

## **Committee: Overview and Scrutiny Commission**

**Date: 28th February 2013**

Agenda item: **9**

Wards: All

### **Subject: Update on progress on Recommendations from the Overview and Scrutiny Commission on the night time economy**

Lead officer: Annalise Elliott Head of Safer Merton

Lead member: Councillor Edith Macauley

Contact officer: Annalise Elliott Head of Safer Merton

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#### **Recommendations:**

- A. That the Commission discusses and comments on the work already undertaken in respect of the action plan
- B. That the Commission determines whether it wishes to receive a further progress update and, if so, when.

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

- 1.1 The Overview and Scrutiny Commission undertook a review of the night time economy and made recommendations as to how the issues posed by the night time economy can be handled. This report provides an update on progress made on these recommendations.

### **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 Appendix 1 outlines the agreed recommendations, an update on the proposed action(s), the responsible officer and the timescales for completion (if not already completed).

### **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 area of major concern (based on statistical data) was tackled first.

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

- 4.1 This report will go to the Safer Stronger Partnership that is required to consider the O and S recommendations.

#### **5. TIMETABLE**

- 5.1 The action plan will be delivered according to the Partnership timeframes outlined in Appendix 1.

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

- 6.1 None for the purposes of this report - financial, resource and property implications of implementing the agreed recommendations are met by the various council departments and the partnership and this will inform the actions taken, which will need to be delivered within an environment of financial and physical constraint.

#### **7. LEGAL AND STATUTORY IMPLICATIONS**

- 7.1 Changes to ASB and Licensing legislation have impacted on the progress of some of the recommendations/actions, as a date for implementation is not expected until 2014.

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

- 8.1 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.

#### **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 The implications are all positive and crime and disorder specific.

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

- 10.1 None for the purposes of this report – risk management and health and safety implications of implementing the agreed recommendations have been accounted for. Reducing night time economy related incidents will improve the health and safety of our residents and visitors.

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

11.1 Appendix 1 – Action Plan

**12. BACKGROUND PAPERS**

## Appendix 1 – Action Plan

Recommendations	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> The Commission discussed this recommendation and decided not to include it in its work programme for 2012/13,	
<b>Date:</b> N/A	
<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> All Councilors were consulted upon the alcohol Needs Assessment now in final draft form. Safer Merton is currently consulting upon the viability/suitability of re-tendering all local substance misuse services including alcohol	
<b>Date:</b> The Re Tendering is drawing to it's conclusion and all bids have been scored and a winning bidder identified. This is now awaiting Cabinet approval.	
<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 ran over the Christmas period 2011 utilising existing stocks of campaign material and working with local businesses. There is no funding for future years. Any further campaigns ought to reflect and pay cognizance to the outcomes and findings from the local alcohol needs assessment.  In conjunction with Public Health and an external marketing agency 2 campaigns are being run that will operate throughout the year (more problematic drinking occurs throughout the Summer Months than over the Xmas Period). These are specifically aimed at Young Women and Young People and those aged 65 and over. They contain a great deal of information including that required below.	
<b>Date:</b> N/A	
<b>Recommendation 4</b> (paragraph 35)	
We recommend that these campaigns should include information about	Cabinet, Drug

what constitutes a unit of alcohol and the “safe” level of alcohol consumption plus health messages about the impact that alcohol misuse can have.	and Alcohol commissioning (MP)
<p><b>Action:</b> Unit measuring “wheels” and other items relating to the accurate measurement of units were distributed. However, as pointed out by MP these on their own have little if any real impact upon the drinking attitudes/behaviours of individuals. Much better to coordinate the responses around a full/comprehensive “behaviour change” approach.</p> <p>Please see above item, which is specifically aimed more at behavior change.</p>	
<b>Date:</b> N/A due to no funding for future campaigns	
<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 antisocial behaviour in local town centres.	Cabinet, Police, ASB team (CC)
<p><b>Action:</b> Dispersal Zone still in place for Wimbledon town centre &amp; Morden town centre, although not Mitcham town centre. Both Wimbledon &amp; Morden will be looking to renew the dispersal this year. Mitcham now has a Controlled Drinking Zone in and around the town centre.</p> <p>Still awaiting change to legislation (that will give police greater powers to deal with asb and drink related asb, and council other ways to apply for public space orders), estimated at end 2014/start 2015. Draft bill produced Dec 2012, but still being tweaked, acting on lots of feedback from community safety teams and others. The Select Committee will make its report to the Home Secretary at the end of February, the actual Bill should be published by Easter and there is an expectation that the Bill will be included in the Queens Speech at the end of May. Assuming a smooth passage Royal Assent should be in March or April 2014 with the new legislation in place by late 2014, which is about one year later than expected.</p>	
<b>Date:</b> 2014 pending legislation	
<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-licences do not sell alcohol to under 18s	Cabinet, Police, Trading Standards
<p><b>Action:</b> The Trading Standards Service continues to operate a regular programme of test purchasing for age-restricted products, including but not limited to alcohol. From 1st April 2012 to the end of January 2013, 179 test purchase exercises have been carried out with 66 of these being alcohol. It is anticipated that 80 alcohol test purchase exercises will be completed by the end of the financial year. Where sales are made to young people under the age of 18 consideration is given to legal proceedings and/or license reviews take place for almost all illegal sales. A similar programme of test purchasing is proposed for 2013/14 however recent guidance from The Better Regulation Delivery Office (part of the Department for Business, Innovation and Skills) is due to come into force</p>	

on 1st June 2013. This will necessitate a comprehensive review of current practices and may result in a considerable reduction in the number of test purchase exercises carried out.	
<b>Date:</b> Rolling programme throughout the year	
<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> This is a byelaw and therefore will remain. We are about to go out for a borough wide consultation on a borough wide controlled drinking zone this will commence in late February. This is a local decision but also feeds into the Mayoral plans for London.	
<b>Date:</b> N/A	
<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> Due to physical and financial constraints the Chamber of Commerce is currently working on this in line with the BiD for Wimbledon.	
<b>Date:</b> October 2012 application	
<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> The Street Scene and Waste Team continue to provide the same level of night time street cleaning as at the time of review.	
<b>Date:</b> N/A	
<b>Recommendation 10</b> (paragraph 61)	
We recommend that Safer Merton meets the street pastors to discuss the most appropriate way for ward councillors, 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 ministerial visit went well. The street pastors received funding from the PRG bid, which is monitored via the Safer Stronger Partnership. Work is positive and on going.	
<b>Date:</b> Underway and ongoing	
<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,	Licensing Committee,

<p>propose changes to the Council's Licensing Policy in order to:</p> <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 Team
<p><b>Action:</b> Proposed changes in the Police Reform and Social Responsibility Act 2011 such as Early Morning Restriction Orders and Late Night Levys may potentially have the effect of reducing trading hours of licensed premises. Other proposed changes will also allow anybody to object to licences and call for premise licence reviews. Conditions are imposed to control noise breakout from premises, which have been recommended by Environmental Health.</p> <p>Early Morning Restriction Orders and the Late Night Levy are to be considered by the Licensing Committee at the next committee meeting at the end of February.</p>	
<p><b>Date:</b> Planned to come in 1st October 2012</p>	
<p><b>Recommendation 12 (paragraph 79)</b></p>	
<p>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</p>	Licensing Committee, Licensing Team
<p><b>Action:</b> Mandatory conditions have now been imposed on all 'on licensed' premises to provide free tap water to customers and to ban games or other activities which require or encourage, or are designed to require or encourage, individuals to drink alcohol.</p>	
<p><b>Date:</b> N/A</p>	