

Appendix 3

Review of licensing policy and Police findings

Ma'am, Sir

Please find attached Statistical information prepared by our analysts, Appendix A and B. The request was to collate figures before and after the introduction of the first revised and adopted, statement of licensing policy, made by NWLDC in November 2005. There is a comparison of figures for recorded crime in areas of violent crime such as assaults and public order and criminal damage. Appendix A is the statistical data which supports the Final results in Appendix B. These are recognised crimes associated with alcohol fuelled, night time economy offences. We have been unable to collate accurate data for Anti social behaviour, due to changes in recording systems over the years. We have also attempted to separate cases of drunk and disorderly, but it has not been possible to separate this data.

In addition to police data, we have worked closely with Ashby Town Council. They have in turn carried out a valuable local engagement exercise. The results are attached and supported by the Town council. At a licensing committee meeting on September 2nd the committee formally agreed to support the continuation of the cumulative impact policy.

I would draw your attention to what I consider to be the key findings of both reports and would ask that you submit and endorse this report to the NWLDC, by the end of the Consultation period.

The NWLDC have adopted a number of special policies over the years. The first statement of policy was created in January 2005 and as stated, revised to reflect the adoption of a special policy in Ashby in November 2005. This has been used as the bench mark period to record data 3 yrs before and thereafter to show changes in relevant crime.

A third statement was made in January 2008 and was further amended in the same month, giving a fourth statement. This continued until a 5th policy document was completed in January 2011. This is due to run for 3 years or until review. This is now subject of consultation ahead of review.

The groupings of offences by the analyst, shows low level public order offences under the heading of assaults. The remaining public order category, contains the more serious public order offences such as affray and violent disorder.

The first thing to note is the dramatic rise in assaults in Market street Ashby, prior to November 2005 when the first policy was implemented. Total assaults steadily rose from 2002 at 56 assaults peaking by November 2005 at 87. This peak represented 33.1% of all assaults in Ashby. This period was known as the **Wild West years**. During this period, Ashby Town centre had a very poor reputation for its night time economy.

Thereafter you will note a steady decrease in assaults year on year, with one blip November 2010 to 2011. But again this continued to then decline to November 2011-2012 with a low of 44 assaults. This latest figure represents a cut of nearly 50% on the assaults just prior to implementation of the first policy.

Assaults in Market street have steadily reduced as a percentage of all assaults in Ashby. Up to November 2010 they had reduced to 25.1 % compared to 33.1 % in November 2005. Again the blip yr end 2011 has increased the average figure. But without this, there is a clear benefit shown in the implementation of the policy.

The criminal damage figures do not give any clear conclusions.

The more serious incidents of public order have also decreased. The numbers are thankfully low. But when we compare the 9 incidents up to November 2005 to 3 up to November 2012, we can again see the benefits of joined up working. I would emphasise these are the more serious incidents of public order, such as Affray and Violent disorder; generally involving large groups of people fighting in the street.

The policy has allowed for a tight focus on all licensing issues in Ashby. Licensing Sergeants working with NWLDC, have been able to review licensed premises over the years, supported by the policy and tailor policing accordingly.

There have been many examples of good practice. In recent times we have worked with night clubs to improve safety and cut violent crime. Simple examples include measures to introduce plastic glasses, to reduce incidents of grievous bodily harm by glassing.

The policy has also been instrumental in challenging night club opening hours and keeping the resultant public nuisance to residents to a minimum. This has come about from pegging back closing times.

All members of the pub watch scheme are familiar with the policy and an improving relationship with all premises, allows for early dialogue; ahead of applications for changes in premises licenses and the like.

A joined approach with NWLDC has helped to develop the existing pub watch scheme and strengthen it.

On the same theme, police and council officers work together when dealing with breaches of policy. We adopt a tiered approach, to ensure a proportionate response to poor licensing control. This approach has led to a number of action plans to help and support licensees, rather than prosecute. But where blatant breaches have occurred, prosecutions have resulted.

The NWLDC policy has helped guide police and NWLDC staff to work together with licensees, to ensure a vibrant Night time economy and at the same time include residents living in the area, when decisions have been made.

Residents have contributed to giving evidence at challenges to hours, where extensions have been sought by clubs.

Resident groups have been involved when TENS have been challenged.

The policy has helped police, when considering new applications and variations to licenses. This has resulted in agreements being made with businesses, to ensure they are able to run their businesses effectively, but not to the detriment of those living and

working in the area. Often this has occurred without the need to go to hearing. The existence of the policy has aided these mediations.

I would also bring your attention to the Ashby Town council survey. This again came about as a result of the existence of the policy. Over 400 survey forms were submitted to local residents and businesses in Market street and surrounding area. 49 forms were returned.

Of note is that nearly 40% of respondents saw the closing times of night clubs from 3am to 2.30am as beneficial. This came about as a direct result of police challenging extensions at the two main clubs. The policy was sighted in this process and local residents have acknowledged the benefit of this closing time.

The associated noise and disruption attributed to the night clubs closing, was also a key point identified by local people.

The economic value of the night time economy was acknowledged. The policy does not seek to negatively impact on businesses and it is widely understood that far from having a negative impact, a good quality mix of businesses should ensure a thriving night time economy. If crime is falling, more will feel safe and wish to come to Ashby.

Comments were also made in relation to closing times of public houses and the effects of fast food outlets.

In relation to fast food outlets, we have been able to oversee SIA door staff where required and ensure they are present. We have also worked with licensing staff at NWLDC to enforce regulations. In addition we have opposed successfully, later openings of some fast food outlets. This has been key, in preventing congregations of crowds after closing of clubs. This in turn has reduced incidents of violence. Again the policy has been sighted in hearings to assist these successes. In addition the policy has focussed owners, to tidy up at closing and dispose of rubbish. Clubs also proactively encourage their customers away and towards taxi ranks promptly at closing. This is all done to demonstrate their willingness to work with police and under the principles of the policy.

My position is that the figures demonstrate that although crime has fallen steadily, it was very high in Market street. It is still a relatively high proportion of all similar crime in Ashby and needs control. The crime is clearly seen to be mainly in the evenings as the report shows.

The frequency and seriousness of crimes has reduced also, as good working relationships have improved environments for customers. The policy has aided this process.

The Ashby special policy does allow proportionate scrutiny in Market Street and has assisted in the reductions identified. However it may quickly escalate if there were a free for all, of new premises and total relaxation of hours etc for existing premises. Police resource do have to be considered and those already stretched, would be put under further pressure. This would inevitably lead to response pressures across the LPU.

The use of the no alcohol zone has been proportionately policed. This was introduced December 2007, under the criminal justice and Police act 2001. Areas are designated as attached order.

Where special events have been held in Market street, discretion has been used and where enforcement has been required, it has been implemented. This has helped to keep Market street free of alcohol and the associated bottles etc. This does not come under the cumulative impact policy, but shows we use various tactics and not just the policy in isolation.

Likewise the use of powers such as s27 dispersal notices are used proportionately.

We do not seek to prevent further diverse development of the night time economy. A case in point was demonstrated when we agreed a change to license of a deli, that wished to sell limited wines with table meals during the day.

We do generally feel there is no need for further vertical drinking bars.

But we and the council would not be constrained in reviewing every application on its own merit, by the continuation of the cumulative impact Zone.

We have been asked by the council to consider a change to the policy, where cafes/restaurants/cinemas and theatres aswell as hotels may be exempted. The police position is that we would need clarity on the description of businesses, in order to exempt them. We would have concerns that it would be impossible to distinguish between descriptions of businesses for example, how we would distinguish between a fast food outlet and its potential activities as a café.

How would we distinguish between a hotel and its potential activities as a night club or public house? This blurring of the policy would in our view have a negative impact and lead to potentially spurious applications; by businesses that the policy had no intention of encouraging. Our view is that exempting businesses from the policy is not required, as we do review every application on its own merit, considering the policy objectives.

If council decide to add exemptions, we would ask that the closing times for such businesses be 8pm. As seen from appendix B and the diagrams provided, the incidents of assaults start to rise from this time of night.

We would also require very clear guidance on the premises exempted and how they would be described.

We have considered the area covered by the Saturation Zone as still relevant. It encompasses all of the relevant premises and areas of disorder. We would ask that the area be increased to include the Shoulder of Mutton Public house, on Kilwardby street, junction Derby road and Bath street. This premises is likely to have a major impact on the drinking habits of local people and abuts the zone. To prevent any ambiguity we would ask the boundary be re drawn to include it.

When you put all the tactics together with the existing policy, there is a good working process. This is delivering year on year reductions in violent crime. I do not seek to expand the current policy except as described above.

Submitted for your attention.

Mark Watson

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