

Appendix C – Full consultation feedback

Reponses to 2023 CIA consultation received by email

Covent Garden Community Association

The CGCA's area of interest is partly within the West End CIZ, includes the East Covent Garden SCZ and also includes Camden's Seven Dials CIZ. We engage frequently in discussions with applicants and their representatives in applications in our area and make numerous Representations on applications.

The CIA, as expected, shows that there continues to be a high level of impact from the number of licensed premises in close proximity to one another. The impact is more pronounced in Soho, where many premises are alcohol led, compared to our part of the CIZ which tends to be more food led.

It is clear from the data given that the licensing objectives related to crime and nuisance are being harmed because of the large numbers of licensed premises within certain parts of the city. It is therefore important that in these areas licensees should have to show that applications will not add to the cumulative impact in order for them to be granted. This is already a requirement within the SoLP for nearly all premises types however it seems to be frequently overlooked. We hope that the publication of this data based CIA will ensure that Licensing Sub-Committees actually require this of applicants for all the premises types for which this is mentioned in the SoLP.

Comments on the CIA

The data used on the assessment is from 2022. The overall level of activity in the area is higher now than in 2022 and so we would expect that if the assessment was being done using 2023 data the level on many of the indicators would be correspondingly higher.

Unlike the other SCZs there has been no attempt to assess the East Covent Garden SCZ. Looking at the maps this area would seem to have similar levels of issues to other areas where a detailed analysis has been provided. We suggest that it would be helpful to provide an analysis also for this area.

The ASB and noise data provided will be only a very small proportion of the issues which actually exist.

These are under reported because of the time required to report to the Police and because it is difficult to pinpoint the source of noise. Most residents who are disturbed by noise at night will try to get back to sleep rather than make a report. It can therefore be misleading to draw conclusions on areas which have higher or lower levels of complaints in the way the hexagon-based maps tempt us to do.

Despite this reservation the data appears robust and thorough. However we think that observational data would be a helpful addition.

We are concerned that the way the data is presented on maps with hexagons may lead to a temptation to assume that licences can be granted in a particular hexagon or street because there is a low level of reported issues in that small area, even if it is within a CIZ. The data needs to be clearly regarded as indicative and impacts as 'global and cumulative' i.e. the policies need to apply equally wherever in the CIZ the premises is located. This is the point of the CIZ. If you have any questions please contact us.

Heart of London Business Alliance

Heart of London Business Alliance (HOLBA) welcomes the opportunity to respond to Westminster City Council's (WCC) draft Cumulative Impact Assessment (CIA), which we recognise forms the first step in the development of a new Westminster After Dark plan. We commend WCC for going beyond the Cumulative Impact Assessment (CIA) and using its findings to develop a Westminster After Dark plan. We look forward to participating in the process, alongside our members, in the development of an effective plan around night-time safety and licencing. As providers of street-based teams to support the work of WCC, we share the ambition to create an inclusive evening and night-time plan to improve the night-life in Westminster. However, we do have a number of concerns about the draft CIA, which we strongly believe WCC should take into account as it develops the Westminster After Dark plan. These are set out below.

HOLBA is the Business Improvement District for Leicester Square, Piccadilly, Piccadilly Circus, and St Martin's Lane, representing 500 occupier businesses and 100 property owners. As such, our response should be weighted accordingly to reflect the scale of our membership.

The West End has over eight million visitors per week. Annex 1 shows the average hourly visitors in the HOLBA area in 2023, with a significant number of people in the evening and night-time. Many of these will visit licensed premises, of which in the borough there were 3,976 in 2021/22, 478 of which with 24-hour alcohol licences.

The CIA fails to take into account this important context, and instead focuses on the raw number of crimes and other issues. This is extremely significant, as whilst the CIA gives volumes of recorded crimes or antisocial behaviour, there is no overlay of the number of people in areas (particularly the identified CIAs) at any given time. We are of course concerned about levels of crime, and particularly the rise in crimes such as recorded theft and assaults.

Annex 2 shows the types of crime across the HOLBA area in the year 2023, over 5,500 (almost 60% of all crime) of which are types of theft. However, the numbers need to be assessed in the context of the number of people in an area at a given time, given Westminster's position in the heart of a global city and whether they are increasing proportionate to footfall figures. Furthermore, the findings of the CIA could be improved by reflecting on street-based populations. Westminster is the borough with the most people recorded sleeping rough, with 2,050 people known to outreach workers in 2022/23. This is an important factor in recorded crimes and anti-social behaviour.

Important context should also be provided in an updated CIA on levels of resourcing. As an organisation that provide resources to deliver on-street teams, including 24/7 private security, we are acutely aware of reduced police numbers in the West End, and this not serving as a deterrent to crime and anti-social behaviour.

We have been consistently told by the Metropolitan Police Service (MPS) to tell our members to report crime as this will demonstrate the need for resources in terms of a greater police presence in the area. It appears that responsible businesses may now be punished for reporting crime through licensing restrictions, which may, counterintuitively, discourage further reporting.

The lack of a visible policing presence in the night-time economy in the West End is having a significant impact. As a recent example, on Halloween 2023, there were no police in Leicester Square between midnight and 05:00, during which there were eight incidents of mobile phone thefts. This is not a licensed premises issue but rather a lack of policing.

To therefore seek to connect rising levels of crime and anti-social behaviour to licensed premises, without also considering the overarching picture of resourcing or context, is therefore concerning. It would be interesting to see a metric whereby incidents of crime are compared with the level of resourcing.

In our view, perhaps the most significant issue with the draft CIA is that the connection between some recorded crimes or anti-social behaviour and the quantum of licensed premises is entirely unproven. For example, theft peaks in the early evening, when footfall numbers are highest and people are moving around the city, including shopping, and going home.

The graphs on page 62 of the CIA, which show the majority of premises in WEZ 1 closing by midnight, but the level of crime at that point still remains high for another three hours. In fact, it is often because there are a limited number of licensed premises to visit that these large gatherings occur. A wider variety of venues, which are open later, at peak times, and across the borough, would see people more spread out, rather than congregating in a concentrated area. With hotel occupancy and footfall expected to grow, restricting licensed venues could initiate a domino effect whereby a smaller number of venues attract bigger crowds and thus more crime.

As a result, connecting this crime data at that time to licensed premises, many of which would not be at capacity or fully trading at that time, is potentially misleading. We would therefore suggest that the focus of an updated CIA is on revised hours, potentially starting from 8pm or 9pm as times when people are more likely to be in Westminster using some of the licensed premises.

In addition, we are concerned with the CIA and its focus on recording crime and anti-social behaviour taking place near licensed premises. We understand that the MPS records crime based upon the nearest premises, and as a result the data potentially penalises responsible premises which are well-run, many of whom have been encouraged to actively report crimes or anti-social behaviour which have been taking place on the street or in the immediate vicinity of their premises. The presence of gangs in some areas or on some streets, who again may be operating in the public realm, has also not been taken into account in developing the CIA.

As we have highlighted already, we are concerned about the data and datasets that have been used to inform the draft CIA. Some of the data which has been used is only available to WCC and / or relevant agencies, meaning it is not possible to scrutinise the data being used to draw the conclusions set out in the CIA.

Furthermore, of the data which is used, including from the City Survey, some of the numbers used to draw conclusions are extremely low. For example, drawing conclusions around fear of crime amongst the residential population in West End ward on the basis of 1 out of 135 residents (0.7%) from the area, and 3 out of 136 residents (2.2%) in St James's, who took part in the City Survey, risks not standing up to appropriate scrutiny.

The CIA focuses almost exclusively on the negative impact of the evening and night-time economy. It fails to provide a counterbalance in terms of the upsides, including economic benefits, employment and business rates contributions, as well as the benefit to the wider community from a safety perspective.

Our recent Economic and Real Estate Insights Report shows that our area, which represents 20% of the West End, generates £8.8bn in economic output and is home to over 100,000 jobs. With hotel occupancy at 75% of pre-pandemic levels and footfall at 54%, there is clearly room to grow. We

should be encouraging people back to the area rather than restricting licences for venues, which are often major pull factors.

Between 2019 and 2022, floorspace associated with evening and night-time economy activities experienced modest growth in the Heart of London area, largely due to the opening of a single hotel, whereas floorspace dedicated to restaurants declined by 5.2% and theatre and music venues by 3.7% across the area.

We are concerned that the CIA and associated licensing policy is a restricting factor in relation to inward investment and investor confidence, which will damage the ability for the businesses in the area to innovate and capitalise on new trends to further evolve the West End's evening and night-time economy, ensuring that it continues to be world-leading.

Supporting licensed premises will also be key in achieving the Mayor of London's vision to make the capital a leading 24-hour global city.

As an example of the economic and community benefit that a licensed premises can bring, McDonald's in Leicester Square has told us that if they were able to open for longer, they would be able to add value in terms of both job creation, especially for younger people, and by acting as a safe haven in the early hours when other venues are not open.

All McDonalds staff at shift manager level and above are trained in assisting vulnerable people. They work with the local community to help those who may find themselves in vulnerable situations late at night. This is core to the ambition of McDonald's to act as a responsible business and neighbour in the West End community. This demonstrates the positive impact that a licensed premises can have in providing a safe haven for people in the evening and night-time economy.

Heart of London is very active in the area in promoting the importance of a safe and inclusive evening and night-time economy. Our work includes:

- Published an evening and night-time economy action plan, which sets out how the area can meet its full potential and become more inclusive, safe, accessible, attractive, and dynamic. We have established an expert panel to assist with implementing the strategy.
- Building upon the work delivered by the West End Curation Programme developed alongside WCC, London & Partners and New West End Company, HOLBA is currently developing an district wide tenancy mix programme capitalising on future trends to ensure that the West End remains competitive as a global destination.
- Developed in partnership with WCC a cultural evening activations programme Art After Dark, highlighting the area as a cultural destination with many cultural evening experiences
- Provide 24/7 public realm security patrol officers, who often undertake joint patrols alongside the MPS
- Fully fund two City Inspectors dedicated to our patch
- Provide a 24/7 cleansing team dedicated to our patch, in addition to the WCC cleansing regime
- Offer an induction to the area to all new police recruited to the West End
- Our Chief Executive is a night-time champion for the Mayor of London
- Part of an information sharing agreement with WCC and MPS to share relevant intelligence

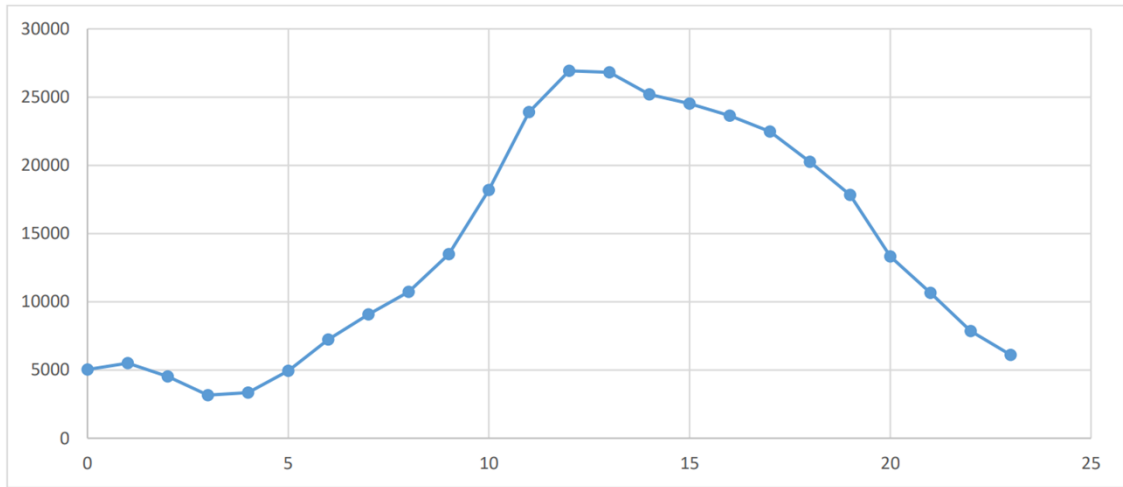
- Host a monthly Pub Watch meeting for licensed operators, which is attended by WCC and MPS
- Host a monthly 'Coffee with a Cop', informal meetings for businesses to engage with the MPS
- Promote and provide training on the 'Ask for Angela' and WAVE (Welfare and Vulnerability Engagement) schemes, whereby people who feel unsafe can request help from venue staff.
- Attend neighbourhood coordination problem solving meetings with WCC
- Attend neighbourhood police ward panel meetings
- Run the Best Bar None business accreditation scheme with 24 businesses from the evening and night-time economy
- Fund an outreach engagement homeless charity to attend those who sleep rough on our streets
- We are one of 100 areas globally to acquire Purple Flag status
- Financially support WCC's Night Stars programme
- We are a signatory to the GLA's Women's Safety Charter
- We support and are actively involved with WCC's Night Safety in Westminster campaign

Since WCC's last CIA in 2020, we have seen numerous incidents across the HOLBA area that demonstrate a cause for concern, particularly around Leicester Square, which is often seen as an unofficial 'fan zone'. For example, there were barbaric scenes involving football supporters in July 2021 during the delayed Euro 2020 tournament, whereby glasses and windows were smashed, trees were uprooted, flares were lit, and rubbish piled high. It was down to our street cleansing team that had the area up and running within 24 hours.

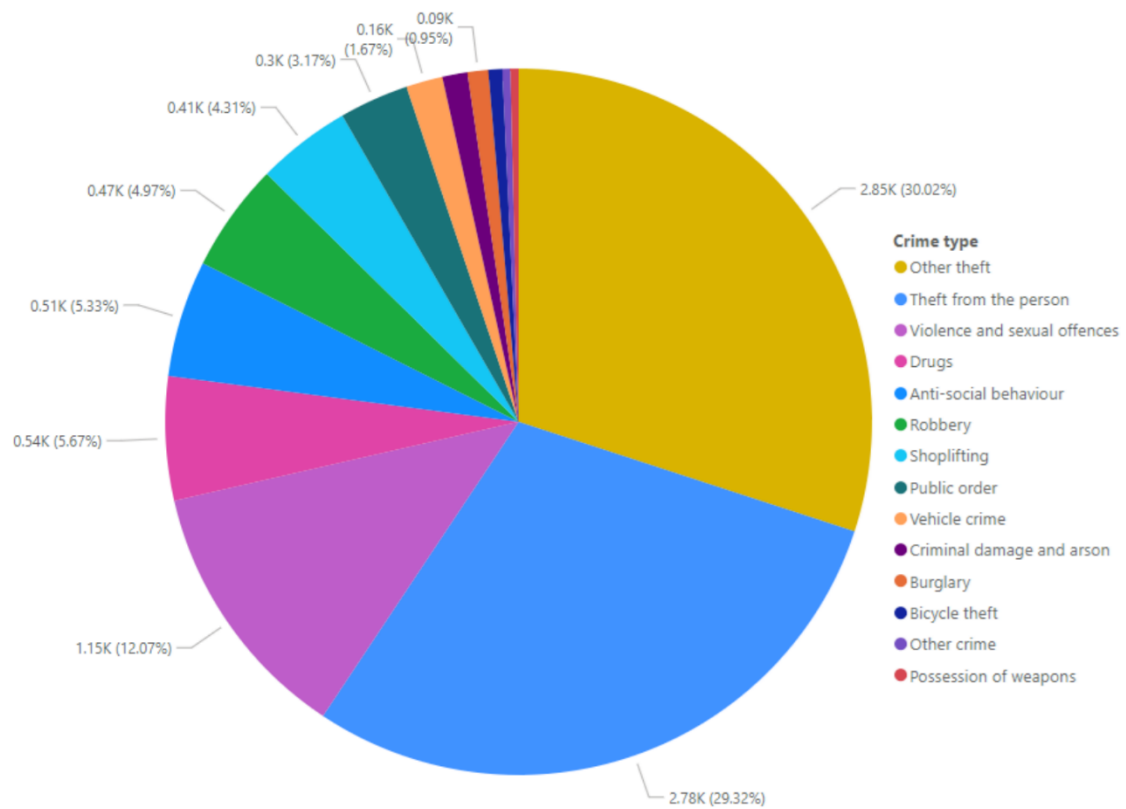
Therefore, we welcome the opportunity to respond to a new draft CIA consultation. Whilst we welcome the publication of information and data in the interests of openness and transparency, we are extremely concerned that the data and conclusions published fail to either provide an appropriate context, or connect many of the recorded crimes or anti-social behaviours to licensed premises.

We would therefore strongly recommend that WCC seeks to provide a more-overarching document, taking into account wider factors and context, should it choose to use this as part of the steps to developing its new Westminster After Dark plan. As has previously been discussed with WCC, we would also like to see Leicester Square and Piccadilly Circus designated as international visitor zones. Given the distinct nature of the area, whereby the two million people a year who visit require safeguarding, the relevant authorities and HOLBA should be given greater control of what happens in the area, specifically around security, street entertainment and cleansing.

Annex 1: Average total hourly visitors to the HOLBA area, 2023



Annex 2: Types of crime across the HOLBA area, August 2022 to August 2023



Poppleston Allen Licensing Solicitors

Poppleston Allen Licensing Solicitors is the largest specialist licensing law firm in the UK. We act for a wide range of clients, from large multiple operators to independents. Many of our clients have premises in Westminster. How the City of Westminster approaches the implementation of the

Licensing Act 2003 and specifically the issue of cumulative impact matters greatly to many of our clients, some of whom may not have premises in Westminster yet but wish to do so.

This submission is not made on behalf of any particular client, but rather is submitted by Poppleston Allen in our own right. In doing so, however, we bear in mind the significant involvement of our clients in the City of Westminster and particularly in respect of restaurants who, for the first time, find themselves at risk of not being treated as an exception to policy.

The purpose of our submission is to put the City of Westminster to proof on some of the conclusions in your draft CIA, and, where found wanting, to ask you to re-think. Cumulative Impact Zones are generally a bar to business, they restrict competition, allowing existing operators the luxury of trading without fear of new competition or improved practices. The licensed sector, particularly for pubs and bars is shrinking and any policy, in quite possibly the country's most vibrant nighttime economy, should do its utmost to prevent this decline.

This is particularly the case with regard to restaurants which, for the first time, look likely not to be treated as an exception to policy. As you state in your draft CIA, each application should be treated on its merits. We ask to what degree is this fundamental principle reflected in the CIA and what causal connection exists to justify the removal of restaurants as an exception?

It is an accepted truth that a cumulative impact policy may be justified because, due to a number of licensed premises in a concentrated area it is simply not possible to directly associate any one individual premises with undermining the licensing objectives. A broader approach is sometimes needed.

However, that is not the same as saying that simply because crime or ASB occurs in an area of concentrated licensed premises that a cumulative impact policy is justified.

There must be a causal link between the concentration of licensed premises and the increased levels of crime or ASB.

It is not enough to prove a correlation between crime/ASB and high numbers of licensed premises. A correlation might occur for lots of reasons, for example the simple volume of people who gather in a particular locality.

In many places the draft CIA uses words that suggest a direct causal link between crime/ASB and licensed premises, for example (our emphasis in italics):

- it is the cumulation of the premises and the activities that surround them that *creates* the increased problems and undermines the licensing objectives (page 4)
- A CIA examines the available data to establish if the presence of licensed premises in certain areas had *led* to cumulative impact (page 4)

We simply ask, specifically in respect of restaurants, where is the evidence of a causal effect between restaurants and levels of crime, ASB and noise in WEZ1 or WEZ2?

Your own CIA states the following, in light of numerous accepted limitations in the analysis methodology:

For the above stated reasons, the models' estimates should be interpreted as approximations of correlations between the prevalence of licensed premises (types) and crimes in their vicinity, not as a relationship of cause and effect. (page 95)

Not only does this acknowledge the conclusions are only correlations, but that they are *approximations of correlations* – a far remove from proving cause and effect between a number or type of licensed premises and increased levels of undesirable behaviour.

Moreover, where is the evidence to suggest that restaurants specifically are causing or contributing to these levels of undesirable behaviour? At page 12 it is stated that, "Restaurant Offence type breakdown was mainly Theft". However, it is not clear what constitutes theft in this case. From long experience in dealing with Reviews against licensed premises nationwide, the crime of theft is often recorded whereas upon further analysis of the individual crime reports it is evident that the "theft" is in fact the report of a mobile phone having been lost and recorded as theft in order to claim on the insurance. Moreover, a person who has their bag or mobile phone stolen from a restaurant is not necessarily drinking alcohol, and even if they are that is unlikely to be the cause of the theft – particularly during what are stated to be the 'key times' for thefts from 4pm-8pm. To what degree has account been taken of this?

At page 28 it is stated that 27% of West End respondents feel there are problems related to licensed premises (people drinking/smoking outside, blocked pavements, deliveries, etc) but by definition that means 73% of West End respondents did not consider there were such issues, or, not sufficiently strongly enough to respond to the survey.

To what extent has this silent majority's reticence been taken into account?

Moreover, in a Soho Resident Panel referred to at Page 32, 88 residents were surveyed regarding noise and sleep. Several state that noise has "increased....in the last three years", and that it is "very difficult to get the local authority to understand and take complaints seriously".

However, there are a significant number of respondents who take a very different view. For example:

"I realise that if you live in the centre of London there will be a certain amount of noise..."

"Soho is a busy, vibrant, amazing place and the noise that comes with it is part of the beauty of the area".

"I don't find noise to be an issue considering we live in the epicentre of the one of the world's greatest cities..."

"The noise I experience is minimal considering I live in the centre of London, in Soho. Occasionally, people drink too much and shout or fight, but this makes sense considering I am living in the most exciting part of London..."

"I moved to Soho because I like the loud, frantic and energetic atmosphere. If I wanted a quiet relaxing environment I would live literally anywhere in London. Soho should not be made like every other soulless, featureless, safe, and quiet suburb".

Where have the views of these and no doubt other residents been taken into account in formulating the CIA?

Is there any analysis of the actual number of people/footfall in the West End zones? It is self-evident that more people will equate to more crime. Westminster saw the largest swing in offending in London over the Covid period linked to reductions in footfall and changing business/ consumer patterns (page 10). Page 95 of the draft consultation, in the list of the limitations to the analysis includes the following: "Street population density. This is among the most significant drivers of undesirable behaviour: however this could not be accounted for in this analysis".

Is that not a remarkable statement? Undesirable behaviour happens where people gather (as indeed does desirable behaviour). In terms of footfall surely the West End is one of the most populated areas in the country? Is it not critical therefore, in order to obtain a sense of proportionality and perspective to any figures relating to crime, noise or anti-social behaviour that the actual number of people in the location is assessed? Most of us would feel safer in a city of a million people where there had been seven stabbings compared to a village of a hundred people where there had been seven stabbings.

The issue of street population density goes to the very heart of proportionality.

At page 30, it is stated that Victoria station accounts for 21.4% of all “transport related crime and disorder”, followed by Paddington station (14.6%) and Oxford Circus (12.8%). These stations are the busiest stations for footfall and customer journeys but nobody is talking about closing them down. Account is clearly taken (at least implicitly) that where there is significant footfall there will be more recorded incidents. Where does a similar approach apply with regard to licensed premises, and restaurants in particular?

In several places in the draft CIA limitations are outlined in respect of the data upon which the CIA is based. The below are just some examples:

- Crimes with an ‘Alcohol’ flag. From 76,639 recorded crimes in our data set from 2022, only 99 of them had a ‘Alcohol’ flag added to the crime record in an extractable way. This is approximately 0.13% of recorded crime. *This proportion should obviously raise questions regarding the accuracy of the data, yet it can still be useful in examining where some alcohol incidents take place.* (Page 82)
- A breadth of high quality and detailed data has been obtained and interrogated using statistical methods to offer comprehensive insights into cumulative impact in the borough. However, *the project team recognise that there are limitations to some data sets, to ensure openness and transparency these limitations and the methodologies employed are outlined in the appendices to this document.* (page 9)

Examples of acknowledged limitations with the data and analysis methodology include:

- Multiple recorded licences at the same location (presumably leading to duplication, and possibly one of the thirty-five shadow licences in Westminster).
- Status accuracy – a licence may be issued but not actually being used.
- Classification of premises types can be misleading (a restaurant can refer to a fine dining establishment, a venue which also hosts a late-night bar and club or a fast-food premises).
- Data completeness. Approximately 6% of licences are not recorded as a premises type and this rises to 23% for new licences.

Other limitations are mentioned but to the uninitiated it is not obvious to what extent these skew the data, for example, sampling numbers (only 2,250 matches geographically of the 4,045 licensed premises in Westminster); accuracy of data (the location at which undesirable behaviour occurs may not be the same as the location recorded in the reporting. This potentially leads to missed or erroneous correlations); and the ‘Odds Model by premises type’ was considered too broad to allow for confidence and therefore only the “all premises type” figures have been used for the Odds Model for each undesirable behaviour issue.

What effect have these limitations had on the data?

We are concerned that restaurants may no longer be treated as an exception to policy and that the draft CIA provides insufficient evidence to justify this important change.

The following is from the national Guidance:

In some areas where the number, type, or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and

street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

These are not, by and large, the activities that one would expect to see from the cohort of restaurants, and it is unreasonable and illogical to lump them together with other premises, for example pubs, bars, nightclubs and late-night takeaways.

Any fears about particular premises can still draw representations from Responsible Authorities and residents, and indeed the concept of cumulative impact is not limited solely to areas for which there exists a Cumulative Impact Policy.

At page 4 of the draft CIA, cumulative impact is described as “the term used to describe the stress that having a number of licensed premises in a concentrated area can have on the four licensing objectives”.

On page 79, in the conclusion, it is stated that crime statistics, licensing records, ambulance data, incidents tied to alcohol-related calls, incidences of anti-social behaviour, noise related grievances and interactions with internal and external service specialists have culminated in the following conclusions:

1. That there is an established association between the presence of licensed premises and incidents of cumulative impact in the borough.
2. Hot spot analysis was utilised to understand the concentration of crime, ASB as well as noise complaints. The hot spots that were statistically significant at least 90% of the time were particularly prevalent in the West End zones defined previously by the CIA.

However, the regression analysis methodology itself acknowledged significant limitations as stated earlier. Also, no account appears to have been taken in these conclusions of the population density/footfall, nor Westminster’s unique status, particularly in and around WEZ1 and WEZ2 of being as one resident said, “the epicentre of one of the world’s greatest cities”.

Neither has account been taken of the 73% of residents who apparently did not consider there were noise or ASB issues in the West End.

It is ironic that, given one of the issues raised throughout the consultation is that of noise, the voices of those who complain most loudly appear to be heeded more than the silent majority.

The data and statistics throughout the consultation are generic and fail to establish either cause or effect or indeed a correlation between the matters complained of and licensed premises. Where has account been given to licensed premises simply being used as a convenient geographical marker for an incident (of noise, crime or anti-social behaviour) that would have happened anyway, or indeed whose effect was minimised or reported by virtue of the very presence of a licensed premises in the first place?

What evidence does the City of Westminster have that specifically restaurants will have a direct impact on undermining the licensing objectives? What analysis has been carried out regarding how typical restaurant premises trade, the demographic of their customers and the behaviour of those customers? For example, if a policy was looking at including off licences within its scope then detailed analysis of street drinking, perhaps homelessness, begging and alcoholism on the streets, together

with the strength and nature of alcohol being sold from off licences would be taken into account. What similar analysis has been undertaken for restaurants?

There is a fundamental danger here- if the evidential and causative basis for the inclusion or exclusion of certain types of premises is not clearly set out in a CIA then how can any future applicant for a material variation or a new licence hope to understand how to either be treated as an exception or indeed to overcome the Policy? Simply listing all the premises presumed to be unwelcome is completely different to providing clear criteria for those who are welcome, and undermines the fundamental principle that each application will be treated on its own merits - as stated in the consultation document. If the City of Westminster is unable to set out clearly the criteria, principles or guidance upon which applicants can overcome a cumulative impact policy, then does that not reveal a deeper fuzziness of thinking into why the cumulative impact policy has been imposed in the first place?

Citizens Advice Westminster

I write on behalf of the Licensing Advice Project, Citizens Advice Westminster. Thank you for the opportunity to respond to the draft revised Cumulative Impact Assessment (CIA).

The Project provides free independent, impartial advice, assistance, information and representation to residents and businesses in City of Westminster on matters relating to their potential role as interested parties under Licensing Act 2003 and related legislation, including assistance and representation at licence hearings.

A significant proportion of our advice and casework involves premises within the current West End Cumulative Impact Zone (West End CIZ) and current Special Consideration Zones (SCZ), including SCZs which themselves were previously CIZs (Queensway/Bayswater and Edgware Road. We therefore have considerable experience of the current cumulative impact policies and how they apply to different types of application.

We responded to the publication of the inaugural draft CIA in 2020. We also responded to the consultation on the revision of the Council's draft Statement of Licensing Policy (SoLP) which followed and was published in January 2021.

Based on concerns raised to us by clients living in the West End CIZ, we support the conclusions of the CIA in relation to that area. Indeed, the data and conclusions strongly support arguments which clients such as the Soho Society have been making in representations and at Licensing Sub-Committee hearings for some time regarding the situation 'on the ground' in Soho. It also reflects crime data presented by the Met Police as a responsible authority at recent hearings.

That said, although they note that the data supports their position, they regret that the data may be as it is in part due to the continued growth in the number of licensed premises in Soho over recent years, which they ascribe partly to the current policy not being applied with the rigour with which it could have been.

They therefore welcome the Licensing Authority Statement at p80.

It is noted that the conclusions of the previous CIA were not implemented fully in the subsequently revised SoLP i.e. although the CIA concluded that stricter policy criteria were appropriate, they would not be included within the SoLP at that time due to the impact of the Covid-19 pandemic.

It is however important that problems which have manifested in the West End are not simply displaced to other areas, including other parts of the West End itself which may currently be less

affected by cumulative impact issues. For instance, we have clients in areas like Mayfair and Knightsbridge who have concerns that operators may target their areas. Parts of Mayfair, for example, are currently designated as an SCZ, although it is as yet unclear what effect this designation has had on limiting any issues experienced.

1. The data appears robust and thorough, although we note with some disappointment the absence of observational data. We are aware that observations took place for a study recently on women's safety in the West and wonder if this could be utilised to underpin the statistical data.
2. It is clear that applications for premises which say they intend to operate as restaurants dominate the total numbers of applications made, particularly in the West End. Such applications are subject to a lesser policy 'hurdle' than applications for bars. However, as ever-increasing numbers of licences are granted whether to core hours or beyond, the data to support further policy restrictions in the draft revised CIA seems stronger than in the previous CIA. It is unclear to some of our clients how a new application can be said to have demonstrated that they 'will not' add to cumulative impact in the light of evidence that cumulative impact has nevertheless continued to increase further, and police statistics showing peak period for types of crime.
3. The granularity of the data in being able to identify individual streets in, say, Soho which can be said to be the 'epicentre' of the CIZ – e.g. Greek Street, Frith Street, Dean Street, Old Compton Street – is noted, but a fundamental principle of all the previous iterations of the cumulative impact policies has been that the impact is 'global and cumulative' i.e. the policies apply equally wherever in the CIZ the premises is located. We believe that it would be a retrograde step to depart from this fundamental underpinning.
4. Care should be taken not to use the terms 'West End' and 'West End Ward' interchangeably. Presumably 'West End', of which Soho is only part, refers to the area covered by part of the West End ward and part of St James's ward.
5. The acronym 'LSOA' needs to be explained.
6. There are a number of typos where the noun 'licence' is incorrectly rendered as the verb 'license'.

Knightsbridge Neighbourhood Forum

1. Commercial activity in the Westminster part of Knightsbridge is focused mainly on the Knightsbridge International Centre ("KIC") and the Strategic Cultural Area ("SCA").
2. Commercial activity outside the KIC and SCA is limited to a few sensitive locations that are usually adjacent to or surrounded by residential properties. Even those within the KIC often take place in predominantly residential buildings.
3. Knightsbridge has experienced late night problems for many years – often due to loitering, shisha smoking, cafes and restaurants, fast and noisy vehicles, pedicabs, litter, waste, drugs etc. Many of these problems do not relate to 'alcohol' per se and so can be quite difficult to control. In addition, there is lower level nuisance which is often not reported e.g. urinating in public, cigarette butts littering the road or pavement, minicabs using resident parking bays as a 'staging area', groups hanging around and chatting loudly very late at night or early in the morning in residential streets etc.

4. The CIA does not seem to highlight the number of crimes or incidents relative to the number of licensed premises in a 'hexagon'. This understates the intensity of problems in the Knightsbridge area where the number of licensed premises are been lower in absolute terms. Nor does it look forward e.g. take account of the strategic shift underway and the new permissions mentioned below. Please also take account of the number of businesses 'closed down' in Knightsbridge because of illegal activity.
5. An assessment of cumulative and other problems in Knightsbridge needs to consider crimes or incidents reported in RBKC (and to TfL) as the KIC, SCA and Knightsbridge straddle the council border. This is very important. Consideration needs to extend along the whole length of Brompton Road, Beauchamp Place, Knightsbridge and have a understanding of displaced problems e.g. into side streets. There are also serious problems at the southern end of Montpelier Street and on the raised pavement area of Brompton Road between Montpelier Street and Brompton Square (i.e. within RBKC). For example, it is difficult to move along the pavement due to late night crowds in the spring, summer and early Autumn. These problems have resulted in police raids early in the morning, including armed with automatic weapons.
6. A major transition seems to be underway in Knightsbridge from large retail units to cafes, restaurants, bars and other 'hospitality' activities. The KNF has submitted five examples on the Commonplace map and does not seem to be 'allowed' to record more. These examples related to new alcohol licences or planning permissions granted in 2022/2023 (including in the last few months) for large hospitality or entertainment activities. These and others could add a total of 1,000 to 2,000 covers (or more) to a single sitting within the next few months. Others, including one for a restaurant with 715 covers, have previously been submitted and withdrawn. Almost all of them are immediately adjacent to largely or predominantly residential properties. Since none of these units have commenced operation yet, their impact, including cumulative impact, on the local community is unknown (but predictable to an extent i.e. likely significant worsening of existing problems):

<https://westminsterafterdark.commonplace.is/map/westminsters-evening-and-night-time-ideas-map>

7. The KNF has also responded to your short survey. However, please consider this email response as our primary response.
8. As we understand it, Westminster considers that the new Class E rules may permit some shisha smoking. This is concerning as the KNF had expected it to be controlled by 'Policy 16: Food, drink and entertainment' in the Westminster City Plan (April 2021). Shisha smoking can lead to the sort of problems that occur around licenced premises such as pubs e.g. loitering, litter etc.
9. The KNF is supportive of the Brompton Road BID and the Exhibition Road Cultural Group and works hard to achieve win-wins with them. Please see as evidence, the KNF's letter of support for the BID:

https://www.knightsbridgeforum.org/media//documents/knf_066_letter_to_hs_re_brompton_road_bid_230621_final_2.pdf

10. Please also consider the Knightsbridge Management Plan which highlighted some 85 local issues and concerns:

https://www.knightsbridgeforum.org/media//documents/kmp_december_2018_141218_website.pdf

The Knightsbridge Neighbourhood Plan established planning policy in a number of relevant areas including the mitigation of commercial and late night activity (e.g. KBR14, KBR15, KBR16 and KBR40):

https://www.knightsbridgeforum.org/media//documents/knp_made_version_december_2018_131218_website.pdf

Please also see Appendix D on the priorities for Community Infrastructure Levy projects.

11. The KNF is very concerned about the increasing problems across Westminster generally associated with late night (and early morning) activity. We are also concerned that a tighter approach in the West End (which may be much-needed) could lead to rapidly increasing pressure on Knightsbridge and resultant problems.
12. Please require that any new alcohol licences in the Knightsbridge area should be on the basis of Westminster's standard licensing conditions (e.g. hours of operation) with further conditions added, as necessary, to address local concerns e.g. no vertical drinking and service only with table-service meals.

The KNF wishes to emphasise its vision to make Knightsbridge the best residential and cultural place in London in which to work, study and visit. We also support the Brompton Road BID, which is managed by the Knightsbridge Partnership BID, as set out in the letter above, and are keen to see well managed high end commercial and other (e.g. cultural) activities in Knightsbridge that will enhance Knightsbridge's status as one of only two International Centres in Greater London.

The KNF is keen, in principle, to avoid the need for a Cumulative Impact Zone or a Special Consideration Zone in Knightsbridge. However, we would not wish to be surrounded by them either – which may depend on activity and policy within WCC and RBKC. Please Westminster therefore liaise across the border with RBKC.

Knightsbridge Association

The Knightsbridge Association wishes to make the following representation in connection with Westminster City Council's Draft Cumulative Impact Assessment ('CIA') and associated Evening and Night-time Plan ('Westminster After Dark').

1. The report is based on and driven by historic data, principally that relating to licensing activity, crime, environmental health complaints and ambulance call outs. As a starting point that is fine, as the evidence comes from many different sources and the methodology cannot be challenged, however.
2. Noise does not seem to feature in the report other than a section, some way in, relating to noise complaints, in particular overnight noise. This should carry more weight as noise arguably has more impact on residential amenity than the other indicators; and is a key factor in the Prevention of Public Nuisance
3. More emphasis could be placed on developing trends rather than historic data. There is a section called 'Emerging Hot Spots' which refers extensively to the West End but not many other parts of Westminster. Knightsbridge residents will resist attempts to turn Knightsbridge into an "overflow zone" from Mayfair, St James's and Soho for Late Night Entertainment ('LNE'). Such an outcome could occur by default because the introduction of Class E planning control coincides with the availability of un-let retail space in Knightsbridge following the downturn in street-located retail

following (i) Covid pandemic and (ii) growth of on-line shopping. Lapsed retail space is already being taken up for restaurant and LNE uses as landlords seek to fill vacant space. Historically, Knightsbridge has been 'commercial and residential' and an influx of late-night entertainment activities could lead to material conflicts with the Licensing Objectives, in particular all of the below. • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm

4. For the purpose of this consultation, the Borough has been divided into 3 sections - current CIA, areas of interest (including Marylebone, Paddington, Edgware, Queensgate, Victoria and Mayfair) and the rest, which includes Knightsbridge. As per point 3 above, we would like to see data about the developing trends over the next 5 years, that should be a key factor in determining the Borough's resource allocation for the enforcement of the Licensing Objectives.

The Soho Society

We welcome the findings of the Cumulative Impact Assessment (CIA) and strongly agree with the proposed retention of the West End Zone 1 as a cumulative impact area. The document presents evidence of crime returning to pre- COVID levels in the West End Zones and that these areas are hotspots for crime, noise complaints and anti-social behaviour occurring between 6pm to 6am in locations where there is a concentration of licensed premises. It confirms what the Soho Society and residents already know: that the 'West End Zone 1 is the epicentre for issues associated with cumulative impact within the borough.' We strongly support the revised Licensing Authority statement (compared to the 2020 CIA) which acknowledges the West End as having the highest concentration of licensed premises and crime levels requiring 'certain considerations' needing to be made for the area, it states, 'It is the view of the Licensing authority that the number of relevant authorisations in respect of premises in parts of the West End is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) of the Licensing Act 2023 to grant any further relevant authorisations or variations in respect of premises in that area. In accordance with section 5A(6) of the Licensing Act 2003 the Licensing Authority will consult on its intention to publish this cumulative impact assessment prior to its final approval and publication.' We would ask for the term 'relevant authorisations' to be defined.

We note that the new document now refers to all premises types (not just drinks-led ones) i.e. including restaurants, which make up by far the highest proportion of existing licences and new variation applications. We therefore propose that there should be a presumption to refuse applications for all new premises licences and club certificates, all applications for any increase in hours or capacity to vary existing premises licences and club premises certificates, and all applications for provisional statements and TENS applications.

We welcome the use of quantitative data in the form of the City Survey and Anti-Social Behaviour consultations which the report acknowledges adds more insights to the data led approach. However, a key weakness is the lack of observational data. This is especially disappointing when the 2020 Cumulative Impact Assessment recognised the importance of observational research but due to COVID-19 this was not carried out. It was considered to be a constraint on the assessment and proposed, 'any future iterations of the CIA should aim to situate and critically interpret patterns observed in quantitative information with qualitative evidence.' We are aware observational research was conducted as part the Westminster Night Safety Programme in February 2023 which aimed to improve safety for all women in the evening and night-time economy. With the CIA being undertaken between January and September 2023 this research sits within this timeframe. We ask for this audit to be published to provide additional qualitative evidence.

We know cumulative impact is not solely determined by the number of licensed premises: it is the number of licensed premises AND the numbers of drinkers (capacity) AND the number of hours people can consume alcohol which increases 'stress' in the area and contributes to cumulative impact, only using one measure - the number of licensed premises is a weakness, although where the other measures are not available for some reason, the number of licensed premises is not a bad proxy.

The current Cumulative Impact Policy CIP1 2021 highlights the importance of the number of people in the area: 'The extent of crime and disorder and public nuisance in the West End CIZ arises from the number of people there later at night; a considerable number of them being intoxicated.' (D4). (Our emphasis)

We are concerned the CIA does not include capacities for the premises, we also raised this omission within the 2020 CIA consultation. We acknowledge not all licences contain capacity information. However from our own review we have found the vast majority of late licences from 1am onwards do contain this information.

In our response to the 2020 consultation we presented the number of licences and capacity figures, we identified 114 licences between 1am to 6am, capacity 20,483 (for 98 premises, 86%). In the intervening years from 2020 until October 2023 the number of licences having been granted outside of the core hours policy has increased to 121 licences, capacity 22,827 (for 104 premises, 86%). Overall, since 2020 the council has granted 49 'new' licensed premises (previously unlicensed) with a capacity of 4,177 (Soho Society data October 2023) and this is despite of the current CIA having made it clear that any extra capacity would increase the cumulative impact: a clear indication that much of the evidence in the current CIA has been ignored and making the situation worse.

From our own observations the numbers of people on the streets at night is also increased by people queuing to enter premises, and those in the area looking for premises to visit all fuelled by the number of hours available for people to consume alcohol. We believe the inclusion of observational data and capacity and the number of drinking hours would show the level of cumulative impact to be far higher than that reported in the draft document.

There are a number of references to Romilly Street being a street with a high concentration of licensed premises (on our count its 7) alongside Dean Street, Frith Street and Greek Street, this appears under the headings: Licensed venues in Westminster (p.6), Profile of Licensing Data (p.36) and Geography (p.38). We think that the inclusion of Romilly Street is an error and that it is in fact Old Compton Street with 31, which has the highest number of licensed premises with terminal hours of midnight and beyond, followed by Dean Street with 29, Greek Street 27 and Frith Street 23. We would suggest Romilly Street is incorrect and should be replaced by Old Compton Street.

The report contains important findings relating to the West End Zone 1 examples being:

- Comparisons have been drawn between the proportions of crime that occurred in these areas in 2022 and in the previous CIA 2017 -2019 which indicates that crime within Westminster has concentrated even further within West End Zone 1.
- Overnight crime seems to be particularly prevalent in Leicester Square, Old Compton Street, Greek Street, Frith Street and China Town Gerrard Street.
- The new regression analysis confirms the previous 2020 CIA report that the prevalence of licences is directly related to the numbers of incidents of cumulative impact of all types, particularly for theft.

- The modelling shows an overall factor of up to 1.5, which means that for each additional licence granted the number of undesirable behaviours expected in the area in a year would increase by up to a multiple of 1.5

This means a 50% increase in undesirable behaviours from any one or new extended licence.

Similarly, the figures suggest a 26% increase in reported thefts for each additional licence issued for whatever type of venue - including restaurants and cafés. Importantly it highlights: 'the number of licensed premises is a significant factor in the generation of noise complaints.

The report also identifies areas in the Northern part of Soho which experience less cumulative impact than other parts of the West End, we are concerned by this statement and make the important point that the cumulative impact policy in relation to the West End Cumulative Impact Zone clearly states it, '...is directed at the global and cumulative effects of licences on the the area as a whole.' (D.16) Any attempt to amend or remove it would be strongly opposed.

We had high hopes of the current Cumulative Impact Policy CIP1, but whilst apparently strong on paper sadly these results show it has failed to work in practice as a policy to prevent further cumulative impact in the West End. It has failed to reduce the number of licensed premises which is an indictment of the failure of not only the policy per se, but also a failure of the application of the policy in the licensing processes and through committee decisions. To be effective requires not only strong policies to be developed but also for them to be robustly applied.

We note there will be no immediate change of policy as a result of the publication of the draft Cumulative Impact Assessment. We are also aware of the link between the CIA and the proposed Westminster After Dark consultations which aims to provide guidance on noise management, street lighting, planning and licensing policies and antisocial behaviour, and know that any revision of the Statement of Licensing Policy will follow the publication of this plan which is due to be completed in June 2024. We strongly support the revision of the Statement of Licensing Policy and for it to take place as soon as possible after the publication of the Westminster After Dark Plan, we are pleased to note that the new CIA will be effective immediately and taken in to account in ALL new licensing applications.

We welcome this Cumulative Impact Assessment and the revised Licensing Authority Statement. The evidence presented in the CIA clearly shows the time has come for there to be a presumption to refuse all applications (as listed above) if the council is truly committed to reduce cumulative impact in this area and credibly meet the licensing objectives in Soho.

We have presented evidence of the increase in the number of 'new' licensed premises since 2020, 49 and with a capacity of 4,177, a number of which were granted beyond the councils own core hours policy. The demand for licensed premises in the West End and Soho shows no tendency to reduce. We frequently raise concerns at Licensing Sub-Committee hearings and at meetings with the council about the decline of retail and other uses in Soho in favour of drink and food led premises. Your own evidence is clear every additional licence or extended licence granted within the West End Zone 1 results in a 50% increase in undesirable behaviours and thus in an increase in cumulative impact. You also clearly conclude the number of licensed premises is a significant factor in the generation of noise complaints.

The challenge for the Council is how to ensure Soho and the West End returns to be a safe and healthy place to live, work and visit. Past policy failures mean that it is no longer safe to visit Soho late at night. Residents suffer sleep deprivation caused by excessive noise, a basic human right to

live peacefully at home is denied many residents. Further failures have led to the ever dwindling offer of a diverse and broad range of shops which serves the community and visitors. Most importantly of all, we sincerely hope that the CIA be fully taken in to account in decisions and the resulting robust Statement of Licensing of Policy will be IMPLEMENTED in ways that genuinely do NOT INCREASE cumulative impact and, if possible reduce it.

Soho Business Alliance

We write on behalf of the Soho Business Alliance, who provide a unified voice for businesses in Soho, with the aim of protecting and growing the economic diversity of the area in which we do business, through engaging with each other, our residents, other amenity groups and Westminster City Council. We welcome the City Council's new work in the draft Cumulative Impact Assessment – and indeed the broader "Westminster After Dark" consultation, where we look forward to engaging further in the coming months.

At this stage, we had a few points of response on the draft assessment:

As an opening point, we found it striking that the City Survey data showed that the vast majority of residents in the West End do not think there are problems with licensed premises, and generally feel safe, both in the day and at night.

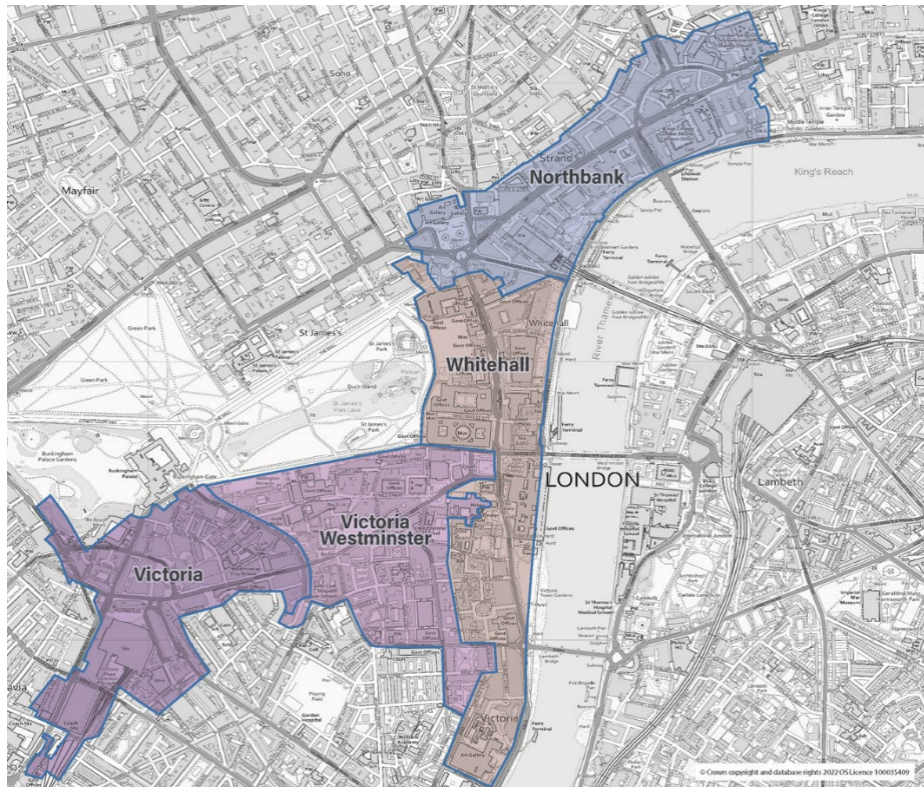
As to the crime / incident analysis: the data presented does not seem to support attribution of all the issues identified to the licensed trade. The new data in fact shows that the amount of crime linked to a specific licensed premises is a very small proportion of overall crime. We would note that the West End attracts a huge number of visitors throughout the year, day and night – and a lot of the issues discussed in the report (especially theft) are clearly related to this simple concentration of footfall, including at times of the day when retail and other uses dominate, rather than the licensed trade. When you have that in mind, the observations in the report that the presence of crime statistically correlates with the presence of licensed premises become somewhat moot – everything is really just correlating with the presence of a huge number of people, who are attracted to the West End for a variety of reasons, only one of which is the licensed trade. And it is also important to note that incident levels (of any crime) are actually an extremely small proportion of overall visitor numbers.

it does not appear that there has been any investigation into the qualitative difference between premises within crude umbrella categories (such as a "pub/wine bar" or "restaurant") in terms of their potential for any incremental contribution to cumulative impact. In reality of course, there is a huge difference between a well-run venue that attracts a crowd that comes out for the right reasons (whatever the premises type), and somewhere that is badly run and which attracts a disruptive crowd. It is the Soho Business Alliance's strongly held view that those in the former category are not only "lower risk", but in fact actively help to reduce or nullify cumulative impact – because the presence of responsible businesses and customers at night helps to make the West End a better and safer environment for everyone. Further assessment could also help inform how things like lighting and other public realm improvements can be pivotal in reducing negative behaviours, particularly at night – alongside further data analysis in that vein.

In short, we believe a holistic assessment should and would inevitably recognise the positive influence of well-run hospitality businesses in the West End, and the importance for "cumulative impact" of factors not connected to the licensed trade.

London HQ (Representing BIDs: Victoria, Westminster, Whitehall and Northbank)

London HQ (plan below) is a partnership of four business improvement districts which represents 1126 of which 120 are late night BID levy-paying businesses. The four BIDs span southern Westminster from the Royal Courts of Justice, Strand, Victoria and the riverfront from Temple to Tate Britain. The London HQ footprint includes busy train terminus (Victoria and Charing Cross), bus stations and multiple transport interchanges which are used by many who visit the West End at night.



- Northbank BID area includes the streets in WEZ2 to the south of WEZ 1
- Victoria is high priority area for the BID which has an increasing number of restaurants, venues and is mentioned in the CIA as an area of interest.
- Whitehall and Aldwych areas are evolving and should be monitored to ensure appropriate measures.

The BIDs have worked in partnership with Westminster officers, the police, businesses and property owners for over 12 years to make a safe and welcoming destination. The BID provides a range of street based services and initiatives to support area safety which is guided by our Safe & Secure Steering Group which meets quarterly and attended by both businesses and statutory services. We also work with local stakeholder groups, Villiers Street Forum and Victoria Neighbourhood Forum, both of which groups raise concerns about night safety and the appropriate levels of service to manage the busy city streets.

We are committed to creating a safe and inclusive Westminster throughout the day and night for our BID members, staff and their customers. We have commissioned Six Til Six, the leisure, hospitality and night time economy consultancy to develop Night Time Economy Strategy which is

anticipated to be completed in early 2024. The BID world welcome partnership working to secure the suitable resources to reduce crime and support our licenced businesses.

We would like to raise the following points on the Cumulative Impact Assessment which is informed by our detailed area knowledge as well as feedback and the priorities of our members. We hope these will help guide future work to develop the After Dark Plan and we would welcome continued engagement to develop the plan which is appropriate for London HQ area challenges.

- The CIA is based on reported crime numbers, but we understand from our engagement with businesses and local stakeholders there is a reluctance to report crime. We encourage reporting to ensure appropriate area management, licencing and resources and would like more to be done to raise the importance of reporting and how it can help secure appropriate area resources.
- We note that theft accounts for the largest proportion of crimes that have a recorded venue of interest to the licensing and night-time economy. It would be useful to have additional information about the location of the crime and if it was in the venue or on the street of that venue. (p5, 10)
- The times of highest crime are early evening on Thursday, Friday and Saturday which impacts on people enjoying a drink after work or before an evening meal or theatre show. (p11) The BID would welcome more resources to improve safety during these busy hours.
- The 4 BIDs track footfall through Colliers and would be willing to share this information to allow for better context the area. We understand that most BID's and Estates monitor footfall which could provide a good cover of information. We are concerned about the levels of crime particularly theft and assaults and this needs to be understood in relation to the number of people in the area, footfall information will help do this.
- We would welcome an open approach to the data being used to allow for transparent process and an opportunity to share the BIDs own insights and data.
- We would like to see further evidence of the connection between some recorded crimes or anti-social behaviour and licensed premises. We are concerned that the Cumulative Impact Assessment and its focus on recording crime and anti-social behaviour taking place at licensed premises. We understand the MPS records crime based upon the nearest premises, and as a result the data potentially penalises those premises which are well-run, many of whom have been encouraged to actively report crimes or anti-social behaviour which have been taking place on the street or in the immediate vicinity of their premises. The presence of gangs in some areas or on some streets, who again may be operating in the public realm, has also not been taken into account in developing the Cumulative Impact Assessment.
- Violence is also concentrated in the West End areas, with 47% (4,879) of all violence in West End and St James's wards. We are aware that Gangs operate in the St James area which will impact on crime in London HQ. More information to establish the extent, impact and targeted actions would be welcome. (p5)
- More data and analysis of the offenders would be welcome to provide a better picture of the origins of crime and potential ways to address the sources.
- The CIA notes that crime varies between areas and notes the clusters around evening and night transport hubs including Victoria and Charing Cross Station and in addition Trafalgar Square and Strand / Embankment (Northbank) area. We note that these areas have lower policing level. We

would welcome this be reviewed by both the council and police. We also note that businesses operating in the Whitehall area is changing with an increase in evening and hospitality. (P14, 17)

- Important context should also be provided in an updated Cumulative Impact Assessment on levels of resourcing. As organisations which provide resources to deliver on-street teams, we are acutely aware of reduced Police numbers in parts of the borough, and this not serving as a deterrent to crime and anti- social behaviour. To therefore seek to connect rising levels of crime and anti-social behaviour to licensed premises, without also considering the overarching picture of resourcing or context, is therefore disappointing.
- The BID would welcome more work and resources be allocated to address both hate crime and child exploitation which are impacting our area. (p22)
- The CIA notes high levels of alcohol related ASB are in Victoria and near Victoria Station. More information about nature of this would help guide appropriate resources, especially if related to a licenced venue or if related to the street population. (p23) The findings of the Cumulative Impact Assessment could be improved by also reflecting street-based populations, particularly in areas such as Victoria, which are also a factor in recorded crimes or anti-social behaviour in that area.
- The BID welcomes the fullest engagement and consultation with both businesses and residents including the Villiers Street Forum and Victoria Neighbourhood Forum. (32) Information from the City Survey may not be balanced as the numbers of respondents are low and from the residential population of Hyde Park ward. With St James seeing high numbers of incidents, this would be a key area to do both resident and business engagement.

We welcome the opportunity to respond to the Cumulative Impact Assessment consultation and work closely with Westminster City Council, the police, local stakeholders and businesses to make our districts safe and welcoming. The BID works with local stakeholders to create a safe and thriving districts. We support the work to establish an After Dark plan to create an inclusive and dynamic city where business and community can thrive. Our BID area spans south Westminster, and the licencing needs a balanced approach suitable for the evolving needs of West End, St James, Victoria, Northbank, Whitehall and Aldwych. We look forward to working with the council to ensure local licencing is suitable and future planning adjusts accordingly. We look forward to continuing our close partnership working with Westminster City Council and Strategic authorities to secure suitable resources, effective licensing and resolutions to the specific local area problems.

Public health

Many thanks for sending us the Westminster Cumulative Impact Assessment. We would like to take this opportunity to congratulate you on a detailed CIA describing the impact that a large number of licensed premises in a concentrated area such as Westminster can have on the four licensing objectives:

- Prevention of Crime & Disorder
- Promotion of Public Safety
- Prevention of Nuisance
- Protection of Children from Harm.

As you know these objectives are aligned very closely with Public Health priorities, and in future we would welcome the opportunity to be involved in the development of CIAs to ensure the impact on the health and wellbeing of residents, workers and visitors is considered.

We have reviewed the CIA and have identified a number of areas of feedback we feel should be considered in the CIA.

1. Vulnerable residents, workers and visitors. While we welcome the detailed analysis of crime and disorder, anti-social behaviour, and noise we would recommend that the CIA considers the cumulative impact has on more vulnerable residents, workers and visitors. For example:
 - a. People with a mental health condition, particularly those with a severe mental illness
 - b. People with a learning disability.
 - c. Homeless and rough sleepers
 - d. Asylum seekers and refugees

For people with a learning disability it would be helpful to consider the proximity of sheltered housing accommodation in the borough in relation to licensed premises.

In 2022 the Local Area Profile for Gambling Risk set out indicators and heat maps for vulnerable adults in Westminster which can also be applied to the CIA. We would strongly recommend that these are brought across and incorporated into the CIA to identify and highlight vulnerable residents in our borough.

Further information can be found in our Borough Stories PowerPoint Presentation (jsna.info)

2. Children and young people. We welcome the inclusion of data analysis by age in the CIA, however would recommend that as this cohort is specifically identified in one of the licensing objectives that special consideration is given to this age group.

For example, the Children and Young Persons Drugs Strategy identifies the night-time economy and hospitality sectors as specific local challenges in terms of recreational drug users and the impact that has on local communities. We would recommend that Childrens Services have an opportunity to feed into the CIA, if they have not already done so.

3. Drug use. We believe it would be helpful to include reference to particular drugs which are likely to have a particular link with licensed premises such as Club Drugs and nitrous oxide.
4. Sexual Offences/Violence against Women and Girls. We would strongly advise reviewing the language/profiling of victims in these sections with the VAWG Strategic Lead and Community Safety colleagues. Language on the profiling of the victims should be reviewed and profiling of perpetrators should also be included.
5. Night-time economy/shift workers. The needs of night-time economy or shift workers, such as the impact of crime and disorder/anti-social behaviour, the impact of noise at work on physical and mental health, and access to healthy food could also be considered in the CIA.

The CIA should particularly consider the needs of vulnerable workers, such as sex workers and others who are exploited (modern slavery) so that the licensing policy can support the safeguarding of those most vulnerable.

6. Health improvement/smoking prevention. Given the national priority to creating a smokefree generation we would recommend that this is factored into the CIA as it aligns with the licensing objectives. Smoking is the most preventable cause of ill health, disability and death in the UK and the current consultation on action includes enforcement around the sale of tobacco products and vaping.

Shisha venues also should be considered as part of the licensing policy. Data on smoking, including vaping and shisha is being developed by Public Health Smoking - Westminster - October 2023 Extended version.pptx (sharepoint.com)

7. Health protection/sexual health. The prevalence of STIs are on the increase in Westminster, which has the 5th highest rates in England. There are opportunities to promote advice on safe sex and distribution of contraception/condoms. A JSNA on sexual health is currently underway with findings expected early 2024.

8. Mental health and wellbeing. As indicated above the impact of cumulative licensed premises on the most vulnerable residents, workers and visitors should be included. The West End ward had the highest concentration of 'possible' suicides (i.e. not confirmed) in August and September 2023, with evidence suggesting that people travel into central London to attempt suicide. We would welcome the opportunity to amplify the Stay With Us suicide prevention campaign due to be launched in November 2023 in order to protect and safeguard our vulnerable residents, and visitors.

10. Additional data sources. In addition to the ambulance call out data included in the CIA we would recommend that that hospital and emergency admissions data be considered for inclusion. Borough level data is available from via the OHID Fingertips tool e.g. Public Health Outcomes Framework - Data - OHID (phe.org.uk). More local data could be obtained via the NHS.

Metropolitan Police Service

Firstly, on behalf of the Commissioner of Police of the Metropolis thank you for including the MPS in the consultation process for the Cumulative Impact Assessment 2023 and we hope the data provided was beneficial. As ever, I see ours as being the key partnership in providing a safe Night Time Economy and hope our relationship continues to support one another.

I would also like to congratulate your policy team in a report that clearly demonstrates such a meticulous and detailed study into the relationship of how licensed premises impact their environments. It is testament to the time, work and dedication of you and your team.

Regarding the consultation itself. The MPS is fully supportive of this assessment and the findings made. This report was sent out internally and the opinion fed back was that it clearly demonstrates and supports the need for a cumulative impact policy.

The various sections where crime has been analysed, indicating hotspots, replicates our officers local knowledge of where risk of crime lies within the West End, further supporting the statement that these areas are at saturation and that the cumulative impact of high numbers of licensed premises are having a detrimental effect on the locality.

Going forward our officers will be looking forward to implementing this assessment in partnership with both the Licensing Authority and other responsible authorities. If further comment is required, please do not hesitate to contact my team or me.

New West End Company

New West End Company welcomes the opportunity to respond to the City Council's draft Cumulative Impact Assessment, which will inform the development of a new After Dark Plan. The development of this new plan, and its intended aim of creating an inclusive and safe evening and night-time economy, is something that we are supportive of.

New West End Company is a partnership of 600 retail, restaurant, hotel and property owners across the world's top shopping and leisure destination, anchored by Bond Street, Oxford Street, Regent Street and Mayfair.

As such, we have a wealth of proprietary data and direct working relationships with key businesses in the district, as well as external stakeholders including the Metropolitan Police Service. We also have an established track record of working in partnership with the City Council.

However, following a review of the Cumulative Impact Assessment provided by the City Council, we have a number of concerns which we feel should be taken into account by the before finalisation of the Assessment and subsequent development of the After Dark Plan.

In summary, our concerns are:

- The absence of holistic data sets, including those which could be made available by New West End Company and other Business Improvement Districts (BIDs);
- The lack of context provided around the varying drivers of crime, particularly in relation to geographical area and concentration (or lack thereof) of licensed premises;
- The misleading categorisation of areas across Westminster, including the conflation of Soho with the West End's key shopping streets of Oxford Street, Regent Street and Bond Street. This categorisation obscures the commercial importance of Oxford Street, in particular, to both the local and national economy.

These concerns are broken down in greater detail below.

Absence of holistic data sets:

As a Business Improvement District, New West End Company provides an additional layer of 24/7 security to members through our supplier FGH Security. We also provide members with footfall tracking across the entire district, including a breakdown of footfall across key streets e.g. Oxford Street.

Taking into account that retailers in particular under report crime to police, we believe this to be a valuable data set; our Security team keeps detailed logs of every incident they are called out to and, as such, can provide a much more accurate picture of crime in the area, which can then be layered over other data sets provided by the Metropolitan Police Service.

Contextual understanding of the drivers of crime and anti-social behaviour:

The Assessment leverages raw crime numbers to draw a link between instances of high crime and the proximity of licensed premises. In particular, the Assessment identifies that the increase in crime

is being primarily driven by theft, and that this is also the largest proportion of crime in proximity to venues of interest to the night-time economy, e.g. licensed premises.

However, the Assessment fails to take into account both footfall within the area, or other drivers of crime. The West End – referenced here to mean the 82 streets covered by the New West End Company's BID district, anchored by Oxford Street, Bond Street and Regent, but excluding Soho – has experienced rapid increase in crime, which is now reaching pre-pandemic levels despite a significant reduction in footfall.

The number of recorded incidents of robbery and theft are up 115% year-on-year as of September 2023. For comparison, Metropolitan Police Service's own recorded crime statistics only show a 20% rise year-on-year in 2023 – underlining that New West End Company data could provide a valuable overlay to the data already being leveraged by the Assessment.

Within the West End itself, most criminal acts involving theft or robbery occur in the central shopping areas around Oxford Street, Regent Street and Bond Street. However, this area has a low proportion of licensed premises in comparison with Soho, which indicates that the conclusion drawn about the impact of licensed premises on crime cannot be applied indiscriminately to the entire area covered by the Assessment.

In addition, the Assessment itself identifies that crime concentrated in the shopping district of the West End peaks between the hours of 6pm – 7pm, when visitors to the district are shopping, or workers are returning home. However, thefts related to Cumulative Impact Assessment venues do not peak until much later in the evening; there are more thefts linked to these locations at 1am than there are at 12am. This indicates that there are different drivers of crime and violence in different locations across the district.

Furthermore, our own survey of visitors to Oxford Street indicate that concerns around safety focus on rough sleeping, begging and personal safety from organised crime groups and pickpockets. The volume of the street population is consistently high, with the number of people begging and sleeping rough accounting for two-thirds of the issues recorded by the New West End Security Team in 2023.

That there are a number of varied drivers of crime and anti-social behaviour is reflected in the Assessment's own data. The Assessment references the fact that approximately 6.5% of all anti-social behaviour calls in 2022 were recorded as having being linked to alcohol, suggesting that there are myriad other factors driving a rise in crime and anti-social behaviour.

We therefore feel that the Assessment could be improved by reflecting on these drivers of crime, which have not been factored in when considering a return in crime numbers to pre-pandemic levels. To connect rising levels of crime and anti-social behaviour to licensed premises without considering this holistic picture is, in our view, potentially misleading.

Commercial importance of West End shopping district:

The West End (as defined above by New West End Company) is renowned internationally as a retail and leisure destination. It attracts investment from a variety of sectors, including retail, hospitality, entertainment and leisure, and helps generate an annual GVA of £29.4 billion. Oxford Street alone is on track to deliver £3.9 billion annually by 2025.

Against this backdrop, it is critical that the West End's shopping district is considered in light of its unique identifying factors; low resident numbers, the presence of global retail and leisure brands,

presenting a desirable investment opportunity for national and international developers and, crucially, its low number of licensed premises.

This is not to deny that the shopping district faces its own crime challenges, as outlined above. However, a failure to consider the specific factors at play in the shopping district runs the risk of developing and implementing an After Dark plan which tackles crime and anti-social behaviour in a way which is only applicable to a small geographic area.

Conclusion:

We appreciate the opportunity to share our feedback to the Assessment, and hope that the City Council will consider our concerns, outlined above. We firmly believe that, in order to develop an After Dark plan which is effective, the City Council must take a holistic view of the data and geographic area in question, thereby providing a more nuanced solution to the issue of rising crime and anti-social behaviour

Shaftesbury

City of Westminster Cumulative Impact Assessment 2023 consultation

Shaftesbury Capital PLC is a Real Estate Investment Trust which invests in London's West End including Covent Garden, Carnaby, Soho and Chinatown.

We welcome the opportunity to comment on the draft Cumulative Impact Assessment (the "2023 CIA"), and we provide a full response in the pages that follow.

We welcome this report and appreciate the huge amount of work which has gone into producing it.

What follows are our initial observations that we have been able to prepare as best we can in the limited time provided, and on the basis of the data and information as presented. We hope that this initial window for responses is just the first stage in an ongoing conversation between the City Council and stakeholders before the CIA is made final.

Executive Summary

We very much welcome some of the additional granularity in the data presented. However, we think that in a number of ways the conclusions reached: (i) omit key information or context; (ii) do not follow from the data presented; and/or (ii) fail to give sufficient weight to those aspects of the findings that support an alternative perspective.

In particular:

1. Reported overall crime levels in Westminster in key incident categories has fallen compared to 2019, but this is not acknowledged or taken into account – including in the context of the analysis of West End Zones 1 and 2.
2. Crime at licensed premises is shown to be a very small proportion of overall crime, with just 11,711 incidents identifying a licensed premises anywhere in Westminster. This corresponds to just 15.28% of overall crime, despite there being in the region of 174 million visits to the West End in 2022. This is not acknowledged or factored into the analysis. Moreover:

- a. it seems likely that the vast majority of crime which takes place between 6am – 8pm does not relate to licensed premises at all due to multiple other activities taking place, for example commuting, retail visitors, tourists/sightseers, street performances, street population activities, cultural activities and general non licenced food and beverage uses. It can be argued therefore that the vast majority of crime related to these timeframes should be disregarded from the assessment entirely, as it does not relate to licenced premises; and
- b. The “Alcohol Flag” data shows a tiny number of crimes linked to alcohol. But rather than investigate this further, the report appears just to dismiss the figure as inaccurate.
3. Footfall levels do not seem to have been taken into account at all. Reported crime incident levels in Westminster are actually extraordinarily low when compared against footfall.
4. (Non violent) theft dominates the crime figures and largely occurs during the day peaking at 5:30pm. Despite this, the assessment places undue blame on licensed premises by arbitrarily defining the “night” as the window 6pm-6am, when in fact crime is comparatively low after 8pm.
5. The focus on restaurants as a driver of issues of cumulative impact is not supported by the data.
6. The inclusion of “northern” Soho (including Carnaby) in the scope of the cumulative impact statement is not supported by the data.
7. The inclusion of Covent Garden in the scope of the cumulative impact statement is not supported by the data.
8. The resident survey data referred to directly contradicts the conclusions reached on cumulative impact – but is cited in support of those conclusions. It shows that the vast majority of residents living in the West End do not think there are any problems related to licensed premises (73%), do not think drinking or rowdiness is an issue (78 / 79%), feel safe generally (94%) and feel safe at night (82%).
9. The data on anti-social behaviour (ASB) does not demonstrate any significant connection with alcohol, let alone licensed premises (either generally or in the West End) – but is cited in support of the conclusions on cumulative impact in the West End.
10. The data on noise complaints does not support the conclusions on cumulative impact.
11. The regression analysis is given undue weight, and does not take proper account of its stated limitations, including that it does not control for footfall. The results do not demonstrate a relationship of cause and effect between licensed premises and crime / noise complaints - but are seemingly interpreted as if they do.

We elaborate on each of these eleven points in detail in the Appendix below.

In relation to points 5 to 7 in particular, the data presented in the document appears to substantiate our long-held view that:

- our managed estates in Carnaby and Covent Garden do not meet the threshold for the City Council to assert that the granting of any further licences in those areas is likely to be contrary to the City Council’s duty to promote the licensing objectives (per section 5A(1) of the Act); and

- carefully curated and well-managed restaurants (with or without ancillary bar use) do not contribute to issues of cumulative impact in the West End, or indeed anywhere.

As far as we can tell, no observational studies were undertaken by your researchers. We have commissioned MAKE Associates to undertake observational on-the-ground research. MAKE Associates concluded that there was no Cumulative Impact in the Covent Garden Piazza and surrounds, nor was there any Cumulative Impact in the Carnaby Street area. This supports our views above, as does the data in the Cumulative Impact Assessment, in particular the Cambridge Harm mapping.

We should also note that the points of critique we put forward here are not intended to suggest that there are no issues at all in the West End. We acknowledge that crime is a problem worthy of all our focus, however your data shows that it is concentrated only in small geographical areas and specific streets, located outside of our managed estates not (solely) linked to licensed activity; predominantly does not occur at licensed premises (especially not restaurants); and is a tiny proportion of overall footfall. And we think the analysis and conclusions in the assessment should reflect these important nuances.

As a closing point, we think that investment in public realm improvements and targeted police resourcing are a key part of the picture here, which themselves merit further analysis as we all work towards an even safer and more dynamic West End. For example, it strikes us that it would be of great value to understand better how different types of crime correlate with say more poorly lit areas in Soho at night.

Shaftesbury Capital PLC

Shaftesbury Capital PLC invest in and curate vibrant and thriving destinations where people work, live and visit, delivering long-term social and economic value and job creation. Through investment, curation and responsible stewardship, we contribute to the success of the West End for the benefit of all stakeholders. With over 600 buildings in the heart of the busiest areas in the West End, Shaftesbury Capital's holdings represent a significant proportion of the areas licensed premises, most of which are restaurants.

In Covent Garden, Carnaby, Soho and Chinatown, Shaftesbury Capital own a significant majority of properties in the area allowing us to take an area wide approach to management which considers the needs of all occupiers and visitors. Shaftesbury Capital owns very few properties in "eastern" Soho, and so does not extend stewardship duties east of Berwick St. In each of these areas we have a mix of tenant types including substantial residential lettings in the upper floors. Whilst ensuring the vibrancy of an area through ground floor uses is vitally important, this is not at the expense of residential amenity. We pride ourselves on creating excellent places to live, work and visit. This is achieved through careful tenant curation and estate management practices.

When selecting occupiers for our properties, we give detailed consideration to how they will fit into the area and interact with our existing tenants and neighbours. From the start of the landlord/tenant relationship, we have a robust system of management practices in place across our entire portfolio. At a minimum this involves rules around how we expect our operators to behave to ensure that the wider neighbourhood is considered and that they share our values around responsibility to neighbours. For most of our properties the management of our estate goes far beyond this and encompasses measures such as a very large number of CCTV cameras monitored

24/7, 24 hour, 365 days a year security cover, enhanced cleaning regimes, gardeners, servicing and waste management arrangements, and on-site facilities management teams.

We also have estate regulations, and Operational Management Plans which are a commercial lease requirement across all estates and are monitored and reinforced by our managing agents, so occupiers not adhering to these 'housekeeping' rules are effectively in breach of their lease. In addition to this we are in the process of developing community charters which outline how we operate within the context of the wider community for each of our estates.

The mixed use, curated nature of our estates when combined with our stewardship role and strong values around responsibility to neighbours, has a clear and positive impact in preventing cumulative impact.

Thank you for your consideration and we would very much welcome a follow up meeting to discuss our observations.

We would also appreciate both the appendix and the two MAKE reports being treated as confidential and commercially sensitive – and therefore not subject to disclosure under any freedom of information or similar request by any third party.

Yours sincerely

Reponses to 2023 CIA consultation received through the consultation survey

Absolutely no need for cumulative impact area. Detrimental to the normal functioning of the nighttime economy.

I have been a resident of West End Zone 1 for approaching 30 years.

It is unsurprising that there is more crime in an iconic world-leading night spot venue and that there is some relationship between levels of recorded crime and number of licensed premises. The promotion of licensing objectives is not an absolute requirement over-riding every other consideration and guidance confirms that legislation is intended to support other vitally important principal aims including the role licensed premises play in local communities, encouraging responsible premises. It is disturbing that the Licensing Authority considers that the balance of objectives would be likely to prevent additional authorisations when it is essential to the character of the West End and a factor that attracts people to live there that it is a world-leading zone for night-time entertainment and a major contributor to Westminster and the UK culturally and economically.

Recorded crime is not a direct measure of actual crime or associated harm, being capable of influence by unreasonable reports which the police nevertheless have to record or by variations in recording practice.

Why have you been selective in the protected characteristics about which you ask?

The conclusion seems to be at odds with the overwhelming evidence that the West End (Zones 1 & 2) experiences unsustainable cumulative impact.

It doesn't feel great to be on the street in Soho often. Sunday morning is the only peace and clean environment anyone gets. So much more could be done. Every area seems to be used as a toilet. Our doorways. Anywhere. This alone would make it so much better for everyone. Living in a lavatory where drunken men encourage each other to piss everywhere is so depressing. Squawking hens and stags have changed the area, but they don't need to be defecating in plain sight. Add toilets. Indicate where they are.

I'm really interested in this, I agree with many of your Soho residents - we live in the centre of London and should appreciate that there comes with this some compromise. Noisy nights, rubbish, many visitors and transience is balanced with culture, excitement and fun. What the

report does not do (and must) is differentiate between these types of ASB and the ASB caused by organised crime. I do not mind people having a great time, overdoing it and being sick on the pavement. I do not mind football fans staying in local hotels and leaving cans of beer or fighting loudly. I accept that, I truly do, this will be annoying but I live here and accept it. I do mind people being trafficked from Romania, sleeping on mattresses along Edgware Road, and defecating on the pavement. I do mind young girls being trafficked into prostitution and walking around Paddington screaming wearing stilettos and fishnets at 7am. I do mind being curbed crawled by dirty old men when I come home at night. I do mind transgender prostitutes pissing on my doorstep etc. Do you see the difference?

I am broadly supportive of the findings, as they align with my experience as Licensing Representative for a Residents' Association.

As a family living in the area, it is critical where there are so many schools in an area that we maintain the safety and integrity of the surrounds. We can not be so commercially motivated to not appreciate the impact on these thousands of young lives. We should hold their environment exposure to the highest level. All of the set acceptable rates measure should be adjusted for the benefit of these growing young citizens.

I find that the lack of crime in my area should be limited and stop violence in the area.

It's clear that your cumulative impact policy hasn't achieved its goal of reducing crime and disorder. Remove all cumulative impact zones and see if keeping businesses open actually REDUCES crime and disorder.

Seems like a positive step forward.

I do not believe the report has a grasp on how dangerous and problematic Edgware Road and its surrounding areas have become.

EDGWARE ROAD IS DEFINITELY IN A CUMULATIVE AREA DUE TO VERY LATE LICENCING OF FOOD OUTLET ATTRACTING AFTER CLUBS PARTY GOERS TO VISIT THE AREA AT 3/ 4/ 5 AM, BUYING FOOD AND CONSUMING IT IN THEIR CARS/ WAKING UP RESIDENTS .

The report does not offer an accurate reflection on Edgware Road. The ASB and noise issues have increased by an exponential amount however complaints are not raised because residents believe there is no point as the council nor the police will do anything. Unfortunately, this is the general perception of residents in the neighbourhood which is depressing to say the least. If you log on to 'Next Door' you'll see the frustration of the residents in the area.

On 4th October between 3.30-4pm there was a knife attack in broad daylight outside of [REDACTED] restaurant on Edgware Road which was captured on video. Children go home from school at this time and there were children from Hampden Gurney inside [REDACTED], next to the restaurant, when this attack happened. The video is on the social media site X/Twitter and has garnered almost 80 thousand impressions thus far.

In the same 24 hour period there were two more incidents at the other end of the block. At [REDACTED] on the corner of Edgware Road and Burwood Place and Edgware Road, a well-known hot spot for crime, a woman and man were targeted and had their card swiped and a large amount of funds withdrawn from their account. This is not the first time. The next morning, a man had his laptop stolen from the same area.

St. Michael Street off of Edgware Road is a den for drug usage, distribution, and rough sleepers. This has been the case for several years and the dealing goes on in broad daylight. Drug use and distribution is rampant in the area and speaking to people in the area, there is a suspicion that the shop next to [REDACTED] with its shutters down is involved in some sort of distribution of drugs and continues to operate from the back ([REDACTED] Edgware Road I think). I am not sure but it may be accessible via safe storage or water gardens or through the dubious neighbouring clothes shop that has no name. There are other dubious shops on the same stretch and operate with ease.

For over a year, customers of the [REDACTED] on Norfolk Crescent were dealing drugs outside of Quadrangle Tower where kids play and doing so in broad daylight. The ASB on Norfolk Crescent is constant but there is no point registering this with the council or the police because it continues. For over a decade, recognisable Roma beggars have camped out on Edgware Road, slept on large double mattresses outside Barclays under the canopy, and begged aggressively during the day. Their bedding is picked up every morning by two men and dropped off every night. Their food is delivered in a Mercedes or equivalent car. Again, this has transpired for several years now and the police and council have been made aware but to no avail. The responsibility is passed on to another department rather than tackling the issue together.

By visiting X and Next door, residents have stated;

'It's a rich dump ,full of homeless in the morning,smackheads everywhere'

'Where's the police ?'

'Seen that yesterday when I was taking the kids swimming. They don't care about kids being around anymore. Vile'

'This is a well known place for atm theft. I NEVER use it only if really necessary. I go to Mand S instore machine whichh is much safer.

'Hope they are ok. This whole area has a knife epidemic. Saddens me to see this'

'Every time I walk on edgware road it's just so weird... I'm constantly on edge and can't avoid it. Loads of men (young and middle aged) in trackies doing nothing (and i'm not talking about the Roma people here) also some fake 'deliveroo' riders with ebikes just driving havoc I wonder what's going on in there every single day'

'Yes it doesn't feel safe at all'

'London is finished'

' agreed, crime and stabbings have escalated very rapidly, if they don't take vigorous action soon it's going to be catastrophic.'

'I completely agree Edgware Road has seen big changes with lots of people hanging around up to no good '

With all this identified by one person who lives in the area, can you fathom what other residents have witnessed or felt about the area? Edgware Road has clearly been neglected and the vice has erupted. It needs a radical change to deal with these growing problems that the report has not identified!

Edgware Road is in an appalling and forsaken state. I don't feel safe going out at night because of the crime, drugs, anti-social and suspicious people around Barclays Planters. I know a resident of the Water Gardens was held at knife point in the area and I know there was a knife attack in the day time on the corner of Sussex Gardens and Edgware Road last week. This is not a safe place to live anymore.

None - most have been addressed well

"registered" Premises Licence premises data collected - Shisha premises do not fall under this hence ASB /Crime etc has not been correctly addressed

a lot of Shisha premises are carried out in basements in Edgware Road and flats.

Shisha premises need to be licenced

It is clear that, compared to parts of Soho, other areas of Westminster do not have the same level of problem. It would be interesting however to compare areas like Mayfair with other parts of the country, if that is possible. It could be that if that comparison is made other parts of Westminster would merit being treated as Cumulative Impact areas if they were located elsewhere in the country.

It is vital that Edgware Road is also considered as a Cumulative Impact Area - living on Connaught square around it, the area has become dangerous often at night and family after family are moving out of the area. To not consider Edgware Road is almost tantamount to ignorance.

I think the Edgware Road crime statistics significantly unrepresent the true crime rates because most victims do not report. They do not report because they do not see any impact or remedial actions. Overall, residents have given up on reporting as they see it as making no difference. If every crime was reported then figures would look very different to what is presented.

Seems sensible. Problems, when they occur, seem concentrated on the West End, so a good idea not to grant more licences there. (It's not as if there's currently a shortage.)

Need quick action and not paperwork to tackle street crimes

I notice on the maps that there is a relation in some but not all areas of pub=noise. My experience of neighbourhood sound and light pollution (the latter eg the BBC is a major light polluter - Wogan House empty office lights are on for 24 hours) would also take into account cooking extractor sounds, air conditioning units, the TEN licence system and the unlawful, have a go parties/ squatters' nightclubs that go on for between 6-24 hours. All of these combined 'activities' can severely disrupt sleep with serious and long lasting health consequences both for children and adults. I would suggest that there needs to be more responsibility placed upon landlords to oversee how their properties are used including security of a building. The combined affects of inflation, too high rents and poor company directorship (especially for food outlets) continues to affect Great Portland Street for example. Alcohol needs to be subjected to the same philosophy as smoking so that non or low alcohol becomes the accepted drink in a pub or cafe or restaurant.

The assessment is highly comprehensive as self evident to that extent.

HOWEVER the concluding Licensing Authority Statement which indicates that a freeze on granting 'any further relevant authorisations or variations in respect of premises in that area' IS THE WRONG solution to containment and reduction.

THIS IS BECAUSE:

It is far better to plan a campaign of enabling local community amenities to liaise and negotiate with local licence premises to enter into a voluntary licence agreement where the proposer, who ever they be and supported by local amenities, councillors and mps and where that voluntary agreement applies solutions to all the manner problems and those agreed and voluntary licence behaviours ARE MIGRATED INTO MANDATORY STATUS WHEN THE LICENSE IS NEXT SUBJECT TO ANY REVIEW.

By imposing a blanket freeze on any license review you in effect remove the one effective method by which local people can work with local license premises to voluntarily put in place and test agreed restrictions and then migrate them to a mandatory status license status.

It's noted that no details of the history of policing strategy, policy and presence is detailed in the report and this absence is a serious omission considering it carries a significant part of the responsibility for the data outcomes.

It's noted that the drug dealing issue detailed in the CIA report has failed to document how historically the rise and fall of a drug dealing presence is related to policing policy in the Kings Cross and Victoria Station area and the bouncing between these three vicinities of the problem. Further, the Centre Point / Tottenham Ct Rd Station, above street redevelopment now introduces a 4th vicinity likely to work in unison with the previous three.

It's noted that the significantly deserted area of St James Pk, Whitehall and embankment green spaces, is identified with OD and ambulance call out which suggest that the quiet desertion attracts serious drug users. This is on contrast to the high activity and very populated area of West End.

It's noted that you don't identify stats on tourist as victims of crime in the West End data.

There has been a strong rise in crime and anti-social behavior (drugs and drinking) on our street and square over the past year. Many nights we are awoken by arguing (physical and vocal) and loud partying with drink and drug bottles, canisters etc left behind to find the morning after. Reporting is tough as offenders have become aggressive. It has become quite disruptive and not safe for our teens.

Good and comprehensive document. Highlights issues residents are facing in their daily life and should be dealt with as soon as possible

Good and comprehensive document. I have a flat in Park West and ASB has developed into a major problem around the building in the night. It would be very good to close Park West Place to everyone who is not a resident in the building save fore deliveries, waste collection etc. Benches on Burwood Place should also be removed as they gather people in the night-time

I think its healthy to find perspective on this - there is a lot of unverified hype.

I feel London, to lead the Northern World needs a centre for night life, a night economy and a place at the world table.

This nonsense of rolling up the streets at 9pm to please a small handful of residents and not consulting the majority of residents of Soho, youre closing down the stage that makes London part of the world and not a dead village that used to be. Most residents pay crazy rents to be able to live in a vibrant part of the world - changing it to please a few people is insane! Blaming businesses who have decent policy and are so regulated is another way to empower a few people who have aged out of Soho but want the are to age with them instead of accepting a new generation of people who CHOOSE to live in Soho.

Very detailed but omits the vast majority of nuisance and crime around Edgware Road.

Edgware road is too narrowly defined - the late night shops open there have spillover effects on Paddington and Marylebone, which are on either side

It's soho

It's always been packed with liscensed premises and previously Sex establishments
Nothing really has changed

Looks pretty thorough.

I think everyone wants more results and less bureaucracy/paperwork

I'm tired of people seeking views on these issues and want to see some action. The "people of the streets" own Cabbell Street and the surrounding area. They deal in and take drugs openly and generally intimidate the neighborhood with impunity especially late at night. My

children see and hear this and it is high time someone took action rather than keeping asking for views.

Pleased to see the significant number of recorded crimes and ASB in and around Charing Cross has been recognised and that WEZ 2 has been identified including those areas south of the Strand

It's always been like this since London was born !

I live in SoHo and whilst I appreciate the importance of late night business , the antisocial behaviour and lack of police is frightening

Overall the findings make a lot of sense based on my own experience living in Westminster. I think that the 'Areas of Interest' should have resources allocated to stop them getting worse.

It's very informative which has been helpful to make an opinion. In my opinion, I think if licences weren't as strict and more pubs/restaurants were able to have longer opening hours. It is also quite dampening when pubs close early and having to leave and see how quiet it becomes when we should be helping the economy - similar to when the streets were shut off to cars in 2021 and everyone was out eating/drinking in the street. It also shocks tourists (friends who come to visit from abroad) on how early everywhere closes or how after a certain time no one is allowed to go outside, it takes the fun out of going out and meeting friends for food and drinks when the licensing rules are so strict.

The document looks at issues pertaining to licensed premises through a single lens. Whilst I support the continual review of a CIA the reduction of crime and disorder is the legal responsibility of the police and local authority as set out in statute. Taking the CIA into consideration, as both an occasional resident, and worker in Westminster I do not see the effective management of the public realm at key times (identified in the CIA) by either the police or local authority, particularly between 9pm-6am. The key areas referred to in the CIA are an international attraction and hold global iconic status. What I see is ad hoc presence of police who often patrol in groups larger than two adding to a perception of fear and danger. This is compounded by no effective public space surveillance camera system - a key tool to deploying police and local authority assets able to prevent crime and ASB or at least restrict its impact. It appears that the responsibility is being placed on businesses with a premises licence, and mainly those that operate in the NTE, to police the streets. Much of the problems described also link to the rapid growth of American styled candy stores. Given the businesses with licensed premises pay corporation tax, employ 000's of people who pay tax and NI, support a logistical eco-system that raises taxes, pay rates, invest in security, incur significant legal costs to secure and protect their licences and many pay a levy to a Business Improvement District it seems very unfair to lay the blame for crime and ASB at their door and consider restricting their operations. There should be a targeting of individual operators that are poorly run and those that evidentially are catalysts for crime and ASB.

The assessment provides evidence that having a high density of licensed premises in a small area correlates with a significant increase in crime in that area. However, what's not clear from the data is what the effect is on overall crime levels, compared to if there were a similar number of licensed premises more evenly distributed across the borough. Arguably it's sensible to keep the majority of your night-time crime concentrated in a particular area. That way emergency responders can focus their resources around a predictable geographic pattern.

The CIA is inevitably distorted by the unique nature of the West End. For areas like the Hyde Park Estate and Edgware Road (which the report writer does not know how to spell, suggesting a lack of actual knowledge of the area!) the main problem from licensed premises is not the very serious one of violent crime, but takeaway litter and noise. Litter, which has a big amenity impact and creates extra costs for WCC, does not appear to have been measured, but it should not be ignored. On noise, the problems are likely to be greater than shown because reporting fatigue means that people do not think it is worth complaining. The overall result is that crime features very large in the CIA, and noise and litter feature less than they should.

I find the assessment very negative in outlook

It is not surprising that as an internationally known area for theatres, restaurants and night life that the West End attracts large numbers of visitors during the evening and night and especially at weekends, which obviously attracts people who would prey off them. The more successful the west end the more income for council in rates and more employment , more tourism

A positive approach to all this would be to employ a greater police presence at the these times to deter the criminals. This has been happening just recently and appears to be having an effect

The provision of more and more licensed premises and extending opening hours for existing licensed premises is driven by the companies who operate these premises but is also strongly supported by the property industry which benefits from the higher rents and therefore more valuable property yields and valuations which these rents supply. They are materially high than retail and other ground floor uses.

The introduction of the planning business use class E is facilitating a change of use to restaurant and bar. The planning department of Westminster is still facilitating and approving the provision of more and class E space in development and through changes of use. planners do do advise committees to condition such space to prevent restaurant and bar use. So the planning department of WCC and its existing City Plan 2019-2040 is actively undermining the work of the Licensing Department. There should be an immediate further amendment put forward to the City Plan to restrict class Eb use in the area covered by WEZ 1 and 2.

I have just completed this survey. I have NEVER seen such a badly designed survey. There is a single generalised question with box as question 1 leads a participant to believe that there will be other questions relating to the draft CIA to find out more about respondents views on the various aspects of the document. But no, only to find that this single question is the only one. The rest are mindless standard questions about age, ethnicity etc. This survey gets 'consulting the public' a bad name. What conclusions can you draw from the responses you receive. In addition why include the words 'if any'? Why would anyone complete this survey if they have no views. It is a joke!

The key to avoid these stress areas is to have more visible Police presence as if you reduce the number of Establishments, you will lose the charm of the Council.

It's time to pause on extending and granting more alcohol licenses. Crime and alcohol are directly linked and we are all very lucky that there has not been a major incident in Soho.

A very thorough report.

On one hand the CIA findings confirm what I observe as a resident in Westminster and what we, residents in our building, constantly complain about, especially in regards to Anti-social behaviour, public nuisance, dirt/litter on our street from nightlife patrons frequenting our street. We live on Newman Street, we are subjected to nuisance from the patrons of bars and restaurants on Goodge St heading down to Oxford St seeking transport. We are also massively disrupted by the patrons frequenting the increasing number of bars, clubs and pubs on Newman Street which are attracting and generating a lot of noise, public nuisance, anti-social behaviour and disruption to our lives as residents. On another hand, reading the stats about theft and violence so close to home, makes me feel concerned for my safety

It's incredibly thorough and transparent and the findings are grounded in detailed data. However, it is not clear that numerical data tells the whole story, perhaps because despite the abundance of data it is still covering a small geographical area and so relatively small absolute numbers can affect recorded outcomes. Understandably it relies on reported incidents and relative numbers between zones, hexagons etc. But so much of the lived experience is unreported and so hard to capture. The main overall lived experience is that in the 25 years I have lived in WEZ2, between the smoking ban, al fresco and general loosening of controls and the intensification of premises numbers, the overall environment has got much worse for all involved — just because there are more visitors doesn't mean they are having a better time any more than residents.

I also feel more at risk than I felt before reading the CIA ironically. I have rarely felt the environment to be dangerous and yet it turns out I am in the most dangerous zone by numbers. Perhaps I have just been lucky to now and need to be more concerned 🧐🧱♂️👤

The Westminster BIDs welcome the opportunity to respond to the City Council's draft Cumulative Impact Assessment, which we recognise forms the first step in the development of a new After Dark Plan.

The Westminster BIDs are non-political organisations that represent over 3,000 businesses and property owners in Westminster, including many licensed premises, and we have an established track record of working in partnership with the City Council.

Summary

We welcome the principle of establishing a new After Dark plan, particularly the commitment to create an inclusive Evening and Night-time Plan to improve the night-life in Westminster. This is an ambition and objective which is shared by all of us, particularly with members who are part of the City's vibrant Evening and Night Time Economy, and BIDs as providers of street-based teams to support the work of the City Council and Statutory Services. However, we do have a number of concerns about the draft Cumulative Impact Assessment, which we strongly believe the City Council should take into account as it develops the Assessment and subsequent After Dark Plan. These are set out below.

Footfall, Street Numbers and Police Resourcing

The CIA focuses on raw numbers of crimes and other issues and fails to provide important context in a number of areas, particularly footfall numbers. This is extremely significant, as whilst the Cumulative Impact Assessment gives volumes of recorded crimes or anti-social

behaviour, there is no overlay of the number of people in areas (particularly the identified CIAs) at any given time.

We are aware that the West End has eight million visitors per week, day and night and we are all concerned about levels of crime, and particularly the rise in crimes such as recorded theft and assaults. However, the numbers need to be assessed in the context of the number of people in an area at a given time given Westminster's position in the heart of a global city and whether these levels of recorded crime are increasing proportionate to footfall figures. The BIDs all hold footfall data, much of which is already shared with the City Council, and we would be happy to understand what further data may be of assistance to develop the evidence base of the Cumulative Impact Assessment by area.

Furthermore, we consider that the findings of the Cumulative Impact Assessment could be improved by also reflecting street-based populations, particularly in areas such as Victoria, which are also a factor in recorded crimes or anti-social behaviour in that particular area.

Important context should also be provided in an updated Cumulative Impact Assessment on levels of resourcing. As organisations which provide resources to deliver on-street teams, we are acutely aware of reduced Police numbers in parts of the borough, and this not serving as a deterrent to crime and anti-social behaviour.

To therefore seek to connect rising levels of crime and anti-social behaviour to licensed premises, without also considering the overarching picture of resourcing or context, is therefore disappointing.

Connecting Crime or Anti-Social Behaviour to Licensed Premises

In our view, perhaps the most significant issue with the draft Cumulative Impact Assessment is that the connection between some recorded crimes or anti-social behaviour and the quantum of licensed premises is entirely unproven.

For example, theft peaks in the early evening, when footfall numbers are highest and people are moving around the City, including shopping and going home. As a result, connecting this crime data at that time to licensed premises, many of which would not be at capacity or fully trading at that time, is potentially misleading.

We would therefore suggest that the focus of an updated Cumulative Impact Assessment is on revised hours, potentially starting from 8pm or 9pm as times when people are more likely to be in Westminster using some of the licensed premises.

In addition, we are concerned that the Cumulative Impact Assessment and its focus on recording crime and anti-social behaviour taking place at licensed premises. We understand the MPS records crime based upon the nearest street address / premises, and as a result the data potentially penalises those premises which are well-run, many of whom have been encouraged to actively report crimes or anti-social behaviour which have been taking place on the street or in the immediate vicinity of their premises. These premises often act as a place of refuge for the victim and are then incorrectly conflated. The presence of gangs in some areas or on some streets, who again may be operating in the public realm, has also not been taken into account in developing the Cumulative Impact Assessment.

Similarly, the Cumulative Impact Assessment fails to take into account potential other uses in an area which may account for higher levels of crime. An example of this is identifying the number of licensed premises in Praed Street and cross-referencing this with a higher number of assaults or injuries against the person. Again, connecting this to licensed premises is wholly misleading given the immediate proximity of St Mary's Hospital, where many of the assaults are first reported and recorded.

Unlicensed Premises

Another key omission in the draft Cumulative Impact Assessment is that it fails to take into account the potential impact of unlicensed premises, particularly where they may cluster in parts of the City.

An example of this is the Edgware Road where there are a significant number of cafes and bars offering services that do not fall within the licensing regime, such as shisha. These are often open late but are not covered by the CIA and this needs to be made clear in the document. The impact of these unlicensed premises is not taken into account by the Cumulative Impact Assessment, and again results in the impacts being inaccurately attributed solely to licensed premises.

Anti-Social Behaviour

The CIA references that approximately 6.5% (757) of all Anti-Social Behaviour (ASB) calls in 2022 are recorded as having been linked to alcohol. It would be useful to see the wider context and percentages for the other drivers / subjects of ASB in the City, perhaps a pie chart would help understand the breakdown of the other 93.5% of ASB reports.

Use of Data

As we have highlighted already, we are concerned about the data and datasets which have been used to inform the draft Cumulative Impact Assessment. Some of the data which has been used is only available to the City Council and / or relevant agencies, meaning it is not possible to scrutinise the data being used to draw the conclusions set out in the Cumulative Impact Assessment.

Furthermore, of the data which is used, including from the City Survey, some of the numbers used to draw conclusions are extremely low. For example, drawing conclusions around fear of crime amongst the residential population in the Hyde Park ward on the basis of 14 out of 135 residents from the area who took part in the City Survey, risks not standing up to appropriate scrutiny.

Conclusion

We welcome the opportunity to respond to the Cumulative Impact Assessment consultation. Whilst we welcome the publication of information and data in the interests of openness and transparency, we are extremely concerned that the data and conclusions published fail to either provide an appropriate context, or connect many of the recorded crimes or anti-social behaviours to licensed premises.

We would therefore strongly recommend that the City Council seeks to provide a more-overarching document, taking into account wider factors and context, should it choose to use this as part of the steps to developing its new After Dark Plan.

I'm not surprised but do not have any faith in the council to do anything about it.

Submission to the City of Westminster consultation on its draft Cumulative Impact Assessment

Dear Sir/Madam

Thank you for giving us the opportunity to comment upon your draft Cumulative Impact Assessment ('CIA'). Poppleston Allen Licensing Solicitors is the largest specialist licensing law firm in the UK. We act for a wide range of clients, from large multiple operators to independents. Many of our clients have premises in Westminster. How the City of Westminster approaches the implementation of the Licensing Act 2003 and specifically the issue of cumulative impact matters greatly to many of our clients, some of whom may not have premises in Westminster yet but wish to do so.

This submission is not made on behalf of any particular client, but rather is submitted by Poppleston Allen in our own right. In doing so, however, we bear in mind the significant involvement of our clients in the City of Westminster and particularly in respect of restaurants who, for the first time, find themselves at risk of not being treated as an exception to policy. The purpose of our submission is to put the City of Westminster to proof on some of the conclusions in your draft CIA, and, where found wanting, to ask you to re-think. Cumulative Impact Zones are generally a bar to business, they restrict competition, allowing existing operators the luxury of trading without fear of new competition or improved practices. The licensed sector, particularly for pubs and bars is shrinking and any policy, in quite possibly the country's most vibrant nighttime economy, should do its utmost to prevent this decline. This is particularly the case with regard to restaurants which, for the first time, look likely not to be treated as an exception to policy. As you state in your draft CIA, each application should be treated on its merits. We ask to what degree is this fundamental principle reflected in the CIA and what causal connection exists to justify the removal of restaurants as an exception?

Causation not correlation

It is an accepted truth that a cumulative impact policy may be justified because, due to a number of licensed premises in a concentrated area it is simply not possible to directly associate any one individual premises with undermining the licensing objectives. A broader approach is sometimes needed.

However, that is not the same as saying that simply because crime or ASB occurs in an area of concentrated licensed premises that a cumulative impact policy is justified.

There must be a causal link between the concentration of licensed premises and the increased levels of crime or ASB.

It is not enough to prove a correlation between crime/ASB and high numbers of licensed premises. A correlation might occur for lots of reasons, for example the simple volume of people who gather in a particular locality.

In many places the draft CIA uses words that suggest a direct causal link between crime/ASB and licensed premises, for example (our emphasis in italics):

- it is the cumulation of the premises and the activities that surround them that creates the increased problems and undermines the licensing objectives (page 4)
- A CIA examines the available data to establish if the presence of licensed premises in certain areas had led to cumulative impact (page 4)

We simply ask, specifically in respect of restaurants, where is the evidence of a causal effect between restaurants and levels of crime, ASB and noise in WEZ1 or WEZ2?

Your own CIA states the following, in light of numerous accepted limitations in the analysis methodology:

For the above stated reasons, the models' estimates should be interpreted as approximations of correlations between the prevalence of licensed premises (types) and crimes in their vicinity, not as a relationship of cause and effect. (page 95)

Not only does this acknowledge the conclusions are only correlations, but that they are approximations of correlations – a far remove from proving cause and effect between a number or type of licensed premises and increased levels of undesirable behaviour.

Moreover, where is the evidence to suggest that restaurants specifically are causing or

contributing to these levels of undesirable behaviour? At page 12 it is stated that, "Restaurant Offence type breakdown was mainly Theft". However, it is not clear what constitutes theft in this case. From long experience in dealing with Reviews against licensed premises nationwide, the crime of theft is often recorded whereas upon further analysis of the individual crime reports it is evident that the "theft" is in fact the report of a mobile phone having been lost and recorded as theft in order to claim on the insurance. Moreover, a person who has their bag or mobile phone stolen from a restaurant is not necessarily drinking alcohol, and even if they are that is unlikely to be the cause of the theft – particularly during what are stated to be the 'key times' for thefts from 4pm-8pm. To what degree has account been taken of this?

The Silent Majority.

At page 28 it is stated that 27% of West End respondents feel there are problems related to licensed premises (people drinking/smoking outside, blocked pavements, deliveries, etc) but by definition that means 73% of West End respondents did not consider there were such issues, or, not sufficiently strongly enough to respond to the survey.

To what extent has this silent majority's reticence been taken into account?

Moreover, in a Soho Resident Panel referred to at Page 32, 88 residents were surveyed regarding noise and sleep. Several state that noise has "increased....in the last three years", and that it is "very difficult to get the local authority to understand and take complaints seriously".

However, there are a significant number of respondents who take a very different view. For example:

"I realise that if you live in the centre of London there will be a certain amount of noise..."

"Soho is a busy, vibrant, amazing place and the noise that comes with it is part of the beauty of the area".

"I don't find noise to be an issue considering we live in the epicentre of the one of the world's greatest cities..."

"The noise I experience is minimal considering I live in the centre of London, in Soho.

Occasionally, people drink too much and shout or fight, but this makes sense considering I am living in the most exciting part of London..."

"I moved to Soho because I like the loud, frantic and energetic atmosphere. If I wanted a quiet relaxing environment I would live literally anywhere in London. Soho should not be made like every other soulless, featureless, safe, and quiet suburb".

Where have the views of these and no doubt other residents been taken into account in formulating the CIA?

Street Population Density

Is there any analysis of the actual number of people/footfall in the West End zones? It is self-evident that more people will equate to more crime. Westminster saw the largest swing in offending in London over the Covid period linked to reductions in footfall and changing business/ consumer patterns (page 10). Page 95 of the draft consultation, in the list of the limitations to the analysis includes the following: "Street population density. This is among the most significant drivers of undesirable behaviour: however this could not be accounted for in this analysis".

Is that not a remarkable statement? Undesirable behaviour happens where people gather (as indeed does desirable behaviour). In terms of footfall surely the West End is one of the most populated areas in the country? Is it not critical therefore, in order to obtain a sense of proportionality and perspective to any figures relating to crime, noise or anti-social behaviour that the actual number of people in the location is assessed? Most of us would feel safer in a city of a million people where there had been seven stabbings compared to a village of a hundred people where there had been seven stabbings.

The issue of street population density goes to the very heart of proportionality.

At page 30, it is stated that Victoria station accounts for 21.4% of all "transport related crime and disorder", followed by Paddington station (14.6%) and Oxford Circus (12.8%). These

stations are the busiest stations for footfall and customer journeys but nobody is talking about closing them down. Account is clearly taken (at least implicitly) that where there is significant footfall there will be more recorded incidents. Where does a similar approach apply with regard to licensed premises, and restaurants in particular?

Problems with the data.

In several places in the draft CIA limitations are outlined in respect of the data upon which the CIA is based. The below are just some examples:

- Crimes with an 'Alcohol' flag. From 76,639 recorded crimes in our data set from 2022, only 99 of them had a 'Alcohol' flag added to the crime record in an extractable way. This is approximately 0.13% of recorded crime. This proportion should obviously raise questions regarding the accuracy of the data, yet it can still be useful in examining where some alcohol incidents take place. (Page 82)

- A breadth of high quality and detailed data has been obtained and interrogated using statistical methods to offer comprehensive insights into cumulative impact in the borough. However, the project team recognise that there are limitations to some data sets, to ensure openness and transparency these limitations and the methodologies employed are outlined in the appendices to this document. (page 9)

Examples of acknowledged limitations with the data and analysis methodology include:

- Multiple recorded licences at the same location (presumably leading to duplication, and possibly one of the thirty-five shadow licences in Westminster).
- Status accuracy – a licence may be issued but not actually being used.
- Classification of premises types can be misleading (a restaurant can refer to a fine dining establishment, a venue which also hosts a late-night bar and club or a fast-food premises).
- Data completeness. Approximately 6% of licences are not recorded as a premises type and this rises to 23% for new licences.

Other limitations are mentioned but to the uninitiated it is not obvious to what extent these skew the data, for example, sampling numbers (only 2,250 matches geographically of the 4,045 licensed premises in Westminster); accuracy of data (the location at which undesirable behaviour occurs may not be the same as the location recorded in the reporting. This potentially leads to missed or erroneous correlations); and the 'Odds Model by premises type' was considered too broad to allow for confidence and therefore only the "all premises type" figures have been used for the Odds Model for each undesirable behaviour issue.

What effect have these limitations had on the data?

Conclusion

We are concerned that restaurants may no longer be treated as an exception to policy and that the draft CIA provides insufficient evidence to justify this important change.

The following is from the national Guidance:

In some areas where the number, type, or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

These are not, by and large, the activities that one would expect to see from the cohort of restaurants, and it is unreasonable and illogical to lump them together with other premises, for example pubs, bars, nightclubs and late-night takeaways.

Any fears about particular premises can still draw representations from Responsible Authorities and residents, and indeed the concept of cumulative impact is not limited solely to areas for which there exists a Cumulative Impact Policy.

At page 4 of the draft CIA, cumulative impact is described as “the term used to describe the stress that having a number of licensed premises in a concentrated area can have on the four licensing objectives”.

On page 79, in the conclusion, it is stated that crime statistics, licensing records, ambulance data, incidents tied to alcohol- related calls, incidences of anti-social behaviour, noise related grievances and interactions with internal and external service specialists have culminated in the following conclusions:

1. That there is an established association between the presence of licensed premises and incidents of cumulative impact in the borough.

2. Hot spot analysis was utilised to understand the concentration of crime, ASB as well as noise complaints. The hot spots that were statistically significant at least 90% of the time were particularly prevalent in the West End zones defined previously by the CIA.

However, the regression analysis methodology itself acknowledged significant limitations as stated earlier. Also, no account appears to have been taken in these conclusions of the population density/footfall, nor Westminster’s unique status, particularly in and around WEZ1 and WEZ2 of being as one resident said, “the epicentre of one of the world’s greatest cities”. Neither has account been taken of the 73% of residents who apparently did not consider there were noise or ASB issues in the West End.

It is ironic that, given one of the issues raised throughout the consultation is that of noise, the voices of those who complain most loudly appear to be heeded more than the silent majority. The data and statistics throughout the consultation are generic and fail to establish either cause or effect or indeed a correlation between the matters complained of and licensed premises. Where has account been given to licensed premises simply being used as a convenient geographical marker for an incident (of noise, crime or anti-social behaviour) that would have happened anyway, or indeed whose effect was minimised or reported by virtue of the very presence of a licensed premises in the first place?

What evidence does the City of Westminster have that specifically restaurants will have a direct impact on undermining the licensing objectives? What analysis has been carried out regarding how typical restaurant premises trade, the demographic of their customers and the behaviour of those customers? For example, if a policy was looking at including off licences within its scope then detailed analysis of street drinking, perhaps homelessness, begging and alcoholism on the streets, together with the strength and nature of alcohol being sold from off licences would be taken into account. What similar analysis has been undertaken for restaurants?

There is a fundamental danger here- if the evidential and causative basis for the inclusion or exclusion of certain types of premises is not clearly set out in a CIA then how can any future applicant for a material variation or a new licence hope to understand how to either be treated as an exception or indeed to overcome the Policy? Simply listing all the premises presumed to be unwelcome is completely different to providing clear criteria for those who are welcome, and undermines the fundamental principle that each application will be treated on its own merits - as stated in the consultation document. If the City of Westminster is unable to set out clearly the criteria, principles or guidance upon which applicants can overcome a cumulative impact policy, then does that not reveal a deeper fuzziness of thinking into why the cumulative impact policy has been imposed in the first place?

The evidence presented points to theft caused by gatherings – the lack of places open in the evening during these peak hours is causing gatherings, not the premises themselves.

A vibrant night-time economy is vital for attracting visitors to London and Westminster. These visitors contribute significantly to the local economy by spending money in cultural institutions, restaurants, entertainment venues, and more.

Like many areas in London, post-pandemic recovery has been slow, and the area has not yet returned to pre-pandemic levels of foot traffic. To stimulate investment, spending, and support job retention and local businesses, the British Beer and Pub Association places particular importance on supporting licensed premises such as pubs that draw millions of visitors to the area, generating economic benefits and substantial business rates for the council.

Licensed premises such as pubs are integral to realising the Mayor of London's vision of transforming the city into a thriving 24-hour global hub. We support a balanced approach to licensing policies that address issues related to crime and safety while ensuring a prosperous, vibrant night-time economy.

We would like to note our disappointment with the quick turnaround time for the consultation and the unavailability of the datasets used to form conclusions. Without access to this data, it is challenging to respond accurately. That said, we feel that there is no concrete link between licensed premises and crime.

Large gatherings of people, rather than licensed premises, are the primary issue when it comes to crime. We would contend that the West End, including St James's, is inherently busy due to its nature and that discouraging large gatherings would harm the local economy. Instead, we would suggest that if there were a greater variety of late-night venues open during peak hours across different wards, it could reduce crowd sizes.

We would propose that the focus should shift towards mitigating crime linked to the area using an evidence-based approach. We do not believe in restricting future licenses for licensed premises, as crime is not a result of these establishments.

We at the music venue trust represent the grassroots music sector and are disappointed that despite suffering massive losses to number of live music venues in borough this sector still isn't recognised in its own right. It is clear from data around cultural venue though that these premises are not crime generators and therefore we believe these should be completely exempted from any CIP in the borough. Westminster have operated a similar policy since the Licensing Act was implemented and if crime and public nuisance are still an issue then the council need to consider if this policy has simply failed. That a completely new approach should be considered. Since 2006 the arts sector has really suffered and no more so that in Westminster which is centre of the what we believe is the number one cultural capital in the world. The Council therefore need to completely review how the arts sector is supported and exempting these venues from it impact policies would be a good place to start. Cultural venues are really struggling and if Westminster want to reach out to the MVT and the GLA we can supply the data and evidence to help with any further analysis. Venues need to be allowed to operate longer hours and new venues need to be permitted to open in Westminster. By putting all licence premises in the same category all that will happen is the West End will become a cultural waste lane and the only licence premises that will survive will be the large chains.

I think some licenses should be taken away if they cannot do what they can to prevent public nuisance (like body guards or staff) in the early morning hours. I live in Soho and often have people urinate on my doorstep. I don't mind if somewhere is open during early morning hours provided they employ people to prevent anti-social behaviour.