify the worst offenders and hit them hard, visibly and systematically with test purchasing operations. These can be most effective when they result in visible and numerous FPNs against staff, which in turn can be used as evidence in licence reviews.

**Best Practice: Liverpool Trading Standards** take a robust line on under-age test purchasing operations. Important aspects are:

• Staff work with CPS to agree that underage test purchasers can claim to be over 18.
• Plainclothes police officers are used to combat passing adults buying alcohol for underage drinkers from off-licences.

**Contact:** Liverpool Trading Standards
0151 233 3002
trading.standards@liverpool.gov.uk

**c) Placing appropriate conditions on licences: achieving the objectives of the licensing act**

In response to representations from an interested person or responsible authority, **conditions** can be attached to licences to promote the four strategic objectives of the Licensing Act 2003:

| The prevention of crime and disorder | Public safety | The prevention of public nuisance | The protection of children from harm |

The development of tough, locally appropriate conditions has been given added significance by **new powers in the 2003 act for police and local authorities to close premises** if such conditions are breached without the need for a further review (see box in section ‘d’ for details).
Responsible authorities (police, fire, health & safety, planning, trading standards, environmental health, child protection) can also apply for a review of licence at any time on grounds of threat to any of the four objectives above. When closure powers under the 2003 Act are exercised a review of the premises’ licence is automatically triggered.

Examples of conditions imposed to promote the licensing objectives used under the old legislation include:

**Best Practice: keeping channels open between local authorities, police and licensees**

**Boston Borough Council** has been able to incorporate participation in a police radio-link scheme in pub and nightclub licence conditions.

*Contact:* Fiona White  
01205 314 242  
fiona.white@boston.gov.uk

The Council-run **Croydon Radio Against Crime (CRAC)** has been linking the local authority, police and licensees since 1997.

**Best Practice: winding-down Time**

After complaints from residents about excessive noise, **Islington Borough Council** imposed a ‘winding down’ terminal hour with no alcohol sales permitted on a restaurant seeking to extend its opening hours to 3am six days a week.

*Contact:* Janice Gibbons  
0207 527 3212  
janice.gibbons@islington.gov.uk

The dedicated website contains more detailed examples of licensing conditions.

**d) Monitoring premises for non-compliance with licence conditions**

Where licensed premises break the conditions of their licence local agencies need to respond in an appropriate way. The typical response would be to review the licence again, with a view to further restricting the licence or revoking it.

**Revocation of Licence: an important response to the worst offenders**

**Bridgnorth District Council** refused to grant a new licence to the **Cider House** pub after West Mercia Police evidence showed the premises had been the scene of 88 crimes in less than eighteen months.

*Contact:* Tom Clark  
01746 713 116  
tclarke@bridgnorth-dc.gov.uk

**Bournemouth Borough Council** refused to convert the licence of the **Walkabout** bar in response to Dorset Police’s representation on crime and disorder grounds.

*Contact:* Chris Weeks  
079733 72175  
chris.weeks@dorset.pnn.police.uk

However, the Licensing Act also allows licensed premises to be closed down by the Police for breach of licence without recourse to a further licence review.
Whenever closures happen consider visible posters or other ways to communicate this to drinkers and other licensees.

**New closure power:** After 24th November police and local authorities gain powers to close any premises which sells alcohol for consumption on the premises and breaches the conditions of its licence.

Closure is a two-stage process, with premises having a minimum of 7 days to rectify the breach of condition cited in a closure notice. If this does not occur authorities may apply for a court order for closure until such time as a court is prepared to allow re-opening. *This far-reaching power should be exercised with discretion.*

**Contact:** see the website

**e) Exercising enhanced emergency closure powers when necessary**

The Licensing Act enhances key police powers to close premises for up to 24 hours to maintain public safety or stop excessive noise. These closure powers are to prevent imminent and unusual disturbances rather than systematic problems.

**Enhanced power: instant closure of premises:** where there is or is likely to be disorder, or where there is public nuisance caused by noise, for up to 24 hours
- Disorder may be in the *vicinity* of a premises
- Once satisfied closure is appropriate (i.e. an imminent pub brawl), police can decide to close premises.
- Police can reopen premises that night if order is restored, before the magistrates’ court becomes involved and the mandatory licence review process begins.

**Contact:** see the website

**Enhanced power: closure of several premises in an area** near disorder, or expected disorder for up to 24 hours on application to the magistrates’ court.
- E.g. when police expect disorder around a football match or demonstration

**Contact:** see the website

**Tackling individual disorder**

The following are just two examples of how police are intervening successfully to address unacceptable and illegal drink-fuelled behaviour in town and city centres.

**Issuing FPNs quickly and efficiently on the street**

Police in *Hull* have established a robust protocol for issuing FPNs to offenders in the street:
- Confirm the offender’s identity and eligibility for a FPN
- Endorse the FPN with the offender’s home and mobile telephone numbers to aid in follow-up
- Take a Polaroid photo of the offender

**Result:** *Offenders can be processed in as little as 10 minutes.*
Taking potential weapons away from drinkers

Glasses, open bottles, and cans containing alcohol can be confiscated from those who are underage and from those who are in Designated Public Places. The Licensing Act 2003 expands this power to unopened containers. Greater Manchester Police combat street drinking by:

- Getting consistent enforcement by embedding maintenance of a no-drinking byelaw into the Manchester’s City Centre Safe strategy
- Using high profile, high-visibility foot patrols to intervene early in the evening
- Advertising and providing secure bins for confiscated containers

**Result:** Serious assaults fell by 12.6% in the first 3 years of the byelaw’s operation

2 Managing the night-time economy

Alongside the interventions that are strengthened in the 2003 Act, councils and other local partners can play a significant role in managing the night-time economy, using street scene policies and partnership with the industry to promote safety and responsibility amongst licensees and drinkers:

a) **Use environmental / street scene policies to reduce anti-social behaviour**
   - Managing taxi / bus queues in the early hours
   - Provision of temporary urinals and bottle banks
   - Improved street lighting

Managing taxi queues with council wardens

Liverpool City Council uses Street Crime Wardens to manage late-night taxi queues in the city centre in partnership with police.

- Recording of previously un-recorded minor crime in the queue has been more than off-set by a reduction in the more serious violence that was common in the area before the managed queue.

**Contact:** Alison Doherty, Liverpool Citysafe
0151 233 6762
alison.doherty@liverpool.gov.uk

Keeping the streets clean

Westminster Council deploys portable urinals at busy locations on weekend evenings to combat the significant problem of street urination. Feedback has been positive and Manchester City Council will adopt the policy from November 2005.

**Contact:** see the website
Changing Acceptable Drinking Behaviour with a Designated Public Places Order (DPPO)

DPPOs allow local authorities to restrict the consumption of alcohol in public places. Over 290 have been declared by councils looking to address areas with histories of alcohol-related disorder or nuisance. In Brighton and Hove police Community Support Officers have been given enforcement powers and confiscated alcohol around 25 times per week in the most recent AMEC campaign.

Contact: Aaron Devereaux
01273 292 607
www.safeinthecity.net

b) Form local ‘kite mark’ schemes in partnership with the industry to promote positive corporate behaviour.

Local agencies across the country have found that addressing alcohol-related crime as part of an holistic strategy to manage the night-time-economy is highly effective. The Best Bar None awards scheme which raises standards in licensed premises is a vital component of such a strategy. Participation in this scheme can even be made a condition of a premise’s licence if there is evidence of problematic behaviour.

Best Practice: Best Bar None

Best Bar None sets down a standard of operation for the management of licensed premises. Premises gaining accreditation under the scheme have been shown to exhibit higher standards of customer care and experience lower levels of crime and disorder.

Developed in Manchester as part of their City Centre Safe programme, it is now being rolled out across the UK as a key component of the Tackling Violent Crime Programme. It is increasingly used as a strategic option to strengthen relationships with industry stakeholders as the licensing laws change. Best Bar None’s key principles include:

- Use an intrusive, comprehensive but locally flexible accreditation process that makes use of multi-agency inspection visits to premises.
- Issue visible wall plaques with the scheme’s distinctive design elements to create a ‘kite mark’ for safe and well-run licensed premises
- Hold an annual awards dinner to recognise achievement and cement community links between enforcement personnel and licensees.

Central assistance is available in developing and implementing local schemes, which includes the training of Best Bar None assessors from all stakeholder groups. Involving these groups – for example the police, local authority, health professionals and residents - is an excellent way of energising partners to work together to reduce alcohol related problems.

By April 2006 further support services will be provided by a national management unit (contact details below) that is being created to coordinate the awards process and capture and share evolving good practice amongst all participants.

Contact: Jan Brown OBE and Steve Greenacre, (07957 637010). www.citycentresafe.com jan.brown@gmp.pnn.police.uk. steven.greenacre@gmp.police.pnn.uk