



House of Commons

ODPM: Housing, Planning,  
Local Government and the  
Regions Committee

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# **The Evening Economy and the Urban Renaissance**

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**Twelfth Report of Session 2002–03**

*HC 396–I*





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***HC 396–I***

*Report, together with formal minutes, oral and  
written evidence*

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## The ODPM: Housing, Planning, Local Government and the Regions Committee

The ODPM: Housing, Planning, Local Government and the Regions Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Office of the Deputy Prime Minister and its associated public bodies

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## Summary

The Government is keen to generate an 'urban renaissance', where more people live in town and city centres. They believe centres will be more attractive and vibrant if people live where they can also work, shop and participate in leisure activities. Evening activities are a fundamental part of the urban renaissance because they extend the vitality of a town or city beyond normal working hours, making centres more attractive places to live. Most European cities have a very inclusive evening economy where people of all ages participate in a range of activities. In contrast the evening activities of British cities are not so compatible with the inclusive ideals of the urban renaissance. They centre around young people and alcohol, leading to associated problems of crime and disorder, noise and nuisance.

If the urban renaissance is to succeed, a balance needs to be found between residential amenity and a good night out. Management is the key to striking a balance. Local authorities must have a strategy for the evening economy, i.e. the period between 5 and 8 pm, and the late-night economy, after 8pm. The strategy should be informed by baseline data including information on: the numbers of licensed premises and late-night take-aways, transport availability, street cleansing programmes, environmental problems and any records of complaints. The strategy should also include an upper capacity limit, i.e. a limit on the number of people an area can cope with at different times of the day. This strategy would be used to contextualise any licensing or planning applications made.

Local authorities need to recognise the growth of the evening and late-night economies and plan accordingly. Each area will have its own issues, thus working in partnership with the relevant parties is vital. Side-effects of late-night activity growth must be planned for. For example, street urinals deal effectively with the highly offensive, yet increasing problem of street urination.

Local authorities need the planning and licensing systems to support their management of the evening and late-night economies. Some changes to the planning system would make a big difference to local authorities' ability to balance evening and late-night uses of town and city centres. The Use Classes Orders currently allow dramatic changes of use within the same class. For example, it is possible for a cinema to become a night-club without changing Use Class, but the impact on an area is very different. Another problem is premises not operating in the evening as they do in the day. Café bars, for example, may clear away chairs and tables at night. Thus instead of a relaxed café bar where people drink at a steady pace, often while eating; the premises become a jostling, crowded bar where people drink standing-up at a much faster pace. Interior planning constraints would help solve this problem. Striking the balance between a good night out for some and a good night's sleep for others is difficult, especially in regard to noise. However reviewing the Building Regulations and Noise Acts would show commitment to tackling this problem.

New licensing legislation is likely to come into force at the beginning of 2005. In contrast to existing legislation it will not prescribe the days or opening hours of licensed premises. Operators will choose the days and hours during which they want to operate and will then apply, in most cases, to the local authority for a licence. There is apprehension that this will

make balancing residential and leisure activities in mixed-use areas in the evening and late at night more difficult. Residents are concerned they will not be able to provide the required evidentiary proof to object to a licence. Instead local authority licensing boards should be given power to accept residents' sworn evidence of nuisance. There are also concerns about how local authorities will deal with licence applications from premises already operating in mixed-use areas.

A successful evening and late-night economy needs a safe and secure public transport system. There is a self-fulfilling prophecy that if there is no late-night public transport there is no demand for it. Operators fear it would not be economically viable. This is not necessarily the case as Manchester's experience with provision of late-night bus services shows. Taxis and private hire provide a useful and popular method of transporting people late at night although there are not always enough to meet demand. Late-night licences and night tariffs could help encourage more drivers to work at night. The vacuum created by a lack of public transport and licensed taxis is often filled by unlicensed minicabs. These are dangerous, in terms of the risk of the vehicle and the risk to passengers, especially women. A high-profile media campaign is needed to publicise the risks, and penalties should be reviewed to ensure a sufficient deterrent.

If the urban renaissance is to be successful a wider cross-section of people must be attracted into town and city centres in the evening and at night. For this to happen perception and fear of crime must be reduced. A visible, uniformed presence from police resources, including Community Support Officers and ODPM sponsored wardens will help. As will tools such as anti-social behaviour orders, fixed penalties (which must be enforced) and engagement of licensed operators in Crime and Disorder Reduction Partnerships. However the impact of the measures contained in the new Licensing Act must be monitored to ensure these tools are not rendered ineffective by over-stretching of police resources.

Binge drinking characterises many late-night activities in British cities. Drinking large amounts of alcohol is an accepted cultural norm, however the mortality rate from alcohol consumption is increasing. Accident and emergency departments have also noticed a significant increase in 999 activity in the early hours of the morning. The Government is preparing a strategy on National Alcohol Harm Reduction. This provides an opportunity to launch high-profile publicity campaigns and education initiatives to change attitudes and tolerance towards binge drinking. Events which encourage binge drinking, such as happy hours, should be discouraged.

The evening and late-night economies are growing, as are the number of people now living in our town and city centres. Local authorities and Government need to take a proactive approach to balance these interests and achieve the urban renaissance we all want. Bologna in Birmingham, Madrid in Manchester, why not?

# 1 Introduction

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## An Urban Renaissance

1. During our recent inquiries we heard a great deal about the concept of an ‘urban renaissance’. By definition the urban renaissance is “about getting people to live in city and town centres where they can also work, shop and enjoy leisure time through diverse activities”.<sup>1</sup> The idea of a resurgence in city centre living and activity has become increasingly central to Government policy. The Government recognises that the more people who live in town centres, the more their attractiveness and vitality in the evening will improve, adding to security and encouraging more visitors and investment.<sup>2</sup>

2. The Government’s commitment is set out in the Urban White Paper “Our Towns and Cities: The Future—Delivering an Urban Renaissance”.<sup>3</sup> This calls for economically successful towns, cities and suburbs that offer “a high quality of life and opportunity for all”.<sup>4</sup> Government Planning Policy Guidance Notes (PPGs) 3 and 6 offer support for housing or mixed-use development in town centres. Several Government good practice guides provide practical advice<sup>5</sup> while the urban renaissance dominated the recent Urban Summit, a stakeholder event hosted by the Office of the Deputy Prime Minister (ODPM) in Birmingham in November 2002. Further support was offered by Lord Rooker, then Minister of State for Housing and Planning in the ODPM, in his evidence to us:

“Because of what has happened in the past, in some of our city centres in the evening we have got almost no-go areas, they are not mixed use. We want people to live and work in the city centres as part of the urban renaissance. If you like, it is the other side of the coin to protecting the countryside.”<sup>6</sup>

3. And the urban renaissance policy is becoming reality. Chester, for example, is focusing the majority of its new homes in the city centre; 3,000 additional homes providing accommodation for 7,000 new residents will be built over the next ten years.<sup>7</sup> In Wolverhampton city centre residence has grown from 50 people six years ago to between 600-700 today;<sup>8</sup> and from 4,300 city centre residents in October 1999, Leeds now estimates its city centre population is rising by 700 to 1,000 people per annum.<sup>9</sup> Summing up Manchester’s

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<sup>1</sup> Ev 56 [The Kingscliffe Society]

<sup>2</sup> Ev 95 [The Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>3</sup> Department of Environment, Transport and the Regions, Urban White Paper, *Our Towns and Cities: The Future—Delivering an Urban Renaissance*, Cm 4911, November 2000

<sup>4</sup> Ev 91 [The Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>5</sup> For example, *Mixed-Use Development: Practice and Potential (DTLR) (2002)* and *By Design: Urban Design in the Planning System: towards better practice*, May 2000

<sup>6</sup> Q 295 [Lord Rooker, Minister of State for Housing and Planning, ODPM]

<sup>7</sup> Ev 48 [Chester City Council]

<sup>8</sup> Ev 106 [The Association of Town Centre Management]

<sup>9</sup> Ev 118 [Pauline De Silva, City Centre Manager, Leeds City Council]

urban renaissance, Councillor Jim Battle referred to a ‘Mars bar effect’ where Manchester city centre had become the centre of “work, rest and play”.<sup>10</sup>

4. The urban renaissance should continue to be supported through Government policy and local authority planning. However, the role of the evening economy in the urban renaissance needs to be explored; it has received very little attention, and is not specifically addressed in any Government policy: hence the inquiry of the Urban Affairs Sub-committee. The terms of reference were:

- What can be learnt from European cities
- How to increase activity between 5pm and 8pm
- How to make city centres attractive to people of all ages in the evening
- How to prevent anti-social behaviour, including;
  - the need for better policing and who should pay for it
  - what reforms should be made to the licensing laws, and the consequences of the Government’s proposals
- What changes need to be made to public transport
- What changes should be made to the operation of the planning system, including to use classes; and
- What strategies local authorities should adopt in respect of the evening economy.

5. We received 51 written memoranda and took evidence from 19 organisations over 3 evidence sessions held at the House of Commons in February and March. The final evidence session was an intra-Government session with Ministers from four Government departments: the Rt Hon John Denham MP, then Minister of State for Crime Reduction, Policing, Community Safety and Young People (Home Office); Dr Kim Howells MP, then Parliamentary Under Secretary of State, (DCMS) and Minister for Tourism, Film and Broadcasting; the Rt Hon Lord Rooker, then Minister of State, Housing and Planning (ODPM); and the Rt Hon John Spellar MP, then Minister of State, (Department of Transport). We were helped in our inquiry by our two advisors, Helen Hayes and Marion Roberts, who we wish to thank, in addition to all those who gave written and oral evidence.

6. As part of the inquiry we visited Germany in March where we explored issues relating to the management of the evening and late-night economies.<sup>11</sup> We also visited the West End of London during the evening and night of 26 February.<sup>12</sup> We want to thank Catherine Hibberd

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<sup>10</sup> Q 58 [Councillor Jim Battle, Manchester City Council]

<sup>11</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, Ninth Report (2002-3), HC 492-I, Appendix one.

<sup>12</sup> See Visit Note in Appendix one

and Councillor Simon Milton of Westminster City Council for organising the visit; and all those who contributed their time and energy.

## The Evening and Late Night Economies

7. It is necessary to distinguish between the ‘evening’ and the ‘late-night’ economies. Initially this inquiry set out to examine the role of the evening economy in the urban renaissance. However the evidence we received made it clear that in considering the urban renaissance of our city centres, we needed to consider the impact of the late-night economy in addition to the evening economy.

### *Evening and Late-Night Activity*

8. There is very little activity in most British town and city centres between 5 and 8 o’clock in the evening. Between 5 and 6 o’clock most shops close and people leave work to travel to their homes in the suburbs. Some, predominantly the young, will then change their clothes and return to the city centres after 8 o’clock to participate in the late-night economy. The late-night economy is centred around the consumption of alcohol. Young people gather in ‘vertical drinking’ venues where there are few tables or chairs. They drink standing up, in crowded, bustling environments where music is played at high volume. When these venues close some will go on to night-clubs which may be open until between 1 and 3 in the morning. Before beginning their journey home, they often buy take-away food. Older people participating in evening activities tend to go for dinner or to the cinema or theatre. Very few will drink in city centre pubs and bars at night.

9. During the day town and city centres are much more inclusive, offering activities for all age groups. There is no reason why the evening and late-night economies cannot be more inclusive. Evening activity does not have to be focussed around consumption of alcohol or aimed exclusively at the young. Ideally all sorts of people would feel welcome in town and city centres in the evening and late at night and there would be sufficient activity to encourage people to stay after work, instead of going home to the suburbs.

## Benefits of the Evening and Late-Night Economies

10. Both the evening and late-night economies have made valuable contributions to the urban renaissance of many cities. In her evidence, the city centre manager of Leeds highlighted the transformation of Leeds’ nightlife under the ‘24-hour city initiative’ launched ten years ago. The benefits brought to the city were sufficient to encourage a second corporate plan ‘Closing the Gap’ and embed development of a successful evening and late-night economy in the council’s unitary plan. Leeds’ council views the development and proper management of the evening and late-night economies as important not just for the city centre, but for the multiplier effects and benefits it provides for the whole city.<sup>13</sup> Nottingham city council’s

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<sup>13</sup> Ev 118 [Pauline De Silva, City Centre Manager, Leeds City Council]

submission reinforces this point: “the urban renaissance in Nottingham has undoubtedly been facilitated and enhanced through an expanding evening economy [...]”.<sup>14</sup>

11. The evening and late-night economies make important contributions to the economies of individual cities and the United Kingdom as a whole. Urbium plc, a bar business, stressed the benefits of the evening economy in their submission to the inquiry:

“[the evening economy] provides jobs, it is a business, it is involved in the distribution, manufacturing and tourist industries, it reacts to consumer demand, it provides a significant contribution to central Government funds via VAT and excise duty as well as through Corporation Tax, it is important as a regeneration tool and it aids recruitment for other businesses considering moving into a location - consider advertisements trying to encourage businesses to move into new cities. They concentrate on leisure facilities, not the quantity of empty offices available.”<sup>15</sup>

12. The Association of Licensed Multiple Retailers estimate that an average bar, club or restaurant contributes in excess of £100,000 each year to its local economy, in addition to providing employment. They comment that the hospitality sector employs over half a million staff and contributes over 3% of GDP.<sup>16</sup> Dr Howells stressed to the Sub-committee that the hospitality industry was a huge employer, especially in London where he said a minimum of half a million people were employed in the industry.<sup>17</sup>

13. The Sub-committee were told that the evening and late-night economies had been used successfully to regenerate many areas:

“Morecambe is a seaside resort and our regeneration there was based on the cinema and the leisure industry. Eden Square in Kingston upon Thames is very similar. It was a no go area where the positioning of a nightclub and associated restaurants made it a vibrant area where people were prepared to go in the evening. If you look at Quayside in Portsmouth or Newcastle and Gun Quay in Southampton, they have been very much areas where leisure as been used as an urban regeneration tool.”<sup>18</sup>

14. Activity that sustains the life of a city centre after 5pm can be positive in terms of crime and disorder; regenerating and re-populating run-down areas.<sup>19</sup> This positive impact relies on a controlled, managed approach towards the evening and late-night economies. Spontaneous, unplanned growth focussed around a heavy drinking culture can have a negative effect,

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<sup>14</sup> Ev 54 [Nottingham City Council]

<sup>15</sup> Ev 124 [Urbium Plc]

<sup>16</sup> Ev 78 [The Association of Licensed Multiple Retailers]

<sup>17</sup> Q 321ff [Dr Howells, DCMS]

<sup>18</sup> Q 126 [Brigid Simmons, Business in Sport and Leisure]

<sup>19</sup> Q 195 [Frank Whiteley, Deputy Chief Constable, Northamptonshire Police]; Q148 [Brigid Simmons, Business in Sport and Leisure]

creating crime and disorder problems and adversely impacting upon local residents, police resources, the local environment and the local authority.<sup>20</sup>

15. The evening economy is now an integral part of the economy and of a successful city centre environment. The Association of Town Centre Management point out that both the evening and the day-time economies have the same environmental requirements. A successful evening economy needs: accessibility, cleanliness, safety, ambience, choice and a “unique experience”,<sup>21</sup> as does a successful daytime economy.

16. In their evidence the Office of the Deputy Prime Minister highlight the Government’s support for the growth of a diverse, thriving and socially inclusive evening economy in town and city centres, in the context of its wider policies to promote an urban renaissance, and to build and maintain sustainable communities. It recognises, however, that the right balance needs to be struck between the positive benefits of a mixed evening economy in terms of better facilities and jobs, and the management of activities to reduce negative effects, such as nuisance, increased fears over public safety and crime.<sup>22</sup> Councillor Roberts, leader of Camden Council, explained to the Sub-committee the tightrope local authorities walked on trying to achieve and maintain a successful urban renaissance:

“If you are serious about there being mixed communities in the centre of our large cities then you have to ensure that life is tolerable for those who live, those who work and those who visit and it is our job as a local authority to deal with that in the most effective way and to balance the different interests that there are.”<sup>23</sup>

17. If the urban renaissance is to repopulate city centres, residential amenity should be protected by all reasonable measures. A good night out for some should not destroy a good night’s sleep for others. Conversely those living in city centres must appreciate they are living in mixed-use areas and appreciate the limits of the planning and licensing process.

18. Dealing with the issues of the evening economy and the urban renaissance will require Government departments to work together. The Government must distinguish between the evening and late-night economies. A genuine urban renaissance will require Government support and encouragement for the evening economy; but regulation and management for the late-night economy. Evidence we received reveals a desire for guidance in the management of both sectors. For example, the city centre manager of Leeds seeks “guidance on best practice in management to ensure potential problems are ameliorated”.<sup>24</sup> Alex Bax, from the Greater London Authority (GLA) calls for a forum to “share best practice and knowledge regarding management of mixed-use areas with thriving evening and late-night economies”.<sup>25</sup> This

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<sup>20</sup> Q 195 [Frank Whiteley, Deputy Chief Constable, Northamptonshire Police]

<sup>21</sup> Ev 105 [The Association of Town Centre Management]

<sup>22</sup> Ev 91 [The Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>23</sup> Q 29 [Councillor Jane Roberts, Leader of Camden Council]

<sup>24</sup> Ev 119 [Pauline De Silva, City Centre Manager, Leeds City Council]

<sup>25</sup> Q 31 [Alex Bax, Greater London Authority]

report highlights where Government is not doing enough to aid the management of the evening and late-night economies.

## 2 Madrid in Manchester? The European Influence

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### City Centre Living

19. The concept of an urban renaissance has its roots in Europe where city centre living, surrounded by a range of facilities and services, has long been the norm. We were told to exercise caution when looking to the continent for lessons in how to balance residential and entertainment uses of the city centre.<sup>26</sup> Continental Europe did not experience the exodus to the suburbs that characterised British cities in the 19th and 20th centuries. Activity continued uninterrupted in European city centres, resulting in a wider cross section of people and socio-economic groups, a wider range of accommodation, better local facilities and a sense of community ownership of city centres not apparent in the United Kingdom. In the United Kingdom the re-colonisation of city centres is often characterised by the more affluent, upwardly mobile young professionals who make a ‘lifestyle’ choice to live in the city centre. These residents often expect to live in the centre for a relatively short period of time; thus the European sense of community ownership of the city centre is not always apparent.<sup>27</sup> It is this sense of community which is key to successful mixed-use development. In Europe the late-night entertainment and leisure industries are seen as important elements of the local economy.<sup>28</sup> British city centres have a tendency to cater mainly for the young with a proliferation of bars and clubs. In the main these bars and clubs are not seen as part of a local community.

### Working Patterns

20. In the United Kingdom, the norm is that people go to work, go home and then go out—with the exception of London where travel issues restrict movement between home and work much more. This pattern, characterised by the 5 o’clock rush hour exodus to the suburbs is not so evident in Europe. People may finish earlier in the day, as in Germany, giving more time to return to the city centre in the evening. In Mediterranean countries work may finish later allowing a transition straight from work to leisure.

### Attitudes to Alcohol

21. European cities are often perceived as having a more relaxed alcohol licensing policy than British cities. A key difference is the alcohol culture. In the rest of Europe alcohol is consumed in a more relaxed manner, often with a meal. The binge and “vertical drinking” culture that characterises many British city centres is associated with anti-social behaviour, violence and

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<sup>26</sup> Ev 127 [Meard and Dean Street Residents’ Association]

<sup>27</sup> Ev 118 [The Magistrates’ Association, criminal Justice System Committee]; Ev 119 [Pauline De Silva, City Centre Manager, Leeds City Council]

<sup>28</sup> Ev 122 [Urbium Plc]

nuisance.<sup>29</sup> Many British bars and clubs exacerbate the problem; lack of seats and open-plan designs encourage quick drinking, as does loud music; low volume, high alcohol, accessibly flavoured ‘alco-pops’; happy hours and drinks promotions. These also reinforce the youth focussed image of many city centre bars/clubs to the detriment of other groups.<sup>30</sup>

22. The demand to extend the activity of the city centre into the early hours of the morning comes from the licensing and restaurant trade and their customers.<sup>31</sup> Many of the problems experienced in city centres would be reduced if the type of leisure and customer were more diverse.<sup>32</sup>

23. With changing work patterns it is likely that demand for more diverse evening and late-night services will increase, as the Sub-committee was told:

“I think people need to think differently about the way in which the town centre is used in the evening because with demographic change more people are working during the day and therefore need to do things after they finish work at five o’clock. In the old days, shopping was arranged for people who had leisure time, particularly housewives, during the day, which is no longer the case. Yet somehow the town centres are not rearranged to cater for that shift. That is one of the biggest things to change: to allow people to shop and to seek leisure enjoyment in the evening at a time when they want to, when they have left work.”<sup>33</sup>

24. If a greater variety of leisure activities, centring less on consumption of alcohol, were available in town and city centres, customers would be encouraged to stay after work during the evening period of between 5 and 8 o’clock.<sup>34</sup>

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<sup>29</sup> Ev 44 [the Local Government Association]

<sup>30</sup> Ev 119 [Pauline De Silva, City Centre Manager, Leeds City Council]

<sup>31</sup> Ev 87 [Ken Worpole]

<sup>32</sup> Ev 87 [Ken Worpole]; Ev 123 [Urbium Plc]

<sup>33</sup> Q 166 [Paul Davies, The Civic Trust]

<sup>34</sup> Ev 122 [Urbium Plc]

## 3 Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions

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### Evening and Late Night Economies

#### *A Management Strategy*

25. Too few local authorities have a strategy regarding the management of the evening and late- night economies.<sup>35</sup> However if the evening and late-night economies are to be managed effectively they must be planned. A strategy towards the evening and late- night economies would enable planning and licence applications to be considered in the context of a long-term vision for an area, as Lord Rooker explained:

“They [planning and licensing authorities] must not be making decisions on a hunch or whim or at the behest of local pressure groups, they have got to have a clear set policy otherwise they will be open to challenge.”<sup>36</sup>

26. It is clear from the evidence we received that the cities with the fewest problems are those who take a proactive approach to the management of the evening and late- night economies, and who work in partnership with the industry.<sup>37</sup> Currently ODPM suggest that local authorities use their community strategies, which are mandatory, and the guidance in PPG6 to plan the evening economy in their area.<sup>38</sup> The Planning and Compulsory Purchase Bill<sup>39</sup> will make it mandatory for planning authorities to make an action plan for an area.<sup>40</sup> **Successful management of the evening and late night economies will require action plans and strategies that encompass both the planning and licensing regimes.**

#### *Baseline Data*

27. A successful management strategy must build on baseline data for the area concerned. Currently very few authorities hold data relating to the premises, services and problems associated with their evening and late- night economies. Without this information it is difficult for local authorities to judge licensing and planning applications. Dr Howells highlighted the

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<sup>35</sup> Ev 92 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>36</sup> Q 292 [Lord Rooker, ODPM]

<sup>37</sup> Ev 78 [The Association of Licensed Multiple Retailers]

<sup>38</sup> Community strategies aim to promote economic, social and environmental well-being of an area, Ev 93 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>39</sup> Planning and Compulsory Purchase Bill [Bill 12 (2002-03)]

<sup>40</sup> Q 287 [Lord Rooker, ODPM]

need for local authorities to consider all elements relating to the evening and late-night economies:

“... we would expect local authorities to draft a licensing policy and that policy will look at all kinds of variables in that overall equation, if you like. They will be expected to take account of all kinds of factors. They will be looking, for example, at the ability of the enforcement agencies, or as John Spellar told us, the ability of transport to be able to get people out of that place. If the police believe that any further concentration of vertical drinking establishments is going to result in nuisance and disorder beyond their ability to control it they can object to it and that is very important.”<sup>41</sup>

28. A matrix of data would make it easier to identify areas that were becoming over saturated, thus allowing a reassessment of licensing/planning policies and applications relating to that particular area.<sup>42</sup>

**29. We recommend that the Office of the Deputy Prime Minister require every local authority produce a strategy detailing how they intend to manage the evening and late-night economies and associated problems. Each strategy should be developed in conjunction with all relevant parties and should include baseline data regarding: number and concentration of licensed premises and late-night take- aways: environmental problems, including flyposting, rubbish and street urination: crime and disorder, including graffiti and vandalism: availability of public and private transport, including late night car parking facilities; closing times of public conveniences; policing resources; cleansing times and records of complaints, especially relating to noise.**

### Dissemination of Best Practice

30. Every town and city is different: one size cannot fit all. Transport for London summarised the importance of local circumstance, “What happens in Bologna has cultural – and meteorological – roots that simply cannot be replicated in Wolverhampton”.<sup>43</sup> There is a nonetheless genuine desire from practitioners for more guidance from Government in relation to management of the evening and late-night economies in mixed-use areas. **We welcome the funding from the Office of the Deputy Prime Minister of a special grant programme for the Civic Trust to initiate six pilot studies into the evening and late-night economies to identify best practice. We recommend the findings of these pilots be taken account of in the Office of the Deputy Prime Minister’s forthcoming review of Planning Policy Guidance 6.**

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<sup>41</sup> Q 274 [Kim Howells, DCMS]

<sup>42</sup> Q 176 [Matthew Bennett, Open All Hours]

<sup>43</sup> Ev 106 [The Association of Town Centre Management]

## Planning Legislation

31. Planning legislation is a vital tool for local authorities as they strive to manage the evening and late- night economies. We received a clear message from local authorities that they need more support from the central planning system.<sup>44</sup> Equally strong was the message from residents regarding enforcement of planning conditions.<sup>45</sup> Lord Rooker recognised this problem in his evidence to the Sub-committee:

“Once the planning application is given a set of conditions which can sometimes run to dozens (and they are all important at the time because they get the planning permission) then of course over a period of time the activities push at the edge and no-one does anything. [...]. Part of the planning delivery grant process of putting more resources into planning is as much for enforcement of conditions that are given on planning applications as indeed to speed up planning applications in the first place and we will be checking about this because the enforcement and the policing of the planning system and the conditions given is crucial, otherwise people will not have confidence [...].”<sup>46</sup>

## Planning Policy Guidance 6 and Zoning

32. The 1996 revision of Planning Policy Guidance 6 included a recommendation that larger city centres create distinct quarters, i.e., zones for leisure and entertainment uses, including cinemas, nightclubs, pubs, restaurants, bars and cafes.<sup>47</sup> Lord Rooker reiterated his support of zoning to the Sub-committee.<sup>48</sup>

33. If properly planned, including consideration of transport, infrastructure, policing and so on, zoning can be a successful approach to the management of the evening and late night economies.

34. When badly planned, zones can end up “sink estates”,<sup>49</sup> becoming “part of the problem rather than the solution”.<sup>50</sup> The zone itself becomes subject to stereotypes about “hordes of young people”, thus making it impossible to attract other groups to the area and preventing a genuine mixed use environment.<sup>51</sup> The Government is committed to the idea of mixed-use town and city centres; current land-use policy should be reviewed to ensure the creation of genuine mixed activity areas.

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<sup>44</sup> Ev 64-6 [The London Borough of Camden]; Ev 70 [Westminster City Council] and Ev 86 [Liverpool City Council]

<sup>45</sup> Ev 32-5 [The Federation of Bath Residents' Associations]; Ev 13-16 [Redland and Cotham Amenities Society]; Ev 112-6 [Headingley Network]; and Ev 126-31 [Meard and Dean Street Residents' Association]

<sup>46</sup> Q 295 [Lord Rooker, ODPM]

<sup>47</sup> Ev 92 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>48</sup> Q262 [Lord Rooker, ODPM]

<sup>49</sup> Q 221 [Frank Whiteley, Deputy Chief Constable, Northamptonshire Police]

<sup>50</sup> Q 252-3 [Andrew McNeill, The Institute of Alcohol Studies]

<sup>51</sup> Q 93 [Andy Farrall, Chester City Council]

35. It has also been suggested that zoning is inappropriate in smaller towns, where the size of the city centre makes it difficult to identify a zone. In giving evidence to the Sub-committee Dr Howells recognised that under the new licensing regime<sup>52</sup> zoning would make it easier for people to migrate from bar to bar rather than producing the staggered dispersal through varying closing times that the bill hopes to produce.<sup>53</sup>

**36. We believe that if the activities of the evening and late-night economies were more dispersed through city centres, the perception of leisure areas as anti-social ghettos would be reduced and a wider customer base would be created. We therefore recommend that in its forthcoming review of Planning Policy Guidance 6, the Office of the Deputy Prime Minister promote the spreading of evening and late-night economy activity throughout town and city centres thereby encouraging genuine mixed-use areas, rather than its concentration in one or more zones.**

### **A3 Use and Cumulative Effect**

37. Over long periods of time a premises' use may evolve and change without a new Use Classes Order being needed. Once permission is granted for one type of use it is fairly easy for the premises to adopt a different use, providing it is covered by the same category, even if planning conditions are tightly specified. For example, a bingo hall or cinema can currently be converted into a night-club without a change of use class. Such uncontrolled changes can cause problems. The impact of a night-club on an area is very different from that of a cinema. This places a heavy enforcement burden on local authorities. The Government are due to make a full statement on changes to the Use Classes Orders. An initial statement was made by Mr McNulty on the 4<sup>th</sup> of March.

38. The initial statement detailed changes to the A3 Use Class Order to separate bars and pubs from restaurants, cafés and other types of use within the current A3 class.<sup>54</sup> Until recently bars, pubs, restaurants and café bars were all covered by the same use class - 'A3' - which was divided into 3 sections: A3a (hot food takeaway); A3b (cafes, restaurants and internet cafes) and A3c (pubs, wine bars and café bars for the sale and consumption of alcoholic and other drinks on the premises). Concerns were raised that this class was too wide and flexible.<sup>55</sup> The changes will mean planning consent will be required for conversion of premises from a café or restaurant to a pub or bar, thus enabling the planning authority to take into account the impact of a concentration of premises in a small area.<sup>56</sup>

39. We are disappointed that problems of cumulative effect were not recognised in the Licensing Bill which received Royal Assent on Thursday 10<sup>th</sup> July. The Licensing Act 2003 will not give licensing authorities the ability to deal with the consequences of a concentration of entertainment premises. The Committee recommended in its interim report on 'The Licensing

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<sup>52</sup> The Licensing Act 2003 (c.17) is likely to come into force at the beginning of 2005

<sup>53</sup> Q 271 [Kim Howells, DCMS]

<sup>54</sup> Statement issued by the ODPM on 4<sup>th</sup> March 2003

<sup>55</sup> Ev 93 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>56</sup> Q 287-8 [Lord Rooker, ODPM]

Bill and the Evening Economy’ published on 20 March 2003<sup>57</sup> that cumulative effect should be considered as part of a licensing application. The licensing process is more flexible than the planning system. Licences may be revoked or varied in response to local conditions but it can be difficult and costly to revoke planning permission once granted.<sup>58</sup>

40. Urbium plc, a bar business, suggested that temporary planning consents could provide a solution.<sup>59</sup> These would allow the planning authority time to assess the actual use of premises, the impact a new premise was having on an area, and whether any planning conditions imposed were being contravened. The duration of the temporary consent could be discussed at application stage, the licence then becoming permanent at a later hearing if appropriate.

**41. We recommend the Government reconsider its desire to deal with issues of cumulative effect exclusively through the planning system. We continue to be convinced that cumulative effect is best dealt with through the more flexible licensing system.**

### *Super-Pubs*

42. The Government is proposing to create a separate use class for ‘super-pubs’, i.e. premises currently in the A3c class of over 100 sq m. This new use class would be different from that applied to night-clubs, currently placed in the same class as cinemas, bingo halls and casinos. We do not believe that it is possible, or useful to distinguish between a ‘super-pub’ and a night-club, and believe they should be in the same class. The recently differentiated ‘A’ class category is intended to help create a mixed-use city centre. Super-pubs and night-clubs are both geared almost exclusively to a night-time economy aimed at a small demographic group. We also have reservations about using size alone to categorise ‘super-pubs’. Several submissions have highlighted that in smaller towns very few premises will be over the 100 sq m size class, yet will in effect be operating as ‘super-pubs’.<sup>60</sup> **We recommend that the Office of the Deputy Prime Minister place ‘super-pubs’ and night-clubs in a new, separate division of the ‘D’ class category; and consider using capacity as well as surface area to determine categorisation as a ‘super-pub’.**

### *A1 and A3a Use Classes*

43. Retail outlets are vital in the creation of mixed-use communities, and several submissions to our inquiry call for later opening of shops. Many shops are meeting demand by opening late at least one night a week. Some shops have begun opening until the early hours of the morning, or even for a full 24 hours. Although this may be welcomed in many areas, we have heard that the noise and disruption outside these premises can cause considerable disturbance

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<sup>57</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, Sixth Report (2002-03), HC 541

<sup>58</sup> Ev 131 [Meard and Dean Street Residents’ Association]

<sup>59</sup> Ev 123 [Urbium Plc]

<sup>60</sup> Q 190 [Paul Davies, The Civic Trust]

to residents.<sup>61</sup> One resident explained that alcohol was regularly bought in large quantities in the local late-opening shop then split up outside the premises.<sup>62</sup> Take-away premises, often located near late -night bars/night-clubs can cause similar problems of disturbance and noise, with the additional problem of litter. **We recommend that the documentation accompanying the Government's forthcoming revision of the use classes orders, recognises and offers guidance, on the potential problems caused by late opening shops and take-aways.**

### *Interior Planning Constraints*

44. Licensed premises come in many different forms today; the old-style pub is becoming less apparent in our city centres. One of the latest trends is for café bars, supposedly different from pubs, wine bars and night clubs. Typically café bars are viewed as appropriate for mixed-use areas, because they offer a half-way house between a pub and a restaurant. However we are concerned that many café bars never intended to operate as such in the evenings.<sup>63</sup> Instead they operate as 'vertical drinking' establishments where the chairs and tables are cleared away and large numbers of people are encouraged to drink quickly standing-up. The Use Classes Orders cannot prevent this change. Café bars could reasonably be expected to provide seating/tables for a given proportion of the premises' maximum capacity for all the hours they were open. **We recommend that the Government issue advice and guidance for planning authorities on how to use planning conditions, to ensure the interiors of premises are fit for the purpose they state in their planning application all of the time.**

### *Exterior Cleansing and Maintenance*

45. Evidence we have received suggests that many licensed premises do not pay sufficient attention to the cleansing of the areas outside their buildings. We have heard stories of residents waking up to litter, urine, vomit and worse on their doorsteps.<sup>64</sup> Licensees should maintain the area immediately around their premises and remove the debris of the night. **The local authority is technically responsible for the cleansing of the streetscape. We recommend that the Office of the Deputy Prime Minister introduce a requirement for areas immediately surrounding late-night premises to be cleansed and maintained by operators.**

### *Building Regulations and Noise Acts*

46. One of the main problems in the creation of mixed-use areas is the problem of noise:

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<sup>61</sup> Ev 55 [The Kingscliffe Society]

<sup>62</sup> Ev 55 [The Kingscliffe Society]

<sup>63</sup> Ev 82 [Manchester City Centre Management Company Ltd and Manchester City Council]; Ev 112-6 [Headingley Network]

<sup>64</sup> Ev 128 [Meard and Dean Street Residents' Association]

“The problem of noise cannot be ignored because it penetrates the very fabric of their [residents’] homes and as the hours of premises are extended it affects ordinary activities such as sleep. The very essence of residential amenity is therefore at risk from high levels of noise.”<sup>65</sup>

Noise control legislation (PPG 24) allows local authorities to take action against premises causing noise that is “prejudicial to health or a nuisance”. The United Kingdom Noise Association suggest ‘noise enforcement patrols’ are used by local authorities to monitor noise levels in the evenings and late at night.<sup>66</sup>

47. Powers to deal with ambient and transient noise do not exist. It is difficult to see how legislation could directly deal with this problem.<sup>67</sup> The Waterfront in Norwich, a late-night venue, has had some success in reducing noise by offering lollipops to customers as they leave; “a full mouth tends to be a quieter one”.<sup>68</sup>

48. Too few late-night venues take pro-active action to prevent noise. Operators should pay particular attention to containing noise within their premises. One method is to create a ‘sound lock’ where two sets of doors enclose an entrance lobby, reducing the noise that escapes onto the street. **We recommend that the Building Regulations and Noise Acts are reviewed in regard to the evening and late-night economies. We suggest there should be a requirement for premises to install sound delimiters or create sound locks in entrance halls which open onto the street.**

### **Business Improvement Districts (BIDs)**

49. As part of the new Local Government Bill, Government are proposing Business Improvement Districts (BIDs) which will give local authorities and local businesses opportunities to regenerate their own areas.<sup>69</sup> The aim of a BID will be to provide an additional service to that already carried out by the local authority, for example increased street cleansing. 50 per cent of local businesses will have to vote for and agree to fund a BID before the local authority can develop the scheme. Westminster is piloting a voluntary BID-type scheme which funds community officers who act as an additional visible presence on the streets and a patrol that examines street lighting.<sup>70</sup> Chester has a BID scheme structured around crime and community safety measures; CCTV, door staff training and improvements to the streetscape.<sup>71</sup> Currently the proposed legislation will not involve property owners or

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<sup>65</sup> Ev 128 [Meard and Dean Street Residents’ Association]

<sup>66</sup> Ev 18-9 [the United Kingdom Noise Association]

<sup>67</sup> Ev 130 [[Meard and Dean Street Residents’ Association]

<sup>68</sup> Ev 125 [Waterfront–Student Union Services Ltd]

<sup>69</sup> Business Improvement Districts were formally known as Town Improvement Schemes (TISs) in the Urban White Paper. Department of Environment, Transport and the Regions, Urban White Paper, *Our Towns and Cities: The Future—Delivering an Urban Renaissance*, Cm 4911, p 70, November 2000

<sup>70</sup> Q 155 [Brigid Simmons, Business in Sport and Leisure]

<sup>71</sup> Q 103 [Andy Farrall, Chester City Council]

landlords; and some believe they must be involved if the schemes are to be successful.<sup>72</sup> We believe BIDs could provide a unique mechanism for private businesses to address problems specific to the evening and late-night economies. **We recommend that the Office of the Deputy Prime Minister promote the pilot use of Business Improvement Districts in the management of the evening and late-night economies.**

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<sup>72</sup> Q 155 [Brigid Simmons, Business in Sport and Leisure]; Q 183 [Paul Davies, The Civic Trust]

## 4 Department of Transport

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### Transport Infrastructure

50. A successful evening and late-night economy is dependent on the ability of the transport system to meet the needs of those using, and working in, the evening and late-night businesses. Urbium plc, a bar business, told the Sub-committee,

“In our view, this (the improvement of public transport) is the most important single action, which can be taken to ensure that the evening economy works successfully in cities throughout the UK.”<sup>73</sup>

51. Safety and security are of paramount importance when people consider their travel arrangements in the evening and late-night.<sup>74</sup> Currently most people see public transport in the evening as a risky option. **The Department of Transport should ensure police forces, local authorities, transport providers and evening and late-night economy operators work together to provide safe and secure late-night transport.**

### Establishing Services

#### Bus Routes

52. Carefully managed, late-night bus routes can provide the most effective method for dispersing large numbers of evening and late-night economy users. It is difficult to understand, given the growth in the evening economy, why there are fewer night bus services now than before bus deregulation. The withdrawal of apparently marginal weekend and early evening services by commercial operators may be putting pressure on local authority bus support budgets at the expense of better night service provision. A late-night bus service is valuable, not just for those engaging in leisure activities, but also for those working shifts or working in the night-time economy. This can be a substantial number, in Manchester approximately 12,000 jobs are provided in the late-night economy.<sup>75</sup> There is a self-fulfilling prophecy that if there is no late-night public transport there must not be a demand for it; operators are fearful that late-night routes will not be economically viable. However several local authorities have shown this not to be the case.<sup>76</sup> Greater Manchester Passenger Transport Executive’s experience is that once established through an initial subsidy, routes become heavily used and commercially viable.<sup>77</sup> **We recommend that the Department of Transport make funds available specifically to establish late-night bus services. They should also**

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<sup>73</sup> Ev 123 [Urbium Plc]

<sup>74</sup> Ev 122 [Urbium Plc]

<sup>75</sup> Q 76 [Keith Howcroft, Greater Manchester Passenger Transport Executive]

<sup>76</sup> Ev 46 [the Local Government Association]

<sup>77</sup> Ev 83 [Manchester City Centre Management Company Ltd and Manchester City Council]

**produce guidance and advice on developing a late-night bus service, securing private interest in operating routes and seeking contributions from the leisure industry.**

### *Taxi and Private Hire Provision*

53. Licensed taxis also provide a valuable method for dispersing people late in the evening. Many cities rely heavily on the industry to meet the needs of their evening and late-night economy users and workers. Often users prefer the door-to-door flexibility offered by private hire.<sup>78</sup> However submissions to the inquiry highlight the problems caused as people “fight and argue over vehicles and fares”.<sup>79</sup> Pauline De Silva, city centre manager in Leeds told the Subcommittee of “passengers paying up front, and then being forcibly dropped off before getting to the destination, so the driver can get another fare”.<sup>80</sup> These problems are caused partially by a shortage of licensed taxis operating late at night. This shortage then forces people to use unlicensed minicabs, as Deputy Assistant Commissioner Trotter of the Metropolitan Police described to us.<sup>81</sup> Several submissions suggest it is difficult to persuade licensed taxi drivers to work late or pick up customers who have been drinking.<sup>82</sup> Transport for London have introduced a special night tariff to try and encourage taxi drivers to work late at night.<sup>83</sup> **To ensure a sufficient number of licensed drivers operate in the evening we recommend that local authorities consider introducing ‘late-night licences’ or night tariffs.**

### *Unlicensed Minicabs*

54. Unlicensed minicabs often emerge to fill the vacuum if cities are unable to provide sufficient public transport and private hire to meet late-night needs. Unlicensed minicabs are dangerous– in terms of the risk of the vehicle and the risk to passengers, especially women. The Greater London Authority told us that there had been 215 assaults on women in unlicensed minicabs in London last year.<sup>84</sup> Towns and cities around the country can quote similarly shocking and unnecessary statistics. It is not acceptable to tolerate unlicensed minicabs because they help with dispersal:<sup>85</sup> they are illegal and unsafe. **We recommend that the Department of Transport work with enforcement authorities and take a much more proactive policy to reduce the number of unlicensed minicabs operating. We recommend a review of penalties for operating an unlicensed minicab to ensure they are a sufficient deterrent. We are concerned that there is insufficient publicity highlighting the dangers of illegal minicabs. We therefore recommend that the Department of Transport launch a**

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<sup>78</sup> Ev 105 [Transport for London]

<sup>79</sup> Ev 83 [Manchester City Centre Management Company Ltd and Manchester City Council]; Ev 121 [Pauline De Silva, City Centre Manager, Leeds City Council]; Q 78 [Keith Howcroft, Greater Manchester Passenger Transport Executive]

<sup>80</sup> Ev 121 [Pauline De Silva, City Centre Manager, Leeds City Council]

<sup>81</sup> Q 226 [Andrew Trotter, Deputy Assistant Commissioner, Metropolitan Police]

<sup>82</sup> Ev 45-6 [the Local Government Association]

<sup>83</sup> Ev 100 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>84</sup> Q 23 [Alex Bax, Greater London Authority]

<sup>85</sup> Ev 226 [Andrew Trotter, Deputy Assistant Commissioner, Metropolitan Police]

**high-profile media campaign equating the use of an unlicensed minicab with accepting a lift from a drunk driver.**

### *Location of Taxi Ranks and Bus Stops*

55. Planning authorities need to work with transport providers to ensure transport stops are located in places that are easily accessible and where people can wait safely.<sup>86</sup> Taxi ranks and public transport stops should be monitored by CCTV and well lit, with clear information regarding routes and bus-times. They should also be overlooked where possible,<sup>87</sup> although should not be located in residential areas where congregations of people are likely to cause disturbance. Late-night venues should provide information regarding the location of taxi ranks and public transport stops.

### *London Underground*

56. There is a great deal of demand for the Underground to run later at night, especially on Friday and Saturday nights.<sup>88</sup> At present the system shuts down overnight to enable maintenance work to be carried out.<sup>89</sup> In their submission, Transport for London explain that it is not advisable to run the Underground later because “of the need to close the system at other, busier times to allow essential maintenance to take place”.<sup>90</sup> They suggest that over time, as assets are renewed and upgraded, the overall maintenance burden will decrease making later services more viable.

### *Security on Public Transport Late at Night*

57. People will only use public transport if they think it safe and secure. Night-buses are not always viewed as being a particularly safe way to travel home. Some operators have employed security personnel to travel on the buses ensuring safety. The presence of Transport Police officers can also be reassuring on late-night public transport. Although, Deputy Chief Constable Whiteley of Northamptonshire Police, does not think it appropriate that police officers provide security on night-buses.<sup>91</sup> Mr Howcroft, from the Greater Manchester Passenger Transport Executive, believes that people in Manchester “take comfort from using the night-buses” because there is a sense of “safety in numbers”. He suggests that, although lively, many night-buses tend to be self-policing.<sup>92</sup> Anecdotal evidence submitted to the Subcommittee suggests that the personality of the driver on a late-night bus route can be a key

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<sup>86</sup> Ev 120 [Pauline De Silva, City Centre Manager, Leeds City Council]; Ev 122 [Urbium Plc]

<sup>87</sup> Ev 105 [Transport for London]

<sup>88</sup> ‘Clubbers want late opening...on the Tube’, Evening Standard (News Extra), 12 June 2003, p11

<sup>89</sup> Q 22 [Alex Bax, Greater London Authority]

<sup>90</sup> Ev 105 [Transport for London]

<sup>91</sup> Q 225 [Frank Whiteley, Deputy Chief Constable, Northamptonshire Police]

<sup>92</sup> Q 76 [Keith Howcroft, Greater Manchester Passenger Transport Executive]

factor. Familiarity between driver and clientele is likely to provide a greater sense of safety for both.<sup>93</sup>

## **Private Transport.**

### ***Park and Ride Schemes and Parking Facilities***

58. Park and ride schemes in many towns and cities stop running relatively early. If local authorities wish to encourage people to remain in city centres in the evening, at least until 8 o'clock, they should ensure later operation of park and ride schemes where appropriate.<sup>94</sup>

59. Several submissions to the inquiry call for cheap and safe city centre parking that is open until late. Provision of such parking may attract a greater variety of people into town and city centres at night, because car-users will not be alcohol drinkers.<sup>95</sup> This is a short-term strategy that does not address the more fundamental problem of providing safe, secure, regular and reliable public transport. It is not an adequate solution from an environmental perspective; nor does it provide for the many people using the evening and late-night economies who will be drinking alcohol.

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<sup>93</sup> Ev 121 [Pauline De Silva, City Centre Manager, Leeds City Council]

<sup>94</sup> Q 84 [Andy Farrall, Chester City Council]

<sup>95</sup> Ev 122 [Urbium Plc]

## 5 Home Office

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### Policing the Evening and Late-Night Economies

#### *The Need for a Uniformed Presence*

60. Perception and fear of crime can often be a bigger problem than the reality. If the urban renaissance is to be successful a wider cross-section of people must be attracted into city centres at night. A mix of people must also be prepared to live in city centres. However this is will not be achieved while in the evening and late at night city centres are perceived as intimidating places “engendered by youth drinking”.<sup>96</sup>

61. A more visible, uniformed presence drawn from police resources, including community safety officers and street wardens, is key to addressing perception of crime. The Police Reform Act 2002<sup>97</sup> enables the creation of community support officers. These are already in use in Westminster, as the Sub-committee saw on their visit. Their visible presence on the streets provides reassurance and acts as a deterrent. Warden schemes funded through the ODPM Neighbourhood Renewal programme can also offer a reassuring presence.

#### Dealing with Anti-Social Behaviour

62. Anti-social behaviour can make living in mixed-use areas of city centres very difficult. The prime problem emerging, as the evening and late-night economies grow, is “large groups of otherwise very decent, law-abiding citizens who get drunk and get involved in problems”.<sup>98</sup> The Government’s attempts to tackle anti-social behaviour have been very high profile. The Anti-Social Behaviour Bill is currently being considered by the House of Lords.<sup>99</sup> It is designed to ensure that the police have the appropriate powers to deal with serious anti-social behaviour. It also provides powers for local authorities and those working with them to tackle anti-social behaviour in local communities. It develops sanctions for those who engage in anti-social behaviour and extends the range of agencies that can use these sanctions.<sup>100</sup> The main features of the Bill are to:

- Widen the use of Fixed Penalty Notices - e.g. noise nuisance, truancy, graffiti - and apply them to 16-17 year olds.
- Develop a package of support and sanctions to enable parents to prevent and tackle anti-social behaviour by their children.

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<sup>96</sup> Ev 120 [Urbium Plc]

<sup>97</sup> Police Reform Act 2002 (c.30)

<sup>98</sup> Q 217 [Frank Whiteley, Deputy Chief Constable, Northamptonshire Police]

<sup>99</sup> Anti-Social Behaviour Bill [*Lords*], [Bill 84 (2002-3)]

<sup>100</sup> Explanatory Notes to the Anti-Social Behaviour Bill [*Lords*], [Bill 84-EN (2002-3)]

- Close down 'crack houses'.
- Restrict the use of air weapons and replica guns. Ban air cartridge weapons that are easily converted to fire live ammunition.
- Make it an offence to sell spray paints to under 18s and stronger powers for local authorities to tackle fly-tipping, graffiti and fly-posting.
- Widen powers to shut down establishments that create noise nuisance.
- Ensure that courts consider the impact of anti-social behaviour on the wider community in all housing possession cases.
- Improve the operation of Anti-social Behaviour Orders (ASBOs).

### ***Anti-Social Behaviour Orders (ASBOs)***

63. Anti-Social Behaviour Orders have provided a tool for the police to deal with persistent offenders committing minor offences. The Police Reform Act 2002 seeks to strengthen and extend the use of ASBOs.<sup>101</sup>

64. There has been some suggestion that ASBOs could be used to address alcohol related crime and disorder in city centres. Frank Whiteley, Deputy Chief Constable of Northamptonshire Police, does not believe that ASBOs “are the tool to be dealing primarily with alcohol-related problems”.<sup>102</sup> Part of the problem is that ASBOs require identification of persistent offenders, which is difficult in a busy city centre in the context of the evening and late-night economies. As the Headingley Network (a residents’ group in Leeds) comment;

“Measures brought in by the Government, such as Anti-Social Behaviour Orders, do not address our situation where it is not repeat offending by teenagers, but occasional offending, it is the huge numbers of young people in the area that is the problem”.<sup>103</sup>

65. An additional problem is the difficulty of securing evidence, as the Headingley Network explained;

“We have repeatedly found that the evidence we provide is not sufficient to convince magistrates. There is no possible chance of community groups like ours, still less individual objectors, providing conclusive evidence of a statistical nature to ‘prove’ that a particular outlet is responsible for the anti-social behaviour.”<sup>104</sup>

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<sup>101</sup> Ev 97 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>102</sup> Q 216 [Frank Whiteley, Deputy Chief Constable, Northamptonshire Police]

<sup>103</sup> Ev 114 [Headingley Network]

<sup>104</sup> Ev 114 [Headingley Network]

### **Crime and Disorder Reduction Partnerships**

66. Crime and Disorder Reduction Partnerships are local partnerships who survey local crime hotspots every three years and produce strategies to deal with local crime. John Denham told the Sub-committee in evidence, that he was keen for Crime and Disorder Reduction Partnerships to identify alcohol-related crime problems as part of their general work.<sup>105</sup> The success of such Partnerships relies on commitment from those working at the local level. We are worried that some licensees may be reluctant to engage with Crime and Disorder Reduction Partnerships. **We recommend the Home Office place a statutory duty on local operators' to participate in Crime and Disorder Reduction Partnerships.**

### **Fixed Penalty Pilot Schemes**

67. The Penalty Notice for Disorder scheme was introduced in the Criminal Justice and Police Act 2001,<sup>106</sup> up to the end of March 2003, 3040 penalty notices for disorder were issued.<sup>107</sup> These penalties aim to deal with low-level, anti-social behaviour and nuisance committed by over 18 year olds. There are several specific penalty offences relating to alcohol: being drunk and disorderly; being drunk in the highway; buying alcohol for consumption by a minor on licensed premises; and drinking in a designated public place. There is also the offence of causing harassment, alarm or distress under Section 5 of the Public Order Act, which is often associated with alcohol-influenced behaviour.<sup>108</sup> The Police Reform Act<sup>109</sup> allows chief officers of police forces to designate police authority employees as 'Community Support Officers' (CSOs) and designate any appropriate person as an 'accredited person' under a community safety accreditation scheme. Various types of wardens and private security staff can be accredited in this way. Both these categories of persons can be given powers to issue fixed penalty notices for various offences, to seize alcohol and tobacco from young persons and to require names and addresses. On a trial basis until December 2004, CSOs can also be given a power to detain persons they reasonably suspect to have committed certain offences or to have lied about their name and address.

68. These powers mean that CSOs and accredited persons can play an important role in reducing anti-social behaviour at night. They are uniformed and highly visible, with many assigned to patrolling through areas of high anti-social behaviour, acting both as a deterrent and as persons who are capable of taking action against low level anti-social behaviour. CSOs act under the direction of the chief police officer and their work is very closely integrated with the police. Accredited persons also have arrangements with the police to be able to report incidents and get support quickly where necessary.

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<sup>105</sup> Q 297 [John Denham, Home Office]

<sup>106</sup> A full report on the Penalty Notice for Disorder pilot schemes is expected in August/September 2003.

<sup>107</sup> Ev 52 [Home Office, Unpublished memorandum]

<sup>108</sup> Ev 97 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>109</sup> Police Reform Act 2002 (c.30)

69. Accreditation under section 40 of the Police Reform Act, is open to any category of persons as long as the chief police officer is satisfied that they are properly trained and have proper complaints procedures. It is envisaged that bouncers at nightclubs or security staff outside pubs could seek accreditation from the chief police officer, to enable them to deal more effectively with low level disorder, although they will not have powers of detention. There is also a scheme which allows persons to be accredited by the chief officer of the British Transport Police in relation to powers to be exercised in the vicinity of policed transport premises. This could assist with drunken behaviour on the transport system in the evenings.

70. The Home Office has provided 'kick-start' funding for CSOs, 1,200 of whom are already on duty. They can also be funded by the main police grant received by local authorities in arrangements made with police forces.<sup>110</sup> Accredited persons are paid for by their employers, as is the cost of the accreditation itself which is reimbursed to the police force responsible for the accreditation.<sup>111</sup>

71. In giving evidence to the Sub-committee, John Denham told us that over 1,500 penalty issues had been awarded in the four pilot areas. Half of the penalties were alcohol related; drunk and disorderly, drunk on the highway and broader anti-social behaviour.<sup>112</sup> Fixed penalties allow the police to clamp down on anti-social behaviour without leaving the streets. They also do not increase demands on the Crown Prosecution Service and Courts.<sup>113</sup> However to act as a deterrent and be effective as a punishment payment of penalties must be enforced. **We are pleased that the Government is providing tools for police authorities to clamp down on anti-social behaviour. We welcome measures such as fixed penalty fines, however the payment of fines must be enforced.**

72. Evidence received by the Sub-committee reveals that the main anti-social issues affecting those living in mixed areas are drunkenness and yobbery.<sup>114</sup> Disorder of this nature has historically not been high on the targets of local authorities or central Government. Thus the policy shift by central Government is welcomed. **We are concerned that extension of licensing hours under the Licensing Act 2003 could stretch police resources to an extent where anti-social behaviour tools will be ineffective. Further time-expansion of the evening economy will need to be monitored carefully. If it becomes apparent that current police resources are not sufficient to meet the expanded demands of the evening economy, the Government should consult with private operators to identify sources of extra funding, this may include the possibility of a 1% levy on the annual turnover of private operators.**

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<sup>110</sup> Ev 320 [Lord Rooker, ODPM]

<sup>111</sup> Ev 98 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>112</sup> Q 319 [John Denham, Home Office]

<sup>113</sup> Ev 84 [Liverpool City Council]

<sup>114</sup> Q 219 [Andrew Trotter, Deputy Assistant Commissioner, Metropolitan Police]

## 6 Department of Health

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### Binge Drinking Culture

73. Vertical binge drinking characterises much of the late-night economy in our city centres.<sup>115</sup> Mr Appleby, Chief Executive of Alcohol Concern, told the sub-committee, “At heart, we have a culture which enjoys talking and laughing about drinking. On the one hand, it is something which people enjoy so why should they not? On the other hand, it does set a tone as to the cultural norm which is really hard to combat”.<sup>116</sup> This ‘cultural norm’ can have a damaging effect on both local communities and the individuals concerned.

### *Impact on the Health Service*

74. Andrew McNeill from the Institute of Alcohol Studies told the Sub-committee that “the mortality rate from alcoholic consumption is rocketing at the moment”.<sup>117</sup> An increase of alcohol-related illness impacts on the Health Services, especially the emergency and ambulance services. Accident and emergency departments have noticed a significant increase of 999 activity in the early hours of the morning, coinciding with later pub/club opening hours. This activity has increased the need for night emergency cover, with associated cost and security implications. **In their submission the Government highlight that a further expansion of the evening economy will “have cost implications for the health service”.**<sup>118</sup> **The Committee are concerned that this implication has not been fully explored in relation to the new Licensing Act.**

### *National Alcohol Harm Reduction Strategy*

75. The Cabinet Office Strategy Unit are currently working with the Department of Health on a National Alcohol Harm Reduction Strategy. This should be published in the autumn of 2003. Two studies have also been commissioned which are intended to feed into the report: a national survey of NHS staff perceptions of the burden alcohol places on accident and emergency departments; and a one day (24 hour) census of alcohol-related attendances at a representative sample of accident and emergency departments in England, as validated by breath-testing.

### *Education and High-Profile Media Campaigns*

76. We do not think sufficient emphasis or attention has been placed on educating young people about the health and personal safety implications of binge drinking. It has been

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<sup>115</sup> Q 233 [Andrew McNeill, the Institute of Alcohol Studies]

<sup>116</sup> Q 246 [Eric Appleby, Alcohol Concern]

<sup>117</sup> Q 235 [Andrew McNeill, the Institute of Alcohol Studies]

<sup>118</sup> Ev 99 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

suggested, for example, that the binge drinking culture may contribute to the increasing numbers of sexually transferred infections.<sup>119</sup> High-profile publicity campaigns and education initiatives have caused a change in attitudes and tolerance towards drinking and driving. The National Alcohol Harm Reduction Strategy provides an opportunity for the Department of Health to initiate a similar change of attitude towards binge drinking.<sup>120</sup>

77. There are lessons to be learnt from abroad, as Eric Appleby, of Alcohol Concern told the Sub-committee;

“[...] evidence from projects, particularly in Australia suggests that actually if you start with kids at a young enough age and keep coming back to it, you can have an impact—you do not change culture overnight – on the onset of drinking, what age they start getting drinking and, also to some extent the degree of problems they get into, so the number of times they get very severely drunk, the number of encounters they have with the police, that sort of thing. That seems to require, as I say, a fairly early start and taking it in an holistic way, so you are not talking about the evils of drink, you are talking about cultures and commodities, and things like life-skills and assertiveness on how to turn down the drink you do not really want.”<sup>121</sup>

**78. We look forward to the publication of the National Alcohol Harm Reduction Strategy. We recommend that the Department of Health use the strategy to launch a high-profile, multi-media campaign particularly aimed at youth which highlights the problems, of health and security, that can result from alcohol misuse.**

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<sup>119</sup> Ev 84 [Liverpool City Council]

<sup>120</sup> Q 147 [Brigid Simmons, Business in Sport and Leisure]

<sup>121</sup> Q 246 [Eric Appleby, the Institute of Alcohol Studies]

## 7 Department for Culture, Media and Sport

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### Licensing Act 2003

79. In April 2000 the Government published a White Paper on reforming alcohol and entertainment licensing.<sup>122</sup> This White Paper set out proposals for modernising and integrating the alcohol, public entertainment, theatre, cinema, night cafe, and late night refreshment licensing schemes in England and Wales. Since the publication of the White Paper in 2000, responsibility for alcohol and entertainment licensing policy transferred from the Home Office to the Department for Culture, Media and Sport.

80. The new Licensing Act<sup>123</sup> will provide for a unified system of regulation of the activities of the sale and supply of alcohol, the provision of regulated entertainment, and the provision of late night refreshment, i.e. "the licensable activities". The purpose of the system of licensing for licensable activities is to promote four fundamental licensing objectives. Those objectives are -

- the prevention of crime and disorder;
- public safety;
- the prevention of unreasonable diminution of the living and working amenity and environment of interested parties in the vicinity of the premises balancing those matters against the benefits to be derived from the leisure amenity of such premises;
- the protection of children from harm.

81. The new system of licensing will be achieved through the provision of authorisations through personal licences, premises licences, club premises certificates and temporary event notices. In contrast to the existing law, the Bill does not prescribe the days or the opening hours when alcohol may be sold by retail for consumption on or off premises. Nor does it specify when other licensable activities may be carried on. Instead, the applicant for a premises licence or a club premises certificate will be able to choose the days and the hours during which they wish to be authorised to carry on licensable activities at the premises for which a licence is sought. The licence will be granted on those terms unless, following the making of representations to the licensing authority, the authority considers it necessary to reject the application or vary those terms for the purpose of promoting the licensing objectives.

82. Premises licences and club premises certificates will be granted by licensing authorities under the Act, which generally will be the local authority for the area in which the premises are situated or, in the case of personal licences, the Central Licensing Authority. The Act provides for the setting of fees in relation to applications, notifications, licences and certificates. The fees will be set centrally and are intended to be set on the basis of full cost recovery. The Act

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<sup>122</sup> The Home Office, *Time for Reform: Proposals for the Modernisation of Our Licensing Laws*, CM 4696, [1999-2000]

<sup>123</sup> The Licensing Act 2003 (c.17)

requires each licensing authority to establish a register relating to the grant of licences and certificates and the giving of temporary event notices and associated matters.

83. The Act provides licensing authorities with the power, on review of a premises licence, to suspend or revoke the licence, to exclude specific licensable activities from the licence, or to modify operating conditions attaching to the licence. These powers must be exercised with a view to promoting the licensing objectives. These same powers attach to club premises certificates. In addition, the Act confers powers on the police to close licensed premises to deal expeditiously with disorderly behaviour and excessive noise; these powers are both anticipatory and reactive.<sup>124</sup>

84. The Licensing Bill was passed by the House of Commons on Tuesday 8<sup>th</sup> July and received Royal Assent in the House of Lords on Thursday 10<sup>th</sup> July. The measures contained within the Act are likely to come into force following a 12 month transitional period starting in January 2004.

### **Fears**

85. Evidence we received reveals a great deal of apprehension, especially from those living in mixed-use areas, regarding the new Licensing Act. It is a difficult balance to create mixed-use areas where the evening and late-night economies can operate but residential amenity also be protected. There is a fear that when the Licensing Act comes into force management of this balance will be made even more difficult. It is therefore vital that ODPM and DCMS work together to ensure there are no loop-holes in legislation that will make managing this balance even more difficult, this includes existing licensed premises.

### **Cumulative Impact**

86. During our inquiry we heard evidence, from residents, the police, a number of local authorities and public transport providers, that one of the most significant management difficulties caused by the evening economy is the pressure caused by the sheer numbers of people in a town or city centre area late at night.<sup>125</sup> In our interim report, *The Licensing Bill (Lords) and the Evening Economy*, we recommended that local authorities be required within their licensing strategies to define upper capacity limits in terms of the number of people with which particular areas, identified by their economic role within the district, can reasonably cope at given times of day. Overall capacity could be identified in relation to the fire regulation standards for individual premises, which may also give one potential means of enforcement.<sup>126</sup>

87. The Government's response to our report comments:

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<sup>124</sup> Explanatory Notes to the Licensing Bill, [Bill 73-EN (2002-03)]

<sup>125</sup> Q53 [Lesley Jeffries, Headingley Network]; QQ 194-5 [Frank Whitely, Deputy Chief Constable, Northamptonshire Police]; Q15 [Councillor Jane Roberts, leader of Camden Council] and [Councillor Simon Milton, Leader of Westminster City Council]; and Q 21 [Alex Bax, Greater London Authority]

<sup>126</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, Sixth Report (2002-3), HC 541.

“The Government considers that giving an authority the power to review licences solely on the grounds of a high concentration of consumers in an area would be unreasonable. Indeed such a policy would be likely to be challenged in courts unless a justifiable methodology was used to assess upper capacity limits and a direct causal connection substantiated between capacity and crime and disorder.”<sup>127</sup>

“However it is essential to promote public safety in terms of an intensity of people present in a licensed premises. Under the Bill, licensing authorities will be able to attach capacity limits as conditions to licences where expert opinion, through representations, believes that the absence of such a limit is likely to affect the promotion of the licensing objectives and the authority considers it necessary to attach such a condition.”<sup>128</sup>

88. In the light of this response we wish to reinforce our concern that large numbers of people concentrated in an area can lead to the problems of anti-social behaviour and disorder that are discussed in this report. We are concerned that the Government believes capacity at individual premises be limited through expert representations at licensing hearings, when in paragraph 10 of their response they are unclear on the legality of setting capacity limits.<sup>129</sup>

89. The Government argue that a direct causal connection between capacity and crime and disorder must be demonstrated. However, it does not need to be demonstrated that the presence of large volumes of people in a small area *will* impact upon residential amenity if not controlled. **We recommend that the Government conducts upper capacity impact pilots in city centres that have experienced the effects of cumulative impact. The pilots should develop a robust and defensible methodology for determining capacity limits; and identify methods of demonstrating the required ‘direct causal connections’ between capacity and crime and disorder.**

### ***Burden of Proof***

90. In our interim report we recommended that licensing authorities be given powers to accept residents’ sworn evidence of nuisance. The Government responded:

“Residents’ rights are at the heart of the new licensing system. Before determining its licensing policy for any three-year period, the licensing authority (‘authority’) must consult those listed in clause 6(3) of the Bill. These include bodies representing residents in its area. It is for each authority to determine whether any particular body, or bodies, does represent residents in its area when the licensing body is determined.”<sup>130</sup>

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<sup>127</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, First Special Report, (2002-3), HC 750, para 10

<sup>128</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, First Special Report, (2002-3), HC 750, para 11

<sup>129</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, First Special Report, (2002-3), HC 750

<sup>130</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, First Special Report, (2002-3), HC 750, para 3

“In considering individual applications for new premises licences (and major variations of existing premises licences) and club premises certificates (and variations) under its policy, the authority must consider representations from “responsible authorities” (including the police and the local planning authority) and also from residents. If relevant representations are made, then a hearing will be required at which the representations of the relevant parties will be considered (if all parties agree a hearing may be dispensed with). It is then for the authority to grant the application, either in the terms sought with conditions attached to the licence or certificate which are consistent with the operating schedule, or subject to modifications to those conditions which would be attached to the licence or certificate. Alternatively, the authority may refuse the application on the grounds that refusal is necessary for the promotion of the licensing objectives. There is also an entitlement to appeal to the magistrates’ court for parties aggrieved by decisions of the authority. In addition, at any stage following the grant of a premises licence or club premises certificate, residents may ask the authority to review the licence because of problems at, or in the vicinity of, the premises on a ground relevant to one or more of the licensing objectives.”<sup>131</sup>

**91. We reiterate that the Licensing Act 2003 places too much emphasis on residents to provide ‘evidentiary’ proof in order to lodge an objection to a licence. Providing such evidence is difficult and costly. Few residents, either individually or collectively will be able to provide the required evidence.<sup>132</sup> We repeat our recommendation that licensing authorities should be given powers to accept residents’ sworn evidence of nuisance.**

### **Happy Hours**

92. Some operators offer ‘happy hour’ promotions which encourage people to eat and drink in the city centre in the early evening. These ‘happy hours’ encourage diverse clientele as they are aimed specifically at groups who would not usually take part in the evening economy, for example, the elderly. However several submissions to our inquiry suggest that anti-social behaviour is aggravated by ‘happy hours’ aimed at young drinkers.<sup>133</sup> Some licensees use ‘happy hours’ to encourage binge drinking and increased consumption over a very short period, by selling drinks at low prices, or operating 2 for 1 offers or similar. These offers have implications for health, as well as behaviour. Moreover the conditions generated by many happy hours - full and jostling bars - further discourages participation of a more mixed clientele. Tim Martin, of the J.D. Wetherspoon pub chain, is critical of happy hours;

“Happy hours, where I have seen them, operate badly. They tend to be where you have nightclubs which do their trade Friday and Saturday nights and they do not trade the

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<sup>131</sup> Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee, First Special Report, (2002-3), HC 750, para 7

<sup>132</sup> Ev 114 [Headingley Network]

<sup>133</sup> Ev 54 [The Kingscliffe Society]; Ev 82 [Manchester City Centre Management Company Ltd and Manchester City Council]; Ev 123 [Urbium Plc]

rest of the week more or less and they try and open on a Wednesday with very, very low prices.”<sup>134</sup>

93. Other witnesses reinforce the argument that it is irresponsible licensees who offer happy hours.<sup>135</sup> We are pleased that members of the industry are attempting to address this problem; the British Beer and Pub Association for example, have produced a good practice guide for licensees entitled ‘The Point of Sale Promotions’.<sup>136</sup>

94. However Mr Martin believes that police officers and enforcement agencies are the only approaches that will be successful in cracking down on those happy hours which cause problems. He told us that action by the licensee was unlikely; “no business, to be practical, and no licensee is going to put himself out of business. It will require a mechanism for someone to be able to take the licence away.”<sup>137</sup> We are concerned that the enforcement options available to the police may be insufficient. Councillor Milton, of Westminster Council, compared the UK’s enforcement options with those of New York:

“It is much easier to lose your licence if you misbehave [in New York] and there is a whole range of other sanctions, for example the staff in the bars can be fined in the absence of the owner or the manager if they are breaching the licence conditions, which is a very strong deterrent to bad behaviour, if you like. We do not have any of those same kinds of enforcement measures.”<sup>138</sup>

**95. Enforcement authorities and police need better tools to tackle quickly the anti-social problems created by happy hours and similar drinks events. We therefore recommend powers for the local authority to enforce a ban on happy hours as part of the licence conditions.**

### *Transport considerations*

96. Currently, and in the new Licensing Act, transport operators do not have the ability to comment on local licensing applications.<sup>139</sup> We have heard that a transport system is vital to the success of the evening and late-night economies. The Tyne and Wear Passenger Transport Executive suggest that the locations of late-night activities should be constrained to locations that can be served by public transport.<sup>140</sup> **We recommend that transport operators should have the ability to give evidence when licensing applications are heard.**

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<sup>134</sup> Q 134 [Tim Martin, J.D. Wetherspoon]

<sup>135</sup> Q 85 [Stephen Osborn, Norwich City Council]

<sup>136</sup> Q 138 [Rob Hayward, British Beer and Pub Association]

<sup>137</sup> Q 136 [Tim Martin, J.D. Wetherspoon]

<sup>138</sup> Q 6 [Councillor Simon Milton, Leader of Westminster City Council]

<sup>139</sup> Q 11 [Alex Bax, Greater London Authority]

<sup>140</sup> Ev 46 [the Local Government Association]

## The Licensed Trade

### *Recognition of Problems*

97. Those operating evening and late-night activities in city centres need to be aware of their environment, “It is not enough for ‘respectable’ premises to eject unruly drinkers onto our streets and then take no further responsibility for their behaviour.”<sup>141</sup> Some organisations highlighted the pro-active attitude of operators towards management of the late-night economy. The Waterfront in Norwich, for example, described an SOS phone home, a sponsored taxi and a refuge for ‘abandoned incapables’. They also explained that if a member of a group was refused entry, none of the group would be allowed in unless one accompanied the refused person home.<sup>142</sup> There is nothing to stop private operators developing solutions such as these. **Private operators should take as many steps as possible to educate their customers about the potential impact of their behaviour. We recommend that signage be used to stress to customers the need to leave premises quietly; telephones be provided, with direct links to private hire companies so customers can organise a route home before leaving the premises; up-to-date information regarding local public transport be displayed and free unrestricted access to drinking water.**

98. The licensed trade makes a valuable contribution to the economy. Most operators also make positive contributions to the community in which they are located. It is the irresponsible minority of licensees who damage the reputation of the industry. **We recommend that the Department for Culture, Media and Sport, together with the licensed industry, develops better support networks which allow the dissemination of good practice. We also recommend that the industry be encouraged to establish codes of conduct.**

99. There has been a change in drinking habits over the past ten years; alco-pops and beers are increasingly served in and drunk from glass bottles. However not all operators recycle as many of these bottles as they could. Elliot Morley, the recently appointed Environment Minister, is reported to be keen for pubs and clubs to double glass recycling in the next two years.<sup>143</sup> **We recommend that the Department for Culture, Media and Sport works with the Department for Environment, Food and Rural Affairs and with the licensed industry to consider appropriate measures and incentives to increase recycling of glass bottles.**

### *Working in Partnership*

100. The very nature of the urban renaissance is that it encourages mixed-use areas; hence licensees must engage with the local community. Stakeholder forums, Crime and Disorder Partnerships and BIDs can all provide methods by which the licensed trade can do this.<sup>144</sup> Mediation with residents’ groups through such forums can produce results without involving

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<sup>141</sup> Ev 115 [Headingley Network]

<sup>142</sup> Ev 125-6 [Waterfront–Student Union Services Ltd]

<sup>143</sup> See The Independent, 20 June 2003, p10

<sup>144</sup> Ev 121 [Pauline De Silva, City Centre Manager, Leeds City Council]

enforcement agencies. Crime and Disorder Reduction Partnerships provide an opportunity for the licensed trade to share information about those acting anti-socially. Furthermore, stakeholder forums can ensure that services such as transport, waste collection, street cleansing, and so on are co-ordinated. Such services are vital to the successful operation of the evening and late-night economies. **The Department for Culture, Media and Sport must bring in legislation making participation of operators in partnerships aimed at reducing anti-social behaviour a licence condition.**

## 8 Local Authorities

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### Managing the Evening and Late-Night Economies

101. One aspect of a successful urban renaissance is the management of the evening and late-night economies.<sup>145</sup> With appropriate management mixed-use environments can be created where residents' amenity is protected and evening and late-night activities thrive. Preparation of a strategy for the evening and late-night economies is a vital part of management, as is partnership. Stakeholder forums can provide partnership opportunities. Forums must be truly representative of the local community, including permanent residents and where appropriate representatives of the student community. Town-centre managers must be involved in this process where appropriate.<sup>146</sup>

### Encouraging More Diverse Participation

102. Currently the evening and late-night economies are frequently viewed as open only to young people, "[...] outside of office hours there is a danger that town centres are not as inclusive as they should be. They remain very much the territory of the younger person."<sup>147</sup> Yet to create genuine mixed-use environments we need to offer a range of activities, attractive to a range of people, including those with disabilities.<sup>148</sup>

103. Leeds city council, together with their city centre manger, have worked hard to diversify their evening and late-night economies:

"We are beginning to get a greater mix of venues in Leeds now, such as jazz clubs, comedy clubs, restaurants, as well as the theatres that already existed in Leeds some time ago. [...]. We have a large new outdoor venue in Leeds, a large square, and what we have tried to do over the last two or three years since that has been opened is to put on events deliberately designed to attract families and older people into the city centre and almost without exception all of those events have attracted a greater mix of people in."<sup>149</sup>

104. There are many things approaches that can be used to attract a wider demographic in the evenings, as Andy Farrall from Chester city council highlighted;

"There is a whole raft of things a city can do. It needs concerted effort to do this. Yes it is about encouraging shops to open late and therefore to hold some discussions with your chamber of trade about opening later in the day because one of the key issues funding a shop is staff, so why are you opening at half past nine when there are no people around

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<sup>145</sup> Q 163 [Brigid Simmons, Business in Sport and Leisure]

<sup>146</sup> Ev 94 [Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions]

<sup>147</sup> Ev 54 [The Kingscliffe Society]

<sup>148</sup> Ev 30 [the Joint Committee on Mobility of Blind and Partially Sighted People]

<sup>149</sup> Q 42 [Pauline De Silva, City Centre Manager, Leeds City Council]

and you want people around from 5.00 to 8.00. So if you open later in the day you can stay open later in the evening. It is also about cafés. Chester has a myriad of cafés but they all close at 6.00 o'clock. Well, why? You often want a coffee at six o'clock. You have just come out of the office. So there is an issue about talking to the café owners. There is also an issue about the local authority generally. The local authority has offices, museums, galleries, all sorts of things which it is responsible for. Why does it not open those late and therefore increase activity generally? Again it is talking to the whole raft of partnerships in the city centre to talk about early bird discounts for cinemagoers or people going to restaurants so that if they come at 6 o'clock they get a cheaper meal or a cheaper cinema ticket.<sup>150</sup>

**105. We recommend that local authorities develop action plans which encourage non-alcohol centred evening activities with wide demographic appeal, for example, late opening nights of shops, galleries and libraries. Local authorities should work in partnership with local businesses and the community to identify events which will have broad appeal to people of all ages.**

### ***Urban Design Strategies***

106. Local urban design strategies should take account of activity resulting from the evening and late-night economies. This includes devising appropriate lighting; improving the public realm and ensuring safe pathways. Generally well-lit routes are perceived as safer, and consequentially used more, thus making them even safer. Moreover CCTV is ineffective without appropriate lighting. Design strategies should examine pedestrian routes likely to be used by patrons of the evening and late-night economies; and ensure these are well lit with clear visibility.

### ***Transport Infrastructure***

107. In chapter 4 we established the vital role transport has to play in supporting the evening and late-night economies. Local authorities must share responsibility with the Department of Transport for ensuring provision of safe and secure transport late at night. This may involve partnership with local operators to secure sponsorship for public transport; and work with private hire firms to ensure availability of licensed taxis. Local authorities must also work to extend park and ride schemes and consider provision of late-opening, secure car park facilities as a short-term measure.

### ***Legislation***

108. Local authorities should think about using by-laws in areas with particular problems. Coventry, for example, banned street drinking after experiencing serious problems with late-

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<sup>150</sup> Q 83 [Andy Farrall, Chester City Council]

night revellers one Christmas. The initial trial ban was so successful that the by-law became permanent.<sup>151</sup>

109. Local authorities can also use planning/licensing conditions to encourage registration and training of licensees and door-staff; and membership of pubwatch schemes or similar. In Wrexham, licensed premises are encouraged to sign up to a Nightsafe Initiative. Licensees promise that premises will be well-ventilated, provide access to free, unrestricted drinking water, fit CCTV and ensure door-staff are registered with the Borough Council. The significance of the scheme has been recognised by local licensing magistrates who now require licensees not participating in the scheme to provide an explanation on renewal of their licence.<sup>152</sup> **Local authorities should not be afraid to take a pro-active approach to the management of the evening and late-night economies. We recommend local authorities use the planning and licensing systems to encourage licensed premises to take a responsible attitude to the evening and late-night economies.**

### **Densities of Licensed Premises**

110. Generation an urban renaissance the key is dependent upon creation of a *mixed-use* area. The key therefore is controlling the mix; no one type of use must dominate. Elsewhere in the world cities often have far stronger controls than we have over the number of licensed premises that can operate in a given area. In New York one cannot get a licence to open a bar within 500 feet of an existing bar; in Paris it is 250 feet, with an additional cap on the number of premises in any one *arrondissement*. Berlin and New York also require different licences, with stricter conditions, for premises over 75 people.<sup>153</sup> Local authorities need to be able to use legislation to protect the character and mix of areas. **We recommend local authorities conduct studies to ascertain the number of different premises an area can sustain, whilst retaining its character and remaining true to the concept of a mixed-use area. Planning policy can then be used to prevent excess.**

### **Training of Inspectors**

111. Several submissions highlight the frustration residents feel when planning or licensing decisions are made without the assessor/inspector visiting the area at an appropriate time:

“[...] the planning inspector quite often does not even bother to visit the premises late at night when the problems are caused. Even in public relations terms, even if it does not change somebody’s judgement, the fact that somebody has been prepared to come out at half-past midnight or two o’clock in the morning or whenever it is, and see what the

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<sup>151</sup> Ev 45 [the Local Government Association]

<sup>152</sup> Ev 44 [the Local Government Association]

<sup>153</sup> Q 6 [Councillor Simon Milton, Leader of Westminster City Council]

problems are, I think reassures people that actually they have gone through the due diligence thing.”<sup>154</sup>

**112. If premises are inspected in the context of a planning or licensing application, inspectors should visit the premises at a time that engenders a genuine understanding of the application.**

### **Street Urination**

113. Street urination is a highly unpleasant, but common side-effect of the late-night economy. Not only is the odour offensive, but there are also health and building corrosion problems—in addition to the clean-up costs. Westminster council have undertaken a number of trials in an attempt to combat this problem:

“In July 2001 we undertook a five month trial of mobile street urinals across the West End on Friday and Saturday nights. The trial was highly successful and now 12 mobile units go out on to the streets of the West End every weekend. In addition to this the council commissioned the design, manufacture and installation of two fixed street urinals. The fixed urinals had to be specifically designed to fit the complex requirements and demands of the urban environment in Westminster. The fixed units have also been extremely successful in addressing what was a growing problem. We have also developed unique telescopic urinals that pop up for the street in the evening and then disappear during the day with minimal disturbance to the streetscape. [...]. Over 150,000 men have used the mobile units and over 83,000 men have used the fixed units since installation.”<sup>155</sup>

114. On our visit to the West End we saw the street urinals being used, and are convinced they offer a cost-effective method of tackling this problem. Residents’ groups reinforce this view “we feel this (installation of mobile urinals) would help enormously with the depressing and constant problem of householders having to clean up after late night revellers have used their front doors and walls for the purpose of urinating [...]”.<sup>156</sup> **Some local authorities have begun to install mobile urinals in selected areas at night; we recommend that other local authorities consider following suit.**

### **Contributions towards Increased Services**

115. Local authority services are frequently placed under considerable pressure by late-night activities. Lord Rooker suggested in evidence to the Sub-committee that “under the Planning Guidance they (the local authority) ought to be able to screw something out of the commercial

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<sup>154</sup> Q 192 [Matthew Bennett, Open All Hours]

<sup>155</sup> Ev 68 [Westminster City Council]

<sup>156</sup> Ev 56 [The Kingscliffe Society]

activities [...].<sup>157</sup> **We recommend that local authorities consider imposing a levy on private operators to meet the costs of providing increased service as a result of late-night activities.**

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<sup>157</sup> Q 307 [Lord Rooker, ODPM]

## 9 Conclusions and recommendations

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### Evening and Late Night Economies

1. Successful management of the evening and late night economies will require action plans and strategies that encompass both the planning and licensing regimes. (Paragraph 26)
2. We recommend that the Office of the Deputy Prime Minister require every local authority produce a strategy detailing how they intend to manage the evening and late-night economies and associated problems. Each strategy should be developed in conjunction with all relevant parties and should include baseline data regarding: number and concentration of licensed premises and late-night take-aways; environmental problems, including flyposting, rubbish and street urination; crime and disorder, including graffiti and vandalism; availability of public and private transport, including late night car parking facilities; closing times of public conveniences; policing resources; cleansing times and records of complaints, especially relating to noise. (Paragraph 29)

### Dissemination of Best Practice

3. We welcome the funding from the Office of the Deputy Prime Minister of a special grant programme for the Civic Trust to initiate six pilot studies into the evening and late-night economies to identify best practice. We recommend the findings of these pilots be taken account of in the Office of the Deputy Prime Minister's forthcoming review of Planning Policy Guidance 6. (Paragraph 30)

### Planning Legislation

4. We believe that if the activities of the evening and late-night economies were more dispersed through city centres, the perception of leisure areas as anti-social ghettos would be reduced and a wider customer base would be created. We therefore recommend that in its forthcoming review of Planning Policy Guidance 6, the Office of the Deputy Prime Minister promote the spreading of evening and late-night economy activity throughout town and city centres thereby encouraging genuine mixed-use areas, rather than its concentration in one or more zones. (Paragraph 36)
5. We recommend the Government reconsider its desire to deal with issues of cumulative effect exclusively through the planning system. We continue to be convinced that cumulative effect is best dealt with through the more flexible licensing system. (Paragraph 41)
6. We recommend that the Office of the Deputy Prime Minister place 'super-pubs' and night-clubs in a new, separate division of the 'D' class category; and consider using capacity as well as surface area to determine categorisation as a 'super-pub'. (Paragraph 42)

7. We recommend that the documentation accompanying the Government's forthcoming revision of the use classes orders, recognises and offers guidance, on the potential problems caused by late opening shops and take-aways. (Paragraph 43)
8. We recommend that the Government issue advice and guidance for planning authorities on how to use planning conditions, to ensure the interiors of premises are fit for the purpose they state in their planning application all of the time (Paragraph 44)
9. The local authority is technically responsible for the cleansing of the streetscape. We recommend that the Office of the Deputy Prime Minister introduce a requirement for areas immediately surrounding late-night premises to be cleansed and maintained by operators. (Paragraph 45)
10. We recommend that the Building Regulations and Noise Acts are reviewed in regard to the evening and late-night economies. We suggest there should be a requirement for premises to install sound delimiters or create sound locks in entrance halls which open onto the street. (Paragraph 48)
11. We recommend that the Office of the Deputy Prime Minister promote the pilot use of Business Improvement Districts in the management of the evening and late-night economies. (Paragraph 49)

### Transport Infrastructure

12. The Department of Transport should ensure police forces, local authorities, transport providers and evening and late-night economy operators work together to provide safe and secure late-night transport. (Paragraph 51)
13. We recommend that the Department of Transport make funds available specifically to establish late-night bus services. They should also produce guidance and advice on developing a late-night bus service, securing private interest in operating routes and seeking contributions from the leisure industry. (Paragraph 52)
14. To ensure a sufficient number of licensed drivers operate in the evening we recommend that local authorities consider introducing 'late-night licences' or night tariffs. (Paragraph 53)
15. We recommend that the Department of Transport work with enforcement authorities and take a much more proactive policy to reduce the number of unlicensed minicabs operating. We recommend a review of penalties for operating an unlicensed minicab to ensure they are a sufficient deterrent. We are concerned that there is insufficient publicity highlighting the dangers of illegal minicabs. We therefore recommend that the Department of Transport launch a high-profile media campaign equating the use of an unlicensed minicab with accepting a lift from a drunk driver. (Paragraph 54)

### Dealing with Anti-Social Behaviour

16. We recommend the Home Office place a statutory duty on local operators' to participate in Crime and Disorder Reduction Partnerships. (Paragraph 66)
17. We are pleased that the Government is providing tools for police authorities to clamp down on anti-social behaviour. We welcome measures such as fixed penalty fines, however the payment of fines must be enforced. (Paragraph 71)
18. We are concerned that extension of licensing hours under the Licensing Act 2003 could stretch police resources to an extent where anti-social behaviour tools will be ineffective. Further time-expansion of the evening economy will need to be monitored carefully. If it becomes apparent that current police resources are not sufficient to meet the expanded demands of the evening economy, the Government should consult with private operators to identify sources of extra funding, this may include the possibility of a 1% levy on the annual turnover of private operators. (Paragraph 72)

### Binge Drinking Culture

19. In their submission the Government highlight that a further expansion of the evening economy will "have cost implications for the health service". The Committee are concerned that this implication has not been fully explored in relation to the new Licensing Act. (Paragraph 74)
20. We look forward to the publication of the National Alcohol Harm Reduction Strategy. We recommend that the Department of Health use the strategy to launch a high-profile, multi-media campaign particularly aimed at youth which highlights the problems, of health and security, that can result from alcohol misuse. (Paragraph 78)

### Licensing Act 2003

21. We recommend that the Government conducts upper capacity impact pilots in city centres that have experienced the effects of cumulative impact. The pilots should develop a robust and defensible methodology for determining capacity limits; and identify methods of demonstrating the required 'direct causal connections' between capacity and crime and disorder. (Paragraph 89)
22. We reiterate that the Licensing Act 2003 places too much emphasis on residents to provide 'evidentiary' proof in order to lodge an objection to a licence. Providing such evidence is difficult and costly. Few residents, either individually or collectively will be able to provide the required evidence.<sup>158</sup> We repeat our recommendation that licensing authorities should be given powers to accept residents' sworn evidence of nuisance. (Paragraph 91)

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<sup>158</sup> Ev 114 [Headingley Network]

23. Enforcement authorities and police need better tools to tackle quickly the anti-social problems created by happy hours and similar drinks events. We therefore recommend powers for the local authority to enforce a ban on happy hours as part of the licence conditions. (Paragraph 95)
24. We recommend that transport operators should have the ability to give evidence when licensing applications are heard. (Paragraph 96)

### The Licensed Trade

25. Private operators should take as many steps as possible to educate their customers about the potential impact of their behaviour. We recommend that signage be used to stress to customers the need to leave premises quietly; telephones be provided, with direct links to private hire companies so customers can organise a route home before leaving the premises; up-to-date information regarding local public transport be displayed and free unrestricted access to drinking water. (Paragraph 97)
26. We recommend that the Department for Culture, Media and Sport, together with the licensed industry, develops better support networks which allow the dissemination of good practice. We also recommend that the industry be encouraged to establish codes of conduct. (Paragraph 98)
27. We recommend that the Department for Culture, Media and Sport works with the Department for Environment, Food and Rural Affairs and with the licensed industry to consider appropriate measures and incentives to increase recycling of glass bottles. (Paragraph 99)
28. The Department for Culture, Media and Sport must bring in legislation making participation of operators in partnerships aimed at reducing anti-social behaviour a licence condition. (Paragraph 100)

### Managing the Evening and Late-Night Economies

29. We recommend that local authorities develop action plans which encourage non-alcohol centred evening activities with wide demographic appeal, for example, late opening nights of shops, galleries and libraries. Local authorities should work in partnership with local businesses and the community to identify events which will have broad appeal to people of all ages. (Paragraph 105)
30. Local authorities should not be afraid to take a pro-active approach to the management of the evening and late-night economies. We recommend local authorities use the planning and licensing systems to encourage licensed premises to take a responsible attitude to the evening and late-night economies. (Paragraph 109)
31. We recommend local authorities conduct studies to ascertain the number of different premises an area can sustain, whilst retaining its character and remaining true to the

concept of a mixed-use area. Planning policy can then be used to prevent excess. (Paragraph 110)

32. If premises are inspected in the context of a planning or licensing application, inspectors should visit the premises at a time that engenders a genuine understanding of the application. (Paragraph 112)
33. Some local authorities have begun to install mobile urinals in selected areas at night; we recommend that other local authorities consider following suit. (Paragraph 114)
34. We recommend that local authorities consider imposing a levy on private operators to meet the costs of providing increased service as a result of late-night activities. (Paragraph 115)

## Glossary

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ASBO(s).....	Anti-social Behaviour Order(s)
BID(s).....	Business Improvement District(s)
CCTV.....	Closed Circuit Television
CSO(s).....	Community Support Officer(s)
DCMS.....	Department for Culture, Media and Sport
OPDM.....	Office of the Deputy Prime Minister
PPG(s).....	Planning Policy Guidance Note(s)

# Appendix 1: Urban Affairs Sub-committee night visit to the West End of London

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26 February 2003

## *Participants*

Mr Andrew F Bennett MP

Mr David Clelland MP

Dr John Pugh MP

Ms Christine Russell MP

Mr Gary Streeter MP

Helen Hayes (Specialist Adviser)

Marion Jones (Specialist Adviser)

Ms Kate Emms (Committee Clerk)

Miss Libby Preston (Sub-committee Clerk)

## **Charing Cross Police Station 10.30pm**

1. The Sub-committee was met at Charing Cross Police Station by Councillor Simon Milton, Leader of Westminster Council and Commander Chris Allison of the Metropolitan Police. The Sub-committee then observed a joint briefing between police and council officers where they discussed strategies and potential problems of the night ahead.

2. Councillor Milton explained that although they were expecting a quiet night, joint briefings between the local authority and the police were the key to the management of the evening and late-night economies. A joint approach had been instrumental in Westminster lowering its street crime rates.

3. Commander Allison told the Sub-committee that he had a total of 1541 police officers and 200 police community support officers to cover the whole of Westminster. For policing purposes Westminster was divided into five areas. The West End and Charing Cross area was the centre of evening economy activity.

4. Police policy was to strike a balance between pursuing crime, acting as a visible deterrent and providing a reassuring presence. Commander Allison was concerned that the new

licensing bill would mean licensed premises would close later and later, putting police resources under considerable strain.

5. The police had a dedicated team of night officers used to target evening and late-night anti-social behaviour. The difficulty was that there was no fixed community that would learn to behave better. The people engaging in the evening and late-night economies were transient, making high visibility policing vital. Although resource intensive, high visibility policing provided a deterrent and also encouraged immediate reporting of crime.

6. One of the main problems the police faced was dispersing people after licensed premises closed. Often people would seek food before beginning their journey home. Take-aways were often sites of violence and anti-social behaviour.

7. The police had developed a number of transport initiatives including the scanning of vehicles' number-plates in an attempt to crack down on unlicensed minicabs, and putting police officers on public transport. Fights in taxi queues had become an unwelcome but increasingly common phenomenon. Police presence was effective in reducing the number of fights but the underlying problem of how to effectively disperse people remained.

8. Commander Allison explained another key problem was the absence of police officers from the street after they had arrested somebody. He feared that the extension of licensing hours, under the new licensing bill and increasing numbers of licensed premises would lead to more anti-social behaviour, more arrests and ultimately fewer police officers on the streets.

### **Walkabout**

9. The Sub-committee were guided around the West End, where community support officers, police officers, and local authority employees pointed out the problems that had been discussed in the earlier briefing. In Leicester Square the Sub-committee met city guardians, cleansing operatives and CCTV van operators who answered questions about their roles in the management of the evening and late-night economies.

### **Gielgud Theatre, Shaftesbury Avenue, 11.15pm**

10. The Sub-committee was met by Mr Andre Ptaszynki, Chief Executive of the Really Useful Theatre Company, who own 13 theatres in the area. Mr Ptaszynki explained that the deterioration, of the environment and people's behaviour, in the areas around the theatre had impacted on theatre customers. Older people were more reluctant to go to the theatre in the evening because they perceived the area to be unsafe, partially because of large groups of young people patronising the nearby bars and clubs. The media had, in Mr Ptaszynki's view, unfairly created a climate of fear. The Gielgud had experimented with security staff to try and reassure their customers. They had also increased the lighting under the theatre entrance canopy for the same reason.

11. Environmentally the main problem was trade waste left out on the street for collection. The Sub-committee was told this was unsightly and an obstacle for pedestrians. Mr Ptaszynki

felt such images did not create a good impression for tourists. He was keen to tackle the problem but explained that the private sector felt overwhelmed by the number of authorities and agencies they had to consult with.

12. Mr Ptaszynki was hopeful that the new licensing laws would have a positive benefit on central London. He believed that if bars and clubs were open later in other areas, fewer people would feel the need to travel into central London for a night out.

### **Soho, 11.45pm**

13. The Sub-committee was accompanied from the theatre to Brewer Street by Glen Suarez and David Bieda of the Soho Society. Mr Bieda explained that over 6000 people lived in half a square mile around Soho, including a very strong Chinese community, some of whom did not speak English.

14. Mr Suarez explained that for those living in Soho the key problem in the evening and late at night was noise. Unlike other problems, noise could not be shut out once people were in their homes. The Soho Society wanted stricter building regulations to reduce the noise carried into people's homes. They accepted that transient noise was difficult to manage but believed it would be reduced if there were stricter controls on the number of premises allowed to operate in an area. They commented that it was difficult for chain operators to control the volume of music because it was programmed by a central head office.

15. The Soho Society was concerned about the new Licensing Bill. They were worried that concerns of residents and residents' groups would be ignored under the new system.

### **Meeting Residents**

16. Members of the Sub-committee then met Mrs Melchiori and Mrs Soares who live in flats on Brewer Street to discuss their concerns.

### **CCTV Control Room, Trocadero Complex, 12.15am**

17. The Sub-committee was told that CCTV was an effective tool for managing the evening economy. Westminster's £1.2 million CCTV centre monitors over fixed 500 cameras around the West End. These are augmented by mobile CCTV vans. The cameras are positioned in crowded areas and crime hotspots'. Each camera can tilt and rotate 360 degrees. The images captured are digitally recorded and can be used as evidence in court. At all times three camera operators' monitor the images produced.

18. The Sub-committee was told that the cameras help local stakeholders, such as the council, police and city guardians, work together to monitor activity at peak times and respond quickly to problems. The Sub-committee was shown how the cameras were used to monitor the streets. They were told that the CCTV system relies on support from a charitable fund and the private sector, who donate 65% of the centre's running costs.

## Formal minutes

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**Monday 14 July 2003**

Members present:

Mrs Christine Russell, in the Chair

Mr Andrew Bennett

Mr Chris Mole

Mr Clive Betts

Mr Bill O'Brien

Mr David Clelland

Dr John Pugh

Mr John Cummings

Mr Gary Streeter

The Sub-committee deliberated.

Draft Report (The Evening Economy and the Urban Renaissance), proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 115 read and agreed to.

Summary agreed to.

Appendix agreed to.

*Resolved*, That the Report be the Fourth Report of the Sub-committee to the Committee – (*The Chairman.*)

*Ordered*, That the Chairman do make the Report to the Committee.

[The Sub-committee adjourned.]

**Monday 14 July 2003**

Members present:

Mr Andrew Bennett, in the Chair

Mr Clive Betts

Mr Bill O'Brien

Mr David Clelland

Dr John Pugh

Mr John Cummings

Mrs Christine Russell

Mr Chris Mole

Mr Gary Streeter

The Committee deliberated.

Report (The Evening Economy and the Urban Renaissance), proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 115 read and agreed to.

*Resolved*, That the Report be the Twelfth Report of the Committee to the House – (The Chairman.)

*Ordered*, That the Chairman do make the Report to the House.

*Ordered*, That the Appendices to the Minutes of Evidence taken before the Sub-committee be reported to the House.

Several memoranda were ordered to be reported to the House.

*Ordered*, That the provisions of Standing Order No. 134 (Select committee (reports)) be applied to the Report.

[The Committee adjourned.]

## Witnesses

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### Monday 10 February 2003

Page

**Councillor Jane Roberts**, Camden Council, **Mr Alex Bax**, Greater London Assembly and **Councillor Simon Milton**, Westminster Council Ev 1

**Mr Keith Howcroft**, Director of Planning and Communications, Greater Manchester Passenger Transport Executive, **Dr Lesley Jeffries**, Chairman, Headingley Residents' Network, **Pauline de Silva**, Leeds City Centre Manager and **Councillor Jim Battle**, Manchester City Council Ev 7

**Mr Andy Farrall**, Strategic Director, Regeneration and Development, Chester City Council, **Mr Peter Bingham**, Chairman, The Chester Civic Trust, **Mr Stephen Osborn**, Planning Policy Manager, Norwich City Council and **Mr Gavin Hudson**, Duty Entertainments Manager, Waterfront (University of East Anglia Student Union Services) Ev 13

### Monday 3 March 2003

**Ms Brigid Simmons**, Business in Sport and Leisure Limited, **Mr Tim Martin**, J D Wetherspoon, **Mr Rob Hayward**, The British Beer and Pub Association Ev 19

**Mr Matthew Bennett**, Open All Hours? Campaign, and **Mr Paul Davies**, The Civic Trust Ev 25

**Mr Frank Whiteley**, Deputy Chief Constable, Northamptonshire Police and **Mr Andrew Trotter**, Deputy Assistant Commissioner, Metropolitan Police Ev 30

### Monday 10 March 2003

**Mr Andrew McNeill**, Director, the Institute of Alcohol Studies, and **Mr Eric Appleby**, Chief Executive, Alcohol Concern Ev 37

**Rt Hon John Denham**, a Member of the House, Minister of State for Crime Reduction, Policing, Community Safety and Young People, Home Office Ev 41

**Dr Kim Howells**, a Member of the House, Parliamentary Under-Secretary of State (Minister for Tourism, Film and Broadcasting), Department for Culture, Media and Sport Ev 41

**Rt Hon Lord Rooker**, a Member of the House of Lords, Minister of State, Housing and Planning, Office of the Deputy Prime Minister Ev 41

**Rt Hon John Spellar**, a Member of the House, Minister of State, Department  
for Transport

Ev 41

## List of written evidence

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Memoranda EVE 01 to EVE 46 were published on 10 February 2003 in HC 396-II

J D Wetherspoon (EVE 47)	Ev 54
Confederation of Passenger Transport (CPT) (EVE 48)	Ev 57
Institute of Alcohol Studies (EVE 49)	Ev 59
Bar Entertainment and Dance Association (BEDA) (EVE 50)	Ev 64
Alcohol Concern (EVE 51)	Ev 66
Supplementary Memorandum by the Meard and Dean Street Residents Association (EVE 27(f))	Ev 68
Supplementary Memorandum by the Meard and Dean Street Residents Association (EVE 27(g))	Ev 70
Supplementary Memorandum by Camden Council (EVE 25(f))	Ev 71
Supplementary Memorandum by Westminster Council (EVE 26(a))	Ev 73

## List of unprinted written evidence

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Additional papers have been received from the following and have not been reported to the House but to save printing costs they have not been printed and copies have been placed in the House of Commons library where they may be inspected by Members. Other copies are in the Record Office, House of Lords and are available to the public for inspection. Requests for inspection should be addressed to the Record Office, House of Lords, London SW1. (Tel. 020 7219 3074) hours of inspection are from 9:30am to 5:00pm on Mondays to Fridays.

Home Office (EVE 52)

## Reports from the ODPM Committee since 2002

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The following reports have been produced by the Committee since the start of the 2002 Parliament. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

### Session 2002–03

First Report	Local Government Finance: Formula Grant Distribution	HC 164 (CM 5753)
Second Report	Annual Report to the Liaison Committee	HC 288
Third Report	Affordable Housing	HC 77 (CM 3783)
Fourth Report	Planning, Competitiveness and Productivity	HC 114 (CM 5809)
Fifth Report	Departmental Annual Report and Estimates	HC 78 (CM 5841)
Sixth Report	The Evening Economy and the Urban Renaissance: Interim Report [Responding to issue in the Licensing Bill]	HC 541 (HC 750)
Seventh Report	The Effectiveness of Government Regeneration Initiatives	HC 76-I (CM 5865)
Eighth Report	Planning for Sustainable Communities: Sustainable Communities in the South East	HC 77-I (CM 5895)
Ninth Report	Reducing Regional Disparities in Prosperity	HC 492-I
Tenth Report	The Draft Housing Bill	HC 751-I
Eleventh Report	Living Places: Cleaner, Safer, Greener	HC 673-I
Twelfth Report	The Evening Economy and the Urban Renaissance	HC 396-I