REVIEW OF LICENSING & POLICING OF CROYDON’S NIGHT TIME ECONOMY

Creating a Vibrant Nightlife for all
Sections of Croydon’s Diverse Community
REVIEW OF LICENSING AND POLICING OF CROYDON’S NIGHT TIME ECONOMY: CREATING A VIBRANT NIGHTLIFE FOR ALL SECTIONS OF CROYDON’S DIVERSE COMMUNITY

FOREWORD

Croydon is undergoing considerable transformation as the Borough attracts investment to deliver a new £1.4 billion shopping complex in the town centre and its multimillion pound refurbishment of Fairfield Halls progresses. It is clear that Croydon must also develop a vibrant night-time economy, capable of meeting the wide choice demanded by its proportionally very young and diverse population. This review is therefore timely.

The Licensing Act 2003 aims to allow businesses to diversify and offer greater choice to consumers over longer hours while at the same time working to prevent crime and disorder, public nuisance, etc. The policy intention is that at its heart should be partnership working between Licensing Authorities, the Licensed Community and enforcement authorities.

This review found a breakdown in partnership working in Croydon and makes recommendations to restore it. We concluded that the Police Licensing Team did, in effect, impose what the press called a ‘ban’ on Bashment, Grime, and similar genres of music on some Licensed Premises in Croydon. Police Event and Risk Assessment Form 696 was also found to be an important issue. The form has long been unable to shake off accusations nationally of links with racial profiling. We recommend that the Parliamentary Select Committee on Culture, Media and Sport is lobbied to revisit its 2008-09 review which concluded that the form ‘should be scrapped’.

This review acknowledges that much has happened over the past year to start turning things around in Croydon. A new Borough Commander has been appointed and a new Police Licensing Team is in place. In addition, with help and encouragement from Croydon Council, we now have Boxpark. This new arrival has led to Black music megastars - mikes in hand - performing in the Borough. Indeed Stormzy, who comes from Croydon, did a ‘Homecoming’ performance at Boxpark and others acts are now performing there too. However, these changes need to be made sustainable with more live performances allowed at other Croydon venues.

Croydon’s population is 381,000. If it were a city, it would be the eighth largest in the UK. However, this review found that currently at 0230hrs on a Saturday morning, excluding takeaways, Croydon’s Licensed Community consists of just 15 restaurants, 7 nightclubs, 6 bars, 2 cinemas and a pub. The potential benefits of developing a night-time economy for all are therefore huge and should be seized with both hands. This review therefore recommends the creation of new high level governance headed by the Cabinet Member for Economy and Jobs to develop a strategy for the night-time economy supported by best practice.

I and my colleagues, whom I thank for their contributions to this review, hope that this report will embolden Croydon Council to continue to open up the night-time economy as it has started doing, working in partnership with all stakeholders including London’s Night Czar and the Mayor of London’s Night Time Commission but, moreover, the young innovators and creators on our doorstep who have the talent and inspiration to inject life, soul and vibrancy into our nightlife. I would especially like to thank Cllr. Fitzsimmons as Chair of Scrutiny and Overview Committee for his key role in initiating this review and Cllr. Mario Creatura.

Cllr. Calton Young OBE
Chairman of Scrutiny and Overview Sub-Committee
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REVIEW OF LICENSING AND POLICING OF CROYDON’S NIGHT TIME ECONOMY: CREATING A VIBRANT NIGHTLIFE FOR ALL SECTIONS OF CROYDON’S DIVERSE COMMUNITY

SUMMARY OF REVIEW FINDINGS AND RECOMMENDATIONS

This review finds that:

- Met Promotion and Event Assessment Form 696 has long been open to accusations of racial profiling and is seen as problematic by the Licensed Community

- the Parliamentary Select Committee on Culture Media and Sport found during its 2008-09 review, that ‘it is difficult to find any evidence to suggest that music in itself leads to violence’ and recommended that Met Form 696 ‘should be scrapped’

- current Met policy is that ‘the decision to use Form 696 is for the management of the premises to decide unless required as a condition of an operating licence by a local authority’. Yet voluntary completion of the form where apt has not always been respected by the Police Licensing Team in Croydon

- there are 1,020 Premises Licences on issue in Croydon and 51 Club Premises Certificates (mainly private members’ clubs such as golf, sports and social clubs)

- no Premises Licence or Club Certificate issued by Croydon Council includes a ban on Bashment, Grime, Dubstep, Drum and Bass, Hip-Hop, etc, in its Operating Conditions. None therefore provides such a condition for enforcement authorities to act upon under the 2003 Act

- Bashment and similar genres were treated as ‘unacceptable forms of music’ by Croydon’s Police Licensing Team and it did, in effect, impose what the press has called a ‘ban’ on Bashment, Grime, Dubstep and similar genres of music in Croydon

- performing Bashment, Grime and similar genres of music is important for young Black artists and their potential to develop as entrepreneurs in an economic climate where many, as NEETs, have few prospects

- Croydon’s Licensed Community perceived a range of police enforcement tactics to be overbearing starting in 2014 although this review notes that the police disagree

- perceptions of overbearing police tactics arose from usually large police numbers placed directly outside Licenced Premises and swoops on Licensed Premises

- high visibility of policing coupled with the allegations about the Police ‘ban’ on Bashment, Grime and similar genres of music gave rise to negative publicity for Croydon

- although the Police disagree with these perceptions they responded positively to criticisms by reducing the number of officers patrolling the NTE in the town centre

- partnership working is essential for the achievement of the 2003 Act’s licensing objectives as underscored by Parliamentary and GLA reviews

- there was a breakdown in partnership working in Croydon particularly following the police launch of Operation Equinox in 2014
genuine partnership working is highly valued and sought after by Croydon’s Licensed Community to promote best practice and has the potential to reduce the need for enforcement action

Croydon’s population stands at 381,000 yet, takeaways aside, its licensed night-time economy (NTE) at 0230hrs on a Saturday morning consists of just 15 restaurants, 7 nightclubs, 6 bars, 2 cinemas and a pub

Croydon has a large population of young people with a majority from BAME backgrounds

Music genres like Bashment, Grime, Dubstep are popular among Croydon’s young people yet urban music megastars like Stormzy and Krept and Konan who come from the Borough have found it difficult to perform here - until the recent arrival of Boxpark, a venture supported and encouraged by Croydon Council

innovation is important for sustaining nightlife so it is vital that Croydon Council foster conditions that allow cultural innovations to thrive and for local talent to be showcased, otherwise the Borough risks being left behind

strategic intervention and planning is required to put Croydon’s NTE where it should be, capable of rivalling any large suburban town - after all, if Croydon were a city, it would be the eighth largest in the UK and our residents deserve a choice of nightlife commensurate with that status.

This review recommends that:

Croydon Council reviews its Statement of Licensing Policy with a view to:

- removing the presumption against granting new Premises Licences in Croydon Town Centre at hearings where an application is for premises that will be used exclusively or primarily for the sale of alcohol/ and or loud amplified recorded music in order to encourage fresh growth and diversity in the Borough’s NTE
- removing the presumption of favourable consideration for ‘diverse types of premises, i.e. for older clientele/over 21’s, live music, restaurants, etc’ in preference of considering each case on its merits as part of a NTE Strategy
- including a positive note to explicitly welcome all music genres at events in the Borough including those associated with DJs and MCs
- ensuring that current Cumulative Impact Zones remain valid, testing the robustness of the data upon which current designations have been made, the definitions of drink-related crime used, and how such crime is counted
- removing its current ‘recommendation’ in support of Form 696, replacing it with a clear reference to Met official policy that completion of Form 696 is a voluntary decision for premises managers to reach unless made an Operating Condition of a licence by a Licensing Authority
• Croydon Council develops a NTE Strategy for the Borough, including a marketing element to improve Croydon’s image as a destination of choice, built around the principles of diversity, inclusion and innovation, to meet the full range of viable demand among the Borough’s residents

• that development of the proposed NTE Strategy be overseen by a new high level strategic governance board headed by the Cabinet Member for Economy and Jobs with senior representatives from key stakeholder groups in Croydon invited to join

• that the proposed governance body be tasked with ensuring that:
  o the boundaries between the role of Croydon’s Licensing Sub-Committee and the role of law enforcers are kept clear
  o sole proprietors are always treated on their merits compared to chains
  o completion of Form 696 is kept voluntary unless made an Operating Condition of a licence by Croydon’s Licensing Sub-Committee
  o a senior representative from the Council’s Licensing Team regularly attends Croydon Pubwatch meetings again, to help restore partnership working at an operational level in Croydon town centre - and a senior representative from Police licensing is also encouraged to attend
  o the Council’s Licensing Team fully engages with the work being done by Croydon Bid to introduce a new, streamlined Best Bar None scheme in Croydon Town Centre to help promote best practice within key parts of the Licensed Community
  o sector trends are monitored and reported on to inform policy development and future policy adjustment

• Croydon Council’s Licensing Sub-Committee’s annual training be reviewed to doubly reinforce respective boundaries, in addition, what can be considered ‘reasonable and proportionate’, ‘evidence based’ and what might count as ‘criminal’ and rightly a matter for courts to decide

• the Parliamentary Select Committee on Culture, Media and Sport is lobbied to revisit its review of Police Form 696 to assess whether the Committee’s view remains that the form exceeds what is allowed under the 2003 Act and ‘should be scrapped’ given its potential adverse consequences for performers and BME communities in Croydon and beyond
INTRODUCTION

Background and Objectives

1. At its meeting on 16 February 2016, Croydon Council’s Scrutiny and Overview Committee (SOC) considered a report entitled Revitalising the Evening and Night-time Economy. In a presentation that followed, the Committee heard a number of concerns raised by Cllr Creatura, supported by members of the Licensed Community. These included the impact of licensing issues as a deterrent to those wishing to set up businesses in Croydon; and the highly visible police presence particularly in the town centre which was also perceived by many people to be a deterrent.

2. Ongoing press coverage about black venue owners, licensing and the Police was also raised at the meeting as a big issue of concern. That coverage went on to escalate when on 11 March 2016 Croydon Advertiser broke a story with the headline ‘Exclusive: Police in Croydon accused of racial profiling after ban on ‘unacceptable’ Jamaican music’.

3. On 28 June 2016, SOC announced the establishment of a Sub-Committee on the Licensing and Policing of the Night-Time Economy. Chaired by Cllr. Young it was tasked to:
   - carry out a review of the Policing and Licensing of Croydon’s NTE and to assess whether the current strategies, policies and actions of the various public and private bodies are fit for purpose, both for today and for the future, and for all sections of Croydon’s Communities.
   - investigate the concerns expressed by members of the public and business community engaged in Croydon’s NTE regarding its licensing and policing, to decide whether it is discriminatory or overbearing, and what lessons can be learned. ([Annex I](#)).

4. A Press Release was issued by Croydon Council on 26 October 2016 inviting stakeholders to participate in the review. The work was promoted on the Council’s Website and via the Borough magazine ‘Your Croydon’.

Review Team

5. The Sub-Committee comprised the following Councillors and independent co-opted advisers:
   - Cllr. Callton Young OBE (Chair)
   - Cllr. Carole Bonner
   - Cllr. Mario Creatura
   - Cllr. Paul Scott
   - Cllr. Patricia-Hayes Justice
   - Cllr. James Thompson
   - Mr. Leroy Logan MBE PhD (independent adviser/ former Met Superintendent)
   - Dr Joy White (independent adviser/ academic expert on Grime)
Our Approach

6. Understanding Croydon’s Licensed Community, its size, diversity, geographic spread and the extent to which it participates in Croydon’s NTE was an essential first step for this review. Another priority was to encourage and secure Police participation. Several meetings were held with the outgoing Borough Commander to achieve that. He eventually agreed to contribute to the hearings, subject to not be pressed about the case regarding the Dice Bar which was the subject of much media attention. He also declined to make a written submission to the review. These decisions inevitably affect the balance in this report but were not considered show stoppers.

7. We held two public meetings of the Sub-Committee on 21 November 2016 to take evidence at first hand: they were attended by night club, pub and owners of other licensed premises in Croydon; trade representatives; a legal practitioner and an event promoter; the Council itself (including a Cabinet Member and the Head of Croydon’s Licensing Committee); and Croydon’s police (the outgoing Borough Commander; his successor as an observer; and the then head of Croydon’s Police Licensing Team). A written record of the hearings is attached (Annex II).

8. We also carried out an online survey using Get Involved Croydon to reach out to a wider audience such as performing artists and event promoters who may not have wished to attend our hearings in person or commit their views on paper and, not least, to reach Croydon residents as consumers in the NTE. The low level of replies (60 respondents) makes the results statistically invalid, however, they do provide a useful snapshot of the challenges and the type of NTE people wish to see developed in Croydon.

9. Finally, desk top research was undertaken to understand the development of national and regional licensing policy, its implementation in Croydon and how that can be enhanced going forward as part of the vision for Croydon’s NTE called for by this review’s terms of reference.
LICENSING ACT OVERVIEW

10. The Government aimed that the Licensing Act 2003 (the 2003 Act) should encourage more diversity in the type of licensed premises present on the high street, to give consumers a wider-choice of where and how to spend their leisure time and to encourage a "café society" with more family-friendly premises where younger children could safely be present.

11. The 2003 Act is the principal legal framework which licenses the NTE and understanding its operation in Croydon is therefore central to the first objective set for this review concerning the licensing of Croydon’s NTE. The Gambling Act 2005 has licensing provisions too but there are very few premises licensed under it in Croydon so this review makes the 2003 Act its focus. It should be noted that the majority of provisions in the 2003 Act came into force in November 2005.

12. The 2003 Act is supported by Statutory Guidance issued by the Home Office (the Statutory Guidance).

13. The 2003 Act sets out 4 licensable activities, namely the:
   - supply of alcohol by or on behalf of a club to, or to the order of, a club member
   - sale by retail of alcohol
   - provision of regulated entertainment
   - provision of late night refreshment, i.e. hot food and drink between 2300-0500hrs

14. As such, businesses, organisations and individuals in Croydon (as elsewhere in England and Wales) who want to sell or supply alcohol or provide late night refreshment must obtain a licence or other authorisation from Croydon Council as the relevant Licensing Authority under the 2003 Act. There are 4 types of licences or authorisations:

   I. Club Premises Certificates which must be sought by ‘qualifying members’ clubs planning to supply alcohol (e.g. private members’ clubs)
   II. Premises Licences that must be obtained for the premises by any business or other organisation that sells alcohol on a permanent basis
   III. Personal Licences which must be obtained by any person who wishes to be the named Designated Premises Supervisor on a Premises Licence that permits the sale of alcohol by retail

15. In addition, for temporary events involving licensable activities, including if a particular licensable activity is not included in the terms of the Premises Licence where an event is to be held, the 2003 Act provides that premises users must give notice to the Licensing Authority using a Temporary Events Notice form (TEN). TENs may be used for events with fewer than 500 people attending and there are restrictions on their duration and frequency.
16. The 2003 Act sets out and promotes **4 statutory objectives** for the licensing regime, each carrying equal weight. The:

i. **Prevention of crime and disorder** (e.g. CCTV, radio-links, ring-round systems)

ii. **Prevention of public nuisance** (e.g. noise and light pollution)

iii. **Public safety** (e.g. fire safety, access for emergency services, maximum capacity)

iv. **Protection of children from harm** (e.g. alcohol, strong language, sexual content)

17. All applications for Club Premises Certificates and Premises Licences under the 2003 Act are required to be accompanied by an **Operating Schedule** that addresses these objectives as appropriate to the club or premises.

18. Given the potential impact on communities with regards to the consumption of alcohol, **mandatory conditions** apply under the 2003 Act to all Club Certificates and Premises Licences that allow its supply or sale. Over and above the mandatory conditions it is for the applicant to demonstrate in the Operating Schedule the steps intended to be taken to promote the four statutory objectives as relevant to the business and how they will manage potential risks. Once a licence is approved all conditions become enforceable.

19. The Statutory Guidance recognises that **certain criminal activity will take place despite the best efforts of a Licence Holder**.

20. Key enforcement agencies under the 2003 Act are the Police, Fire Service and Local Authority environmental health services.

21. A Licensing Authority is required to issue a **Statement of Licensing Policy** under the 2003 Act and to update it every five years. Licensing Authorities are required to establish a Licensing Committee comprised of elected Council Members, and a Licensing Sub-Committee which serves as a quasi-judicial body to hear representations regarding licences and to determine outcomes. The 2003 Act provides for an appeal to a magistrate’s court.

**Number of Licences Issued In Croydon**

22. **5,076 Personal Licences** have been issued by Croydon Council as a Licensing Authority since the 2003 Act came into force.

23. There are **51 Club Premises Certificates** on issue to ‘qualifying clubs’ (mainly private members’ clubs such as golf, sports and social clubs). All are licenced to supply alcohol and all but one is licenced to sell alcohol. 41% are licenced to provide entertainment and one is licensed to provide late night refreshment.

24. There are **1,020 Premises Licenses** on issue. Of these (note some premises are licensed to perform more than one licensable activity):

- 864 premises are licensed to **sell alcohol**: 430 ‘on’ and 433 in the ‘off’ trade
- 476 premises are licensed to **provide late night refreshment**
- 381 premises are licensed to **provide regulated entertainment**
Applications for Licences

25. Croydon Council receives an average of 1,100 applications each year, spread as shown below. TENs account for 50% of licence applications made in Croydon.

<table>
<thead>
<tr>
<th>Licensing applications made each year</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
<th>5yr Ave</th>
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</thead>
<tbody>
<tr>
<td>Personal Licenses</td>
<td>257</td>
<td>304</td>
<td>291</td>
<td>263</td>
<td>406</td>
<td>1521</td>
<td>304</td>
</tr>
<tr>
<td>Club Certificates</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Variation in Club Premises Certificates</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
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<tr>
<td>Premises Licenses</td>
<td>68</td>
<td>67</td>
<td>48</td>
<td>44</td>
<td>72</td>
<td>299</td>
<td>60</td>
</tr>
<tr>
<td>Variation of a Premises Licence</td>
<td>24</td>
<td>17</td>
<td>13</td>
<td>17</td>
<td>13</td>
<td>84</td>
<td>17</td>
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<tr>
<td>Transfer of Premises Licenses</td>
<td>23</td>
<td>58</td>
<td>65</td>
<td>64</td>
<td>44</td>
<td>254</td>
<td>51</td>
</tr>
<tr>
<td>Variation of Designated Premises Supervisors</td>
<td>153</td>
<td>144</td>
<td>162</td>
<td>62</td>
<td>177</td>
<td>698</td>
<td>140</td>
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<tr>
<td>Temporary Events Notices</td>
<td>594</td>
<td>507</td>
<td>547</td>
<td>511</td>
<td>590</td>
<td>2749</td>
<td>550</td>
</tr>
<tr>
<td>Total</td>
<td>1119</td>
<td>1097</td>
<td>1126</td>
<td>961</td>
<td>1303</td>
<td>5606</td>
<td>1121</td>
</tr>
</tbody>
</table>

26. Applications properly made, and not subject to ‘relevant representations’ (see next paragraph) can be dealt with as a simple administrative process by officers in the Council’s Licensing Team. In this instance, proposals set out in an applicant’s Operating Schedule to meet the 4 licensing objectives, are adopted as enforceable conditions.

Responsible Authorities and Representations

27. The 2003 Act defines ‘responsible authorities’. It requires them to be notified of licensing applications and empowers them to make representations. This review found no evidence to suggest that this is not working well. With regards Premises Licences and Club Certificates, relevant representations can be made by the Police, fire services, Director of Public Health and the Local Authority itself, among others, as well as members of the public. However, only the Police can make representations in respect of applications for Personal Licences - and only they and environmental health authorities can object to TENs.

28. Relevant representations as a proportion of licence applications received in Croydon are very small. About one hundred representations were made over the past 5 years, an average of 20 per year. As such over 98% of all licensing applications under the 2003 Act can be said to be handled by the Council’s Licensing Team as a straightforward administrative process, i.e. without need for a Licensing Sub-Committee hearing.

<table>
<thead>
<tr>
<th>Representations heard by Croydon Council’s Licensing Sub-Committee</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
<th>5yr Ave</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Licenses</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Club Certificates</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Premises Licenses</td>
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<td>19</td>
<td>21</td>
<td>14</td>
<td>10</td>
<td>86</td>
<td>17</td>
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<td>Temporary Events Notices</td>
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<td>3</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>25</td>
<td>25</td>
<td>22</td>
<td>14</td>
<td>13</td>
<td>99</td>
<td>20</td>
</tr>
</tbody>
</table>

29. By way of breakdown:
   - 10% of representations were made by environmental services, e.g. noise pollution
   - 41% are made by the Police, e.g. non-compliance with conditions, crime, disorder
   - the rest came from residents, etc, e.g. anti-social behaviour
30. However, it should be noted that businesses extensively consult responsible authorities before submitting licence applications and say they are inclined to accept pre-approval advice to avoid formal representations later. One experienced representative attending our hearings argued that there is an ‘imbalance of power’ in the relationship. This has been claimed before. For example the London Assembly Police and Crime Committee in its 2016 ‘Policing the Night-Time Economy’ report stated that:

‘The trade is sometimes fearful of the repercussions of engaging with the police and licensing authorities. We heard that if a licensed premises reports a crime, it can sometimes result in its own licence being reviewed or revoked. This experience in some cases has led to a poor relationship between licensed premises and the police’

31. This review notes that:

- 5,076 Personal Licences have been issued by Croydon Council since 2005
- 1,020 Premises Licences are on issue and 51 Club Premises Certificates
- 1,100 new licensing applications are made on average p.a. of which 550 are TENs
- 100 representations were made against licence applications in Croydon over the last 5 years, which is about 2% of all applications made
- the overwhelming majority of new applications are therefore processed as a straightforward administrative process by the Council’s Licensing Team
- the small number of representations made may reflect the efficiency of the pre-approval negotiations that take place between enforcement authorities and applicants, but may reflect an ‘imbalance of power’ in the operation of licensing

Sub-Committee Hearings

32. In determining an application for a Premises Licence or a Club Certificate, a Licensing Authority must give appropriate weight to:

- the steps that are appropriate to promote licensing objectives;
- the representations … presented by all the parties;
- … [the Statutory] Guidance;
- its own statement on licensing policy’

33. Croydon Council’s Statement of Licensing Policy 2013 (published on 2 January 2014) is the Borough’s most recent.

34. The Statutory Guidance makes clear that a Licensing Authority’s determination must be evidence based, justified as being appropriate for the promotion of the licensing objective and proportionate to what it is intended to achieve. It should consider the ‘potential burden that a condition would impose on the premises licence holder as well as the potential benefit in terms of the promotion of the licensing objectives’. It cautions against the imposition of disproportionate or overly burdensome Operating Conditions or standardisation. Each application must be considered on its own merits.
35. Croydon’s Licensing Sub-Committee’s options are generally summarised by officers in published papers as being to:

- grant a licence or allow an existing one to continue without modification
- modify a licence or licence proposal
- remove the Designated Premises Supervisor named in a Licence
- reject an application for a licence
- suspend or revoke an existing one.

36. The Licensing Sub-Committee does not have the power to judge criminality or otherwise of any issue which is a matter for the courts.xiv

37. Licensing Sub-Committee hearings are quasi-judicial so it would be inappropriate for this review to comment upon individual decisions. However, it did look at the outcomes determined to obtain a general picture. The position over the last five years can be summarised as follows:

- about a quarter of licence applications were rejected by the Licensing Sub-Committee - consistent with the representations made
- a third of licences were modified
- suspensions occurred in 7% of cases
- revocations were made in 3% of cases
- a quarter of all licences considered by the Licensing Sub-Committee were granted without modification of the conditions contained in Operating Schedules contrary to representations made.

38. The Police account for 41% of all representations made to Croydon’s Licensing-Sub-Committee. The Statutory Guidance states that a Licensing Authority ‘should accept all reasonable and proportionate representations made by the police unless the authority has evidence that it would not be appropriate for the promotion of their licensing objectives.’xv This is an important test.

Two ways to initiate a review of existing licences under the 2003 Act:

i. Section 51 provides that a Responsible Authority may apply to a Licencing Authority for a review of an existing Premises Licence or Club Premises Certificate at any time

ii. Section 53A provides for a ‘Summary Review’, a quick process for attaching interim conditions to a licence and a fast track for review when Police consider a premises that is licensed to sell alcohol has become associated with serious crime, serious disorder or both. The intention behind the power is to tackle the use of dangerous weapons and the violence they fuel
39. In Croydon there have been 19 hearings arising from S51 and S53A reviews over the last 5 years (including two referred by the courts under Section 161 and two appeals).

40. Six hearings were for S51 reviews. They included one nightclub (Dice Bar), one pub (The Edge) and two bars (Mango and Apatura).

41. 13 were for S53A reviews, etc, plus 3 appeals. They included 2 public houses (Pitlake Arms and Portmanor) 3 nightclubs (Roxbury, Shoosh and Club 791) and two bars (Apatura and Shisha Oui).

**LICENSING ENFORCEMENT**

42. This review fully recognises Police operational independence and acknowledges that overall they do a good job to keep our streets safe, policing as they do by consent.

43. Against that backdrop and to help fulfil this review’s second objective, three big questions were considered throughout this review regarding Police enforcement of the licensing regime. Was there:

   i. a ban on ‘Bashment’, Grime, Dubstep and other Black music in Croydon linked to racial profiling?

   ii. an overbearing police presence that adversely impacted upon Croydon Town Centre’s image and specifically its NTE?

   iii. a breakdown in partnership working between Croydon’s Police Licensing Team and some parts of the Licensed Community and, if so, what can be done to restore it?
BAN ON BASHMENT LINKED TO RACIAL PROFILING

44. On the first of these questions, whether there was a ban on Bashment, Grime and other black music in Croydon linked to racial profiling, this review noted that this issue first came to public attention in 2008 in the context of enforcement under the 2003 Act.

45. This arose out of Met Promotion and Event Assessment Form 696 which is used to preview the risk associated with promoted events.

46. Questions on the original form (see extract) included:

- ‘Music style to be played/ performed (e.g. Bashment, R’n’B, Garage)’
- ‘Is there a particular ethnic group attending?’

The form also asked for all performing artists to be listed, e.g. ‘DJs, MCs, etc’

47. One newspaper report at the time summed up the position from a performing artist’s perspective. It read:

‘Kiss FM grime DJ Logan Sama has seen a number of grime and garage nights he was booked for closed down by the Met without any explanation other than references to ”intelligence about an incident”. This isn't good enough, as far as he's concerned: "Closure is not a realistic option - you can't just stop things happening because there's an implied threat there. It's very draconian. I was supposed to be playing in the grime room at the Music For You festival, and the police actually said, 'You can't have a grime room.'"

UNDERSTANDING BASHMENT

Extract from Decolonizing and Feminizing Freedom: A Caribbean Genealogy by Denise Noble

Dancehall, or ‘bashment’ as it is also known, has grown since its emergence in the mid-1980s to be the most popular genre of reggae music, within both its birthplace of Jamaica and the wider transnational cultural circuits mapped by the mass migration of Jamaicans and other Caribbean peoples to Europe, the USA and beyond. The sexual explicitness and erotic hedonism of Jamaican reggae’s bashment Dancehall culture is defined through the symbolic unity or homology (Hebdige 1979) of sexually explicit music, lyrics, dance and styles ... By the 1990s, Dancehall had begun to move from being an emerging subgenre within reggae to overtake the Rastafari-inspired ‘Roots and Culture’ genre of reggae that had dominated the 1970s and early 1980s. More recently, Dancehall has entered the global popular music industry, defined by large multinational recording companies with the production and marketing capacity to handle international markets.’
48. The Culture Media and Sports Parliamentary Select Committee, then chaired by the Rt. Hon. John Whittingdale MP, reviewed the position in 2008-09. Its report records that:

‘Feargal Sharkey also pointed to a steady move towards an increasingly authoritarian approach on the part of police authorities, especially the Metropolitan Police, who have asked London licensing authorities to include new conditions for live music events "in the interests of public order and the prevention of terrorism". The conditions, which are set out in the Metropolitan Police's Promotion and Event Assessment Form, commonly known as Form 696, include specifying the "musical style" to be performed at live music events and giving the name, address and date of birth of all performers.’

49. The Select Committee concluded that:

‘Form 696 goes beyond the requirements of the Act itself and its use is in our view beyond even what the Guidance accompanying the Act suggests might be appropriate. Licensing authorities should resist pressure from "interested parties" to impose unreasonable conditions on events. We believe that Form 696 is indeed unreasonable. Such a form goes well beyond the requirements of the Licensing Act, and has a detrimental effect on the performance of live music. We recommend that Form 696 should be scrapped.’

50. In the event the Met did not scrap the form but following a review revised it stressing that: ‘The decision to use Form 696 continues to be for the management of the premises to decide unless it is required as a condition of an operating license by a local authority.’

51. The Chairman of the Select Committee, John Whittingdale MP, expressed his concerns about the revised form. Hansard records him saying on 22 October 2009:

‘it is difficult to find any evidence to suggest that music in itself leads to violence. There is a worrying level of violence, particularly among the young ethnic minority communities in London, and obviously we want to support the police, but there is little evidence of an apparent linkage with music, and the requirement is doing real damage in two ways. It has led to some proposed performances being cancelled because the police have refused to allow them to go ahead …. Most worrying are the occasions on which the police have required events to be cancelled …. Originally, as he will know, the form required the identification of the type of music to be performed. That requirement has since been removed, but it is still widely believed that the form is being used to target black music events, and that is causing deep resentment among certain communities. The Minister will be aware of the importance at the present time of not alienating certain minority communities, and the form is a cause of resentment. I therefore hope that he will talk to the police and look seriously at whether it really is necessary to have the form at all. The Select Committee's view was that the form was unnecessary and unjustified and that it should be abolished.”
52. Croydon’s current Statement of Licensing Policy ‘recommends’ the use of Form 696 as a useful and effective tool for assessing the ‘likely risks from any promotion or event’. An event is deemed to be one that is:

- promoted/advertised to the public at any time before the event, and
- predominately features DJs or MCs performing to a recorded backing track, and
- runs anytime between the hours of 10pm and 4am, and
- is in a nightclub or a large public house.

The statement makes clear that where representations are made, the Licensing Sub-Committee will consider attaching conditions to licences and gives Form 696 as an example of such a condition. This review notes that this approach is only broadly consistent with the revised policy adopted by the Met in 2009.

UNDERSTANDING GRIME

Extract from (In)visible entrepreneurs: Creative enterprise in the urban music economy by Dr Joy White

Grime music emerged from east London in the early part of this century (Hampson, 2009; Hancox, 2013; Mason, 2008). It is a predominantly young, male and black creative expression, although it is not the exclusive property of the black Atlantic world (Gilroy, 1993, p. 3). Grime sits outside the usual musical conventions. Sometimes, it can be hard on the ear, the beats can be disturbing and brutal and sometimes the lyrics are lost or disguised. It is, however a means to express individuality in a public or community space (Carroll, 2008, p. 184). It is also a space where creative practice and commerce come together and enable the sale of black creative expression in a national and global market place (Hill Collins, 2006). This creative expression/creative enterprise can take the form of live performance, staging of events, the production and sale of mixtapes and other merchandise such as clothing and DVDs, sale of studio time and the creation and distribution of publicity and marketing materials. All of these products and services are exchanged for cash, recognition and knowledge. At its core are MCs, DJs, producers, beat makers and promoters, almost all of them male. Far from being a highly localised, niche creative practice, the act of creating Grime music propels its practitioners out into the world and away from ‘the ends’ [a locality or neighbourhood] or areas of advanced marginality (Wacquant, 2007).

53. Furthermore, this review found evidence that completion of Form 696 in Croydon was not always ‘voluntary’ as apt because some applicants for licences had little choice but to complete it. In one exchange regarding an application for a TEN (extract copied from public documents available on Croydon Council’s website and reproduced below), the Police Licensing Team says they have not been given advance notice of this event as recommended in Croydon’s Licensing Policy and ‘form 696 must be submitted prior to the TEN’.

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54. Another example (extract copied from publicly available documents on Croydon Council’s website and reproduced at the end of this paragraph) is the case of a bar owner who wanted to stay open late for a private birthday party. A member of the Police Licensing Team says in correspondence with the applicant ‘under Condition 9 of your premises licence I now require you to comply with the following form 696 measures. This is with immediate effect and includes your current dj and anyone who is either playing or is advertised to play to the public in the future. Please be aware that this request will not appear on your premises licence but you should treat is as though it is.’

Lastly, under Condition 9 of your premises licence I now require you to comply with the following form 696 measures. This is with immediate effect and includes your current dj and anyone who is either playing or is advertised to play to the public in the future. Please be aware that this request will not appear on your premises licence but you should treat it as though it is.

55. Turning to the part of the first question pertaining to the so called ‘ban’ on certain genres of music, this review studied all Premises Licences and Club Certificates issued by Croydon Council and found that none included a ban on Bashment, Grime, Dubstep, Drum and Bass, Hip-Hop, or any other genre of music in their Operating Conditions. None, therefore, provided such a condition for enforcement authorities to act upon under the 2003 Act.

56. This review received directly relevant evidence about a ‘ban’ on Bashment, etc, in three written submissions which are attached as a matter of public interest given the extensive media coverage given to the issue last year: one from Dice Bar (Mr Roy Seda, owner) (Annex III); one from Matthew’s Yard (Mr Saif Bonar, owner) (Annex IV); and one from Mr Gareth Davies investigative journalist and former Chief Reporter at the Croydon Advertiser (Annex V). As stated earlier, the outgoing Police Borough Commander declined to make a written submission which makes the police voice in this review weaker than ideal. We also reviewed academic research which shone a useful spotlight upon some of the wider issues and experiences elsewhere and received a written submission from Dr Joy White, independent researcher and grime expert who we co-opted onto the review team (Annex VI). This review tested the written evidence submitted at our two hearings together with views brought directly to the table. The Police were represented at both of our hearings. Nothing at the hearings or otherwise during the course of this review gave the Subcommittee any cause to believe that the contributions provided were not honest opinions.
57. In their written submission Dice Bar states that things changed in late 2014 when ‘a new Police licensing team took over’ in Croydon. This review notes that the timing coincides with the launch of Operation Equinox in September of that year which was designed to target crime associated with the NTE in the High Street of Croydon Town Centre. xlix

58. Dice Bar also claimed in their written submission that Croydon’s Police Licensing Team ‘began discouraging venues from playing certain genres of music, without the approval of the licensing committee’ and refer to a recording of a conversation held with the police said to allude to the ‘ban’. This review notes that Gareth Davies also refers to the recording in his written submission - and notes that it has been available in the public domain for over a year now and remains readily and freely accessible to anyone who cares to look it up. Indeed, this review notes that much of Dice Bar and Gareth Davies submissions are already in the public domain as part of a Licensing Sub-Committee hearing on 15 April 2016 and published on Croydon Council’s website.

59. Both Mr Davies and Dice Bar also drew this review’s attention to a piece of correspondence from Croydon’s Police Licensing Team to Dice Bar which states that "You have been given a substantial amount of support ….. particularly what this borough finds unacceptable forms of music. My office has received information that you are not complying with acceptable forms of music."

60. Mr Davies’ submission records interviews he had with promoters regarding staging events in Croydon (all were published over a year ago and are openly and freely available in the public domain and are repeated here in the public interest). He says:

- An experienced promoter, who asked to remain anonymous because he was worried about publicly criticising the police, told me that he had tried to book Thornton Heath rapper Stormzy and to play in Croydon but had faced "hurdles" put in place by the police. He said: "Promoting certain music types - grime, hip hop, drum and bass - in Croydon has been difficult. When we try to book anything deemed to be 'urban' we come up against hurdles which make it difficult to promote
young talent. There’s an undue concern that certain types of music promote violence. That’s what police in Croydon believe."

- Plastician, real name Chris Reed, is a pioneer of dubstep, a genre born in Croydon in the late 1990s. He spoke to us about why his home town continues to produce some of the biggest names in the British urban music scene, despite a lack of support from the authorities. There’s not even a proper nightclub in Croydon for people who want to go out and see a decent DJ or live act. All we have are bars with two-for-one drink deals …… We did attempt to start an event in Croydon called Filthy Dub… We had a successful launch, and locked a second date in, which was swooped on by police because there were "too many people in trainers and too many men" in the queue which meant it was going to be trouble, apparently. Within a few hours of it running, the police forced the venue to close after arresting a man inside on suspicion of dealing drugs. He was later released without charge. We moved our third party to Brixton after deciding Croydon wasn’t appropriate unless you’re doing something more commercial.

61. The written submission by Matthew’s Yard records the owner’s experience of licensing enforcement and also claims that there was a ‘Police ban’ on certain genres of music in Croydon. His submission says:

‘I had an informal meeting with the local police …. They explained concern over our moves from coffee shop to nightclub …. were concerned with House Music being on the bill and the mention of DJs. We discussed form 696…. I was told that certain types of music were not wanted. .. reeled off a list including “House, dubstep, grim [sic], garage, hip hop and ragga”…

62. This review noted that a guerrilla poster campaign took place in Croydon by way of public protest against the ‘ban’. One example (see photo below) read ‘NO BLACKS BASHMENT, NO DOGS, GRIME, NO IRISH DUBSTEP’.

63. Academic research shows that the Grime scene is actually a business sub-sector developed by young black men who often are not in education, employment or training (NEETs). Understanding this is essential if NTE best practice is to be developed that takes such interests into account. Such youngsters take the business dimension beyond live music through the creation of brands centred on themselves as performing artists but involving CD
sales, branded clothing lines, online TV stations, etc to generate sales income. This is of significance for Croydon because Grime stars are emerging from the Borough, such as Stormzy, Krept and Konan and Nadia Rose. All are MOBO winners and all important role models for their communities. Dr White states that, in her work that she has:

‘foregrounded the working lives of young people in the urban music economy, who draw on their passion for music to make meaningful work for themselves and others in an environment where opportunities are scarce. Although ‘the ends’ remain a site of repressive practices, where according to one of my respondents, the drug dealers are the ‘success stories’ these neighbourhoods also offer comfort, kinship and the raw materials for an innovative musical practice that allows for self-employment and enterprise.

‘And yet regeneration of these neighbourhoods, or districts, benefit some (usually the middle classes) but damages others (usually those who are already at a disadvantage) (Rosler 2011). In the discussion regarding creative clusters and creative cities in urban London what is often being talked about is the presence of new white middle class residents (Mayor of London 2010; Pratt 2009). In east London, for example, little reference is made to the existing creative practice of Grime artists, when expounding the virtues and economic relevance of the innovative hubs in Shoreditch and Hoxton. It is evident that the powers that be try to hang on to working class ‘authenticity’ and ‘grit’ while at the same time eradicating it from its place of origin (Zukin 2010).’

‘Through enterprise and enterprising activities in the urban music economy young black men, including those who are categorised as NEET - marginalisation notwithstanding - are drawing on a continuity of practice and creating meaningful work for themselves and others, And having something to do is key, because if one is doing something, then it opens up the possibility of being something.’

64. This review finds that:

- Met Promotion and Event Assessment Form 696 has long been open to accusations of racial profiling and is seen as problematic by the Licensed Community
- the Parliamentary Select Committee on Culture Media and Sport concluded during its 2008-09 review that ‘it is difficult to find any evidence to suggest that music in itself leads to violence’ and recommended that Met Form 696 ‘should be scrapped’
- current Met policy is ‘the decision to use Form 696 is for the management of the premises to decide unless required as a condition of an operating licence by a local authority’. Yet voluntary completion of the form where apt has not always been respected by the Police Licensing Team in Croydon
- no Premises Licence or Club Certificate issued by Croydon Council includes a ban on Bashment, Grime, Dubstep, Drum and Bass, Hip-Hop, etc, in its Operating Conditions. None therefore provide such a condition for enforcement authorities like Croydon’s Police Licensing Team to act upon under the 2003 Act
• Bashment and similar genres were treated as ‘unacceptable forms of music’ by Croydon’s Police Licensing Team and it did, in effect, impose what the press has called a ‘ban’ on Bashment, Grime, Dubstep and similar genres of music in Croydon.
• performing Bashment, Grime and similar genres of music is important for young Black artists and their potential to develop as entrepreneurs in an economic climate where many, as NEETs, have few prospects.
• the Licensed Community perceived a range of police enforcement tactics to be overbearing starting in 2014 although this review notes that the police disagree.

65. This review recommends that:
• completion of Form 696 is kept voluntary unless made an Operating Condition of a licence by Croydon’s Licensing Sub-Committee.
• the boundaries between the role of Croydon’s Licensing Sub-Committee and the role of law enforcers are kept clear.
• Croydon Licensing Sub-Committee’s annual training be reviewed to doubly reinforce respective boundaries in addition what can be considered ‘reasonable and proportionate’, ‘evidence based’ and what might count as ‘criminal’ and rightly a matter for courts to decide.
• the Parliamentary Select Committee on Culture, Media and Sport is lobbied to revisit its review of Police Form 696 to assess whether the Committee’s view remains that the form exceeds what is allowed under the 2003 Act and ‘should be scrapped’ given its potential adverse consequences for performers and BME communities in Croydon and beyond.
OVERBEARING POLICE PRESENCE

66. Turning to the second question, if there was an overbearing police presence in Croydon’s NTE, in his submission Mr Davies states with regards to the Dice Bar that: ‘at the time of my visit, the venue had at least three police officers stationed directly outside the entrance and two police carriers parked on the opposite side of the road. I witnessed potential customers walk away from the club after being confronted by the high level of security and police scrutiny.’

67. This review notes that Dice Bar makes similar claims adding that officers would also stand on our doorstep for the entire night, with a pen and note pad in hand’. Matthew’s Yard goes further claiming that

‘On 08 March 2014 a Hip Hop event ... was billed to take place. The event passed off trouble free. At the end of the night, two van loads of police officers arrived and carried out a stop and search operation on patrons as they were leaving. No arrests were made to my knowledge ....

In September 2015 we held our last Rum & Reggae .... Twice during the night a police vehicle stopped adjacent to our venue and unloaded several officers with sniffer dogs who intermingled amongst crowd enjoying a balmy September evening. No arrests were made....

68. Popplestone & Allen Solicitors (Mr Burnett) relying on evidence from his client, also supported the claims being made of overbearing policing during the hearings as did Bad Apple which explained that they had previously taken part in a Croydon Council Scrutiny meeting (on 16 February 2016) to share concerns about heavy-handed policing of Croydon’s nightlife but now there are not enough uniformed officers patrolling the streets.

69. This review noted Chief Inspector McMillan’s defence at the hearings of police tactics. In particular his view that it was always difficult to strike the right balance and that the priority for the police was to secure a thriving, safe, NTE.

70. This review also noted his explanation that the information disseminated to the public regarding the incident of a police van being driven on the pavement behind clubbers had been flawed and that the photo of the incident had been taken from a misleading angle. He stressed that “one size did not fit all” and that tactics must fit the situation, with each venue needing a different style of policing.
There is always a new way to say no’, and …. attention turned to new ways of differentiating between premises seen as acceptable and those perceived as unacceptable by licensing regimes. This was contrasted with licensees or managers who were not seen as effective business people. For example, a well-known Afro-Caribbean public house, the Mango, was closed by the police due to a drugs problem (although no-one was prosecuted) and the venue was handed over to the Star Bar syndicate of white business people, reputed to be former stockbrokers, who had a ‘business plan’, after the police had interviewed four other candidates….This had a distinct racial impact locally because it was generally black venues that were perceived as being both targeted by drug dealers and criminality and as lacking in business competence.

72. This review fully recognises Police operational independence and acknowledges that overall they do a good job to keep our streets safe, policing as they do by consent. Nevertheless, it finds that:

- perceptions of overbearing police tactics did arise from the usually large police numbers directly outside Licenced Premises and swoops on Licensed Premises
- high visibility policing coupled with the allegations about the Police ‘ban’ on Bashment, Grime and similar genres of music gave rise to negative publicity for Croydon
- although the Police disagree with these perceptions they responded positively to criticisms by reducing the number of officers patrolling the NTE in the town centre

71. This review further noted his explanation that about 20 officers had previously been tasked with patrolling the NTE in Croydon town centre before a police review, in response to comments from licensed establishments that policing was overbearing, had led to a reduction to 8 officers. The reduction had been determined using a national decision-making model, which involved on-going continuous dialogue with partners as well as examining local crime statistics and their impact on local businesses. He stressed that operational decisions were down to the police and intelligence led.
PARTNERSHIP WORKING

73. Turning to the third question regarding partnership working, the 2009 report by the House of Commons Culture, Media and Sport Committee on the Licensing Act 2003 concluded that:

‘The development of partnership working is an extremely important part of ensuring that the licensing objectives contained in the Licensing Act are achieved. We welcome the efforts made by all involved to develop and maintain successful partnerships and recommend that the Government should continue to promote partnership working as the most effective method to deal with licensing related issues.’

74. In its response, the Government welcomed the Committee’s recognition of ‘the successful partnership working that has taken place through such schemes as Business Improvement Districts, voluntary town centre and management initiatives and the Best Bar None awards scheme’ and committed to continuing to promote such working.

75. This review also noted that the need for ‘genuine partnership’ was a theme under the London Assembly Police and Crime Committee review of Policing the Night-Time Economy published in March 2016. It is generally considered to be best practice. With regards to Croydon, this review heard views from the Licensed Community about a breakdown in partnership working with the Police. This was dated as occurring in late 2014.

76. This review has already noted that this date coincides with the launch of Operation Equinox which a Police statement submitted to the Licensing Sub-Committee, in the context of the Dice Bar hearing, says was intended to address offending:

‘associated with the nigh [sic] time economy in the High Street within the Town Centre’. The statement makes clear that a number of activities were ‘instigated ... to address the rise in crime’ and that there were ‘meetings between the mangers of the key venues ... and the licensing team to highlight the purpose of the operation and to seek a partnership approach ... licensing objects was clarified along with the need to change a number of the working practice currently being undertaken including dress codes’. It goes on to say that ‘Whilst this engagement was ongoing ‘covert licensing visits’ were commissioned.

77. A desire to return to genuine partnership working was strongly expressed by members of the Licensed Community that took part in our hearings or provided written submissions. This was also reinforced by the British Beer and Pub Association (BBPA) (Mr Cathcart) which explained that ‘top down approaches do not work’ and that partnership working must be at ‘the heart of any successful and safe night time economy’ (Annex VII). Examples cited by them included Pubwatch, Best Bar None, BIDs and Street Pastors, all of which BBPA say have ‘proven their worth’ in NTEs throughout the UK. BBPA also stressed research had shown that widespread adoption of best practice usually leads to less crime and fewer
arrests. Popplestone & Allen Solicitors supported this point with regards to areas where strong BIDs operate.

78. This review heard that Best Bar None operated successfully in Croydon for twelve years before being stopped two years ago due to high resource demands placed upon the Council. However this review noted that a streamlined version of the scheme has since been developed and that Croydon BID has factored its principal running costs (of independent inspections and an annual awards ceremony) into the BID’s 5 year business plan.

79. All key parties at our hearings - the Police, the Council and the Licensed Community - acknowledged the opportunities for improvement in the future.

80. This review finds that:
   - partnership working is essential for the achievement of the 2003 Act’s licensing objectives as underscored by Parliamentary and GLA reviews
   - there was a breakdown in partnership working in Croydon particularly following the launch of Operation Equinox in 2014
   - genuine partnership working is highly valued and sought after by Croydon’s Licensed Community to promote best practice and has the potential to reduce the need for enforcement action

81. This review recommends that:
   - a senior a representative from the Council’s Licensing Team regularly attends Croydon Pubwatch meetings again, to help restore partnership working at an operational level in Croydon town centre – and a senior representative from Police licensing is encouraged to attend
   - the Council’s Licensing Team fully engages with the work being done by Croydon Bid to introduce a new, streamlined Best Bar None scheme in Croydon Town Centre to help promote best practice within key parts of the Licensed Community
CROYDON’S NIGHT TIME ECONOMY

Number of Licenced Premises in the NTE

82. The 2003 Act makes the provision of late night refreshment, i.e. hot food and drink sold between 11pm-5am a licensable activity. This review therefore takes the 11pm threshold as the starting time for Croydon’s NTE.

83. Croydon has 26 qualifying clubs, principally comprised of sports, golf and social clubs, with Club Premises Certificates that permit licensable activities to take place beyond 11pm during any week day (based upon the longest licensed day Mon-Fri). Of these, 15 are licensed up until midnight, eight until 2am; one until 4am. Two are licensed to supply and sell alcohol without any time restrictions.

84. 560 Licensed Premises across the Borough are authorised to operate after 11pm during any week day (based upon the longest licensed day Mon-Fri):
   - 142 to sell late night refreshment alone (mostly takeaways)
   - 88 are in the ‘off trade’ (small stores, supermarkets, etc)
   - 330 are in the ‘on trade’ (restaurants, etc)

85. Restaurants form the largest single group in Croydon’s NTE; 164 are licensed to sell alcohol after 11pm on a Friday night for example. However, 72% stop making sales by midnight; and 90% by 1am.

86. Croydon’s pubs form the second largest group. 70 are licensed to sell alcohol after 11pm on a Friday night. 62% stop sales by midnight; and 91% by 1am.

87. Only three Croydon pubs are licensed to sell alcohol until 2am and just one (the Tree House) up until 3am.

88. Bars are the third largest constituent part of Croydon’s NTE. There are 26 in total. Just over 42% are licensed to sell alcohol up until midnight; falling to 25% by 2am.

89. As can be expected Croydon’s 9 night clubs stay open later than other subsectors of the NTE but the number is very small and for many reasons, including those discussed in
earlier sections, the number has diminished in recent years, e.g. change of use due to rising residential property prices.

90. In sum, Croydon’s NTE is lively for two hours after 11pm after which the number of licensed premises authorised to sell alcohol falls sharply. Those licensed to sell late night refreshments decline rapidly too but proportionally more of them remain open into the early hours.

91. By 2.30am the licensed NTE across Croydon as a whole falls to just 85 premises. Of these, 41 are takeaways (dominated by fried chicken and kebab shops), 6 are off licences and 3 are petrol stations.

92. These aside, the Borough’s licensed NTE just after 2.30am on a Saturday morning can be summed up as:

- 15 restaurants (on trade);
- 7 nightclubs;
- 6 bars;
- 2 cinemas; and
- 1 pub

93. This small group of businesses may be a true reflection of demand for night life in Croydon or may in part be indicative of barriers to supply driven by policy, commercial considerations and enforcement of Croydon’s NTE.

Croydon’s Demographics

94. At the 2011 census, Croydon’s population stood at 363,000. 52.9% of the population was recorded as being ‘non-white’:

- Black people accounted for just over 20% of the total population; Asians over 16%; and people with mixed ethnicity 6.6% 
- 5.2% of people were aged 16-19; and 14.1% aged 20-29. The average was 36 years old
- 190,000 people (72.4%) were economically active in Croydon in 2011, with 105,000 in full time employment
- 9.9% of the population were retired
- Average income was about £24,000 pa
Furthermore, the Borough’s population is growing:

- it is now home to 380,700 people
- if Croydon were a city is would be the 8th largest in the UK
- 97,200 residents are aged 0-18, the largest population (25.8%) in this age group in London
- about 56% of the 0-24 population now comes from BME communities.

**Croydon Licensing Policy**

As stated at the outset, the UK Government aimed that the 2003 Act should encourage more diversity in the type of licensed premises present on the high street, to give consumers a wider-choice of where and how to spend their leisure time and to encourage a "café society" with more family-friendly premises where younger children could safely be present. At the local level, Croydon Council’s Statement of Licensing Policy 2013 states, among other things, that:

- ‘the Council recognises that a significant number and type of licensed premises in a particular area may lead to problems of crime, disorder and nuisance’ ...
- ‘in recent year’s Croydon town centre has been identified by the Police and the Council under their respective crime and disorder prevention responsibilities, as well as other stakeholders, as an area with serious nuisance and disorder problems arising from the large number of licensed premises situated in a small geographical area....

With regards the Town Centre, the 2013 policy includes a presumption:

- against ‘cafes/takeaways and/or mobile food vans providing late night refreshment’
- against new premises that will be used exclusively or primarily for ‘the sale/supply of alcohol and/or loud amplified recorded music’
- in favour of ‘diverse types of premises, i.e. for older clientele/over 21s, live music, restaurants, etc’

The Statement also designated four Cumulative Impact Zones elsewhere in the Borough in respect of the sales of off licensed premises and two special stress areas.

Finally as indicated earlier, the Statement also ‘recommends’ the use of Form 696 as a useful and effective tool for assessing the ‘likely risks from any promotion or event’ and anticipates that these will be completed in consultation with the Met. An event is deemed to be one that is:

- promoted/advertised to the public at any time before the event, and
- predominately features DJs or MCs performing to a recorded backing track, and
- runs anytime between the hours of 10pm and 4am, and
- is in a nightclub or a large public house.
Views of Stakeholders

100. The Licenced Community felt strongly at our hearings that Croydon’s Policy Statement needs to be revised to move away from its current presumptions against certain types of premises to a fresh approach that encourages greater diversity in Croydon’s NTE, reflective of actual demand from its large, diverse and young population. Pubwatch for example told the hearings that the offer was too much the same among late-night establishments and Dice Bar suggested that there are too few options with most night-clubs playing a particular type of 1990s music.

101. Boxpark (Mr McMillan) said that their recent launch event in Croydon was very successful and centred on Grime, which some people thought would be a problem. The goal was to create a platform to showcase Croydon’s talent and the launch event showed that Croydon can successfully host a big music event. Boxpark explained that Grime worked well and there is a lot of talent coming out of Croydon.

102. Croydon BID (Mr Simms) called for a Night-Time Marketing Strategy to be developed and Fairweather Productions (Mr Fairweather) muted the idea of a Night Czar for Croydon with some support.

103. Dice Bar’s priorities were for work to be done to improve Croydon’s image as a destination of choice for a night out. Another was a reduction in current Cumulative Impact Zones wherever possible, informed by hard facts. Expanding on this, they questioned the quality of some of the base data. This review notes that data quality came up as an issue under the London Assembly Police and Crime Committee’s review of Policing the Night-Time Economy in 2016. It agreed there is a correlation between the NTE and crime but concluded that the definition of crime being used is too subjective which led it to conclude ‘there is evidence of unreliability in the Met’s data’. It therefore recommended that the Mayor’s Office for Policing and Crime (MOPAC) introduce a national definition of alcohol-related crime. This will need to be kept in mind as work develops in Croydon.

105. BBPA and ALMR (Tony Sophoclides) explained that market research shows a trend away from large venues to smaller more quirky, diverse, ones. Bad Apple stressed the need for more licensing inspections and sensitive enforcement to drive up industry standards together with the widespread adoption of best practice.

106. Matthew’s Yard (MY) in their written submission suggested that the Town Centre’s live music sector could go one of two ways. It had the potential to become a truly diverse offering with a good mix of major players and intimate venues but if independents offering some live music are not supported, all intimate and independent live venues will be lost and we will have a staid and manufactured populist NTE, devoid of soul, heart or variety.
107. A mixture of views emerged from this review’s online survey, for example:

- ‘Please try to encourage a wide variety of businesses with appeal across age groups and communities to ensure a vibrant, mixed night time economy’
- ‘Hopefully that all views will be listened to and that this is a vision looking towards 2022 and beyond and is not shortsighted. Croydon’s night time economy has dramatically decreased in the view of someone now in their late 20s who has used Croydon’s night scene since a teenager. It is a common talking point among the 20-30 year old age group stating the poor state of Croydon’s night economy now in comparison to the last 10 years. Over policing not lack of policing has led to tensions, with many clubs being forced to close due to the scrutiny of over zealous safety measures.’
- ‘Anything you do will be a massive improvement. It can't get any worse, it can only get better and I for one can't wait! There is currently very little to do for many age groups. What is on offer is of poor quality and not very diverse. Each age group and gender needs to be considered in the development process.’
- ‘I think Croydon is ideally placed to enjoy an improved future as it already has great transport and generally housing located further away from nightclubs and the centre than in other towns, so noise concerns hopefully won't bother too many. There are loads of people who want to come here instead of Wimbledon or East London. Don't stuff it up.’
- ‘I'd like to see trams and buses on later at weekends so I can get home safely. I like the availability of cabs but they are FAR to expensive. Uber is much better! Safety is a huge concern for me. And venues for over 30s please.’
- ‘I disagree with the whole concept of 'Developing the night-time economy'. STOP IT!’
- ‘It's a great opportunity for Croydon if you get it right. It'll pay dividends and transform the image of the town. But you'll need to invest the money. The cutbacks in street cleaning are already having an effect - more beggars, more graffiti, more street drinking. It'll never be a destination of choice if it's dirty and run down - it just doesn't feel safe.’

**Work being undertaken by the GLA**

108. This review notes that the Greater London Authority has set up a review of the London-wide NTE. In particular the Mayor of London appointed a Night Czar (Amy Lamé) in November 2016 and a NTE Commission (Chaired by Philip Colvin QC) to help deliver a vision for London as a 24-hour city. Croydon Council is represented on the Commission and the Night Czar has already paid two visits to the Borough. This review notes that as ambassadors for London’s NTE, their role is to work with businesses, local authorities, the Met, Transport for London and consumers to help London thrive as a 24-hour city and concludes, as such, that there is no need to appoint a Night Czar specifically for Croydon.
Enforcement

109. In her thought provoking work ‘The Licensing Act 2003 and the Problematization of the Night-time Economy: Planning, Licensing and Subcultural Closure in the UK’, Deborah Talbot argues that:

The Licensing Act... will potentially strengthen the hand of well-organized and profitable chains or ‘drinking barns’ to the detriment of ‘hard to manage’ but possibly more culturally interesting premises. Such developments exemplify a neoliberal ‘culture of control’ that prioritizes risk and thus excludes on the basis of it. This potentially creates a problem for urban cultural development because, as the concept of subcultural capital (Thornton,1995) suggests, nightlife is only sustainable through innovation. In essence, therefore, the challenge for planners and regulators of the ‘night-time economy’ is to balance the perceived need for responsible management with the subcultural preconditions for a ‘vibrant’ nightlife.xxviii

110. In this vein, this review noted the following example among representations made in Croydon (and published on the Council’s website) and flags it up as something to be watchful of going forward with regards to partnership working and the adoption of best practice:

‘The surrounding venues are owned and run by large companies who have a wealth of experience in the night time economy and have the resources and experienced staff capable of operating in this environment. …. This premise is not the only one in the town centre who have had problems, but in my experience operators classed as ‘independent’ really struggle with the challenges faced in Croydon. As such the Metropolitan Police feel that trust and confidence in an operator’s ability are key.’

111. BBPA and ALMR gave evidence at our hearings, that market research shows a trend away from large venues to smaller more quirky, diverse, ones. Given this trend, partnership working with independents as well as chains appears vital for the future of Croydon’s NTE or the Borough risks being left behind.
112. **This review finds that:**

- Croydon’s population stands at 381,000 yet, takeaways aside, its licensed NTE at 0230hrs on a Saturday morning consists of just 15 restaurants, 7 nightclubs, 6 bars, 2 cinemas and a pub
- Croydon has a large population of young people with a majority from BME backgrounds and both should have their demands for nightlife provided for in the Borough’s NTE
- Music genres like Bashment, Grime and Dubstep are popular among Croydon’s young people yet urban music megastars like Stormzy and Krept and Konan who come from the Borough have found it difficult to perform here - until the recent arrival of Boxpark, a venture supported and encouraged by Croydon Council
- innovation is important for sustaining nightlife so it is vital that Croydon Council foster conditions that allow cultural innovations to thrive and for local talent to be showcased otherwise the Borough risks being left behind
- strategic intervention and planning is required to put Croydon’s NTE where it should be, capable of rivalling any large suburban town - after all, if Croydon were a city, it would be the eighth largest in the UK and our residents deserve a choice of nightlife commensurate with that status.

113. **This report recommends that:**

- Croydon Council reviews its Statement of Licensing Policy with a view to:
  - removing the presumption against granting new Premises Licences in Croydon Town Centre at hearings where an application is for premises that will be used exclusively or primarily for the sale of alcohol/ and or loud amplified recorded music in order to encourage fresh growth and diversity in the Borough’s NTE
  - removing the presumption of favourable consideration for ‘diverse types of premises, i.e. for older clientele/over 21’s, live music, restaurants, etc’ in preference of considering each case on its merits as part of a NTE Strategy
  - including a positive note to explicitly welcome all music genres at events in the Borough including those associated with DJs and MCs
  - ensuring that current Cumulative Impact Zones remain valid, testing the robustness of the data upon which current designations have been made, the definitions of drink-related crime used, and how such crime is counted
  - removing the current ‘recommendation’ that Form 696 should be completed, replacing it with a clear reference to Met official policy that completion of Form 696 is a voluntary decision for premises managers to reach unless made an Operating Condition of a licence by a Licensing Authority
- Croydon Council develops a NTE Strategy for the Borough, including a marketing element to improve Croydon’s image as a destination of choice, built around the
principles of diversity, inclusion and innovation, to meet the full range of viable demand among the Borough’s residents

- that development of the proposed NTE Strategy be overseen by a new high level strategic governance board headed by the Cabinet Member for Economy and Jobs with senior representatives from key stakeholder groups in Croydon invited to join
- that the proposed governance board be tasked with ensuring that:
  - the boundaries between the role of Croydon’s Licensing Sub-Committee and the role of law enforcers are kept clear
  - sole proprietors are always treated on their merits compared to chains
  - completion of Form 696 is kept voluntary unless made an Operating Condition of a licence by Croydon’s Licensing Sub-Committee
  - a senior representative from the Council’s Licensing Team regularly attends Croydon Pubwatch meetings again, to help restore partnership working at an operational level in Croydon town centre - and a senior representative from Police licensing is also encouraged to attend
  - the Council’s Licensing Team fully engages with the work being done by Croydon Bid to introduce a new, streamlined Best Bar None scheme in Croydon Town Centre to help promote best practice within key parts of the Licensed Community
  - sector trends are monitored and reported on to inform policy development and future policy adjustment

### Summary of Emerging Priorities for Croydon’s NTE

- Establishment of an overarching governance board for Croydon’s NTE
- Development of a NTE Strategy involving key stakeholders to plan the delivery of a diverse offer (in terms of music, entertainment, food, style, ambience, price range catering for different age groups including late teens), supported by a marketing strategy that aims to improve Croydon’s public image and attract new business
- Widespread adoption of best practice by the Licensed Community and enforcement best practice by enforcement authorities
- Genuine partnership working between the Police, the Licensed Community and the Council as Licensing Authority
- Appropriate levels of, and sensitive, policing of Croydon’s NTE
- A complete break from any spurious links between music types and crime and disorder
CONCLUSIONS

111. In conclusion this sub-committee was set up to achieve two objectives:
   o to carry out a review of the Policing and Licensing of Croydon’s NTE and to assess whether the current strategies, policies and actions of the various public and private bodies are fit for purpose, both for today and for the future, and for all sections of Croydon’s communities.
   o to investigate the concerns expressed by members of the public and business community engaged in Croydon’s NTE regarding its licensing and policing, to decide whether it is discriminatory or overbearing, and what lessons can be learned.

112. With regards to current strategies, policies and actions, this review’s key conclusion is that Croydon Council’s Statement of Licensing Policy should be urgently reviewed with a view to removing its current presumptions against new venues in Croydon town centre that will be used exclusively or primarily for the sale of alcohol/ and or loud amplified recorded music; and the presumption against ones attracting consumers under 21 years of age. All are key components of a vibrant and thriving NTE.

113. This review also concludes that there are huge economic and cultural benefits to be gained from developing Croydon’s NTE. At 0230hrs on a Saturday morning Croydon’s licensed premises in the ‘on trade’ consists of just 15 restaurants, 7 nightclubs, 6 bars, 2 cinemas and a pub which is small when contrasted with Croydon’s population of 381,000 which, if awarded city status, would be the eighth largest in the UK. This review therefore recommends that Croydon Council develops a NTE Strategy for the Borough, including a marketing element to improve Croydon’s image as a destination of choice, built around the principles of diversity, inclusion and innovation, to meet the full range of viable demand among the Borough’s residents.

114. Linked to this we conclude that Croydon’s NTE could benefit from new, strong, strategically focussed governance. We recommend that this is set up under the Cabinet Member for the Economy and Jobs given the goal is to grow Croydon’s NTE while meeting all other policy objectives, including the four statutory ones under the 2003 Act. We envisage this running alongside current governance arrangements led by Pubwatch for example which are very good at bringing key stakeholders together to address day-to-day issues of concern for key parts of the Licensed Community, and at promoting industry best practice such as Best Bar None.

115. With regards concerns expressed by members of the public and business community, this review concluded that the Police Licensing Team did, in effect, impose what the press called a ‘ban’ on Bashment, Grime, Dubstep and similar genres of music on some Licensed Premises in Croydon and that policing was at times overbearing. We note that the police deny this. The key lessons to be learned are for boundaries between the role of Licensing Authority and that of law enforcers to be kept clearer in future and for enforcement and licensing best practice to be widely adopted together with genuine partnership working with the Licensing Authority in the lead.
116. Regarding concerns expressed about racial profiling, this review concludes that the Parliamentary Select Committee on Culture, Media and Sport should be lobbied to revisit its review of Police Form 696 to assess whether the Committee’s view remains that the form exceeds what is allowed under the 2003 Act and ‘should be scrapped’. It has been noted that since this report has been under preparation that the Rt. Hon. Matt Hancock MP, Minister of State at Digital, Culture, Media and Sport has also called for Form 696 to be reviewed. This is welcomed. However this review’s recommendation is that the issue be considered, as before, by the Parliamentary Select Committee on Culture, Media and Sport as it is a national one, and not just for a London Borough like Croydon. In the meantime, we recommend that Croydon Council, as Licensing Authority, adopt and enforce Met policy that the form’s completion by the Licensed Community is voluntary unless made an Operating Condition of a licence by Croydon’s Licensing Sub-Committee.

117. Finally, this review acknowledges that much has happened over the past year to start turning things around following last year’s bad publicity over the policing and licensing of Croydon’s NTE. A new Borough Commander has been appointed and a new Croydon Police Licensing Team is in place. Other changes over the past year include the arrival of Boxpark in Croydon with help and encouragement from Croydon Council. We hope that the huge economic and cultural benefits of developing Croydon’s NTE will be seized by the Council with both hands and this report will help achievement of that goal.
# Project Brief

<table>
<thead>
<tr>
<th>Project/Report Title</th>
<th>Policing and Licensing of Night Time Economy</th>
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</thead>
<tbody>
<tr>
<td>Project Sponsor:</td>
<td>Cllr Callton Young</td>
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<tr>
<td>Project Executive:</td>
<td>Solomon Agutu</td>
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## 1. Outcome Required

To carry out a review of the Policing and Licensing of Croydon’s Night Time Economy and to assess whether the current strategies, policies, and actions of the various public and private bodies are fit for purpose, both for today and for the future, and for all sections of Croydon’s Communities.

To investigate the concerns expressed by members of the public & business community engaged in Croydon’s Night Time Economy regarding its licensing and policing, to decide whether it is discriminatory or overbearing, and what lessons can be learned.

## 2. Objectives

To scrutinise the policing and licensing of the Night Time Economy in the London Borough of Croydon - including its impact upon local businesses, on different parts of the local community and performing artists - and to make SMART recommendations to the Scrutiny and Overview Committee in November 2016.

## 3. Scope / Lines Of Enquiry

1) To review Croydon’s current licensing policy, administration and implementation.

2) To understand the police’s strategy and actions with regard to its policing of the Night Time Economy, the challenges they face, and the resources they are able to employ.

3) To test the validity of concerns raised at the February 2016 Scrutiny & Overview Committee meeting by members of the business community and the public regarding the policing of the Night Time Economy.

4) To establish whether or not certain types of music are discouraged in licensed premises in Croydon, or whether places that cater for a predominantly black clientele or play certain genres of music are treated differently from other venues or businesses.

5) To learn about best practice from other local authorities and police forces, and to assess whether or how this can be applied to Croydon.

6) To understand the changes that are likely to take place in Croydon’s Night Time Economy over the next 5 years, and to recommend actions for both public and private bodies on how to respond to these changes, including how we ensure the Night Time Economy is both safe and inclusive.
### 4. Stakeholders

- Croydon Council
- Business owners engaged in Croydon’s Night Time Economy
- Residents, employees and customers of Croydon’s Night Time Economy
- Musicians, performing artists and others engaged in or wishing to become engaged in Croydon’s Night Time Economy
- Croydon Police
- MOPAC
- GLA Lead
- ACPO
- London Night Time Commission

### 5. Tasks, Roles and responsibilities

- Scoping of Topic
- Research assistance direction
- Publicity and liaising with comms as necessary
- Call for evidence
- Reviewing the evidence
- Liaising with Stakeholders

### 6. Constraints

**Timescale:** To be completed by October 2016 in time to report to the Scrutiny committee on 1 November 2016

**Technology:** N/A

**Cultural/diversity:** Ensure that diversity issues are understood

**Environmental/sustainability:** NA

**Customer care:** NA

### 7. Interfaces with other projects

This follows on from the Scrutiny of the Croydon Night Time Economy where it was decided not to concentrate on policing as this would form a separate scrutiny.
1. **What are Scrutiny Committee quality expectations?**

1. A short sharp review
2. Participation by key stakeholders
3. Well attended meetings including police attendance
4. A sub-committee that is transparently credible and impartial in composition
5. SMART recommendations including best practice from elsewhere

2. **Governance**

The Committee/Sub committee is the Governance

The adhoc working Party will do the work.

Working Party members: Cllrs Callton Young, Paul Scott, Carole Bonner, Mario Creatura, James Thompson and two credible cooptees
- Chair as sponsor: Cllr Callton Young
- Executive: Solomon Agutu
- Head of Democratic Services and Scrutiny as Senior Buyer

3. **Key risks and mitigation**

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### Other information
Statistics required about when crime takes place on the 24 hour clock (6 months figures)
How many applications for Music licences made since 2004
How many refused and the names and types of the venues refused
How many representations made by Police and why
The number of pubs, clubs and music venues closed by the police since 2004 & reasons given

### Glossary

### Distribution

### Milestones

<table>
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<tr>
<th>Task</th>
<th>Date/Reference</th>
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<tbody>
<tr>
<td>Agree initial scope and initial lines of Enquiry</td>
<td>7 June 2016</td>
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<tr>
<td>Source external co-optees and seek confirmation</td>
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<tr>
<td>Appoint committee and agree a schedule of meetings</td>
<td>Report for 28 June Committee</td>
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<tr>
<td>Agree a schedule of meetings tasks and visits</td>
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<tr>
<td>And people to see/invite</td>
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<tr>
<td>Call for evidence (targeted and universal) including local publicity</td>
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<tr>
<td>Key stakeholders invited (police/ bars)</td>
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<td>Owners and complainants</td>
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<td>Member pre-agenda</td>
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<td>Meetings with other stakeholders</td>
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<tr>
<td>Publicity Schedule (including Twitter, Facebook Get Involved web pages)</td>
<td>At launch At call for witnesses At publishing of meetings</td>
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REVIEW OF CROYDON’S NIGHT-TIME ECONOMY: NOTES OF A LICENSING SUB-COMMITTEE HEARING HELD ON MONDAY 21 NOVEMBER 2016, 10AM - 12 NOON

PRESENT:

Committee Members: Councillors Callton Young (Chair), Carole Bonner, Mario Creatura, Paul Scott, Patricia Hay-Justice and Leroy Logan MBE PhD (independent adviser/ former Met Superintendent).

Witnesses: Paul Bossick (Bad Apple nightclub), Chief Inspector Duncan McMillan (Head of Licensing, Croydon Police), Jim Cathcart (Pub Operations Policy Manager, British Beer and Pub Association (BBPA)) and Jack Shepherd (Policy and Information Officer, BBPA)

NOTES

The Chair explained that the hearing is a part of a wider review process and Members were very much in listening mode at this stage. The outcomes sought were set out in the project brief prepared by Croydon Council’s Scrutiny and Overview Committee. They are twofold. First to carry out a review of the Policing and Licensing of Croydon’s Night Time Economy and to assess whether the current strategies, policies, and actions of the various public and private bodies are fit for purpose, both for today and for the future and for all sections of Croydon’s Communities. Second to investigate the concerns expressed by members of the public and business community engaged in Croydon’s Night Time Economy regarding its licensing and policing to decide whether it is discriminatory or overbearing and what lessons can be learned.

He reminded the hearing of the legal framework set out by 2003 Licensing Act, its policy objectives, the role of Croydon’s Licensing Sub-Committee, and of the Croydon Council’s Statement of Licensing Policy.

He said the latter presumes against new cafes, takeaways and mobile food vans providing late night refreshment outlets in Croydon’s town centre. It also presumes against premises used exclusively or primarily for the sale or supply of alcohol and loud amplified or recorded music. In contrast it presumes in favour of business proposals that involve older clientele, the over 21’s, live music and restaurants and those which suit the creation of a ‘cultural quarter’ within the designated town centre”.

The Chair stressed that striking the right balance in terms of choice of premises - the diversity and mix - was of paramount importance for the future of Croydon’s night-time economy.

Mr Bossick introduced himself as the owner of the Bad Apple night club. He explained that he had previously taken part in a Croydon Council Scrutiny meeting to share his concerns about heavy-handed policing of Croydon’s nightlife. Now, on the
other hand, central Croydon received very light touch policing, with not enough uniformed officers patrolling the streets. He explained that before the Dice Bar Premises Licence review started in March 2016, there had been large numbers of officers in high visibility jackets at club doors, which Paul Bossick stated put customers off from coming to Croydon’s clubs and bars. Now, in contrast, there are no uniformed officers around at peak trading times, and customers coming out of clubs have been bothered by others outside.

Committee Members enquired what kind of a police response could currently be expected after an incident had been reported to the police. Mr Bossick replied that the Bad Apple would call the police to the establishment about twice a week for follow up action on drugs confiscated by club staff or issues of theft. Police response times could take anything up to 45 minutes.

Chief Inspector MacMillan said he was the new lead police officer for licensing in Croydon. He explained that the target response time for 999 calls was 15 minutes and for less urgent 101 calls, 60 minutes. He explained that about 20 officers had previously been tasked with patrolling the night-time economy in Croydon town centre before a police review had led to a reduction to 8 officers in response to comments from licensed establishments that policing was overbearing. This reduction freed up officers to deal with the aftermath of a murder in Thornton Heath and associated gang activity.

Committee Members asked for more detail about how the decision was made. Chief Inspector McMillan explained that this was done using a national decision-making model, which involved ongoing continuous dialogue with partners as well as examining local crime statistics and their impact on local businesses. He stressed that operational decisions were down to the police and were based on intelligence received.

Members enquired about best practice in terms of policing areas with a high concentration of pubs and clubs citing the example of Norwich, which had a thriving club scene and was polic ed sensitively, with a big police presence but a friendly approach. Chief Inspector McMillan stated that Croydon was a very different environment from Norwich. He stressed that in policing licensed premises, “one size does not fit all” and that policing styles were adapted in line with the findings of local reviews and feedback from licensed premises.

Chief Inspector McMillan said that he was happy to explain the rationale underpinning the number of officers allocated to any one location. Regarding the town centre, he explained that a dip in offending had been followed by a recent rise in crime levels as well as an increase in the severity of offending. The police had also detected a degree of under-reporting. He added that these trends had led to a significant decrease in footfall, which have had a detrimental effect on local businesses and could facilitate further rises in criminality as areas of high footfall tend to “self-policing”. He called for improved partnership working to keep the town centre safer and observed that there had been no council licensing officers in attendance at the last Pubwatch meeting.
Mr Cathcart and Mr Shepherd explained that the BBPA did not usually have dealings with the very late night-time economy but got involved in national issues relating to the night-time economy, in matters relating to the management of licensed premises and initiatives such as Best Bar None.

Mr Cathcart explained that the BBPA supported the fact that different local approaches were needed to address different local needs. He stressed the importance of partnership working between pubs and clubs, the police, council licensing officers and other stakeholders, and of good communications between them. Top down approaches do not work. He stated that the Association strongly supported licensee-led Pub Watches, the good management of areas outside licensed premises by their managers, and the use of street pastors and taxi marshalls at the end of the night. Statistics bear out the fact that such best practice usually lead to less crime and less arrests.

In answer to a question regarding partnership work in the community, Committee Members were advised that Croydon’s Pubwatch was strong, that the Best Bar None initiative had been successful in the past (although this had not taken place in the last two years), and that businesses had good contacts with each other.

Asked about business trends in the last two years, Mr Bossick stated that his establishment had been quieter in the last few months. He added that young people tended to drink less these days and wanted a different kind of product, which may explain the fact that there were less night clubs in Croydon now than a few years ago.

BBPA representatives echoed this view, stating that the pattern of going out to the pub, then to the night-club, followed by a kebab and a return home around 2am was dwindling, though not disappearing altogether. Many customers were now after something different, such as cocktail bars. Emerging trends were also influenced by the improved entertainment offer at home through television and computers, which represent an additional form of competition for customer time.

BBPA representatives remarked that the Licensing Act 2003 had also had an impact on customer habits. The fact that pubs can also offer music has led to a decrease in high-end clubs, changing the structure of the weekend offering. The ban on public smoking had an impact too. It was also observed that market research revealed that there was a customer trend towards smaller, more intimate venues like late night bars, which is presenting challenges for large night clubs. Members asked if this national picture held true for a diverse community such as in Croydon where BMEs represent half of the population. BBPA explained that trends varied significantly between London boroughs and market towns but could not say for sure regarding Croydon.

Committee Members asked what could be done better by licensing authorities. BBPA representatives said best outcomes were achieved through meaningful partnership work and communications between licensing authorities, police and businesses. Trouble usually stemmed from top-down decision-making and setting unreasonable licensing conditions. These views were supported by Mr Bossick, who added that a good inspection regime and enforcement were also important. He
commented that there had not been any inspection rounds of licensed premises for a long time.

Mr Bossick stated that Croydon had a strong, engaged licensing sergeant working well with council officers, but that this was no longer the case. He felt that the staffing changes in the Licensing Team had led to a worsening situation, although Chief Inspector McMillan disagreed with this view point. Mr Bossick said that the council’s licensing officer no longer attended Pubwatch meetings. He felt this and changes in the Police Licensing Team had an adverse impact on the borough’s night-time economy, with venues being run at less than ideal standards.

Asked whether these changes might have influenced the decision-making of businesses considering whether to set up in Croydon, he answered that such decisions were based on commercial considerations rather than local licensing practice. Asked whether there existed a formal coordinating body that led on the Best Bar None initiative, Mr Bossick suggested that Pubwatch played that role in Croydon. In addition, he informed Committee Members an evening economy group had been set up by the Council to coordinate future events but its effectiveness was questionable. It last met on 9 May 2016 and no further meetings are currently scheduled.

Chief Inspector McMillan commented on an observation that the police had an undue influence on licensing decisions and stated that he disagreed, explaining that the police could make observations but not make licensing decisions. Asked whether he thought that the Licensing Committee was challenging enough of police observations, he observed that it seemed difficult to find clarity in the audit trail between observations made and the resulting committee decisions.

Chief Inspector McMillan was questioned about policing tactics during a recent night-time incident where an officer had driven a police van on the pavement outside a night club to disperse a group of clubbers who were simply standing talking peacefully in a group and asked whether the tactic was proportional or even necessary. A photo of the incident captured on CCTV had been widely used in the local press to highlight what was considered to be the overbearing nature of police tactics in the town centre.

Chief Inspector McMillan replied that it was always difficult to strike the right balance and that the priority for the police was to secure a thriving, safe night-time economy. He added that the information disseminated to the public regarding the incident had been flawed and that the photo of the incident had been taken from a misleading angle. He stressed that “one size did not fit all” and that tactics must fit the situation, with each venue needing a different style of policing. This represents a significant challenge for newly recruited police officers. At the end of the day, the priority for the police is prevention through dialogue, and Chief Inspector McMillan observed that there must be numerous undocumented examples of such practice, with PCSOs diffusing potential flashpoints through sensitive negotiation.

Chief Inspector McMillan raised the issue of dispersal notices in conjunction with ‘no drinking zones’, which he stated were not being used for their original intended purpose according to central government. As a result, he feared these powers might
be taken away and that local enforcement agencies might be left with a depleted range of enforcement tools to control anti-social behaviour. He also raised the issue of risk assessments for big events in Croydon (e.g. parades) and stressed the need to submit requests for these as early as possible, preferably about three months ahead of the event.

The issue of clubbers going to central London instead of staying in Croydon in the evening was discussed. It was acknowledged that good value night-time transport helped to make this possible.

Committee Members asked what was the vision for Croydon’s night-time economy, and what communications and relationships should be like in the future recognising current pressure on resources.

Mr Bossick stated that the town’s night-time economy would benefit from better participation in Pubwatch by relevant stakeholders, more licensing inspections and enforcement and the return of the Best Bar None initiative.

BBPA representatives stated that there was a lot of pent-up demand for developing better processes, and anticipate a lot of activity in this respect as building commences on the Westfield Hammerson development. They urged police and council officers to work together to ensure good systems were in place to license premises in the new development and protect them, and the public, against potential anti-social behaviour. They added that their organisation had published guidance on good practice, and would share this with the review.

Chief Inspector McMillan advised that the number of Police Officers in the town centre had recently been increased to 12 on the basis of intelligence, a recent increase in crime, the severity of offences and known under-reporting of crime. He added that there were opportunities for improvements in the future, such as involving the various stakeholders in the night-time economy - e.g. council licensing officers, street pastors and taxi marshalls - more effectively. He felt that further dialogue with the council’s director of safety was needed to bring this about.

In sum it was generally was agreed that a partnership approach which had worked well a few years ago had deteriorated somewhat and although some improvements had been seen since much more needed to be done to rebuild it to overcome the shared challenges of securing a successful and vibrant night-time economy. It was agreed that good partnership work and better communications were essential for future improvement.

The Chair thanked everyone for coming along and for helping with this important review of Croydon’s NTE.
REVIEW OF CROYDON’S NIGHT-TIME ECONOMY: NOTES OF A LICENSING SUB-COMMITTEE HEARING HELD ON MONDAY 21 NOVEMBER 2016, 2.30PM-5.00PM

PRESENT:

Panel Members: Councillors Callton Young (Chair), Carole Bonner, Mario Creatura, Paul Scott, Patricia Hay-Justice and Leroy Logan MBE PhD (independent adviser/former Met Superintendent).

Witnesses: Councillors Hamida Ali (Cabinet Member for Communities, Safety and Justice), and Jane Avis (Chair of Croydon Council’s Licensing Sub-Committee). Chief Superintendents Andy Tarrant (outgoing Borough Commander, Croydon Police) and Jeff Boothe, (incoming Borough Commander, Croydon Police). Roy Seda, (Dice Bar), Esther Sutton (Pubwatch), Steve Burnett (Poppleston Allen Solicitors), Tony Fairweather (Fairweather Productions), Tony Sophocles (Association of Licensed Multiple Retailers (ALMR)), Matt McMillan and Alex McCreedy (Boxpark), Matt Sims (Croydon BID), Andy Opie (Director of Safety, Croydon Council) and Michael Goddard (Licensing Manager, Croydon Council)

NOTES

The Chair explained that the hearing is a part of a wider review process and Members were very much in listening mode at this stage. The outcomes sought were set out in the project brief prepared by Croydon Council’s Scrutiny and Overview Committee. They are twofold. First to carry out a review of the Policing and Licensing of Croydon’s Night Time Economy and to assess whether the current strategies, policies, and actions of the various public and private bodies are fit for purpose, both for today and for the future and for all sections of Croydon’s Communities. Second to investigate the concerns expressed by members of the public and business community engaged in Croydon’s Night Time Economy regarding its licensing and policing to decide whether it is discriminatory or overbearing and what lessons can be learned.

He reminded the hearing of the legal framework set out by 2003 Licensing Act, its policy objectives, the role of Croydon’s Licensing Sub-Committee, and of the Croydon Council’s Statement of Licensing Policy.

He said the latter presumes against new cafes, takeaways and mobile food vans providing late night refreshment outlets in Croydon’s town centre. It also presumes against premises used exclusively or primarily for the sale or supply of alcohol and loud amplified or recorded music. In contrast it presumes in favour of business proposals that involve older clientele, the over 21’s, live music and restaurants and those which suit the creation of a ‘cultural quarter’ within the designated town centre"
The Chair stressed that striking the right balance in terms of choice of premises - the diversity and mix - was of paramount importance for the future of Croydon’s night-time economy. He asked if the policy should now be amended to make it more inclusive, even welcoming of sections of the Croydon’s diverse community who find themselves at the heart of this review.

Councillor Ali outlined role the Council plays in licensing is to process applications for licences. Part of that was an administrative process but additionally there was a Licensing Committee and Sub-Committee for situations where representations were made by residents or responsible authorities. She welcomed the hearing and the role it could play shaping the Council’s licensing policy going forward.

Responding to a question from Committee Members, Councillor Ali stated the Council wanted a vibrant and safe night time economy that was also diverse in its offer. Diversification increased safety and engaged the Council’s public sector equality duty so as not to focus the offer on one section of society. There was nothing in the statutory objectives that related to specific types of music that could or could not be played. It was acknowledged that many nightclubs had closed in the borough and the Council wanted to work with nightclub owners to ensure there was a good partnership. She committed to reviewing the Statement of Licensing Policy which she said should be evidence led and include analysis of available data on matters such as crime rates.

Councillor Avis welcomed the opportunity to deal with recent issues raised in the media and to update the Council’s policy. The Licensing Sub-Committee ensured that the Council was promoting the four statutory licensing objectives and ensured there is a fair hearing where objections are received. She added that the Licensing Sub-Committee was independent of the Police, and as Chair of the Committee she had only met with the police on two occasions. The Committee’s evidence could be found in the decisions it made - the Police did not always get the decision they wanted.

Commander Tarrant stated that the police want a vibrant, dynamic night time economy but also one that is safe. The Police’s licensing department ensure premises in the borough are well run and work in partnership. However Croydon town centre was the main violent crime hotspot in South London and the onus was on licensees to ensure their premises are properly run. There are a number of interactions between the police and a licensee before a summary review is issued. Croydon had many challenges; there was a decrease in footfall but an increase in assaults. Croydon needed to attract more people from outside the borough.

In response to questions from Committee Members Commander Tarrant stated that the reduction of officers on duty in the town centre at night was a conscious decision based on feedback from the local community, however the matter is always under review to ensure the police were getting it right. The police always encouraged dialogue and partnership with licensees, despite the media perception. There was also strategic dialogue with the Council including regular meetings with the CEO, Cabinet Members and the Director of Safety.
Ms Sutton said that Croydon Pubwatch was open to all licensees and was increasingly focussing its efforts on the night-time economy. The key thing was to be proactive not reactive. She lent support to Best Bar None welcoming it as a way of raising standards through competition. She bemoaned the lack of diversity in Croydon’s night-time economy where the offer was much the same among late-night establishments. She stated that there had been a significant breakdown in communication between police and licensees. However, there had been a marked improvement over the past six months under the new Licensing Team. Pubwatch wanted to see more engagement with the Council’s licensing team too as they are currently a key stakeholder missing in the dialogue. Responding to this last point, Councillor Ali said that there is a joint agency group that is co-chaired with the Council where strategic issues on the night time economy had been discussed. The Council’s licensing team was small with an intensive work load, so an important balance of resources was required to ensure engagement with licensees could be maintained.

Mr Burnett raised concerns that the police were the main source of information for the Council’s licensing decisions, for example all of the information informing Council policy regarding Cumulative Impact Zones came from the police. He was concerned about the quality of the data and argued that an imbalance in power in favour of the Police was contributing towards club closures in the town centre. Operators in Croydon perceived that the police were excessive in their handling of challenges presented by the night time economy. He called for increased training of police in the Licensing Team - and was supportive of Croydon BID explaining that nationally there has been a trend of crime reduction in areas there strong BIDs operate. Councillor Ali said that sources of information do go beyond the Police, for example via monthly Strategic Partnership meetings that include a broad range of stakeholders. Licensing Sub-Committee decisions had to be based on evidence alone.

Tony Fairweather raised concerns about gentrification of Croydon and the building of apartment complexes ever closer to the town centre which risked complaints over licensing of late night entertainment. He proposed that Croydon appoint a night time economy Czar in a similar manner as the Greater London Authority.

Mr Seda echoed what some other licensees had said, that all enjoyed good relations with the previous licensing Sergeant and was full of praise for a member of the new team whom he described as ‘wonderful’. He accepted that some bashment music, like many genres, could have offensive lyrics but said that he was diligent not to play such tracks at his club as it would be offensive to his customers who he wanted to keep. He stressed that his priority was to run his business well working in partnership with the Police. He offered to shake the outgoing Borough Commander’s hand - and move on.

Looking ahead, Mr Seda called for increased partnership working including by members of the Council’s Licensing Team attending Pubwatch meetings. He asked for work to be done to improve Croydon’s image too, as a destination of choice for a night out. He stressed the need for an urgent and objective review of Croydon’s Statement of Licensing Policy to reduce current Cumulative Impact Zones wherever possible, informed by hard facts. Expanding on this, he questioned the quality of some evidence provided by the Police. He welcomed the proposal for a Croydon
Night Czar and supported suggestions that more be done by to provide taxi marshalls, street pastors, etc to address issues off premises. He emphasised that often incidents arise because of individual behaviour not any fault of a premises or how it is run. He stressed that Croydon now had too few options in its night-time economy with most night-clubs playing a particular type of 1990s music.

Picking up from the idea of a Night Czar, **Matt Sims** called for a Night-Time Marketing Strategy for Croydon to be developed.

**Mr McMillan** said that the experience with Boxpark had been positive with regard to licensing. The launch event was very successful and centred on Grime music, which some people thought would be a problem. The goal was to create a platform to showcase Croydon’s talent and the launch event showed that Croydon can successfully host a big music event. He added that Grime worked well and there is a lot of talent coming out of Croydon. In response to questions from Committee Members, Mr McMillan stated that whilst the licensing process could be intimidating, the pre-application process provided for an open discussion and dialogue early on. However, the key was to create an atmosphere that provided help for running the licensee’s premises rather than just providing a list of rules to be obeyed. This should entail partnership working with licensees - going forward through a proactive formalised group. He also voiced his support for Best Bar None as a way of spreading best practice.

**Tony Sophoclides** stated that, nationally, BIDs worked because there was a buy-in from businesses. There was a link between the licensing regime of an area and its footfall. Simplicity and clarity in licensing policy was critical for this. If Croydon wants to attract new businesses this is best done by ensuring licensing policy is simple and fair to make life easier for new businesses wishing to start up in the Borough.

**Mr Sims** stated that Croydon BID wanted a thriving night time economy that was safe for all and provided for all. Croydon BID is focussed on the future and finding solutions. In response to questions from Members, Mr Sims stated that Croydon BID would play its full part looking for solutions to the night time economy. The collaborative relationship that BID had with the police and Council was good. It was recommended that, despite limited resources, regular engagement with licensees and the licensing department was essential. In addition, a formalised strategic group for the night time economy should be created to bring all key partners together. It was also noted that Croydon had run a very successful Best Bar None scheme in the past and that a new scheme was incorporated into BID’s five year business plan.

**Councillor Ali** undertook to review the Council’s Statement of Licensing Policy and **Councillor Avis** stressed her commitment as Chair of the Licensing Sub-Committee to maintaining public confidence and trust in the system. Potential concerns about the resource demands of Best Bar One were put on record.

The Chair thanked everyone attending the meeting for their contributions which will combine to form a key part of this important review of Croydon’s NTE.
My name is Roy Seda, I am a Director of Dice Bar, located at 36 High Street, Croydon. I have been living and working at this address since May 2012, as such I can provide the committee with my views as a resident, as well as my views as a business owner in the Croydon town centre.

Background

In 2012 there was a good partnership approach between the venues and police/council licensing authorities. We would receive a visit from Sgt Geoff Cooper and Mr Steven Moore on a frequent basis, who would check if we were operating in a professional manner in accordance with our license, useful advice was given to us, two way conversations would take place, information sharing, and together we would work at ensuring a safe and enjoyable night out for all. The approach was tough but fair. There was a real emphasis on working together for a safer Croydon, a “partnership approach” which is required under the Licensing Act 2003.

Unfortunately, in late 2014, a new police licensing team took over, and the approach from the offset was completely different. At the very first Pubwatch meeting we were informed that promoters who wanted to hold an event in Croydon had to first complete a promoters course. A number of promoters took their customers/events to other towns, which was a loss for Croydon’s night-time economy. When the officers were questioned at the Pubwatch meeting, how this had become the law, the officers said that they implemented the “law” themselves. I question whether this “law” had been approved by the licensing committee.

The police licensing team also began discouraging venues from playing certain genres of music, without the approval of the licensing committee. I came forward regarding this earlier in the year, which was well publicised in the local press, and I have provided the scrutiny committee with a lengthy document in relation to this, which sets out the chronological facts including emails, a letter from the licensing Sgt on Metropolitan Police letter head paper, which said that Bashment music was an “unacceptable form of music”, and I made a covert recording which confirms that the police licensing team told me to not to play Bashment music. Despite the overwhelming evidence I had, the Borough Commander rather surprisingly said in the media that it was my own idea to ban Bashment music, and said that it was my security provider’s idea, not theirs. The security provider wrote a letter to deny the accusation, a copy of which I forwarded to the scrutiny committee and my local Member of Parliament. No action was taken against the officers that banned music appealing to the black community.

There has been a negative racial undertone to policing of the late night economy, I was discouraged from permitting black members of the community from entering my venue. I also note from articles in the local press, that another Sgt who was part of policing Croydon’s late night economy made some shocking remarks “— including calling
Olympic athlete Mo Farah a “coon” while policing the London marathon, describing colleagues and members of the public as “spastics” and “scopeys” (after the disability charity Scope), and likening a room full of black diners to “the Amazon rainforest” during a work Christmas party.

But despite 11 members of her team coming forward to give evidence against her, it emerged during the hearing that a number of senior Croydon police officers had provided glowing character references as part of Sgt Treasure’s defence.

Reference:
http://www.yourlocalguardian.co.uk/news/14528372.Racist_police_sergeant_who_ignored_fatal_stabbing_received_glowing_references_from_senior_officers/?ref=rl&lp=2

I am encouraged to see the new appointment of Mr Jeff Boothe as the Borough Commander, and the words of the new Chief Inspector Duncan McMillian who stated that he would like to see a diverse and multicultural Croydon.

On or about 2015 the police launched Operation Govern, police officers were stationed outside every nightclub in Croydon, with riot style vans positioned on the High Street. Many of the venues voiced that it was over the top, and that it gave a bad impression of visitors entering Croydon as it looked like the police were preparing for a riot. The officers would also stand on our doorstep for the entire night, with a pen and note pad in hand. I later realised that they were evidence gathering with a view to closing venues, as well as stopping misbehaviour in the town centre.

This continued for over a year, and was described by some as a draconian style of policing. Police would frequently enter our venues during busy periods, and carry out drug tests in the toilets. On one occasion several police officers and a police dog marched into the building, the police dog sniffed all the customers, no drugs were found, and I could see that customers were shocked. It looked and felt like a police raid.

As visitors to Croydon were leaving the nightclubs, the police would move them on, which is not necessarily a bad thing, however the approach from some officers was too aggressive, and gave visitors a bad impression of a night out in Croydon.

Unfortunately, a small minority of people do misbehave under the influence of alcohol, despite our best endeavours for them not to. The licensing team then blame the venue for other people’s actions and threatened closure of our business and livelihoods, which is a very difficult pill to swallow especially when one has done everything that one can.

I also recall that the Police Licensing team did not attend the Pubwatch meetings for several months, which was in stark contrast to the predecessors, who not only attended every meeting, but also ensured that all venues attended.

The partnership approach between venues and the police was so bad, that the Croydon BID set up a separate Night Time Economy meeting where the Police Licensing team would attend with the late night venues, however that soon fell apart. Various venues said in the press, that the relationship with the police licensing department and the venues was not where it should be.
The current state of affairs
Since the successful defence of our premises license, there was a drastic shift in policing of the night time economy. From a sea of police officers on the High Street, there was absolutely none to be seen. A police CCTV camera has been erected next to my venue to record any incidents, and I believe there has been undercover police officers in the area. However there has been a serious lack in visible policing.

At the Pubwatch meetings with the police on or about May 2016, and subsequently every month, we questioned the police why this was the case, and we were told that a plan was being developed. Several months have passed without any visible police officers patrolling the night time economy.

I am shocked that a plan has taken this long to implement, and the risk this delay has caused to visitors to Croydon. Imagine for a moment if venues did not employee any security for their night clubs, I doubt that the committee would have any confidence in the operators.

The venues have questioned why has it taken so long for the police to put a plan in place.

On 2nd November 2016, at the Pubwatch meeting, we informed the police that there is now a gang loitering on the High Street who posed a serious risk of harm to members of the public. On 11th November 2016 we witnessed the same gang carry out an unprovoked attack on a member of the public using a weapon. Such attacks will continue if the matter is not addressed urgently.

Through the Pubwatch scheme we have collectively written to the Chief Inspector proposing how we would like the town centre policed for the night time economy.

Croydon’s night time economy has changed over the years. When we first arrived to Croydon, the town had a busy and vibrant night time economy, venues would be busy on Tuesdays and Thursdays, as well as both Friday and Saturday nights. Currently a number of operators have found it has not been viable to open late nights on the weekdays due to lack of trade, and Friday nights in the town centre have also been very quiet. Currently the lack of footfall is a serious worry to myself and other operators in the town centre. The night time economy is in serious decline. In order to keep a night time economy in Croydon, I implore the Council to take swift action.

I would suggest, a fresh start with a new Police Licensing team, closer involvement with the Council’s licensing team, a balanced approach to policing of the night time economy, improved and welcoming street lighting in the town centre.

Roy Seda
Dice Bar
MATTHEW’S YARD

Background:
Matthews Yard opened April 2012 (four and a half years ago) as response to the Croydon riots, by offering an alternative community space. Originally conceived as a cafe and workspace, it expanded into live music and entertainment venue, now operating a cafe, bar, live music venue, studio theatre and art gallery from the space.

Typical events include meet and greets, community activities, album launches, live recording and showcases. Tues evening open mic events have become well-established, recently attended by X Factor scouts. MY has a community focus at its heart.

1. How is the Licensing Act and the policing/ enforcement of it working for you/ your venue?

In early days when core focus was as cafe-bar and workspace we received little input from licensing at the LA or MPS. Once we began hosting events with live music and DJs and applying for temporary late licences this began to change.

In October 2012 our premises was granted a license from the local authority. No objections were put forward from the local community, local authority or other statutory agencies. The police as is standard procedure and their power imposed a series of conditions on the license regarding CCTV, adoption of the Safer Croydon Radio system and the implementation of Challenge 25 policy. The Local Fire Brigade licensing liaison came to inspect the premises and was satisfied. He made some helpful recommendations and remarked that in all his years in the job, the licence application and supporting documentation he received was “the most comprehensive he had encountered”

In February 2013 we held our first “major” event (approx 80 people), a joint birthday party and launch party for Beats & Eats a new food and music fusion brand being started by Croydon residents to help instil a sense of community and bring families and people from all walks of life together in the interest of food and fun. The event was free and no share of the bar revenue was provided to B&E (who are now working with the LA on live music and rejuvenating the Surrey Street Market nearby.

Shortly after this event was held, I had an informal meeting with the local police licensing sergeant and licensing officers at MY. They explained concern over our moves from coffee shop to nightclub, after intelligence offers collected flyers for B&E event nearby. They were concerned with House Music being on the bill and the mention of DJs. We discussed form 696s. During this meeting I was told that certain types of music were not wanted. When asked for clarification I was reeled off a list including “House, dubstep, grim, garage, hip hop and ragga”. Officers present discussed concerns with the fact the B&E event was free and the promoters had gone to the cost of putting on the event without financial reward. This led them to suggest, if not assert, that the organiser must be selling drugs to fund the event.

Aside from this, the officers were generally friendly and highlighted several deficiencies in our record keeping, suggesting we make improvements. On this side, their lenient approach was appreciated.

On 08 March 2014 a Hip Hop event titled Cypher Lounge was billed to take place. As it was a DJ led Hip Hop night we completed a form 696 together with the promoter as instructed by the Police licensing officers in the meeting held earlier in the year. The 696 was approved by central intelligence however the police advised us to cancel the event as they feel there was risk associated with regards to drug use.

We considered the advice, and after discussions and assurances from the promoter we doubled
our security cover for the event, increased management presence and informed all staff on duty to be extra vigilant. The event passed off trouble free. At the end of the night, two van loads of police officers arrived and carried out a stop and search operation on patrons as they were leaving. No arrests were made to my knowledge.

On 12/06/14 I was called for an informal review in council offices with LA Licensing Enforcement Officer and LA Licensing Manager. During meeting I was told that there had been dozens of complaints from residents, but was not told the time-frame or substance of complaints. At one point EO threatened imposing sound restrictors and DB monitoring equipment. Licensing Manager interjected stating that was not necessary at this point. Was told by EO “I thought I was a law unto myself” and “I keep sticking my head above parapet, and I know what happens then?” on clarification “they get shot”.

Towards the end of 2014 MY was in significant financial trouble. We had made various modifications to operating hours, types of events we hosted and removed DJ led events altogether from our schedule, to reduce the risks associated with licensing and due to the informal pressures we were faced with.

Desperate to plug cash-flow gaps and knowing the lucrative nature of bar takings on well attended live music nights, we set about promoting our own range of live music events, names Rum & Reggae & Bourbon & Blues. In September 2015 we held our last Rum & Reggae with headline act Fowokan a 7 piece reggae band. About 80 people attended. Twice during the night a police vehicle stopped adjacent to our venue and unloaded several officers with sniffer dogs who intermingled amongst crowd enjoying a balmy September evening. No arrests were made.

In 2014 we began operating a concession-based-model where the food and drink was provided by independent parties. Over the course of a year this expanded to include 2 food and drink concessions, a dedicated live venue with bar, a gallery and studio theatre.

In August 2015 we had a visit from the licensing officer who flagged some oversights and was very supportive of Matthews Yard overall. He seemed concerned that the local authority licensing team may be less happy with our arrangements.

The next day the LA Enforcement officer was in touch and a meeting arranged with a physical inspection of the premises. The premises was undergoing some minor remodelling to better accommodate the concession model. On visual inspection the EO was very supportive and flagged a few issues of minor concern, but said that overall they were very happy and we should submit a full license variation to accommodate the changes as soon as possible, but that there was nothing to worry about and it would “all be waved through”.

We submitted a brief and hurried application to comply with the request and heard nothing back. After 28 days, any variation is passed if no objections are raised. Several days after the statutory period had ended we received an objection from the LA which included hurried reports on unheaded documents or emails attached. The reports contained several inaccuracies and were particularly vague and broad in the nature of issues flagged. For example “an abundance of flammable materials throughout the premises” (within 3 hours we removed drapes from the theatre and curtains from the live music room and cafe). Additional deficiencies were also highlighted and while these should not have existed, the majority of legally mandated adjustments could have easily been made and implemented.

The following day the Fire Officer visited and made a number of recommendations, some of which contradicted the suggestions of the LA officers. We were given until 20 June 2016 to make a number of remedial changes and have subsequently completed those and more improvements to ensure our premises is as safe as possible. Shortly after issuing an enforcement notice the fire brigade officer visited our premises while off duty to check on progress. He suggested he had been asked to do so by the LA and that he had told them to “back off”. During this visit, the fire officer
asked if he could review an adjoining commercial premises briefly to provide informal tips and advice to help reduce costs. On my agreement and having entered premises, the officer subsequently flagged several issues and then called in a full review of the premises by the local authority and fire brigade the following day in which 6 officials were present to inspect the premises. Again FB and LA advice conflicted. LFB officer said to ask LA to put everything in writing and check with them as “they don’t always know what they are talking about”

The outcome of these two visits has been additional expenses of more than 25k. When fire alarm systems were inspected following remedial work a surveyor asked why there were so many smoke detectors in the premises, when I told him we were advised to add them by the LA officer, he responded “we had been led up the garden path” and spent significant amounts of money unnecessarily.

Overall we have received mixed messages from different officers in different organisations on the actions we should and should not be taking. We have always worked to accommodate requests, even when they have been made informally and do not necessarily have a basis for compliance in law, this has often costs us significant amounts of money in either lost trade or direct costs for security or similar. The system is imbalanced and there is too much power in the hands of too few people with insufficient means or avenues to flag problems or complaints.

2. In your experience, is there a willingness for enforcement/ regulatory agencies to work collaboratively and pragmatically for positive ways forward?

London Fire Brigade were pragmatic. They gave us sensible timelines and their demands were reasonable not excessive. The police at times were also friendly and helpful offering pragmatic solutions, other times their approach seemed draconian and formulaic.

The Local Authority got really pushy. Even the Fire Brigade had to intervene and tell them to “back-off” when the local authority tried to bring forward fire improvement deadlines, typifying how they seemed to be able to exercise an undue amount of control, with no accountability and not enough checks and balances in place. There were too many inconsistencies – was it one person? Was it a case of too much power for too few? The fact premises can be closed arbitrarily and without notice leaves licensees vulnerable and at the mercy of licensing authorities to be more compliant than is required by legislation. The cost of losing trade, even for a temporary weekend closure, versus the cost of complying with a unjustified request to cancel an event need to be carefully balanced. In my opinion there is a culture of forced compliance above and beyond legislative means because of the imbalance of power and lack of scrutiny in this area.

3. Are there any new initiatives that have helped music venues operate successfully in your town centre?

There’s nothing of value that I’m aware of. It’s as if the council absolved themselves of licensing responsibility, and deferred to the Police. The Police went way beyond their remit, singling out performances of genres for special attention - Reggae, Ragga, Dubstep, Dance Hall, Bashment and House.

One or two local councillors pushed the issue and discussed it at scrutiny earlier this year, which led to a handful of venues having the confidence to speak out.

At one point in recent years Afro-Caribbean premises in West Croydon displaying flyers and posters for certain events would come under pressure to not advertise/ display promotional materials for events which covered certain genres of music.

We found that despite working within licensed hours we had undue pressure from police and other licensing figures, despite never having had a need to call the police or emergency services for an alcohol, drugs or violence related incident throughout the time our venue has been operational.
4. Post 2010, when responsibility for the Licensing Act transferred from DCMS to the Home Office, (a move away from ‘light touch regulation’ to focusing on crime and disorder, alcohol abuse and harm), what if anything has changed, and are things better or worse?

We weren’t operating pre-2010

5. Any recent issues regarding noise (either during gig or dispersal), alcohol, drugs, anti-social behaviour, nuisance? How was this resolved?

We have had one statutory visit from environmental health this year, who claim they need to visit whenever a complaint is filed, even if the complaint is from the same complainant. As part of our duty as a licensed premises and active member of community we proactively work to inhibit the impact on neighbours and the noise generated by our premises. We have invested significantly in soundproofing and have implemented policies which restrict drinking outside. On busy nights we employ security, even when there is no license condition to do so. We intentionally applied for reduced outside drinking hours, display signs asking patrons to respect neighbours and leave quietly and have an open door policy so those affected by our presence can discuss issues with us face to face.

At an informal licence review, the authority’s licensing officer & licensing manager couldn’t agree on ?? .

The licensing officer would refer to complainants [to justify a stance] yet wouldn’t divulge the precise nature of complaints. He threatened noise restrictions, yet the Licensing manager couldn’t agree with his own colleagues demands.

Not once since opening have we had the need to call the emergency services for an alcohol, drugs or violent incident. (We call ambulances regularly for the general public (homeless or vulnerable people mainly) who stumble into our premises or collapse nearby.

6. How might smaller venues meet the implications of licensing conditions? (e.g. a small venue might only be open 2/3 nights a week; impacts on ROI in, say installing CCTV or metal detectors etc)

Our licence had conditions attached by the police form the outset governing CCTV, Safer Croydon Radio, Challenge 25 and several others were already in place. There is a policy that venues must have at least 2 x door staff if opening beyond certain hours and the cost makes it prohibitive for us to be a late night venue. During a recent Crystal Palace football match taking place several miles away and not screened in our premises we were asked to employ 2 security all day, check id of all customers, refuse entry to away fans based on the postcode on their driving license and serve all drinks in plastic cups. This cost us several hundred pounds and wiped out any potential for profit that weekend.

7. How would you characterize the E and NTE in your town centre / metropolitan area [distinguish between the E and NTE]

Both are essentially dead on their feet at the moment, but with hopes of a revival in the offing.

Some demographics faring worse than others. Low cost town centre chain pubs such as Wetherspoons and The Goose are relatively bouyant. The independent venues trying to do something different struggle because of negative perceptions of the town and a very difficult business climate. These were compounded by over zealous policing and has lead to the closure of numerous venues. Following a public scrutiny of town centre policing at which there was outcry at the strength or the prominence of the Police presence, there was a huge reduction in policing from as many as 50 officers to almost none – an extreme knee jerk reaction.

It feels as though there are too many power-plays occuring behind the scenes – playground politics and an unfair at best application of the rules and regulations. It can’t get much worse.
8. Thinking about Croydon town centre in general, is there a prevailing view on the vibrancy of the sector? Could the council do more and if so, what?

The Council has started to do more; a cultural czar has recently been appointed. At a panel meeting of twelve or so members held to discuss the future of culture in Croydon, I was the only person to raise concerns at the lack of BME representation and to voice concerns that the majority of the meeting was aimed at discussing allocation of additional public subsidies to BoxPark, which would otherwise have benefited live music venues across the borough. I was never invited back.

There’s irritation that the reallocation of funds from the council’s Ambition festival could’ve been better spent – they went to Box Park – an already well-funded regeneration initiative which was invited to the town by the local authority on the back of interest free loans. The venue which features a fistful of local traders while of benefit to Croydon in PR terms is mired in controversy when its public subsidies are so high, yet there have been hard hitting cuts across all manner of services. It was not until the launch night that BP Croydon announced their latest venture would be food and events only, with no retail offering. Much to the dismay of residents, business and the council, who hoped BP would help plug the void that will come to Croydon town centre when Whitgift centre is demolished to make way for Westfield.

To rub salt in the wound, the management level officer working at the local authority within economic regeneration and responsible for pulling the deal together, left to become a Director of BoxPark Croydon, very soon after the deal had been signed.

9. If there’s one change you’d like to see - whether it’s LA, Police or the wider macro environment to help the sector and its ENTE - what would it be?

1) It’s time for the Mayor of London to take control of the licensing function and spearhead a simplified, streamlined and more efficient multi-agency licensing function which is fit for the 21st century. A transparent, public, fair and even application of the rules, which should be communicated clearly and concisely to all licensed premises.

2) Independent live music is at the heart of British culture and it has been in terminal decline for decades. Without help, support and subsidies to nurture this vital element of the night time economy independent live music venue will continue to die out, depriving the next generation of musicians opportunities to perform and grow their talent and depriving everyone of the benefits of a diverse live music scene.

BoxPark absorbed a disproportionate amount of GLA funding that went to the local authority and was then loaned to Boxpark, interest free.

These funds should have been shared with more grass roots arts, cultural and community organisations to help maintain and build on the diverse community that is building, against the odds, in Croydon. Box Park should have been match funded by its shareholders as a minimum rather than being presented with a multi million pound loan and favourable event management contracts which offer ongoing subsidies of hundreds of thousands of pounds. BoxPark has taken zero risk with their new venture with 100% loan funding being provided by the LA with little or no interest payable and all risk shouldered by the council tax payer should it all fail.

10. What might Croydon town centre’s live music sector look like in ten year’s time, all things remaining as they are currently?

Could go either way.. potentially a truly diverse offering with a good mix of major players and intimate venues. But if the independents like MY, Oval Tavern and other places offering some live music aren’t supported then it will go the other way and all intimate and independent live venues will be lost and we will have a staid and manufactured populist NTE, devoid of soul, heart or variety.
GARETH DAVIES FORMER CHIEF REPORTER, CROYON ADVERTISER

My name is Gareth Davies. Up until June of this year I was the chief reporter of the Croydon Advertiser, where I worked for eight years. While I have lived in the borough for that length of time, and had extensive experience of the town's night time economy as a resident, it is primarily through my capacity as a journalist that I write this submission to the council's review. Additionally, though I have covered Croydon's night time economy, specifically its deterioration since 2008 in some depth, this submission is primarily concerned with my investigation into the policing of Dice Bar, in High Street, though it is my belief that this is relevant to the wider situation in the town centre.

I first came into contact with Dice Bar, and licensee Roy Seda, in January 2015. Speaking anonymously, Mr Seda described how an event at the venue had been cancelled by the police because it featured certain types of music.

(http://www.croydonadvertiser.co.uk/testing-testing-music-promoters-told-pass-exam/story-25942710-detail/story.html)

The promoter behind the cancelled event had written on Facebook: "I have to cancel this event sorry peeps. [The club owner] has just come out of the police station and [they] have told him he has to play pop music only in his venue for the time being because the police are trying to 'clean up the town', so no drum and bass."

Mr Seda, not named in the article, added: "We've been told [the police] don't want drum and bass parties and they don't want bashment."

A Metropolitan Police spokesman rejected the accusation, explaining that any decision to prevent a promoted event being held in Croydon was done based on "concerns it could lead to crime and disorder or be a threat to public safety, regardless of the type of music being played."

It may be important to note the date of this story, as the police have since tried to attribute Mr Seda's allegations as an attempt to distract from, or respond to, their criticism of the way he operates his club. At this point they had not made their concerns known. In fact, Mr Seda explained that he wanted to remain anonymous because he hoped to continue to work with the police to allay any concerns they might have.

In July 2015 I met with Borough Commander Andy Tarrant on an unrelated matter. Before the meeting began he volunteered some information that he said I might be interested in, explaining that his officers had temporarily closed the Dice Bar the previous weekend. When I asked why the club had been closed he gave very little detail other than to say there were "licensing irregularities" at the venue and he had "concerns about how the place is being run".

I contacted Mr Seda and offered him the right of reply and he explained that customers had been involved in antisocial behaviour after closing time (though not inside or directly outside the venue). He insisted that he ran the venue responsibly and expressed concern about the impact poor licensing practice could have on Croydon's reputation, adding: "I care about Croydon and the way it is perceived."

A Metropolitan Police spokesman later added that the Dice Bar had been closed for 24 hours on a Saturday night as "that's when the problems were arising". Note there was no mention that the incident that led to the closure had occurred in Surrey Street or that the man involved was suspected as having been in possession of a knife.
In **November 2015**, following the success of Thornton Heath musicians at that year's MOBOs, council leader Tony Newman told me that he felt "draconian" police tactics were giving urban music artists and their fans "the impression they are not welcome in Croydon".

This followed years of concern that town centre venues were being prevented by the police, through the licensing process, from featuring certain types of acts and genres, fears Cllr Newman described as "legitimate".

An experienced promoter, who asked to remain anonymous because he was worried about publicly criticising the police, told me that he had tried to book Thornton Heath rapper Stormzy and to play in Croydon but had faced "hurdles" put in place by the police.

He said: "Promoting certain music types - grime, hip hop, drum and bass - in Croydon has been difficult. When we try to book anything deemed to be 'urban' we come up against hurdles which make it difficult to promote young talent. There's an undue concern that certain types of music promote violence. That's what police in Croydon believe."

Cllr Newman said: "I'm very happy to say this explicitly: we've seen very heavy-handed policing that has clearly given some people, let alone [the] artists, the impression they are not welcome."

Thornton Heath DJ Plastician was also described his experience of the police curtailing an event featuring certain genres of music. ([http://www.croydonadvertiser.co.uk/dubstep-pioneer-plastician-grime-poetry-places/story-28169155-detail/story.html](http://www.croydonadvertiser.co.uk/dubstep-pioneer-plastician-grime-poetry-places/story-28169155-detail/story.html)).

Chief Superintendent Tarrant said he was "very surprised" by Cllr Newman's concerns, adding that regulations were "fair and enforced appropriately". Specifically he denied that there was any policy against certain types of music.

He said: "We have not adopted a blanket policy of discouraging certain types of music from town centre, in fact I would welcome diversifying the entertainment on offer."

In **March 2016**, I was approached by Roy Seda and his wife Farah, who explained that they had decided to speak publicly about the disproportionate attention their business had received from the police over the previous 18 months, including being barred from playing specific types of music, specifically bashment (another term for Jamaican dancehall). They said they had thought long and hard before deciding to speak out and, it is my submission that their decision to do so reflected not their desire to hit back at the police but their desperation, and belief that it was in the public interest to do so. They had raised the concerns detailed below directly with the police's licensing officers on numerous occasions, most recently in an email on February 12. They received no reply to that email. Their next communication from the police was a blank email with an attachment - an document informing them they were being taken to a licensing review.
Mr Seda said he had been repeatedly instructed by the police not to play bashment music and that, to enforce the rule, they had sent undercover officers into the venue to listen to what was being played (see attached picture of a notice placed in the venue's DJ booth). Despite Chief Superintendent Tarrant stating on record that such a policy did not exist, Mr Seda provided a copy of an email sent by Michael Emery, the borough’s licensing sergeant, in which the officer stated:

"You have been given a substantial amount of support from your security provider and PC Rhodes has given you an endless amount of support and advice in relation to promoters, particularly what this borough finds unacceptable forms of music. My office has received information that you are not complying with acceptable forms of music."

Mr Seda said he was placed under so much pressure to comply with the ban that he made DJs sign contracts in which they agreed not to play bashment, which police had told him was linked to crime and disorder. He provided a copy of this contract. He explained that the policy had led customers to accuse him of being racist. The council, as the licensing authority, said it was not aware of the ban and the police had no powers to enforce one. Black community leaders reacted with concern, describing the policy as a form of racial profiling (http://www.croydonadvertiser.co.uk/black-community-leaders-croydon-accuse-police/story-28898340-detail/story.html).

I was also able to experience firsthand the disproportionate attention police were giving to Dice Bar and the affect it was having not only on their business but the town centre as a whole (http://www.croydonadvertiser.co.uk/bashment-ban-bar-croydon-police-trying-business/story-28904488-detail/story.html). Dice Bar has one of the strictest entry procedures I have ever experienced. Potential customers are breathalysed, screened with metal detectors, frisked and their IDs are scanned. On top of that, at the time of my visit, the venue had at least three police officers stationed directly outside the entrance and two police carriers parked on the opposite side of the road. I witnessed potential customers walk away from the club after being confronted by the high level of security and police scrutiny. For example, a middle age couple was turned away after the man failed a breathalyser test. They were then approached and questioned by the police before walking less than 100 yards down the road and entering another club without issue. That Friday evening, when Dice Bar should have been at its busiest, there were less than two dozen people inside. In contrast, Rehab in Surrey Street was at capacity, with a large queue seeking to gain entry, yet there were no police in the vicinity of the club. Mr and Mrs Seda explained that the scenario I experienced was typical for a Friday and Saturday night during the past 18 or so months. It was clear large and visible presence of police outside the club was having a serious impact on their business. The night after the story was published the police significantly reduced the visible presence outside the club.
When approached about Mr Seda's allegation Chief Supt Tarrant said he was unable to comment due to the forthcoming licensing review. That Friday we published a special report, including this front page:

The story received national media attention. In response, the Met released a statement to the Guardian (http://www.theguardian.com/uk-news/2016/mar/11/croydon-bar-accuses-police-banning-jamaican-bashment-music) in which it said "we have not requested a ban" and that Mr Seda had "volunteered" to stop playing bashment music. Mr Seda categorically denied the suggestion (http://www.croydonadvertiser.co.uk/dice-bar-owner-rubbishes-police-claim-volunteered/story-28906551-detail/story.html). Two of the borough's MPs, Gavin Barwell and Steve Reed, publicly stated their concern about the story and pledged to speak to the police.

Diane Leonard, a local music promoter present during a meeting between Mr Seda and the licensing officers, corroborated his allegations.

In a taped interview with me, she said: "I think [the police] were trying to say no urban music at all. The overall impression I got was the police would rather he did not play bashment or hip hop because of the people it attracts."

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On March 16, the Advertiser published a transcript of a recording, provided by Mr Seda, taken during his meeting with two police officers, Acting Chief Inspector McGarry and Sergeant Michael Emery, on January 22, 2015. In it Mr Seda and his wife are pressed about what extra licensing conditions they will introduce following an incident outside the club during a Christmas Party.

Sgt Emery: "You were told about this before Christmas. Why has it taken until now to decide now that you want to change the music?"

Mr Seda: "We weren't told to the change the music."

Sgt Emery: "You were advised that because I was there and spoke to you about it and Darren [Rhodes, licensing officer] spoke to you about it."

Mr Seda: "Darren said don't put bashment so we stopped that, we stopped the bashment."

Sgt Emery: "Right."

Mrs Seda: "The rest we've just been softening."

Sgt Emery: "But you've been playing drum and bass, haven't you?"

Mrs Seda: "No, we don't play drum and bass."

Sgt Emery: "Right, okay."

This recording (link here: http://www.croydonadvertiser.co.uk/croydon-claim-bashment-ban-absolutely-recording/story-29130846-detail/story.html) is proof that officers did tell Mr Seda not to play specific types of music in the Dice Bar and that the policy originated from the police, not the
licensee. It predates emails later released by the police in which Mr Seda agreed not to play those types of music. He has always admitted agreeing to the police's instructions, mainly because he was says he was being threatened with closure if he did not.

He said: "When you're constantly told you will be shut down unless you give them a policy they are completely happy with, you have to do it.

"They told me no bashment music so I put it in the policy. It's not like I would come up with that myself. Why would I alienate my clients? I would lose business. I can make money from that music so why would I volunteer not to do it unless that's what I was being told? I didn't agree with [the ban] but, for the sake of my business, I decided to work with the police, to give them what they wanted. I did everything they asked of me and still they aren't happy."

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On March 18, the Advertiser revealed that inspectors working for the Metropolitan Police had visited the Dice Bar and described its security set-up as "outstanding" - less than a fortnight after officers in Croydon had applied for the licensing review, describing the venue as the "main drain" on their resources (http://www.croydonadvertiser.co.uk/met-police-praises-security-nightclub-croydon/story-28950188-detail/story.html).

The report by the Met's central licensing team stood in stark contrast to the problem venue described by Sgt Emery and his colleagues, and supported Mr Seda's assertion that he was being unfairly singled out by the police. Interestingly, as part of more than 400 pages of evidence against the venue, officers involved in that inspection later signed statements to say their conclusions were in no way relevant to the concerns raised by officers in Croydon.

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On April 13, the Advertiser highlighted serious discrepancies with the evidence police used to close Dice Bar for 24 hours in June 2015 (see initial reporting of the incident at the beginning of this statement).


Acting Chief Inspector Peter McGarry and Sgt Michael Emery repeatedly told Mr Seda a customer had been spotted on camera with the weapon in a nearby street and, were it not for the intervention of two other officers, someone would have been stabbed. As a result, they issued Dice Bar with a closure notice under antisocial behaviour legislation.

In his formal statement, Chief Insp McGarry, part of Croydon Police's senior leadership team, said the man had a "large knife" and that CCTV footage showed him "pulling the knife from the sleeve of his right arm".

But official police documents reveal that a detective later reviewed the footage and found it did not show the man had a knife.

Records show that, over the days that followed the incident in Surrey Street, Chief Insp McGarry, head of Croydon's neighbourhood policing teams, and Sgt Emery, the borough's licensing officer, repeatedly told Mr Seda a stabbing had been narrowly avoided and that, as a result, his club would be temporarily shut, using emergency powers, to prevent further disorder the following weekend.

Minutes from a meeting at Croydon police station on June 22 show that Chief Insp McGarry told Mr Seda that CCTV footage showed a "group of males on the corner of Surrey Street involved in a confrontation" and that "as two police officer [sic] walked
around the corner approaching the group one of the males is seen walking away from the crowd hiding a large knife.

"Mr McGarry explains that had it not of been [sic] for his officers intervention there would have been a stabbing involving males that he had previously seen in his venue that evening."

A day later, Sgt Emery sent Mr Seda a letter in which he said a "male walks off in company with another unidentified man who can be seen to be carrying a knife. But for the timely intervention of two uniformed police officers I am quite sure that a stabbing would have taken place."

Mr Seda met with the two officers again on June 25 and minutes show he was told by Sgt Emery "there was a male in the premises" who was "involved in an incident with a knife" and who "later went on to bite a police officer causing GBH this is enough to take the premises to review."

On July 1 – four days after the closure notice had been issued - Chief Insp McGarry gave a formal statement in which he said that Sgt Emery had shown him the CCTV and the man "had a large knife in his possession" and that "footage shows him pulling the knife from the sleeve of his right arm".

He added: "On viewing the CCTV footage it was clear to me that if two police officers had not happen [sic] to have walked into this group of males there was a strong possibility that a stabbing would have occurred."

The CCTV footage from Surrey Street was later viewed by Detective Constable Saqib Ali - leading the investigation into the assaults - who said it showed the man was "fidgeting or possibly putting something up his sleeve" but that "you cannot see what he is concealing on his person".
The man was later charged with two counts of assault on a police officer but was at no stage arrested, or it would appear from the evidence published this week even questioned, on suspicion of possessing a knife.

A week after the club was closed, Mark Watson, cabinet member for safety and justice, told Mr Seda had given the council a different version of what had happened.

Mr Seda said: "I explained what we had been told and his face dropped. He said that wasn't what the police had told the council.

"The information they were given was that police had to enter the venue to remove a man who had a machete. I couldn't understand it."

When asked about the conversation, Cllr Watson said last month: "I was originally told there was an incident involving a knife in the Dice Bar. I got that through [council] officers here who I believe had spoken to the police."

Cllr Watson told the Advertiser he had been passed the information by Andy Opie, the council's director of safety.

Note: Acting Chief Insp McGarry later told a council committee that he had taken the footage to a "forensic hub" and it "clearly shows what I believe to be a knife". He said DC Ali had used "low grade technology" to view it. The police did not seek to show the footage, or still images from it, during the hearing. It should be noted that in another case involving the potential miss-identification of a weapon, Chief Supt Tarrant had voluntary published CCTV images to support his officers' actions (http://www.croydonadvertiser.co.uk/police-release-cctv-images-justify-arresting-15/story-26820570-detail/story.html).

In April the police submitted 404 pages of evidence against Dice Bar.

To put that in context, that was more than three times as many pages as submitted by police in the previous five licence reviews combined. For example, when police applied to revoke the licence of Club 791, in Thornton Heath, following a near-fatal stabbing in October 2015, the case against the club was just 24 pages long.

Up until this point the Advertiser had observed a significant reduction in the detail published by the police ahead of licensing hearings. The Metropolitan Police is not an open organisation. It rarely publishes documents of any type In fact, the only time a reporter might expect to read an unredacted crime report would be in the documents submitted to the council ahead of a licensing review. For example, when the police wanted to close the Crown & Pepper, the documents included crime reports naming people as gang members. Since that point the level of detail included in such applications had fallen significantly. We believed this was because police no longer wanted the press to have access to this sensitive information. I mention this because the scale and detail of the documents provided in support of the Dice Bar application was in total contrast to this trend.

On April 15, the council rejected the police's attempt to curtail Dice Bar's opening hours. The committee had heard from James Rankin, the barrister representing the police, who said the case
against the bar had been "overwhelmingly compelling". Sarah Clover, representing Mr Seda, said the documents were "high on accusation" but "very light on evidence".

The barrister referenced the case of Wonderland in Sutton, which was awarded costs against the Met by a judge in 2013. She said the Met had failed to learn the lessons from that case, which criticised the police for the volume and nature of the evidence it had submitted, and went on to accuse them of "trying to substantiate claims" against Dice Bar that were "evidentially worthless".

During the hearing, the police's barrister repeatedly attacked the Advertiser for its supposedly "inaccurate" reporting of the story.

Mr Rankin told the committee: "You will have seen and read, inaccurately in the Croydon Advertiser, some suggestions that police have been attempting to prevent the playing of Jamaican music in this premises - bashment, as it is sometimes called – and that we have been insisting that is what the position is and if they do play that form of music then we will put them up for review.

"The initiative came from Mr Seda himself. It had absolutely nothing to do with the police."

The police have, as of yet, refused to comment on the recording which proves otherwise (http://www.croydonadvertiser.co.uk/croydon-claim-bashment-ban-absolutely-recording/story-29130846-detail/story.html)

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On April 27 the Advertiser published photos that showed Acting Chief Inspector Peter McGarry driving a police van on the pavement in High Street, Croydon, toward a small group of non-aggressive clubbers in an attempt to move them out of the town centre. Chief Insp McGarry is on record as saying this is a "approved public order technique". Regardless, the review should consider whether such actions were proportionate and whether tactics like this give the impression that Croydon is a safe and welcoming place to visit at night.


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**Additional points:**

- At a council meeting in February 2016 discussing the future of Croydon's nightlife, councillors heard from a member of the public who said the large police presence in the town centre on a Friday and Saturday night discouraged him from going into Croydon on those evenings.

- Paul Bossick, owner of the Bad Apple, has told me he believed heavy-handed police licensing was the biggest threat to the future of his business.

- While Mr Seda was the only current licensee to speak on the record about the police's attempts to restrict venues from playing certain types of music, I spoke to two others who
were also given similar instructions. They declined to speak on the record as they were, quite understandably, concerned about the repercussions of doing so.

Conclusion
What began as attempt to shut a nightclub officers claimed was the "main drain" on their resources has become a wider story about the actions of police, their relationship with licensees and their attitudes towards race and the black community. Indeed in setting up this review the council has recognised that the issues raised by the Advertiser about the police’s conduct toward the Dice Bar have far wider implications including for the future of the town’s nighttime economy.

Throughout my contact with Mr Seda and his wife I have found them to be honest, professional and genuinely concerned about the safe and efficient operation of their business, as well as the prosperity of the town centre as a whole. I believe the evidence shows they had done everything they could to comply with the police’s increasingly stringent demands, including that they stop playing certain types of music such as bashment. That they spoke publicly about their concerns, at significant risk to their business, was a measure of their desperation as well as the frustration they felt with what the police were saying publicly compared to what officers were doing on a day-to-day basis.

The police maintain that the music ‘ban’ was Mr Seda’s idea. In fact, giving evidence to the council’s licensing committee, their barrister was even more explicit, saying it had “absolutely nothing to do with the police”. Two crucial pieces of evidence - the email from Sgt Emery about "unacceptable forms of music" and the recording from the meeting in which the ban is discussed - clearly demonstrate that this is not the case.

The police have at no point offered a public explanation for either of these pieces of evidence. The comprehensive investigation undertaken by Advertiser shows that police officers imposed a ban on certain genres of music at the Dice Bar without the knowledge or consent of the council as the licensing authority. The message from Croydon’s most senior officer - that no such policy existed - did not reflect the actions of officers on the ground. Mr Seda was repeatedly told not to play bashment or drum and bass music, and police went to lengths to enforce that ‘ban’. He complied because he feared they would shut his business if he did not. That was the culture created by Croydon’s police’s licensing department. Contrary to Chief Supt Tarrant’s public statements, the regulations were not "fair and enforced appropriately". The police’s approach to certain licensed premises in the town centre (there appeared to be a marked difference between how larger chains and independent venues were dealt with) was heavy-handed, disproportionate and was based on pressuring licensees into complying with threats of consequences if they did not. The Metropolitan Police has established a reputation as being opposed to licensed premises across London but Croydon’s approach to the Dice Bar was at odds even with that, as shown by the contrast between the glowing assessment given to the venue by central licensing officers compared to the action of officers in the borough.

The ban on bashment music betrayed the police’s attitude toward the black community. It profiled fans of the genre as more predisposed to commit antisocial behaviour or violence than other customers. It left Mr Seda open to allegations of racism and gave the impression that certain types of people were not welcome in the town centre. It also stood in stark contrast to Croydon’s heritage and its current reputation as home of some of the biggest urban music acts in the country.
But the ban is one part of a wider issue. I would urge those involved in the review to read the 404 pages of evidence submitted ahead of the licensing review and consider how black customers of Dice Bar, whose 'crime' appears to be standing outside a nightclub, are described within official police reports.

The Met's evidence bundle includes several references to "undesirable" IC3 (police code for black) males.

In one report about the Dice Bar, an officer wrote: "There were very apparent issues in respect of there [sic] clientele (numerous undesirable IC3 males) inside with trainers and hoodies.

"There were clear [sic] large groups of IC3s loitering around outside the venue having initially been declined entry.

"The group's attitude towards police was very negative, hostile, quite apparently were not receptive to our presence and there was a feeling or an intense and unpleasant atmosphere around."

The officer goes on to describe a group of black males as "very anti-police and gave us attitude, uncooperative and clearly undesirable".

During the hearing, Mr Seda's barrister references a report which described how the atmosphere in the town centre improved while the club was temporarily shut.

"Twenty-four hours is not long enough for word to get out that Dice was closed. Nevertheless, all the 'undesirables' went," she said.

"I don't know what an 'undesirable' is but there are a couple of clues here. Undesirable is mentioned several times in the context of gang members and also 'large groups of IC3s' - which is the police code for black.

"That is what changed, apparently, in the 24 hours that Dice was closed.

"That's where the anxiety and the concern comes from, coupled with the music issue. These aren't racist 'allegations', Mr Seda is simply telling you what happened."

Mr Seda also alleges that he was instructed not to let black people into his venue, an allegation the police deny.

(http://www.croydonadvertiser.co.uk/police-officer-told-let-black-people-night-club/story-29110330-detail/story.html)
URBAN MUSIC, ENTERPRISE AND THE CREATIVE ECONOMY

This is a brief outline of my research and its findings. A much more detailed exploration is contained in my book *Urban Music and Entrepreneurship*.

The starting point for my research was the constant musical soundtrack that accompanied life in east London in 2007. As a business owner, I often provided work experience to Year 10 students. These 15 and 16 year olds had on the whole been categorised as at risk of being NEET (not in education, employment or training). The underpinning refrain of this time was the ‘postcode war’ and the social harm caused by guns, gangs and knives (De Castella 2007; Glendinning 2008). Explicit links were made in the media to suggest a connection between the escalating violence and gang membership to Grime music (Barnett 2006; Rose 2008).

So far, so bad, but this is far from the whole story. Over a five-year period between 2007 and 2012, I carried out ethnographic field research in London and Ayia Napa, Cyprus. My research methods included semi-structured interviews and participant observation in nightclubs, on radio stations and on video shoots. I interviewed 40 people aged 18-40 who were involved, in some way, with the urban music economy.

The very narrow debate regarding gang related and knife crime among inner city youth ignores the complex layers of activity of young people in these geographical locations. Yet within proximate view, these maligned urban environments are a locus for an abundance of entrepreneurial activity and spirit.

I have used Grime music as a way to articulate and bring to the fore the education, employment and training that people in the NEET category are engaged in. For example, in his *Rebel with a Cause* album intro, veteran MC Ghetts details his longevity in the Grime music scene and charts his journey from ‘being kicked out of school’ and becoming NEET (Ghetts 2014). That might have been the end of his story – remaining out of sight or unable to locate (UTL) – instead he continues to have a highly visible and influential presence as an independent recording artist, creating music, selling it online and doing live performance. I have clearly shown that young people like Ghetts, often classified as NEET, mature and evolve through participation in the urban music sector.
However, at the same time as offering a mechanism for reinvention and exit, participation in this economy throws up a whole host of negative stereotypes. Nevertheless it is evident that for the practitioners there are distinct possibilities that are enabled by their musical practice. The creative economy was one of the few sectors to flourish during the global economic downturn (UNCTAD 2010), it is a complex fabric that includes urban music industry. It affords opportunities for employment and the development of highly valued technological skill. The creative economy is an intrinsic part of London’s night-time economy.

A recent report from EY on London’s night-time economy stated:

“London’s 24 hour economy could be worth nearly £30bn to the capital each year by the start of 2030, [...] It is currently worth up to £26.3bn annually, around 8% of London’s gross domestic product, and directly supports one in eight jobs – a figure of 723,000 workers. The report suggests this could rise to 790,000 in less than 15 years”

Entrepreneurs have a distinctive presence, what they do in general and who they are as individuals create images of an entrepreneurial identity (Anderson & Warren 2011). I met with and listened to entrepreneurs in the urban music economy who had a tacit knowledge of their audience. Their innovative use of technology has enabled them to turn their output into a commodity with enduring social and economic significance. Jamal Edwards of SBTV is a well documented example of this.

It is evident that with and through music, young people operate in a collaborative way to produce and disseminate their musical practice and it has a global reach. For young people planning holidays or nights out, a variety of factors come into play but the desire to pursue musical tastes is a key motivation. For a number of years, tour operators have put together packages to attract this audience. Social media, radio stations also promote the hype that accompanies and encourages participation in the international party arena. This infographic from Thomson Holidays, shows how music travels around the globe. As it does so, markets are created and income is generated.

Far from being a highly localised, niche creative practice, the act of creating Grime music propels its practitioners out into the world and away from ‘the ends’. During the interviews and while exploring the artistic output of the Grime scene online and on radio, it became apparent that although the respondents were grounded in east London through residence and/or performance, their reach and influence extended far beyond this locale.

Through enterprise and enterprising activities in the urban music economy young black men, including those who are categorised as NEET - marginalisation notwithstanding - are drawing on a continuity of practice and creating meaningful work for themselves and
others, And having something to do is key, because if one is doing something, then it opens up the possibility of being something.

In my research, I have foregrounded the working lives of young people in the urban music economy, who draw on their passion for music to make meaningful work for themselves and others in an environment where opportunities are scarce. Although ‘the ends’ remain a site of repressive practices, where according to one of my respondents, the drug dealers are the ‘success stories’ these neighbourhoods also offer comfort, kinship and the raw materials for an innovative musical practice that allows for self-employment and enterprise.

And yet regeneration of these neighbourhoods, or districts, benefit some (usually the middle classes) but damages others (usually those who are already at a disadvantage) (Rosler 2011). In the discussion regarding creative clusters and creative cities in urban London what is often being talked about is the presence of new white middle class residents (Mayor of London 2010; Pratt 2009). In east London, for example, little reference is made to the existing creative practice of Grime artists, when expounding the virtues and economic relevance of the innovative hubs in Shoreditch and Hoxton. It is evident that the powers that be try to hang on to working class ‘authenticity’ and ‘grit’ while at the same time eradicating it from its place of origin (Zukin 2010).

According to a recent University of Warwick report (Neelands et al. 2015), the cultural and creative industries workforce continues to be overwhelmingly white and middle class and ‘We face a situation in which the voices, experiences and talents of the UK’s population as a whole are not being expressed, represented or developed within the Cultural and Creative Industries’. Yet, I have shown that, in plain sight, young people from poor communities create work with very little capital. This work covers a broad range in the creative and cultural sector; music, film, cultural events, radio and video and allows them to develop skills, knowledge and expertise.

Through enterprise and enterprising activities in the urban music economy young black men, including those who are categorised as NEET - marginalisation notwithstanding - are drawing on a continuity of practice and creating meaningful work for themselves and others, And having something to do is key, because if one is doing something, then it opens up the possibility of being something.

As one of my respondents put it ‘it allows young people to keep out of trouble’. But I would argue that it is much more than that. These participants have used urban music to articulate the nature of their living conditions, to speak of the lack of opportunity and at the same time create a route to employment in the creative and cultural industries – sectors which continue to be an exclusive, white and middle class enclave (Neelands et
al. 2015). Through apprenticeships with sound systems and Grime crews, by watching and working with others, these practitioners have used their creativity to establish ways to earn a living.

From my research, carried out in east London and Cyprus, I have shown that entrepreneurship in the urban music economy may provide self-employment, new jobs, business start up and economic movement for young people. This micro-entrepreneurship can offer a bottom-up method for generating an income, self-reliance and an innovative path to earning a living.

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References


De Castella, T., 2007. We talk to young people who have been involved in gangs | Society | The Guardian. Available at: http://www.guardian.co.uk/society/2007/nov/24/youthjustice.weekend [Accessed August 26, 2010].


Glendinning, L., 2008. Two teenagers arrested over fatal stabbing of Shaquille Smith | UK news | guardian.co.uk. Available at: http://www.guardian.co.uk/uk/2008/sep/03/knifecrime.ukcrime [Accessed August 26, 2010].


Review of Licensing and Policing in the Croydon Night Time Economy

Response from the British Beer & Pub Association
The British Beer and Pub Association response to the review of the licensing and policing of Croydon’s night time economy

The British Beer & Pub Association is the UK’s leading organisation representing the brewing and pub sector. Its members account for 96 per cent of the beer brewed in the UK and own almost half of Britain’s 50,000 pubs. The pub sector contributes over £19 billion to the economy and employs in the region of 600,000 people. Over 80% of pubs (i.e. nearly 40,000 outlets) are small businesses which are independently managed or run by self-employed licensees. With BBPA membership covering almost half of the pubs in the UK, we possess a wealth of experience in licensing and welcome the opportunity to respond to this review.

The BBPA supports the establishment and facilitation of safe, vibrant and diverse night time economies (NTE). We welcome this review and believe that London is able to achieve a successful night time offer that can compete with and surpass other European cities, such as Amsterdam, where stakeholders are invested in this process. This response will set out a number of key recommendations that the BBPA believes will contribute to a successful night time offer in Croydon.

Partnership working

At the heart of any successful and safe night time economy is close partnership working between businesses and local authorities. Many businesses in the NTE, and particularly the pub trade, are fully committed to effective partnership frameworks in order to create a safe and vibrant environment. The BBPA works alongside a number of partnership schemes including National Pubwatch, Best Bar None, Business Improvement Districts, Street Pastors, Local Alcohol Partnerships, and Purple Flag. All of these schemes have proven their worth in NTEs throughout the UK and many work closely with police to ensure the safety of those visiting the NTE.

National Pubwatch

There are over 650 local Pubwatch schemes throughout the United Kingdom working to achieve a safer drinking environment in all licensed premises throughout the UK. Local Pubwatch schemes bring together licensees and seek to establish good relationships with the police and reduce alcohol-related crime by working together to ban individuals who cause trouble. National Pubwatch works to support local schemes by sharing best practice, advice and information.

Durham Pubwatch has been established for a number of years. The Durham Pubwatch works successfully in close partnership with Durham City authorities, including initiatives to help train licensees, bar staff, and door staff on best practice, and clampdown on violent and disorderly incidents at licensed establishments. This has helped contribute towards a 15% drop in alcohol-related anti-social behaviour in the city over the past year. Durham Pubwatch is also active in the City Safety Group scheme to improve public safety around rivers, particularly for those under the influence of alcohol.

1 http://www.nationalpubwatch.org.uk/
Best Bar None

Best Bar None exists to recognise and promote the best standards in safety, training and operations across the late night economy, and is a collaboration between police, local authorities, licensed venues and the alcohol industry. The Best Bar None awards scheme was first piloted in Manchester in 2003. It has since been taken up by more than 100 towns and cities across the UK. Best Bar None accreditation is awarded to venues with strong management, who take pride in their surroundings, operate responsibly and demonstrate a commitment to reducing alcohol related harm. The process of becoming accredited includes meeting minimum standards, and rewards the most responsible premises at an annual awards event.

The scheme was launched in Northamptonshire five years ago by Northampton Pubwatch with support from the Northamptonshire Police and Northampton Community Safety Partnership, to help create a safer town and recognise the pubs, bars and clubs that are working hard to reduce alcohol related disorder and promote responsible drinking. The Northampton Scheme is now in its fifth year and support for the scheme has been growing each year.

Business Improvement Districts

Business Improvement Districts (BID) are business led partnerships where a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area. BIDs have been operating across the UK for over a decade and there are over 250 BIDs now established around the country, a testament to their success.

Within a BID, businesses become active stakeholders in creating a safe, diverse and vibrant night-time economy. It is key for local authorities to understand that local businesses are not the cause of local issues but instead are both willing and able to assist in addressing these issues. Central to this theme is partnership working between all stakeholders.

Street Pastors

Street Pastors are volunteers from the local church community who give up their time to help people out in the NTE. They typically work from 10pm to 4am on Friday and Saturday nights and provide a range of assistance, for example, tending grazed knees where people have fallen over, finding taxis to get people home safely if they have lost their friends or become disorientated, and offering kindness and support.

Since 2003 over 12,000 street and prayer pastors have been trained and have played an active part in strengthening community life and working for safer streets. Currently, more than 300 towns and cities around the UK have a Street Pastors team.

Community Alcohol Partnership

The Community Alcohol Partnerships (CAP) scheme, supported by the Retail of Alcohol Standards Group (RASG), brings together local retailers and licensees, trading standards, police, health services, education providers and other local stakeholders to tackle the problem of underage drinking and

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2 http://www.bbnuk.com/
3 http://www.britishbids.info/about-bids/what-is-a-bid/
4 http://www.streetpastors.org/about-us-1/
associated anti-social behaviour. The CAP model is unique in that it recognises that retailers and licensees are part of the solution and has been shown to be more effective than traditional enforcement methods alone.

Kent County Council has worked to develop a county-wide scheme across Kent covering Canterbury City Centre, Westwood Cross, Thanet and Edenbridge. An independent evaluation\(^5\) by Kent University showed significant reductions in crime and anti-social behaviour as a result of the CAP.

**Purple Flag**

Purple Flag is the accreditation programme that recognises excellence in the management of town and city centres in the early evening and night time economy. Purple Flag provides a comprehensive set of standards, management processes and good practice examples designed to help transform town and city centres at night with an extensive research, training and development programme, to help towns and cities improve their evening and NTE.

Purple Flag has contributed to improving town centres across the UK, including in Bath where there was a 30% reduction in violent crime for 2011-2012. Also, Kingston saw a 70% reduction in crime inside key venues and an 11% reduction in violent crime in the town centre (2012-2013).

**Regulation**

The BBPA has always supported the five principles of better regulation (proportionality, accountability, consistency, transparency and targeting) and has continually highlighted to Government that all regulation relating to the sector must be necessary, well-evidenced and proportionate. We are also supportive of the regulator’s economic growth duty, whereby regulators must take account of the economic and employment benefits businesses bring to an area. Pubs are highly regulated businesses, absorbing the cost and social impact of new legal provisions. The Association has been concerned about the increasing levels of legislation, regulation, red tape and gold plating that has impacted on the pub sector in recent years and the vast majority of pubs are small businesses.

The 2003 Act was the result of a thorough examination of the previous licensing system and a need to modernise it. Measures introduced since then such as the Late Night Levy and Early Morning Restriction Orders, do not address problematic individuals and how they behave - which is the root cause of anti-social behaviour. Enforcement agencies have the powers to tackle such people and the licensed trade should not be penalised when the authorities choose not use their powers effectively. Licensing is the primary regulatory tool in the NTE and often, rather than working proactively to expand a diverse and vibrant night-time offer, in some areas the value of the NTE is not recognised.

In some areas policies can be negative - Cumulative Impact Policies and Late Night Levies for example

- which leads to negative perceptions of the NTE and it is seen as something to be restricted and minimised. Instead, licensing should recognise the value of the NTE, in both economic and cultural terms.

In contrast to the NTE, planning is the central tool in the day-time economy, working proactively to build a diverse offer and identifying leisure assets of value to the local community. There is no doubt that proportionate and evidence-based regulation is important, whether this is through licensing, policing or health and safety. It should not, however, result in unsustainable costs on businesses and should recognise good operators whilst assisting in bringing less successful operators up to scratch or sanctioning those that deliberately and consistently flout the law. In many areas, this requires a major step change in how the NTE is viewed and managed, if the shared vision is of a safe and diverse NTE that caters for every sector of the population and benefits the local area economically. It is important that all planning and regulatory authorities work together alongside businesses to achieve this.

Changing perceptions and increasing diversity

Cities and their successful nigh-time offers are achievements to be celebrated. The NTE is capable of presenting an attractive offer to everyone. Authorities should commit to a stance that promotes diversity of services and encourages a diverse range of people to feel welcome in the NTE. Pubs and bars are critical here as they offer a number of diverse services, including live music, entertainment, a food offer and a safe environment in which to socialise. They should be present alongside nightclubs, restaurants, coffee shops, libraries and a range of other services.

It is vital, therefore, that a successful NTE is planned and structured, and that all stakeholders share the same vision. Once a positive shared vision has been decided upon and a positive framework has been established through partnerships and supportive regulation, stakeholders can create a vibrant and successful NTE that works for all.
Current there are five in place, which together form the mandatory code. These are:

- A ban on irresponsible promotions, including provision of unlimited quantities of alcohol for free or for a fixed or discounted fee and provision of free or discounted alcohol dependent on the outcome of a sporting event;
- A requirement to provide free, potable water on request to customers;
- A requirement to make available and display to customers small measures such as half pints of beer or cider or 125 ml glasses of wine;
- A requirement to have an age verification policy to prevent the sale of alcohol to persons under 18 years of age;
- A ban on alcohol sales below the cost of duty plus VAT.

The Police Reform and Social Responsibility Act 2011 changed the from three to five years

- the relevant Licensing Authority and any other in whose area part of the premises is situated;
- the chief officer of police;
- the local fire and rescue authority;
- the relevant enforcing authority under the Health and Safety at Work etc Act 1974;
- the local authority with responsibility for environmental health;
- the local planning authority;
- a body that represents those who are responsible for.... the protection of children from harm;
- each local authority’s Director of Public Health (DPH) in England; and
- the local weights and measures authority (trading standards).

Evidence provided by the police to the Licensing Sub-Committee for its hearing on 15 April 2016 regarding Dice Bar

Along the Brighton Road; South End; High Street, George Street corridor, from the Royal Oak Centre on Brighton Road, Purley to the junction of George Street and Cherry Orchard Road in Central Croydon

Along the London Road/Streatham High Road corridor, in 3 sections; from the junction of London Road and Tamworth Road in West Croydon to the j/w Canterbury Road; from the j/w Broughton Road to the j/w Melrose Avenue and; from the j/w Northborough Road to the borough boundary with LB Lambeth

Along the Brigstock Road and High Street, Thornton Heath corridor, from the junction of Brigstock Road and London Road in Thornton Heath to the junction of High Street, Thornton Heath and Whitehorse Lane

Along the length of Central Parade, New Addington