

## **Committee: Cabinet**

**Date: 5<sup>TH</sup> September 2011**

Agenda item: 6

Wards: All

### **Subject: Response to recommendations and Report from the Overview and Scrutiny Commission on the night time economy**

Lead officer: Chris Lee Director of Environment and Regeneration

Lead member: Councillor Edith Macauley, Cabinet Member for community safety , engagement and equalities

Contact officer: Annalise Elliott Head of Safer Merton

Forward Plan reference : 1059

---

#### **Recommendations:**

- A. That Cabinet notes the recommendations from the Scrutiny review and endorses the responses to those recommendations in Appendix 1 of this report.

---

#### **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 To provide a response to the recommendations of the Overview and Scrutiny Commission which undertook a review of the night time economy (part 1 looking at Wimbledon).

#### **2. DETAILS**

- 2.1 The Overview and Scrutiny Commission undertook a review of the night time economy which aimed to enhance the work of the Safer Merton Partnership (the CSP) and Council departments in delivering a safe night time economy on the borough.
- 2.2 The findings and recommendations of the Commission were reported to Cabinet on 21<sup>st</sup> March 2011. Cabinet asked Officers to prepare a response to the recommendations and an action plan.
- 2.3 Appendix 1 to this report outlines the recommendation, the proposed actions to be taken, the responsible organisation and the timescales for completion and work undertaken to date.

#### **3. ALTERNATIVE OPTIONS**

- 3.1 The Overview and Scrutiny Commission considered undertaking a review of the whole borough however it was decided to ensure that a review of the principal area of major concern (based on statistical data) was tackled first.

#### **4. CONSULTATION UNDERTAKEN OR PROPOSED**

4.1 Safer and Stronger thematic (CSP) of the LSP have been consulted.

4.2 Consultation was undertaken as part of the original report.

#### **4.3 TIMETABLE**

4.4 The action plan will be delivered according to the Partnership timescales outlined at the end of Appendix 1.

#### **5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

5.1 None for the purposes of this report. The financial, resource and property implications of implementing the agreed recommendations are met by the various council departments and the partnership. Any financial implications will be brought through the normal business planning and budget setting process.

#### **6. LEGAL AND STATUTORY IMPLICATIONS**

6.1 Changes to both licensing and ASB legislation may impact on the viability of some of the suggestions and legislation is expected to be published later this year in relation to both of these areas. Current legal and statutory powers to implement changes are limited but it is anticipated that this may be remedied under the impending Police and Social Responsibility Bill (currently before Parliament).

#### **7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

7.1 This strategy covers all sections of the community and does not discriminate against any group. It should foster better community relations between the local residents and the community that look to use the town centres and encourage active and positive participation from the local community and visitors in creating and maintaining an environment which benefits its users and is enjoyed by all

#### **8. CRIME AND DISORDER IMPLICATIONS**

8.1 The implications are all positive and crime and disorder specific.

#### **9. RISK AND HEALTH AND SAFETY IMPLICATIONS**

9.1 None for the purposes of this report – risk management and health and safety implications of implementing the agreed recommendations have been accounted for.

9.2 Reducing night time economy related incidents will contribute significantly to an overall improvement of the health and safety of our residents and visitors whilst promoting an overall safer environment within which all services can function with minimal risk.

#### **10. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THIS REPORT**

10.1 Appendix 1 – Report and Action Plan

**11. BACKGROUND PAPERS**

11.1 Report of the Overview and Scrutiny Commission March 2011

This page is intentionally blank

Appendix 1  
 Response to the recommendations - night time economy  
 review

	Responsible decision making body
<b>Recommendation 1</b> (paragraph 9)	
We recommend that the Overview and Scrutiny Commission agree to receive a further report from the task group in September 2011, which will examine the night time economy in Mitcham, Morden, Raynes Park and Colliers Wood town centres as well as the impact on local Accident and Emergency services.	Overview and Scrutiny Commission (JR)
<b>Action:</b> this is an O & S agenda item	
<b>Date: October 2011</b>	
<b>Recommendation 2</b> (paragraph 28)	
We recommend that NHS Sutton and Merton and its successors continue with its plans to reconfigure alcohol treatment services so that these will meet the needs of lower level drinkers as well as those who will continue to require in-patient detox services.	Drug and Alcohol commissioning (MP)
<b>Action:</b> NHS S&M are currently writing a strategy in partnership around alcohol commissioning and this can be shared with the Commission at the next meeting. The funding for this service is health money and consideration needs to be given as to how this will be handled when the Public Health Boards manage the finances.	
<b>Date: Due Autumn 2011 dependant on legislative changes</b>	
<b>Recommendation 3</b> (paragraph 34)	
We recommend that Safer Merton works with the Council, Police, NHS and other partner agencies to continue to run the “be social, be sensible, be safe” or a similar campaign.	Cabinet Safer Merton (MP)
<b>Action:</b> A campaign will be over the Christmas period 2011 run utilizing existing stocks of campaign material and working with local businesses. There is no funding at present for future years	
<b>Date: Christmas 2011</b>	
<b>Recommendation 4</b> (paragraph 35)	
We recommend that these campaigns should include information about what constitutes a unit of alcohol and the “safe” level of alcohol consumption plus health messages about the impact that alcohol misuse can have.	Cabinet Drug and Alcohol commissioning (MP)
<b>Action:</b> The communications around the next campaign (briefings to the press) will include this information - however not everything submitted is used. Some stock of	

'unit wheels' is left and these will be distributed during the campaign.	
<b>Date: Throughout the year ongoing</b>	
<b>Recommendation 5</b> (paragraph 42)	
We recommend that the Council and the Police make greater use of the powers currently available to them in order to deal more stringently with alcohol related anti-social behaviour in local town centers.	Cabinet Police ASB team (CC)
<b>Action:</b> At present the ASB powers are being reviewed and new legislation being written until that time the Police will continue to use the powers available to them.	
<b>Date: new legislation due October 2012</b>	
<b>Recommendation 6</b> (paragraph 43)	
We recommend that the Council and the Police continue, and increase where appropriate, with mystery shopping and other initiatives to ensure that off-licenses do not sell alcohol to under 18s.	Cabinet Police Trading Standards
<b>Action:</b> There is a programme of work underway to ensure that this continues. The Trading Standards team intends to undertake 100 underage test purchases throughout 2011/12 informed by intelligence received but focusing mainly on 'off licensed' premises.	
<b>Date: rolling programme throughout the year</b>	
<b>Recommendation 7</b> (paragraph 45)	
We therefore recommend, on the basis of the evidence presented to us that the existing Controlled Drinking Zone remain in place and is not extended at present.	Cabinet
<b>Action:</b> The Controlled Drinking Zone is a Bye Law and there are no plans to change this at present.	
<b>Date: N/A</b>	
<b>Recommendation 8</b> (paragraph 49)	
We recommend that the Council's Environment and Regeneration Department investigate the costs and potential benefits of purple flag award in order to assess whether it would be worth applying for on behalf of Wimbledon Town Centre.	Cabinet Safer Merton (CC/LR)
<b>Action:</b> Investigative work is being undertaken by Safer Merton into the costs and time required to evidence the requirement to obtain a purple flag. A report will be brought to Cabinet as appropriate once this work is complete.	
<b>Date: September 2012</b>	
<b>Recommendation 9</b> (paragraph 53)	
We recommend that the Council maintain the current level of night time street cleaning resources in the town centres.	Cabinet Street Scene and Waste (CS)
<b>Action:</b> There are no current plans to reduce night time street cleansing resources however the financial challenge facing the Council requires that we explore all	

opportunities to make savings whilst protecting services as far as possible. Cabinet would be asked to make any such decision and Sustainable Communities Scrutiny Panel would be consulted in such an event.	
<b>Date: N/A</b>	
<b>Recommendation 10</b> (paragraph 61)	
We recommend that Safer Merton meets the street pastors to discuss the most appropriate way for ward councilors, the Council and its partners to provide support so that the street pastors can continue to provide valuable services in Mitcham and Wimbledon.	Cabinet Safer Merton Street Pastors (CC/LR)
<b>Action:</b> The Street Pastors and SM are in dialogue and are planning joint work for the future, one project is underway, and partnership working is already improving. The Police have secured funding to support the Street Pastors.	
<b>Date: underway and ongoing</b>	
<b>Recommendation 11</b> (paragraph 78)	
We recommend that the Licensing Committee should consider how it could be more proactive in using its current powers and, where necessary, propose changes to the Council's Licensing Policy in order to: <ul style="list-style-type: none"> <li>• begin to reduce opening hours in order to maintain balance within the Cumulative Impact Zone in Wimbledon town centre;</li> <li>• impose licence conditions such as earlier closing and no admissions to premises after midnight in order to gradually reduce very late licences and the intensity of late night drinking;</li> <li>• have greater opportunity to take into account the views of residents, police and other stakeholders when reviewing a licence;</li> <li>• impose conditions that will reduce noise nuisance for residents who live nearby. These conditions could include lobby areas between outer door and inner door to reduce noise on street.</li> </ul>	Licensing Committee Licensing Team
<b>Action:</b> The Police Reform and Social Responsibility Bill [PRSRB] will potentially have a positive impact on licensing and in particular the role of 3 <sup>rd</sup> parties and their part in being consulted / ability to make representations. The Council has responded to the consultation on this pending legislation which we do not expect it to be enacted before the end of the year. We shall look to utilize any changes thereafter. The Councils Licensing Policy has only recently been revised and adopted. Discussions are due to be held with Licensing Committee	

to consider how existing policy and powers can be used more effectively and what if any policy changes might be required to address the concerns identified .	
<b>Date: Autumn 2011</b>	
<b>Recommendation 12</b> (paragraph 79)	
We further recommend that the Licensing Committee consider how they might use the opportunity of the proposed legislation to further practices that would reduce binge drinking. These may include providing soft drink from vending machines, providing water dispensers, banning selling of shots from trays, stipulate a minimum provision of tables and seating to encourage people to drink more slowly.	Licensing Committee Licensing Team
<b>Action:</b> The proposed legislation [PRSRB] is currently at House of Commons Committee stage. The Council has responded to the consultation however we do not expect any significant change in this area. This will be discussed further with Licensing Committee as the Councils future licensing Policy is developed.	
<b>Date: to be confirmed</b>	