

London Borough of Hackney

Hackney Evening and Night-time Economy Behaviour Study

Summary Report

Licensing Policy Review 2017



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Summary Report

Background

Licensing is a key framework for local governance of the Evening and Night-time Economy (ENTE) and this research complements a sister economic 'Cost v Benefit Analysis' (CBA) report by approaching similar subject matter from a perspective that brings evidence-based licensing decision-making to the fore.

This report forms part of the 2016-17 Borough-Wide Evidence Review that Council Officers will draw together from a number of sources ahead of the 2017 Licensing Policy Consultation. Its findings will form part of the 'local conversation' on the ENTE that can then proceed around a freshly-informed and updated evidence base.

The London Borough of Hackney (the Council) in its Statement of Licensing Policy adopts the term 'Special Policy Area' (SPA) to refer to what the Guidance accompanying the Licensing Act 2003 calls a 'Cumulative Impact Area' (CIA), regulated in accordance with a 'Cumulative Impact Policy' (CIP). CIPs apply where a Licensing Authority has identified that there is a consistently high incidence of crime, disorder and public nuisance over time, related to the sale and consumption of alcohol, and relative to other areas within the Authority's jurisdiction. There are currently two SPAs within Hackney: the Shoreditch SPA and the Dalston SPA. It has recently been announced that CIPs are to be placed on a full statutory footing within the Licensing Act (2003, as updated) and that the local evidence base underpinning them must, in future, be reviewed at least every three years.

The Council has the complex task of drawing together diverse sets of evidence and opinion and instilling these into a vision and regulatory / enabling framework for the ENTE. This requires suitably informed and balanced policies, together with on-going practical management of the public realm to support ENTE activity and allow the ENTE to co-exist sustainably, alongside residential amenities and other daily uses and functions.

The purpose of this research is to provide a unique and valuable source of evidence to inform the drafting of the Council's Statement of Licensing Policy, which is to be revised in 2017. The evidence is presented as an independent assessment of the licensing landscape in Hackney, intended to supplement and inform the evidence base for licensing in the Borough, when read alongside other sources of data and local opinion.

The origins of this research lie in the mapping of police-recorded crime and disorder and ambulance call-out statistics for five areas of Hackney. In these areas there appeared to be either continuing or emergent problems of alcohol-related crime,

disorder and emergency health services demand at night, as tracked since the last major Borough-wide evidence review in 2010.

Following an updated Evidence Base Review and a Public / Stakeholder Consultation on the ENTE in Hackney in 2015, this research was commissioned as an independent view, to look in detail at public usage of five areas of the Borough identified in the licensing, crime and emergency health statistics: Shoreditch; Dalston; Broadway Market; Stoke Newington and Hackney Central. These areas were defined on boundary maps included in the Brief for this research (see Appendix 1: a linked document to this report).

Research design

This Summary Report provides an overview of the key Project Findings. There is also a Full Technical Report providing more detail in respect of the research design, the background to the study, and supporting literature. The 'Full Report' sets the findings in context; including street-by-street audits and descriptions of licensed premises and pipeline developments in each area. It provides further intelligence, derived from close observation of the five areas over a six-month period, as to *why* concentrations of alcohol-related harms are occurring in the places and times they are.

The researcher spent 20 nights across the five areas, over six weekends, spread over six months between May and November 2016. Weekends were defined as Thursday evenings through to the early hours of Sunday mornings. The times of day researched on each occasion were 18:00-04:00. There was an additional sample of two Sunday evenings-Monday mornings. Visits were scheduled at monthly intervals. Bank Holidays and other 'event dates', such as Halloween, were avoided so that the findings were not skewed by non-typical public activities; however, the research encompassed a broad range of weather conditions.

Three types of data were collected 'on the streets': Systematically collected observation notes; hourly 15-minute pedestrian footfall counts; and a photographic record of key themes and recorded 'incidents'.

The research also involved a detailed auditing of the licensed premises populating each area. The auditing sought to assess the nature of the ENTE in each of the five areas based upon the advertised uses and functions of each of the businesses involved, as well as their advertised hours of trading. This information was checked against the project observation notes and in ambiguous cases against the Council's licensing register to obtain an accurate picture.

In Shoreditch, the research focussed most attention on the areas defined on the map accompanying the Brief for this research as the 'Shoreditch Buffer'; these streets being located outside of the Shoreditch SPA.

The project research design is described in more detail in the Full Technical Report.

Shoreditch

Key themes:

Cumulative Impacts – Flux – Jurisdiction – Night Tube

Key Licensing Objectives:

Primary: Crime and Disorder, Public Safety

Secondary: Public Nuisance, Protection of Children from Harm.

In the Shoreditch Buffer there are 29 licensed premises with closing times of 01.00, or later. This figure does not include off-licences. These later-hours premises include: 1 adult entertainment venue, 5 nightclubs, 11 late-night bars, 10 late-night refreshment premises, 1 hotel bar with advertised public access and 1 public house.

The 'cocktail bar' offering music and events is the currently fashionable format for post-midnight trading in Shoreditch and several bar premises outside the SPA operate as de facto nightclubs / event spaces. There are three 'restaurants' offering beers and cocktails into the late-night period with no, or minimal, food provision beyond 23:00 and these premises are included in the project audit as 'late-night bars'.

Throughout Shoreditch, the number of table-service restaurants, as a proportion of the total number of licensed premises, is unusually low. The typical Shoreditch food offering is 'street food' served from a pop-up, fast food from a takeaway-style outlet, and casual dining in pizza or burger restaurants, which also operate as bars. Apart from fast food there are very limited food options beyond 23:00 hrs.

There are 8 small convenience stores with off licences open to 01:00 or later. It was hard to assess when the sales of alcohol ceased in these premises, as such information was not advertised and upon visiting the premises the situation often appeared ambiguous. Unlike other types of licensed premises, convenience stores often continue to trade for several hours beyond the termination of their alcohol sales conditions.

The author checked the relevant premises' details with the client to ascertain the permitted hours for alcohol sales on the Premises Licence of the stores. It was confirmed that all 8 stores had alcohol sales permits until 01:00 or later. This was point a difference noted by the author in comparison with nightlife areas in Camden and Westminster, for example, which have very few off-sales permits running after 01:00 hrs. There was observational evidence, in at least one of these premises, of alcohol service beyond the hours permitted by the Premises' Licence. Intelligence to

inform licensing enforcement was not, however, a stated aim of this research, so there was no systematic exploration of such issues.

In LB of Tower Hamlets there are 9 premises within the Shoreditch ENTE area with closing times of 01:00 or later. These comprise: 6 bars/cocktail bars, 1 hotel bar, 1 restaurant/bar, and 1 late-night refreshment outlet.

In LB of Islington there are 5 premises in the Shoreditch ENTE area with closing times of 01:00 or later. These comprise: 3 bars/cocktail bars, 1 adult entertainment premises and 1 nightclub.

There are no licensed premises in the City of London forming part of the Shoreditch ENTE area with closing times of 01:00 or later.

Two footfall count locations were used in the Shoreditch Buffer to measure the volume of pedestrian traffic: 1a - the junction of Shoreditch High Street and Great Eastern Street, and 1b - the north pavement of Old Street at Shoreditch Fire Station.

Footfalls of up to approximately 1100 people were recorded between 23:00-23:15 on Friday nights at Location 1a and up to around 900 at Location 1b; with around 250 persons present at 1a at 03:00-03:15 hours and around 200 at 1b (see Appendix 2).

The flows of pedestrian traffic increased at 1a following introduction of Night Tube services at Liverpool Street in August 2016. Although the study schedule afforded only limited opportunity to measure footfall pre-Night Tube, which would have helped establish a clearer pattern, what was very plainly observed was a change in the direction-of-flow from August onwards in the post-01:00 period, with ENTE patrons moving north-to-south from Shoreditch High Street and Great Eastern Street into Bishopgate in much higher numbers.

Primary Impacts: Crime and Disorder, Public Safety

Four incidents of violence and disorder (brawls) were observed, including two involving police response and one intervention by street wardens.

Incidents of physical incapacitation and illness through drink were observed on all seven visits. On three occasions, these incidents were seen to involve attendance by the London Ambulance Service.

The prevalence of intoxication, high footfalls and density of attractions was seen to create road traffic and glass safety issues on busy pavements and vehicular thoroughfares.

Patron intoxication was partly fuelled by the availability of relatively cheap alcohol from off-sales outlets, located in amongst the entertainment premises. Nonetheless,

there was no evidence to suggest that visitors were *only* accessing their alcohol from off-sales premises; those making off-sales purchases were clearly involved in ‘nights out’ and were dressed accordingly.

There are notably few restaurants providing seated dining and many late-night takeaway food outlets. This is a factor in delayed pedestrian dispersals from the area, as well as adding to the significant challenge of on-street waste management.

Secondary Impacts – Public Nuisance, Protection of Children from Harm

The potential for public nuisance impacts is a by-product of the sheer numbers of pedestrians attracted to a small geographical area and their levels of intoxication.

Discarded off-sales alcohol purchases, together with late-night takeaway food detritus, create major waste management challenges for Hackney if the streets are to be cleansed before daylight. Male on-street urination and the fouling of pavements and doorways through vomiting were recorded behaviours on a number of occasions, on all seven visits to the area, requiring the flushing of surfaces. This was despite the provision of plastic ‘Kros’ urinal installations in two locations.

Shoreditch was unique in this research in appearing to have an attraction value for the very young; some groups of ENTE patrons appeared ambiguously close to the legal drinking age. A subset of these groups were involved in on-street consumption of off-sales supplied alcohol.

Shoreditch Overview

Shoreditch is now a mainstream nightlife attraction, due in part, to media and social media exposure. It is **a late-night activity draw for young adults from across London and the South East; as well as to young foreign visitors to London.**

There is an intensity to Shoreditch, due to the size of the crowds and the focus of licensed premises on ‘wet-sales’ (alcohol) and competitive drinks price promotions, that makes it more ‘stressed’ than other areas of Hackney. In London, Shoreditch was found comparable only to the most intense hot-spots of Westminster and Camden, as recorded by the author, in recent years. This intense atmosphere contrasts notably with Shoreditch by day. In the day-time, the area is generally tranquil with comparatively low pavement footfall.

Shoreditch continues to be an area in flux, undergoing substantial and rapid re-development; both commercial and residential. **There have been important changes since LBH last adapted its Statement of Licensing Policy to reflect the situation ‘on-the-ground’ and there are significant further developments in the pipeline likely to fuel demand for further Licensable Activities.** Major residential / leisure developments and hotels, for example, are re-shaping the built environment, filling-in ‘brown field’ spaces, transforming the remaining post-industrial buildings and structures, and in some cases, moving towards a ‘City-style’ high-rise streetscape.

Whilst the ENTE has expanded, it has not diversified. Street food markets are a notable local feature, however, these strongly incorporate the sale of alcohol, particularly cocktails. ‘Slower’ seated table-service dining has a remarkably - perhaps uniquely - low presence in Shoreditch, when one considers the numbers of licensed premises.

As noted, alcohol off-sales are another feature which fuel visitor intoxication: access to **relatively cheap late-night off-sales from independent shops located in amongst the nightlife allows large additional quantities of alcohol (eg. bottles of spirits / wine) to be consumed before, during and after visits – or attempted visits – to entertainment venues.** This is a factor more apparent in East London than Central London due, probably in large part, to the lower levels of rent paid by businesses, at least historically; this has allowed more ‘corner shops’ to survive, whilst at the same time, the major supermarket ‘convenience store’ formats have yet to emerge in numbers.

The project had a particular focus on the ‘Shoreditch Buffer’ areas, as defined in the client’s Brief and associated mappings. The ‘Buffer’ zones are areas within which recent ENTE expansion has occurred. This focus on the Buffers differentiates the work from previous research and helps up-date the evidence base in light of the continued geographical spread of the Shoreditch ENTE in recent years.

The Shoreditch Buffer presents as an area in which Hackney Council’s governance of the ENTE abuts that of other London Boroughs. **Islington and Tower Hamlets, in particular, have jurisdiction over substantial neighbouring ENTEs that merge with the Shoreditch Buffer.**

The two footfall count points were identified as key entry and exit points to Shoreditch at night from nearby public transport hubs. Both count points lie within the Shoreditch Buffer.

Old Street was an observed site of Nitrous Oxide Gas and other recreational drug sales by local youth, who were approaching and supplying ENTE patrons, particularly in the post 01.00 period.

Future trajectory of Shoreditch

The eventual introduction of Night Tube services on the Northern Line at Old Street is certain to further fuel the popularity of Shoreditch as a nightlife destination.

There are pipeline developments known to be increasing the full-time and short-term residential presence in Shoreditch; both in terms of homes and hotel beds.

New apartments blocks are being constructed in close proximity to licensed premises with high standards of sound insulation and a buyer profile that understands and seeks what lifestyle options the area currently affords. Given the high property prices involved and the nature of the area’s ‘lifestyle offer’ the typical buyer of a Shoreditch apartment (assuming they are not an absent foreign investor) is likely to be a young, wealthy professional who wants to be closely connected geographically to their work, peer networks and social life.

As to the future of Shoreditch, much depends on whether these new arrivals choose to stay and for how long of their life course. Many will leave, but some may stay, as has occurred in other post-industrial urban re-developments, such as Central Manchester. One issue for the 'liveability' of Shoreditch is the current lack of green space, which is restricted only to the small area of Hoxton Square.

Whether the longer-term future of Shoreditch is as a 'nightlife resort', or a consolidated partly-residential area, with improved community facilities and a more 'mature' ENTE offer, there is a clear and immediate need to maintain and enhance the level of supervision of the ENTE and its expansion. This is due to the drink-led profile of the licensed premises in and around the SPA and the culture of recreational poly-substance use amongst the large young adult customer base currently attracted.

Recommendations

Shoreditch SPA Boundaries

The author is of the opinion that the Shoreditch SPA should be retained and that there is clear observational evidence to support expansion of the SPA boundaries to include parts of the 'Shoreditch Buffer'.

In the author's opinion, any extension to the Shoreditch SPA should be incremental and justified by reference to proven (retrospective) patterns of recent ENTE development and evaluative judgment as to the effects of such continued expansion on the Licensing Objectives, rather than including areas into which further expansion of the ENTE is merely anticipated.

On the basis of the premises' audit and footfalls conducted as part of this research it can be seen that there has not been 'displacement' of ENTE activity into areas of Shoreditch that were formerly un-connected to the SPA and spatially distinct from it; rather, new development has occurred along the major pedestrian corridors (the thoroughfares) within the Buffer zone that ENTE patrons use to access and leave the SPA.

The results of this research provide a component of the evidence-base for extending the Shoreditch SPA, as follows:

Shoreditch High Street: south as far as the Borough Boundary.

Boundary Street/Redchurch Street/Bethnal Green Road: all east to the Borough Boundary.

Great Eastern Street: all of the western pavement; plus the eastern pavement south of Curtain Road.

Old Street: all of the north pavement, as far as the Old Street Roundabout; plus the south pavement as far as the Borough Boundary.

Leonard Street: as far as junction with Mark Square.

City Road: north from Old Street Roundabout, as far as junction with East Road.

Terminal Hours in Shoreditch

The Council may consider amendments to 'Policy LP13 - Special Policy Area - Shoreditch SPA', with regard to the hours of operation of licensed premises, as follows:

Restaurants

Permitted: Sun-Thurs up to midnight and Fri and Sat to 01:00.

Policy requirements:

Must be bona fide restaurants with seated table-service-only, where alcohol is served only to tables by waiter/waitress and served only as ancillary to a full table meal.

Operating Schedules would need to indicate a suitably large proportion of floor space dedicated to kitchens/food preparation.

No serving of alcohol to customers over the bar, or to 'holding' areas for customers waiting for tables, or having departed tables.

Cafés / coffee shops / restaurants, with no alcohol sales

Permitted: Sun-Thurs up to 01:00 and Fri and Sat to 03:00.

Policy requirements:

Must serve seated customers by waiter/waitress service only.

No hot food or drink to takeaway beyond 23:00 hrs.

Live Music Venues and Theatres

Permitted: Sun-Thurs up to 00:00 and Friday and Sat to 01:00

Policy requirements: sale of alcohol must be ancillary to the entertainment / performance.

Disc Jockey performances fall outwith the definition of 'live' music/performance.

Events than run beyond 23:00 to admit pre-booked customers only.

Cinemas

Permitted: Sun-Thurs up to 00:00 and Friday and Sat to 01:00

Policy requirements: sale of alcohol must be ancillary to the film screening / performance.

Must serve seated customers by waiter/waitress service only.

Hotels

Permitted: No set hours for room service and bars serving the hotel's overnight guests-only.

Private event spaces / function rooms / public bars / hotel residents' guest list. Proposed facilities and arrangements to be justified by the Applicant with reference to Policy LP13 and attached to the Premises Licence as enforceable Conditions.

Justification for recommended hours

A pre-SPA phase of 'market-led' clustered development in Shoreditch, combined with the market-positioning of licensed premises, has produced a micro-climate of 'wet-sales-driven' licensed offers which are heavily concentrated in one small area of the Borough. The area has become a 'party' destination with a largely homogenous / mono-cultural night-time offer, focused around drinking by thousands of young adult visitors.

It is unlikely that the existing licensed premises will reduce in number, or change their modes of operation to any significant extent.

Despite the large number of licensed premises, Shoreditch has markedly few bona fide restaurants and very limited diversity of offer.

There are therefore two alternatives for the LBH in formulating its next Statement of Licensing Policy in response to the current and future situation in Shoreditch:

1. Do Nothing. LP13 wording remains as it is (but with the suggested boundary extensions added). New entrants to the area remain restricted to those applicants who can successfully make the case for being a genuine exception to the SPA policy. The current ENTE will require an on-going commitment of disproportionate public resources to manage negative impacts on the Licensing Objectives within a small area of the Borough. Standards of operation of current premises may be

gradually improved through advisory and enforcement action and through co-operation with industry actors such as the 'Pub Watch' group. This approach will require an on-going commitment of resources to sustain 'pressure' on less responsible operators and maintain the day-time amenity value of the area through additional night-time cleaning etc.

2. Facilitate a change of ENTE culture within Shoreditch. Introduce the SPA boundary extension. Permit new licensed premises if they offer alternatives and do not conform to the current pre-dominant 'wet-led' profile / functionality. The aim is here to introduce 'balance' and choice, thus tapping the potentially broader customer base. There are established urban planning concepts to be drawn upon underpinned by research to indicate that mixed-use, cosmopolitan spaces are safer and more welcoming and feature protective, 'self-policing', aspects introduced by improving and broadening access and attraction opportunities. Shoreditch will continue to require disproportionate support from public services in the short to medium-term, but these demands may ease over time as the culture of the area's nightlife changes.

Possible Objections to Option 2

Pedestrian footfall in the area may further increase. The total amount of alcohol sold and consumed in the area may increase (even though consumed as ancillary to food, or attending a performance). The total number of licensed premises may increase.

The council is promoting gentrification (by wanting to attract 'older', 'more mature' audiences etc.).

LBH should not be promoting one form of 'night culture' in preference to another.

Possible responses

Current policy and practice is not addressing the causes of the Shoreditch ENTE management challenge. Existing licensed premises are unlikely to close or change their modus operandi. The pattern of negative impacts is well-established and self-regulatory and policing approaches have not been able to bring about sustained change. The potential to 'dilute' the drinking culture by introducing alternative attractions and audiences is a positive aspect that is likely to outweigh potential negatives. Soho is a good example of how an Hours Policy, applied over the long-term within an SPA, may have helped facilitate a culture change away from the bar and club scene and toward a more mixed ENTE, with a higher proportion of food-led offers and a broader appeal.

The LBH does not promote gentrification through its licensing policies. The nature and price-point of any new offers will be determined by the proposals put forward by applicants. The current Shoreditch ENTE is highly gentrified and socially exclusive; it targets affluent young adult professionals with disposable income, including City

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workers and IT technicians. Many of the food businesses to have emerged in Dalston, for example, have offers that are affordable by London-standards and are used extensively by a broader range of local residents.

There is no particular reason why the LBH should support the bar/club scene (the status quo) in preference to facilitating other night-time uses/functions/cultures which offer the possibility of broadening the area's appeal. The night scene, as it is, is highly socially selective and provides only a limited range of attractions for a limited number of Hackney residents; many users are not Hackney residents and many Hackney residents do not drink alcohol. The Council's responsibility is to promote the Licensing Objectives and to ensure that local night-time businesses and business developments also support these Objectives.

Dalston

Key themes:

Late-night culture of music venues and dining at Turkish Restaurants

Night v day social disparity / gentrification

Transition through property development / enhanced transport links

Key Licensing Objective: Public Nuisance

In Dalston, in comparison to Shoreditch, it was found that a more limited number of licensed premises exerted the most influence over the social and environmental conditions observed; the researcher did not conduct a full audit of licensed premises in Dalston, but audited all the post-01:00 operating premises, plus all others found to have a significant footprint in the area.

Limited evidence was found to suggest geographical spread of the Dalston ENTE beyond the boundaries of the current SPA. Dalston Lane and Ashwin Street were the only locations outside of the SPA containing ENTE premises and these premises were included in the project audit. The author is of the opinion that the current SPA boundary remains an appropriate mapping of the Dalston nightlife activity zone at the time of writing.

In Haggerston, there is a further cluster of 10 licensed premises situated near to the Regent's Canal Bridge on the A10. Six of these premises operate to 02:00 or later at the weekends; this is an unusually high proportion.

The Dalston ENTE does not overlap LB boundaries, being fully contained within Hackney; this makes the situation less complex than in Shoreditch.

In Dalston, there are 39 licensed premises in or directly around the SPA which have closing times of 01:00, or later. This figure does not include off-licences. **These later-hours premises include: 7 nightclubs, 18 late-night bars, 5 late-night refreshment premises, 2 public houses, 5 seated restaurants, 1 events hall and 1 snooker club/bar.** There are 7 small convenience stores with off licence alcohol sales to 01:00 or later.

As is often the case in Hackney, but in Dalston especially, many of the licensed premises are hybrid spaces, used in various ways throughout their operating hours, from use as a bar/cocktail bar, event space, casual dining restaurant and de facto nightclub. Such hybrid premises are allocated above to the categories deemed most appropriate, based upon observation, social media feeds and marketing.

The Dalston ENTE has more diversity of offer than the Shoreditch ENTE and appears more integrated with the local residential community, serving their entertainment needs, as well as those of the area's many visitors (although issues of gentrification arise). Unlike in Shoreditch (or in the other locations for this research) there is a late-night dining scene at seated-service, mostly Turkish, restaurants. Dalston also has a more 'alternative' and diverse club scene; with LGBT venues, jazz venues and 'underground' electronic dance music clubs. These types of venue offer an alternative to mainstream and/or gentrified nightlife and allow the area to retain its 'edge' ie., its character and reputation for cultural activity.

Measurement of footfall gave tentative indications of a strong evening economy (up to approx. 500 persons passing the count point at the epicentre of the Dalston ENTE on Kingsland High Street in the 21:00-21:15 period), with roughly comparable footfall to the Shoreditch Buffer at 03:00-03.15 on weekends (see Appendix 2).

Dalston was found to have a later-night culture than all the other areas, with the exception of Shoreditch. This was due mainly to the presence of nightclubs - often in basements - and the many Turkish Restaurants operating into the early hours of the morning. There is more focus on seated dining and on higher quality food take-outs at the Turkish Restaurants than in typical LNR takeaway outlets (the Turkish restaurants are the only table service restaurants open beyond 01:00).

As in Shoreditch, ENTE patrons have access to relatively cheap alcohol from off-sales outlets, located in amongst the entertainment premises. The high prevalence of post-01:00 off-sales outlets are a feature of Hackney nightlife that departs from comparable areas in, for example, Camden and Westminster.

By retaining diversity and offering late-night dining Dalston escapes the worst excesses of an alcohol-focused nightlife, as seen in Shoreditch. In comparison to Shoreditch, the dress of Dalston ENTE patrons is more casual and their street behaviour generally more relaxed; in and around licensed premises **there is less focus on drinks promotions and drinking to intoxication.**

No incidents of physical violence, robbery, or incapacitation through intoxication were observed in Dalston. Male on-street urination and vomiting was observed. Noise incidents - such as shouting and screaming during customer movements and dispersals - appeared to be the most prominent negative impacts in terms of the Licensing Objectives (constituting likely Public Nuisance for nearby residents).

There is an informal economy of Nitrous Oxide Gas sales on Kingsland Road / Kingsland High Street supplied to patrons who are leaving venues, especially in the early morning, 03.00-04.30 period.

In Dalston, as in Shoreditch, there is an extra tier of community protection in the form of weekend night-time Street Wardens (part-funded through a voluntary levy contribution by local licensed businesses). The Wardens were a visible presence during the research in the heart of both SPAs.

Dalston is undoubtedly a noisy location late at night, with many noise ‘incidents’, as well as a generally high ambient noise level, especially along the pavements of the A10. Potential conflicts of interest between local residents and ENTE businesses and patrons were more immediately apparent than in Shoreditch. Dalston is a District Town Centre - a lively community, with many amenities and a high day-time footfall. There is a substantial residential presence in long-established flats and apartments to the upper floors of properties on Kingsland Road / Kingsland High Street / Stoke Newington Road and in low-rise terraced housing directly to each side of this arterial route. There are also major new residential apartment blocks, particularly in the vicinity of the Dalston Kingsland and Dalston Junction stations, although these recent developments will no doubt have advanced levels of sound-proofing and may house residents who may have actively chosen Dalston, at least in-part, for its night-time ‘vibrancy’.

There is certainly a feel of gentrification and rapid change to the area, with a number of more upmarket restaurants and health food shops emerging amongst the stores selling ‘everyday items’. This shift is likely to accelerate, alongside the ‘luxury’ residential developments, in anticipation of Dalston’s connection to Crossrail 2, which will, for the first time, open the possibilities of rapid transport links to Central London.

Dalston has a large number of licensed premises, many of which have little potential impact on the Licensing Objectives. The approach adopted in terms of auditing premises for this research was to assess and list only those premises with a ‘foot print’ in the late-night, post-00.30 hrs period and/or those of particular significance. Late-hours trading is generally accepted, in both licensing practice and research literatures, to have the most potential to impact on residents in terms of public nuisance and on other statutory licensing concerns, such as crime and disorder and associated emergency health outcomes.

Future trajectory of Dalston

Dalston has seen some of the highest increases in property values in London over the past decade, due to the area’s improved and improving transport links to Central London, its proximity to The City, fashionable reputation and local amenities (including its nightlife). This has caught the attention of property developers and attracted an influx of relatively affluent incomers, including, new residents, investors and entrepreneurs. Managing these transitions to produce outcomes that are fair and equitable to longer-standing residents is no doubt a major challenge for the Council, of which licensing will play no small part.

Community consultation on licensing seems especially important in Dalston; however, it is essential that a robust methodology is used which can ensure that such exercises are not ‘highjacked’ by groups who have a particular financial or lifestyle interest in producing a de-regulated zone. This process is known as ‘astro-turfing’, wherein public policy is influenced by lobby groups posing as ‘(false) grass-roots movements’. In reality, de-regulation, however this manifests in licensing and planning terms, is likely to open the door to the major corporate leisure chains, more so than to preserve and enhance Dalston’s existing appeal, as established by local independent businesses.

Recommendations

Dalston SPA Boundaries

The author is of the opinion that the Dalston SPA boundaries remain justified and appropriate and that the licensing landscape does not currently justify any extension to the Dalston SPA.

Terminal Hours in Dalston

The Council may consider amendments to ‘Policy LP14 - Special Policy Area - Dalston SPA’ to include new permitted hours for clearly-defined types of Licensable Activity, which mirror the proposed approach in respect of Shoreditch, as set out above.

Justification for recommended hours

In our research, Dalston was observed to have a vibrant dining scene which operated contemporaneously with the bar and club scene, up until around 01:00 hours.

This ‘food scene’ was not seen to impact negatively on the Licensing Objectives. The author regards the dining scene as an asset to Dalston; which likely helps moderate social behaviour on the streets at night, as appears to be the case in Stoke Newington (an adjoining area with many food-led licensed premises and relatively lower recorded night-time crime and disorder).

Customers of the restaurants and of the club/bar scene in Dalston were found to be, for the most part, mutually exclusive.

It is important that the LBH is supportive of the ENTE, whilst at the same time performing its statutory duties with regard to the Licensing Objectives. Supporting more diversity of businesses and audiences for night-time entertainment that are not

impactful on the Licensing Objectives would be a progressive approach, which may also help reduce crime and disorder and the fear of crime through 'natural surveillance' and guardianship (established principles in urban place management).

Although the number and density of licensed premises can impact the Licensing Objectives, it is important to also weigh considerations of the functionality of the premises that constitute the cluster. Alcohol-related harms tend to rise in areas where alcohol-led businesses dominate and especially when combined with late-hours trading, wherein the Blood Alcohol Concentrations of those patrons who do not choose to moderate their drinking continues to rise alongside continued alcohol availability.

It seems likely that there is further unmet demand for non-alcohol-led night-time entertainment in Dalston; an area which retains a feel of diversity and creativity and which has a high proportion of young, economically active, residents from a range of backgrounds and different cultural heritages who seek access to nightlife.

Central Policy Aim: Dalston does not become the 'next Shoreditch'. Further licensed development pressure in this location is inevitable, however, LBH has the opportunity, via its SPA Policies, to shape the next stages of such development in order to retain and enhance less well known aspects of the location's current appeal.

Engineering / directing change is not a case of making 'moral assessments' as to more or less desirable cultural activities at night, it is simply a case of pursuing an evidence-led and risk-based approach to promotion of the national Licensing Objectives, based upon local level assessments, as commended in statutory guidance.

Licensing Policy should serve the interests of the whole local community and it is there imperative that Licensing Consultation exercises for Dalston be designed and implemented so as to gain feedback from a sample of respondents that is representative of the relevant Borough postcodes in demographic terms.

Broadway Market / London Fields

Key themes:

Expansion - evening trade - non-traditional venues - outdoor drinking

Key Licensing Objectives: Public Nuisance, Public Safety

In this dynamic, rapidly re-developing area, the ENTE was found to operate beyond the geography indicated on the mapping provided in the Council's Brief, which showed only the strip of Broadway Market. In particular, it was apparent that there were a number of important night-time entertainment venues in those streets located between London Fields (park) and Mare Street. In addition, the supply of alcohol from off-sales premises to persons then consuming alcohol on London Fields (park) was identified as a necessary component of the research.

In the Broadway Market / London Fields ENTE cluster there are 8 licensed premises which have regular closing times of 01.00 hrs, or later. This figure does not include off-licences. These later-hours premises comprise: 1 nightclub, 3 late-night bars, 1 late-night refreshment premises and 3 public houses. There are 3 convenience stores with alcohol off licences permits to 01:00 or later.

The London Fields area has a fashionable bar and events-space scene that is developing around the London Overground rail line in formerly light-industrial-use spaces such as the railway arches, yards and warehouses. Premises in these streets are trading to later hours than premises on Broadway Market and there is a greater focus on drinks and dance-space; with Broadway Market being largely food-led at table service restaurants.

Thursday evenings ('after work') and Sunday evenings were especially important in this location and particularly so during periods of warmer weather. This was due to the number of alfresco dining opportunities in a pleasant, largely traffic-free, environment and the proximity of London Fields (park) and the Regent's Canal towpath, both of which are popular for picnics and other gatherings during leisure-time.

Footfalls were recorded at the junction of Broadway Market and Dericote Street. Large footfalls of up to approx. 700 people were recorded over 15-minutes in the evening and night-time period, falling to very small numbers in the late-night, post-01:00, hours (see Appendix 2).

The area was found to have an alfresco night culture, encouraged by the green spaces of London Fields and the Regent's Canal, and the opportunities to purchase off-sales alcohol at a number of prominent (large) neighbourhood stores.

The area does not generally have a late-night-early morning public drinking culture, or many large-capacity venues (there is one dedicated nightclub space). There is only one late-night hot food takeaway. On Broadway Market few premises open beyond 01.00, even at the weekend. **The current primary licensed function of the area is seated dining; although there appears to be an emerging bar and**

temporary events scene to the east of London Fields. The Mentmore Terrace and Westgate Street areas were observed to have lower footfalls than Broadway Market in the earlier time periods and higher footfalls between 01:00 and 03:15 (although precise measurements were not recorded).

As with many areas, a small number of venues are busiest and most impactful with regard to activity after 23:00 hours. In Broadway Market these are: Edgars, Off Broadway and The Cat and Mutton Pub, with late opening off licences at the top and middle of Broadway Market also attracting late-night street presence.

As in Shoreditch, there is a propensity for licensed businesses to colonise former light-industrial units, for example, the railway arches of Mentmore Terrace and Helmsley Place. In this area, to the east of the rail line, a late-drinking and club scene has developed with the most significant venues being the very popular Night Tales cocktail bar (NT's, Netil Place/Westgate Street) and rooftop terrace at NT 360, whilst the Mangle nightclub (Warburton Road) and The Brewhouse (Helmsley Place) can be very busy through until 03:00-03:30 at the weekend. Bordering London Fields, The Pub on the Park was extremely popular, with events at Proof also impactful in this area.

Two minor altercations were observed on Westgate Street involving the customers of the bars around Netil Place. These incidents did not give rise to a police response and there appeared to be no physical injuries. The incidents were of a nature, however, to have possibly disturbed local residents and/or caused alarm and distress to passers-by. The incidents also gave rise to shouting and blockage of the road.

Generally it was the case that in comparison to Shoreditch and Dalston, street behaviour by the patrons of licensed premises was quiet and relaxed. Exceptions to this occurred occasionally in the case of **outdoor drinking on London Fields, which in warm weather can involve 'mass gatherings' and is notably supplied by the local stores who provide off-sales. These gatherings are often accompanied by the lighting of disposable barbeque pans, which scorch and litter the park, thereby degrading the environment for other users.** London Fields is an attraction for alcohol-dependent 'street drinkers', as well as for informal gatherings by young adults seated on the grass and on benches. The use of Nitrous Oxide Gas (NoS), alongside drinking alcohol, was notable in the park. In other parts of the Borough NoS consumption was found to be associated with the Hackney 'club scene'.

The potential for anti-social behaviour, public nuisance and large-scale littering relating to outdoor drinking is particularly important in this area in the warmer months. The issue cross-cuts matters as diverse as the degradation and accessibility of the park and canal towpath and noise escape from licensed premises and Temporary Events.

London Fields is also popular with families with young children during daylight hours and community conflicts over use of the park for 'drunken gatherings' during hot weather was a feature of media reporting by the London Evening Standard in 2016. The Council had responded to these concerns by introducing a number of security and waste management interventions over the summer months.

There are further potential conflicts of interest between local residents and ENTE businesses. The area has a substantial residential community, present in flats and apartments to the upper floors of properties on Broadway Market, in blocks of flats and terraced housing to the west of Broadway Market and London Fields and in new residential developments to the east of the park, in proximity to London Fields Station. The latter developments are likely to have advanced levels of sound-proofing and house residents who may have actively chosen the area, at least partly, for its 'vibrancy'.

The area has a 'gentrifying' feel, notable due to the types of products and services to be found and their relatively high price-points. Development pressure is no doubt fuelled by the desirability of the green space, including access to the Regent's Canal, the characterful built environment, and excellent transport links to The City, Shoreditch and Liverpool Street.

Broadway Market / London Fields has a large number of licensed premises, but most currently have little routine impact on the Licensing Objectives. The early-morning trading period is generally accepted to have the most potential to impact on residents and on statutory licensing concerns and there is little activity in this time period, currently.

Future trajectory of Broadway Market / London Fields

In Broadway Market, a general shift by licensed premises to later trading hours, or more 'wet-led' trading formats, might change the relaxed ambience of the area, extending dispersal times and negatively impacting on residential amenity. **Events with pop-up bars and sound systems held in 'non-traditional licensed spaces' (often partly open-air) are a fashionable feature of the local social scene and therefore the relative tranquillity of the area could be notably affected by large volumes of TENS.**

Recommendations

It is recommended that the Council watch closely the number and nature of licensing applications received for the Mentmore Terrace, Helmsley Place and Westgate Street areas, as a larger bar/club scene may be emerging in these locations, just at a time when the number of local residents is also increasing due to new housing developments. This particular location appears to be the mostly likely candidate for future SPA designation if the current pace of development continues.

The author is of the opinion that the licensing landscape does not currently justify the creation of a SPA.

One approach that may be helpful is to enhance enforcement and training activity in relation to the off-sales stores around Broadway Market who supply much of the alcohol consumed in the public realm, including supply to the alcohol-dependant street drinkers regularly seen at the south entrance to the

park. This may be in the form of multi-agency visits, which provide a supportive and advisory function to the premises in the first instance.

Stoke Newington

Key Themes

Evening and day-time trade – seated restaurants and traditional pubs – large numbers of premises

Key Licensing Objective: (Potential) Public Nuisance

The research found the ENTE of this location to be spread across a wider area than that indicated on the boundary map included in the Brief for this project, which showed the strip of Stoke Newington High Street and part of Stamford Hill on the A10, plus a small section of Stoke Newington Church Street, leading west from the A10, as far as Kersley Road. On visiting the area at night it was apparent that there were also a number of ENTE venues, forming part of the ‘village’ cluster of licensed premises, further west along Stoke Newington Church Street, as far as the roundabout at the junction with Albion Road.

There are 19 licensed premises within the Stoke Newington ENTE area with closing times of 01.00, or later. This figure does not include off-licences. **These later-hours premises comprise: 1 restaurant, 2 nightclubs, 4 late-night bars (one of which is an ‘events space’ open only sporadically), 4 late-night refreshment premises, 1 private members’ club and 7 public houses.**

There are 6 premises serving alcohol, with advertising opening hours later than 01:00. These premises are dispersed spatially throughout the area, rather than forming a tight cluster. There are 6 convenience stores with off licence alcohol sales permits to 01:00 or later.

Licensed premises were more ‘conventional’ than those found in other areas (apart from Hackney Central) in that they all inhabited buildings that formed part of the High Street frontage. A further conventional element is the high proportion of restaurants with more formal seated dining and waitress/waiter service (only one of which remained open as late as 01:00). Stoke Newington also had the highest proportion of traditional public houses open in the late-night period in comparison to the other 4 areas. The bar/club scene here is relatively un-developed.

Stoke Newington generally has a different, more sedate, nightlife culture than the other areas researched in this project; it does not typically form part of the Hackney bar/club scene popular with young adult residents and visitors in the southern areas of the Borough.

A further contrasting feature with Shoreditch, for example, is that Stoke Newington is active, as a High Street, during the day. Most licensed premises trade during the day-time and there is less focus on the night-trade exclusively.

Footfalls were recorded at the junction of Stoke Newington Church Street and Stoke Newington High Street. The results illustrate the importance of evening-night hours' trading in this location (approx. 400 persons recorded at 21:00-21:15), with the movements recorded being mostly those of the customers of restaurants and pubs; chiefly, restaurant premises closed by 00:30, at the latest (see Appendix 2).

Future trajectory of Stoke Newington

Stoke Newington has a developed ENTE which has been in place for many years, having expanded gradually as the area's reputation as a 'dining destination' has grown. With over 100 licensed premises offering food and/or drink, it seems unlikely that the 'village' can accommodate many more premises than it already has without losing other local high street day-time amenities, thereby detracting from its overall appeal as a balanced urban centre. This is an issue for consideration by Hackney's Planning Department, more so than in terms of licensing policy, as on the basis of this research, little impact on the Licensing Objectives was recorded.

Whilst the size of the licensed estate and the high residential presence make Stoke Newington a prima facie candidate for designation as a SPA, this research found no evidence of routine negative cumulative impacts on the Licensing Objectives. The most likely reasons for this are the high proportion of food-led businesses and the relatively early closing times of the majority of venues. Stoke Newington has a more relaxed night-time culture than the other areas covered by this research, with less focus on the bar and club scene and on patrons drinking to intoxication.

Given the size of the licensed estate, any general shift in the night-time culture of the area, wherein licensed premises moved any from seated dining toward a more alcohol-led trading format, could give rise to negative cumulative impacts upon the Licensing Objectives.

Recommendations

Evidence was not found to justify the creation of a SPA, currently.

Licensing enforcement action can be taken against individual licensed premises on a case-by-case basis, should the need arise.

Temporary Events Notices (TENs) may be an issue requiring particularly careful deliberation in Stoke Newington. Increased early-morning footfalls and any associated public nuisance incidents are likely to be more noticeably impactful for residents in the typically-quiet streets of Stoke Newington than in other areas where a late-night bar / club scene is in regular operation.

Hackney Central

Key Themes:

A few key late-night venues – a high proportion of Late-Night Refreshment (takeaway) premises – venues and patrons are spatially dispersed.

Key Licensing Objectives: (Potential) Public Nuisance

In Hackney Central there are approximately 80 licensed premises in the ENTE area, 22 of which have closing times of 01.00, or later. This figure does not include off-licences. **These later-hours premises include: 2 nightclubs, 3 late-night bars, 9 late-night refreshment premises, 7 public houses and 1 members' club. There are 3 convenience stores / supermarkets with off licence permits for alcohol sales to 01:00 or later.**

Licensed premises in Hackney Central (and in Stoke Newington) are more 'conventional' than those found in the other three areas for this research, in that they almost all inhabit buildings that form part of the High Street frontage. A further conventional element is the high proportion of traditional public houses.

Late-night refreshment premises form a higher proportion of licensed businesses in the area, compared to the other four areas. These premises are mostly on or around Mare Street.

Hackney Central's ENTE was generally more dispersed than other areas, such as Dalston and Stoke Newington. A few significant venues dominated the weekend late-night (after midnight) scene. Hackney Central had fewer bar/nightclub-style late-hours trading venues than the other areas included in this research (with the exception of Stoke Newington).

Footfalls were recorded outside the Hackney Empire on Mare Street, which was identified as the epicentre of the ENTE. Numbers of pedestrians were generally lower, though more consistent, throughout the counting-period, than those recorded at other count points for this project. Numbers did not exceed 475 persons during any 15-minute period (see Appendix 2).

The Hackney Central ENTE has three distinct sub-areas:

The central/northern section of Mare Street, Morning Lane, Graham Road and Amhurst Road constitute one area. It is here that the larger bars/clubs and pubs are located, together with a number of eateries and key landmark entertainment venues, the Hackney Empire and the Hackney Picturehouse.

Richmond Road is a further distinct sub-area, with a quieter, more 'up market' cluster of eateries and wine bars that correspond with the bohemian Broadway Market area, that they border.

Lower Clapton Road, to the north of Mare Street, has a slightly darker, more 'edgy' feel than the other areas. This feel is accentuated by lower-level illumination from street lighting and a higher proportion of boarded or grated frontages to shops and other day-time business premises.

As a result of the above, Hackney Central has a more dispersed nightlife culture than the other areas researched in this project; as such, whilst individual licensed premises and events may attract large numbers of patrons, the area as a whole has not developed as a major ENTE 'destination' within the Borough.

There are a high proportion of Late-Night Refreshment premises - located in the Mare Street area - offering hot takeaway food in the late-night hours and these premises are associated with delayed dispersals of 'clubbers' from the area, as well as some problems with littering.

No incidents of physical violence were observed in Hackney Central.

There is a notable presence of homeless people begging in the Mare Street area and in and around St. John's/St. Augustine's Church Yard and Gardens. More aggressive begging is evident on Lower Clapton Road.

Future trajectory of Hackney Central

Whilst the total size of the licensed estate makes Hackney Central a prima facie candidate for designation as a SPA, this research found no evidence of routine negative cumulative impacts on the Licensing Objectives. The most likely reasons for this are the dispersed nature of the licensed entertainment premises, the fact that late-trading premises are relatively few in number and the generally lower footfalls recorded in comparison with the other areas visited in this research (with the exception of Stoke Newington).

A slower pace of gentrification and less developed transport links suggest that new licensed developments do not have the potential to emerge quite as rapidly in Hackney Central as in the other areas for this study.

Recommendations

No evidence was found to justify the creation of a SPA, currently.

Licensing enforcement action can be taken against individual licensed premises on a case-by-case basis, should the need arise.

Licensing issues which cross-cut the five areas

1. Off-Licences: operating hours and locations

A general issue in Hackney that emerges from the licensed premises' audits in the five areas is that **the Borough appears to have a large number of convenience stores / supermarkets which trade late that are also licensed to continue selling alcohol into the early hours of the morning. A further general feature is that many of these stores are located in and amongst the licensed entertainment / food and drink premises.** These hours were not found by the author in his recent work in comparable areas of London, such as Westminster and Camden, where off-sales tend to cease in areas with 'nightlife', mostly by 23:00 and typically, entirely, by 01:00.

National and more local evidence (from Camden) suggests that, **on-average, unit consumption of alcohol amongst those ENTE visitors that remain in-situ, increases hour-by-hour up until 03.00 and beyond.** In Hackney, those ENTE patrons who are so-minded have access to relatively cheap off-sales alcohol from local stores to supplement that purchased and consumed in the 'on-trade'. The author provides an account of just such activities in the Full Technical Report, as observed in the Shoreditch SPA.

It is not possible, nor would it be necessarily justified, for the Borough to retrospectively cut-back the hours held by off-sales premises in nightlife hubs. However, it is recommended that off-sales premises be included in any assessments involving the development of new SPA and 'Special Hours' policies as applied to future premises' applications.

2. Off-Licences: licensing compliance

It was not part of the Brief for this research to examine issues of compliance in respect of the Premises Licences of particular licensed premises. Nonetheless, when the author compared his notes with the information on the premises' audits it became clear that in some instances breaches of relevant licensing Conditions may have been observed, including instances of selling alcohol beyond permitted hours. These observations were reported to the client and suitable checks conducted.

The alcohol availability issue has greatest resonance for the most committed of drinkers; those ENTE patrons who seek out off-sales sources before and after leaving on-trade premises and alcohol-dependant street drinkers from the homeless population. **Non-compliance with licensing hours by off-sales outlets provides access to additional consumption opportunities for these 'hard-drinking' sub-groups; potentially fuelling public drunkenness on public transport and pedestrian journeys in the course of exits from central locations.**

It is important that a general culture of compliance with permitted trading hours and other issues concerning licensing law and server responsibilities is achieved. Multi-agency compliance visits, test purchases and additional server training may be considered in order to support premises in achieving compliance with their licences and in some cases further action may be needed, involving formal enforcement.

Despite the general points raised above, the author notes that none of the incidents of crime, disorder and public nuisance observed during the course of this research appeared to involve persons who were the customers of off-sales premises-only. All instances involved persons who appeared to be in the locations with the primary purpose of visiting on-trade premises.

3. Late-Night Levy (LNL) and its suitability for Hackney

The Council **consulted on the suitability of adopting a LNL in Hackney in 2016.** The findings of the LNL consultation were not available at the time of writing and have not informed this report. The author did not have access to consultation responses, nor did this research influence the drafting of the LNL consultation in any way. The author is of the opinion that the local consultations provide the most appropriate weighing of considerations in relation to LNL. **This research was conducted wholly independently of the LNL consultation and the author does not seek to offer recommendations specific to this particular place management mechanism, based on the findings of this study alone.**

4. Temporary Event Notices: suitability to particular locations and non-standard partly-‘open-air’ venues

One aspect that emerged from the research was that Broadway Market (the street and immediate area) and Stoke Newington were heavily residential areas, with closing times of licensed premises that were generally comparatively early. Furthermore, the ENTE of these locations was primarily food-based at seated restaurants, giving rise to fewer instances of noise nuisance associated with intoxicated persons departing. These factors are of note in that when late-night drink/entertainment events are inserted into these areas it is likely to be more noticeable to residents than would be the case in other areas of the Borough in which residents live permanently in close proximity to a late-night bar/club scene and/or in which ambient noise levels are generally high. This is a factor the Council may wish to consider in relation to TENs applications and repeated TENs applications, in particular. The issue of weighing what Licensable Activities may be considered ‘reasonably acceptable’ in ‘particular locations’ has been underlined in recent years by The Court of Appeal (*eg.*, *Hope and Glory [2011]*; *Taylor v Manchester [2012]*).

In Shoreditch, Dalston and London Fields there has been a clear shift toward the utilization of former light-industrial plots, such as goods yards, warehouses and railway arches as licensed premises, operating either permanently, or semi-permanently, as part of the ENTE. Many of these premises house patrons in partly-open-air spaces, or within temporary structures which offer weather protection, but

which are not conventional buildings that benefit from sound proofing. The operation of these types of premises is very likely to involve higher levels of ‘noise escape’ than would be the case were the same activities to be housed in a conventional building structure; whilst, in some cases, offering slight acoustic control benefits in comparison to the fully open air ‘beer garden’. It may be useful for the Council to keep a register of these types of premises, one which creates an alert whenever a TENs application is made. TENs applications from such premises may require additional levels of scrutiny to avoid giving rise to late-night public nuisance noise impacts resulting from amplified music and other sounds being very audible in the vicinity.

5. Rapid development: tracking Borough trends in the growth of new ENTE hubs and expansion of existing hubs

It is recommended that the Council, with the findings of this report and other evidence in mind, **monitor the number and location of new Premises Licence applications and licence variation applications for late-night drink-led uses and for LNR in key areas of the Borough.** This research has identified emergent clusters of ENTE activity in **Haggerston, London Fields and on Kingsland Road in Hoxton.** **The report also highlights further development along pedestrian corridors into and out of the Shoreditch SPA.**

The author would suggest that all new applications / variations for post-midnight Sales-of-Alcohol (on-trade and off-trade) and LNR are flagged, recorded by post code, and the resulting statistics reviewed, on a six-monthly basis. **This will enable LBH to identify and track ENTE development trends that are not always apparent when processing large numbers of applications from locations Borough-wide.**

6. Cross-borough place management

Whilst the majority of licensed premises in Shoreditch are licensed by Hackney, the nightlife of the area is a partly cross-borough phenomenon and the contribution of premises and activity in Islington and Tower Hamlets should not be underestimated. The ENTE of the area is developing strongly along access corridors and this sense of Shoreditch (Hackney) merging with other Borough jurisdictions is likely to accelerate with the embedding of Night Tube, new hotels in the Buffer zone, and other developments that are ‘filling the gaps of activity’ between licensed premises’ clusters.

From the point of view of the consumer the integrated nature of the area, when viewed in terms of attraction value, involves making use of premises and services in ways that crisscross borough boundaries. As a result, **any hot-spot mapping of alcohol-related incidents occurring within Hackney boundaries-only will not show the full picture. There will often be elements of cross-borough spatial merging involved in any true assessment of the ENTE and its social impacts.**

It is important for the LBH to view these cross-border influences in terms of the limits of Hackney's jurisdiction and to consider how the Licensing Policies and general place management approaches of adjoining Authorities may be impacting on Hackney. **These factors require an insight into how different parts of the Borough function as 'places', rather than as abstract spaces on a map. The observational research reported here provides some insight into these underlying qualitative factors and indicates potential parameters for cross-borough mapping and collaboration on ENTE themes; particularly in key areas such as Bethnal Green Road, Redchurch Street, Old Street (West) and Shoreditch High Street / Bishopgate.**

Night Tube services from Liverpool Street are becoming embedded in visitor behaviour changes and it is suggested that this factor, together with the possibility of new night services from Old Street, is referred to in the drafting of the 2017 Statement of Licensing Policy. It should be emphasised that the Council's Licensing Policies were devised on the basis of recent historical evidence, mostly collected prior to introduction of the TfL night service.

7. Private Sector income streams for integrated place management

Notwithstanding the outcome of the LNL consultation there may be opportunities for LBH to encourage and support the business community in making voluntary contributions to partnership measures and initiatives to be applied to the public streets and other shared spaces. There is already a privately-funded street warden scheme, which provides a high visibility patrolling presence in Shoreditch and Dalston on weekend nights. This patrol were regularly observed during the research, including on occasions in which they were engaged in dealing with the public in incidents of disorder and physical incapacitation - in collaboration with the MPS and London Ambulance Service - as well as when simply offering guidance and advice to visitors.

Business Improvement Districts (BIDs) may be another avenue worth exploring. A BID is a defined geographical area within which local businesses have voted to invest collectively to improve their trading environment. BIDs operate usually for periods of five years, which can run successively. BIDs provide additional or improved services as identified and requested by local businesses. Services often include additional safety and cleansing and broader environmental measures. BIDs are business-led organisations, funded by members, who pay an agreed levy previously approved by ballot.

There are several BIDs currently operating in London that encompass main ENTE areas and which draw members that include bar/pub/restaurant operators. Amongst the most prominent of these are 'Heart of London' in Westminster (Leicester Square) and 'Camden Town Unlimited' (CTU). Established in April 2006 and now in its third term, CTU has taken an active interest in ENTE issues within central areas of Camden Town; these being of key concern to many of its members. CTU part-funded projects have so far included time-limited commitments to provide street marshal patrols at night (the 'Quiet Streets' initiative) and improvements to the streetscape of Camden High Street (the 'Naked High Street' initiative). The latter

initiative helped introduce wider footways, narrower carriageways, level loading bays, new tree plantings and a public art installation.

There is an opportunity LBH to provide leadership to the private sector on issues of place management. The business community should be encouraged to adopt Hackney’s vision for the ENTE, as informed by the Council’s investment in public and stakeholder consultation, data analysis and research. In the case of Corporate Social Responsibility (CSR) schemes devised and directed by the ENTE business community, the Council’s direct role may be more limited, but should seek to ensure that CSR schemes offer high standards of accountability and include transparent and rigorous project evaluation¹.

8. Specific aspects of Licensing Policy

a) Policy ‘LP 4 Crime and Disorder’ sections (e) and (f) p.31

Section (e): LBH may wish to consider that recent research by London South Bank University has questioned the effectiveness of ‘point-of-sale’ safer drinking material in bar-type environments², thereby replicating the wider evidence-base.

The author suggests that current policy wording be replaced with a reminder to licence holders that Home Office Guidance concerning the mandatory conditions, as applied to free-poured (non-pre-packaged) drinks, currently advises that, at point-of-sale:

“10.51

The responsible person (see paragraph 10.39) shall ensure that the following drinks, if sold or supplied on the premises, are available in the following measures:

Beer or cider: 1/2 pint

Gin, rum, vodka or whisky: 25ml or 35ml

Still wine in a glass: 125ml

10.52

*As well as making the drinks available in the above measures, the responsible person must also make customers aware of the availability of these measures by displaying them on printed materials available to customers on the premises. **This can include making their availability clear on menus and price lists, and ensuring that these are displayed in a prominent and conspicuous place in the relevant premises (for example, at the bar). Moreover, staff must make customers aware of the availability of small measures when customers do not request that they be sold alcohol in a particular measure.** (author’s emphasis)*

¹ Hadfield, P. and Measham, F. (2015) ‘The outsourcing of control: Alcohol law enforcement, private sector governance and the evening and night-time economy’, *Urban Studies*. 52(3): 517-37.

² Frings, D., Guleser, E., Albery, I., and Moss, T. (2017) ‘Evaluating the interactive effects of responsible drinking messages and attentional bias on actual drinking behaviours’ *Alcohol Insight*, 139. London: Alcohol Research UK.

10.53

This condition does not apply if the drinks in question are sold or supplied having been made up in advance ready for sale or supply in a securely closed container. For example, if beer is only available in pre-sealed bottles the requirement to make it available in 1/2 pints does not apply.

10.54

The premises licence holder or club premises certificate holder must ensure that staff are made aware of the application of this condition.”³

Justification: The purpose of the Mandatory Conditions is to ensure that consumers can make informed choices as to the strength of the alcoholic beverages they purchase and consume. Clear information as to available measures on menus and at the bar is the best way to ensure that customers are made aware of their choices. I would suggest that wording to this effect is included within the Licensing Policy.

Compliance with the Mandatory Conditions is likely to help promote safer drinking through informed choices, together with helping reduce the need to enforce other aspects of the Licensing Act, such as the hard-to-deal-with Sections 141 and 142 (sale of alcohol to a person who is drunk and proxy purchase of alcohol for a person who is drunk, respectively).

b) Prevention of Public Nuisance requirements

Para 26.3 (p.33)

I would suggest re-drafting of the second sentence, as follows:

“...it is important that applicants can demonstrate how they will effectively manage the exit and dispersal of their patrons through the use of an appropriate Dispersal Policy and Transport Policy which seeks to minimise public nuisance”.

³ Home Office (2017) *Revised Guidance Issued under Section 182 of the Licensing Act 2003*. April. London: Home Office. p. 83-4.

Appendix 1: Project Locations Maps

See appended document

Appendix 2: Footfalls recorded in each project area

Location 1a: Shoreditch High Street / Great Eastern Street junction (west pavement and junction)

| Date | 21.00- 21.15 | 22.00- 22.15 | 23.00- 23.15 | 00.00- 00.15 | 01.00- 01.15 | 02.00- 02.15 | 03.00- 03.15 |
|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Fri 15 July | 416 | 456 | 442 | 474 | 245 | 171 | 256 |
| Fri 19 Aug | 669 | 637 | 656 | 551 | 308 | 272 | 217 |
| Fri 16 Sept | 763 | 761 | 1040 | 978 | 521 | 480 | 257 |
| Fri 14 Oct | 737 | 623 | 1165 | 776 | 628 | 453 | 254 |

Night Tube launches on the Central Line, offering services from Liverpool Street on Fridays and Saturdays.

Location 1b: Old Street, Fire Station (north pavement only)

| Date | 21.00- 21.15 | 22.00- 22.15 | 23.00- 23.15 | 00.00- 00.15 | 01.00- 01.15 | 02.00- 02.15 | 03.00- 03.15 |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Sat 16 July | 409 | 491 | 890 | 688 | 223 | 383 | 212 |
| Thurs 10 Nov | 574 | 636 | 624 | 613 | 252 | 241 | 189 |

Location 2: Kingsland High Street, near Dalston Superstore (both pavements)

| Date | 21.00- 21.15 | 22.00- 22.15 | 23.00- 23.15 | 00.00- 00.15 | 01.00- 01.15 | 02.00- 02.15 | 03.00- 03.15 |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Sat 20 Aug | 240 | 177 | 296 | 280 | 303 | 356 | 256 |
| Thurs 13 Oct | 538 | 562 | 506 | 427 | 192 | 109 | 193 |
| Sun 16 Oct | 416 | 438 | 387 | 220 | 134 | 89 | 34 |

Location 3: Broadway Market junction with Dericote Street (both pavements and junction)

| Date | 21.00- 21.15 | 22.00- 22.15 | 23.00- 23.15 | 00.00- 00.15 | 01.00- 01.15 | 02.00- 02.15 | 03.00- 03.15 |
|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Thurs 14 July | 382 | 719 | 401 | 166 | 70 | 32 | 27 |
| Sun 21 Aug | 314 | 422 | 271 | 146 | 37 | 21 | 15 |
| Thurs 15 Sept | 326 | 603 | 340 | 129 | 45 | 26 | 17 |
| Sat 12 Nov | 629 | 292 | 246 | 341 | 131 | 129 | 62 |

Location 4: Stoke Newington Church Street / Stoke Newington High Street (both pavements and junction)

| Date | 21.00- 21.15 | 22.00- 22.15 | 23.00- 23.15 | 00.00- 00.15 | 01.00- 01.15 | 02.00- 02.15 | 03.00- 03.15 |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Thurs 18 Aug | 208 | 183 | 146 | 142 | 82 | 39 | 14 |
| Sat 15 Oct | 406 | 292 | 458 | 345 | 228 | 250 | 212 |

Location 5: Mare Street, near Hackney Empire (both pavements)

| Date | 21.00- 21.15 | 22.00- 22.15 | 23.00- 23.15 | 00.00- 00.15 | 01.00- 01.15 | 02.00- 02.15 | 03.00- 03.15 |
|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Sat 17 Sept | 382 | 305 | 312 | 304 | 248 | 225 | 171 |
| Fri 11 Nov | 395 | 296 | 474 | 410 | 230 | 149 | 214 |