

<p>Cabinet</p> <p>27 February 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>Report of the Overview and Scrutiny Committee: Creating a Balanced Night Time Economy in Tower Hamlets</p>	

<p>Lead Member</p>	<p>Councillor Joshua Peck, Cabinet Member for Work and Economic Development</p>
<p>Originating Officer(s)</p>	<p>Andy Scott (Acting Service Head for Economic Development) & Dave Tolley (Head of Trading Standards and Environmental Health)</p>
<p>Wards affected</p>	<p>All wards</p>
<p>Key Decision?</p>	<p>Yes</p>

1. INTRODUCTION/SUMMARY

- 1.1 This report submits the report and recommendations of the challenge session on creating a balanced night time economy in Tower Hamlets by the Overview and Scrutiny Committee (OSC), and the action plan for implementation.

2. RECOMMENDATIONS

The Mayor in Cabinet is recommended to:

- 2.1 Note the report as agreed by OSC in September 2017 (Appendix One) and agree the draft action plan (Appendix Two).

3. BACKGROUND

- 3.1 A prosperous Night Time Economy (NTE) can be a great asset to any area, creating opportunities for economic growth and regeneration, as well as supporting the vibrancy of local neighbourhoods. However, successful NTEs also generate potentially damaging issues around anti-social behaviour, crime and environmental pollution.
- 3.2 Striking the balance between promoting a flourishing NTE and protecting the quality of life of residents is a major challenge for local authorities. If poorly managed local NTEs risk failing to grow in a sustainable way, and can instead become characterised by either clustered, out-of-control licensed establishments or under-performing, lifeless street scenes.

- 3.3 The NTE in London is currently high on the agenda of city leaders, and has been made a top-priority by the new London Mayor. His introduction of the Night Tube, recruitment of a Night Czar and public pronouncements on the future of high-profile London entertainment venues have all helped to bring a fresh focus on the potential benefits and drawbacks of the NTE.
- 3.4 These developments, together with the rapidly changing demographic and economic make-up of Tower Hamlets, made it an opportune time to review the current approach to the borough's NTE, especially in terms of the current policy offer, its vision for the future of the borough's NTE and whether the interests of business and residents are sufficiently balanced.
- 3.5 The review was chaired by Cllr John Pierce, Chair of the Overview and Scrutiny Committee and took the form of four evidence sessions over four sessions between October 2016 and April 2017. The Review was underpinned by six core questions:
1. What do we define as the Night Time Economy? Are there different trends within the NTE of Tower Hamlets, e.g. clustering of particular types of establishment, concentrated footfall at specific times of night?
 2. What are the spatial impacts of the NTE in the borough:
 - How are specific LBTH wards affected differently?
 - What are the cross boundary effects with other boroughs (e.g. LB Hackney, City of London, LB Newham)?
 - How are the spatial impacts likely to change in the future (e.g. emerging areas of NTE growth such as Hackney Wick)?
 3. What policies does the Council currently have in place for management of the NTE and are these/have they been effective in serving the needs of both business and residents, e.g. Brick Lane Cumulative Impact Policy?
 4. What policy innovations have been developed by other Local Authorities that LBTH could use to improve its own NTE management approaches, e.g. Special Policy Areas/Late Night Levy?
 5. What is the wider cost-benefit analysis of NTE, e.g. tax receipts offset against policing/enforcement/health costs? Is this likely to change under the Business Rates Retention regime?
 6. What is the Council's long term vision for the NTE in the borough and is it fit for purpose, e.g. does it reflect the changing NTE

landscape in London and support the emerging local priorities set out in related work such as the Town Centre Strategy, Local Plan and Licensing Policy Refresh?

3.6 The report with recommendations is attached as Appendix 1. There are 11 recommendations arising from the review which are outlined below:

Recommendation 1:

The Council develops a vision for the coming five to ten years for the Night Time Economy in the Borough

Recommendation 2:

The Council appoints a “Night Czar” for the Borough who is a champion for a balanced Night Time Economy, a voice for all and not just businesses and their customers.

Recommendation 3:

The Council urgently reviews its Cumulative Impact Zone as the policy has failed to control the growth of licensed premises

Recommendation 4:

The Council ensures that if a Late Night Levy is introduced, funds raised by the Levy fund additional activity, clarity is gained about what the 70% of funding allocated to the Police will be used for and explores the Soho model of using the Late Night Ley as a way of bringing businesses and residents together

Recommendation 5:

The Council maps the “customer journey” for local residents through the licensing and enforcement process, with the aim of creating a clear guide for local people on who to contact and when if they are being affected by the NTE, accompanied by service improvement

Recommendation 6:

The Council reviews its staffing approach for enforcement officers for issues such as noise nuisance and anti-social behaviour (ASB) to ensure that officers are available at times of high demand such as late night at weekends

Recommendation 7:

The Council ensures that its skills and employment support provides local residents and young people with the assistance they need to take advantage of opportunities for employment in night time economy employers.

Recommendation 8:

The Council reviews its Assets of Community Value process, and ensures that provisions in the Local Plan are robustly and consistently applied to save pubs and clubs as community assets

Recommendation 9:

The Council explores licensing and enforcement options for new, “sharing economy” entrants to the NTE in the Borough such as AirBnB

Recommendation 10:

The Council reviews its approach to ensuring adequate public toilet facilities for those using the NTE and travelling between venues to reduce the impact of public fouling on residents local to NTE zones.

Recommendation 11:

The Council conducts a comprehensive impact assessment of the impact of the Night Time Economy on residents, services and businesses.

- 3.7 Once agreed, the Working Group’s report will be submitted to Cabinet for a response to the recommendations.
- 3.8 Comments from the services suggest that while being ambitious there are a number of actions which can be delivered to support the recommendations. The development of a stakeholder group to steer delivery of the action plan would be welcomed, in particular to assist map the current licensing and enforcement process. Additionally, there are limitations in reconsidering the current approach to provide public toilet facilities for those using the NTE. No additional budget has been agreed to increase the toilet provision. Any new provisions of public toilet facilities would incur additional costs for management and maintenance, which includes tackling improper use.
- 3.9 Finally, concerning monitoring impact of the Council’s efforts on the night time economy. A comprehensive impact assessment with far reaching goals would need input from a number of Council Departments and external stakeholders. This would need corporate ownership and a further steer from DLT / CLT on how this should be shaped and what information may be available to demonstrate impact.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

- 5.1 The report makes 11 specific recommendations aimed at creating a balanced night time economy within Tower Hamlets and seeks O&S approval to put these forward for Cabinet consideration. The review also highlighted the need for the Council to ensure that funds raised through the introduction of a Late Night Levy would be available to fund additional activity relating to the Night Time Economy through the Community Safety Partnership.
- 5.2 Whilst there are no direct financial implications arising from the recommendations should the Council agree to accept and implement any of the recommendations, consideration will need to be given to additional costs that may be incurred outside of any budget provision.

Appropriate funding would then need to be identified through the Council's financial approval process.

6. LEGAL COMMENTS

- 5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants. The Committee may also make reports and recommendations to Council or the Executive in connection with the discharge of any functions.
- 5.2 The report makes 11 specific recommendations aimed at creating a balanced night time economy within Tower Hamlets and all are capable of being undertaken within the Council's powers. There are therefore no direct legal implications arising from this report.
- 5.3 When considering its approach to this report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. Information relevant to this is contained in the One Tower Hamlets section below

7. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The focus of this review is the delivery of a balanced Night Time Economy in the Borough, ensuring that the benefits of a thriving local NTE are balanced against mitigating the negative impacts that the NTE can have on local people. The recommendations made in this report aim to improve this balance, delivering a more equitable outcome for all residents impacted by the NTE.

8. BEST VALUE (BV) IMPLICATIONS

- 7.1 The recommendations in this report are made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty. Getting the Council's pupil projections as accurate as possible ensures the DfE allocates its funding commensurate to the borough's need. Schools that open where there is no need risk becoming financially unsustainable in their current form due to surplus capacity.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no direct sustainable actions for greener environment arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Recommendations from this review aim to develop a Borough-wide vision for the Night Time Economy, informed by a comprehensive impact assessment. An evidence based approach to policy development such as this would reduce the risk of poorly targeted service provision and investment.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 The recommendations from this review aim to help balance negative impacts of the NTE, including nuisance such as excessive noise and anti-social behavior.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are no direct safeguarding implications arising from this report or recommendations.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Report as agreed by OSC in September 2017 (Appendix One)
- Draft action plan (Appendix Two).

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- NONE

Officer contact details for documents:

N/A