

Licensing Act 2003: Statement of Licensing Policy– Cumulative Impact Consultation  
Appendix 5

Your Ref: **Cumulative Impact** Our Ref: **Impact Policy** Date: **9<sup>th</sup> November 2007**  
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Dear Tim

**Proposed cumulative impact policy for Brighton & Hove City Council**

This is a summary document of a larger statistical report circulated to Brighton & Hove City Council licensing department in August 2007. This document has in part been produced due to inaccurate reporting in some sections of the media regarding the size of the area proposed by Sussex Police. Some are reporting the proposed cumulative impact area is approximately 4 square kilometres and covers a vast swathe of Brighton & Hove, including parkland, purely residential areas and railway sidings. The actual area is far less than half this size and whilst including residential streets, actually takes into account the current policing approach, trends which have developed since the change in licensing law, busy routes into and out of the city centre and the legitimate concerns of local residents who live in the area.

Sussex Police have proposed a cumulative impact policy because of a high level of public place violent crime which shows an upward trend across the city. We are aware from the limited consultation that we have conducted that the effects of these crimes places a high demand on resources for our partners such as A&E at the RSCH. This document is however an examination of the issues from a policing perspective and I would ask that as part of the licensing authorities consultation that the impact on other service providers such as Sussex Ambulance Service is examined. The proposed area covers the southern parts of the council wards of Regency, St Peters/North Laines and Queens Park. With the increasing constrains being placed upon public service and other partner's budgets crime reduction opportunities and tactics, such as cumulative impact must be explored. I have broken down the reasoning behind this to assist consultees in understanding the issues.

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**BRIGHTON**  
East Sussex



INVESTOR IN PEOPLE

**Does Brighton & Hove have a problem with alcohol related crime?**

The link between alcohol misuse, intoxication and crime is recognised and well documented nationally.

**Listen Inspire confidence Support with information Take ownership Explain Notify people**

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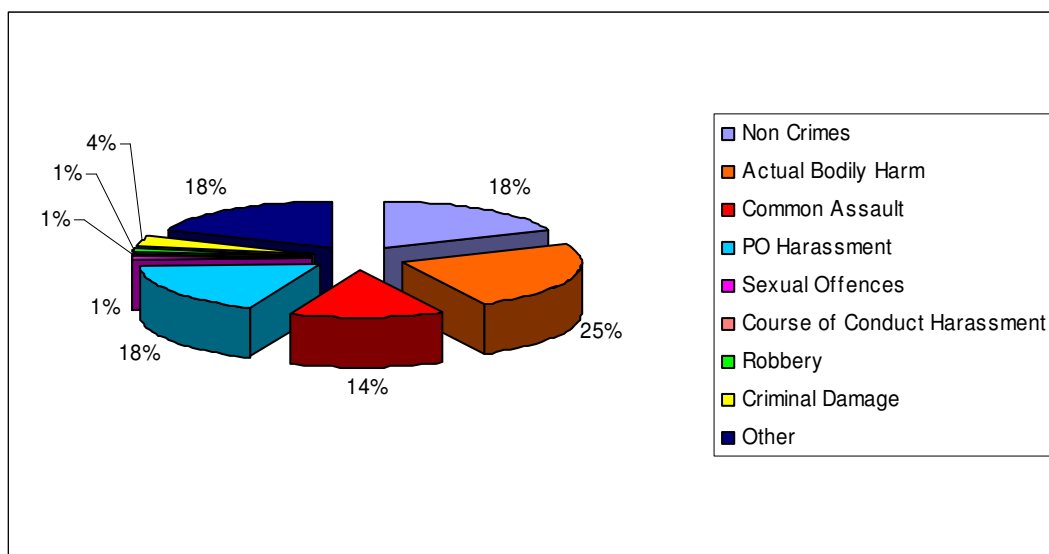
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The table below shows the number of offences recorded and the number and proportion which were perceived as being under the influence of alcohol for Calendar Years 2005, 2006 and 2007 to the end of July.

Calendar Year	Number of Offences Recorded	Number perceived to be under the influence	Proportion of total under the influence
2005	32742	3634	11.1%
2006	32932	4387	13.3%
2007 to the end of July	17464	2116	12.1%

In 2005, 82.7% of those offences perceived to be under the influence were violent crimes. In 2006 this was 84.3% and in 2007 to date, 82.6%. It can be seen from this data that for all crime types at least 1 in 10 offences are affected by the offender consuming alcohol. At present police officers only see approximately 30% of offenders therefore these figures may well be higher.

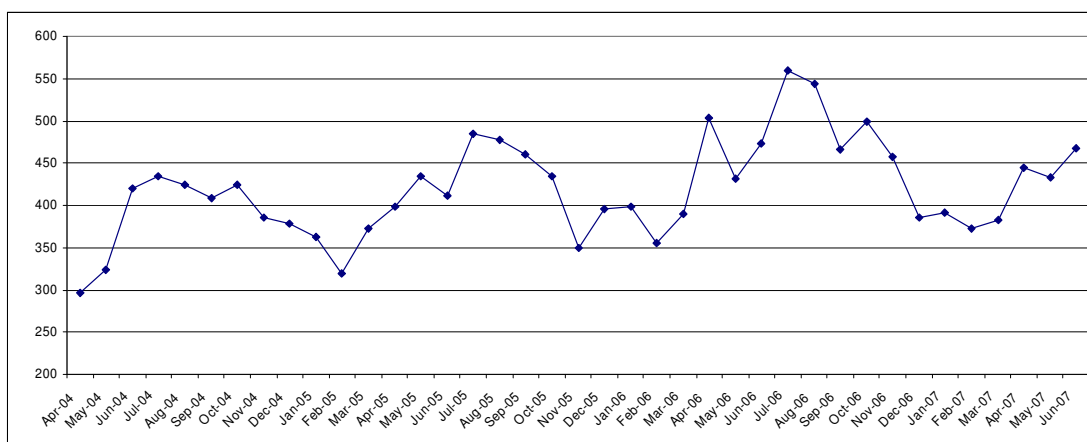
The chart below illustrates the proportional split for all incidents (crimes and non crimes) recorded as being under the influence of alcohol over the period 1st August 2006 to 31st July 2007.



It is predominantly due to the levels of public place violent crime that Sussex Police are proposing that cumulative impact is introduced in a small part of the city. Police recorded public place violent crime has shown a year on year increase over the last three years, as can be seen from the table below.

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This shows a steady increase in public place violent crime in Brighton & Hove between April 2004 and September 2007. Some of the changes are worthy of further explanation. The steep rise in May 2004 is related to changes in police recording of crime. July 2006 shows a peak which can be linked to the football World Cup. The trend for public place violent crime has been upward since the implementation of the Licensing Act 2003 in November 2005 and is expected to continue its upward trend, with a contributory factor being the introduction of the smoking ban in July 2007.

	Public Place Violent Crime	% change since previous year
2004/05	4440	-
2005/06	4991	+ 12.4%
2006/07	5450	+ 9.1%

There was a sharp drop in crime figures in the late part of 2006 and early part of 2007. This can be attributed to several factors, namely the bad weather meaning customer numbers dropped in the city centre area and due to a number of the city centre premises being closed for refurbishments. As an example the 'Event II' in West Street which was the largest nightclub in the city was closed for over 6 months and has only recently re opened as Oceana.

During 2005 the central/city centre area of Brighton & Hove which contains the proposed cumulative impact area accounted for approximately 50% of all the public place violent crime recorded in the whole of the city. In total there were 4584 assaults reported with 1936 of those occurring within the city centre, over half of those were perceived to be under the influence of alcohol. 274 offences which were drink related occurred either inside or outside a licensed premise. In fact 9 out of the top 10 licensed premises where violent crime is recorded are situated in West Street or the Lower Esplanade, with the number 10 venue still in the proposed impact area. The level of public place violent crime rose during the summer months, with the majority occurring at weekends, including Friday evenings between 2300 and 0300 hours. During this same period there were 109 alcohol related non violent crimes in the same area, covering harassment and some public order offences. These again were mainly at weekends between 2300 and 0300 hours.

During 2006 the trend continued in this same area with again approximately 50% of all public place violent crime recorded in Brighton & Hove occurring in the proposed impact area. In total there were 4810 assaults reported with 2131 of those occurring within the city centre. Over half of that was recorded as being perceived under the influence of alcohol. 289 offences which were drink related occurred either inside or outside a licensed premise. Again 9 of the top 10 licensed premises where violent crime is recorded are situated in the city centre area, with the number 10 venue still within this proposed impact area. Similar to 2005 offences rose during the summer months, with the majority of offences taking place Friday to Sunday, between 2100 and 0300 hours. During this same period there were 225 alcohol related non violent crimes in this area, again including harassment and some public order offences. It should be noted that offences continued at a relatively high level through to 0400 hours, reflecting the change in licensing legislation and later operating hours. The increase in offending later in the night has a significant impact on police resourcing.

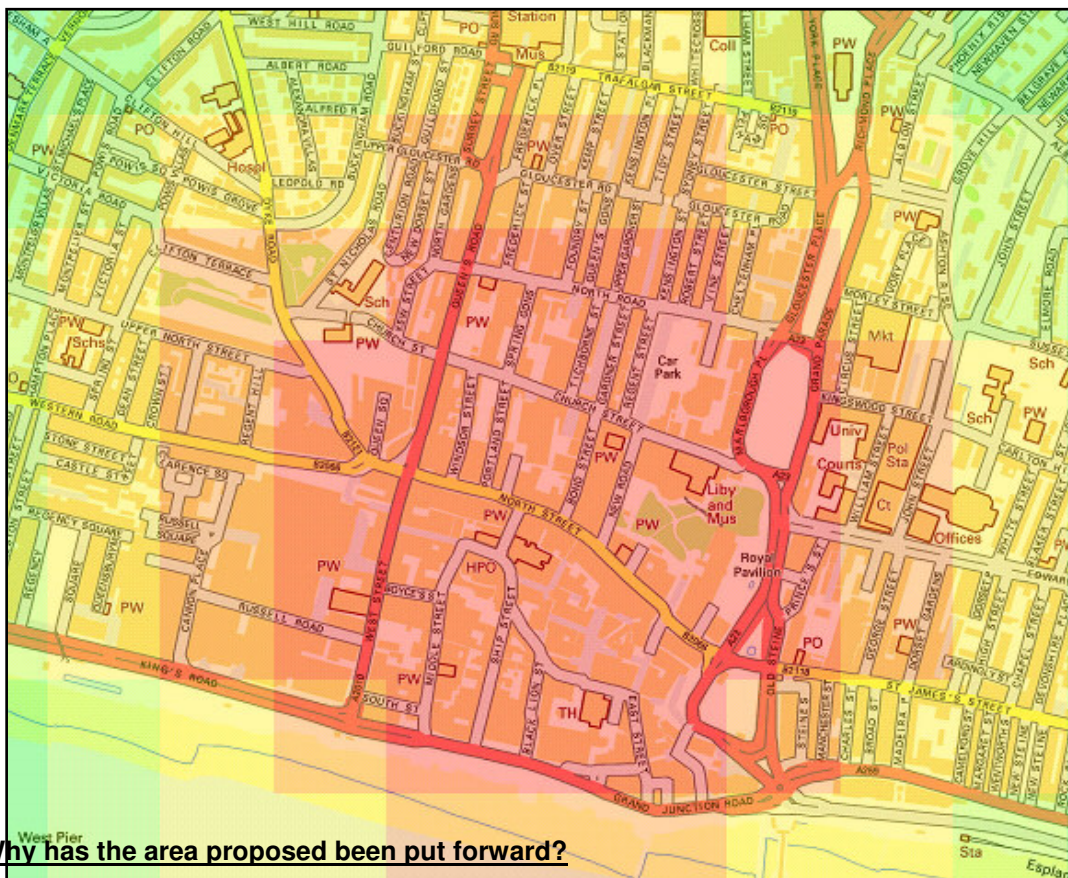
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During 2007 to date the trend has again continued with approximately 50% of all public place violent crime recorded in Brighton & Hove occurring within the proposed impact area. So far there have been a total of 3843 reported assaults with 1658 of those occurring within the city centre area. Since the Licensing Act 2003 there has been a movement in the times when offences occur, with violent crimes having a peak between 2200 hours and midnight, followed by another peak between 0100 and 0300 hours. Non violent crimes show a peak between 2100 and 2200 hours, followed by another peak at 0100 hours, followed by another at 0300 hours. As mentioned above these higher levels of late night offending has significant implications for police resourcing levels.

The map below shows the highest concentrations of public place violent crime across the city of Brighton & Hove and clearly shows that this is a serious issue which affects a large area. The redder the colour the higher the levels of recorded crime.



### Why has the area proposed been put forward?

Sussex Police are proposing a single area which is bordered Holland Road, Western Road, Air Street, Queens Road, Surrey Street, Trafalgar Street, St Georges Place, Richmond Place, Grand Parade, Edward Street and Upper Rock Gardens.

Deliberation was given to recommending several smaller cumulative impact areas rather than one large area. However, the figures and geographical mapping show that although there are marked hotspot areas, the gaps between them are very small and even these adjoining streets have issues with violent crime and anti social behaviour, especially at weekends when the large quantity of pubs and clubs in the city centre are at their busiest. The profiles also indicate that areas surrounding hotspots are also prone to raised criminality.

West Street has historically been the cities hotspots for violent crime. Now however public place violent crime is an issue across the whole of the city centre. Reports produced from crime statistics held by Sussex Police show the current hotspot areas as West Street, Western Road, Lower Esplanade/Kings Road Arches, East Street into North Street and St James Street. The spread of crime to some of these areas can be

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attributed mainly to changes in the night time economy since the introduction of the Licensing Act 2003 in November 2005.

There has been a 6.24% increase (from council figures) in licensed premises in Brighton & Hove since the licensing ACT 2003 went live in November 2005 and Sussex Police would argue that the vast majority of those venues are to be found within the proposed impact area. This area, as already stated has the vast majority of public place violent crime and alcohol related crime and being in the heart of the city centre has a far greater concentration of licensed premises than any other part of the city. Many of these premises are large, vertical drinking establishments, and coupled with the location, size and crime figures comes the fact that the pressure is only likely to intensify on other services such as taxis and fast food shops as further development takes place.

Developments within this area also include the recently opened 'Oceana' in West Street, with a capacity of 2500 and the Hippodrome in Middle Street which will also have a capacity of approximately 2500 when completed. This will place further demands upon the policing approach to the night time economy and also the infrastructure within the city centre, including taxi ranks, takeaways and parking.

As the previous statistics have revealed, approximately 50% of all public place violent crime takes place within the city centre area. Police beats 3, 4 and 5 which are co terminus with council wards Regency, St Peters/North Laines and Queens Park have the highest recorded levels of public place violent crime across the entire city. The proposed impact area concentrates on the southern parts of these three beats.

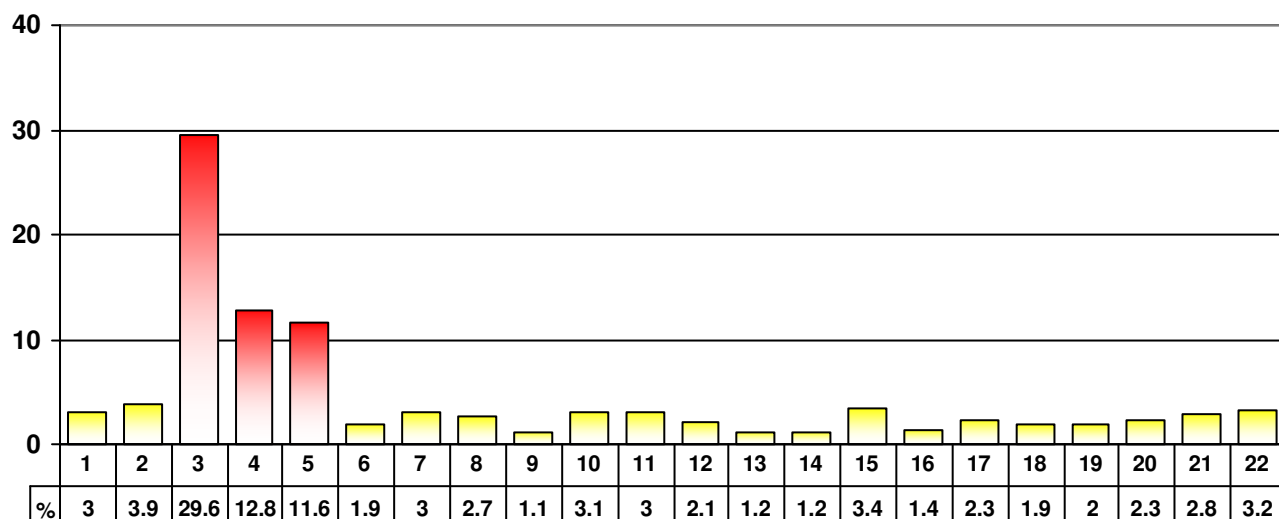
In 2005 these three beats combined had 1936 reported assaults. In 2006 the figure was 2131 and so far during 2007 it is 1658.

The following two graphs show firstly the break down of public place violent crime offences in Brighton & Hove during the whole of 2006. The second graph shows the break down of public place violent crime offences on Friday and Saturday evenings during 2006.

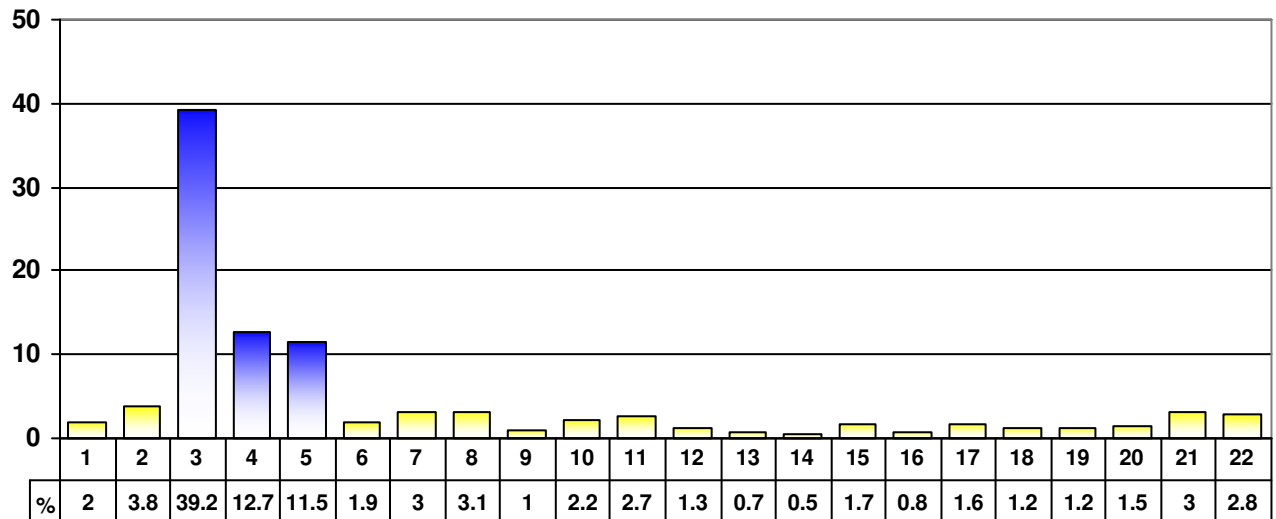
It is clear that the vast majority of offences are committed within the police beats 3, 4 and 5. These as stated are co terminus with council wards Regency, St Peters/North Laines and Queens Park, respectively.

This clear pattern of over 50% of all public place violent crime being committed in and around the busy city centre area (within the proposed cumulative impact policy area), shows the problems faced in this specific geographical location and the clear need for a cumulative impact policy to assist in reducing both actual public place violent crime and also the likelihood of public place violent crime taking place.

### All Public Place Violent Crime Brighton & Hove



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**Public Place Violent Crime Brighton & Hove Friday & Saturday night only**

The smoking ban will also increase issues outside licensed premises, especially those city centre venues with no outside areas or beer gardens. Even some venues with outside smoking areas have conditions stating that they cannot be used after certain times. With a number of customers from licensed premises on the street at any one time then the potential for crime increases along with the possibility of complaints from residents affected by noise and nuisance. There are currently no figures to say that the smoking legislation has had an effect due to the ban only having come into place in July 2007 but it is anticipated that there will be an increase in reported incidents as a result of the smoking ban within licensed premises. An example of this would be the New Road area which has suffered greatly from the persons congregating outside licensed premises. This has necessitated police resources being deployed to this area regularly at weekends and additional action by Brighton & Hove City Council.

### **What is currently being done to tackle these issues?**

CDRP partners currently use a number of different methods to tackle disorder associate to the night time economy, the following are a few examples.

'OP Cobra'. This is a crime scanning approach which was initially developed by Hampshire Constabulary and can be used for all crime trends. Sussex Police use it for public place violent crime. It gives a long term (1+ year) identification of 'hotspot' areas for crime. For public place violent crime it ranks streets across Sussex in numerical order, with number 1 being the street with the most violent crime and so on. Once the figures are collated then an environmental impact survey can be conducted, any contributory factors identified, such as poor lighting, lack of bottle bins, waste disposal etc. A multi agency approach can then be implemented aimed at resolving the problems and reducing crime. 5 of the top 10 streets in Sussex with the highest recorded figures for public place violent crime are contained within the proposed area we are seeking to be subject of cumulative impact. This as stated is a longer term approach to tackling the problem.

Operation Marble. This is a planned enforcement based approach involving additional police officers patrolling in the city centre on Friday and Saturday nights. The majority of these officers work from 2000 hours until 0400 hours, the peak hours, and deal with matters arising within this area. There are also officers who start work at 1700 hours, known as tone setters, and who will patrol the hotspot areas and deal with low level anti social behaviour. The reasoning behind this is that persons dealt with early in the evening will not cause potentially more serious problems later. They will either have been arrested, been issued a fixed penalty notice or dispersal notice or curbed their behaviour by being dealt with by police. Any person intent on causing problems can then be dealt with before the city centre becomes very busy with people. The tone setters coupled with the neighbourhood support officers and PCSO's provide high visibility patrols and directed patrol activity. As part of Op Marble there is a door supervisors briefing every Friday and Saturday evening. Door supervisors and management from city centre venues are invited to attend. A briefing is given by the police officer in charge of Op Marble for that evening. There is also the opportunity for any relevant information to be shared at these briefings. The briefings are held at the Quality Hotel in West Street, focussing mainly on West Street and the Lower Esplanade premises. A further briefing is then held at 'Club Revenge' in Old Steine, focussing mainly on the Kemp Town pubs and clubs. The overtime costs of Op Marble and the enhanced policing of this alcohol fuelled disorder and public place violent crime across Brighton & Hove in 2006 was approximately £200,000. This cost was in addition to that of officers on duty strength. That gives some indication of how much police time and resources are dedicated to tackling this problem. With the increasing pressure upon CDRP budgets, cost saving measures must be introduced as the city can not maintain the high overtime costs borne in previous years.

The Brighton Crime Reduction Partnership (BCRP) runs the 'night-safe' radio scheme. This is a radio scheme which door supervisors, licensed premises and the police have access to. It can quickly spread word of problems at particular premises, or that an individual or group are causing problems. From there it can be that police CCTV monitors the problem, alternatively door staff or police officers attend the scene dependant upon what has taken place. This is tied in with the 'Yellow-card' scheme which can lead to persistent trouble makers being barred from all BCRP members (currently over 200) and in extreme cases can lead to an ASBO being issued.

The Crime & Disorder Reduction Partnership holds monthly meetings to discuss crime trends, upcoming hotspot areas and importantly, the ways of tackling the identified crime trends. There are also regular joint intelligence meetings held between front line staff where ongoing work is discussed and joint actions are proposed, similar meetings are held which involve door supervisors and taxi drivers.

### **Why cumulative impact and what would it accomplish?**

The previous figures and statistics have shown in snapshot form that Brighton & Hove currently suffers from high levels of public place violent crime. Also shown is that over half of all public place violent crime is committed within the city centre and surround. There is no surprise that this area of the city has the greatest concentration of licensed premises in the city.

Cumulative impact alone is not the answer, it is however seen as another practical and proportionate approach to assist with tackling the problem and ensuring that all possible avenues are explored. The current onus is on statutory agencies to justify why condition should be placed on a new premises licence within the Licensing Act 2003 framework. Should a cumulative impact policy be adopted then operators of licensed premises would need to show how, if a new licence is granted, there would be no undermining of the four licensing objectives or addition to the cumulative impact, namely that there would not be an increase in crime and disorder in the immediate locality as a result. This clearly does not seek to stifle legitimate business or impose any type of restriction on the number of applications. Rather it ensures that operators of licensed premises properly focus on the four key principles of the Licensing Act 2003.

These four key objectives are :

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

### **Cumulative Impact – a summary**

Brighton & Hove suffers from high levels of public place violent crime and approximately half of all this criminality takes place within the city centre area. The area with the highest concentration of licensed premises, particularly premises which are high volume vertical drinking establishments.

Police crime statistics show that 5 of the top 10 most violent streets in Sussex are within the proposed area.

The night time economy generates income and jobs (although many of these are low paid), and is a key part of the cities economy.

There are however negative costs which impact on society as a whole. The cost of violent crime is not borne solely by the police. The Home Office estimates that the impact of a single crime of violence against the person costs society £19,000. This includes the cost to victims from loss of income, to local businesses, in police time and to statutory services such as hospital A&E departments.

The Brighton & Hove Crime Reduction Partnership is legally required to address issues of public safety such as violent crime and anti-social behaviour, but also in the present financial climate to effectively place limited resources where best suited and most needed, thereby achieving value for money.

Cumulative impact is seen as a measure which would assist in reducing public place violent crime and criminal acts fuelled by alcohol.

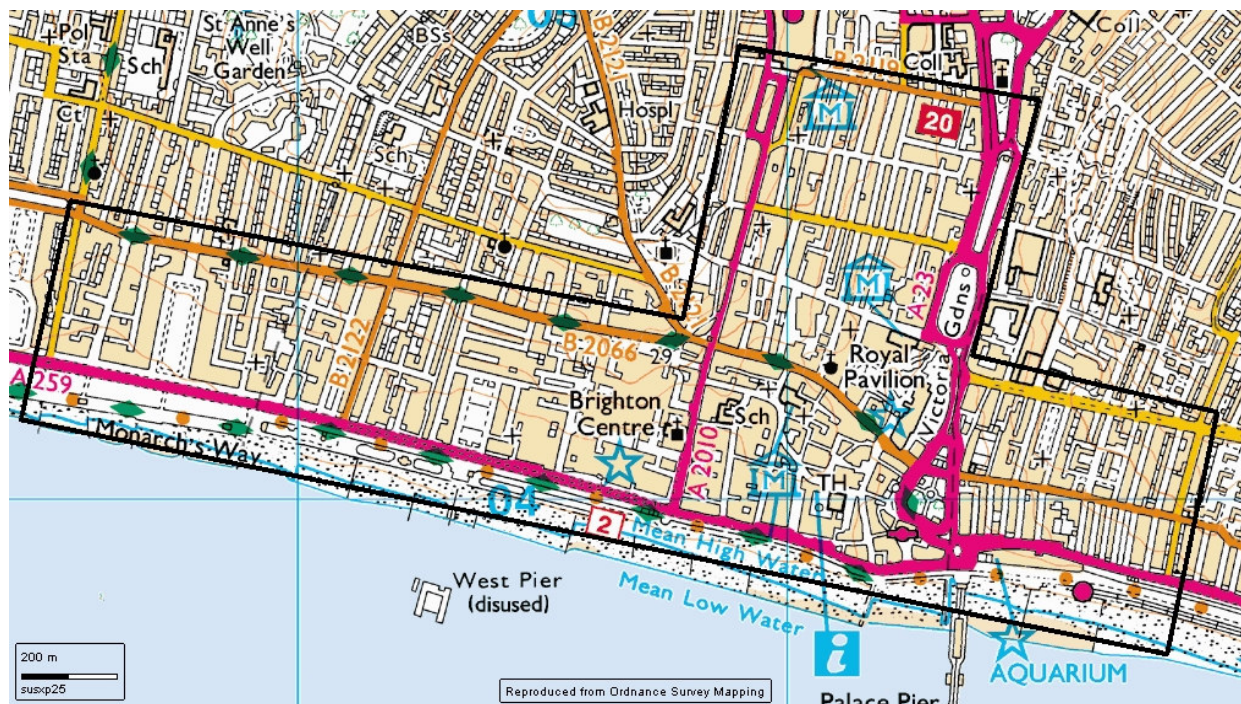
The benefits of introducing cumulative impact far outweigh any negatives. This proposal does not seek to stifle trade or dictate to licensed premises. It merely seeks to place an obligation upon responsible operators of licensed premises to work with the police and council to in partnership to prevent crime and disorder. This



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is one of the four key objectives of the Licensing Act 2003. The benefits of licensed premises working to ensure that there is no undermining of the licensing objectives or addition to the cumulative impact in a defined area are there for all to see. This long term partnership approach will assist in reducing public place violent crime and will enable both public and private sector to work together with a common aim. That is to promote a safe and enjoyable night time economy for Brighton & Hove.



Yours sincerely

**PS Malcolm Wauchope**  
**Brighton & Hove Licensing Unit**

