

PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 6.30 pm on 14 July 2015

Present:

Councillor Alexa Michael (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Councillors Julian Benington, David Cartwright,
Will Harmer, Samaris Huntington-Thresher, Kate Lymer,
Tom Philpott, Michael Tickner and Richard Williams

Also Present:

Chris Hafford, Cheryl Curr and Paul Lehane (Head of Food Safety, Occupational Safety and Licensing). PC Jonathan Booth, Cllr Kate Lymer, Cllr Tim Stevens (JP), Cllr Diane Smith, Cllr Teresa Ball, Cllr Nicholas Bennett JP, Cllr Kevin Brooks, Cllr Mary Cooke, Cllr Ellie Harmer, Cllr David Livett, Cllr Russell Mellor, Cllr Keith Onslow, Cllr Charles Rideout, Cllr Colin Smith, Cllr Pauline Tunnicliffe, Cllr Michael Turner, Cllr Stephen Wells, Cllr Ruth Bennett, Cllr Hannah Gray, Cllr Peter Morgan, Cllr Tony Owen, Cllr Ian F Payne and Cllr Michael Rutherford.

STANDARD ITEMS

45 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Alf Kennedy, Runa Uddin, Precious Adewunmi, and Terry Belcher.

46 DECLARATIONS OF INTEREST

There were no declarations of interest.

47 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were no questions from Councillors or Members of the Public.

48 CHAIRMAN'S UPDATE

The meeting was chaired by Cllr Tim Stevens JP in his role as Chairman of the GP&L Committee. The meeting was a meeting of the GP&L Committee to which the Public Protection and Safety PDS Committee Members had been invited.

Cllr Stevens expressed the hope that at the end of the meeting a concrete plan would emerge. He expressed his thanks to Cheryl Curr (Town Centre Manager) the Borough Police Commander Chris Hafford, PC Jonathan Booth and Mr Paul Lehane (LBB Head of Food Safety, Occupational Safety and Licensing).

49 POLICE PRESENTATION ON INCREASED CRIME AND DISORDER IN THE NIGHT TIME ECONOMY

The police update was given by the Borough Commander Chris Hafford, supported by PC Jonathan Booth. The police update was given against a background of increasing crime and disorder in the night time economies of both Bromley and Beckenham.

Operation Omega had been introduced as a nationwide MET policy to flood the streets with police to aid in hitting MOPAC 7 targets, and this had also been applied to Beckenham and Bromley. A colour document was distributed by the police that gave information on MOPAC 7 crime update statistics for Bromley. Most of the data referenced property offences with the exception of the data concerning violence with injury offences.

The data showed that the overall MOPAC 7 crime reduction target was to reduce overall crime levels by 5%. The data showed that the overall crime reduction percentage reduction was 3.2%. Crime had reduced in many areas, but the sectors that required improvement were criminal damage, theft of motor vehicles and violence with injury offences. The police felt that the increase in the violence with injury figures were directly correlated to alcohol consumption. The two Wards in LBB with the highest levels of VWI (Violence with Injury) were Cray Valley East and Cray Valley West.

The police had noted a general increase in crime across London, as well as significant increases in crime and disorder in Beckenham and Bromley. It was felt that in Bromley this could be linked to the relaxation of the Cumulative Impact Areas Policy in July 2013. The Committee were informed that there had been more crime in the last 12 months in Bromley Town Centre than in Woolwich, and that Safer Neighbourhood Officers had been used to help with night time responses. The Committee heard that Operation Triangle had helped, and that LBB were working towards a "Purple Flag" status for Beckenham for a well-managed night time economy.

The police tabled a document entitled "Crime Digest for Bromley Town Centre Pubwatch". The document highlighted various incidences of crime and disorder that had occurred in Bromley Town Centre between 1st June 2015 and 13th July 2015. This was expanded upon by PC Jonathan Booth, as was another document that detailed more specific crime related data concerning

selected licensed premises in Bromley. This premises had shown at least 4 minor variations of its licence in January 2014, and had morphed from what had previously been primarily a restaurant into a bar. PC Booth stated that the premises in question had extended its opening time from midnight to 2.00am, and had now changed into a bar generating trouble and drunks. It was noted that it had recently applied for another variation. He expressed the view that if the premises had still been a restaurant, these problems would not be occurring.

The Borough Commander expressed concern that licensed premises were taking advantage of a licensing regime that was too relaxed. He was further concerned about data expressed in the form of a “trend line” that showed increasing levels of crime and disorder. He reminded Members that the police had to deal with violent offenders who were often in a crowd. The Borough Commander was also concerned about limited police resources to deal with these incidents. He informed the Committee that the police had resources of 21 officers on night duty, and that in the future even these numbers may reduce. In the future, units may have to be drawn in from outside the borough. The Borough Commander concluded by stating that it was an understatement to say that he was concerned.

RESOLVED that the police update be noted.

50 REPORT ON DRAFT LICENSING POLICY

Report ES 15039

Mr Lehane referred to two previous informal meetings with Members (23rd June with ward members for Bromley Town and Copers Cope) and to the Torys on meeting for Public Protection and Safety on the 24th June). These meetings had been helpful in gaining an understanding of Ward Cllr views on the operation of the late night economy and crime & disorder. Twelve action points had been identified and that would help shape the licensing policy for the period 2016 -2021. A draft policy was ready for public consultation.

- 1-The need to engage with BID Teams
- 2-The development of closer working between the Planning Department and other PDS Committees
- 3-The need to improve lines of communication with Members
- 4-To make the best use of street pastors
- 5-To look at the street environment in Bromley
- 6-To give members a case study of a poor performing business
- 7-Ensuring that DPS/Personal Licence holders would be present at all times
- 8-The limitation of vertical drinking establishments
- 9-A general requirement for door staff for pubs and clubs operating after midnight
- 10-A requirement to retain the Cumulative Impact areas of Beckenham and Bromley
- 11-Support for strong enforcement for problem businesses

12-Retaining staggered closing

Mr Lehane informed Members that the response of the Council would be delivered through LBB's licensing policy, decision making and partnership working.

Mr Lehane outlined a proposed vision for LBB's Licensing Policy as follows:

1) It was the desire of Bromley Town Ward Councillors to see a continuing development of a responsible and flourishing night time economy that would benefit the economies of Bromley North and South.

2) However, Members would support strong enforcement action against irresponsible businesses that undermined the licensing objectives, and had a negative effect on the night time economy.

3) Beckenham Town Centre was working in a way that promoted the Licensing Objectives, and because of this, any applications for new licences or variations would have to be considered very carefully to ensure that the current balance was not upset.

4) It was proposed that in Orpington the development of "café" type establishments would be promoted and that vertical drinking establishments would be discouraged. Mr Lehane stated that he needed Member input on the Vision, and highlighted the importance of Member decision making, and its subsequent impact on crime and disorder. He asserted that representations from the police should be given significant weight and that the Licensing Objectives should not be undermined. New Licensing Policy conditions would include the introduction of strict conditions that would describe the exact type of operation that could be undertaken, and that Planning Permission would be required first.

Cheryl Curr then appraised Members about the aim to achieve the "Purple Flag" award for Beckenham Town Centre, and the benefits of achieving the award.

The Chairman of the GP&L Committee (Cllr Tim Stevens JP) noted the issues concerning the problems that cabs in East Street had in parking because of yellow line restrictions. He felt that the yellow lines should be removed, and replaced with recognised cab ranks/boxes for cab parking. Members were in agreement with this, and Cllr Ian Payne stated that it would be a good idea to set up not just taxi ranks, but also a taxi marshalling service.

Cllr Tickner commented that half of the turnover for Beckenham Town Centre was from the night time economy. He felt that it would be sensible to apply what had worked in Beckenham to Bromley. He also added that it was important to spot phoney applications to prevent businesses from "morphing" into something different. He supported a hard crackdown on problem businesses and was of the opinion that all premises should have door staff after 11.30pm. Cllr Tickner was in favour of getting people home using a

“staggering” process, and so “staggered” closing should be supported. He also advocated more support for taxi ranks and for the Night Bus. He suggested that a strategy should be adopted to try and attract older people into the night time economy to attain more balance in terms of age and maturity.

Steve Phillips (LBB Licensing Officer) expressed the view that door staff should be paid by the licenced premises to act as street marshals, wearing high visibility jackets to help with the dispersal of customers. This was a practice that had proved successful in the Beckenham Triangle. The Borough Commander advised the Committee that ASB Closure Notices had proved to be an effective enforcement tool. Cllr Benington asked if staggered closing was currently being employed, and if it was possible to stop admitting people after a certain time. Mr Lehane answered that this was normally controlled by door staff, but could be added to policies and reviews in the future. The problem with trying to enforce a “staggering policy” was one of fairness and balance. Members were in favour of marshalling and street pastors..

Cllr Rutherford stated that matters should be kept in context, and that Members should bear in mind the new developments proposed at St Mark’s Square, and that it was important to give new businesses a chance. He requested that the police not object to applications pertaining to restaurants and theatres. He advocated a considered and measured approach. PC Booth clarified that the police sometimes objected to applications in order to ensure that relevant conditions were applied.

Cllr Owen stated that all that was needed existed already in the current licensing policy, and that a distinction had not been made with respect to binge drinking establishments. He expressed the view that successive Licensing Committees had chosen to ignore officer and police advice. Cllr Owen declared that LBB had not helped the police and that the matters were not just a matter of police enforcement. He felt that LBB had let the police and the public down.

Cllr Tim Stevens JP, Chairman of the GP&L Committee, reiterated the views expressed by Cllr Rutherford that a balanced and considered approach was required. Cllr Tunnicliffe expressed the view that it may be a good idea to see what had worked in Beckenham, and transfer this to Bromley. She expressed concern over what appeared to be a problem with inadequate police resource. Cllr Wells was not convinced that ideas that had worked in Beckenham could be successfully transferred to Bromley. He expressed the view that the night time economies of Beckenham and Bromley were different. He stated that a model needed to be built first, and then the plan would be to move towards the model with all relevant stakeholders doing their part. The Chairman commented that it was possible that areas of good practice in Beckenham could be transposed to Bromley.

Cllr Alexa Michael, the Chairman of the Public Protection and Safety PDS Committee asked to what degree drugs and other substances such as legal highs contributed to anti-social behaviour. PC Booth responded that there

were some individuals who combined alcohol with drugs such as cocaine, and they could make them volatile and violent.

Cllr Mellor was of the opinion that Beckenham was close to saturation point as far as off licences were concerned, and that most drunks emanated from the bars rather than the restaurants. He suggested that when granting licences for restaurants, it may be prudent to incorporate time restrictions on the serving of alcohol as part of the licence. Cllr Ian Payne wanted to see more engagement with street pastors, and tougher enforcement on those that caused ASB. The Chairman of the GP&L Committee felt that more reviews were required, and that there was a need to take more action.

Cllr Nicholas Bennett felt that the statistics mirrored what was going on in the rest of the country and felt that Members would benefit from a deeper view of the statistics. He advocated the promotion of more restaurants in Bromley which would encourage more adults into the night time economy. He expressed the view that more businesses needed to be attracted into Bromley to boost the local economy. It was always the case that the responsible authority could appeal a decision if required, and a premises license could always be called in for review if required. Cllr Bennett wondered if all the effort that was being put into achieving the purple flag status was worthwhile.

Chery Curr responded that the Purple Flag award took into consideration various factors such as footfall, revenue generated, and crime reductions. These factors would be evaluated before the Purple Flag scheme could be awarded. The cost for an application was £1500.00. Cllr Payne stated that the award was nationally recognised and took into account levels of crime and wellbeing; it was a scheme that businesses were investing in and it was good for the marketing of the Beckenham Town economy.

Cllr Charles Rideout expressed concern about the lack of resources available to the police, and stated that LBB should support the police in any way they could. Cllr Brooks stated that LBB should promote rather than just threaten, and Cllr Colin Smith countered that what was required was simply greater enforcement and more reviews.

Cllr Tunncliffe asked how long it took to arrange a review. Mr Lehane replied that it took time for the Police to gather robust evidence which would allow Members to make the right decisions. In cases of serious crime the Police could apply for an 'Expedited' review. The first hearing of which takes place within 2 days and a full hearing within 28 days. A standard review application would be determined within 2 months.

The Chairman enquired if there were any establishments that were getting near to the stage when a review was likely. There was such a premises that what getting close to that stage and the details were noted.

The Chairman of the GP&L Committee concluded with the following points:

- More reviews were required

- A tougher message needed to be sent out concerning crime and disorder
- There was a requirement for serious enforcement
- Marshalling was to be encouraged
- Yellow Lines to be removed that hindered cab ranks, and cab ranks/boxes to facilitate parking for cabs
- LBB had to act robustly with partners

RESOLVED that:

1) the draft statement of Licensing Policy be noted

2) Members note the recommendations of the GP&L Committee

The Meeting ended at 8.00 pm

Chairman

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