

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Thursday 26 March 2015

Decision Type: Non Urgent Non-Executive Non-Key

Title: LICENSING ACT 2003 CUMULATIVE IMPACT BROMLEY TOWN CENTRE

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Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: Bromley Town;

1. Reason for report

To advise Members of developing issues of alcohol related crime in Bromley Town Centre.

2. **RECOMMENDATION(S)**

Members are asked to note the report and

- 2.1 **Consider adopting a stricter approach to granting new or amended licences in the Bromley cumulative impact zone.**

Corporate Policy

1. Policy Status: Existing Policy: Statement of licensing policy 2011-2016.
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Vibrant, Thriving Town Centres:
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
 2. Call-in: Applicable Not Applicable: Further Details
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes No Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 Members considered a report at the meeting of the General Purposes & Licensing Committee on 17 July 2013 (Ref ES13081) seeking views on the operation of the Bromley Town Centre cumulative impact area in light of changing circumstances, namely

1. A greater emphasis in food led premises and restaurants.
2. Two Clubs had closed (Jazzmins and BR1)
3. The former Royal Bell premises remains closed
4. The Slug & Lettuce 3 High Street closed and became a Tesco local
5. The redevelopment of the Bromley South area has been approved and is progressing, with a number of new licence applications having already been approved.
6. There is a high rate of turnover of businesses and empty premises businesses in the area of the High Street between Market Square and the junction with Beckenham.

3.2 A range of options were proposed including

1. Leaving the Cumulative Impact Policy unaltered and allowing applications to be made in the usual way, based on their individual merits.
2. Considering a temporary relaxation of the policy to allow those businesses who wish to consider varying their licenses an opportunity to do so. This option could offer an opportunity to proactively manage the process with prior consultation and coordination with businesses and partners to establish common terminal hours for pubs and clubs to prevent businesses leapfrogging closing times, but each application still has to be determined on its own merits.
3. Consider redefining the area covered by the policy.
4. Consider removing the cumulative impact policy altogether.

3.3 Members RESOLVED in minute 107 that:

Officers be authorised to indicate that although all applications will be considered on their merits, applications from businesses wishing to vary their licenses will now be considered more favourably.

3.4 Since then a number of new licences and variations of existing licences have been granted. These include:

East Street & Market Sq.

1. O'Neil's East Street. Extended hours to 01.00am Thursday Friday and Saturday
2. VuVu East Street. Extended hours to 04.00 am Friday and Saturday
3. Bar Du Vin East Street opened replacing an Indian restaurant. Midnight on Wednesday to Saturdays
4. McDonalds Market Square. Opening later (up to 03.00 am) as permitted by a variation granted in 2008
5. Benitos Hat Market Square. Opened March 2015. Midnight Thursday to Saturdays

New development at Bromley South

6. Hotel – midnight licence for sale of alcohol
7. Prezzo – to 23.40

8. Turtle Bay restaurant to 01.00 Friday and Saturday

Applications pending

9. Former Royal Bell High St application to extend to 00.30

10. Bar du Van - Extension of hours to 01.00 Thursday and 02.00 Friday and Saturday

3.5 The Metropolitan Police have recently reviewed the crime figures for East Street and the High Street which are located in the cumulative impact area and have noted a significant increase in crimes associated with the late night economy.

Full details are set out in Appendix 1 for East Street and Appendix 2 for the High Street

Year	East Street Bromley	High Street Bromley
2009	22 reported	103
2010	33 reported	84
2011	30 reported	59
2012	21 reported	54
2013	17 (plus 3 identified by cctv /cad reports. Total 20)	72
2014	44 (plus 26 identified by cctv /cad. Total 70	157 (Plus 40 identified by cctv / cad reports. Total 197
2015 predicted figure based on January and February	Predicted 102 (Based on 17 in 2 months. 10 reported and 7 identified by cctv and cad)	Predicted 162 (Based on 27 in 2 months. All reported crimes)

3.6 The Police licensing officer who compiled these figures started to use cctv and cad reports to provide a more comprehensive picture of the late night economy from Dec 2013. The additional crimes identified through these sources are shown separately for 2014 and 2015.

3.7 It is always difficult to prove a causal relationship but the figure above do seem to indicate a relationship between the relaxation in the Councils approach to varying and granting premises licences in the Bromley cumulative impact area.

3.8 The Metropolitan Police report a London wide increase in crime associated with the late night economy, but the local police believe the increase in Bromley is disproportionate.

3.9 In a cumulative impact area there is a presumption that an application will be refused unless the applicant can satisfy a Licensing Sub Committee that granting the application would impact on the promotion of the four licensing objectives.

1. Prevention of crime and disorder
2. Prevention of public nuisance
3. Public safety
4. Protection of children from harm

4. POLICY IMPLICATIONS

4.1 The councils statement of licensing policy is fully reviewed every five years. The current policy is valid until Dec 2015 and the policy will be reviewed this summer, Members will guide that review and set out the Councils approach to the sale of alcohol, the provision of entertainment and late night refreshment in the whole of the Borough as well as in the two cumulative impact areas (Bromley and Beckenham).

5. LEGAL IMPLICATIONS

5.1 The Council is required to promote the four licence objectives when making licensing decisions.

Non-Applicable Sections:	FINANCIAL & PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Statement of Licensing Policy 2011-2016. Licensing Act 2003 Statutory Guidance issued under Section 182 Licensing Act 2003 General Purposes & Licensing Committee 17 July 2013 item 7 report Ref ES13081 and minute 107