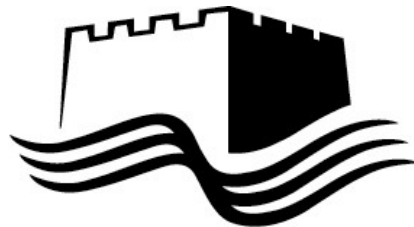


## **APPENDIX 1**

# **Creating a Balanced Night Time Economy in Tower Hamlets**

## **Scrutiny Review Report**



**TOWER HAMLETS**

**September 2017**

## **Chair's Foreword**

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Our Night Time Economy is thriving and expanding, we have seen it diversify on Brick Lane, growing in Canary Wharf and in neighbourhoods near the Olympic Park and with this comes jobs and opportunities for London.

Unfortunately, our Night Time Economy is not balanced and often local people are forced to suffer from related nuisance and anti-social behaviour. At our public session, we heard many local people highlight the challenges they face on weekends. We also heard about the frustration with some local services that are not yet on the front foot in tackling these challenges.

Our review recommends a number of steps the London Borough of Tower Hamlets could take to create a balanced Night Time Economy. From introducing a voice for all a Tower Hamlets Night Czar, having a noise nuisance team available throughout the weekends and to conduct a comprehensive impact assessment of the impact of the Night Time Economy to enable evidence based policy decision making.

I would like to thank everyone who participated in this review and who attended our public session.

**Councillor John Pierce**

## Summary of Recommendations

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- **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.

## 1. Introduction

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- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 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.
- 1.5 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 off-set 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?

- 1.6 The review was chaired by Cllr John Pierce, Chair of the Overview and Scrutiny Committee and took the form of four evidence sessions:

Session 1, held in October 2016 received evidence from the Council's Licensing Service, Planning Service and Economic Development Service

Session 2, held in December 2016 received evidence from the Council's Cabinet Member for Community Safety, the Community Safety Service, the Public Health Service and the Metropolitan Police.

Session 3, held in December 2016 received evidence from the trade associations the British Hospitality Association and the Association of Licensed Multiple Retailers.

Session 4, held in April 2017 was a public meeting addressed by London Borough of Tower Hamlets Mayor, John Biggs, and the Mayor of London's Night Czar Amy Lamé. The event, attended by over 70 people, heard evidence from local residents, business owners and night time economy professionals.

- 1.7 Other members of the review committee included:

<b>Cllr Clare Harrisson</b>	Overview and Scrutiny Committee Member
<b>Cllr Julia Dockerill</b>	Overview and Scrutiny Committee Member
<b>Cllr Abdul Mukit</b>	Overview and Scrutiny Committee Member
<b>Robin Fellgett</b>	Co-opted Member from Open Shoreditch

The review was supported by;

<b>John Cooke</b>	Senior Strategy Policy and Performance Officer
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The panel received evidence from members of the Executive, a range of officers and experts including;

**London Borough of Tower Hamlets:**

<b>Mayor John Biggs</b>	Mayor of Tower Hamlets
<b>Cllr Shiria Khatun</b>	Deputy Mayor and Cabinet Member for Community Safety
<b>Andy Scott</b>	Acting Divisional Director for Economic Development
<b>Tom Lewis</b>	Team Leader – Licensing
<b>Melanie Aust</b>	Economic Development
<b>Chris Lovitt</b>	Associate Director of Public Health
<b>Rachael Sadegh</b>	DAAT Co-ordinator
<b>David Tolley</b>	Head of Trading Standards and Environmental Health

**Greater London Authority:**

<b>Amy Lamé</b>	London Night Czar
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**Metropolitan Police:**

Martin Kirby	Chief Inspector, Metropolitan Police
Mark Perry	Police Constable, Metropolitan Police

**Trade Associations:**

<b>Vernon Hunte</b>	Government Affairs Director, British Hospitality Association
<b>Tony Sophoclidis</b>	Director of Communications, Association of Licensed Multiple Retailers

## **2. National and Regional Context**

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2.1 The Night Time Economy of the UK is estimated to be worth £66bn per year to the economy, and to employ 1.3 million people.<sup>1</sup> Through its role in providing cultural amenity and social networks, the NTE nationally has positive social as well as economic impacts.

2.2 Weighed against this, the NTE nationally also brings associated problems such as violent crime, alcohol-related injuries and underage drinking, and these impacts are managed and mitigated by a wide range of both local authority and other public sector actors within localities.

2.3 There is no overall national Night Time Economy Strategy. The main spatial and structural decisions regarding the NTE in localities are guided by local authority planning and licensing services.

### **2.4 Planning**

2.4.1 National planning policy recognises evening and night-time uses such as cinemas, restaurants, bars, pubs, night clubs and casinos to be main town centre uses.

2.4.2 The London Plan supports the success of London's entertainment enterprises and the "cultural, social and economic benefits that they offer to its residents, workers and visitors". This includes identifying, managing and co-ordinating strategic and local clusters of night-time activities.

2.4.3 The Greater London Authority's Town Centres Supplementary Planning Guidance (SPG) recognises the contribution the evening and night-time economy can make to town centre vitality and viability, but also that:

- negative impacts should be managed through gathering local evidence
- the management of such uses should be co-ordinated across different services
- the cumulative impacts of premises should be considered

2.4.4 In particular, boroughs are encouraged to bring forward policies to retain and enhance pubs and live music venues.

### **2.5 Licensing**

2.5.1 The Licensing Act (2003) regulates licensable activities. These licensable activities are:

- Sale of alcohol by retail
- Regulated Entertainment
- Late Night Refreshments

2.5.2 The Licensing Act (2003) requires that an application should be made by anyone wishing to undertake licensable activities, and requires that licensees must promote the four Licensing Objectives, which are:

- The prevention of crime and disorder,
- The prevention of public nuisance,
- Public safety,

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<sup>1</sup> *Building A Vibrant Night Time Economy*, LGiU, 2016 pg.3

- The protection of children from harm.

## 2.6 The Greater London Authority

- 2.6.1 The Mayor of London, Sadiq Khan appointed Amy Lamé as London's first Night Czar in November 2016.
- 2.6.2 London is the biggest city in the world to appoint a Night Czar, and Ms Lamé's appointment followed the creation of night mayors in other world cities including Amsterdam, Berlin and San Francisco. The position was a key manifesto commitment during Mayor Khan's Mayoral election campaign and Ms Lamé became the UK's first-ever Night Czar.
- 2.6.3 The appointment of a Night Czar for London reflects a wider intention of the Mayor for London to become a "24 Hour City". Mayor Khan also announced the appointment of Philip Kolvin QC as Chair of the Night Time Commission in December 2016. Mr Kolvin has been asked by the Mayor to preside over a revamped Night Time Commission, bringing together stakeholders from across the night-time economy including local authorities, the Metropolitan Police, club and venue owners, and residents.
- 2.6.4 Since the start of 2017, Mr Kolvin has been working alongside the Night Czar to develop a vision for London as a 24 hour city. Whilst details of this vision have not yet been released, the Mayor has consistently stated his commitment to the capital's night-time economy, including safeguarding the future of clubs and live music venues.
- 2.6.5 Between 2008 and the end of 2016, the Greater London Authority research suggests that London has lost 50 per cent of its nightclubs and 40 per cent of its live music venues<sup>2</sup> and the Mayor has made a manifesto commitment to protect these venues as cultural spaces.
- 2.6.6 August 2016 also saw the introduction of the Night Tube in London, meaning that a 24-hour service now runs on the Central, Victoria, Jubilee, Northern and Piccadilly lines on Fridays and Saturdays.
- 2.6.7 Within Tower Hamlets there are three tube stations served by the night tube service; Bethnal Green and Mile End stations on the Central Line, and Canary Wharf station on the Jubilee Line.

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<sup>2</sup> <http://www.london.gov.uk/press-releases/mayoral/mayor-announces-chair-of-night-time-commission>



### **3. The Night Time Economy in Tower Hamlets**

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#### **3.1 Vision for the Night Time Economy in Tower Hamlets**

3.1.1 In reviewing the evidence set out in the remainder of this report, it became clear to the Committee that whilst elements of the NTE in Tower Hamlets feature in the portfolios of a number of Cabinet members, and in the strategies, policies and plans of many council services, as well of those of local partners, there is no overarching vision, strategy or person responsible for the development of the NTE in the borough.

3.1.2 The Committee recommends that a vision for the NTE in the Borough be developed, and that in support of this, a single person be nominated who will be accountable for all things related to the NTE.

3.1.3 This approach is supported by the Local Government information Unit (LGiU) in their 2016 paper “Building a night vibrant night time economy” which observes:

“...many people are working independently to build the night time economy. Nominating a single person who will be the single point of accountability for all things related to the night time economy will bring those people together. The champion can create a coordinated strategy and ensure the momentum is maintained. This position could be a designated ‘night time economy champion’, which could be a cabinet member, or even a Night Mayor.

Having a single point of contact for these issues and a clear strategy builds confidence among businesses to know where to go for advice and to understand the logic behind the decisions being made. For agencies involved with management of these issues, knowing that someone is responsible for ensuring commitments are met and the agenda is moved forward is reassuring.

...Inevitably, the type of position and the structures around it will need to fit the local context, but what people are increasingly agreeing on around the country is the need to have someone responsible for driving the strategy.”<sup>3</sup>

3.1.4 Support for a “Night Czar” post in the Borough was also voiced at the Committee’s public meeting which was held in April 2017:

“I run an organisation called “Planning for Pubs” and am an expert on pub preservation ... Westminster is looking at appointing a pubs/NTE Champion – this is important – you need someone with a helicopter view to tie licensing, planning and other policies together on the NTE.”

#### **RECOMMENDATION 1:**

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

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<sup>3</sup> *Building A Vibrant Night Time Economy*, LGiU, 2016 pg.21

## **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.

### 3.2 Business Numbers

3.2.1 Tower Hamlets has a diverse and growing night time economy, as can be seen in table 1. From a base of around 820 businesses in 2010, this grew to 1,160 by 2016.

<b>Industry category</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Licensed restaurants</b>	215	215	250	260	285	300	320
<b>Unlicensed restaurants and cafes</b>	100	95	120	145	205	235	245
<b>Take away food shops &amp; mobile food stands</b>	145	145	175	170	175	210	220
<b>Event catering activities</b>	145	110	140	125	65	90	90
<b>Other food service activities</b>	10	10	15	25	95	75	75
<b>Licensed clubs</b>	15	15	10	10	15	10	10
<b>Public houses and bars</b>	150	150	140	135	125	125	130
<b>Hotel &amp; other accommodation</b>	40	40	50	60	60	55	70
<b>Total Accom. &amp; Food services</b>	820	780	900	930	1,025	1,100	1,160

Table 1: The Tower Hamlets Night Time Economy: Business numbers over time

### 3.3 Distribution across the Borough

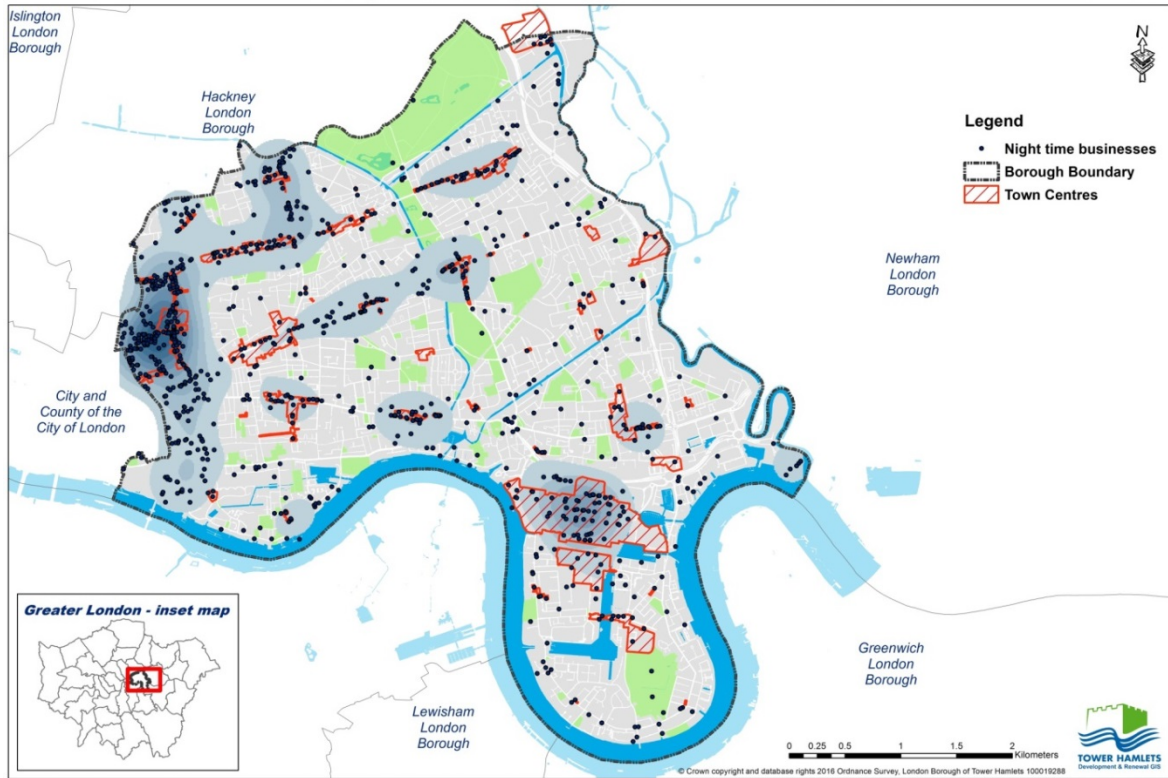
3.3.1 The Borough has a number of Night Time Economy Hubs, from the well established in areas such as Brick Lane and Canary Wharf, to emerging zones in areas such as Hackney Wick and Bethnal Green.

3.3.2 Map 1 provides a visual representation of the density of night time businesses across the Borough.

3.3.3 Map 2 provides a visual representation of the types of night time businesses in Tower Hamlets by category.

### Density map for night time businesses in Tower Hamlets

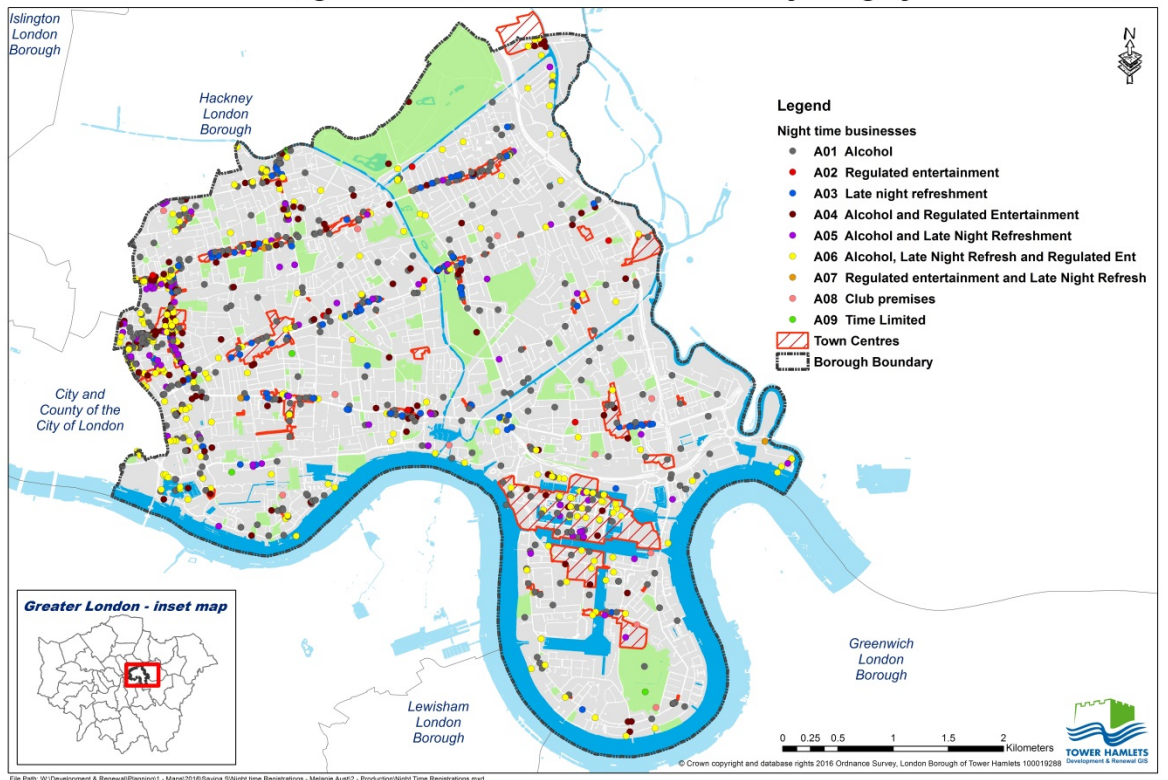
Date: 27/10/2016



Map 1: density map of night time businesses across the Borough.

### Night time businesses in Tower Hamlets by category

Date: 27/10/2016



Map 2: Night time businesses in Tower Hamlets by category

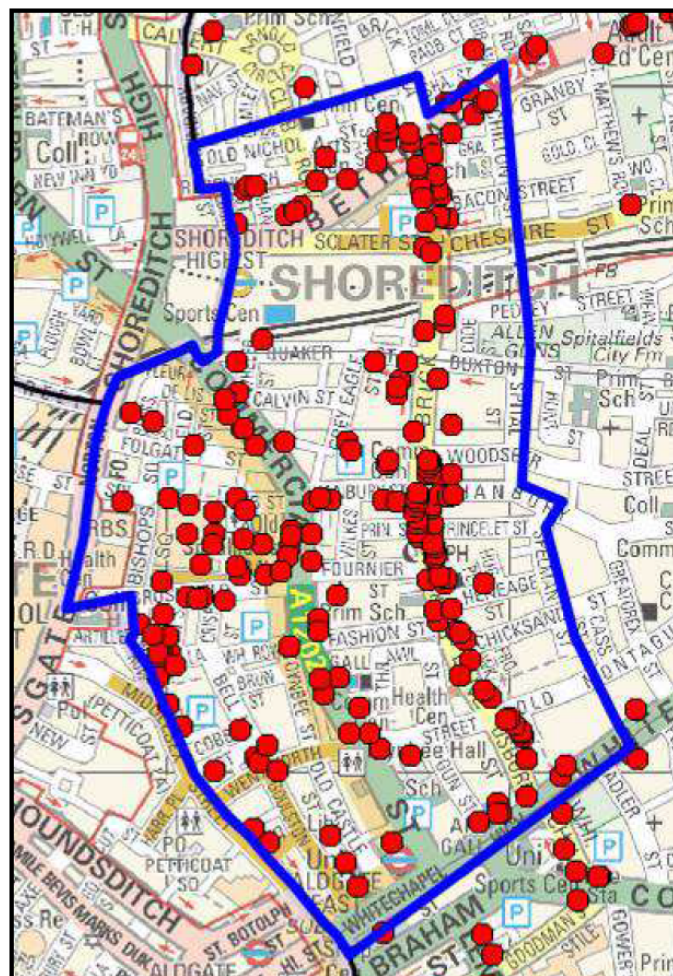
- 3.4 Licensed Premises and the Night Time Economy
- 3.4.1 In late October 2016, the Borough contained 1103 premises licensed to sell alcohol, of which 314 were licensed to supply alcohol after midnight.
- 3.5 Cumulative Impact Zone
- 3.5.1 Under the Licensing Act 2003, the Council is required to determine its policy with respect to exercising its licensing functions and as part of that policy, the Council may have a special policy whereby it can designate an area within the Borough as a Cumulative Impact Zone (CIZ), if it feels that the number of licensed premises is having an adverse impact on any of the Licensing Objectives i.e. crime and disorder, noise/nuisance, public safety and harm to children.
- 3.5.2. In November 2013, the CIZ for the Brick Lane area came into effect after adoption of the Statement of Licensing Policy at Full Council. The boundaries of the Cumulative Impact Zone are shown in Map 3, on the following page.
- 3.5.3 The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity).
- 3.5.4 Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.
- 3.5.5 The Council is currently undertaking a Statement of Licensing Policy review, and will be consulting on the Statement of Licensing Policy in late 2017/early 2018. As part of the review, the impact of the CIZ is being considered. Analysis conducted as part of the review has identified that:
- A year on year reduction in crime and antisocial behaviour linked to licensed premises within the CIZ has been seen since January 2015, with a reduction of 150 incidents between January and December 2015, and a further reduction of 167 incidents between January and December 2016.
  - The number of complaints relating to the CIZ received by the Council's Licensing and Noise Teams has reduced from 520 complaints during the period 1/12/2010, to 29/10/2013 to 190 complaints during the period 6/11/2013 and 1/11/2016
  - Fewer licenses have been granted within the CIZ since its introduction, down from 190 granted between 3/8/2005 and 1/11/2013 to 63 granted between 25/11/2013 and 15/9/2016.
- 3.5.6 Evidence that the Committee received regarding the CIZ showed a mix of views. The Council's Licensing Service reported that whilst there was a

feeling amongst some that the CIZ had been introduced too late, it was felt that the CIZ's implementation had allowed discussion and mediation with regards to noise and other mitigations with those seeking post 11pm licenses in the Zone.

3.5.7 Members of the public attending the Committee's public meeting in April 2017 commented:

"The CIZ has done some good, and was a wonderful aspiration, but in the last couple of years the Licensing Committee has approved a higher proportion of licenses inside the CIZ than outside it ...The council also doesn't always seem to make the most of the legal remedies available for dealing with bad licensees."

3.5.8 Following the evidence heard by the Committee, there was concern amongst Committee members that the Council's Licensing Committee may not be applying the CIZ Policy correctly in considering applications for licenses within the CIZ. The Council's Licensing Service have subsequently confirmed that Licensing Committee members have received re-training regarding the policy from the Council's Legal Services team, and there is confidence that the Licensing Committee is applying the policy correctly.



Map 3: Brick Lane Cumulative Impact Zone (red dots on the map show licensed premises at the time of the CIZ's proposal) *Map Courtesy of the Metropolitan Police*

**RECOMMENDATION 3:**

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

3.6 Late Night Levy

- 3.6.1 The Police Reform and Social Responsibility Act 2011 introduced the provision for Councils to impose a late night levy for the sale of alcohol within their area.
- 3.6.2 The Regulations governing the introduction of the levy set the amount of levy that can be imposed in relation to the rateable value of the property; how the levy should be divided amongst the Metropolitan Police and Council; and the type of activities that the levy can be spent on within the Council. The levy is set by Government depending on the rateable value of the property that is licenced to retail alcohol. The levy is collected at the same time as the licence fee.
- 3.6.3 The levy enables the Council to raise a contribution from late opening alcohol suppliers towards managing the night-time economy. It is a provision which the Council has the power to adopt, but the levy must cover the whole of the licensing authorities' area (i.e. the whole borough). The Council can also choose the period during which the levy applies every night, between midnight and 6.00am, but it must be the same for every day. There is also a possibility for specific exemptions and reductions to be granted with regards to the levy payment.
- 3.6.4 The aim of the levy is to empower Councils to charge businesses that supply alcohol late into the night, for the extra costs that the night-time economy generates for police and Councils (as licensing authorities). The Government consider it is right for businesses which profit by selling alcohol in the night time economy to contribute towards the costs of managing the night-time economy.
- 3.6.5 If the Council chooses to introduce the levy in their area, all licensed premises which are authorised to sell alcohol within the levy period are able to make a free minor variation to their licence before the levy is introduced, so as to avoid the levy.
- 3.6.6 The Metropolitan Police would receive approximately 70% of the net levy revenue should a late night levy be introduced in Tower Hamlets. The net levy revenue amount would be less deduction by the Council for such items as the collection of payments, procedure for implementation of the levy and publication of its statutory statement. Should a levy be introduced in Tower Hamlets, the Mayor's Office for Policing And Crime (MOPAC) have agreed to have their allocation spent within the Borough through the current partnership arrangements.
- 3.6.7 The Council must allocate their proportion of the net levy amount on the following activities:
- Reduction or prevention of crime and disorder
  - Promotion of public safety

- Reduction or prevention of public nuisance
  - Cleaning of any relevant highway or relevant land in its area
- 3.6.8 It is estimated that the LNL would raise approximately £350,000, although this would be dependent on the exemptions and reductions that may be granted.
- 3.6.9 The provision of free minor variations during the lead to the introduction of the levy would have an impact on this estimate. As of May 2016 there were 386 licences that could be affected, pending applications for minor variations, the exemptions agreed and licence holders joining the Best Bar None scheme.
- 3.6.10 The increase in annual fee for the licence holder would vary depending on the rateable band of the property. The annual fee, without the levy component is set by Government depending on the rateable value of the property.
- 3.6.11 Other London Borough's such as Camden and Islington have also introduced a Late Night Levy and Hackney has undertaken a consultation for their proposal to introduce a Levy.
- 3.6.12 Initial reports from Islington, who introduced the levy in November 2014, are that it has had a positive impact on reducing incidents related to late night drinking and thus improved the night time economy.
- 3.6.13 The Council as the Licensing Authority must consider the desirability of introducing a levy in relation to the costs of policing and other arrangements for the reduction or prevention of crime and disorder.
- 3.6.14 The introduction of the levy would contribute to the Council's overall strategy in reducing anti-social behaviour within the Borough and would enable further projects to be undertaken to reduce impacts on residents and to ensure that visitors to the Borough have an enhanced safe experience.
- 3.6.15 The Metropolitan Police and the Council would have to determine how they would wish to spend their allocation and detail the additional work that would be carried out to police the night time economy. Projects that could be funded through the Partnership include:
- Taxi Marshalls
  - Street Pastors
  - Street Cleaning
  - Enforcement Initiatives – Night time enforcement officers
  - Personal Safety Initiatives
  - Health Care Facilities
  - Additional Police or private security
  - Financial support could be provided to assist schemes that promote improved management of licenced premises, such as Best Bar None or
  - Pub watch
- 3.6.16 Based on the current number of premises opening between midnight and 6am, and using midnight as the point the levy commences, the additional income would be in the region of £350,000. This figure will vary if premises apply to reduce their operating hours. The Council is able to deduct the costs

of applying and collecting the levy and it is estimated that this would be in the region of £50,000.<sup>4</sup>

3.6.17 The Council considered the proposal to introduce a LNL at its meeting on 18 January 2017, and agreed

1. That the Late Night Levy be adopted;
2. That the levy commencement period should be the 1st June 2017.
3. That the commencement time should be from midnight
4. That the income from the levy, less collection costs, should be allocated through the Community Safety Partnership.
5. That Members of the Best Bar None Scheme should receive a 30% reduction from the levy.
6. That the following premises would be exempt from the levy:
  - Premises with overnight accommodation
  - Theatres and Cinemas
  - Bingo Halls
  - Community Amateur Sports Clubs
  - Community premises
  - Premises opening past midnight for New Years Eve only
7. That the following licenced premises would not be exempt from the levy :
  - Country Village Pubs
  - Premises in Business Improvement Districts
  - Premises that receive a small business rate relief

3.6.18 Due to issues with the consultation process held in 2016, it was subsequently decided, however, not to introduce the Late Night Levy on 1 June 2017.

3.6.19 The council has re-launched the consultation and is now consulting on the introduction of a late night levy for premises authorised to sell/supply alcohol between midnight and 6am to be introduced on 1 January 2018.

**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

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<sup>4</sup> London Borough of Tower Hamlets Report of Cabinet to Council on 18 January 2017 "Late Night Levy Consideration – post consultation" Paragraph 3.15



### 3.7 Best Bar None

- 3.7.1 The Best Bar None award scheme was piloted in Manchester City Centre in 2003 to promote the responsible management and operation of alcohol-licensed premises. It was supported by the Home Office and the British Institute of Innkeeping and now has the backing of brewers and spirit producers Diageo GB, Heineken, Molson Coors and Pernod-Ricard. The scheme has grown as more local authorities operate Best Bar None schemes.
- 3.7.2 In 2014 the scheme was introduced to Tower Hamlets initially covering Brick Lane within the Cumulative Impact Zone. In 2016 it was extended to the rest of the borough. Should the Late Night Levy be introduced in the Borough, all assessed and approved venues of the Best Bar None scheme will be entitled to 30 per cent off the Late Night Levy.
- 3.7.3 Tower Hamlet's Best Bar None scheme recognises, promotes and rewards the responsible management and operation of alcohol-licensed premises. The aim is to offer and maintain a high quality, safe and enjoyable social experience within the borough for those that live, work or visit the area.

### 3.8 The Night Time Economy and the Local Health System

- 3.8.1 The Committee heard evidence from the Council's Public Health Service at its meeting on 7 December 2016. It was noted that there are health and wellbeing benefits delivered by the NTE in the Borough, including amenity, employment opportunities, cultural provision and a place where many make and maintain the social connections that sustain throughout their lives.
- 3.8.2 The NTE is also associated with a number of negative health impacts including; binge drinking, substance misuse; consumption of "fast food" which tends to be less healthy; increased levels of sexual assault; violent crime and injury; use Novel Psychoactive Substances (NPS, also known colloquially as "legal highs") and associated negative health impacts and negative impacts on mental health.
- 3.8.3 Analysis of London Ambulance call outs shows clear pressure points in the system, with incidents being focused late at night/early morning, particularly on Friday night/Saturday early morning, and Saturday night/Sunday early morning, as evidenced by Table 2 on page 19.
- 3.8.4 Allied to this pressure on the Ambulance Service is pressure on the Hospital system. The proportion of drug and alcohol related visits to Accident and Emergency significantly increases on Friday and Saturday nights, and LBTH is in the top third of London Boroughs for hospital admissions due to alcohol, and the third highest in London for admissions of under 18s due to alcohol.
- 3.8.5 A range of approaches have been developed nationally to mitigate the impacts of the NTE in areas on the local health economy. The Cardiff Model was highlighted as an example of best practise which the Borough would benefit from if fully implemented. This approach involves information being collected from patients who have been the victim of an assault and subsequently sought treatment in an emergency department. This information is anonymised, and is shared with community safety partners. It is set up as a

population level preventative programme so that no identifiable data is shared, and there is no risk of an individual being identified from the data set.

- 3.8.6 The data collected includes the date and time the violence occurred, location of violence, if weapons were used and how many assailants there were. These key pieces of information help to identify violence 'hot spots', which enable partners to take appropriate action to prevent further harm. This may include challenging the practices of a licensed venue, altering policing patterns or introducing an intervention such as street pastors into the night time economy.
- 3.8.7 To be effective the information from the hospitals needs to be accurate and it must be shared correctly to inform licensing, policing and crime prevention interventions. Where this is achieved, this approach has been repeatedly demonstrated to reduce levels of violence and also hospital admissions.<sup>5</sup>
- 3.8.8 Partnership work is already underway in Tower Hamlets with some data sharing in line with the Cardiff model taking place, along with activity such as alcohol screening and referral into drugs and alcohol services, but there is a lack of live data sharing and premises specific data, and also inconsistency in screening and follow up for alcohol and drugs services.
- 3.8.9 Given the challenges outlined above, the Public Health Service advised that a full needs assessment relating to the NTE, including economic impact, an ongoing partnership approach including full adoption of the Cardiff Model, and the establishment of robust pathways for follow-up and evidence sharing would be the recommended approach to address the NTE and its impacts on the health system.

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<sup>5</sup> <http://www.publichealthdorset.org.uk/protecting/cardiff-model/>

London Ambulance Service – Callouts Snapshot

Hour of Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Incidents by Hour of Day
12-1am	66	69	60	63	77	101	126	562
1-2am	45	54	43	47	58	103	140	490
2-3am	35	42	39	33	35	98	127	409
3-4am	33	39	36	31	36	94	101	370
4-5am	18	29	29	18	26	76	76	272
5-6am	16	14	13	12	18	41	43	157
6-7am	15	26	21	25	30	24	46	187
7-8am	21	24	22	23	15	26	44	175
8-9am	29	27	25	29	36	40	35	221
9-10am	32	31	41	33	34	33	30	234
10-11am	37	38	44	44	41	54	39	297
11-12pm	40	34	54	54	51	42	58	333
12-1pm	48	41	43	46	45	50	48	321
1-2pm	62	46	59	51	56	82	56	412
2-3pm	60	61	52	51	72	66	58	420
3-4pm	70	70	38	67	71	73	58	447
4-5pm	63	82	73	78	76	73	70	515
5-6pm	65	61	61	57	64	55	72	435
6-7pm	77	82	53	79	64	75	92	522
7-8pm	92	73	75	67	76	83	66	532
8-9pm	83	77	81	80	82	78	64	545
9-10pm	77	85	89	73	94	90	70	578
10-11pm	91	78	80	99	102	86	87	623
11-12pm	86	66	71	94	94	128	67	606
Incidents by day of Week	1261	1249	1202	1254	1353	1671	1673	9663

Table 2: Snapshot of London Ambulance Service callouts provided to the Committee in December 2016

Key

Hour of Week	Hour of Day	Day of Week
Top 10%	Top 10%	Top 10%
10-20%	10-20%	10-20%
20-50%	20-50%	20-50%
< 50%	< 50%	< 50%

### 3.9 The Tower Hamlets Community Safety Partnership

3.9.1 The Tower Hamlets Community Safety Partnership (CSP) is a multi-agency strategic group set up following the Crime and Disorder Act 1998. The partnership approach is built on the premise that no single agency can deal with, or be responsible for dealing with, complex community safety issues and that these issues can be addressed more effectively and efficiently through working in partnership. It does this by overseeing the following:

- Service outcomes
- Leadership and partnership working
- Service planning & performance management
- Resource management & value for money
- Service use and community engagement
- Equality & diversity

3.9.2 The Community Safety Partnership is one of four community plan delivery groups which are held responsible by the partnership executive for delivering the aims/actions contained within the Community Plan. The CSP is made up of both statutory agencies and co-operating bodies within the borough. The statutory agencies are:

- Tower Hamlets Police
- London Borough of Tower Hamlets
- National Probation Service
- London Community Rehabilitation Company (CRC)
- Hackney, City of London and Tower Hamlets Community Rehabilitation Company (CRC)
- London Fire Brigade
- NHS Tower Hamlets Clinical Commissioning Group

3.9.3 The above are supported by key local agencies from both the public and voluntary sectors. Housing providers have a key role to play in addressing crime and disorder in their housing estates and these are represented by the Chair of the Tower Hamlets Housing Forum who is also the chair of the ASB strategy group. Victims and witnesses of crime and disorder are represented on the CSP by Victim Support. The extensive network of voluntary organisations within the borough, are represented by Tower Hamlets Council for Voluntary Services' Chief Executive.

3.9.4 Representation on the CSP is through attendance by senior officer / person within that organisation, with the authority to make strategic decisions on behalf of their agency/organisation.

3.9.5 Partners bring different skills and responsibilities to the CSP. Some agencies are responsible for crime prevention while others are responsible for intervention or enforcement. Some have a responsibility to support the victim, substance user and others have a responsibility to deal with the perpetrator. Ultimately the CSP has a duty to make Tower Hamlets a safer place for everyone.

3.9.6 The Tower Hamlets Community Safety Partnership (CSP) is required by law to conduct an annual assessment of crime, disorder, anti-social behaviour, substance misuse and reoffending within the borough, this is known as the strategic assessment. It is also required to consult members of the public and

the wider partnership on the levels of the above when producing its Community Safety Partnership Plan.

- 3.9.7 The strategic assessment and the findings of the public consultation are then used to produce the partnership's Community Safety Partnership Plan, which is also a statutory document.
- 3.9.8 The CSP's operational response to the NTE and associated crime and disorder is co-ordinated by the ASB Operations Group. The Group are responsible for the monitoring of emerging anti-social behaviour issues/concerns/threats and upon analysis of evidence, they will agree tasking of partnership resources to respond to these in local areas.
- 3.9.9 The ASB Operations Group, can task officers from across the partnership including Police Safer Neighbour Teams, Neighbourhood Policing Teams, Council funded Police Partnership Taskforce (PTF), ASB Investigation Officers, Youth Services, Council Licensing, Police Licensing, Youth Rapid Response Team, Tower Hamlets Enforcement Officers, Housing Providers and other partnership resources to specific areas to respond as a partnership to these issues.
- 3.9.10 The Partners have a wealth of expertise and knowledge as well as powers to address all types of anti-social behaviour (including alcohol related), and they use these proportionately required.
- 3.9.11 Partners have been and continue to be tasked to respond community concerns around crime and disorder in connection with the Night Time Economy, as and when calls for service and evidence shows that there is an issue which requires cross partnership response.
- 3.9.12 Recent targeted partnership operations to address street drinking in and around the Brick Lane area have resulted in individuals causing alcohol related crime and disorder entering appropriate treatment services, hostel accommodation for those rough sleeping and also displacement of those not will to address their issues into Hackney, rather than face enforcement action.

### 3.10 Noise Nuisance Enforcement

- 3.10.1 More than a third of requests for nuisance help that the council receives are about noise. The council can take action on excessive levels of noise considered to be a statutory noise nuisance. It can also carry out noise assessments and monitor construction site development to protect the wellbeing of the borough's residents and businesses. The council seeks to actively work with residents, businesses, developers and regional partners to control levels of noise.
- 3.10.2 The council operates an out-of-hours noise service between Thursday and Sunday each week, 8pm to 3.30am. The law enforced by the council's Environmental Health Officers deals with noise described as a statutory nuisance. This means that some issues cannot be dealt with as they fall outside this description. Examples include; rowdy behaviour in the street, everyday noise a neighbour, people moving around and talking, noise from flushing toilets, children running around.

### 3.11 Anti-Social Behaviour

- 3.11.1 Anti-social behaviour (ASB) is a term which covers a range of issues – from serious violence and harassment, to more everyday incidents and situations like noisy dogs or rubbish dumping. The definition of ASB provided on the council’s website is “Any activity that causes alarm, distress or harassment to the individual or the community”.<sup>6</sup>
- 3.11.2 Anti-social behaviour (ASB) is consistently identified by residents as a key issue affecting their quality of life. The council believes that nobody should have to live with anti-social behaviour and is committed to making a difference to improve the lives of Tower Hamlets residents. The council works in partnership with the Safer Neighbourhoods teams, Tower Hamlets residents and other local agencies, to deal with all anti-social behaviour that happens on the streets of Tower Hamlets.
- 3.11.3 Anti-Social Behaviour – A Blueprint for Local Action in Tower Hamlets
- 3.11.4 Following a review of anti-social behaviour in the borough, the report “Anti-social behaviour – A Blueprint for Local Action in Tower Hamlets” was produced and approved by Cabinet in June 2017 as the new approach to tackling anti-social behaviour in the borough.
- 3.11.5 The document sets out what the Council and the Community Safety Partnership intends to do to prevent and tackle anti-social behaviour, and provides a clear commitment to action with timescales and metrics which will be used to demonstrate progress. It identifies three priorities for the borough:
- Priority 1: Improved, victim focused, response to ASB in Tower Hamlets
  - Priority 2: Improved understanding of the impact of ASB on local communities and associated harm
  - Priority 3: Reduce the damaging effects of ASB by active engagement, working with communities, businesses and co- producing solutions to problems
- 3.11.6 A number of intended outcomes are identified relating to each priority. Outcomes for priority 3 include:
- “A safer night-time economy – minimising the impact of ASB.”, and
  - “A vibrant and well balanced evening and night-time offer for those that reside in and visit the Brick Lane area.”
- 3.12 Customer Experience
- 3.12.1 The committee received feedback from a number of residents and representatives of residents groups during the review about their experiences of being negatively impacted by the NTE, and their subsequent experience of trying to find solutions through the enforcement and licensing processes.
- 3.12.2 Feedback from the co-opted member of the review, and from residents at the public meeting on 6 April 2017 indicated that local residents found it difficult both to understand what service they should contact if they were being negatively impacted by the NTE. This became even more complicated in

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<sup>6</sup>[http://www.towerhamlets.gov.uk/lgnl/community\\_and\\_living/community\\_safety\\_\\_crime\\_preve/anti-social\\_behaviour/anti-social\\_behaviour.aspx](http://www.towerhamlets.gov.uk/lgnl/community_and_living/community_safety__crime_preve/anti-social_behaviour/anti-social_behaviour.aspx)

areas on the border with other Boroughs, where residents found that they were passed between Local Authorities and partner organisations, and found it hard to identify someone to take overall responsibility for dealing with the problem. An attendee at the public meeting commented:

“I’m the chair of a residents association, and have been commenting on license applications since the 2003 Licensing Act. It’s difficult to be vigilant on 24 hour licenses – I looked on the online LBTH licensing portal, and there were many cases where it wasn’t possible to view the licenses for businesses on Commercial Street. It can also be frustrating trying to get the right person at LBTH for the issue you have. There is a lack of coordination between licensing, planning and the police to strike the right balance between the NTE and those who need to sleep at night. I tried going through the LBTH ASB process, which took a long time but felt like I got nowhere. It’s also difficult dealing with the police because the responsible officers change posts so regularly.”

**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

**3.13 The Night Time Economy and Economic Development**

3.13.1 The Committee received evidence from the Council’s Economic Development Service at its meeting of 27 October 2016.

3.13.2 Research carried out by the Association of Licensed Multiple Retailers states that Tower Hamlets has the 6th most-valuable Night Time Economy (NTE) in London and the 10th most valuable in the UK, with 583 core pub, club, bar and restaurants with a combined Gross Value Added (GVA) of £121 million.<sup>7</sup>

3.13.3 Between 2010 and 2016 the number of licensed restaurants in the Borough increased by 49% from 215 to 320 and the number of hotels and other accommodation increased by 75% from 40 to 70. In the same period the number of licensed clubs decreased from 15 to 10 and public houses and bars decreased from 150 to 130.

3.13.4 The hospitality sector offers a range of employment opportunities in the Borough. For those people that need flexibility in their employment, the sector offers good opportunities for part-time and shift work. Some employers in the

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<sup>7</sup> Draft Tower Hamlets Town Centre Strategy 2017 to 2022 (published by London Borough of Tower Hamlets for consultation in March 2017) Page 56

sector also offer training and apprenticeships, but the story is mixed with some concern that some employers regard local young people purely as a potential source of inexpensive labour. The Council works with employers when they first open their businesses in the Borough, making an offer to help match them with suitably skilled employees.

- 3.13.5 The Economic Development Service has recently published a draft Town Centre Strategy for the period 2017 to 2022. With reference to the NTE, the strategy recognises that, “There are opportunities to improve and manage the existing and emerging night time economy in Brick Lane, Whitechapel and Bethnal Green and work with local business and residential communities to develop and grow it in Roman Road East and Chrisp Street.”
- 3.13.6 Given the unique demography of Tower Hamlets, with its young population, and challenges relating to low skills and high unemployment amongst some residents, the Committee feels that it is important that the potential employment and knock-on benefits that the NTE can offer in the Borough and its residents is maximised.
- 3.13.7 The hospitality sector’s strengths in offering both flexible work opportunities and entry level job starts are a good match to addressing the needs of many people seeking to enter the job market, with spin off benefits for communities that experience higher levels of employment, and also NTE employers who will see an increasingly skilled workforce for their sector. The Committee recommends that the Council ensures that through its employment and skills offer for local residents, including the recently launched “Workpath” service it assists residents to maximise their employment opportunities in the local NTE.

**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.

### 3.14 The Local Plan

- 3.14.1 National planning policy places Local Plans at the heart of the planning system. Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. They are also a critical tool in guiding decisions about individual development proposals, as Local Plans (together with any neighbourhood plans that have been made) are the starting-point for considering whether applications can be approved. It is important for all areas to put an up to date plan in place to positively guide development decisions.
- 3.14.2 National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.



The council's Local Plan Core Strategy was adopted in 2010. Strategic policy encourages “evening and night time economy uses that contribute to the vibrancy, inclusiveness and economic vitality of our town centre hierarchy” where:

- they are “not over-concentrated in areas where they will have a detrimental impact on local people”
- they complement existing uses and activities
- the impact of noise is managed through design and planning controls

3.14.3 In particular, spatial and place-making guidance seeks to:

- protect residential amenity in Shoreditch and Spitalfields using night-time planning management for proposals around Redchurch Street and Brick Lane
- promote evening and night-time uses in Aldgate to draw people from the City and contribute to the area's vibrancy
- include evening and night-time uses as part of regeneration at Chrisp Street to create a thriving, vibrant and multi-purpose town centre

3.14.4 The council's Managing Development Document (MDD) was adopted in 2013. Within the MDD, Development management policies direct restaurants (A3), public houses (A4) and hot food takeaways (A5) to the Central Activities Zone (CAZ), Tower Hamlets Activity Areas and designated town centres, with:

- a requirement to have a separation of at least two non-A3/4/5 unit between each A3/4/5 unit
- the proportion of hot-food takeaways not to exceed 5% of all units in the town centre with proximity to schools/leisure centres taken into account

3.14.5 The distinct roles of Canary Wharf and Brick Lane are also recognised, giving a more flexible approach for proposals in these locations though noting that careful monitoring was required in Brick Lane due to adverse effects on the amenity of resident.

3.14.6 Within the MDD, the policy on amenity seeks to protect from unacceptable levels of noise (and pollution). For evening and night-time uses guidance sets out that this includes noise from patrons entering or leaving and as such the Council may use conditions to control hours of operation.

3.14.7 The Council is currently consulting on 'Tower Hamlets Draft Local Plan 2031: Managing Growth and Sharing the Benefits' (Regulation 18) which sets out a proposed vision, objectives and planning policies to positively plan and manage development in the borough up to 2031. Changes relating to the evening and night-time economy include:

- Taking a more flexible approach to the location of new cafes, restaurants and drinking establishments where they are located outside of town centres but would have positive placemaking benefits – for example where they are located along dock, canal or river edges.
- Being more restrictive on new hot-food takeaways to recognise the negative impact such uses can have on town centre vitality and public health.

- Introducing stronger policies resisting the loss of public houses.
- Giving stronger protection to existing venues (such as music venues, night clubs and theatres) where noise-sensitive uses (such as housing) are proposed in their vicinity.

### 3.15 Community Right To Bid/ Assets of Community Value

3.15.1 The Community Right to Bid, also known as Assets of Community Value, gives people the chance to bid to buy and take over the running of assets that are of value to the local community.

3.15.2 The Community Right to Bid gives members of the local community the right to nominate buildings and land (assets) that they think are important to their community for listing on the Register of Assets of Community Value.

3.15.3 The right came into force in September 2012 as part of the Localism Act 2011, and the buildings or land can be publicly or privately owned.

3.15.4 If a building or land on the register comes up for sale or a lease of at least 25 years, the nominating group will be notified and they will have up to six weeks to say whether or not they will bid for it, and up to six months to prepare the bid to buy or lease it.

3.15.5 The owner does not have to sell the building or land to the community group, but they are allowed time to put together a bid to buy it on the open market.

3.15.6 A building or land can be listed as an Asset of Community Value if it:

- is currently being used, or was used in the last five years, for activities which improve the social wellbeing and interests of the local community; or
- will continue to be used for at least the next five years for activities which improve the social wellbeing and interests of the local community.

3.15.7 A number of public houses are currently listed on the Tower Hamlets Register of Assets of Community Value, which can be found at **Appendix 1**.

3.15.8 The Committee received evidence regarding the Assets of Community Value process in Tower Hamlets during its public meeting in April 2017;

“I run an organisation called “Planning for Pubs” and am an expert on pub preservation. I’ve been advising the Duke of Wellington in Spitalfields, and wanted to thank Mayor Biggs for his support. I’ve worked on around 40 cases of pubs that were under threat. The NTE is under threat from property developers due to high land and residential values.

LBTH has a reasonably good pub protection policy in its Local Plan, but it has been applied in an uneven way. It feels like the Planning Committee understands the issue, but some more consistency from planning officers would be welcome. The Assets of Community Value Policy also needs more attention. Westminster is looking at appointing a pubs/NTE Champion – this is important – you need someone with a

helicopter view to tie licensing, planning and other policies together on the NTE.”

**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

3.16 The Sharing Economy

3.16.1 Recent years have seen the emergence and proliferation of internet based “sharing economy” services. These services use information technology to allow users to share and make use of goods and services that would otherwise be underused, and range from financial services to transportation and accommodation.

3.16.2 One of the most successful examples of this type of service is Airbnb, a website that allows members to list accommodation space that they have available, and for other members to book and stay in these rooms/properties as an alternative to traditional hotel and bed and breakfast accommodation. Founded in 2008, the Airbnb website reports that it has served over 160,000,000 guests and currently has over 3,000,000 listings worldwide.

3.16.3 Where London property owners make use of services such as Airbnb, they are legally limited to making their properties available for short term lets for a maximum of 90 days in any year. Short-term rentals in Greater London are subject to a planning restriction, which makes the use of residential premises as temporary sleeping accommodation a “material change of use” for which planning permission is required.

3.16.4 In 2015, with the Deregulation Act, the Government introduced an exception to this restriction. The exception allows residential premises to be used for temporary sleeping accommodation without this being considered a “change of use”, so long as the cumulative number of nights of use as temporary sleeping accommodation does not exceed 90 nights in a calendar year, and so long as the person who provides the accommodation is liable to pay council tax. Local planning authorities may direct that this exception does not apply to certain residential premises or to residential premises in certain areas.

3.16.5 Following concerns expressed that local authorities in London were unlikely to have the resources needed to adequately enforce this “90 day rule”, Airbnb announced in December 2016 that it would monitor its London members’ adherence to it.

3.16.6 As of 1 January 2017, Airbnb’s systems automatically limit entire home listings in Greater London to 90 nights a year, unless the hosts confirm that they have the required permission to share their space more frequently.

3.16.7 There are, however, a significant number of other providers of similar services who have not made the same commitment, meaning that there is a risk that

property owners using their services may offer their properties for in excess of 90 days without the required planning permission.

- 3.16.8 During its evidence sessions, the Committee heard evidence suggesting that properties in the Borough have been rented out using sharing economy services, and that this had created problems in residential areas, with the properties being let for weekends to groups who used the properties to hold weekend-long parties, with ASB impacts on neighbouring properties within street and buildings.

**RECOMMENDATION 9:**

That the Council explores licensing and enforcement options for new, “sharing economy” entrants to the NTE in the Borough

3.17 Street Fouling

- 3.17.1 The Committee heard evidence from a number of residents living close to Brick Lane on the issue of street fouling associated with the Night Time economy locally. Contributions included:

“The area near me is like one large public toilet. Urine has seeped into my hallway. It’s awful”

“I am a local business owner. I raised the issue of public urination and ASB in the street... Local services need to manage ASB better. More public toilets need to be provided, and there should be better cleaning on roads that suffer from public urination.”

“I’m a Boundary estate resident...There are problems with urination, drug sellers and sex workers. The reality for us is urination and drugs as people from the NTE zones travel through our neighbourhoods between Brick Lane and Shoreditch.”

“I believe that practical solutions should be a focus. Thought needs to be given to the provision of more toilets, and couldn’t we find routes between NTE zones for people to take which wouldn’t cause so many problems?”

- 3.17.2 The experience of these residents is reflected in the Council’s draft Town Centres Strategy 2017-22. Profiling the area around Brick Lane, the strategy reports:

“...people urinating and vomiting in the street are a common sight at night. The area would benefit from a regular deep clean and tighter of cleansing and litter management, particularly at weekends and Monday mornings.”

3.18 Toilet Provision

- 3.18.1 Although there were historically a number of fixed public toilet sites in the Borough, these have been closed, meaning that the council does not currently provide any public toilet facilities in the Borough.

- 3.18.2 In recent years the Council did introduce provision of portable urinals at weekends in Brick Lane, however this service has also now been discontinued. Feedback from the council's Public Realm service indicated that the toilets had been relatively expensive to provide, and that there were concerns about the usability of the toilets during the time that they were deployed, with issues including them becoming blocked.
- 3.18.3 The council did also investigate the possibility of providing fixed toilets on Brick Lane during 2016. Following initial work by the Public Realm service to investigate potential sites it became clear that those sites that had been identified as being potentially suitable were not, in fact, available. Following the completion of this work, with no suitable sites identified on Brick Lane, the council doesn't currently have any further plans to introduce new public toilet provision into the borough.

**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 impacts of street fouling on residents local to NTE zones.

3.19 Assessing the Impact of the Night Time Economy

- 3.19.1 It can be seen from this report that the NTE in Tower Hamlets has a wide range of both positive and negative impacts on the Borough, its residents, services and businesses.
- 3.19.2 In conducting this review, it has become clear to the Committee that there is no comprehensive view of the overall impact of the NTE on the Borough. As outlined in the report, there are good practise examples such as the "Cardiff model" for measuring the impact of the NTE on health services, and research which quantifies the economic benefits of the NTE to the Borough. Information is also reviewed regularly by members of the Borough's Community Safety Partnership on the patterns and impact of crime and anti-social behaviour related to the NTE.
- 3.19.3 The Committee did not find any evidence, however, that the wide evidence base of impacts in the Borough has been brought together and considered in the round. This has been done successfully in other areas of the UK, including in London by Westminster City Council, where a comprehensive cost-benefit analysis of the NTE in the Borough was completed in July 2015. A copy of this analysis can be found at the following web link: [http://transact.westminster.gov.uk/docstores/publications\\_store/policy-docs/Westminster%20ENTE%20Cost%20Benefit%20Analysis%20Full%20Report.pdf](http://transact.westminster.gov.uk/docstores/publications_store/policy-docs/Westminster%20ENTE%20Cost%20Benefit%20Analysis%20Full%20Report.pdf)
- 3.19.4 The Committee recommends that a similar impact assessment be carried out for Tower Hamlets to ensure that future plans and activities relating to the NTE feature the joined up thinking and partnership planning that will deliver the best NTE for everyone in the Borough. This work would support the development of a 5 to 10 year vision for the NTE in the Borough (Recommendation 1), and provide a robust evidence base to support the role of Night Czar in the Borough (Recommendation 2)

**RECOMMENDATION 11:**

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