



London Borough of Merton

Report and recommendations arising from the scrutiny task group review of balancing the night time economy

Overview and Scrutiny Commission

January 2011

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Acknowledgements

The task group would particularly like to thank all the people who took the time to complete our questionnaire in order to share their views on how late night drinking in our town centres has affected them.

We would also like to thank the street pastors, Pubwatch representatives and the council, police and NHS officers who provided written information and came to meetings to discuss their work with us

All contributors are listed in Appendix 1 and Appendix 2 of this report.

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Foreword by the Review Chair

In comparison with some neighbouring town centres, Wimbledon* benefits from a well managed night time economy as far as its pubs, clubs and restaurants are concerned. Since the implementation of the 2003 Licensing Act the council has worked effectively with the police and the licensees themselves to ensure the greater freedoms allowed under the Act are not abused. The number of alcohol related offences committed around Wimbledon Broadway at weekends has fallen over the last three years. The proportion of residents who are very/fairly worried about people being drunk or rowdy in public places has remained static around 47% - 48% since 2007. Visitors can enjoy a night out at the theatre, cinemas or restaurants without having it marred by drunken or loutish behaviour.

Nevertheless residents who live close to the Broadway do suffer from their proximity to licensed premises, through noise and disturbance as customers disperse in the early hours of the morning. The legislative climate is changing to reflect their concerns (see the recent Home Office consultation on rebalancing the Licensing Act), and we see opportunities in the future for the Licensing Committee to be more pro-active in imposing conditions to limit late night disturbance, and gradually rolling back very late licensing hours.

We are concerned at the cost of alcohol related illness to Sutton and Merton PCT (estimated at £19m) and the evidence of long term harm binge drinkers can inflict upon themselves from an early age. The proposed introduction of brief interventions to help lower level drinkers before they reach the stage of harmful dependency is therefore welcomed.

Behaviour may be well regulated inside licensed premises, but the prevalence of “pre loading” and the presence of under age drinkers on the streets calls for vigilance over alcohol sales (often discounted) from off licences or supermarkets, and police use of their existing dispersal powers to deal with anti-social behaviour in town centres. We were impressed with the work of the street pastors in assisting drinkers who get themselves into difficulties through alcohol misuse, and encourage the council and partner agencies to work with them in trialling initiatives such as the “safe haven” bus.

In the course of this review the task group has taken evidence from a wide range of witnesses, including the police, Sutton and Merton NHS, Safer Merton, Pubwatch and the street pastors, as well as members and officers of the council, and residents of Merton. I would like to thank all of them for their valuable contributions, and apologise if we have failed to do justice to everything we learned. But my personal thanks go especially to Julia Regan, our scrutiny manager, who has managed to fashion a succinct report from such a wealth of evidence.

Peter Southgate
Chair of the Task Group

*We plan to cover the other Merton town centres, notably Mitcham, in the second stage of the review

Executive Summary

The task group was set up in order to undertake a review of the night time economy, with a particular focus on how residents are affected by late night drinking in Merton's town centres.

The report is evidence based, drawing on and reflecting the wide range of written and oral evidence received. The task group questioned senior police, NHS and Council managers as well as hearing about best practice elsewhere. The task group visited Wimbledon town centre on a Friday and Saturday night as well as speaking to street pastors and representatives from Pubwatch.

116 questionnaire responses were received from individual residents, revealing how their experience of the anti-social behaviour that is linked to alcohol misuse is negatively affecting their quality of life.

The task group recognises the benefits that a vibrant night time economy brings to local town centres but also acknowledges that the cost for local residents, for health services and for police and Council services is high.

Time constraints and bad weather have meant that the task group report focuses on Wimbledon to a greater extent than planned. The task group intend to redress the balance by visiting Mitcham, Morden, Raynes Park and Colliers Wood town centres during the summer and writing a further report in September.

The task group believe that Wimbledon town centre may benefit from purple flag status and have therefore recommended that officers investigate the costs and benefits of applying for this.

The task group have made a number of recommendations aimed at reducing late night opening hours, dealing with establishments that attract troublemakers and imposing licence conditions that will reduce the level of noise from pubs and clubs.

The task group has emphasised the importance of partnership working between the police, NHS and the Council on local information campaigns to provide the public with clear messages so that they can gauge how many units they are drinking and understand the long term health impact of this.

The recommendations are listed in full overleaf.

List of task group's recommendations

	Responsible decision making body
Recommendation 1 (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
Recommendation 2 (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.	NHS Sutton and Merton
Recommendation 3 (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 Police NHS Sutton & Merton
Recommendation 4 (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 Police NHS Sutton & Merton
Recommendation 5 (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 centres.	Cabinet Police NHS Sutton & Merton
Recommendation 6 (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
Recommendation 7 (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

Recommendation 8 (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
Recommendation 9 (paragraph 53)	
We recommend that the Council maintain the current level of night time street cleaning resources in the town centres	Cabinet
Recommendation 10 (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
Recommendation 11 (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"> • begin to reduce opening hours in order to maintain balance within the Cumulative Impact Zone in Wimbledon town centre; • 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; • have greater opportunity to take into account the views of residents, police and other stakeholders when reviewing a licence; • 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. 	Licensing Committee
Recommendation 12 (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

Report of the Balancing the Night Time Economy Scrutiny Task Group

Introduction

Purpose

1. The Council's Overview and Scrutiny Commission, at its meeting on 22 July 2010, agreed to set up a scrutiny task group to investigate how local residents are affected by late night drinking in Merton's town centres, with particular emphasis on Mitcham and Wimbledon town centres.
2. It was agreed that the task group would comprise all members of the Commission.
3. The task group's terms of reference were:
 - to investigate whether the night-time economy in Merton currently strikes the right balance between economic benefits and the needs of local residents
 - to find out what powers and influence the Council can exert to rebalance the night-time economy in Merton's town centres
 - to take into account the impact that drinking to excess has on the NHS and on the long term health of individuals
 - to make recommendations for change

What the task group did

4. The task group has had seven meetings at which a wide range of evidence has been considered including:
 - Merton's Core Strategy and Unitary Development Plan
 - presentations and discussion with the police and the NHS
 - information from Alcohol Concern
 - Merton's Licensing Policy
 - Home Office consultation on Rebalancing the Licensing Act
 - Information on policies and practice in the London boroughs of Bromley, Richmond and Kingston
5. Task group members undertook two evening visits to Wimbledon town centre to view the situation first hand. They also used these visits as an opportunity to speak to door staff and street pastors.
6. A self completion questionnaire was sent to residents associations and to individual residents on the community forum mailing lists. 116 responses were received. Members also led a discussion at the December meeting of the Morden Community Forum.
7. The task group had planned to attend the Mitcham and Wimbledon Community Forum meetings in November/December but these were cancelled due to the snow. Bad weather also meant that the task group's planned evening visit to Mitcham could not go ahead. This has led to

more focus on Wimbledon town centre than was intended. Rather than delay this report, the task group propose to redress the balance by visiting Mitcham, Morden, Raynes Park and Colliers Wood town centres during the summer and reporting back to the Commission in September 2011 on its findings and any further recommendations arising from these.

8. The task group also plan to include a visit to a local Accident and Emergency service late at night in order to see the impact that late night drinking has on these services.
9. **We therefore 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. (recommendation 1)**
10. Appendix 1 lists the written evidence received by the task group and Appendix 2 lists the witnesses at each meeting.
11. This report sets out the task group's findings, conclusions and recommendations. The task group's recommendations run throughout the report and are set out in full in the Executive Summary at the front of this document.

Late night drinking – the national context

12. The last 10-20 years have seen a substantial increase in evening and night time business and leisure activities in cities across the country – shopping, eating out, cinema and theatre going, drinking and clubbing. This has brought significant economic benefits, for example ODPM estimated that in 2003 the average bar, club or restaurant contributed more than £100,000 per year to the local economy.
13. We welcome the role that night time activity has played in developing a cultural quarter in Wimbledon towards the eastern end of the Broadway, with several restaurants and two theatres as well as variety of bars and clubs. The night time economy in Wimbledon is comparatively small and well behaved, resulting in a town centre that is enjoyed by a wide range of people and provides economic advantages to the area.
14. The growth in the night time economy has also resulted in problems for local residents, chiefly noise and anti-social behaviour, and there have been various government measures intended to address these and to strike a balance between the needs and interests of different groups.
15. Nationally, there is a tendency for city centres to be dominated at night by large groups of young people drinking to excess. This alcohol misuse contributes to anti-social behaviour and to crime and disorder and creates problems for bars and clubs, police, health services as well as local residents.
16. Statistics on the actual levels of alcohol related crime are difficult to obtain due to under-reporting and different practices between police forces on categorising crime as being alcohol related. It is difficult to identify what crime is committed because of alcohol as it is a dis-inhibitor rather than a causal factor.
17. It is clear however that despite the economic benefits that the late night economy brings to town centres, there are significant financial costs nationally to the police and criminal justice system through alcohol related crime; and to local authorities for litter and other refuse collection.
18. The NHS also bears substantial costs relating to the misuse of alcohol, ranging from the treatment of injuries caused by fights, A and E attendances by binge drinkers and longer term treatment of a wide range of medical conditions related to alcohol. The impact on the NHS is discussed more fully in a later section of this report.
19. It is important therefore that measures are taken to mitigate the negative aspects associated with the night time economy. We have heard evidence from local residents, police, health and council officers in order to build up a picture of the situation locally and to identify recommendations that we hope will improve the quality of life of people living in and around our town centres.

Alcohol and health

20. It is well known that excessive drinking of alcohol can lead to long term damage to an individual's health. Alcohol is causally related to cancers of the mouth, throat, stomach and liver. Alcohol misuse can be directly linked to ill-health, including stroke and some types of dementia, and to death from liver cirrhosis. We heard that alcohol is a dis-inhibitor that can make violence, anti-social behaviour and unprotected sex more likely. Alcohol related harm has increased significantly in the past decade and is now estimated to cost NHS Sutton and Merton between £17m and £19m annually.
21. NHS Sutton and Merton have carried out research to identify the levels of alcohol use and the impact on the NHS locally, They estimate that 4.2% of Merton adult residents are higher risk or "harmful" drinkers (men who consume 8+ units a day and women who consume 6+) and 17.5% are increasing risk or "hazardous" drinkers (men who consume more than 3-4 units a day and women who consume more than 2-3).
22. A binge drinker is one that consumes a large amount of alcohol (more than twice the daily recommended limit of no more than 3-4 units for men and no more than 2-3 units for women). 12% of Merton residents have been classified as binge drinkers (this includes people within low, medium and higher risk categories).
23. We examined a map (see Appendix 3) showing the level of risky drinking among Merton residents. This suggests a complex picture of widespread risky drinking occurring in both deprived and affluent areas in Merton. This does not correlate to drinking hotspots in Merton because it is mapped by home location rather than where people drink.
24. Two further maps (in Appendices 4 and 5) show the level of alcohol related hospital admissions for Merton residents - these are small in number but there are some clusters, again spread across both affluent and deprived areas of the borough.
25. We heard that although alcohol related mortality and morbidity (medical problems relating to alcohol) in Merton are lower than London and England averages there has been an increase in chronic conditions at an earlier age, suggesting changes in drinking behaviour. Trends suggest that the demand for healthcare and social care resources due to alcohol related admissions is likely to continue to increase.
26. Figures for children aged 8-16 show that a majority (over 60%) do not drink. The proportion of children who reported ever having had an alcoholic drink is below the London and England average. Alcohol related hospital admissions for under 18's are slightly above the average for London but well below the England average.

27. We were informed of and endorse plans to change the model of provision of alcohol treatment services that are available locally. The Community Alcohol Team, based at Springfield Hospital (South West London & St Georges Mental Health Trust), currently provides a treatment service encompassing detoxification, treatment and rehabilitation aimed mainly at 'harmful' drinkers. This service is provided both in the community (tier 3) and on an in-patient basis (tier 4). We heard that most heavy drinkers don't need such a high level of intervention so a wider range of services will be commissioned at tiers 1 and 2 in future, including, for example, GPs providing de-tox services to lower level drinkers. The in-patient approach will remain for the relatively small number of complex and harmful drinkers but will be scaled down in anticipation that improved community services will reduce the need for in-patient services. This will result in cashable savings that will meet the needs of a wider range of problem drinkers. Counselling and other support will continue to be commissioned from the voluntary sector..
- 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. (recommendation 2)**
29. We understand that current advice is that to minimise the health risks associated with alcohol, men should drink no more than 3-4 units a day and women should drink no more than 2-3 units. It is difficult for people to estimate the number of units that they have drunk because a unit varies by drink type and strength. For example, an ordinary strength pint of lager or bitter contains 2 units, as does a 175ml glass of wine (14%).
30. We discussed whether advertising campaigns can change peoples' behaviour and were advised that the evidence on this is limited but that campaigns containing specific and clear messages are the most effective. Because of the complexity around what constitutes a unit of alcohol it is difficult to communicate messages about risky drinking. A further difficulty is that once behaviour has been acquired and repeated it is difficult for people to change that behaviour.
31. Safer Merton runs a "be social, be sensible, be safe" campaign at several different points during the year, including in the lead up to Christmas. The Christmas campaign this year included information on the Council's website and a survey which illustrated just how confused people are about what constitutes a unit of alcohol. The survey of 132 people found that the majority are unaware that there are so many units in a large glass of wine and a pint of strong cider, beer or lager.
32. A recent report from the National Institute of Clinical Effectiveness on preventative work in relation to alcohol found that that national policy measures provide the most cost effective prevention. Local campaigns on sensible drinking can also be effective particularly if messages and

support are consistent across all agencies and integrated with other support, such as losing weight and stop smoking.

33. We welcome the local “be social, be sensible, be safe” campaigns and wish to see these continue. We were interested in this Christmas campaign’s survey results that showed widespread confusion about exactly what constitutes a unit of alcohol and how many units are in different types of drink. We would like future campaigns to include information about alcohol units, what constitutes a “safe” level of alcohol consumption and the impact that alcohol misuse can have on health in the short, medium and long term.
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. (recommendation 3)**
35. **We further 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. (recommendation 4)**

Alcohol and crime

36. We received information about the number and types of offences committed in Wimbledon town centre. A total of 169 offences were recorded during 2009. The peak times for offences were 11pm to 2am on Friday and Saturdays and the early hours of Sunday morning. We heard that 40-50% of late night violent crime on Wimbledon Broadway has a known link to alcohol. Analysis of the geographical location of crimes associated with licensed premises shows a cluster around those that are close together and all open until 2 or 3am.
37. Over the last three years the number of assaults, serious violence and drugs possession offences have fallen but a previous scrutiny task group on the fear of crime found a mismatch between fear and actual levels of crime. The annual residents survey has found that the proportion of residents who are very or fairly worried about people being drunk or rowdy in public places has remained static at 47/48% since 2007.
38. The police officers that we spoke to confirmed that effective solutions depend on good partnership working between the police, Council, licensees and other local agencies. The police address these issues through negotiation and influencing, backed up by enforcement when necessary. Wimbledon town centre includes a Dispersal Zone and a Controlled Drinking Zone. Other police action includes the use of drug dogs along the Broadway, regular drug testing of licensed premises, deterring unlicensed minicabs and working with licensees to promote the use of the Behave or Be Banned scheme.
39. There is a plethora of legislation that can be used to address crime and anti-social behaviour associated with the misuse of alcohol, including:
 - Police and Justice Act 2006 placed a statutory duty on local authorities and the police to conduct local crime audits and draw up strategies for tackling identified problems. Alcohol related crime has been identified as a major problem in many areas. It has been a strategic priority in Merton since 2006 and is again for 2011/12.
 - Anti-Social Behaviour Act 2003 created alcohol bylaws making it possible for local authorities to ban drinking on the streets.
 - Private Security Industry Act 2001 requires all door supervisors to be trained and registered and prevents individuals with a criminal record for violent crime being employed as door supervisors.
 - Penalty Notice for Disorder scheme introduced as part of the Criminal Justice and Police Act 2001. This scheme allows for penalties to be imposed for low-level crime and anti-social behaviour and nuisance committed by over 18-year-olds with several of the penalties relating specifically to alcohol misuse. The Anti-Social Behaviour Act 2003 extended this to include 16-17- year-olds. It also increased powers to shut down noisy establishments.
 - Police Reform Act (2002) gave Community Support Officers the power to issue fixed penalty notices and seize alcohol from young people on the street and detain people under certain conditions.

- Section 27 of the Violent Crime Reduction Act 2006 gave the police the powers to make those who they consider could cause alcohol related crime and disorder leave an area for 48 hours. Police can arrest anyone with this 'direction to leave' who returns within the 48 hours. This is a little used power and can carry a penalty of up to £2500 if convicted of defying it.
 - Other powers are available to local authorities through the Licensing Act 2003. Licensing issues discussed in later section of this report
40. We noted the use of CCTV in other authorities as a method of identifying hotspots and those pubs and clubs that attract troublemakers. We heard that Merton has CCTV cameras positioned so that most of the Wimbledon Broadway can be viewed. 15 cameras are positioned on "hotspot" licensed premises. CCTV operators monitor these areas and will work with the police and/or relevant agencies when monitoring incidents. They have a police radio in the control room and so can radio in an incident immediately when necessary.
41. We heard of the importance of door staff, police and other authoritative figures being visible in town centres in the evening to act as a deterrent to troublemakers. We were interested to hear from the Borough Commander of the possibility of acquiring a mobile CCTV unit in order to make late night drinkers aware that they are being filmed, which would be a further deterrent and which we believe is worth investigating further.
42. **We recommend that the Council and 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 centres. (recommendation 5)**
43. **We further 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. (recommendation 6)**
44. We found no evidence to support the extension of the existing Controlled Drinking Zone and believe that extension to cover the whole borough would dilute the impact that it is currently having in Wimbledon. We welcome the plan to roll out police officer training in the use of section 27 of the Violent Crime Reduction Act 2006 across Merton so that individuals considered likely to cause or to contribute to the occurrence of alcohol-related crime or disorder in that locality can be removed and banned from the area for 48 hours. The Borough Commander told us that he believes this action will have a similar impact to a borough wide controlled drinking zone.
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 to other parts of the borough at present. (recommendation 7)**

Late night drinking in Wimbledon

46. We heard that, with the exception of Wimbledon, Merton has a limited evening economy. Council officers and the police told us that the Wimbledon evening economy is relatively upmarket, concentrated in particular locations and causes very little crime and disorder compared to town and city centres elsewhere in London and beyond.
47. The Council's Core Strategy and Unitary Development Plan aim to encourage a mix of provision in our town centres, including arts and cultural activities as well as restaurants, bars and clubs. We endorse this vision for a balanced evening economy and recognise the need for Wimbledon to have a reputation as a safe and enjoyable place for an evening out.
48. The purple flag award (from the Association of Town Centre Management) is an indicator of where to go for a safe and enjoyable night out, similar to the green flag for parks and blue flag for beaches, providing positive publicity for the award winners. We believe that Wimbledon would benefit from the endorsement that purple flag status would bring.
49. **We therefore 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. (recommendation 8).**
50. We visited Wimbledon town centre on two separate evenings (one Friday and one Saturday). We found no obvious signs of anti-social or criminal behaviour and, on the Saturday evening, saw a very visible police presence on the streets. We did observe and hear a number of causes of noise:
 - noise created by music inside licensed premises
 - particularly noisy when doors are left open
 - smokers on the street outside premises are noisy and cause congestion on the pavements
 - noise when people leave the premises, particularly at closing time
51. These issues can be addressed to some extent through the licensing system, discussed in a later section of this report.
52. We heard that the Council deploys street cleaning resources to deal with the litter and other mess associated with late night drinking. At present solo sweepers work a shift from 2pm to 10pm followed by a response team in the town centres from 10pm to 4am. The service levels will be reviewed to assess what level is affordable for the future.

- 53. We recommend that the Council maintain the current level of night time street cleaning resources in the town centres (recommendation 9)**
54. We spoke to some of the door staff and were impressed by their professionalism. We also came across street pastors and found that they are providing valuable services both in helping to make the street feel safer and providing support to people who have drunk too much.
55. We subsequently invited two of the street pastors to one of our meetings in order to find out more about what they do.

Street pastors

56. Street pastors began working in this borough in 2006 and now patrol 3 nights a month in Mitcham (from 8pm till midnight) and twice a month in Wimbledon (from 10pm to 3am).
57. Street pastors are recruited and trained through local Christian churches. They must be at least 18 (no upper age limit), have a reference from a church leader, undergo a CRB check. Prospective pastors take part in a 12 session training course for which they pay £300 to demonstrate their commitment.
58. Street pastors wear a uniform with “Street Pastor” clearly on view on their coat and cap. They patrol the streets in groups of four and are tasked with seeking to build relationships with everyone they come across – shop keepers, local schools, businesses, families, police, youth clubs, pubs and clubs. They aim to “care, listen and help” people on the streets including those who are homeless, lost or drunk.
59. We heard that they have found the issues they come across in Wimbledon to be very different to those in Mitcham. In Mitcham there are fewer people on the streets and the issues encountered by the street pastors are linked to deprivation. Wimbledon’s issues are more about the sheer number of drunken people. They find people already quite drunk in Wimbledon at 10pm, possibly due to “pre-loading” (drinking before going out for the evening) and after work drinking.
60. We were very impressed by the work that the street pastors are doing locally, providing services that fill a gap and are of value not only to the individuals helped and but also to the wider community. We would like to encourage the Council to support this work through financial or other practical help.
- 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. (recommendation 10)**

Residents views and experiences

62. The responses to our questionnaire indicate that noise and anti-social behaviour are a concern to some of the residents who live close to licensed premises. The views expressed do echo those we and other councillors, particularly those who represent wards in or bordering our town centres, have previously heard from some of our constituents.
63. It is important to note that the views of the people who responded to our questionnaire are not necessarily representative of the community as a whole. We heard from 116 residents – mainly from SW19, SW20 and SM4 postcodes. 59% of our respondents are aged 60+ and 88% are White.
64. A large proportion of our respondents have been affected by anti-social behaviour related to late night drinking - 59% reported being affected by litter left by drinker, 56% were affected by noise left at night and 22% were affected by fighting on the street at night.
65. Litter and noise were the most frequent complaints. Residents also reported being people fighting, urinating and vomiting on streets as well as disliking having to walk through groups of drunken people. A small number reported damage to their cars.
66. Some people experience these on a regular basis and others much less often:

“every weekend, noise, shouting, drinking, walking down the middle of the road, leaving bottles, beers, pizza boxes and always slamming car doors and loud talking”

“not very often in my road though occasionally hear late night revelling. More often seen drunk people when I am walking from station up Wimbledon Hill Road. Sometimes seen men peeing and or throwing up in street. Not very frequently though”

67. One resident referred to the tensions inherent in urban life, summing up:

“Part of the task here is also to promote tolerance. Living in a town centre has pros and cons. One of the pros is that you live near to the vibrant hub with all the shops and leisure outlets when you want them. The con being you have to put up with some level of noise and people/traffic congestion. We don't want Wimbledon to be like the countryside. If we did, then we would go and live in the countryside.”

68. The Head of Safer Merton told us that she believes that the public have a lower tolerance of what is defined as anti-social behaviour than in the past, and that this has resulted in issues being perceived to be unacceptable that would have been tolerated previously. In particular, she observed that what certain members of the public believe to be anti-

social behaviour varies considerably and that whilst the behaviour in question may be annoying it is not necessarily illegal.

69. A smaller proportion, 23%, said that they had reported this anti-social behaviour to the Police or the Council, perhaps reflecting an acceptance of a certain level of disturbance as a part of urban living, or reflecting belief that such matters will not be actioned by the authorities.
70. 50% of our respondents said that the police presence is too little in the evenings (16% said it was about right and the remainder either didn't know or didn't reply). Comments made by respondents clearly indicated that they would like to see more police on the streets in the evening and that this would make them feel safer.

Licensing issues

71. The Licensing Act 2003 gave licensing responsibilities to local authorities together with a requirement to develop a licensing policy. Flexible opening hours were introduced with the intention of delivering staggered closing times resulting in a more gradual dispersal of crowds. In practice these have led to disorder over a longer period of time and at a later hour. Furthermore, longer opening times have resulted in increased binge drinking.
72. We heard that the Licensing Committee's powers under the 2003 Act are fairly limited. It may only restrict licensable activities if these are contrary to the authority's licensing policy. The Committee only has discretion to refuse or restrict licences if there have been representations from "interested parties" such as local residents living in close proximity or "responsible authorities" such as the police.
73. A recent government consultation, Rebalancing the Licensing Act, includes proposals to introduce more flexibility to the Licensing Act and increase powers to deal with alcohol related crime and disorder hotspots. Proposals include increased power to refuse licence applications, more control over the density of licensed premises in town centres and an adjustment to the fee system in order to pay for additional policing needed during late night opening. There is also a proposal to ban the sale of alcohol at below cost price.
74. On the whole we welcome these proposals, though we have doubts about the workability of alcohol pricing based on unit cost. Minimum pricing is an interesting idea but it is our view that it could have an unfair impact on the majority of people who drink responsibly.
75. We also welcome the proposals in the Police Reform and Social Responsibility Bill which will also give additional powers and control to local authorities and the Police to tackle any licensed premises that are causing problems. Fines for persistent sales of alcohol to under 18s will be doubled. We particularly welcome the proposals that will enable local authorities to charge more for late night licences and we encourage the Council to do so once it has the appropriate powers. We understand that these charges will contribute to policing costs.
76. We have had extensive discussion about what can be done within existing legislation in order to reduce noise and other nuisance to local residents. We heard evidence from the police, licensing officers and Pubwatch that earlier closing would go some way towards reducing some of these problems. We believe that we do not need to wait for new legislation in order to begin to have an impact on late night disorder.

77. Although there was a difference of opinion among the officers and councillors we spoke to on whether existing licensing powers could be used more proactively, we believe it is worth investigating what could be achieved prior to and in anticipation of new legislation. In particular, we were pleased to hear that the police are planning to work with the NHS and the Council to systematically gather evidence that can be used to identify those establishments that serve alcohol to under 18s or to people who are already drunk. This evidence could be provided to the Licensing Committee and taken into account in licence reviews.
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:**
- **begin to reduce opening hours in order to maintain balance within the Cumulative Impact Zone in Wimbledon town centre;**
 - **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;**
 - **have greater opportunity to take into account the views of residents, police and other stakeholders when reviewing a licence;**
 - **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. (recommendation 11)**
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. (recommendation 12).**
80. In response to our questions about opening hours, the Pubwatch representatives stated that the main problem lies with the UK's drinking culture and the behaviour of individuals rather than opening hours per se. However, as individual licensees, they said that although they personally would welcome earlier closing it would not be feasible for them commercially if nearby establishments continue to be open later.
81. We heard from representatives of Pubwatch ("the licensed trade's equivalent of Neighbourhood Watch") that the vast majority of licensees do take steps to encourage responsible drinking within their premises and that is in their interests to do so. Good management and staff training is a crucial part of this, together with effective security staff.

82. Pubwatch meetings are an opportunity for licensees, police and the Council to discuss issues of mutual concern and agree action against individuals who cause or threaten damage, disorder, violence, use or deal in drugs in their premises or are a general nuisance.
83. The local Pubwatch is part of the “behave or be banned” (BOBB) scheme, a joint initiative between police and council, whereby people who have been charged with a relevant offence are banned from Pubwatch establishments for a fixed period of time (ranging from 3 months to 2 years). We heard that about 40 people are currently banned under BOBB and that the door staff have been provided with details of these people.
84. We would like to record our appreciation of the work done by responsible licensees, working with Pubwatch, the Police and the Council to reduce disturbance to local residents and to deal with troublemakers. We witnessed good standards of pub management on our evening visits to Wimbledon. However we would urge all those bodies to encourage licensed premises to keep doors closed whenever possible in order to minimise noise nuisance to local residents.
85. In discussion about noise complaints from local residents, the Pubwatch representatives said that a certain level of tension was inevitable given the physical proximity to residential streets. They added that licensees do try to get customers to leave gradually at closing time rather than all at once and security staff ask people to be as quiet as possible, but they can’t control people once they have left the premises.
86. We understand that troublemakers are drawn to particular types of establishments, often those that due to a high turnover of staff and managers have been unable to establish a “no tolerance” approach. These establishments are well known to the Police, Council and other licensees.
87. We believe that recommendation 11 (above), combined with planned action by the police to have a more visible presence and make it clear that bad behaviour will not be tolerated will help to improve the quality of life for residents and will reinforce the message that Wimbledon is a safe place for an enjoyable and peaceful night out.

Concluding remarks

88. We set out to investigate how local residents are affected by late night drinking in our town centres. We accept that there are benefits to the local economy and have recommended that officers investigate the costs and benefits of an application to the purple flag award in order to demonstrate that Wimbledon town centre is a safe and enjoyable place for an evening out.
89. We have also found, however, that the costs of late night drinking are considerable for the police, the NHS and the Council.
90. We visited Wimbledon town centre on a Friday and Saturday night to see the situation for ourselves. It was more orderly than we thought it was going to be and we were pleased to observe high standards of bar management and door stewardship. We were also impressed by the services provided by street pastors in Mitcham and Wimbledon.
91. We did find the bars we visited noisy and we observed sources of noise that would impinge on the quality of life of local residents.
92. Over one hundred residents completed our questionnaire. Just over half of them said they have been affected by anti-social behaviour associated with late night drinking – noise, litter, fighting, urinating and vomiting on the street.
93. We heard that shorter opening hours and earlier closing times would go some way towards addressing this situation. We have therefore made recommendations to the Licensing Committee to use their existing powers more proactively and to impose licence conditions that will reduce the level of noise coming from pubs and clubs.

What happens next?

94. This task group was established by the Council's Overview and Scrutiny Commission and so this report will be presented to its meeting on 19 January 2011 for the Commission's approval.
95. The Commission will then send the report to the Council's Cabinet on 21 March 2011 for initial discussion.
96. The Cabinet will be asked to provide a formal response to the Commission within two months, as required by the Council's Constitution.
97. The Cabinet will be asked to respond to each of the task group's recommendations, setting out whether the recommendation is accepted and how and when it will be implemented. If the Cabinet is unable to support and implement some of the recommendations, then it is expected that clearly stated reasons will be provided for each.
98. The lead Cabinet Member (or officer to whom this work is delegated) should ensure that other organisations to whom recommendations have been directed are contacted and that their response to those recommendations is included in the report.
99. A further report will be sought by the Commission six months after the Cabinet response has been received, giving an update on progress with implementation of the recommendations.

Appendices

Appendix 1: written evidence

Alcohol and the night-time economy, factsheet, Alcohol Concern, September 2004

Alcohol and crime, factsheet, Alcohol Concern, summer 2004

Merton Annual Residents Survey 2009/10

Violence in the night time economy – key findings from the research, Home Office, 2004

Alcohol related crime and disorder in town centres: solving the problem, Improvement and Development Agency website, March 2008

Wimbledon Town Centre, presentation by Chief Inspector Mark Lawrence, 20 September 2010

Alcohol – what's the problem, presentation by Julia Groom, Joint Consultant in Public Health – Merton, NHS Sutton & Merton, 18 October 2010

Extract from the Annual Report of the Director of Public Health, 2009, NHS Sutton and Merton – reducing harm from alcohol

Noise complaints, information from Marc Dubet, Environmental Health (Pollution and Licensing) Manager, October 2010

Statement of Licensing Policy, London Borough of Merton, December 2007

Rebalancing the Licensing Act – a consultation, Home Office, July 2010

Merton Core Strategy Policy CS6: Wimbledon Sub-Area

Merton Core Strategy, Table 17.2: Summary of Town Centre Aims
Merton Unitary Development Plan Policy L16 – Protection of Public Houses

Alcohol – evidence from NICE – Alcohol-use disorders: preventing the development of hazardous and harmful drinking, June 2010

Public House opening hours, Wimbledon Town Centre, 2010

Documents provided by the Safer Bromley Partnership.

London Borough of Wandsworth, Late Night Disorder 2009-2010

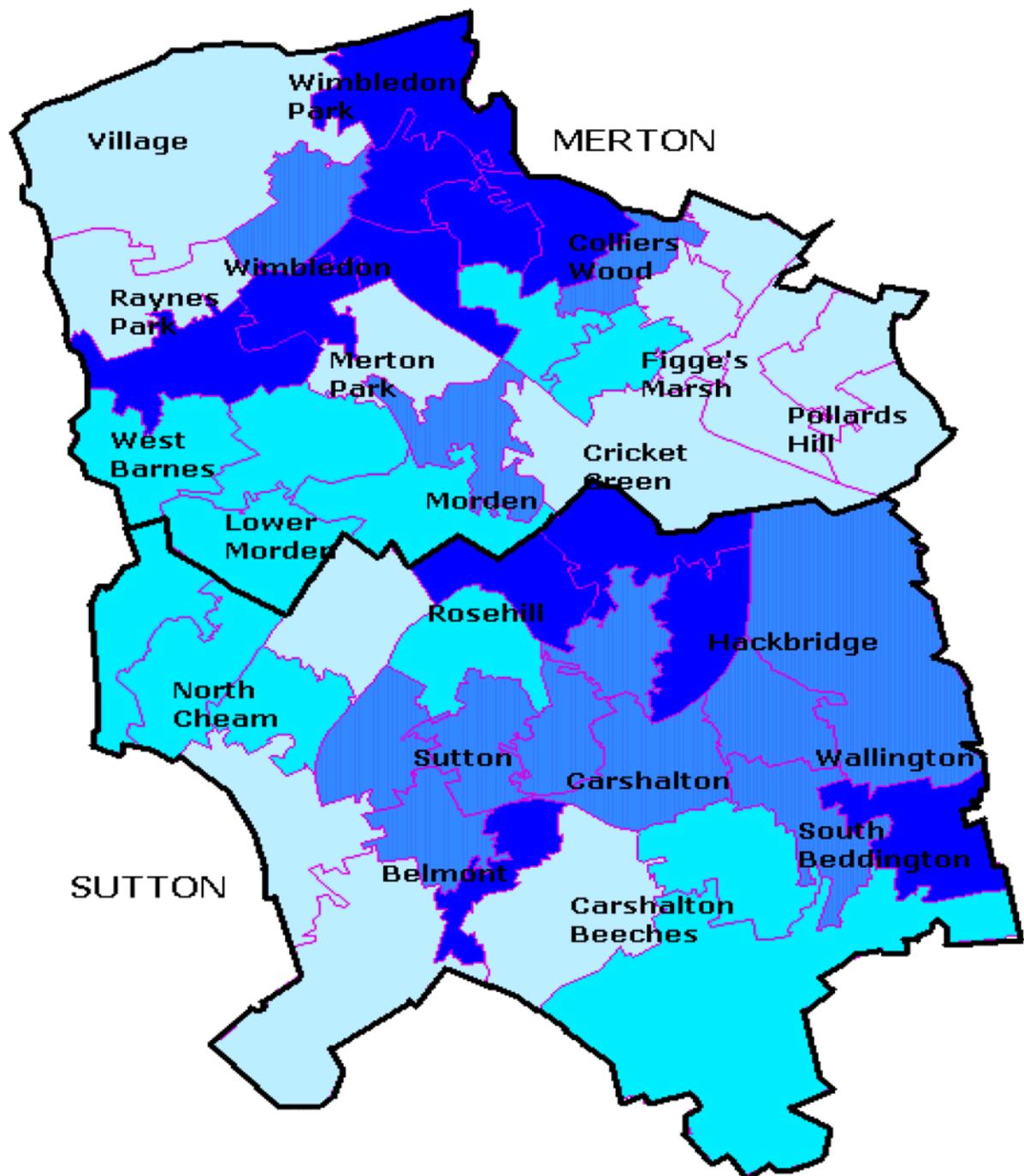
Documents provided by the London borough of Richmond

Appendix 2: list of oral evidence

Speakers:

- Chief Inspector Mark Lawrence, 20 September 2010
- Inspector Jim Cook, 20 September 2010
- Sergeant Peter Sparham, 20 September 2010
- Annalise Elliott, Head of Safer Merton, 20 September 2010
- Julia Groom, Joint Consultant in Public Health – Merton, NHS Sutton & Merton, 18 October 2010
- Mike Pierce, Safer Merton Joint Commissioning Officer, 18 October
- Alan Powell, Principal Licensing Officer, 18 October 2010
- Peter Harlock and John Goddard, Street Pastors, 4 November 2010
- Jessica Ponnampalam and Richard Amon, Pubwatch, 4 November
- Brian Hodge, Economic Regeneration Team Leader, 4 November 2010
- Cormac Stokes, Head of Street Scene and Waste, 4 November 2010
- Councillor David Simpson, Chair, Licensing Committee, 6 January 2011
- Councillor Martin Whelton, Cabinet member for Community and Culture, 6 January 2011
- Councillor Edith Macauley, Cabinet Member for Community Safety, Engagement and Equalities, 6 January 2011
- Chris Lee, Director of Environment and Regeneration, 6 January 2011
- Superintendent Pete Dobson, 6 January 2011
- Borough Commander, Dick Wolfenden, 6 January 2011

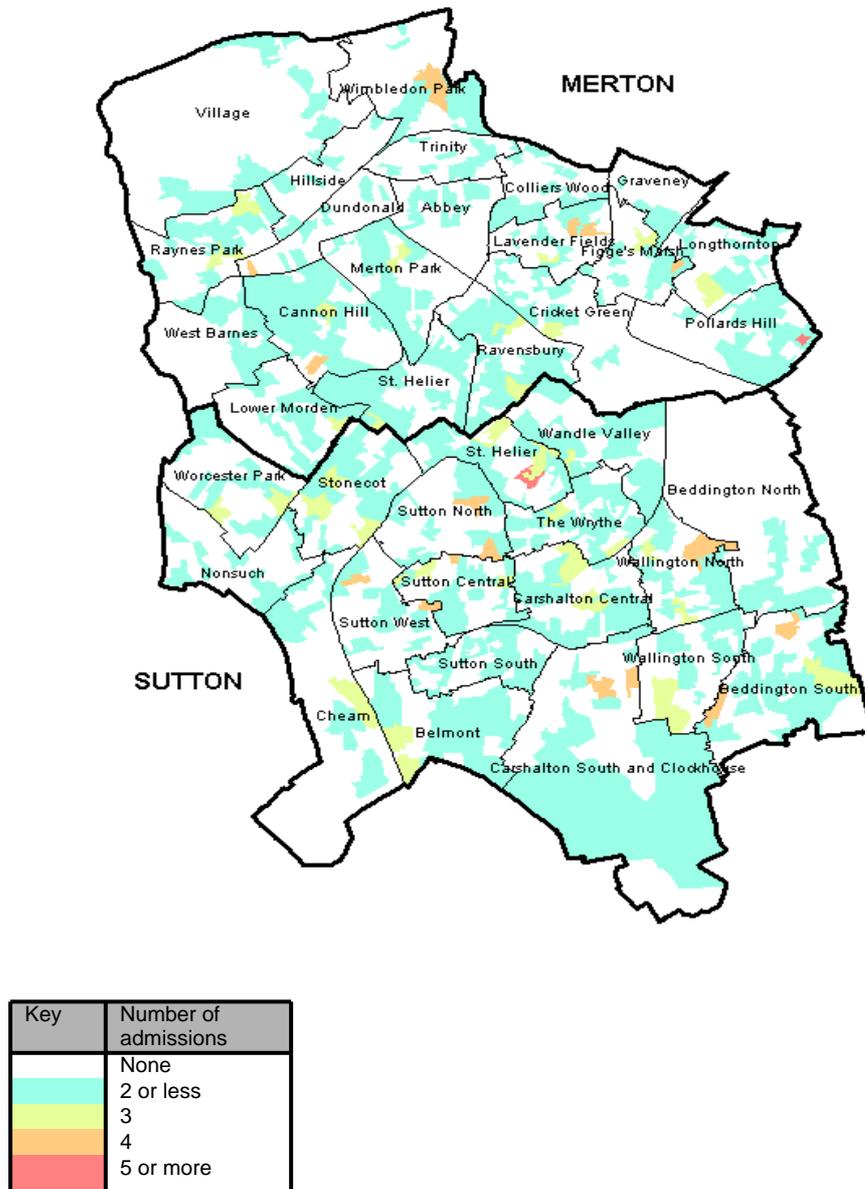
Appendix 3: binge drinking synthetic estimates



Key	Range
Lightest Blue	0% to 11.6%
Light Blue	11.7% to 12.9%
Medium Blue	13.0% to 14.6%
Dark Blue	14.7% and over

Source: JSNA 2009, Healthy Lifestyle Behaviour, Model Estimates 2003-05

Appendix 4: Level of Alcohol Related Emergency Admissions, Short Stay (0-1 day), in Sutton and Merton for people 18 yrs and over for 2009/10 – proxy for binge drinking



Source: Secondary Use Services data NHSSM 2009/10

Appendix 5: Level of Alcohol Related Emergency Admissions, all stays, in Sutton and Merton for people 18 yrs and over for 2009/10 – proxy for high risk drinking



Key	Number of admissions
	None
	2 or less
	3-5
	6-9
	10 or more

Source: Secondary Use Services data