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The Impact of the Licensing Act 2003 on Levels of Crime and Disorder: Key Findings of the Birmingham Case Study, prepared for the Home Office

### Original Citation

Newton, Andrew D., Armitage, Rachel, Hirschfield, Alex, Monchuk, Leanne, Rogerson, Michelle, Wilcox, Aidan and Jacobson, Jessica (2008) The Impact of the Licensing Act 2003 on Levels of Crime and Disorder: Key Findings of the Birmingham Case Study, prepared for the Home Office. Research Report. King's College London.

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**ANNEX: A**

**KEY FINDINGS OF THE  
BIRMINGHAM CASE STUDY**

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**February 2008**

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## **SUMMARY AND CONCLUSIONS**

### **Implementation of the Licensing Act**

The majority of pubs and clubs in Birmingham city centre have apparently applied for, and been granted, extended licensing hours. Most premises have tended to use their additional hours flexibly, according to customer demand. The overall result appears to have been a staggering of closing times between 1am and 6am across the city centre. However, within the main drinking area of Broad Street – to which a cumulative impact policy was applied – closing times may be more uniform, although generally later than hitherto.

Implementation of the Licensing Act seems to have reinforced pre-existing enforcement initiatives focused on the night-time economy. Implementation has also had the effect of encouraging further enforcement, for example in the form of frequent multi-agency inspection visits to premises. The Licensing Act also reportedly gave added impetus to partnership working on the night-time economy; indeed, some have argued that the positive impact on partnership (encompassing businesses and the statutory authorities) was one of the Act's main achievements in Birmingham.

### **Impact on crime and disorder**

The overall impact of the Licensing Act on alcohol-related crime and disorder in Birmingham is difficult to assess, because the available data are somewhat contradictory.

#### *Police data*

Police recorded crime data on violence against the person point to a continuing, but slight, upward trend in violence over the years of 2004 to 2006. The same period saw a slight decline in violence on weekend nights. As these are the nights on which licensed premises are likely to close later because they use their additional hours on busy nights, this suggests that later closing times are not associated with an overall increase in violence, though it may also be a reflection of tighter management practices employed at the busiest times. Nevertheless, temporal analysis of the violent crime data suggests that the *distribution* of violence may have been affected by later closing hours, because there has been a shift towards later violent offending.

Across Birmingham city centre, the peak hour for violent offending was 2am to 3am both before and after implementation of the Licensing Act; but after implementation the proportion of offences recorded between 11pm and 3am was slightly *lower* and the proportion between 3am and 8am was *higher*.

Further evidence for the link between later opening and later violence is provided by spatio-temporal analysis of the data – although the lack of comprehensive information on premises' actual open hours makes it difficult to draw definitive conclusions. Both before and after implementation, violent offences were concentrated in areas containing licensed premises: around two-fifths of violent offences occurred in the 'cluster area' with a high density of licensed premises and the same proportion in 50m buffer zones around premises. But after implementation, these areas saw a greater *decrease* in offences between 2am and 3am, and a greater *increase* between 3am and 4am, compared to the city centre as a whole. Moreover, the hot-spots of violent offending, which were in areas with many licensed premises, persisted for longer (although with reduced intensity) after 3am.

Police data show criminal damage offending to have remained relatively stable over the pre- and post-implementation periods. Criminal damage was quite concentrated around licensed premises, although to a lesser extent than violence. Both pre- and post-implementation, a little under 30% occurred in the 'cluster area' and a similar proportion in the 50m buffer zones. Criminal damage hot-spots were in areas with many licensed premises and, like violence hot-spots, tended to persist later – that is, beyond 3am – in the post-implementation period than in the baseline period.

In notable contrast to the violence and criminal damage recorded crime figures, the figures for calls to the police for disorder show significant falls over the period of analysis, although this downward trend pre-dated implementation of the Licensing Act. Calls for disorder were concentrated around licensed premises to a similar extent to criminal damage offenders. Notwithstanding the downward trend in calls for disorder, here too – as for violence and criminal damage – there is evidence of a shift towards later offending which could be linked to later closing times of licensed premises. Compared to the baseline period, in the post-implementation period there were fewer calls for disorder throughout the day, except between 4am and 7am when the numbers increased. This temporal change tended to be more pronounced in areas containing licensed premises.

### *Stakeholders' views*

The representatives of the licensing and other authorities, and representatives of NTE businesses interviewed for the evaluation were generally of the opinion that levels of alcohol-related crime and disorder had decreased over the past year – though most of the respondents indicated that the changes had occurred before the implementation of the Act and the changes consolidated the trend. The police figures on violence (overall a slight increase with a slight decrease at weekends and a temporal shift in small number of violent offences to the small hours) and criminal damage (remained stable) do not support this view, although the figures on calls for disorder are broadly in line with the stakeholders' perceptions of a decline in local problems. The indicators in the police data - on violence, criminal damage and disorder alike – of a shift towards later offending were also inconsistent with the views of stakeholders, many of whom argued that staggered closing times had resulted in a more gradual dispersal of drinkers at the end of the night and consequently fewer problems at this time.

In the absence of more data, the contradictions between stakeholders' perceptions and police data cannot be fully explained. However, it may be surmised that in the context of generally high levels of concern about alcohol-related crime and disorder, the relative stability of violent crime and criminal damage, as revealed by the police figures, was over-optimistically perceived as an improvement by stakeholders.

### *Residents' views*

The survey of Birmingham residents found levels of public concern about alcohol-related crime and disorder to be fairly high both before and after implementation of the Licensing Act, although there were some indications of a post-implementation reduction in concern. The proportion of residents who felt unsafe in the city centre did not change statistically significantly following implementation (30% of baseline respondents and 26% of post-implementation respondents felt unsafe), and the reasons for feeling unsafe remained broadly consistent. A majority of post-implementation respondents thought that drunk and rowdy behaviour was a problem in the city centre; but, at 60%, this represented a statistically significant reduction from the 70% of respondents who, at baseline, perceived drunk and rowdy behaviour to be a problem.

Among post-implementation respondents, there were more negative than positive views about how problems of alcohol-related crime and disorder had changed over

the past year. Thirty-four per cent of respondents thought the problem of drunk and rowdy behaviour in the city centre had increased since the implementation of the Act, compared to just 16 per cent who thought it had decreased. Similarly, 43 per cent of post-implementation respondents thought that alcohol-related crime had increased since the Act was introduced, whereas ten per cent thought it has decreased. With respect to views on rowdy behaviour, 41 per cent of post-implementation respondents thought this problem had increased, and only ten per cent thought the problem had decreased.

These findings contradict the respondents' perceptions on feelings of safety and drunk and rowdy behaviour (the same questions were asked before and after the implementation of the Act). A possible explanation is that when respondents were asked to link behaviours to the Act they may have been influenced by the numerous stories in the media which discussed the possibility of crime and disorder increasing post introduction of the Act.

### **Diversification**

With respect to Birmingham city centre, there are some indicators of progress towards the Licensing Act's longer-term aim of diversification of the night-time economy. This was discussed in the post-implementation interviews with authority representatives, who described diversification as a positive development of the past year, and partly attributable to the Act. It was argued that the cumulative impact policy on Broad Street, along with the implementation of the Broad Street Business Improvement District (BID), had been important contributors to the process.

Some of the NTE business interviewees, particularly restaurant managers, also spoke about having experienced positive changes in the make-up and atmosphere of the night-time economy since the Licensing Act's implementation. In particular, it was said that there were growing numbers of more 'responsible' people and family groups on Broad Street before 11pm, and that there was greater integration between the Broad Street night-time economy area and nearby entertainment facilities such as the Symphony Hall and theatres.

The findings of the residents' survey suggest that implementation of the Licensing Act has not had a significant impact on the overall numbers of people visiting the city centre. However, there were significant differences between the baseline and post-

implementation respondents in the *reasons* they gave for visiting the city centre. In the post-implementation period, the most popular reasons given were to go to the cinema, theatre or concerts; followed by restaurants or cafes; then pubs, bars and clubs. In the baseline survey, attending pubs, bars and clubs was the most popular reason for visiting, followed by late-night shopping. It is notable that the changes in reasons for visiting the city centre were most apparent within the younger age group. In the post-implementation period, significantly fewer 16 to 30 year olds reported going to pubs, bars and clubs as their main reason for visiting, and significantly more reported going to restaurants or cafes as their main reason.



## **Acknowledgements**

This report was commissioned by the Home Office as part of a larger evaluation of the 2003 Licensing Act.

The research that contributed to this report involved many different organisation. The bulk of the empirical work in the site was mounted by the Applied Criminology Centre (ACC), University of Huddersfield: Dr. Rachel Armitage, Professor Alex Hirschfield, Leanne Monchuk,, Dr Andrew Newton, Michelle Rogerson and Dr Aidan Wilcox and this is reflected in the authorship of this report. The ACC fieldworkers in Birmingham were James Roe, Liz Ellis and Katie Dunstan. The role of the Institute for Criminal Policy Research was to draw this work together with that of other researchers, to create a synthesis report for the site. The original site report is available from the ACC.

We should acknowledge the contribution of others who were involved in the evaluation, notably the staff of BMRB especially Matthew Brown, Bruce Hayward and Matthew Sexton who managed the survey of residents in the five areas and to all the researchers at Cragg Ross Dawson, especially Tim Porter and Ben Toombs, who conducted the in-depth interviews in the case-study sites, and Home Office researchers who assembled a range of data both in the case study sites and nationally. We are grateful both to the research team at the Home Office who designed and oversaw the evaluation process: Alana Diamond, Catherine Nicol, Jonathan Smith, Corrine Charles, Beth Daws, Laura Brasnett, Sian Moley, Lucy Fletcher, Sharon Ross and Emily Diment.

We are particularly grateful to Alana Diamond, Greg Braun and Catherine Nicol at the Home Office for the help and support that they have provided throughout the process of drafting this and other site reports. Finally we would like to thank our peer reviewers, Spencer Chainey of University College London Jill Dando Institute of Crime Science and an anonymous reviewer, for their comments.

**February 2008**

# 1 INTRODUCTION

This report sets out the key findings of research into the impact of the Licensing Act 2003 in Birmingham.

## **The Licensing Act 2003**

The Licensing Act 2003, which came into effect on 24 November 2005, abolished set licensing hours in England and Wales. Opening hours of premises are now set locally by local authorities through the conditions of individual licenses. The aim of the legislation was to liberalise a rigid system whilst reducing the problems of rapid-drinking and disorder associated with a standard closing time. It was hoped that in the longer term, the Act along with other national and local policies would help bring about a drinking culture which attached less value to rapid-drinking and drunkenness as ends in themselves. The Act also sought to provide licensing authorities with new powers to deal with problematic premises and to encourage closer partnership between the range of authorities who tackle problems of alcohol-related crime and disorder.

The Act has been the subject of much controversy. Although the aim of the Act was specifically to address problems associated with late-night drinking, there was a great deal of political and media concern in the run-up to implementation about the impact that it would actually have. It was feared that premises would be open 24 hours a day, leading to heavier drinking and higher overall levels of consumption. There were worries both about the public health impact of the new licensing regime and its effects on crime and disorder.

## **Evaluation methodology**

Responsibility for the Licensing Act lies with the Department for Culture, Media and Sport. Recommendation 29 of the Alcohol Harm Reduction Strategy (2004) requires the Home Office – with the support of other government departments – to assess the Act's impact on crime and disorder. Hence in 2005 the Home Office put into place an

evaluation programme for this purpose. The programme included British Crime Survey analysis, a survey of 30 police forces, and five detailed case studies – of which the Birmingham study is one.

All five case studies had a variety of components; these are described in Box 1.1.

### **Box 1.1: Components of research in Birmingham**

#### **1. Police recorded crime data**

Collation and analysis of time-stamped police recorded crime data for Birmingham city centre for the period December 2003 to December 2006 on:

- violence against the person
- criminal damage
- sexual assaults.

The range of recorded data were collected by the Applied Criminology Centre of the University of Huddersfield (ACC), who also conducted spatial and temporal analysis of the data.

#### **2. Calls to the police for disorder**

Review, also by ACC, of calls to the police for disorder from December 2003 to December 2006.

#### **3. Penalty notices for disorder**

Collation of data on numbers of penalty notices for disorder (PNDs) issued in the period April 2004 to March 2007. This work was undertaken by the Home Office.

#### **4. Ambulance data**

Collation and analysis of ambulance data, also by ACC, for the period November 2004 to December 2006 (Friday and Saturday nights only) comprising:

- numbers of ambulance call-outs
- assaults recorded by the ambulance service.

#### **5. Residents' survey**

A telephone survey of Birmingham residents conducted in two waves by the British Market Research Bureau (BMRB):

- Baseline survey conducted in February to June 2005 with a total of 653 respondents (including a separate boost sample of 156 people aged 18 to 30).
- Post-implementation survey conducted in February to May 2007 with a total of 720 respondents (including 178 in the boost sample).

## 6. Observation

25 visits to a variety of licensed premises were undertaken by ACC in one baseline period (November 2005) and 18 in two post-implementation periods (January to March 2006 and January 2007). Information on post-implementation opening hours was collected on eight of these premises.

## 7. Post implementation interviews with licensees, managers and staff of licensed premises

11 qualitative, semi-structured interviews were conducted by ACC in January to March 2006. The interviewees were four licensees, 2 managers, 1 member of bar staff and 4 door supervisors.

9 qualitative, semi-structured interviews were conducted by ACC in 2007. The interviewees were 3 licensees/managers, three bar staff and three door supervisors.

## 8. Interviews with licensees and representatives from night-time economy (NTE) businesses

36 qualitative, semi-structured interviews licensees and representatives from a range of late-night businesses (pubs, clubs, restaurants/cafes, off-licences and taxi companies) in the two key night time economy areas. Interviews were conducted in two phases:

- Baseline phase, October to November 2005 (15 interviews)
- Post-implementation phase, October 2006 to January 2007 (21 interviews).

These interviews were undertaken by Cragg, Ross and Dawson (CRD), and are henceforth referred to in this report as 'interviews with NTE businesses'.

## 9. Interviews with authority representatives

15 qualitative, semi-structured interviews with representatives of the licensing authority and the 'responsible authorities' (police, fire service, and local authority planning, children's services, environmental health, trading standards and health and safety departments), the licensing solicitor, the city centre manager, and a representative of the Crime and Disorder Reduction Partnership (CDRP)/Drugs and Alcohol Action Team (DAAT). Interviews were conducted in two phases:

- Around the time of implementation of the Licensing Act, October-November 2005 (11 interviews)
- Post-implementation, November 2006 to February 2007 (4 interviews with 5 respondents, including 2 police respondents, interviewed jointly, 1 representative from the Licensing Authority and from the CRDP/DAAT.).

These interviews were undertaken by researchers from the Home Office.

See the ACC Technical Annex for more details about the methodology used in all the case study areas.

## **The context of the Birmingham case study**

Birmingham is Britain's second largest city, with a residential population of approximately 985,000.<sup>1</sup> The city centre – which is the area covered by the case study - has a large, vibrant night-time economy, and a residential population of approximately 28,000. Birmingham's population has a young age profile relative to England as a whole, and the city contains a large student population, estimated to be around 57,000.<sup>2</sup> Birmingham's population is diverse: 30 per cent of the population belong to ethnic groups other than white, compared to nine per cent in England as a whole.<sup>3</sup> Birmingham's black and minority ethnic population is younger than the white population: nearly 50 per cent of pupils in the city's schools are from black and minority groups, as are under ten per cent of people aged over 75.<sup>4</sup>

The rate of unemployment in Birmingham is above the national average: in October 2004 the city's adjusted claimant rate rose to 7.6% against a national rate of 2.3%.<sup>5</sup> The 2001 census found that 60% of Birmingham's population aged between 16 and 74 were in work, compared to 67% in England as whole. The Index of Deprivation (2004) ranked Birmingham at 15 out of 354 local authorities in England, where 1 was the most deprived area and 354 the least deprived.

Since 1999, a large programme of regeneration has been undertaken in Birmingham, with £20 billion spent on new initiatives. The Bullring Centre, which opened in 2003 creating over 8,000 jobs, is the largest retail complex of its type in Europe and attracts 20 million people a year. Birmingham's strategy for the future, 'Taking Birmingham Forward', aims to make Birmingham a city that is 'known internationally as a place to invest and visit; a city where more and more people want to live and work and a city that is smart, values knowledge and uses it creatively'.<sup>6</sup>

### *Birmingham's night-time economy*

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<sup>1</sup> Office for National Statistics 2005 mid-year estimates.

<sup>2</sup> Combined total for the University of Birmingham and the University of Central England (Higher Education Statistics Agency Limited 2005).

<sup>3</sup> 2001 Census

<sup>4</sup> Community Strategy for Birmingham, 2005-2010.

<sup>5</sup> <http://neighbourhood.statistics.gov.uk/dissemination/AreaProfile2.do?tab=5>

<sup>6</sup> Community Strategy for Birmingham, 2005-2010.

As of March 2007, which is outside of the evaluation timeframe, a total of 2,318 premises licences authorising the sale or supply of alcohol were in force across the Birmingham licensing authority area. Of these, 1,456 licenses authorised the sale of alcohol for consumption on the premises only, or for consumption both on and off the premises.<sup>7</sup> (See the discussion of ‘current licensing statistics’ in Chapter 4 for more details.)

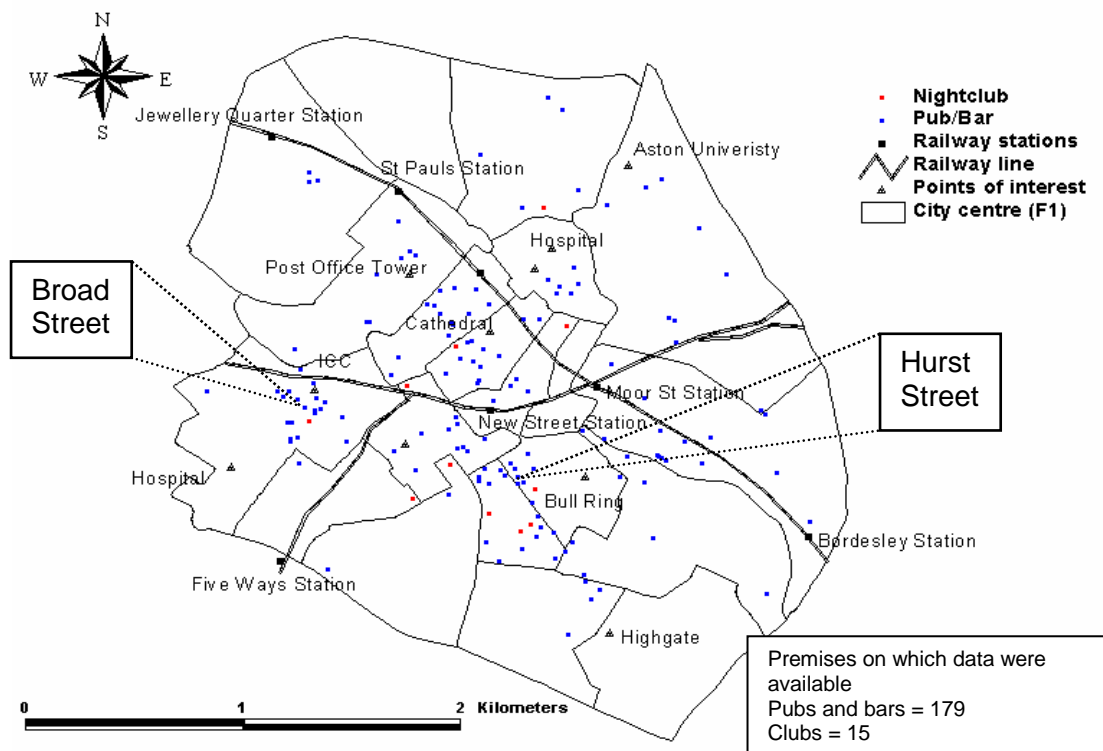
The two main centres of Birmingham’s nightlife are Broad Street, in the west of the city centre, and Hurst Street and the adjoining Arcadian Centre, which are approximately twenty minutes’ walk from Broad Street. Figure 1.1 is a map of the city centre, which shows the locations of pubs, bars and clubs. For the purpose of the research reported upon here, 179 pubs and bars and 15 night clubs in the city centre were identified and geo-coded. These represent premises on which address details and data on trading hours were available.

Broad Street, is a major thoroughfare also known as the ‘Golden Mile’ and is regarded as the city centre’s main drinking area. The licensed premises here are predominantly high-volume, chain drinking establishments – a number of which have capacities of over 2,000 – although the area also contains a small number of restaurants and hotels. Before the implementation of the Licensing Act 2003, most of the clubs and bars in Broad Street closed at 2am, with a few opening later. The premises have traditionally been aimed at large groups of younger drinkers (aged 18 to 35), with the typical clientele being students and young professionals.

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<sup>7</sup> Department for Culture, Media and Sport, [www.dcms.gov.uk/reference\\_library/rands/statistics/alcohol\\_entertainment\\_licensing\\_statistics.htm](http://www.dcms.gov.uk/reference_library/rands/statistics/alcohol_entertainment_licensing_statistics.htm)

**Figure 1.1** Location of pubs, bars and nightclubs in Birmingham City Centre



The area of Hurst Street and the Arcadian Centre is more diverse than Broad Street, with more restaurants, cafes, smaller independent bars and takeaways. Before the Licensing Act came into effect, closing times were also more varied than on Broad Street, with premises closing between 1am and 3am at the weekend. Hurst Street has tended to attract older drinkers, and Birmingham’s gay district is also to be found in this area. Nearby theatres are integrated with Hurst Street’s night-time economy. There are a large number of residential developments nearby.

*Alcohol-related crime and disorder*

In recent years, alcohol-related crime and disorder has been widely recognised as a problem in Birmingham city centre – and around the Broad Street area in particular. Representatives of NTE businesses who were interviewed at the time of implementation of the Licensing Act discussed the problems they had experienced. Respondents from Broad Street talked of serious incidents that had occurred on the street and in some premises in the past, but said that problems had decreased dramatically over the past six months. Hurst Street and the Arcadian Centre were also said to have improved recently, although this area had apparently been less problematic to start with.

The NTE respondents said that the busiest nights were Fridays and Saturdays, and these were when problems tended to occur. Disturbances were said almost always to originate and take place on the street – partly because most licensees were quick to eject troublemakers from inside their premises. Respondents differed in their views of who tended to be responsible for disorder on the streets. Some argued that groups of young men coming from outside the area caused the most trouble: these were often football fans or men attending stag nights or (less frequently) students on bar crawls. Others, in contrast, argued that locals created much of the trouble. Alcohol was generally viewed to be the consistent factor in incidents of violence and disorder.

### **The structure of the report**

Following this introduction, there are five chapters to the report. Chapter 2 examines local measures to manage the night-time economy that are largely independent of the Licensing Act 2003 – in that they were implemented before, although they continued after, the Act came into effect. This is followed, in Chapter 3, by discussion of the development and content of local policy under the Licensing Act. Chapter 4 then looks at the implementation of local policy under the Act. Chapters 5 and 6 consider evidence for the Act's impact on crime and disorder in recorded crime figures (Chapter 5) and residents' and stakeholders' perceptions (Chapter 6).



## **2 TACKLING ALCOHOL-RELATED CRIME AND DISORDER: MEASURES PRE-DATING THE LICENSING ACT 2003**

This report is primarily concerned with the implementation and repercussions of the Licensing Act 2003 in Birmingham. However, implementation of local policy under the Act occurs in a context partly shaped by other measures aimed at managing the night-time economy. In Birmingham, increasing recognition of the problems of alcohol-related crime and disorder led to the establishment of various initiatives focussed on these issues before the Licensing Act came into force; these initiatives also continued after the Act's implementation. This chapter discusses these pre-existing initiatives.

### **Tackling alcohol-related crime and disorder – measures pre-dating the Licensing Act: summary**

In Birmingham initiatives tackling alcohol-related crime and disorder included the following:

The multi-agency Broad Street summits launched various initiatives including high visibility policing, taxi marshals, and a re-launch of pubwatch schemes.

These interventions were consolidated and developed via the Broad Street Business Improvement District (BID). This BID funded measures included the establishment of a radio link by which the police and licensees could exchange information.

BSafe, launched in April 2005, promoted high-visibility policing and encompassed safe drinking campaigns.

The Home Office-sponsored Alcohol Misuse Enforcement Campaigns (AMECs), involving high visibility policing, increased use of penalty notices for disorder, test purchase operations at on- and off-licences, and the use of dispersal orders tackling anti-social behaviour.

A range of measures undertaken by licensed premises themselves to reduce problems of crime and disorder, including involvement in local pubwatch schemes and the appointment of registered door and security staff - on an individual basis.

## **Multi-agency action pre-dating the Licensing Act**

Problems of alcohol-related violence and disorder around Broad Street led to the establishment of the 'Broad Street Summits' in 2004. These summits involved the Broad Street Association, the council, police, licensees and other stakeholders, who met to discuss and implement a series of initiatives aimed at promoting a safe, clean and attractive environment. The initiatives included:

- A re-launch of Pubwatch;
- Introduction of taxi marshals;
- High profile police operations;
- The establishment of a full-time police team to coordinate and liaise with the leisure and entertainment businesses in the city centre;
- The introduction of an alcohol-restricted area across the city centre to limit on-street drinking.

The Broad Street BID (Business Improvement District) was seen as a way of consolidating and building upon these measures through additional voluntary contributions from members of the scheme. The BID encompassed an area of approximately 100 acres, with Broad Street at its core. It was a five-year project, established in July 2005, which funded measures including the provision of public information points, a re-branding of Broad Street, the introduction of street wardens, the establishment of a radio link by which the police and licensees could exchange information, and improved street cleaning.

Another multi-agency development was the implementation of BSafe, a police-led initiative introduced in April 2005 aimed at increasing the visible police presence in the main night-time economy areas at the weekend and other peak drinking times. The BSafe approach also involved encouraging people to drink safely through the use of safe drinking messages on posters, beer mates and in radio adverts.

## **Enforcement pre-dating the Licensing Act**

Much of the multi-agency work described above had enforcement at its core – and particularly the provision of high-visibility policing in the night-time economy areas. Observations carried out by the ACC researchers before the Licensing Act's

implementation found a high level of policing on Broad Street in particular, conducted by police officers and police community support officers, and involving the use of police vehicles including police dog vans and mobile CCTV vehicles. A related development was the introduction, in the summer of 2005, of a new policing scheme involving the use of football-style red and yellow cards for anti-social behaviour. These carried messages warning offenders that they faced a summons or arrest if they persisted with their behaviour.

Recent years in Birmingham have seen enhanced enforcement not only on the streets, but also within licensed premises. Representatives of the licensing and responsible authorities, interviewed by the Home Office (at the time of the Licensing Act implementation), described a system of 'intrusive management' by the police. Each month the police compiled a list of the ten premises that had given rise to the most call for service and crime reports. These premises' licensees or area managers were invited to the local police station for informal discussions about methods of reducing alcohol-related crime and disorder. NTE business representatives who were interviewed by CRD (baseline interviews) spoke of positive relationships between themselves and the police, and said that they were in frequent and regular contact with police licensing officers.

Related enforcement activity includes the implementation of the Home Office-sponsored Alcohol Misuse Enforcement Campaigns (AMECs.). These initiatives were rolled out in a number of areas England and Wales, including Birmingham. They aimed to tackle the crime and disorder associated with the night time economy and involved various elements of high-visibility, multi-agency enforcement, including increased use of Penalty Notices for Disorder (see below), test purchase operations at on- and off-licences to tackle under-age drinking, the use of dispersal orders to address anti-social behaviour, and accompanying publicity. AMECs were implemented in Birmingham from July to August 2004, December 2004 to January 2005, November 2005 to January 2006, and May to June 2006.

Penalty notices for disorder (PNDs), which were introduced by the Criminal Justice and Police Act 2001 and implemented nationally in April 2004, are a tool for tackling low level offending and anti-social behaviour. They are frequently used to target

problems of drunken, rowdy behaviour.<sup>8</sup> PNDs can be issued by the police and in a limited capacity by community support officers and other accredited persons. For the Licensing Act evaluation, data were collected on PNDs issued in Birmingham from April 2004 to March 2007. These show that the number of PNDs issued peaked in December 2004, during the second AMEC, and thereafter declined – particularly from May 2005.

### **Measures with active involvement of licensed premises**

Prior to implementation of the Licensing Act, many licensees had themselves become actively involved in addressing problems of alcohol-related crime and disorder, especially through their participation in local Pubwatch schemes. These schemes and related initiatives facilitated communication and co-operation between licensees and between licensees and the police – especially through use of the radio link and through external CCTV systems. The Pubwatch schemes also resulted in the establishment of some voluntary agreements on pricing and promotions.

Interviews with representatives of NTE businesses, conducted prior to the implementation of the Licensing Act, found that licensed premises had undertaken, on an individual basis, a range of crime reduction measures. All premises open after 11pm had Security Industry Authority (SIA) accredited door and internal security staff<sup>9</sup>; almost all drinking venues had modern, digital CCTV systems with numerous cameras; a number of venues used plastic instead of glass – some all the time, others on special occasions such as sports fixtures – and all use toughened glass otherwise. Most licensees said that their bar staff received training in spotting and dealing with under-age and drunk customers. Some premises used dress codes as a means of excluding certain kinds of customers, and others had deliberately priced their drinks and designed their interiors in an effort to attract an older, supposedly more responsible clientele.

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<sup>8</sup> PNDs are intended to be a quick and effective tool for use in policing minor offences such as ‘causing harassment, alarm or distress’ and ‘disorderly behaviour while drunk’, while reducing the workloads of both the police and the courts.

<sup>9</sup> SIA registration came into force in April 2005.

### **3 LOCAL POLICY UNDER THE LICENSING ACT 2003**

This chapter describes the development of local licensing policy under the Licensing Act 2003, and the main content of that policy as set out in Birmingham's Statement of Licensing Policy.

#### **Local policy under the Licensing Act: summary**

Birmingham's licensing authority (LA) sits within Birmingham City Council under the regulatory services division, alongside trading standards. The responsible authorities (RAs), which must be consulted for each licence application, are the police, the fire service, and the local authority planning, children's services, environmental health, trading standards and health and safety departments.

The Birmingham LA took a pro-active approach to implementing the Licensing Act. In the run-up to implementation, the LA and RAs were in regular contact through various meetings and forums. These included a Licensing Forum, which was established to bring together key stakeholders in the city's licensing trade.

Birmingham's Statement of Licensing Policy (SLP) summarises the Act and details the processes involved in applying for a licence or licence variation. Appendix 2 of the document provides an extensive list of 'model conditions' that can be applied to licences, including a number relating to the prevention of crime and disorder.

The SLP states that a cumulative impact policy has been adopted for the Broad Street area, because of its high density of licensed premises. It is stressed, however, that this does not mean a blanket ban on licence applications for this area. Applicants for licences in Broad Street are expected to demonstrate in their operating schedule what steps they will take to reduce problems of crime, disorder and general nuisance.

#### **The development of local policy**

Under the Licensing Act 2003, the licensing authority (LA), which generally sits within the local authority, has primary responsibility for developing and implementing local licensing policy. Local licensing functions should be carried out with a view to promoting the four licensing objectives of:

- Prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- Protection of children from harm.

Birmingham's licensing authority (LA) sits within Birmingham City Council under the regulatory services division, alongside trading standards. The head of the LA is also the head of trading standards. The Act specifies responsible authorities (RAs) who must be consulted for each licence application, and can place conditions on licences. The Birmingham RAs are the police, the fire service, and the local authority planning, children's services, environmental health, trading standards and health and safety departments.

According to the LA and RA respondents interviewed by the Home Office at the time of implementation, the Birmingham LA took a pro-active approach to implementing the Licensing Act. In the run-up to the Act's implementation, the LA and RAs were in regular contact with each other, through various meetings and forums. These included a Licensing Forum, which was established for the purpose of bringing together key stakeholders in the city's licensing trade, and ensuring that all interested parties were aware of their roles and responsibilities under the Act during the transitional and operational periods.

Under Section 5 of Licensing Act, each LA has a statutory duty to produce and keep under review a Statement of Licensing Policy. Birmingham's statement was published in December 2004, following a period of consultation with the RAs and other relevant bodies. Of all the RAs, the police appear to have had the most substantial input into the policy.

### **Statement of Licensing Policy**

Birmingham's Statement of Licensing Policy is a 39-page document which summarises the Act and details the processes involved in applying for a licence or licence variation.

The document states that local licensing policy aims, as far as possible, to avoid duplication with other regulatory regimes and legislation, and that that it 'takes into consideration the crime and disorder initiatives being implemented by the Council in partnership with other enforcement or regulatory agencies'. While wishing to avoid duplication, however, the LA 'will strive to support these initiatives by implementing this Policy, which promotes and encourages a responsible approach to the sale of alcohol, late night refreshment and the provision of entertainment'.

Appendix 2 of the document provides an extensive (but not exhaustive) list of 'model conditions' that can be applied to licences, in which case they become enforceable by law. Licence applicants are invited to consider and, where appropriate, voluntarily include any of these measures in their operating schedules. A number of model conditions relating to the prevention of crime and disorder are outlined. These, it is stated, should *not* be regarded as 'standard conditions to be automatically imposed in all cases', but are 'designed to provide a range of conditions drawn from experience relating to differing situations and to offer guidance'. These potential conditions are:

- The use of text pagers connecting licensees and managers to the local police in order to provide for rapid response to situations of disorder;
- Specified use of door supervisors and security teams;
- A ban on the sale of drinks in their bottles for consumption on the premises, to avoid the use of bottles as weapons;
- The use of plastic containers and toughened glass;
- The use of CCTV cameras to assist with the deterrence and detection of crime;
- A ban on taking drinks in open containers away from the premises;
- Restriction on areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar;
- Capacity limits;
- A requirement for 'proof of age' to be produced before sales are made;
- Display of crime prevention notices warning customers of the prevalence of crime;
- Restriction of irresponsible drinks promotions.

### **Cumulative impact**

Guidance issued under the Licensing Act states that the licensing authority may, in appropriate circumstances, adopt a special policy to address the issue of the 'cumulative impact' of large numbers of licensed premises in particular areas. Where a cumulative impact policy is adopted, this introduces a rebuttable presumption that certain types of licence application (involving the sale or supply of alcohol) for premises within the defined 'saturation zone' will be refused.

The Birmingham Statement of Licensing Policy notes that because of the large number of licensed premises in the Broad Street area, the police and City Council 'have adopted many special measures to deal with the crime and disorder and anti-social behaviour in that particular area'. As a consequence, the LA decided to adopt a cumulative impact policy for this locality. It is stressed, however, that this does not mean a blanket ban on licence applications for this area. Applicants for licences in Broad Street are expected to demonstrate in their operating schedule what steps they will take to reduce problems of crime, disorder and general nuisance; and

The Council will consider the individual merits of any application and where it feels to grant the application would be unlikely to add significantly to the cumulative impact in light of the licensing objectives, the Council will grant the application.

It is also stated that a cumulative impact policy may be considered for other areas of the city, and that the introduction of any such policy will be subject to thoroughgoing consultation.



## **4 THE IMPLEMENTATION OF LOCAL POLICY UNDER THE LICENSING ACT 2003**

This chapter looks at how licensing policy has been implemented in Birmingham following the introduction of the Licensing Act 2003. Three aspects to implementation are considered here: first, the extent to which additional licensing hours have been applied for, granted and used; secondly, enforcement activity under the Act; thirdly, multi-agency working under the Act.

### **Implementation of local policy under the Licensing Act: summary**

Of 185 Birmingham licensed premises on which data are available, 40 per cent applied for no additional licensing hours under the Act, 24 per cent applied for between one and eight additional hours per week, and 36 per cent applied for nine or more additional hours per week.

Premises do not appear to have encountered problems in applying for additional hours. Most have tended to use their additional hours flexibly, according to customer demand. The overall result appears to have been a staggering of closing times between 1am and 6am across the city centre, although with more uniformity in the Broad Street area.

Conditions were often attached to licences that were varied, aimed at improving security in and around premises.

Implementation of the Licensing Act appears to have reinforced pre-existing enforcement initiatives; but it also encouraged further enforcement work. For example, it led to the formation of a multi-agency licensing task force comprising, LA and RA representatives, to carry out joint inspection visits to premises.

The Licensing Act also reportedly gave added impetus to partnership working. For example, there was frequent contact between agencies in the run-up to the Act, assisted through the establishment of the Licensing Forum. The multi-agency licensing task force was cited as another good example of partnership working. Some of those interviewed indicated that the positive impact on partnership (encompassing businesses as well as statutory authorities) was one of the Act's main achievements in Birmingham.

## Applications for additional licensing hours

The ACC researchers acquired data from the LA on licence applications made by a total of 185 premises in Birmingham<sup>10</sup>. Based on the assumption that, among these premises, the pubs had previously closed at 11pm and the clubs at 2am (*traditional closing hours*), it was calculated that, of the 185 premises,

- 40 per cent of the applied for no additional hours
- 24 per cent of the applied for between one and eight additional hours per week
- 36 per cent applied for nine or more additional hours per week.

In the baseline interviews with NTE businesses, the large majority of respondents from pubs, bars and clubs said that they had applied for additional licensing hours and most were granted these extensions. Many of the pubs and bars had applied for a 4am closing time, with the intention to serve alcohol until 3am and then have an hour's drinking up time. One or two, however, had applied for longer hours to allow them to open earlier or close later on special occasions – for example, sports events or New Year.

Few of the NTE respondents seemed to have had serious problems with the processing of their applications, largely because their intentions had been vetted by police and licensing officers in advance, so that everything of importance was agreed informally beforehand. Some licensees on Broad Street mentioned an objection from a local resident which had apparently been turned down by the LA (despite the existence of the cumulative impact policy in the area); Hurst Street/Arcadian Centre applications did not seem to have aroused any objections, notwithstanding the closer proximity of residents.

It was reported in the Home Office post-implementation interviews with authority representatives that some premises (including seven on Broad Street) had been granted 24-hour licenses to allow them to screen Australian football matches and other international sporting events. However, these premises were all subject to the condition that they had to give the police written notice if they intended to stay open after 4am.

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<sup>10</sup> Number of premises on which address details and data on trading hours were available

### *Use of additional hours by licensed premises*

During the evaluation period researchers were unable to access, from Licensing Authorities, a comprehensive set of data on the numbers of additional hours actually *used* by licensed premises in Birmingham. It is clear, however, that many licensees did not intend to use all their additional hours, but wished to use them flexibly, according to customer demand – and this is what appears to have happened, in practice. Many of the post-implementation NTE business respondents commented on the flexibility they now had to extend their hours on occasion, or to close their venues if they were empty:

We can open until 3 every night; the hours that we applied for were 6 in the morning until 4 every morning. We wanted to be flexible... It's much more straightforward than before, when we used to have to apply. We can just go for it now. (independent bar, Broad Street)

We normally open the doors at 8pm and with our licence we close at 3am. Some Fridays we close at 1am.... Just because it empties and people go elsewhere. (chain club, Hurst Street/Arcadian Centre)

This was especially true of independent venues, which did not have a head office to set the rules:

Because we are independent we can be quite flexible. Last night it was very quiet, so we closed and last orders were at midnight and we closed the doors and gone by 12.30am. But some nights, say for instance a Tuesday night which is a karaoke night, it can get very busy and so we stay open till 2am. (independent bar, Broad Street)

The ACC researchers visited a small number of licensed premises (eight)<sup>11</sup> to establish, among other matters, their actual hours of business following implementation of the Licensing Act. All but one of these premises had applied for additional hours: more specifically, for between four and thirty additional hours per week. On average, these premises used just under half (47 per cent) of their additional hours per week. They ranged from using none of their additional hours to using 12 additional hours weekly.

### *Additional hours: summary*

In short, it appears that the majority of licensed premises in Birmingham applied for, and were granted, additional licensing hours. The numbers of additional hours

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<sup>11</sup> Five of these premises were among the 15 Birmingham premises associated with the highest levels of violent offences, in both the baseline and post-implementation periods; the remaining three had not been in the 'top 15' in either period.

applied for per week varied widely – with some premises seeking to open for no more than one or two hours later on some nights, and others applying for much more extended hours. Generally, premises have tended to use their additional hours flexibly and mainly at weekends. As reported by authority representatives interviewed by the Home Office (post-implementation), the overall result has been a staggering of closing times between 1am and 6am across the city centre, although with more uniformity of closing times in Broad Street.

### Current licensing statistics for Birmingham

At the time of writing (November 2007), the Department for Culture, Media and Sport (DCMS) has recently published a statistical bulletin on licences and licence applications from across England and Wales, including breakdowns by licensing authority. The data were collected by means of a survey of all licensing authorities.<sup>12</sup>

The Birmingham LA reported that as of 31 March 2007, a total of 2,677 premises licences – that is, licenses authorising the sale of alcohol, late-night refreshment or regulated entertainment, or any combination of these activities - were in force across the authority area. Of these, 2,318 authorised the sale or supply of alcohol for on and/or off-site consumption. Table 4.1 provides more details on Birmingham’s premises licences.

**Table 4.1: Premises licences in force in the Birmingham licensing authority area, as of 31 March 2007**

Sale or supply of alcohol			Late-night refreshment	Any regulated entertainment	All premises licences*
On-sales only	Off-sales only	Both on- & off-sales			
407	862	1,049			
2,318			1,432	1,158	<b>2,677*</b>

\* The sum of the different categories of licence is more than the total of premises licences because most licences authorise a combination of activities.

Across Birmingham, 76 premises had 24-hour licences in March 2007. Fifteen of these were pubs, bars or nightclubs (it is noted above that some such premises had been granted 24-hour licences to allow them to screen international events). Thirteen

<sup>12</sup> All the survey findings can be found at [www.dcms.gov.uk/reference\\_library/rands/statistics/alcohol\\_entertainment\\_licensing\\_statistics.htm](http://www.dcms.gov.uk/reference_library/rands/statistics/alcohol_entertainment_licensing_statistics.htm)

of the premises with 24-hour licences were supermarkets or stores; 28 were hotel bars; and the remaining 20 were recorded as 'other'.

Over the first full financial year since implementation of the Licensing Act – from April 2006 to March 2007 - a total of 262 new premises licences were applied for in Birmingham. Two hundred and fifty-six of these applications were granted, and the remaining six refused. Over the same period, 176 applications were made to vary premises licences: that is, to change the terms of the licence, for example with respect to opening hours, licensable activities or licence conditions. One hundred and seventy-four variations were granted and two were refused.

### **Enforcement under the Licensing Act**

As discussed in Chapter Two, above, enforcement activity targeting alcohol-related crime and disorder was enhanced in Birmingham in the years preceding implementation of the Licensing Act – for example through the BSafe initiative and the Broad Street summits.

According to the responsible authority representatives interviewed by the Home Office in the post-implementation period, the Act had served to reinforce these existing local initiatives, but had also had the effect of encouraging further enforcement work. For example, it led to the formation of a multi-agency licensing task force comprising LA and RA representatives, including police, fire, environmental health and trading standards officers. The role of the task force was to carry out inspections of licensed premises (both within and outside the city centre) to check that they were complying with all their licence conditions. Because the task force involved the range of relevant agencies, licence contraventions of different kinds could be identified and logged on a single visit.

In post-implementation interviews, NTE business representatives spoke of having experienced visits by the multi-agency task force, which tended to take place unannounced on Friday and Saturday evenings – and had apparently led to some venues being closed down immediately. These respondents indicated also that test purchase operations targeting the sale of alcohol to under-age drinkers had taken place more frequently since the Act's implementation, and that general police visits to venues had also increased in frequency. Visible policing of the streets in both the Broad Street and Hurst Street areas was reported to be at similar or slightly lower levels than in the pre-implementation period; and most respondents agreed that the police presence was concentrated when and where it was most needed.

### **Partnership working under the Licensing Act**

Implementation of the Licensing Act entailed a considerable degree of co-operation between the various statutory agencies involved in management of the night-time economy – particularly those that were required under the legislation to deal with licence applications (i.e. the LA and RAs). In the interviews with LA and RA representatives conducted around the time of implementation, the respondents made it clear that the handling of applications in the transitional period had been demanding for all the agencies involved, especially because the bulk of forms were received in the last two weeks before the deadline. At the time of the interviews (October/November 2005), the Council had dealt with approximately 2,100 applications, of which about 900 were for variations. Each RA took a slightly different approach to the evaluation of applications, but all based their assessment on their professional experience and knowledge of the local area.

In the post-implementation authority interviews, it was reported that the Licensing Act had given an added impetus to partnership working on the night-time economy. As noted in Chapter 3, there was frequent contact between agencies in the run-up to the Act, assisted through the establishment of the Licensing Forum. The multi-agency licensing task force was cited as another good example of partnership working.

Indeed, respondents indicated that the positive impact on partnership (encompassing businesses as well as the statutory authorities) was one of the Act's main achievements in Birmingham:

The main advantage [of the Act] was that it gave a real meaning to partnership working. (LA representative)

It was acknowledged that not all RAs were involved to the same extent, but this was thought to have little impact on how issues were dealt with and resolved:

Everyone is playing their part but possibly to different intensities I suppose. But I think that is OK in Birmingham because I think we are using the most appropriate tools to respond to the issues. (LA representative)

## 5 ASSESSING THE IMPACT OF THE LICENSING ACT ON CRIME AND DISORDER (1): POLICE AND HEALTH DATA

This chapter assesses the impact, if any, of the Licensing Act on levels of alcohol-related crime and disorder in Birmingham city centre, as evidenced by police recorded crime data on violence against the person and criminal damage,<sup>13</sup> and numbers of calls to the police for disorder. The data were analysed at different geographical levels: macro (entire study area), meso (near to licensed premises) and micro (at or inside licensed premises). The spatial analysis, which made use of a Geographical Information System (GIS), was carried out in order to assess whether the Act had impacted on crime and disorder in specific locations – especially areas around licensed premises.<sup>14</sup> Temporal analysis of the data was also undertaken to see if any changes in offence levels could be attributed to changes in licensing hours.

In addition to police data, some health data were also collected for the evaluation and are briefly discussed in the final part of the chapter. All the data reviewed in this chapter were collated and analysed by ACC.

### **Police data on crime and disorder: summary**

Analysis of police recorded crime data from before and after implementation of the Licensing Act produced the following findings:

Overall levels of violence against the person increased by seven per cent. The baseline monthly average of 303 recorded offences rose by 7% to 324 after implementation.

The daily distribution of violent offences across the city centre was broadly similar before and after implementation; however, the proportion of offences recorded between 11pm and 3am was slightly *lower* and the proportion between 3am and 8am was *higher* after implementation.

Temporal analysis of the violent crime data suggests that the *distribution* of violence may have been affected by later closing hours. There has been a shift towards later violent offending across the city centre. The peak hour for violent offending was 2am to 3am both before and after implementation of the Licensing

<sup>13</sup> Sexual offences data were also collected for the evaluation, but it is difficult to draw conclusions from these about any potential impact of the Licensing Act because of the small numbers of incidents (an average of around 13 per month in both the baseline and the post-implementation periods).

<sup>14</sup> GIS is a computerised system for the capture, storage, retrieval, analysis and visualisation of spatial data. It allows crime to be mapped over time and space, and to be cross-referenced with multiple data sources. See Technical Annex for more detail on methodology.



Act; but after implementation the proportion of offences recorded between 11pm and 3am was slightly *lower* and the proportion between 3am and 8am was *higher*.

In both periods, about 2/5 of violent offences occurred in the 'cluster area' (meso) with a high density of licensed premises and in 50m buffer zones around premises. These areas saw a greater *decrease* in offences between 2am and 3am, and a greater *increase* between 3am and 4am, compared to the city centre as a whole.

The violence hot-spots were in areas with many licensed premises, and were largely consistent before and after implementation. After implementation, the hot-spots persisted for longer (although with reduced intensity) after 3am.

15 licensed premises (8% of all premises) accounted for just under half of all violent offences recorded in or at premises, in both the pre- and post-implementation periods.

The overall level of criminal damage offences remained relatively stable, with an average of 95 offences per month in the baseline period and 97 after implementation. However, there were some monthly fluctuations.

Criminal damage was concentrated around licensed premises, although less so than violence. Both pre- and post-implementation, a little under 30% occurred in the 'cluster area' and a similar proportion in the 50m buffer zones. Criminal damage hot-spots were in areas with many licensed premises and, like violence hot-spots, tended to persist beyond 3am.

There were significant falls in number of calls to the police for disorder over the analysis period. The baseline monthly average of 802 calls fell by 15% to 679 after implementation – although the downward trend had begun prior to implementation. After implementation there were fewer calls throughout the day, except between 4am and 7am, when the numbers increased. Calls were quite concentrated near licensed premises. The temporal changes that occurred as a whole (particularly the 4-7am increases) tended to be more pronounced in the areas closer to licensed premises.

The temporal distribution of ambulance-recorded assaults was broadly similar in the baseline and post-implementation periods. Between the hours of 10pm and 5am, for which the data were collected, midnight to 3am saw the greatest numbers of incidents. However, reflecting the patterns in the police data on weekend violent crime, the ambulance data show a post-implementation increase in the number of assaults recorded between 3am and 5am (from 54 recorded assaults to 78 post implementation).

## **Levels of violence – macro analysis (entire case study area)**

Violence against the person is a diverse crime category which includes offences such as murder, wounding and common assault. Numbers of recorded offences of violence were analysed for a two-year pre-implementation period of December 2003 to November 2005, and a one-year post-implementation period of December 2005 to December 2006. It should be noted that changes to the recording of violence against the person offences since April 2005, particularly in relation to less serious wounding, common assault and serious violence e.g. threats to kill, may influence the results of this analysis.<sup>15</sup> Moreover police powers for dealing with violent offences have been extended, for example through powers to issue Penalty Notices for Disorder (PNDs), and the availability of these powers may result in the recording of offences which previously would have been dealt with informally.

Across Birmingham city centre, levels of violence against the person were higher in the post-implementation period than in the baseline period. The total number of recorded offences per year increased from year 1 to year 2 of the baseline period (from 3,593 to 3,684 offences) and then again from the second baseline year to the post-implementation year (to 3,884 offences). This represents an increase of seven per cent from the baseline average annual figure (of 3,639) to the post-implementation annual figure.

There was a monthly average of 303 offences in the baseline period, which increased by seven per cent to a monthly average of 324 offences after implementation. Table 5.1 shows the monthly figures for the baseline and post-implementation periods, and the percentage change between each post-implementation month and the average for the corresponding baseline months. The number of offences per month was higher in the post-implementation period for 8 of the 12 months analysed. The increase was greatest in June and July 2006 – coinciding with the 2006 World Cup (see also Figure 5.1).

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<sup>15</sup> Hence, for example, national recorded crime figures show increases in levels of less serious wounding and common assault from 2004 to 2006, but the British Crime Survey shows a decline in these offences over the same period.

**Table 5.1 Violence against the person monthly crime counts in Birmingham (December 2003 to December 2006)**

	Year				Post implementation percentage change*
	2003	2004	2005	2006	
January		291	321	336	9.8
February		289	284	284	-0.9
March		290	313	328	8.8
April		280	324	323	7.0
May		348	308	368	12.2
June		262	280	347	28.0
July		298	298	365	22.5
August		323	283	299	-1.3
September		285	294	317	9.5
October		307	348	299	-8.7
November		300	298	301	0.7
December	320	333	317	302	-2.9

Calculated by comparing each post-implementation monthly figure with the average for the two corresponding months in the baseline period.

Note: shaded months are the post-implementation period

Statistical tests were run to determine whether changes in levels of violence were significant.<sup>16</sup> These found no significant increase in violence over the baseline or post-implementation periods.

Figure 5.1 shows the rate of violence against the person offences from November 2003 to December 2006 and the timing of the AMEC (Alcohol Misuse Enforcement Campaign) initiatives and the World Cup. Rates of violence against the person in Birmingham City Centre remained fairly stable over the baseline and implementation periods, although there were some monthly fluctuations.

Figure 5.1 shows a small increase in the rate of violence against the person when AMEC 1 commenced and it is possible that the campaign resulted in increased reporting. AMEC 3 coincided with the implementation of the Act. The rate of violence against the person offences initially fell but then increased through December 2005 and January 2006. AMEC 4 was implemented in May 2006, just prior to the World

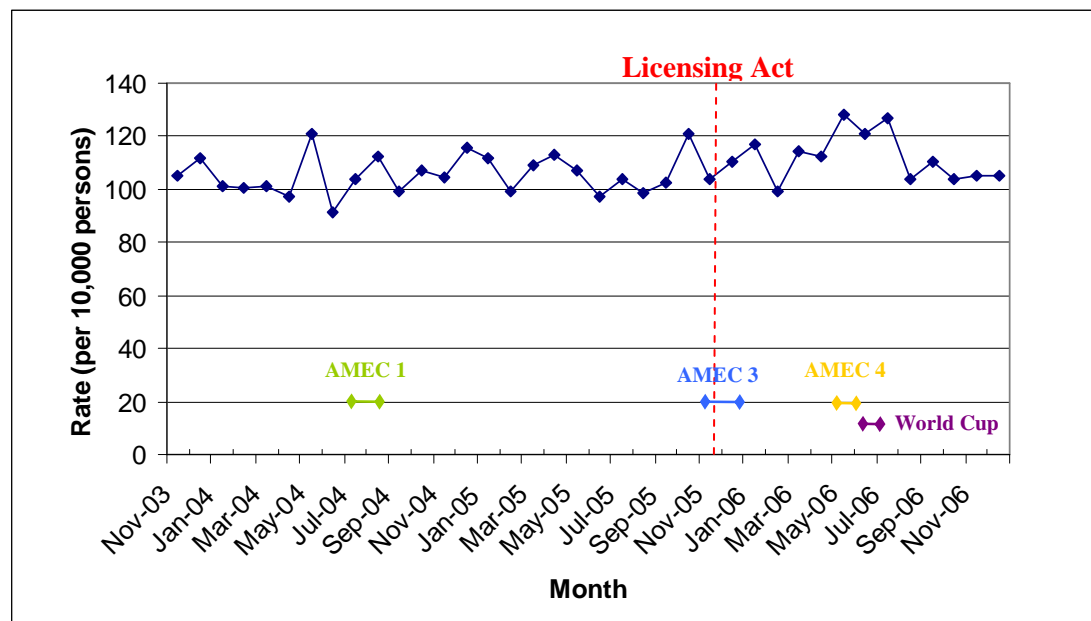
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<sup>16</sup> Independent sample t tests were used for this analysis, and were run on weekly crime counts in the baseline and post implementation periods. Due to potential seasonal fluctuations that may hide important changes that could only be observed in the first six months or second six months periods, each year was subdivided into a half year period. Weekly values were used as opposed to monthly values as this increases the sample size and reduced the standard error, thus making the test more robust.

Cup (June/July 2006). May 2006 saw the highest number of violence against the person offences recorded and this again could have been due to an increased police presence for AMEC 4.

Data collected on PNDs issued in Birmingham from April 2004 to March 2007 show that the number issued peaked in December 2004, during the second AMEC, and thereafter declined – particularly from May 2005. The overall trend is a decrease with no offences being recorded as PNDs in January 2007.

**Figure 5.1 Violence against the person crime rate in Birmingham City Centre (police force area F1) and local initiatives (November 2003 to December 2006)**



### Serious and less serious violent crime for the entire case study area

Violence against the person offences were examined at the macro, meso level and micro level. However, changes to the recording process of more serious violence against the person offences (for example 'threats to kill') since April 2005 may influence the results of this analysis. Additionally, lower level offences including other offences against the person (less serious violence) are likely to be influenced by police activity (e.g. the use of PNDs) more so than more serious violence. For this reason the average baseline and post implementation violence against the person

offences were separated into more serious and other violence against the person offences.

Analysis of figures for the most serious violence against the person offences, which include murder, attempted murder, manslaughter and wounding, revealed an increase of ten per cent from 114 offences per year in the baseline period (the average figure for the two baseline years) to 125 offences in the post-implementation year.<sup>17</sup> In both periods, offences of serious violence made up around three per cent of all violent offences.

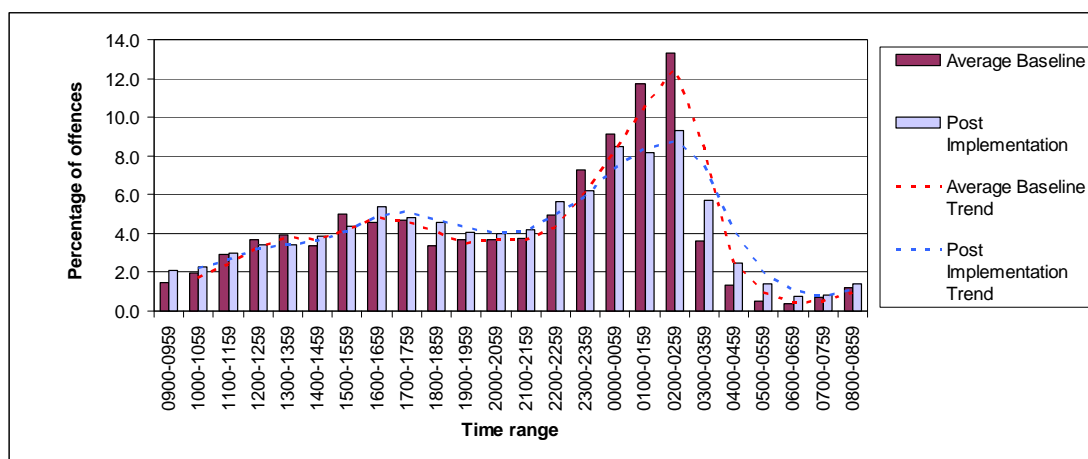
#### *Daily and weekly and distribution of violent offences*

Temporal analysis of violent offences found that for most of the time periods across the course of the day, there was an increase in the number of offences recorded. Hence the daily distribution of violence retained a similar pattern pre- and post-implementation; in both periods, for example, the greatest proportion of offences was recorded between 2am and 3am (483 and 486 offences in the two baseline periods and 361 offences post implementation). However, the proportion of offences recorded between 11pm and 3am in the post-implementation period was slightly *lower* than during the baseline (1,468 and 1,555 versus 1,246 post implementation); and the proportion of offences recorded between 3am and 8am was *higher* post-implementation (268 and 207 versus 432). This points to a post-implementation flattening of the peak of violence – as is evident from Figure 5.2, which shows the percentage of violent offences in each time interval for the baseline (average figures) and post-implementation periods, and smoothed trend lines.

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<sup>17</sup> Because the numbers of serious violence offences are small, geographical analysis of these data was not undertaken.

**Figure 5.2 Proportional changes in violent offences by time of day in Birmingham city centre**



The distribution of violent offences across the week did not change greatly between the baseline and post-implementation periods. In both periods, the level of offending was at its highest on Fridays, Saturdays and Sundays. The greatest post-implementation increases in violent offending were seen on Tuesdays and Sundays.

#### **Levels of violence – meso analysis (near to licensed premises)**

Levels of offending were analysed for a ‘cluster area’ with the highest density of licensed premises,<sup>18</sup> and within 50m-radius buffer zones around premises. This analysis showed that violent incidents were concentrated in areas containing licensed premises, and that the level of concentration was consistent between the pre- and post-implementation periods. The cluster area contained a little under two-fifths of Birmingham’s violence against the person in both periods; the 50m buffer zones saw just over two-fifths of incidents in both periods.

Changes to the temporal distribution of violence were more pronounced within the cluster area and 50m buffer zones – with, in particular, these areas seeing a greater *decrease* in violence between 2am and 3am, and a greater *increase* between 3am and 4am, compared to the city centre as a whole.

More detailed geographical analysis shows that the hot-spots for violence were in areas with a high density of licensed premises. These are shown in Figure 5.3, in

<sup>18</sup> The cluster area contained 46 per cent of premises; within the area, the mean distance between nearest premises was 35m, compared to 73m outside the cluster area.

which the purple ellipses represent the baseline hot-spots and the blue ellipses the hot-spots in the post-implementation period. The depicted hot-spots do not account for the timing of the offences, but consider the overall concentration of offending. The map shows that the hot-spots remained relatively stable over time, with those evident in baseline period remaining after implementation.

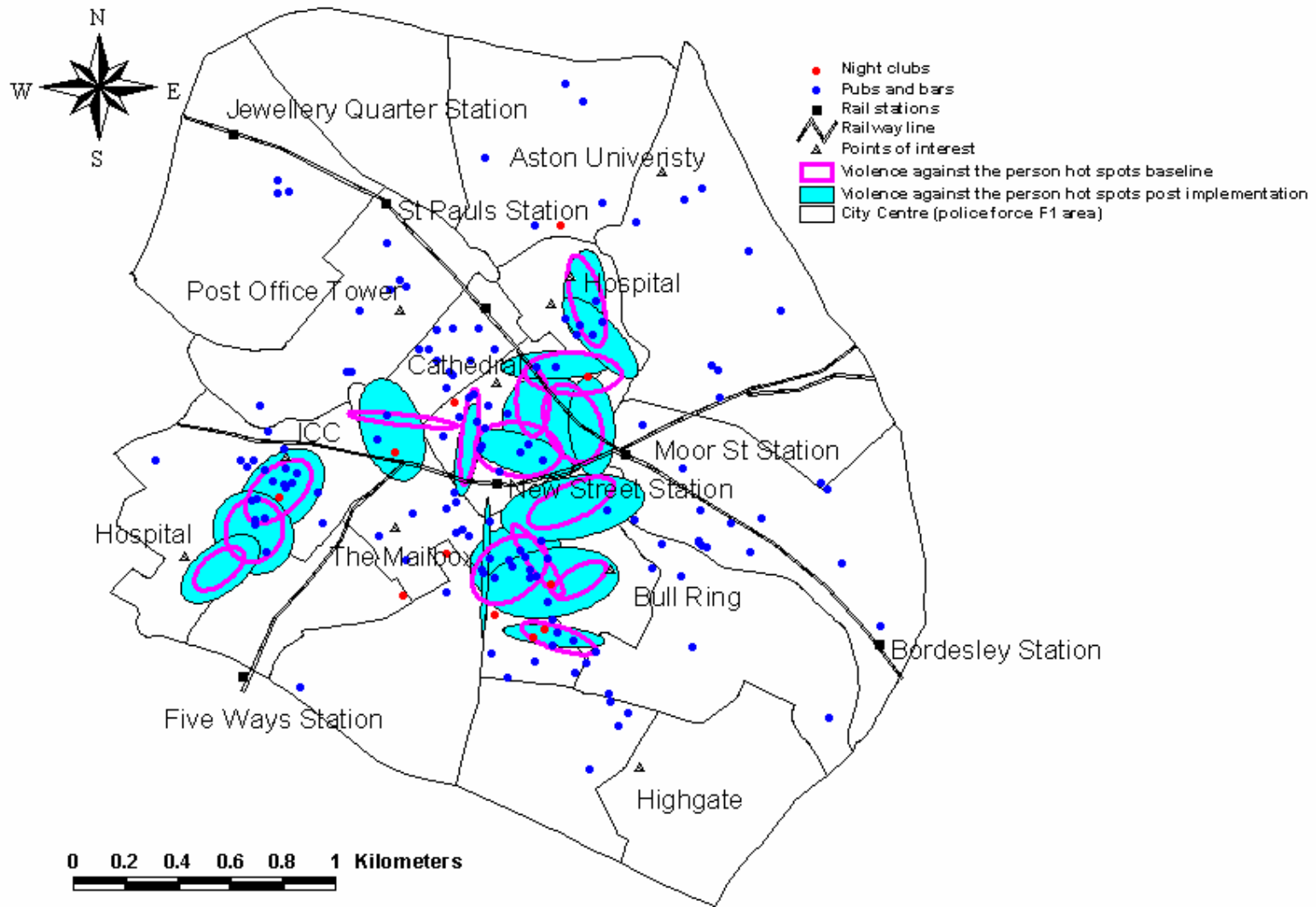
Temporal analysis combined with the hot-spot analysis reveals the changing patterns of hot-spots over a typical night. These patterns were similar in the baseline and post-implementation periods – with the hot-spots increasing in their intensity between 11pm and 2am (particularly in the Broad Street and Hurst Street areas), persisting between 1am and 3am, and reducing in their intensity between 3am and 5am. In the post-implementation period, however, the reduction in intensity after 3am was much more gradual.

#### **Levels of violence – micro analysis (at or inside licensed premises)**

At the micro level, 1,179 violent offences were recorded in or at licensed premises during the two-year baseline period (the sum of two years' data). Fifteen premises, or eight per cent of all premises, accounted for a little under half of all these offences. In the post-implementation period, 605 offences were recorded in or at premises; with the 'top 15' again accounting for just under half of them. Eleven premises fell into the list of 15 in both periods, and most of the 'top 15' were located in the Broad Street and Hurst Street areas. The distribution of offences among the 'top 15' premises in the baseline and post-implementation periods are presented in Tables 5.2 and 5.3.

In Chapter Four of this report, the available data on numbers of additional licensing hours applied for under the Licensing Act are discussed. It is noted here that premises have tended to use any additional licensing hours flexibly: that is, they close at different hours up to their 'official' closing times, depending on how busy they are. A lack of data on additional licensing hours used makes it difficult to identify any impact of later opening on the levels of violence associated with premises.

**Figure 5.3: Violence against the person hot spots in Birmingham (average baseline and post implementation periods)**





**Table 5.2: Violence against the person offences recorded at Birmingham’s ‘top 15’ licensed premises – baseline period**

<i>Venue</i>	<i>No. of offences*</i>	<i>Cumulative no. offences*</i>	<i>% offences**</i>	<i>Cumulative % offences**</i>
A	81	81	7	7
B	59	140	5	12
C	44	184	4	16
D	38	222	3	19
E	35	257	3	22
F	35	292	3	25
G	34	326	3	28
H	31	357	3	30
I	30	387	3	33
J	30	417	3	35
K	28	445	2	38
L	25	470	2	40
M	24	494	2	42
N	24	518	2	44
O	21	539	2	46

\*Sum of two years’ data

\*\*Percentage of all offences recorded in or at premises

Venues shaded in blue were in ‘top fifteen’ in both baseline and post-implementation periods.

**Table 5.3: Violence against the person offences recorded at Birmingham’s ‘top 15’ licensed premises – post-implementation period**

<i>Venue</i>	<i>No. of offences</i>	<i>Cumulative no. offences</i>	<i>% offences*</i>	<i>Cumulative % offences*</i>
A	39	39	6	6
C	29	68	5	11
D	26	94	4	16
B	24	118	4	20
F	24	142	4	24
J	19	161	3	27
L	17	178	3	29
G	17	195	3	32
H	17	212	3	35
P	16	228	3	38
E	15	243	3	40
Q	14	257	2	43
R	12	269	2	45
N	12	281	2	46
S	12	293	2	48

\*Percentage of all offences recorded in or at premises

Venues shaded in blue were in ‘top fifteen’ in both baseline and post-implementation periods.

However, based on the small number of visits to the premises by ACC researchers, levels of violent offences in or at eight premises,<sup>19</sup> and their actual opening hours, were examined in detail. Two of these premises used no additional hours per week, and accounted for 38 per cent of all offences (that is, all offences associated with the eight premises) in the baseline period, and 39 per cent after implementation. Three premises used between four additional hours weekly; these accounted for 45 per cent of offences, falling to 35 per cent of offences post-implementation. The remaining three premises used between eight and twelve additional hours per week and saw their share of violent offences increasing from 17 per cent in the baseline to 26 per cent post-implementation. (These figures are presented in Table 5.4.) The small number of premises included in this analysis precludes any general conclusions being drawn about the relationship between additional hours and levels of violence.

**Table 5.4 Estimated additional hours used per week by premises visited by ACC fieldworkers and violence against the person offences**

Additional hours (used)	Number of premises	Percentage of violence against the person	
		Average baseline	Post implementation
0	2	38	39
4	3	45	35
8-12	3	17	26
Total	8	100	100

### **Criminal damage**

Criminal damage includes crimes such as arson, damage and vandalism to buildings, vehicles and other property and threat or possession with intent to commit criminal damage. The criminal damage figures are analysed for the same pre- and post-implementation periods (December 2003 to November 2005, and December 2005 to December 2006) as the violence figures.

#### *Macro level*

Recorded criminal damage offences in Birmingham remained fairly stable over the pre- and post-implementation periods. The average annual figure for the two baseline years was 1,145 offences, which rose slightly to 1,167 in the post-implementation year. Over the baseline period, an average of 95 offences were

<sup>19</sup> Five of the premises visited were in the 'top 15 for violent offences in both the baseline and post-implementation periods; the other three were not in the 'top 15' in either period.

recorded per month, compared to an average of 97 in the post-implementation period.

However, these figures hide some important fluctuations that occurred during the period of analysis, as is demonstrated by a comparison of the figures for each month before and after implementation (with the baseline monthly figures being the average of the two corresponding months). This analysis reveals that there were sizeable *increases* in criminal damage offences in the post-implementation months of June (19%), July (38%) (which may be associated with the AMEC 4 and the World Cup) and November (26%), and sizeable *decreases* in the post-implementation months of March (35%), May (12%) and September (15%).

The distribution of criminal damage offences by time of day followed a similar pattern in the post-implementation period as the baseline period. In both periods, the frequency of offences rose steadily from 6am until peaking at around 5pm to 6pm. Offending thereafter persisted at a slightly lower but steady level until around 3am, and then reduced in frequency. The overall distribution of criminal damage offences across the week also showed little change before and after implementation, with offences peaking on Fridays, Saturdays and Sundays in both periods. However, there was an increase in the number of offences recorded on Saturdays in the post-implementation period, and decreases on Wednesdays and Fridays

#### *Meso level*

There was some concentration of criminal damage offences around licensed premises, although to a lesser extent than violent offences. The level of concentration was consistent between the baseline and post-implementation periods: a little under 30% of these offences occurred in the licensed premises 'cluster area', and a similar proportion in the 50m buffer zones, in both the baseline and post-implementation periods.

Hot-spot analysis reveals that, like offences of violence, criminal damage tended to be concentrated around the Broad Street and Hurst Street areas in both the pre- and post-implementation period; however, criminal damage hot-spots were concentrated in fewer areas than violence hot-spots. Temporal analysis reveals that in the post-implementation period there was more persistence of criminal damage hot-spots, albeit with reduced intensity, between the hours in 3am and 5am – as was also true of the violence hot-spots.

## **Calls for disorder**

Calls for disorder include calls about incidents such as disturbances in public places, disturbances in licensed premises, drunkenness and noise nuisance. Data on calls are often used as an alternative to police recorded crime data, as they can be seen as a proxy measure of the public's perceptions of crime and the need for police assistance.

Calls for disorder are analysed for the same pre- and post-implementation periods (December 2003 to November 2005, and December 2005 to December 2006) as the recorded crime figures.

### *Macro level*

The annual number of calls for disorder in Birmingham reduced over the period of analysis: from the average baseline figure of 9,619 to 8,150 in the post-implementation year. This represents a decrease of 15 per cent. Statistical t-tests found that the reductions in the second six months of the baseline period and first six months of the post-implementation period were statistically significant.

During the 24 months of the baseline period there was an average of 801 calls for disorder per month, which reduced by 15 per cent to a monthly average of 679 calls after implementation. For each month in the post-implementation period the number of calls for disorder decreased in comparison to corresponding baseline months. March saw the largest decrease in the number of calls for disorder made.

The daily distribution of calls was similar before and after implementation, with calls peaking between midnight and 3am in both periods. In the post-implementation period, fewer calls were made throughout the day except between 4am and 7am, when the numbers of calls increased. The increase was most pronounced between 4am and 5am. The weekly distribution of calls showed little overall change: both the baseline and post-implementation periods saw calls peaking on Fridays, Saturdays and Sundays. However, the weekend peak was less prominent after implementation.

### *Meso level*

Similarly to recorded criminal damage offences, calls for disorder were somewhat concentrated in areas containing licensed premises. Fifty-metre buffer zones around premises accounted for about 20 per cent of calls both pre- and post-implementation;

and the 'cluster area' with a high density of premises accounted for 35 per cent of calls in both periods. Post-implementation changes to the daily distribution of calls within the 'cluster area' and 50m zones were generally minor, but there was a tendency for the changes that occurred in Birmingham as a whole (particularly, the increases in calls between 4am and 7am) to be more pronounced in the areas closer to licensed premises.

### **Health data**

Health service data, including data from the ambulance service, are regarded as potentially a rich source of information on violent crime - particularly as research suggests that injuries that occur in the context of the NTE may not come to the attention of the police. Serious incidents of violence may be reflected in health data, permitting comparison with recorded crime data in order to increase the robustness of the findings. However, difficulties of collection and interpretation can limit the value of these data, and caution should be exercised in comparing police and health data because the two services may use different definitions of violence and cover different geographical areas.

For this study, data on ambulance service call-outs were collected for November 2004 to December 2006, for the time periods of 10pm on Friday through to 5am on Saturday and 10pm on Saturday through to 5am on Sunday. Call-outs for people aged 17 to 35 only were included in the data-set; and cases that had been recorded by the ambulance service as assaults were then extracted. This produced a total of 846 ambulance-recorded assaults over the 25-month period of analysis. Over this period, there were approximately two-and-a-half times as many violent offences recorded by the police as assaults recorded by the ambulance service.

There was very little change in the overall number of ambulance-recorded assaults between the baseline year (December 2004 to November 2005) and the post-implementation year (December 2005 to November 2006): the baseline figure of 382 assaults increased by under two per cent to 388 post-implementation. However, when the figure for each post-implementation month is compared with the corresponding baseline month, some fluctuation is evident. There were some reductions in the early post-implementation months (and particularly in May 2006, which saw a 56% drop from 41 to 18 assaults), followed by monthly increases from June 2006 onwards.

The temporal distribution of ambulance-recorded assaults was broadly similar in the baseline and post-implementation periods. Between the hours of 10pm and 5am, for which the data were collected, midnight to 3am saw the greatest numbers of incidents. However, reflecting the patterns in the police data on weekend violent crime, the ambulance data show a post-implementation increase in the number of assaults recorded between 3am and 5am (from 54 recorded assaults to 78 post implementation).

## 6 ASSESSING THE IMPACT OF THE LICENSING ACT ON CRIME AND DISORDER (2): RESIDENTS' AND STAKEHOLDERS' PERCEPTIONS

This chapter examines residents' and stakeholders' perceptions of the impact of the Licensing Act – and particularly its impact on crime and disorder. Residents' views were obtained from BMRB's baseline and post-implementation survey. Stakeholders include the licensing authority and responsible authority respondents interviewed by the Home Office, and NTE business representatives interviewed by CRD. Information on the residents' survey and the Home Office and NTE business interviews is provided in Box 1.1 in Chapter 1.

### Residents' and stakeholders' perceptions: summary

The main findings of a pre- and post-implementation survey of residents were:

There was no statistically significant change in the number of respondents visiting the city centre in the evening between baseline and post-implementation periods. However, there were statistically significant differences in *reasons* for visiting. At post-implementation, the most popular reasons were to go to the cinema, theatre or concerts and at baseline it had been attending pubs, bars and clubs.

Pre- and post-implementation respondents who did not visit the city centre were fairly consistent in their reasons for not doing so, with the two most common reasons being lack of interest and family commitments.

There were no statistically significant differences in the proportions of respondents who felt unsafe in the city centre in the evening (26% post-implementation), or in the reasons given for feeling unsafe.

60% of post-implementation respondents thought drunk and rowdy behaviour was a problem in the city centre – a statistically significant decline from the 70% of baseline respondents who had thought this. Post-implementation respondents were statistically significantly less likely to think that this problem had increased over the past year (34% compared to 45%).

43% of post-implementation respondents thought that alcohol-related crime had increased since the Act was introduced.

88 per cent of those who had visited the city centre in the last year and went to pubs, bars and clubs reported that their consumption of alcohol on a typical night post implementation of the Act had stayed the same. When asked about their *overall* levels of alcohol consumption, the majority 72 per cent had said it had stayed the same .

Among five LA and RA representatives interviewed in the post-implementation period, there was broad agreement that levels of alcohol-related crime and disorder had decreased in the city centre over the past year. None attributed this

trend solely to the Licensing Act: they argued that other, pre-existing local initiatives had played an important part. However, it was also said that the staggered closing times post Act, and the cumulative impact policy, had contributed to improvements; benefits associated with a more gradual dispersal of drinkers at the end of the night, and to indications that the night-time economy was diversifying.

Similarly NTE business representatives felt that there had been a decrease in alcohol-related crime and disorder in the year since implementation. Measures most frequently credited with having achieved this - more visible policing and improved communication – pre-dated the Licensing Act. New initiatives were considered to be extensions of existing activity rather than inspired or enabled by the Act. However, many reported changes in behaviour were linked, by respondents, to the changes to opening hours which had followed the Act: people were said to be visiting the city centre later, leaving more gradually, and were fewer in number overall.

### **Residents' perceptions**

Both the baseline and the post-implementation survey covered the following broad topics:

- Frequency and patterns of the respondent's current usage of the night-time economy in the city centre;
- Experiences of alcohol-related disorder in the city centre and the respondent's own neighbourhood.

In addition, the baseline survey asked about the respondent's expectations and knowledge of the Licensing Act, whilst the follow-up survey asked about the respondent's perceptions of the impact of the Act

The major findings of the surveys, drawing out the key points of contrast between the baseline and post-implementation responses, are presented below.

#### *City centre visiting*

The relevance of city centre visiting to the potential impact of the Licensing Act is that it had been hoped the Act would contribute to the diversification of the night-time economy, and thereby encourage a wider range of people to visit city and town centres. It was also hoped that a decline in levels of alcohol-related violence and disorder would make city and town centres more attractive to people who would otherwise be deterred by fear of crime.



The results of the residents' survey suggest that the Licensing Act may not (yet) have encouraged a greater level of participation in Birmingham's night-time economy. In the post-implementation survey, 53 per cent of respondents had visited the city centre at least once in the previous 12 months – a figure that was very similar to the baseline figure of 55 per cent. Of those post-implementation respondents who had visited the city centre, 52 per cent said they visited once a week or more (compared to 49% in the baseline).

However, there is some evidence of diversification in the statistically significant differences seen in the post-implementation compared to the baseline *reasons given* for visiting the city centre in the evening. As shown in Table 6.1, in the post-implementation period, the most popular reasons for visiting Birmingham city centre were to go to the cinema, theatre or concerts; followed by restaurants or cafes; then pubs, bars and clubs. In the baseline survey, attending pubs, bars and clubs was the most popular reason for visiting, followed by late-night shopping.

**Table 6.1: Most frequent reasons for visiting the city centre in the evening, cited by respondents who had visited in the previous 12 months**

Reason for Visiting City Centre	Percentage of Respondents	
	Baseline	Post-Implementation
To go to cinema, theatre, concerts or other entertainment	19	25*
To go to restaurants or cafes	15	23**
To go to pubs, bars or nightclubs	27	19**
To go late night shopping	23	16*
To go to work	7	9
For another reason	7	7
To hang out with friends	1	1
None of these	1	0
<b>Unweighted Bases</b>	<b>389</b>	<b>424</b>

Note: All these answers were read out to respondents who were asked to choose one.

\*\* statistically significant at the 0.01 level

\* statistically significant at the 0.05 level

It is notable that the changes in reasons for visiting the city centre were most apparent within the younger age group. In the post-implementation period, significantly fewer 16 to 30 year olds reported going to pubs, bars and clubs as their main reason for visiting (21% compared to 34% in the baseline), and statistically significantly more reported going to restaurants or cafes as their main reason (21% compared to 11% in the baseline).

There were no statistically significant differences between the baseline and post-implementation periods in the proportions of respondents visiting the city centre on each night of the week. Nor were there any significant differences in the hours at which respondents tended to leave the city centre.

Respondents who did not visit the city centre regularly or at all were asked why they did not visit more often. No statistically significant differences were found between the baseline and post-implementation periods for any response categories. In both waves of the survey, the most common responses were 'not interested' (22% baseline; 28% post-implementation); family commitments (17% and 12%); 'I don't usually go out at night' (16% and 15%); and perceptions of being too old/that the city centre was more suited to young people (11% and 7%). The consistency in these responses suggests that broadening the appeal of the night-time economy remains a challenge.

The respondents who were not regular visitors to the city centre were also asked what would make them visit more often; again, no statistically significant differences were noted between the post-implementation and baseline response categories. By far the most common response was that 'nothing would make me visit the city centre more often', cited by 37 per cent of baseline and 52 per cent of post-implementation respondents.

#### *Feelings of safety and perceptions of drunken and anti-social behaviour*

Of all post-implementation respondents who had visited Birmingham city centre in the evening in the previous 12 months, 26 per cent reported that they felt unsafe at some point, which is not statistically significantly different to the results from the baseline survey (30%). In both waves of the survey, no significant age or gender differences were apparent in these responses.

Those respondents who reported feeling unsafe were asked about their reasons for this. There were no statistically significant differences between the pre- and post-implementation surveys in the proportions selecting each response. The top two reasons for feeling unsafe were the same in both surveys: there were a lot of drunk people (34% baseline, 45% post-implementation); and there were gangs/groups hanging around (30% and 18%). The third most popular reason for baseline respondents was the area's reputation for trouble or fights – selected by 16 per cent

of respondents (compared to 6% of post-implementation respondents). The third most popular post-implementation reason was the area being too crowded or noisy (12% of respondents, compared to 14% of baseline respondents).

All respondents were asked if they thought that people being drunk and rowdy was a fairly or very big problem in the city centre; 60 per cent of respondents in the post-implementation thought that it was – which represents a statistically significant decrease from the 70 per cent who thought it was a problem in the baseline survey. Respondents were also asked if they thought drunkenness had become more or less of a problem in the city centre over the previous 12 months. In the post-implementation survey, 34 per cent thought it had become *more* of a problem; 16 per cent that the problem had lessened; and 50 per cent that it had stayed the same. Statistically significantly more of the baseline respondent (45%) believed the problem to have increased over the past year, and significantly fewer that it had decreased (10%).

Those who had visited Birmingham city centre at least once in the previous 12 months were asked what problems they had seen; the responses are shown in Table 6.2. There were no statistically significant differences in between the baseline and post-implementation surveys in the proportions giving each response.

**Table 6.2: Problems seen in Birmingham city centre by respondents who had visited at least once in the previous 12 months**

Problem seen in city centre	Percentage of respondents	
	Baseline	Post-implementation
Fast food wrappers and other rubbish in the streets	86	84
Cans, bottles or broken glass in the streets	79	71
Vomit or urine on pavements, in doorways or on the streets	73	66
Noise or disturbance caused by people who are drunk	73	76
People being verbally abused, threatened or intimidated by drunks	57	57
People being assaulted or injured by drunks or fighting between people who are drunk	53	52
Damage to property	28	26
<b>Unweighted Bases</b>	<b>391</b>	<b>435</b>

*Note: All items were read out to respondents and they were asked to say 'yes' or 'no' for each item. Respondents could give more than one answer so percentages do not add up to 100.*

Those respondents who did not live in the city centre (N = 365) were asked if they thought people being drunk was a problem in their neighbourhood. In the post-implementation survey, 14 per cent said they thought people being drunk was a fairly or very big problem in their neighbourhood – which is not statistically significantly different to the figure for the baseline period (19%). These respondents were also asked if they thought drunk and rowdy had become more or less of a problem in their neighbourhood in the previous 12 months. Twenty-one per cent of post-implementation respondents said they thought it had become less of a problem – statistically significantly more than had thought this in the baseline period (11%). Ten per cent of post-implementation respondents thought it was more of a problem, and 68 per cent that it had stayed the same; proportions that were not statistically significantly different to the baseline figures.

#### *Views of the Licensing Act*

Post-implementation respondents were asked if they thought that alcohol-related crime and rowdy behaviour had increased following the introduction of the Licensing Act 2003. Forty three per cent said that, in their view, it had increased. Ten per cent said the problem had decreased, while 33 per cent said the problem had stayed the same and 13 per cent did not know. A similar pattern was displayed with respect to views of rowdy behaviour. Forty-one per cent of post-implementation respondents thought this problem had increased. Ten per cent of post-implementation respondents thought rowdy behaviour had decreased; 35 per cent thought it had stayed the same; and 13 per cent did not know.. These findings are interesting given that respondents, when asked the same question before and after the Act, perceived drunk and rowdy behaviour in the city centre to have decreased. A possible explanation is that when respondents were asked to link behaviours to the Act they may have been influenced by the numerous stories in the media which discussed the possibility of crime and disorder increasing post introduction of the Act.

Post-implementation respondents were asked about the impact of the Licensing Act on their own behaviour and on the night-time economy more generally. Thirty per cent of respondents who had visited the city centre in the past year said they now tended to stay out later, while 70 per cent said they did not. Statistically significantly more 16 to 30-year olds (38%) and 31 to 44-year-olds (32%) than 45 to 64-year-olds (9%) said that they stayed out later. All respondents were asked if they now went out in the city centre in the evening more (or at all, if they did not previously) since the introduction of the Act. Only seven per cent said they now visited more than they

used to, compared to 29 per cent who said they visited *less* and 64 per cent who said there had been no change.

The post-implementation survey points to little change in alcohol consumption patterns in the wake of the Act: eight per cent of respondents who had visited the city centre in the past year, and went to pubs, clubs or bars, reported that the amount of alcohol that they consumed on a typical night out had increased; four per cent reported that it had decreased; and 88 per cent reported no change. When asked about their *overall* levels of alcohol consumption, 16 per cent of these respondents said this had increased, 12 per cent that it had decreased, and 72 per cent that it had stayed the same.

A large majority – 86 per cent of respondents – thought that the Licensing Act had resulted in at least some pubs and clubs opening later: 40 per cent said that a lot were open later; 46 per cent that some were; six per cent that hardly any were; and eight per cent that none were. Sixty-four per cent of respondents agreed that since the introduction of the Act, streets were less crowded because people now had more choice about when to leave a licensed premises at the end of the night. However, 26 per cent disagreed with this, while ten per cent neither agreed nor disagreed. Fifty-five per cent agreed that rapid drinking in the run-up to last orders had decreased, compared to 35 per cent who disagreed and nine per cent who neither agreed or disagreed.

### **Perceptions of licensing and responsible authorities**

Among five authority representatives interviewed in the post-implementation period (who included two police representatives interviewed jointly), there was broad agreement that levels of crime and disorder had decreased in Birmingham city centre over the year since the Act was implemented, especially on Broad Street.

I would say that crime and disorder has been a big winner in Birmingham, if I am completely honest. (LA representative)

No interviewees attributed the perceived decline in crime and disorder directly or solely to the Act: other initiatives in Birmingham were seen as having played an important part:

We were reducing violent crime before the new act came in because of our BSafe policy and the way we do BSafe and we'd started the intrusive management before the Act came in. We've carried on doing that and the figures have still carried on falling. (police representative)

That [reduction in violent crime] will not all be down to the Licensing Act, but it will be in part down to the Licensing Act. (LA representative)

Some of the respondents raised concerns that because Broad Street had been the main focus of many of the recent enforcement initiatives, this had resulted in displacement of crime and disorder to other entertainment areas:

...I think the problems have moved elsewhere. I would guess there are more problems in Digbeth, in the Arcadion, in the gay village, than there are in Broad Street. (city centre manager)

Nevertheless, the police interviewees did not think that the major alcohol-related hot-spots had shifted over the past twelve months, because Broad Street and Hurst Street remained the busiest night-time economy areas.

The respondents argued that implementation of the Licensing Act had resulted in staggered closing hours of licensed premises, and thus a more gradual dispersal of customers at the end of the night, with positive repercussions for crime and disorder:

And I think that is where undoubtedly the Licensing Act has had its impact, spreading out the going home time. 2 to 3am on Broad Street used to be not a great time to be around. It was when all the fights happened and now you have got that sort of more measured dispersal of people. (city centre manager)

It was also reported that fewer people were coming into the city centre in the evening as drinkers could now drink until later in their local bars and pubs. One interviewee felt that the Act had had a positive impact on levels of binge drinking in the run-up to closing time:

I would say the big change is the public behaviour in that people don't rush to the bar at 11pm and buy four pints. (LA representative)

Another positive development over the past year, seen to be partly attributable to the Act, was said to be progress made towards diversification of the city centre's night-time economy. It was argued that the cumulative impact policy on Broad Street, along with the implementation of the Broad Street Business Improvement District (BID), implemented before the introduction of the Act, had contributed to this:

Two and a half years ago I would say that Broad Street mainly targeted 18 to 24 year olds and was high volume vertical drinking establishments. It has got a much better economic mix now so there are more restaurants, there is more of a mixture of food and drink. Alcohol is still the main issue in some of the venues but that is probably in the minority rather than the majority. (LA representative)

It was reported that, as a result, more 'older' people (that is, people aged over 30 ) were starting to use the area in the evening.

In short, the authority representatives generally felt that the atmosphere and composition of Birmingham's main night-time economy areas had improved over the course of the past year; and that this improvement had been supported by, but was not a direct result of, the Licensing Act.

### **Perceptions of NTE business representatives**

Similarly to the post-implementation authority representatives, the 21 representatives of NTE businesses interviewed in the post-implementation period (October 2006 to January 2007) generally felt that the past year had seen a decrease in levels of alcohol-related crime and disorder. Most of the NTE respondents believed this improvement had pre-dated, but had been reinforced by, implementation of the Licensing Act.

Many licensees from Broad Street said there had been fewer disturbances on the street, even during the World Cup 2006. The area was widely felt to be safer, calmer and quieter than it had been previously:

As I said to you last year, Broad Street had such a bad reputation for so many years, but now I think it's known as a safe environment. (chain pub, Broad Street)

I have been back on Broad Street nearly three years, and from the time I have been on until now it really is a much safer place to come and have a night out. (chain club, Broad Street)

Generally the behaviour we get is good... People come out for a good time in Broad Street, it is as simple as that; they don't come out for a punch up and to have a fight and to cause trouble. (off-licence, Broad Street)

Managers of non-licensed premises were more qualified in their acknowledgement of improvements, but nonetheless felt that things were moving in the right direction.

It seems to me that violence is more at weekends not at week nights. The students are not the troublemakers, they are understandable sensible people. Saturday is when Broad Street gets busy and it is common to have a fight then... [But] it is better than before. (take-away, Birmingham)

Restaurant managers in particular also said there were growing numbers of more 'responsible' people and family groups on Broad Street before 11pm, and that there was greater integration between the Broad Street night-time economy area and nearby entertainment facilities such as the Symphony Hall and theatres.

I have seen that Broad Street has got much better as I have worked around here for five years... Families are now slowly coming back as there are theatres and the concert hall, and people know that the police are around. (take-away, Broad Street)

[There is a] completely different attitude on the streets. There is a more relaxed atmosphere, especially more families and lots of people with children hanging around late in the night. That gives people confidence to go out... Six months ago, the kind of people who came to the café till 3am were very loud. Now they have become more sophisticated; you can really see the difference. They have been to the theatre or cinema; it is not just the nightclub goers. I have been very surprised. (restaurant / café, Broad Street)

Changes were thought to be less evident in Hurst Street, which had had fewer problems to begin with; but here as well some improvements were widely noted.

The measures most frequently credited with having achieved the general improvements within the night-time economy - primarily, more visible policing and improved communication between licensed premises and between premises and the police - pre-dated the Licensing Act and had continued largely unaltered after implementation. To the extent that new initiatives had been introduced, these were considered to be extensions of existing activity rather than inspired or enabled by the Act.

[The improvement] is not because of the Act, it is the fact that there is more security and police are checking IDs, and there is more security on doors at bars and clubs... The police are more strict and will give people warnings and will not stand bad behaviour. They come down very hard on people. (take-away, Broad Street)



I don't think the Act has changed policing that much. ... but I would say it has made it easier for them at the end of the night. (chain club, Broad Street)

However, many of the reported changes in behaviour were also linked, by respondents, to the changes to opening hours which had followed the Licensing Act's implementation: people were said to be visiting the city centre later, leaving more gradually, and were fewer in number overall.

On Friday and Saturday night, you can sit at the windows and everyone has gone. There use to be droves of people but now it's not like that any more... They aren't all on Broad Street at the same time, which is what everyone wanted. (chain pub, Broad Street)

With regard to the area being affected with the change in licensing law, I would say that if anything it's better, much better. Now you have an extending time period for people to leave and take their time getting home, whereas before people use to get thrown out onto the street together at 2am, and if you had quite a few bars chucking out at that time, suddenly you've got 6,000 people in one area [and] they've all got to try and find taxis. So I think the streets have become a lot more controllable. (independent bar, Hurst Street/Arcadian Centre)