



To: West Central Area Committee
Report by: Lynda Kilkelly, Safer Communities Manager
Relevant scrutiny committee: WEST CENTRAL AREA COMMITTEE 24/02/2011
Wards affected: West Central Area

Alcohol related anti-social behaviour associated with the night-time economy in the City Centre

1. Executive Summary

At the West/Central Area Committee in January 2011 members of the public raised a number of questions regarding alcohol related anti-social behaviour associated with the night-time economy in the City Centre. Councillors requested a written report to cover work being done/planned by the police and Community Safety Partnership to address these issues and also the contribution of the City Council to controlling the impact of the night-time economy.

This report aims to provide an overview of the range of strategies and interventions in place to address the issues and details some planned action for the future.

2. Recommendations

That member's consider the contents of the report and support the proposed actions by the police and other partner organisations.

3. Background

Current Picture

Violent crime in the City has seen a decrease of 8% for October to December 2010 when compared with the same period for 2009/10. However, Market Ward has seen a slight increase when comparing the same period, with 204 incidents in 2010 compared with 202 in 2009. If the current pattern of improvement continues it is expected that the Community Safety Partnership target will be met, i.e. to reduce assault with less serious

injury in the City by March 2011 When compared to 2008/09 baseline (885 recorded crimes).

Anti-social behaviour in the City which is monitored through recorded offences of criminal damage show that offences have fallen by 29% in quarter 3 (October to December) 2010/11 when compared with the same quarter in 2009/10. The Community Safety Partnership target to reduce the offences below the levels of 2008/09 by March 2011 is set to be achieved.

In spite of this success it is acknowledged that the nuisance, noise and anti-social behaviour that is being experienced in the City Centre is of considerable concern to the public and the partnership organisations.

What is being done to address the issue?

Community Safety Partnership

Alcohol related violent crime and anti-social behaviour is a priority for the Community Safety Partnership and has been adopted as a continuing priority for 2011/14. A strategic task group oversees the tactical direction to tackle night time economy issues.

The Task Group includes representatives from City council Licensing, Addenbrookes Accident and Emergency Dept, Police Service, CAMBAC, Street Pastors, CCTV, Taxi Marshalls and Drug and Alcohol Teams.

Some of the actions taken during 2009/10 were:

- The Police Licensing Team introduced the Cardiff Model to identify problematic venues for engagement and intervention
- Conflict management training sessions for workers in the night-time economy were held, enabling staff to deal with violence and anti-social behaviour in an appropriate way
- Weekday and week-end patrols were incorporated into the police plans with activity focused around particular licensed premises. Between October and December 18 arrests were made; 2 Penalty Notices for disorder were issued; 16 directions to leave were given; and a minimum of 52 licences premises were checked
- In partnership with Addaction Alcohol Conditional Cautions were rolled out across police custody suites
- Alcohol brief Interventions were launched in custody and A&E settings
- Teams of Taxi Marshalls were deployed during October to December with over 1000 people managed through St Andrews Street rank on some nights
- A night-time Medical and Care Facility was in operation on Friday 17 December and on New Year's Eve. 31 people were medically treated and many more were safely directed home.
- Street Pastors put on additional patrols over the Christmas and New Year period

Licensing and Cumulative Impact

Licensing law is not the primary mechanism for the general control of nuisance and anti social behaviour by individuals once they are away from the licensed premises and therefore beyond the control of the individual, club, or business holding the licence. Nevertheless, it is a key aspect of such control and the Council's Statement of Licensing Policy confirms that licensing law will always be part of a holistic approach to the management of the evening and night-time economy in Cambridge.

The Licensing Act 2003 regulates the following activities:

The sale by retail of alcohol;

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;

The provision of regulated entertainment;

The provision of late night refreshment

As Licensing Authority, the Council has a duty to carry out its functions under the Licensing Act by promoting the licensing objectives, which are:

- the prevention of crime and disorder,
- public safety,
- the prevention of public nuisance,
- the protection of children from harm.

Only responsible authorities and interested parties (as defined in the Licensing Act, see below) can make representations about an application for a new premises licence or an application to vary an existing licence. A hearing is not required where an application has been lawfully made and no responsible authority or interested person has made a representation.

There is no provision in licensing legislation for a licensing authority itself to make representations about a licence application and in the absence of any relevant representations in respect of an application the authority is obliged to grant the licence on the terms sought by the applicant.

The Licensing Act provides that where an operating schedule has been submitted with a licence application and there have been no relevant representations made by responsible authorities or interested parties a licence or certificate must be granted subject only to such conditions as are consistent with the operating schedule and any mandatory conditions required by the Act itself. The Council can only impose additional conditions if relevant representations have been received and the

Licensing Sub-Committee is satisfied at a hearing that it is necessary to impose extra conditions. Only conditions that are necessary to promote one or more of the licensing objectives can be imposed and must not go further than what is needed for that purpose.

At any stage following the grant of a premises licence, a responsible authority or an interested party may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

Interested parties include a person living in the vicinity of the premises in question, residents associations, a person involved in a business in the vicinity of the premises, a trade association, and elected councillors for the area in which a premises is situated.

Responsible authorities include the Chief Officer of Police, the local fire and rescue authority, local enforcement authorities for the Health and Safety at Work Act, Environmental Health, the local Planning Authority and bodies responsible for or interested in matters relating to the protection of children.

The Community Safety Partnership is not a 'responsible authority' for the purposes of the Licensing Act.

Local Councillors can make representations in writing and at a hearing on behalf of an interested party such as a resident or local business if specifically requested to do so in relation to a premises within their ward. They can also make representations as an interested party in their own right if they live, or are involved in business in the vicinity of the premises in question. Local Councillors can also, as elected members of the licensing authority, make representations in their own right if they have concerns about any premises regardless of whether they live or run a business in the vicinity of those premises, for example, Councillors may apply for a review of a licence if problems at a specific premises which justify intervention are brought to their attention.

Cumulative Impact Zone

The Council has adopted a special policy relating to cumulative impact and has designated three areas within the City to which the policy applies. These are: the City Centre, Cambridge Leisure Site, and the entire length of Mill Road (excluding Brookfields)

A special policy on cumulative impact can only be adopted if there is evidence that a significant number of licensed premises concentrated on one area is causing a cumulative impact on one or more of the licensing objectives.

The special policy creates a rebuttal presumption that applications for new premises licences or variations likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives. Representations regarding cumulative impact are often received and a number of applications/variations have been refused as a result. It is only when the licensing sub-committee consider there will be no negative impact that licences are granted. Sometimes, the grant can be with additional conditions attached, or for reduced hours, depending on the individual circumstances.

Even within the cumulative impact areas, applications must be granted if no relevant representations have been received, including no relevant representations about the cumulative impact effect within the area.

Government Proposals

The Coalition Agreement included a commitment to overhaul the Licensing Act to give local authorities and the police much stronger powers to remove licences from, or refuse to grant licences to, any premises that are causing problems in the local area.

The Police Reform and Social Responsibility Bill is currently being considered by Parliament. The Bill includes a provision making licensing authorities responsible authorities under the Licensing Act. This will empower them to refuse, remove or review licences themselves without first having had to have received a representation from one of the other responsible authorities. Any actions taken will need to be justified on the basis of the promotion of the licensing objectives and the same licensing officer will not be responsible for both acting as a responsible authority and making a determination on an application.

The Bill also increases the opportunities for local residents or their representative groups to be involved in licensing decisions. Any person, body or business, will be able to make a relevant representation on any premises, regardless of geographic proximity.

Other Government proposals include increasing the weight licensing authorities will have to give to relevant representations and objection notices from the police and requiring applicants to give greater consideration to the local area when making their application, including demonstrating an awareness of the local community in which the premises would be based. This may include contextual information such

as the local area's socio- demographic characteristics, specific local crime and disorder issues and an awareness of the local environment.

Controlling the impact of the late night economy

Cambridge City Council Environmental Health staff are involved in controlling and to some extent managing the late economy both proactively at the planning and licensing stages as well as being able to deal with certain types of statutory nuisances.

Proactive Action

Staff work closely with planning and the service is consulted on all developments that are likely to have an impact from noise, odour and air quality amongst other matters. The service provides written comments for Development Control and recommendations about whether an application is acceptable or not and potential conditions are recommended. Planning Officers and Development Control Committee ultimately have to balance the issues raised by all consultees and the public and decide whether to approve with or without conditions.

Secondly parts of Environmental Health are Responsible Authorities in relation to the licensing system and in particular to the objectives set out in the Act of preventing public nuisance and ensuring public safety. The service is consulted on all applications. It is normal for discussions to be held with applicants and for conditions to be agreed to overcome our concerns. These are principally but not exclusively about noise breakout from within. The team also has the right to raise a review of licences if necessary.

Statutory Nuisances

The service has powers to take action for certain statutory nuisances. This includes noise from within premises breaking out and affecting other residential premises as well as ability to deal with noise from stationary vehicles, machinery and equipment operated in the street. This can include buskers as well as music from parked cars. Specifically the service is unable to use these powers to deal with noise from patrons in the street.

Street Cleaning and City Rangers

City Centre streets and shop fronts are cleaned of litter on a daily basis, with the Streetscene team working from early morning to late at night supported by the City Rangers who daily monitor environmental problems such as fly tipping, graffiti and litter. Needle finds and drug related litter are collected and safely disposed of within 2 hours of being reported.

Love Cambridge and CAMBAC

CAMBAC is the delivery arm of the Love Cambridge Partnership (www.love-cambridge.co.uk) on the “Safe and Secure “ agenda. Its aim is to help businesses reduce the cost of crime, fraud and anti-social behaviour and to make Cambridge a difficult place to offend.

To help monitor business crime in Cambridge, CAMBAC manage SIRCS, (Secure Incident Reporting Community System), a crime database for members to access and share the latest information on offenders and banned individuals, as well as for businesses to report incidents, which we use as evidence towards Exclusion Notices, (Civil Banning Orders), on persistent offenders. CAMBAC manage the banning schemes via SIRCS for both day and night time economies to help track and reduce crime in Cambridge.

Future Plans

Policing in the City Centre Changing to meet the demands

In order to meet the demands of Neighbourhood Policing and to align itself in support of the recent Community Safety Partnership Strategic Assessment a restructure of the current arrangements of the “West” team is planned.

Current arrangements mean that the team cover a large geographical area of Castle, Newnham and Market ward, each has their own specific issue requiring a tailored response from the team. Market ward is a busy and vibrant area to police requiring a response well in to the early hours of the morning. The current structure does not allow sufficient flexibility to meet this demand

The proposal is to create a “City Centre” patrol team with the following remit:-

- 1) To deal with Alcohol related crime and disorder in Cambridge City Centre, mostly, but not exclusively related to the city's Market Ward.
- 2) To deal with the problem of cycle crime in Cambridge City much of which is centred on Market Ward.
- 3) To provide a resilient and proportionate response to seasonal crime demands such as the winter retail theft increase and the summer street robbery increase without the need to abstract staff from other roles.
- 4) To take on the duties carried out by the Neighbourhood Policing Team in Market Ward.

The team will have a dual focus, during day shifts the team will focus on cycle crime and other city centre Neighbourhood Policing Team priorities. Work on cycle crime would be both hi-visibility preventative work as well as plain clothes work using a variety of tactics. The team will also be able to build significant rapport with the community leaders in Market Ward. Night shifts will be spent on city centre patrols targeting alcohol related crime and disorder hot spots. The team will also work closely with the Divisional Licensing Officer and the Licensing Inspector to deal much more effectively and in a joined up manner with licensed premises to ensure swift and effective management of problem premises.

It should be noted that Castle and Newnham would continue with the same amount of resources available as now with any growth coming from elsewhere.

Cambridge Community Safety Partnership Plan 2011/2014

The Cambridge Community Safety Partnership Plan 2011/14 will be published by the end of March. The priorities include addressing Alcohol Related violent crime and Anti-social Behaviour in the City Centre, and will be underpinned by an action plan to deliver the priority and to complement the new neighbourhood policing structure.

4. Background papers

Cambridge Community Safety Partnership – Alcohol related violent crime and anti-social behaviour – Priority Area quarterly report – Quarter 3 2010/11

Cambridge Community Safety Partnership – Performance Report quarter 3 2010/11

Violent crime update for Cambridge City Violent Crime Task Group – November and December 2010

5. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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Licensing

An interested party can call for the review of a license if the grounds are based on one or more of the licensing objectives.

To call for the review of a license you can access the government prescribed form at:
<http://www.cambridge.gov.uk/ccm/content/business/licensing-and-permissions/alcohol-and-entertainment-licensing/make-a-representation-about-a-licence.en>

The grounds for review must be stated on the form. The form is then sent to the Council, with copies to the license holder and relative responsible authorities. Further details/advice can be obtained from the Council's licensing team.

Environmental Health

If residents wish to make a complaint against statutory nuisances they can call the City Council Customer Service Centre on 01223 457980 during the day or we operate an out of hours noise service which operates 7pm – 7 am every night and 9am-5pm Saturday, Sunday and Bank Holiday. The number to ring is 01223 457457

CAMBAC

Councillors are more than welcome to attend CAMBAC Raising The Bar training events. Please do not hesitate to contact Vicky.Hornsby@cambridge.gov.uk for more information or visit www.cambac.co.uk

Cambridge City Council Anti-social Behaviour Team