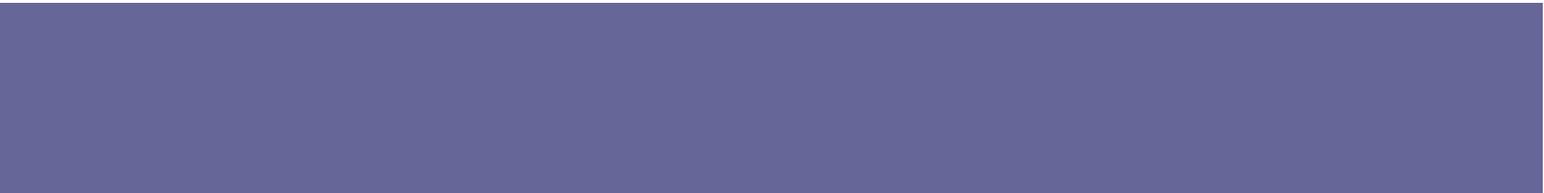


Policing the Night-Time Economy

March 2016



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Role of the Police and Crime Committee

The Police and Crime Committee examines the work of the Mayor's Office for Policing and Crime (MOPAC) and reviews the Police and Crime Plan for London. The Committee can also investigate anything that it considers to be of importance to policing and crime reduction in Greater London and make recommendations for improvements.

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Chair's foreword



From a night out at the cinema, to a family meal, or drinks with friends, the Night-Time Economy (NTE) plays an important part in city life and the vibrant cultural offer of London. Across London different local night spots in such places as Islington, Romford, Southwark and of course Soho and its surroundings create jobs, social networks, and give people a wide choice as to how they spend their free time.

The introduction of 24-hour alcohol licensing in 2005 enabled premises to stay open later and for longer. Some pubs and bars keep serving until 2am, some clubs stay on until 6am and some pubs now offer breakfasts for hungry revellers. Coupled with the expansion of the night bus network, and the soon to be introduced Night Tube, London is well on its way to becoming a truly 24-hour city.

The Mayor is committed to growing the NTE. But with this commitment comes a distinct policing challenge. Our report finds a correlation between the NTE, crime, and alcohol. While crime rates, broadly, are down across the capital, violent crime is rising. Data suggests that the areas with the most night-time violence with injury offences tend to be those with a strong NTE.

There are some indications that policing the NTE is putting increasing demands on the Met: as opening hours have extended, policing has seen a 'pushback' in demand later into the night. Officers report that they have had to change their shift patterns in order to better police the clubs and bars, and are regularly retained on duty at the end of shifts to deal with scuffles and disorder.

But policing the NTE is a shared responsibility. All partners, including licensing authorities and licensed premises need to contribute their fair share to tackling crime related to alcohol consumption. Our report looks at ways we can better measure the cost of policing the NTE and how this, in turn, could help us shape licensing arrangements to better serve London's needs.

I would like to thank all those who gave evidence in order to assist our investigation.

A handwritten signature in black ink, reading 'J. McCartney'.

Joanne McCartney AM
Chair of the Police and Crime Committee

Executive summary

The Night-Time Economy (NTE) is a crucial part of London's offer to both residents and visitors. Pubs and clubs, cinemas and theatres, and cafés and restaurants operating in the NTE all provide entertainment, jobs, and growth for the capital. In addition it contributes to the creation of new social networks, and plays an important part in city life and the vibrant cultural offer of London. The Mayor is committed to growing the NTE, and recently proposed the creation of a "Night Mayor" for London to ensure that night-time activity can thrive.¹

The introduction of 24-hour alcohol licensing over a decade ago changed the way the NTE operates. This helped to diversify the NTE and gave individuals more choice. It also began to bring London's NTE into line with its European counterparts. This evolution, coupled with future changes like the introduction of the Night Tube, means London is very nearly a 24-hour city. But as the 24-hour city becomes a reality, what are the consequences for policing?

The Night-Time Economy, crime, and alcohol

Based on the available data, there does appear to be a correlation between the NTE, crime and alcohol. Alcohol features in a higher proportion of crimes in London that occur at night than during the day. Many of these are concentrated in areas with a strong NTE.

There also appears to be a link between alcohol and violent crimes. In 2013-14 in London, there were significantly more arrests for violence against the person offences that were linked to alcohol, than for other offences. The areas with the most violence with injury (VWI) offences committed at night tend to be those with a strong NTE.²

Assessments of the link between alcohol and crime, however, rely on subjective data. This has led some to criticise the statistics used to determine levels of 'alcohol-related' crime as unreliable and inconsistent. One of the reasons for this reliance on subjective data, and for inconsistency, is because there is no agreed definition of 'alcohol-related' or 'alcohol-fuelled' crime. This may be addressed in the near future, as the Home Office is exploring whether a definition of alcohol-fuelled violence, and a national 'flag' to be used in crime recording, should be introduced. **MOPAC should lobby the Home Office for the introduction of a national definition of 'alcohol-related' crime.**

Policing the Night-Time Economy

There is some evidence, from overtime levels, surveys of police officers and the change to shift patterns, that policing the NTE is demanding more of the Met at a time of financial retrenchment. Traditionally, demand on the police in the NTE was linked to pub closing time. Following the introduction of 24-hour licensing, there has been a 'pushback' of demand, meaning that the police are in demand for a longer period, later into the night.

This has created some logistical problems. Met officers report that they have had to change their shift patterns in recent years in order to better police the NTE, and are regularly retained on duty at the end of shifts.³ The Met has adapted to this change with no additional resource. The types of crime occurring in the NTE, particularly violent crime and anti-social behaviour, take up a significant proportion of policing resource. This could result in resources having to be taken from elsewhere, and there is the potential for other parts of the service to suffer as a result.

The Mayor has stated that he wants to grow the NTE, and the introduction of the Night Tube is seen as important to this aim. Its introduction could further affect demand on policing the NTE. The current assessment of the impact of the Night Tube on crime and disorder is unclear, and the Met does recognise that it will be difficult to be precise until it occurs.⁴

A recent report on the future of policing in London noted that the Met struggles to fully understand the demand for its service, but that understanding demand is fundamental to improving effective response.⁵ We recommend that the Met takes stock of the demand that the NTE is placing on it. This, coupled with better quality incident data, will help it to model ways to ensure it is policed most effectively. **As part of the Met and MOPAC's ongoing assessments of police demand and the development of the Local Policing Model, it should review the demand that the NTE places, and will place in the future, on borough-based policing.**

A balanced and fair approach to the Night-Time Economy

The Met has to manage much of the disorder and violence that stems from public drunkenness. But who else has responsibility for minimising crime and disorder in the NTE, and where should the money for it come from?

Licensing is a mechanism to help minimise crime and disorder in the NTE. Local authorities and the Met have generally found licensing provisions helpful. But there is a call for better use of licensing arrangements and greater knowledge about what works. **MOPAC may have a greater role to play here, and it should explore how it can act as a conduit for sharing good practice amongst licensing authorities and licensed premises.**

Premises in the NTE accept that they have some responsibility for minimising crime and disorder in a local area. However, they often feel that they are wrongly held responsible for the behaviour of customers. This has resulted in a tension between premises, the police, and licensing authorities.

Some commentators suggest that more funding should be contributed by premises to tackle crime. The Late Night Levy (LNL) is one way that this could be achieved. There is, however, concern that the LNL is untargeted and damaging to night-time economies, and that the blanket application of the levy across a borough would be unhelpful. There is a question as to whether measures such as this could deliver a fairer and more balanced approach to the NTE. This should be examined further by the new Mayor. **MOPAC should examine whether changes to licensing arrangements in London could alleviate any identified pressure on policing.**

1. Introduction

- 1.1 The Night-Time Economy (NTE) is a crucial part of London’s offer to both residents and visitors. Pubs and clubs, cinemas and theatres, and cafés and restaurants operating in the NTE all provide entertainment, jobs, and growth for the capital. In addition to the jobs it creates, it contributes to the creation of new social networks, and plays an important part in city life and the vibrant cultural offer of London.⁶
- 1.2 The introduction of 24-hour licensing over a decade ago changed the way the NTE operates. It gave different types of businesses the chance to open longer, and in some cases serve alcohol for longer. This helped to diversify the NTE and gave individuals more choice. It also began to bring London’s NTE into line with its European counterparts. This evolution, coupled with future changes like the introduction of the Night Tube, means London is very nearly a 24-hour city.
- 1.3 But as the 24-hour city becomes a reality, what are the consequences for policing? The Mayor is committed to growing the NTE, and recently proposed the creation of a “Night Mayor” for London to “ensure that night-time activity can thrive.”⁷ At the same time, the Mayor’s Office for Policing and Crime (MOPAC) claims that there is a disproportionate level of crime in London because of the number of NTE spots, and that the Metropolitan Police (the Met) “has to manage much of the disorder and violence that stems from public drunkenness.”⁸ If this is the case, then these differing policy priorities—growing the NTE, and reducing crime and disorder—need to be carefully balanced. There is clearly a need for good coordination on these differing objectives.
- 1.4 Our investigation looked at crime in the NTE, and the way the Met polices it. We wanted to establish how the Met’s approach has changed with the introduction of 24-hour licensing, and the extent to which crime linked to alcohol consumption is placing additional pressure on policing resources. We also examined how the Met works with partners, such as local authorities and licensed premises, to reduce crime and disorder. We did not seek to examine issues related to alcohol consumption itself, such as problem drinking or alcohol abuse.

2. The Night-Time Economy, crime, and alcohol

Key issues

Based on the available data, there appears to be a correlation between the NTE, crime and alcohol. Alcohol features in a higher proportion of crimes in London that occur at night than during the day. Many of these are concentrated in areas with a strong NTE.

There also appears to be a link between alcohol and serious violent crimes. In 2013-14 in London, there were significantly more arrests for violence against the person offences linked to alcohol than for other offences. The areas with the most night-time violence with injury offences tend to be those with a strong NTE.

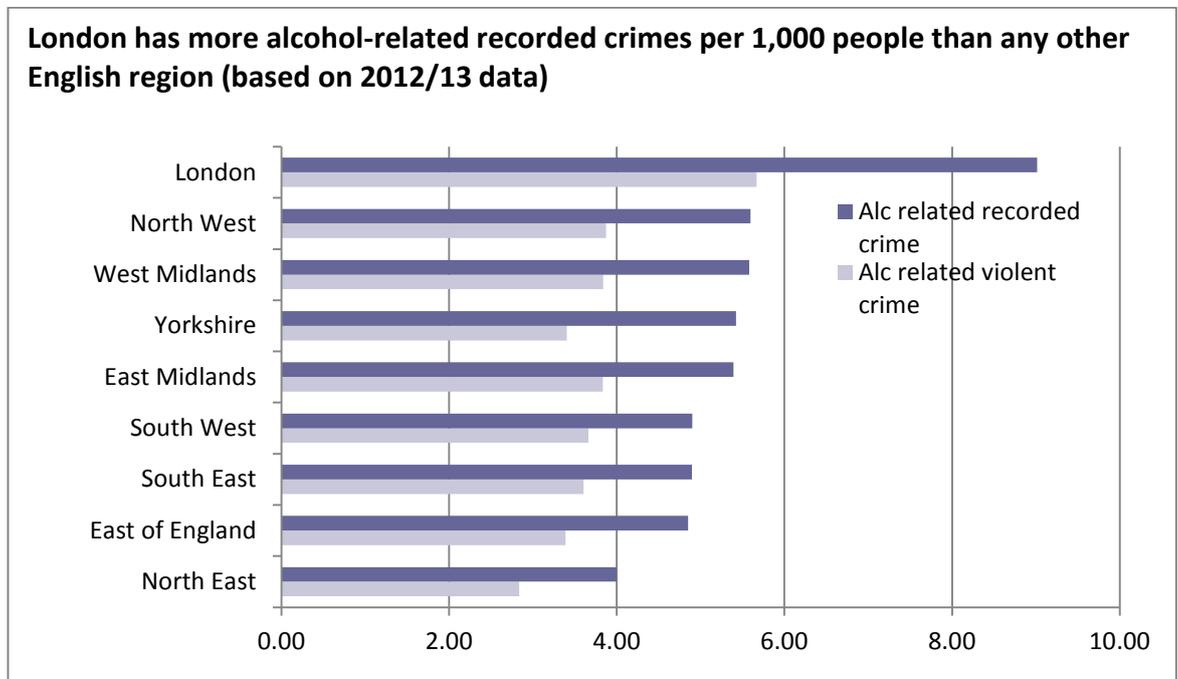
Assessments of the link between alcohol and crime, however, rely on subjective data. This has led some to criticise the statistics used to determine levels of 'alcohol-related' crime as unreliable and inconsistent. One of the reasons for this reliance on subjective data, and for inconsistency, is because there is no agreed definition of alcohol-related or alcohol-fuelled crime.

- 2.1 Alcohol is often associated with a wide range of offences. These include violent crime, sexual offences, domestic violence, criminal damage, theft, and anti-social behaviour (ASB).⁹ However, the link between alcohol and crime in the NTE is subject to debate.

How closely linked is the NTE, crime, and alcohol?

- 2.2 Based on the available data, there does appear to be a correlation between the NTE, crime, and alcohol. We heard from the Met that it estimated that "about 27 per cent of all calls to police have an alcohol factor behind them" and that officers suggest alcohol is a feature in around half of the incidents they deal with.¹⁰ The Institute of Alcohol Studies (IAS), which provides information on alcohol-related research and policy issues, estimates that up to 80 per cent of weekend arrests are alcohol-related.¹¹
- 2.3 There also appears to be a correlation between the NTE, crime and alcohol in London. Until recently, Public Health England collected information on crimes that were considered 'alcohol-related'. It found that, in 2012-13, London experienced higher numbers of these types of crimes than any other English region.¹² Nine of the ten areas ranked worst for alcohol-related crime in that

year were in London, and the majority of those were inner London boroughs with strong NTEs, such as Westminster and Islington.¹³



Source: Public Health England, Local Alcohol Profiles for England, 2012-13

2.4 Around a quarter of all Total Notifiable Offences in London occur at night.¹⁴ A higher proportion of these are marked as alcohol-related than those during the day. In 2014-15 almost ten per cent of all offences that occurred at night were flagged as being linked to alcohol, compared with just over two per cent of all daytime offences. The figures for previous years are similar.¹⁵ The Met suggests that relatively high level of crime at night, considered against the type of facilities available at that time, could suggest a link to licensed premises, the NTE, and alcohol.

What types of crime occur in the NTE?

2.5 The types of crime associated with the NTE and alcohol range from low level to serious. The Met says that, in terms of the volume of crimes, alcohol is more of a contributing factor in low level disorder and ASB than in other crimes.¹⁶ We heard from the public about their concerns in relation to alcohol consumption, much of which related to what we would consider ASB: problems of noise, fouling of streets and properties, and intimidation.¹⁷

2.6 Businesses in the NTE take a slightly different perspective on the NTE and crime. The Night Time Industries Association (NTIA), a membership organisation that promotes the contribution of the night-time industry in the UK, suggests that “crime spikes” in the NTE are often related to low level

incidents and in some cases are not crimes. Its Chairman suggested to us that one of the biggest contributors to crime rates in the NTE is mobile phones being lost and reported stolen for insurance.¹⁸

2.7 However, it is crimes such as violence against the person that are most referred to in the debate about the NTE and alcohol. While the greatest call on police time in relation to alcohol and disorder is linked to ASB, we heard that alcohol is disproportionately represented in violent offences.¹⁹ Violent crime is rising in London. In the year to January 2016, there were around 73,000 violence with injury offences in London: a six per cent increase on the previous year.²⁰ Dealing with these violent crimes is costly. Home Office data suggests that, based on 2003 prices, each serious wounding costs the criminal justice system over £14,000, with just under £6,000 of that in police activity. This is in comparison with crimes such as burglary, which costs the police around £500 and theft, which costs around £200.²¹

2.8 In 2013-14, victims of violent crime in England and Wales perceived the offender(s) to be under the influence of alcohol in just over half of incidents. This amounts to an estimated 704,000 'alcohol-related' violent incidents.²² The Crime Survey for England and Wales (CSEW) asks victims of violent crime—such as wounding, robbery and assault with or without injury—whether they believed the offender was under the influence of alcohol or drugs. It found that:

- in 2012-13 and 2013-14 combined, 70 per cent of violent incidents occurring **at the weekend** were perceived as linked to alcohol;
- 70 per cent of violent incidents taking place in public space locations (street, pub or club, or public transport) were deemed alcohol-related by the victim;
- the level of alcohol-related violent incidents increased as the day progressed, from 23 per cent between noon and 6pm; to 52 per cent between 6pm and 10pm; and 83 per cent between 10pm and midnight; and
- alcohol-related violent incidents most commonly involved strangers, followed by acquaintances and incidents of domestic violence.²³

2.9 In London, the picture is similar. In 2013-14, there were significantly more arrests for violence against the person offences linked to alcohol than for other offences.²⁴ In the same year, nearly two-thirds of all alcohol-related assault with injury cases in London occurred between 10pm and 6am.²⁵

2.10 The areas with the most night-time violence with injury (VWI) offences tend to be those with a strong NTE.²⁶ MOPAC has concluded, therefore, that “the

consumption of alcohol may play a part in the level of offences recorded in these areas during night-time hours.”²⁷ MOPAC says it has identified a link between the NTE, violent crime, and alcohol in talks with several boroughs. It undertook a “deep dive” analysis with four of the five boroughs where VWI occurs most, to understand why the increases are taking place. It concluded that the “majority of these offences were non domestic” and that one of the common drivers for VWI across them was “instances that are clearly linked to the Late Night Economy between 00:00 – 03:00 on a Saturday and Sunday morning” and around transport hubs, particularly hubs near a town centre.²⁸ The Mayor has said that increases in VWI in London are in part due to an increase in drunkenness in town centres and that “there are particular areas or particular hotspots which are contributing very considerably to the pan-London figures.”²⁹

Reliability of data about crime and alcohol

- 2.11 The data available on alcohol and crime comes from a range of sources. The CSEW asks victims of violent crime whether they believed the offender was under the influence of alcohol. The Met gathers data through the Crime Report Information System (CRIS): officers place a ‘flag’ against a crime on the system if alcohol is an issue for either the victim or the offender, or if the incident is in a licensed premises. This kind of information helps to give a broad understanding of the links between the NTE, crime and alcohol.
- 2.12 Data is also collected from hospitals. The Mayor committed in his manifesto to improve data sharing between hospitals and the police to understand and cut the levels of violent incidents in the city.³¹ Known as the “Cardiff Model”, this involves gathering data from the London Ambulance Service and A&E departments “to inform and develop crime reduction responses”, while maintaining patient confidentiality.³² Not all A&E departments, however, have signed up to this model, which results in gaps in the data.³³ MOPAC is working with hospitals and NHS England to sign up the remaining trusts, but progress has been slow.
- 2.13 These data, however, rely on a subjective judgement. The CSEW is based on victim perception, and Met data is based on an arresting officer deciding to flag alcohol against the incident on the CRIS. This has led some to criticise the statistics used to determine levels of ‘alcohol-related’ crime as unreliable and inconsistent. We found that there is evidence of unreliability in the Met’s data. For example, it recently examined three boroughs and a month of crime data, focused on licensed premises. It found that “about 50 per cent of crimes on those premises were associated because the victim or suspect had consumed alcohol. Of those, about half had a flag on them.”³⁴ This could

If somebody has had three pints and they commit a crime, is that alcohol-fuelled violence? If they have had two and commit a crime, is it alcohol-fuelled violence?
- Commander Simon Letchford, Metropolitan Police.³⁰

indicate a level of under-recording in the Met's data. MOPAC itself has said that "it is not possible to accurately monitor alcohol-related crime."³⁵

- 2.14 The main reason for this reliance on subjective judgements, and thus for the resulting inconsistency, is because there is no agreed definition of alcohol-related or alcohol-fuelled crime. We heard that while "there is no category in English Law for alcohol-related or 'fuelled' crime" it has "become increasingly popular for police and licensing officers to continually use these terms."³⁶ This may be addressed in the near future as the Home Office is exploring whether a definition of alcohol-fuelled violence, and a national 'flag' to be used in crime recording, should be introduced.

Recommendation 1

MOPAC should lobby the Home Office for the introduction of a national definition of 'alcohol-related' crime.

Recommendation 2

NHS England should press for the sharing of information between London hospitals and the Met, as part of the "Cardiff Model", to be a mandatory requirement, to help inform crime reduction responses.

3. Policing the Night-Time Economy

Key issues

The NTE has developed and diversified over the past decade, particularly with the introduction of 24-hour licensing. Traditionally, demand on the police in the NTE was linked to pub closing time. 24-hour licensing created a “pushback of demand”, meaning that the police are in demand for a longer period, later into the night.

This has created some logistical problems. Met officers report that they have had to change their shift patterns in recent years in order to better police the NTE, and are regularly retained on duty at the end of shifts. This, in turn, has implications for the Met’s resources.

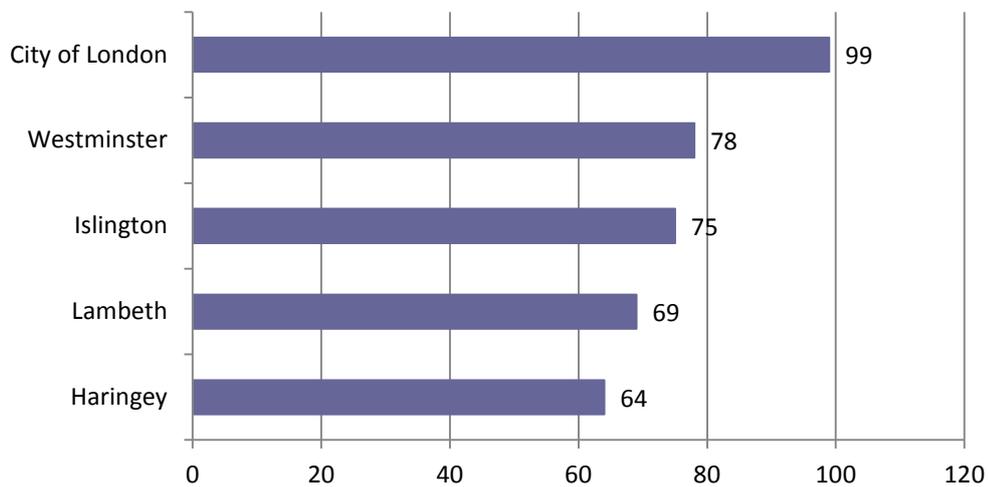
The introduction of the Night Tube could further affect demand. The current assessment of the impact of the Night Tube on crime and disorder is unclear, and the Met recognises that it will be difficult to be precise until it occurs.

The changing nature of London’s NTE

- 3.1 London’s NTE has grown and diversified over the past decade. One of the reasons for this is the introduction of 24-hour licensing. The Licensing Act 2003 introduced, among other things, more flexibility in pub, restaurant, bar and nightclub opening times, with the option to serve alcohol over a longer period. 24-hour licensing also applies to the ‘off-trade’: retailers that sell alcohol for consumption away from the place selling it, such as off-licences and supermarkets.
- 3.2 In 2013-14, around 1,100 premises held a 24-hour licence in London.³⁷ Almost 40 per cent of these were in five boroughs. We heard that holding a 24-hour licence does not mean that a premises will necessarily open for that length of time, and in reality, most premises have chosen to open for only a few hours longer. In some cases, premises were using the opportunity to open earlier, rather than later. Daisy Blench, Policy Manager at the British Beer and Pub Association, said that:

“the hours that many pubs are open are not substantially longer but that little extra bit of trade is sometimes extremely important in keeping the business viable overall. Often they are not opening later at night but they might be opening for breakfast, [...] for a lot of pubs the flexibility in licensing hours has been absolutely crucial to adapting to changing consumer habits and being able to maintain their place in local economies.”³⁸

There were almost 1,100 premises with 24-hour licences in London in 2013/14 - forty per cent are in five boroughs.



Source: [London Datastore](#)

We have not seen the impact that some people feared, in terms of Armageddon and alcohol-fuelled activity specifically.
- Chief Constable Paul Crowther, Metropolitan Police.³⁹

- 3.3 Many predicted that 24-hour licensing would result in “higher rates of alcohol consumption [and] more binge-drinking.”⁴⁰ These predictions have not been borne out. Overall, crime has fallen across England and Wales and, in addition, overall levels of alcohol consumption are reducing. The Institute of Economic Affairs notes that between 2005 and 2013, per capita alcohol consumption declined by 17 per cent: the “largest reductions in drinking rates since the 1930s”.⁴¹
- 3.4 What 24-hour licensing did do was enable people to drink more at home before going out at a later time. Known as ‘pre-loading’, we were told this is a concern. We heard that “it does not seem that people spend any more time or money out on a Friday or Saturday night and they go out for four, five or six hours, whatever they did before. They do not spend any more money; they just do it later because there is that window to drink at home first.”⁴² It was suggested that although pre-loading is nothing new it might be more of an issue for London because of the lower price of alcohol in shops, against higher pub prices, than other parts of the country.⁴³ This could mean that people are entering the NTE, particularly at the weekend, having already consumed large amounts of alcohol.

Implications for policing the NTE

- 3.5 Traditionally, demand on the police in the NTE was closely linked to pub closing time. This resulted in a large amount of people congregating in a

single space at the same time. There was demand not only in and around pubs, but places such as food outlets and taxi ranks.⁴⁴

- 3.6 24-hour licensing created a “pushback of demand” for policing.⁴⁵ Jon Foster, Senior Research and Policy Officer at the Institute of Alcohol Studies, told us that “while the volume of crime [overall] they deal with has gone down, it is spread out over a much longer period of time.”⁴⁶ The change can be seen in the data. Broadly, there has been a rise in violent crime between 3am and 6am “but this has been offset by a larger decline at the old closing time (11pm-midnight and 2am to 3am)”.⁴⁷
- 3.7 This has created logistical problems for the Met. We heard from Commander Simon Letchford that in some cases, clubs are opening in the early hours of the morning “to capture the people who have been out in the evening [...] it does create a policing demand for us that we are not necessarily used to.”⁴⁸ In a recent survey of Met officers by the IAS, 53 per cent reported that they have had to change their shift patterns in recent years in order to better police the NTE. Sixteen per cent of respondents reported being regularly retained on duty at the end of shifts working in the NTE.⁴⁹ This could have implications for the financial burden placed on the Met.⁵⁰
- 3.8 It has also had an impact on the visibility of the Met. The Mayor set out in his Police and Crime Plan that he wanted to increase the visibility and availability of police officers through the Local Policing Model.⁵¹ Some residents told us, however, that they felt the NTE had affected this visibility. Lambeth Safer Neighbourhood Panel Chairs, for example, say that “the hotspot areas of the NTE have drawn police and other emergency services in from across the Borough reducing the impact of neighbourhood policing cover in many other wards.”⁵² The pressure on custody suites at night and at weekends also has the potential to take officers off the street. In the recent IAS survey, two-thirds of Met officers said that custody capacity was a problem either every shift or very frequently (this was above the national average of 53 per cent).⁵³ This means an officer often has to remain with someone who is arrested until a custody space becomes available when they could be out policing the streets.
- 3.9 In respect of officers themselves, policing the NTE may present an issue in terms of safety. The IAS found in its survey of Met officers that two-thirds of respondents reported having been injured at least once while policing the NTE, and one in five were injured five times or more.⁵⁴

Future challenges for policing the NTE

- 3.10 The Met has adapted its operational activity in response to a changing NTE. Forthcoming changes might have a further impact. We explored in particular the impact that the Night Tube—due to be introduced at weekends on certain lines—might have on policing the NTE.
- 3.11 The current assessment of the impact of the Night Tube on crime and disorder is unclear. The Met suggests that “the Night Tube will have no detrimental effect on offending or victimisation levels, and evidence exists to suggest that additional transport capacity may reduce crime through an increase in safe and reliable egress options for workers and consumers alike.”⁵⁵ However, it does recognise, that it “will be difficult to be precise until it occurs.”⁵⁶
- 3.12 Conversely, TfL’s internal risk assessment suggests that sexual offences and other crimes are likely to increase when the Night Tube is introduced.⁵⁷ It predicts a rise in anti-social behaviour and the potential for increased unlawful activity by taxi touts and unlicensed taxis at the end of Night Tube lines.⁵⁸ With MOPAC’s “deep dive” analysis finding a concentration of VWI offences around transport hubs, there is potential for police resources to be required more around these hubs when the Night Tube is introduced.⁵⁹
- 3.13 It is not yet clear how premises in the NTE itself will respond to the opportunity presented by the Night Tube. We heard from the Night Time Industries Association (NTIA) that it would like to encourage the use of 24-hour licences to capitalise on the opportunity that the Night Tube provides, and “engage with the concept of a 24-hour city”.⁶⁰

Conclusion

- 3.14 There is some evidence, from surveys of police officers and the change to shift patterns, that policing the NTE is demanding more of the Met at a time of financial retrenchment. Following the introduction of 24-hour licensing, the Met has found that it is in demand for a longer period throughout the night. It has adapted to this change with no additional resource. The types of crime occurring in the NTE, particularly violent crime and ASB, take up a significant proportion of policing resource and this could result in resources having to be taken from elsewhere: meaning the potential for other parts of the service to suffer may increase.
- 3.15 A recent report on the future of policing in London noted that the Met struggles to fully understand the demand for its service, but that “understanding demand is fundamental to improving effective response”.⁶¹

We recommend that the Met takes stock of the demand that the NTE is placing on it. This, coupled with better quality incident data, will help it to model ways to ensure it is policed most effectively.

Recommendation 3

As part of the Met and MOPAC's ongoing assessments of police demand and the development of the Local Policing Model, it should review the demand that the NTE places, and will place in the future, on borough-based policing.

4. A balanced and fair approach to the Night-Time Economy

Key issues

The Met has to manage much of the disorder and violence that stems from public drunkenness. But who else has responsibility for minimising crime and disorder in the NTE, and where should the money for it come from?

Licensing is a mechanism to help minimise crime and disorder in the NTE. Local authorities and the Met have generally found licensing provisions helpful. But there is a call for better use of licensing arrangements and greater knowledge about what works. MOPAC may have a greater role to play here.

Premises in the NTE accept that they have some responsibility for minimising crime and disorder in a local area. However, premises in the NTE often feel that they are wrongly held responsible for the behaviour of others. This has resulted in a tension between premises, the police, and licensing authorities.

Some commentators suggest more funding should be contributed by premises to tackle crime. The Late Night Levy (LNL) is one way that this could be achieved. There is, however, concern that the LNL is untargeted and damaging to night-time economies, and that the blanket application of the levy across a borough would be unhelpful. There is a question as to whether licensing arrangements such as this could deliver a fairer and balanced approach to the NTE. This should be examined further by the new Mayor.

- 4.1 The Met “has to manage much of the disorder and violence that stems from public drunkenness.”⁶² But who else has responsibility for minimising crime and disorder in the NTE, and where should the money for this come from? In our examination of these questions, we looked at the use of licensing arrangements in London, including how partners use them to tackle crime, and how the approach to licensing helps to achieve a balance between growing the NTE, protecting the public, and minimising the costs to the police and other emergency services.

The responsibility of local authorities: implementing the Licensing Act 2003

- 4.2 Alcohol licensing in England and Wales is governed by the 2003 Licensing Act (the Act). The Act introduced a range of measures in addition to 24-hour licensing, including the introduction of four licensing objectives: the prevention of crime and disorder; public safety; prevention of public nuisance; and protection of children from harm. Licensing authorities—each

local authority in the borough—must have due regard to these when making decisions about whether or not to grant a licence. Each has, therefore, significant responsibility for minimising crime and disorder in the NTE.

- 4.3 A licensing authority has a range of measures at its disposal to deliver on its responsibilities. In granting licences, it may, for example, apply a number of conditions to premises, which need to be consistently met in order to retain a licence. It can also prevent areas from having a large number of particular premises through a cumulative impact policy (CIP). This establishes a specific area as having a ‘saturation’ of licensed premises, and assumes licences which are likely to add to the existing cumulative impact will normally be refused or subject to limitations.⁶³ This tool has been described as “very good for place-shaping and for changing what premises you get [in an area].”⁶⁴
- 4.4 Local authorities and the Met have generally found licensing provisions helpful in carrying out their responsibilities. Janice Hart, Service Director for Public Protection at the London Borough of Islington, for example, said that “it does give you a lot more of an ability to take a strategic look at your borough and what is happening there.”⁶⁵ The Met perceives licensing powers to be a useful tool in tackling crime and disorder and encouraging partnership working, but “it is very much based on an administrative type of process, which we do not necessarily have the time for.”⁶⁶ It is looking at how it can better organise itself in respect of licensing, by standardising the number of licensing officers in areas, and having a single (police) licensing approach for London.
- 4.5 Premises in the NTE, however, argue that that licensing powers are being applied in a heavy-handed way. This, they say, is damaging the NTE, and therefore not achieving a good balance. The Chairman of the NTIA told us that over regulation, through the imposition of licensing conditions (in some cases over 100 conditions for one licence), may create a climate that dissuades people from coming into the NTE and changes the culture of ‘going out’. He suggested to us that individuals are already beginning to choose to visit NTEs in European cities, such as Berlin, rather than London.⁶⁷ The NTIA suggests that, over time there could be a negative impact on the growth of the NTE. It told us:

“if the continued pressure around licensing and policing on venues is amplified further around false notions of alcohol and crime being ‘out of control’ or a ‘burden on our resources’ when in fact it has all decreased significantly, then the 50 per cent decline of music venues that we have seen over the last 10 years will accelerate – and there may not be very many places that can afford to take the risk of even opening.”⁶⁸

- 4.6 There is a call for better use of licensing arrangements, and greater knowledge about what works in order to achieve a fair, balanced approach to the NTE. Islington, for example, suggested that “it is not the [Licensing] Act that is the problem; it is how it is used. In a lot of boroughs there is a lot of energy put into why you cannot do things instead of why you can do things. It does drive you to work in a different way.”⁶⁹ Jon Foster suggested to us that more could be done “in encouraging best practice around case law and what you can and you cannot do, and addressing some of the misconceptions around the Act.”⁷⁰
- 4.7 MOPAC may have a greater role to play here. The Mayor committed to developing a strategic licensing function to support local authorities and other partner services with data from relevant agencies.⁷¹ The intended outcome is better identification of problem premises and hotspot areas to help local authorities, the police and other partners to identify and address problem premises. MOPAC says that it has delivered on this commitment by the introduction of analysis dashboards for local authorities, which map the key hotspots of disorder linked to the NTE.⁷² It was suggested by Janice Hart that MOPAC should continue to support this kind of research and evaluation work, but could do more to pull together “what is happening in all the different places and look to see what the real impacts have been.”⁷³ **MOPAC should explore how it can act as a conduit for sharing good practice among licensing authorities and licensed premises, for example by establishing a working group to bring key stakeholders together.**

The responsibility of premises in the NTE

- 4.8 Premises in the NTE accept that they have some responsibility for minimising crime and disorder in a local area. They implement a variety of methods to prevent crime and disorder including, for example, searches on entry, taking a zero tolerance policy to issues such as drugs, and in some cases breathalysing patrons on entry. Many premises work in partnership through a range of schemes, such as Pubwatch, Best Bar None, and Banned From One, Banned From All, which help to address local issues. Commander Simon Letchford said, for example, that through schemes such as the Banned From One, Banned From All and Best Bar None schemes in Romford, violent crime had “dropped fairly significantly”.⁷⁴
- 4.9 However, premises in the NTE often feel that they are held directly responsible for the behaviour of their customers. The vast majority of premises in the NTE want to be safe and responsible in the way that they run their business. But the NTIA told us that “night clubs are blamed for incidents which they have no evidential connection to, merely because they happened

to be the venue in which the perpetrator had a drink.”⁷⁵ It went on to highlight:

“whenever there is some kind of human activity and congregation, whether that be around shopping centres (theft, muggings, petty crime) or sports stadiums, there will be incidents. However, unlike bank robberies, jewel heists, or deaths on our motorways and roads, nobody is demanding (quite rightly) those activities be closed down, reviewed or curbed.”⁷⁶

- 4.10 This can result in a tension between premises, the police, and licensing authorities. The trade is sometimes fearful of the repercussions of engaging with the police and licensing authorities. We heard that if a licensed premises reports a crime, it can sometimes result in its own licence being reviewed or revoked. This experience in some cases has led to a poor relationship between licensed premises and the police. The NTIA told us that there are some good examples of partnership working, for example in Lambeth, but these are closely linked to the personalities involved, such as the borough commanders, rather than being the norm. We heard that premises want to move towards a “genuine partnership”.⁷⁷ MOPAC should explore how it can enable this genuine partnership to happen across the capital.

Who should pay for tackling crime and disorder?

- 4.11 If, as is suggested, there has been an increase in the costs of policing the NTE, then there is a question about whether this should be shared more equitably by the Met and the firms in the NTE hotspot areas. Premises in the NTE already provide funding through a range of methods, such as licence fees, and contributions to Business Improvement Districts. Some, however, suggest more should be contributed.
- 4.12 The Late Night Levy (LNL), introduced in the Police Reform and Social Responsibility Act 2011, is one way that this could be achieved. This enables licensing authorities to raise a contribution towards policing the NTE from holders of premises licences. Licensing authorities can choose whether or not to use it and it must cover the whole of the borough (but it is entitled to exclude certain premises from the scope of the levy and determine the hours during which the levy applies).
- 4.13 To date only one borough, Islington, implements the LNL, with several others currently consulting on its introduction. Home Office guidance on the LNL states that the revenue raised by the levy is to be shared between the licensing authority and the police. The police should receive at least 70 per cent of the net levy revenue, and the licensing authority can retain up to 30

per cent to fund services to manage the NTE.⁷⁸ MOPAC, however, says that it allows the licensing authorities to retain its 70 per cent share to “support the fight against crime and disorder which is associated with the Late Night Economy”.⁷⁹

- 4.14 There is criticism from the trade that the LNL is “untargeted and damaging to late-night economies”, which would “result in a negative effect on growth and jobs in the affected area.”⁸⁰ Daisy Blench, Policy Manager at the British Beer and Pub Association, told us that “our concern is always that it is not targeted. It does include everyone in that local authority area regardless of whether they contribute to the problems.”⁸¹ The NTIA told us that the LNL amounts to another tax on premises, and questioned whether the money raised by a LNL would match the costs of policing and preventing crime and disorder.
- 4.15 The Met also agree that the blanket application of the levy is unhelpful. Commander Simon Letchford said he would “like to see that refined more into the local area rather than a whole borough so that it could be far more targeted. Clarity of the split of any revenue that that raises would be helpful, as to who gets the money.”⁸²
- 4.16 This raises the question of how licensing powers can best be applied in London, to better suit the nature of London’s NTE and ensure that any cost implications for premises are fair. It was suggested to us that the setting of licence fees; determining additional licensing objectives; and the power to apply the LNL to specific areas instead of whole boroughs, might all usefully be considered.⁸³ The new Mayor should lead that discussion.

Recommendation 4

Subsequent to MOPAC’s review of the demand that the NTE places, and will place in the future, on borough-based policing, it should examine whether changes to licensing arrangements in London could alleviate any identified pressure on policing. This might, for example, include implementing the Late Night Levy in a way that better suits London’s NTE, or retaining part of the levy for policing.

Appendix 1 – Recommendations

Recommendation 1

MOPAC should lobby the Home Office for the introduction of a national definition of ‘alcohol-related’ crime.

Recommendation 2

NHS England should press for the sharing of information between London hospitals and the Met, as part of the “Cardiff Model”, to be a mandatory requirement, to help inform crime reduction responses.

Recommendation 3

As part of the Met and MOPAC’s ongoing assessments of police demand and the development of the Local Policing Model, it should review the demand that the NTE places, and will place in the future, on borough-based policing.

Recommendation 4

Subsequent to MOPAC’s review of the demand that the NTE places, and will place in the future, on borough-based policing, it should examine whether changes to licensing arrangements in London could alleviate any identified pressure on policing. This might, for example, include implementing the Late Night Levy in a way that better suits London’s NTE, or retaining part of the levy for policing.

Appendix 2 – Views and information

On 12 November 2015, the Police and Crime Committee agreed to undertake an investigation into the effect of alcohol on crime and policing in London. The investigation's terms of reference were:

- to examine how alcohol-fuelled crime and anti-social behaviour affects the demand placed on policing in London;
- to examine the role of the Mayor, MOPAC, the Met and other partners in helping to reduce alcohol-fuelled crime and anti-social behaviour in London; and
- to examine what more the Mayor, MOPAC, the Met and other partners could do to reduce alcohol-fuelled crime and anti-social behaviour in London.

Public meetings

The Committee held two public evidence sessions to collect evidence to inform its investigation.

On 3 December 2015, it heard evidence from:

- Jon Foster, Senior Research and Policy Officer, Institute of Alcohol Studies.
- Christopher Snowden, Director of Lifestyle Economics, Institute of Economic Affairs.
- Janice Hart, Service Director - Public Protection, London Borough of Islington.
- Sergeant Kevin Blenkinsopp, Policing lead for the Night-Time Economy, London Borough of Islington.
- Commander Simon Letchford, Metropolitan Police.
- Daisy Blench, Policy Manager - Alcohol Policy and Responsibility, British Beer & Pub Association.

On 14 January 2016, it heard evidence from:

- Samantha Cunningham, Head of Service Integrated Offender Management, Programmes and Neighbourhoods, MOPAC.
- Graeme Gordon, Interim Director of Services and Commissioning, MOPAC.
- Philip Clifford, Policy Manager, London Councils.

Transcripts of these meetings are available at <http://www.london.gov.uk/mayor-assembly/london-assembly>

Other meetings

The Committee met with the Night Time Industries Association to hear about

the trade's efforts to prevent crime and to assess how licensed premises in the Night-Time Economy work with police and other partners to tackle crime and disorder.

Submissions

The Committee received a number of written submissions from individuals and organisations during the course of its investigation. Submissions are available to view at <https://www.london.gov.uk/about-us/london-assembly/london-assembly-publications>

Appendix 3 – Endnotes

- ¹ The Mayor of London, [London's grassroots music venues plan](#), October 2015
- ² MOPAC Challenge, [Substance misuse](#), June 2014, slide 10
- ³ Written submission from the Institute of Alcohol Studies
- ⁴ Meeting of the London Assembly (Plenary), 3 June 2015, [page 26](#)
- ⁵ Royal Society of Arts, [Safer Together: Policing a global city in 2020](#), October 2015, page 11
- ⁶ GLA Economics, [Alcohol consumption in the night-time economy](#), Working Paper 55, September 2012, page 2
- ⁷ The Mayor of London, [London's grassroots music venues plan](#), October 2015
- ⁸ MOPAC website, [Sobriety tagging](#)
- ⁹ Christopher Snowden, [Alcohol and the Public Purse: Do drinkers pay their way?](#), August 2015, page 12
- ¹⁰ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 1](#)
- ¹¹ Institute of Alcohol Studies, [Alcohol's impact on emergency services](#), October 2015, page 11
- ¹² Public Health England, [Local Alcohol Profiles for England 2012/13](#)
- ¹³ Westminster, City of London, Lambeth, Islington, Hackney, Newham, Southwark, Tower Hamlets, Barking and Dagenham. Measurement is crude based on per 1000 population and does not account for transient population.
- ¹⁴ Total Notifiable Offences is a count of all offences which are statutorily notifiable to the Home Office. "Day Time" offences are those that take place in a 16 hr period between 06:00 and 21:59 and "Night Time" offences cover an 8 hr period covering 22:00 to 05:59. See Metropolitan Police, Total Notifiable Offences by Day and Night Time Economy featuring Alcohol between April 2004 and January 2016 & Anti-Social Behaviour CAD Incidents by Night Time Economy between April 2007 and January 2016 across the MPS by Borough, March 2016.
- ¹⁵ Metropolitan Police, Total Notifiable Offences by Day and Night Time Economy featuring Alcohol between April 2004 and January 2016 & Anti-Social Behaviour CAD Incidents by Night Time Economy between April 2007 and January 2016 across the MPS by Borough, March 2016.
- ¹⁶ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 12](#)
- ¹⁷ See for example the written submissions from Nick Biskinis and Bexley Borough Neighbourhood Watch.
- ¹⁸ Written submission from the Night Time Industries Association, page 9
- ¹⁹ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 12](#)
- ²⁰ MOPAC, [Monthly report to the Police and Crime Committee](#), 25 February 2016, page 5
- ²¹ Costs based on 2003 prices. See Home Office, [The economic and social costs of crime against individuals and households 2003/04](#), Online report 30/05, page 8
- ²² Crime Survey for England and Wales, [5 facts about alcohol-related violence](#), February 2015
- ²³ Crime Survey for England and Wales, [5 facts about alcohol-related violence](#), February 2015
- ²⁴ MOPAC Challenge, [Substance misuse](#), June 2014, slide 10
- ²⁵ Metropolitan Police, A count of notifiable Violence Against the Person offences marked with an alcohol-related feature code committed in the MPS during day time (0600-2159 hrs) and night time (2200-0559 hrs) between the period 01/04/2013 to 31/03/2015, in response to Mayor's Question [2015/1846](#); and Metropolitan Police, Total Notifiable Offences by Day and Night Time Economy featuring Alcohol between April 2004 and January 2016 & Anti-

Social Behaviour CAD Incidents by Night Time Economy between April 2007 and January 2016 across the MPS by Borough, March 2016.

²⁶ This includes, for example, Westminster, Croydon, Lambeth, Kingston and Hackney. See MOPAC Challenge, [Substance misuse](#), June 2014, slide 7

²⁷ MOPAC Challenge, [Substance misuse](#), June 2014, slide 7

²⁸ See supplementary written submission from MOPAC (ALC01a)

²⁹ Mayor's Question Time, Reducing violence in London, [Question 2014/3074 \(Oral\)](#)

³⁰ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 1](#)

³¹ Boris Johnson Manifesto, [Fighting Crime in London](#)

³² Caroline Pidgeon AM, [To the point: An investigation into London's knife crime problem](#), November 2015

³³ Meeting of the police and crime committee, 14 January 2016, [page 20](#)

³⁴ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 1](#)

³⁵ Written submission from MOPAC

³⁶ Written submission from the Night Time Industries Association.

³⁷ London Datastore, [Number of Premises Licences and Club Premises Certificates](#), December 2014

³⁸ Daisy Blench, meeting of the Police and Crime Committee, 3 December 2015, [page 22](#)

³⁹ Meeting of the Police and Crime Committee, 12 November 2015, [page 38](#)

⁴⁰ Christopher Snowden, [Drinking fast and slow, Ten years of the Licensing Act](#), May 2015, page 6

⁴¹ Christopher Snowden, [Drinking fast and slow, Ten years of the Licensing Act](#), May 2015, page 6

⁴² Jon Foster, Meeting of the Police and Crime Committee, 3 December 2015, [page 9](#)

⁴³ Christopher Snowden, Meeting of the Police and Crime Committee, 3 December 2015, [page 29](#)

⁴⁴ GLA Economics, Working Paper 55, [Alcohol consumption in the Night-Time Economy](#), September 2012, page 4

⁴⁵ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 10](#)

⁴⁶ Meeting of the Police and Crime Committee, 3 December 2016, [page 10](#)

⁴⁷ Written submission from the Night time Industries Association

⁴⁸ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 10](#)

⁴⁹ Written submission from the Institute of Alcohol Studies

⁵⁰ MOPAC reported in February 2016 that police officer overtime had £7.1 million overspend. See MOPAC, [Monthly report to the Police and Crime Committee](#), 25 February 2016, page 7

⁵¹ Mayor of London, [Police and Crime Plan 2013-16](#), March 2013, page 22

⁵² Written submission from Lambeth Safer Neighbourhood Panel Chairs

⁵³ Written submission from the Institute for Alcohol Studies

⁵⁴ Written submission from the Institute for Alcohol Studies

⁵⁵ Written submission from the Metropolitan Police to the Police and Crime Committee's investigation into crime on public transport

⁵⁶ Meeting of the London Assembly (Plenary), 3 June 2015, [page 26](#)

⁵⁷ The Times, [Night Tube, a 'honeypot for criminals'](#), 25 January 2016

⁵⁸ The Times, [Night Tube, a 'honeypot for criminals'](#), 25 January 2016

⁵⁹ Supplementary written submission from MOPAC (ALC01a)

⁶⁰ Meeting with the Night Time Industries Association, 4 February 2016

⁶¹ Royal Society of Arts, [Safer Together: Policing a global city in 2020](#), October 2015, page 11

- ⁶² MOPAC website, [Sobriety tagging](#)
- ⁶³ House of Commons Library, [Alcohol: cumulative impact policies](#), Briefing no 07269, July 2015
- ⁶⁴ Jon Foster, meeting of the Police and Crime Committee, 3 December 2015, [page 21](#)
- ⁶⁵ Jan Hart, meeting of the Police and Crime Committee, 3 December 2015, [page 29](#)
- ⁶⁶ Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 5](#)
- ⁶⁷ Meeting with the Night Time Industries Association, 4 February 2016
- ⁶⁸ Written submission from the Night Time Industries Association
- ⁶⁹ Jan Hart, meeting of the Police and Crime Committee, 3 December 2015, [page 30](#)
- ⁷⁰ Jon Foster, meeting of the Police and Crime Committee, 3 December 2015, [page 34](#)
- ⁷¹ Mayor of London, [Police and Crime Plan 2013-2016](#), March 2013, page 50
- ⁷² Written submission from MOPAC
- ⁷³ Meeting of the Police and Crime Committee, 3 December 2015, [page 36](#)
- ⁷⁴ Meeting of the Police and Crime Committee, 3 December 2015, [page 26](#)
- ⁷⁵ Written submission from the Night Time Industries Association
- ⁷⁶ Written submission from the Night Time Industries Association
- ⁷⁷ Meeting with the Night Time Industries Association, 4 February 2016
- ⁷⁸ Home Office, [Amended guidance on the late night levy](#), 24 March 2015
- ⁷⁹ Written submission from MOPAC
- ⁸⁰ British Beer and Pub Association website, [EMROs/Late Night Levy](#)
- ⁸¹ Daisy Blench, meeting of the Police and Crime Committee, 3 December 2015, [page 30](#)
- ⁸² Commander Simon Letchford, meeting of the Police and Crime Committee, 3 December 2015, [page 35](#)
- ⁸³ See, for example, comments from Philip Clifford, meeting of the Police and Crime Committee, 14 January 2016, [page 27](#)

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Vietnamese

Nếu ông (bà) muốn nội dung văn bản này được dịch sang
tiếng Việt, xin vui lòng liên hệ với chúng tôi bằng điện
thoại, thư hoặc thư điện tử theo địa chỉ ở trên.

Greek

*Εάν επιθυμείτε περίληψη αυτού του κειμένου στην γλώσσα
σας, παρακαλώ καλέστε τον αριθμό ή επικοινωνήστε μαζί
μας στην ανωτέρω ταχυδρομική ή την ηλεκτρονική διεύθυνση.*

Turkish

Bu belgenin kendi dilinize çevrilmiş bir özetini
okumak isterseniz, lütfen yukarıdaki telefon
numarasını arayın, veya posta ya da e-posta
adresini aracılarıyla bizimle temasa geçin.

Punjabi

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸੰਖੇਪ ਅਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਲੈਣਾ
ਚਾਹੋ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੰਬਰ 'ਤੇ ਫ਼ੋਨ ਕਰੋ ਜਾਂ
ਉਪਰ ਦਿੱਤੇ ਡਾਕ ਜਾਂ ਈਮੇਲ ਪਤੇ 'ਤੇ ਸਾਨੂੰ ਸੰਪਰਕ ਕਰੋ।

Hindi

यदि आपको इस दस्तावेज़ का सारांश अपनी भाषा में
चाहिए तो उपर दिये हुए नंबर पर फोन करें या उपर दिये
गये डाक पते या ई मेल पते पर हम से संपर्क करें।

Bengali

আপনি যদি এই দস্তাবেজের একটা সারাংশ নিজের ভাষায় পেতে চান,
তাহলে দয়া করে ফোন করবেন অথবা উল্লেখিত ডাক ঠিকানায় বা
ই-মেইল ঠিকানায় আমাদের সাথে যোগাযোগ করবেন।

Urdu

اگر آپ کو اس دستاویز کا خلاصہ اپنی زبان میں
درکار ہو تو، براہ کرم نمبر پر فون کریں
یا مذکورہ بالا ڈاک کے پتے یا ای میل
پتے پر ہم سے رابطہ کریں۔

Arabic

الحصول على ملخص لهذا المستند بلغتك،
فارجاء الاتصال بمرقم الهاتف أو الاتصال على
العنوان البريدي العادي أو عنوان البريد
الإلكتروني أعلاه.

Gujarati

જો તમારે આ દસ્તાવેજનો સાર તમારી ભાષામાં
જોઈતો હોય તો ઉપર આપેલ નંબર પર ફોન કરો
અથવા ઉપર આપેલ ટપાલ અથવા ઇ-મેઇલ સરનામા
પર અમારો સંપર્ક કરો.

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