

How to...

**Manage
Town Centres**

Foreword

Our success in revitalising town centres should be celebrated – we have a new vibrancy and vitality at the heart of our major cities throughout the day and night which would have been unthinkable twenty years ago. We are committed to the continued growth and development of our town centre as the heart of our communities.

But this success has also concentrated our minds on the need to respond to the challenges it brings, including alcohol harm and anti-social behaviour. We know that it is possible to take a stand and combat poor behaviour to build the respect and pride people have in their town and city centres.

There are many examples of our public services, including police, cleansing, environmental health, accident and emergency services, and transport providers putting in place excellent and innovative solutions to meet the challenges of a successful evening and late night economy. These innovators need to be supported and championed so that we can all learn from approaches that work.

How to Manage Town Centres is the start of a process by which central government wants to build on local success and engage with practitioners and leaders on what works, why it works and how it can work elsewhere so that we all benefit. It is about uncovering better ways of doing things. Whether it is understanding what action to take, what powers to use or what you can expect from others, we want to support you to build on and improve this guidance.

This guide is part of our **How to** programme which aims to support cleaner, safer, greener public spaces by working with leaders and practitioners to discuss and apply the tools that work, and share different approaches. The programme is part of the Cleaner Safer Greener Communities cross-Government initiative led by the Office of the Deputy Prime Minister.

I encourage you to get involved and be one of the huge numbers of people working everyday to ensure our local environments are clean, safe and green – places which people are proud of and where people want to live.

PHIL HOPE, MP
Office of the Deputy Prime Minister





How to...

Your guide to creating cleaner, safer and greener town centres

This guide is for everyone whose work makes town centres cleaner, safer and greener. It is for all those who labour to make their local areas better places to live – especially in the evening and at night – whether by policing them, cleaning them, or providing essential services such as street signs, planning and regulation.

Communities are complex and interdependent: the work of the police affects the work of the fire service, the work of the planning department affects the work of the people who maintain the streets. When all these organisations work together, co-ordinating their powers and resources, they can transform their effectiveness. They can transform their communities.

This guide offers practical help towards that goal, showing how existing powers and money can be used to accomplish more. It is divided into three parts:

- Part 1** explains the practical challenges and problems of town centres – and their night-time economies – and suggests ways of approaching them.
- Part 2** explains the tools that are available and outlines ways of using them, illustrated by practical examples.
- Part 3** summarises the legislation relating to each aspect of managing a town centre, along with sources of advice for using it.

We want this guide to inspire action, explain the tools available and stimulate debate. The guide will evolve to reflect what towns and cities have done, so that practitioners can learn from one another and share best practice. We will listen to those who grapple with these issues every day, and will regularly update the guide based on their views and experiences.

The guide will also be supported by the other elements of the ODPM's **How to** programme: its events, its helpline (with online support) and its work with towns and cities. For more information on the **How to** programme and the Cleaner Safer Greener Communities initiative of which **How to** is a part, please visit our website: www.cleanersafergreener.gov.uk

We will also publish **How to** guides on residential areas and parks and open spaces.



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How to...

1.1 The challenge

Revitalised town centres – the challenges of success

- Town and city centres are undergoing a renaissance and becoming more active throughout the day and increasingly in the evening and at night.
- New challenges have emerged in town centres, particularly alcohol-related disorder and violent crime, and strains on public services.
- These challenges put at risk the future development of vibrant and inclusive town centres and the tourism industry.
- Local authorities and others have a range of tools and powers at their disposal that can be used to manage active, inclusive and safe town centres.

Our town centres have undergone a renaissance in recent years, with public investment and action often acting as the catalyst for private investment and development. As well as businesses investing again in town centres, people are returning – both to live in them and to spend their leisure time. Town centres today are creating more jobs and opportunities, while new retail and leisure developments have enhanced their vitality and viability – during the day, in the evening and at night.

A key feature has been the growth of the evening economy between 5pm and 9pm and the night-time economy after 9pm. The rapid expansion of bars, clubs, restaurants and licensed premises of all kinds has underpinned this growth.

Benefits of expansion

- The pub and club industry turns over £23 billion per year, and employs more than half a million people, with the average pub injecting £73,000 a year into the local economy.

- There is a new generation of city-centre residents and workers, and a wider range of retail, leisure and sporting facilities – cinema attendance has more than doubled since 1990.
- Since the late 1990's an increasing proportion of shopping centres and leisure development have been undertaken in town and city centres.

But every opportunity brings with it challenges. In many places, the night-time economy has also given rise to new problems associated with its success.

Alcohol-related crime, disorder and anti-social behaviour

Although much has been done to improve the powers available, there is too much violent crime, disorder and anti-social behaviour caused by alcohol.

Facts

- In 2002/03, 1.2 million violent crimes were alcohol-related – that's 44% of all violent crime.
- One in five violent incidents take place in or around pubs and clubs – accounting for 13,000 incidents each week.

- Underage drinking causes particular problems – in undercover tests in 2004, one in three attempts by underage people to buy alcohol were successful.

The tools highlighted in this guide are designed to overcome and tackle these problems and encourage their effective use.

Tackling social exclusion

Many – especially older people and women – can feel excluded from town centres at night, particularly at the weekend. They fear anti-social behaviour and believe that there are few activities in town centres to attract them. About 45% of 16-34 year-olds go “out on the town” one evening a week, whilst only 15% of over-55s do and 71% of over-55s would not go to a town centre in the evening.

Pressure on public services

Crime and disorder puts a strain on essential public services, especially the police, the accident and emergency services and the cleansing and environmental services. It also affects retailers and transport operators, while diverting resources from other priorities.

Facts

- Alcohol-related crime and disorder costs £7.3 billion a year.
- Up to 35% of accident and emergency attendances and ambulance costs are estimated to be alcohol-related. Between midnight and 5am, up to 70% of visits to accident and emergency departments are alcohol-related.
- The number of beds filled because of crime and disorder costs the NHS between £1.1 and £2.3 billion per year.

- An estimated 116,000 NHS staff were the victims of violence and aggression in 2002/03.
- Three quarters of pedestrians killed at night would be over the legal limit to drive.
- Litter from drinks increased 23% in the last year and litter from fast food increased 12% in 2002/03.
- Local authorities spend £100m a year on tourism promotion, which is put at risk by town centres being perceived as poorly managed and dangerous, deterring potential and repeat visits.

Creating attractive and safe town centres

The Government is committed to creating sustainable communities, places where people want to live and work – including vibrant and viable town centres.

Sustainable communities

- Active, inclusive and safe
- Well run
- Well connected
- Well designed and built
- Environmentally sensitive
- Economically thriving
- Well served
- Fair for everyone



The Government is also committed to reducing crime and fear of crime, and in particular the violent crime that is too often associated with the night-time economy. We want attractive and safe town centres that offer a wide range of leisure opportunities, with less tolerance of those who behave badly and make places feel unsafe.

People are entitled to live, work or visit clean, safe, attractive and vibrant town and city centres. They expect public services to combat alcohol-related crime, disorder, and anti-social behaviour.

Local and public authorities are capable of delivering the services people expect. Across the country there are many examples of innovative practice and many opportunities for business to play its part. However, some authorities are not so successful in using the resources available to manage their town centres. The challenge is to make best use of the innovations and good practice of those that are doing this well to help those that are not.

Local and public authorities have a duty to do what they reasonably can to prevent crime and disorder. They have many powers available to help them do this and to manage town and city centres. They are also preparing to use new powers [See New powers].

The following sections explain the need for effective management of town and city centres, and **four main principles** for successful management.

1. Know your town centres – Define the area they cover and decide who needs to be involved in their development and management.

2. Develop local leadership – Develop a shared vision of what a successful town centre is for your locality, and a commitment to achieving it.

3. Prepare your strategy – Prepare a strategy informed by local planning, licensing, transport and crime and disorder that focuses action on the centre and supports frontline staff.

4. Creating successful partnerships – Outline partnership approaches that enable the pooling of objectives, actions, responsibilities and resources to integrate actions and outcomes.

New powers for town centre management

A number of new powers and measures are now available for addressing town centre issues, adding to the large menu of powers and tools already available including Fixed Penalty Notices, dispersal orders, anti-social behaviour orders, closure powers and powers to suspend or revoke licenses.

■ *The Planning and Compulsory Purchase Act 2004* introduced widespread changes to the planning system, including the way plans are prepared at a local level, such as action plans for town centres. Changes to the way the use of premises are classified will differentiate between restaurants, bars, pubs and night clubs and help co-ordinate local planning and licensing strategies.

- *Licensing Act 2003* gives licensing authorities a more flexible and responsive licensing system. It also gives police extra powers to close disorderly premises and toughen the law on selling alcohol to minors.
- *Business Improvement Districts* can now be created by business led partnerships to enhance the quality of their operating environments under the Local Government Act 2004.
- *Revised Local Transport Plans* have a greater focus on accessibility planning and ensuring people can access opportunities and services, particularly in deprived areas.
- *Clean Neighbourhoods and Environment Bill* proposes to strengthen and simplify local authorities' powers to act on a range of local environmental quality issues such as litter and graffiti.
- *Alcohol Harm Reduction Strategy for England* was published in March 2004 and set out a new cross-Government approach to tackling alcohol misuse by creating a partnership at national and local level between Government, the drinks industry, health and police services, and individuals and communities.
- *Tackling Violent Crime Programme* encourages the spread of good practice by drawing on practitioners' knowledge and experience. This will enhance local strategies and support their implementation, while enforcement campaigns are mounted to address specific problems of the night-time economy.
- *"Drinking Responsibly: The Government's Proposals"* was a consultation early in 2005. It outlined proposals for further measures to tackle binge and underage drinking building on the tougher powers granted under the Licensing Act 2003.



1.2 Knowing your town centre

Sharing information to tackle common problems

- Town centres are dynamic – no single organisation will have complete information.
- Pooling knowledge and sharing information will benefit everyone.
- Knowledge management systems enable information to be shared within and between organisations.

Town centres are constantly changing. Managing these changes successfully requires a good understanding of the ways in which they are being used (or not used) and by whom. It also requires an understanding of changes in market conditions and the dynamics of their evening and night-time economies.

Information and good practice for managing town centres already exists. It is taken into account in the preparation of local planning documents, licensing policy, cultural strategy and local transport strategy, and contributes to the auditing, planning and monitoring of the reduction of crime and disorder.

Information about town centres

- The police collect CCTV footage, data and audits that will tell us how safe places are and identify crime hotspots.
- Local environmental services carry out audits of litter and clean streets, the incidence of: vandalism, graffiti, noise, urination and other problems.
- Planning authorities hold information on the needs of people, town centre uses and future growth and development.

- Accident and emergency departments will hold information on admissions caused by alcohol.
- Highway authorities will have information on pedestrian movement around the town centre, and areas and times of transport need.
- National and local business will have profiles of target customers, their use of town centres and what they want from them.
- Local community groups and people will also hold a wealth of first-hand knowledge about their centres.
- Business crime partnerships collect and share data on key individuals involved in harm to the town centre and business community, such as shop theft and aggressive begging.

Since no single organisation will have complete information, those involved in managing town centres, such as town centre partnerships, should pool their knowledge to provide a common basis for developing strategies, policies and actions. This may entail finding practical ways of sharing information and making data from different sources compatible.

Tools for success

Information sharing protocols

The Home Office Crime Reduction website (www.crimereduction.gov.uk/infosharing00.htm) will automatically produce a protocol tailored for your Crime and Disorder Reduction Partnership (CDRP) by asking questions. The Department for Constitutional Affairs has guidance on 'Public Sector Data Sharing' (www.dca.gov.uk/foi/sharing).

The law on sharing information

Section 115 of the Crime and Disorder Act 1998 says that it is legal for anyone to disclose information for the purpose of reducing crime and disorder. Where the police, local authorities, probation service or health authorities did not have this power, the Act grants it. There is no barrier at all to sharing anonymised data: the courts have ruled that the common law duty of confidence does not apply to information that has been modified so that individuals cannot be identified.

Knowledge management

Knowledge-management systems can help share information within and between organisations. The national strategy for local e-government can help underpin action to support community planning, deliver better services and inform decision-making. One example is the use of Geographic Information Systems that can help put information on to maps to help identify where problems occur and not just their extent. This can be particularly valuable to inform operational activities and schedules. Combining

information from different sources can also highlight linkages between different activities. www.localgov.gov.uk provides further information.

Environmental performance

Local Environmental Quality Surveys (LEQS) provide a methodology for checking environmental performance on a range of measures, particularly litter, detritus, graffiti and fly-posting. The national survey shows that environmental quality is often worst in town centres, with staining of pavements being a particular problem, especially around bus stops and other large objects on paved areas. As a statutory minimum, local authorities (except county councils) should report each year on cleanliness under the Best Value Performance Indicator BV199, introduced in April 2003. The indicator measures the proportion of surveyed sites that have unacceptable amounts of litter and detritus. From April 2005 it will also include graffiti, fly-posting and fly-tipping. Training on the use of BV199 is available from ENCAMS (the Environmental Campaigns charity) and guidance is available at www.leq-bvpi.com. Additional information on other Best Value Performance Indicators can be found at www.bvpi.gov.uk.

Local information

Neighbourhood Statistics is the Government's programme to improve the availability of local data on a wide range of subjects, including population, crime, health and housing. Information is available at www.neighbourhood.statistics.gov.uk

In practice

Thurrock GIS Scheme

Thurrock local authority is rolling out a Geographic Information System (GIS) across all its departments. The purpose of this process is to join up land and property data into a common central database, which will give everyone access to the same data, maps, aerial photography and graphical overlays. This will in turn enhance decision making within the authority.

Wiltshire Intelligence Network

Wiltshire's Intelligence Network provides a sophisticated array of local and national statistics relating to people and places. It allows policy makers to compare local areas – wards, towns or counties – with the local, regional and national picture. It provides a valuable tool to support more informed decision making. It was developed as part of the Wiltshire & Swindon Pathfinder, and is already being adopted by other councils in the South West.





How to...

1.3 Developing local leadership

Finding and developing inspirational leaders

- Effective local leadership and commitment are vital for creating and delivering successful and safe town centres.
- Leaders need to engage, listen and learn from – as well as inspire – those with an interest in the way their city, town or local centres are managed.
- Various programmes are available to develop leadership skills.

Effective local leadership and commitment, political and managerial, are vital for creating and delivering a shared vision of successful and safe town and city centres. Although individual officers or members of the public have inspired and driven change they need support from above. Local leaders can help by creating a climate for managerial innovation and for “can do” approaches.

Local leaders need to engage, listen and learn from – as well as inspire – all those with an interest in the way their city, town and local centres are managed. They need to bring together all the right people – from police, fire and health authorities, the private and voluntary sectors and the local community – and get them to agree a strong, clear vision for their centres.

Such leadership and unity around a shared vision is essential for improving co-ordination of local authorities and the services they provide as well as other public bodies and the private, voluntary and community sector.

Every centre will have its own role and purpose, and its own particular combination of challenges that may change over time, together with its own balance of interested parties. It could be a major centre that already has a mature evening economy or

secondary suburban centre or market town that is still developing or looking to attract evening and late night activity.

Leaders should develop a vision of the kind of town centre and night-time economy people want, based on knowledge and understanding of local aspirations and a realistic assessment of what can be achieved.

Leadership does not have to come from the local authority alone. It can and should come from all those involved.

The private sector – businesses can lead by forming town centre management partnerships, involvement in business crime partnerships and establishing Business Improvement Districts.

The police – there are many examples of committed police officers championing community safety, such as the Manchester City Safe initiative.

Local people – there are many examples of community champions and local people taking action to tackle persistent problems on their doorsteps including prostitution, crack houses, noise and street fouling.

Tools for success

Town-centre managers

Managers acting as advocates for the town centre have brought together interested partners from local business and across the public sector. This approach, widely used for managing the day time economy, is now starting to be used to manage the evening economy. The Association of Town Centre Management provides information and advice for town-centre managers. See www.atcm.org

The Improvement & Development Agency (IDeA)

The IDeA provides a variety of leadership development work embracing the needs of key decision makers, elected members and officers. It gives local authorities a variety of opportunities to consider and develop their leadership styles and abilities.

The Improvement and Development Agency's Leadership Academy offers support for local leaders managing town centre issues, helping them to learn from the latest thinking about political leadership. The programme is designed specifically for councillors, and provides an environment for councillors from across the political spectrum to meet leaders from other councils. See www.idea.gov.uk

The Academy for Sustainable Communities (ASC)

The Academy was launched in January 2005 to work with training providers, practitioners and experts from across the public, private and voluntary sectors, drawing on examples and best practice from across the world. Details of the ASC's programmes and priorities will be available at www.ascskills.org.uk

Power of well-being

The Local Government Act 2000 gave local authorities the wide ranging power to promote well-being. Subject to certain limits, local leaders have the opportunity to use this power to take any action they deem necessary to improve their town centres. Guidance on the use of the power is available in the Local Government community and political leadership section at www.odpm.gov.uk



In practice

Residents create charter to keep Bolton safe and clean

Through a neighbourhood management partnership made up of the residents, the police and the council, residents in Great Leaver, Bolton, identified crime and street cleaning as important issues. This led to the creation of a Safe and Clean Charter for the area that sets out which 14 service providers are responsible for keeping the area safe and clean. The charter also states the standards of service the residents can expect and contact points for further help and advice on issues such as burglary, victims support, street lighting, police support and refuse collection. Key contacts that residents can complain to if service providers do not operate to the standards also forms part of the charter, as does initiatives and pilots going ahead in Great Leaver around the safe and clean agenda. The responsibilities service providers expect from the community in return are also set out in the charter, which will now go on to monitor progress in keeping the Great Leaver area safe and clean.



Reading Council and the Oracle development

Councillors had a clear vision – worked out over years of discussions – of what they wanted to see on the south side of Reading’s centre. As a result, they were prepared to negotiate robustly with their development partners, and to use their Compulsory Purchase Order and other powers without hesitation to achieve the results they wanted. There were two key events in the transformation of Reading from a rather old-fashioned market town into a modern European city – Reading Borough Council published a document titled “City 2020: a Vision for the Future” early in 1999, and in September 1999 the Oracle centre was opened. The “City 2020” document evolved naturally from councillors’ intensive work on plans for making Reading the home of Oracle over 15 years. John Madejski, one of the council’s development partners, famously remarked: “This is a council you can do business with.”



How to...

1.4 Preparing your strategy

Strategic management

- Effective management is essential for sustaining the vitality and viability of town centres.
- Town-centre strategies are effective in providing a framework for successful management of town centres.
- Town-centre strategies should be linked to the local approach to planning, crime and disorder reduction, licensing and transport.
- Extend approaches to town centre management to cover the evening and night-time economy.

Effective management of town centres is essential for enhancing and sustaining their vitality and viability. Having developed a vision of the kind of town centres and night-time economies people want, local leaders should be pro-active in developing a framework for managing and joining up the actions of local partners in order to deliver local aspirations.

A vision for local town and city centres should form a central part of local Community Plans, compiled by Local Strategic Partnerships.

Every centre will have its own role and purpose and its own particular combination of problems, which will change over time. It could be a major centre that already has a mature evening economy or secondary suburban and market town that is still developing or looking to attract evening and late-night activity. Town-centre strategies have been prepared for a variety of reasons, including:

- encouraging attractive, clean and safe town centres in the day and night
- promoting and managing the development of a diverse range of activities

- developing infrastructure for combating alcohol-related crime and disorder especially late-night transport services and accident and emergency services
- balancing the needs of those enjoying the night-time economy with those of residents
- responding to problems emerging from a lack of co-ordination and strategic management, such as crime and disorder.

A strategic approach to managing town centres should be developed in partnership with the police, health and various functions within local authorities, the private sector, property owners, transport operators and the local community. Each will want to ensure that their objectives will be enhanced or safeguarded by any strategy. Developing a strategic approach that links the vision for town centres with that provided by the community strategy is likely to be most successful in achieving this.

A strategic approach should help clarify responsibilities, priorities and linkages between the actions of different partners. It should inform and be informed by the wider local framework in which the centre operates. It should aim to draw together the individual elements from the range of local strategies,

policies and programmes that contribute to supporting town centres, but especially planning, licensing and crime and disorder areas.

Tools for success

Community Strategies

Community Strategies are designed to promote a more strategic approach to planning the development of an area so as to jointly improve its economic, social and environmental well-being. All local authorities are required to produce one – in consultation with local partners, including the business sector and residents. As such they provide a vital mechanism for ensuring that town and city centres are planned and managed effectively.

The planning system

Planning powers have a key role to play in creating well-planned, designed and managed town and city centres. The Planning and Compulsory Purchase Act 2004 introduced widespread changes to the planning system, the key principles of which are set out in *Planning Policy Statement (PPS)1: Delivering Sustainable Development*. The new *Planning Policy Statement 6: Planning for Town Centres* will focus on a range of issues relating to planning for the future of town centres, including managing the evening economy. See www.odpm.gov.uk

a) The **local development framework** may include a town-centre strategy covering the evening and night-time economy to complement existing approaches for tackling crime and disorder, licensing and local transport and promoting

culture. Planning policies for town centres should be included in the core strategy development plan document. They should complement the local Statement of Licensing Policy, the licensing objectives under the Licensing Act 2003, and other policies such as the Local Transport Plan. Policies might, for example, consider the scale of leisure developments they wish to encourage and their likely impact, separately and cumulatively, on the character and function of the centre, anti-social behaviour, crime and the amenities of nearby residents. Within the Local Development Framework, Action Area Plans or Supplementary Planning Documents may be particularly suited to dealing with development of the night-time economy in an integrated way. This framework is designed so that authorities can decide which combination of documents best suits their circumstances, making it easier to keep policies and proposals up to date. *Planning Policy Statement 12* provides guidance on the development of the new local development framework. See www.odpm.gov.uk



- b) Regional Spatial Strategies** can have a more strategic role in the development of the evening economy by assessing the need and opportunities for growth in higher-level centres in the region. The London Plan (2004) is a good example of how to deal with evening economy issues at a strategic level. *Planning Policy Statement 11: Regional Spatial Strategies* provides further guidance. See www.odpm.gov.uk
- c) Development control** – In determining planning applications, local planning authorities are able to impose conditions or seek legal agreements (s106 Agreements) that identify steps an operator or business must take for the development to be acceptable in planning terms. The cumulative impact of development related to the night-time economy can be a key consideration in planning proposals, particularly for A3 uses – for the sale of food and drink for consumption on the premises and of hot food for consumption off the premises. These impacts should also be considered in the development of local planning policies in the context of policy set out in PPS6.
- d) Permitted changes of use** for premises within the previous A3 class of uses – such as a restaurant changing to a wine bar – has contributed to an increase in pubs, clubs and bars. The Town and Country Planning (Use Classes Order) 1987 (UCO), which governs this process, has been amended to exclude night clubs from any specified use class and will have the effect of including internet cafes in the shops class (Class A1) and splitting Class A3 (food and drink) into

three – a new Class A3 (restaurants and cafes), Class A4 (pubs and bars) and Class A5 (hot food take-aways). These changes will enable tighter controls over the use of town-centre premises.

- e)** The **relevant regulations** are the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development)(Amendment)(England) Order 2005 and Town and Country Planning (Use Classes)(Amendment)(England) Order 2005. These can be found at www.odpm.gov.uk

The new licensing system

The Licensing Act 2003 consolidates the six existing licensing regimes into a new system, which is more flexible and responsive. It covers the sale of alcohol and late-night refreshment, as well as regulated entertainment such as live music, cinemas and theatres. By November 2005 all 160,000 licensed premises should have transferred to this new system. The four objectives of the new system are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

The new system will give consumers greater choice about how and where they spend their leisure time, and it will encourage more family-friendly premises and the development of live music, dancing and theatre. Removing fixed closing times will prevent artificial peaks in demand for supporting infrastructure. These peaks can contribute to crime and disorder and act as a barrier to the development of a safe and thriving night-time economy.

- **Statements of licensing policy** had to be published by Licensing Authorities by 6 January 2005. They should be kept under review and a new statement published every three years. The statement of Licensing Policy should set out how the licensing authority's policy will promote the four licensing objectives. It should also make clear that while licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they leave premises it will be part of the holistic approach to the management of the night-time economy. The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter for a licensing authority to consider. The need for licensed premises should be considered through planning policies and an assessment of the market. Statutory *Guidance issued under Section 182 of the Licensing Act 2003* contains comprehensive advice on the operation of the new system. See www.culture.gov.uk
- **Conditions** can only be imposed on licensed premises if the licensing authority receives representation from a responsible authority, such as the police, or an interested party, such as a local resident. Applicants are encouraged to consider relevant voluntary conditions when seeking a license. Examples of conditions, which must be related to the individual licence, are given in the Guidance. Standard conditions may be unlawful.

New local transport plans

Local Transport Plans for the next five years are currently being prepared by local transport authorities for publication in provisional form in July 2005 and in final form in March 2006. These will focus on outcomes such as creating safer and stronger communities and meeting transport needs more effectively.

The introduction of **Accessibility Planning Strategies** through the next round of the Local Transport Plans will require consideration of the ability of people to reach services and opportunities. Through accessibility planning, town-centre strategies might consider whether someone is able to reach the services and opportunities they need, such as new employment in the evening economy, and that everyone is able to get home safely. *Guidance on accessibility planning* is available at www.accessibilityplanning.gov.uk. *Full Guidance Local Transport Plans: Second Edition* is available at www.dft.gov.uk

Managing the appearance and quality of the public realm in town centres can be improved through co-ordinated **streetscape manuals**. Community street audits are a useful mechanism for identifying management issues or indeed gaps in provision from the perspective of the users of the centre.

Crime and Disorder Reduction Strategies

The Crime and Disorder Reduction Strategy, based on an audit of local crime and disorder and local priorities can help identify actions related to the management of the town centre. See www.crimereduction.gov.uk

Local Cultural Strategies promote the cultural wellbeing of the area and act as the basis on which the local authority assesses its own contribution and that which cultural provision can make towards regeneration and encouraging tourism. www.culture.gov.uk

In practice**Manchester's 'City Centre Safe' initiative**

Manchester's City Safe partnership carries out a range of initiatives to ensure the city centre is a safer and cleaner place. One strategic initiative has been the securing of a late night bus service to assist with ensuring residents can get home safely at night. This initiative was created in close partnership with Greater Manchester police, the Passenger Transport Executive, the City Council, bus companies and pub and club owners. The new bus routes have been subject to high profile policing and CCTV. Help points have been installed at bus stops and bus loaders have been employed to control behaviour. The multi-agency initiative has contributed to a 12.3% decrease in serious assaults during 2001/2 in Manchester's city centre, with over 20,000 people using the service each weekend.

**Cheltenham's Night-time Economy Strategy**

The Cheltenham Night-time Economy Strategy brings together a vision for a safe and attractive town centre with a diverse night-time economy accessible to all, while protecting the quality of life of residents. Developed in partnership with local businesses and residents, the strategy provides an aspirational framework under which action plans are set out to co-ordinate planning and licensing, improve facilities at night, encourage diversity of uses and users, keep the centre clean and safe while protecting local residents' quality of life.

Hull's field hospital

Owing to concerns about the impact of binge drinking in Hull, a joint initiative between the police and the local health service has led to the setting up of a field hospital to treat people with minor injuries in the heart of the city. The scheme will be piloted over a couple of weekends, and if it is a success it will become a permanent fixture – allowing people to be treated for cuts and bruises without having to go to a hospital. If successful this strategic approach to dealing with minor injuries will allow hospital resources to be used more effectively.



1.5 Creating successful partnerships

Working together for success

- Successful management of town and city centres requires local strategic and operational partnerships.
- Town-centre partnerships and Business Improvement Districts are good frameworks for working together.
- Working together also enables the pooling and best use of resources.

Sustainable management of town and city centres depends on creating successful partnerships – both strategic and operational – to approach local issues with a shared vision. Local authorities should provide a clear framework for managing their town centres and co-ordinating local partners' responses to specific problems.

Local partners should include representatives of local authorities' service delivery units, the health and police services, transport providers, the retail, leisure and drinks industry, and resident communities. The participation of all these partners is necessary to take action on alcohol misuse and make town centres successful.

Although the partners' interests are different, they have common objectives, and each partner can exercise its powers, rights and responsibilities to support the others. Combined and co-ordinated, these will be more effective than if they are operated individually. For example, the police and fire services can collaborate with trading standards and environmental health officers to control a problem night club.

Working together in a town centre partnership can be an effective mechanism for identifying, pooling and making the best use of resources for tackling specific issues. Every year, around £8 billion is spent on public spaces by public bodies, the private sector, voluntary and community organisations and charities. Although local authorities are responsible for around a third of this, it should be everyone's aim to make this money work better for the town centre.

However, not all local partnerships are effective – their ability to work together internally and externally varies across the country, as does their performance in tackling issues. Both can be improved by learning from others. Developing the skills and capacity for working in partnership is essential.

Making use of all available resources

Investment in local public services has risen rapidly in recent years.

- Grants to local authorities have risen by 33% in real terms since 1997 – and the total level of support the Government provides to local authorities will be over £60 billion in 2005/06. The Gershon Review of efficiency in the public sector identified scope for local government to deliver efficiency savings of at least £6.45 billion over the next three years for reinvesting in local public services. There are now more resources available for policing, health services, highway maintenance and the local environment, among other services, all of which make an important contribution to the management of town centres and the night-time economy.
- Other sources of funding for town centres are also available to local and public authorities, including specific grants from central government, rental income from local authority properties, licensing revenue, advertising revenue, enforcement revenue, events revenue, s106 agreements and parking revenue.
- Other public bodies, the private sector, and the voluntary and community sector also contribute to the resources available to local areas. For example, the National Lottery has a range of grant programmes that have benefited town centres, with an estimated £500m having been devoted to liveability issues; Business Improvement Districts can pool the cost of improving their trading environments; and the private sector has contributed significantly in large-scale redevelopment and regeneration schemes.

Tools for success

Key Partnerships

Town Centre Partnerships have brought together interested parties to improve the daytime management of town centres.

This approach can be extended into the evenings and nights. Advice on partnerships is available from Town Centre Partnerships (DETR/ATCM) 1997. An extended bibliography will be available in PPS6.

See www.odpm.gov.uk

Business Improvement Districts (BIDs)

are partnerships between businesses and the local authority to improve the

trading environment and the public realm. Businesses make a fair and transparent agreement with the council to pay an additional levy in return for extra services. Information on Business Improvement Districts: can be found at www.ukbids.org

Business Crime Partnerships engage many of the retailers and businesses in the town centre to form an alliance against criminal activity affecting their trade. At its most simple a partnership will be a radio scheme where members share warnings and information to a more sophisticated partnership where photographs and other

data are shared and offenders excluded from member premises. Details can be found at www.businesscrime.org.uk

Businesses can also make use of the new risk assessment booklet, **Your Business – Keep Crime Out of It** produced by the Home Office's Crime Reduction Centre which provides advice on surveying business premises, stock and procedures and tips on working together to fight crime. Available at www.crimereduction.gov.uk/business37.htm and www.crimereduction.gov.uk/your business

Local Strategic Partnerships bring together local authorities, public services, private, voluntary and community organisations and local people to improve local areas and services. They agree the overall vision for the area in a **Sustainable Community Strategy**, which should be co-ordinated with action in the town centre. See www.odpm.gov.uk and www.neighbourhoods.gov.uk

Crime and Disorder Reduction Partnerships bring together a wide range of authorities and groups, including the local authority, police and fire services, Primary Care Trust, probation boards, parish councils, schools, social landlords, transport providers and retailers. Together they develop a **Crime and Disorder Reduction Strategy**, based on local priorities and an audit of local problems. See www.crimereduction.gov.uk



Better use of resources

Local and public authorities need to consider ways of using new measures to help optimise the use of available resources. This list outlines possible opportunities for consideration.

Changes to local government finance, including the introduction of the prudential capital-finance system to allow borrowing for additional capital projects without Government consent; and the range of recent and new powers available to them including the use of charging for discretionary services, Fixed Penalty Notices and fines.

Greater involvement of the private sector through Town Centre Management, Business Improvement Districts, commercial activities, and the Business Growth Incentives Scheme, which encourages local authorities and business to work together to create an environment in which businesses flourish, including leisure and entertainment.

Access to the National Lottery – The Big Lottery Fund will distribute half the money for good causes from the National Lottery to fund charities, the voluntary sector and health, education and environment projects but also large-scale regeneration projects.

Opportunities for reducing administration and freeing up front line resources from the rationalisation of national grants through the Safer and Stronger Communities Fund and Local Area Agreements. The *Safer and Stronger Communities Fund* combines ODPM and Home Office funding streams in a single fund worth over £660m over the next three years. The fund will be used to reduce crime and fear of crime, improve public spaces, build the capacity of local communities to influence decision making and delivery of services and improve the quality of life for people living in disadvantaged areas.

This fund is being rolled out to local authorities in England and will form the basis of one of the three blocks of new Local Area Agreements. *Local Area Agreements* (LAAs) will help simplify the problem of partnership working where different partners bring different funding streams each with their own priorities and requirements. LAAs will be struck between Government, the local authority and its major delivery partners working through the Local Strategic Partnership (LSP) and structured around three blocks – Children and Young People, Safer and Stronger Communities and Healthier Communities and Older People. Where town centres are a priority for the LSP a local area agreement may provide a route to specify enhancements, for example, on delivering cleaner, safer, greener public spaces.

Although the reform of these service-delivery arrangements may involve an initial cost, it has the potential to bring long-term savings or to deliver higher levels of service performance at the same level of expenditure. Lessons from the service reforms undertaken in the 27 Liveability Fund areas can be found at www.idea.gov.uk

In practice

Heart of London Business Improvement District

The Heart of London Business Improvement District (BID) covers two of the busiest areas in the capital – Soho and Piccadilly Circus. Of the 200 businesses in the area, 44% are evening and night-time operators such as cinemas, theatres, cafes, amusement arcades, restaurants, pubs, nightclubs and casinos. The BID aims to raise £2m over its life of 2 years to improve cleanliness, safety, accessibility, investment and marketing.



2,200 bags of rubbish are removed by the BID each month over and above what is removed by Westminster City Council. The BID also provides additional pavement cleaning, which includes litter picking and the removal of chewing gum, graffiti and fly-posting. Working closely with Westminster City Council and the Metropolitan Police, the BID is also helping to reduce crime in the area by supplying a dedicated uniformed team that work around the clock to patrol the streets. In 2003, the Leicester Square area experienced an 80% reduction in crime compared to previous years.

Bolton Town Safe Partnership

Bolton Town Safe Partnership was launched in August 2004. This partnership has brought together many groups who were working to try and reduce the fear of crime and anti-social behaviour, and improve the image of Bolton Town Centre as a friendly place to visit.

Building on the success of its daytime initiative in bringing together partners, Bolton Town Centre Company was approached to run an evening economy initiative. The Bolton Town Centre Company has now employed an Evening Economy Manager and part-time Evening Ambassadors. They are working with Greater Manchester Police, the Safer Bolton Strategic Partnership, licensees and all other evening businesses in the town to try to make Bolton a safer place at night.





How to...

2.1 Drinking and behaving sensibly

The dangers of binge drinking

- Alcohol misuse and associated disorder are growing concerns in town centres.
- Binge drinkers drink to get drunk, and are likely to be men and women under 25.
- Binge drinking can lead to accidents, anti-social, drunken and intimidating behaviour, which should not be tolerated.
- The Government's 'Alcohol Harm Reduction Strategy for England' will promote sensible drinking.
- Where people do not behave, enforcement measures – from warnings, Fixed Penalty Notices through to exclusion orders – can be used.

Alcohol-related crime and disorder can be a problem in many cities and towns, particularly on Friday and Saturday nights. Anti-social and binge drinking in the streets can intimidate others and lead to disorder and public nuisance, which makes town centres less welcoming for others.

Binge drinking

Binge drinkers are those who drink to get drunk, and are likely to be under 25. They are more likely to be men, although women's drinking has been rising fast over the last ten years. Binge drinkers are at increased risk of accidents and alcohol poisoning. Men, in particular, are more likely both to be victims of violence and to commit violent offences. There can also be a greater risk of sexual assault. The impact on society is visible in, for example, high levels of attendance at the A&E departments of hospitals.

Whilst most people drink responsibly, there is general agreement that too many people are not doing so. During the AMEC Christmas campaign in 2004, 4,044 Fixed Penalty Notices were issued for harassment, being drunk and disorderly, underage drinking offences and other alcohol-related offences. Over 6,000 arrests were made. The British Crime Survey tells us that some 44 per cent of violent crime is alcohol-related. Between 15,000 and 22,000 deaths each year in England and Wales are linked to alcohol health issues.

One in five people say that anti-social behaviour and disorder is a problem in their area. Vandalism, graffiti, dumped rubbish, fly-tipping, abandoned cars, relentless noise and nuisance neighbours have a long-lasting and corrosive effect on the quality of people's lives. The Home Office's 'Together' campaign takes a stand against anti-social behaviour and puts the needs of local communities first. It represents a commitment by everyone involved to be accountable for their actions and to uphold standards of decent behaviour.

The Alcohol Harm Reduction Strategy for England proposes a series of measures aimed at achieving a long-term change in attitudes to irresponsible drinking and behaviour, including:

- making the “sensible drinking” message easier to understand and apply
- targeting information campaigns at those most at risk – in particular, binge drinkers and chronic drinkers
- ensuring better information for consumers on products and at point of sale
- creating alcohol-education programmes for schools
- creating measures to ensure that TV advertising does not target young drinkers or glamorise irresponsible behaviour.

Police forces, local authorities and their partners need to work together effectively to tackle alcohol-related crime, disorder and anti-social behaviour. They need to use the full range of their legislative powers and tools in an intelligent way to help make our town and city centres safe. Above all, everyone should feel assured that they can visit and enjoy their town centres without fear of crime.

Tools for success

Legislation is already in place to help the police and their partners tackle violent and disorderly behaviour arising from excessive consumption of alcohol and the illegal consumption of alcohol by those who are underage. In particular the Criminal Justice and Police Act 2001:

- enables local authorities to prohibit public drinking in named areas where there has been a history of alcohol-fuelled anti-social behaviour through the creation of a Designated Public Place Order (DPPO)
- allows local authorities’ trading standards officers to conduct test purchases at licensed premises, including supermarkets, based on intelligence of sales to persons aged under 18
- gives the police the power to close noisy or rowdy establishments for up to 24 hours
- imposes a duty on the owners and staff of licensed premises not to sell alcohol to persons aged under 18
- enables the police to issue Fixed Penalty Notices (FPNs) for offences of disorder.



Fixed Penalty Notices

Fixed Penalty Notices for a range of alcohol-related offences can be issued for:

1. Disorderly behaviour while drunk in a public place
2. Being drunk in the highway
3. Buying or attempting to buy alcohol for consumption in a licensed premises by a person under 18
4. Consumption of alcohol in a 'no alcohol designated public place'
5. Causing harassment, harm and distress
6. Purchase alcohol on licensed premises for a person under 18.
7. Consumption of alcohol in a licensed premise by persons aged under 18
8. Delivery of alcohol to persons aged under 18 or allowing such delivery.

Background and operational guidance on FPNs can be found at www.homeoffice.gov.uk/crimpol/police/penalty/index.htm

The Anti-Social Behaviour Act 2003 enables the police, working with local authorities, to target action in problem areas to help communities remove intimidation and anti-social behaviour from their streets. These "Dispersal of Groups" powers have been available since 20 January 2004. For more information go to www.together.gov.uk or call the Together Action Line – 0870 220 2000

In November 2004, the Home Office launched a further initiative – the Tackling Violent Crime Programme. In six police force areas with high proportions of more serious violent crime, chief constables have agreed to help the Home Office to build the capacity to tackle the problems of violent crime. This programme focuses on sharing good practice for tackling violent crime, and obtaining assistance from expert practitioners and support from the Government Offices for the Regions. Further police force areas will be invited to join the programme during 2005. Details of 'Violent Crime – Tackling Violent Crime in the Night-Time Economy' are available at www.policereform.gov.uk

The Government has consulted on the possibility of introducing further legislation to tackle the misuse of alcohol. On 21 January 2005 it published a consultation paper, "Drinking Responsibly", which outlined further measures aimed at changing the binge drinking culture and tackling alcohol-related crime and disorder. A copy of the consultation document can be found at www.crimereduction.gov.uk/alcohol03.htm

Local and public authorities, the entertainment and drinks industry, and individuals can share responsibility for ending binge drinking and reducing alcohol-related crime and disorder, and anti-social behaviour. The following dot points outline how this may be achieved.

- **Engaging young people and adults** in recognising the negative impact of anti-social behaviour on other people and in agreeing to change. Acceptable Behaviour Contracts (ABCs) can be written and voluntarily agreed between an individual and one or more local agencies whose

role it is to prevent such behaviour (e.g. the local housing office or police). They are also used by other agencies, such as schools and social services. Legal action in the form of an Anti-Social Behaviour Order (ASBO) or possession order (if the young person is in social housing) should be stated on the contract where this is a potential consequence of breach. The threat of legal action provides an incentive to ensure that the contract is adhered to.

- **Protecting the community** from behaviour that causes or is likely to cause harassment, alarm or distress to others and can be clearly linked to alcohol misuse. Local authorities, police forces – including the British Transport Police and Community Support Officers (CSOs) – and Registered Social Landlords, can issue ASBOs under the Crime and Disorder Act 1998. ASBOs are civil orders, which are made in court and are effective for a minimum of two years. They are community-based orders that involve local people in the collection of evidence – including hearsay and professional witness evidence – and in helping to monitor breaches. Breach of an order is a criminal offence, which is recordable and for which a person can be arrested.
- **Tackling the underlying cause(s) of a young person's anti-social behaviour,** Individual Support Orders (ISOs) can be issued under the Criminal Justice Act 2003, for 10-17 year olds with ASBOs. Parenting Orders, which are designed to help parents to build their skills and respond more effectively to the challenges of parenting, can also be issued.

- **Tackling persistent anti-social behaviour,** for example in town centres at pub and club closing times, the Crime and Disorder Reduction Partnership should ensure that Dispersal Orders – introduced in the Anti-Social Behaviour Act 2003 and available since January 2004 – are used by senior police officers, in partnership with their local authority. Police and CSOs in these areas can disperse groups where their presence or behaviour may result in a member of the public being harassed, intimidated or distressed. The Order also enables juveniles to be taken home after 9pm. CSOs can demand the names and addresses of people acting in an anti-social manner.
- **Banning trouble-makers from pubs and clubs and / or entire town centres,** greater use could be made of Exclusion Orders, including promotion of the use of powers in Licensed Premises (Exclusion of Certain Persons) Act 1980.



- **Restricting alcohol in a specific area**, local authorities should introduce Designated Public Places Orders (DPPOs) and provide police with the power to enforce this restriction. These have replaced the need for local bylaws and are easy to introduce. Police and CSOs can already confiscate open cans and bottles of drink. Under the Licensing Act 2003, this includes unopened alcoholic drinks from underage drinkers or people causing or likely to cause a public nuisance.
- **Prosecuting people** who are using threatening, abusive or insulting words or behaviour or who are drunk and disorderly, Fixed Penalty Notices (FPNs) can be issued by uniformed police and CSOs for a variety of offences, including those related to alcohol. The Criminal Damage Act 1971 (England and Wales) makes vandalism and the damage of town-centre property an arrestable offence, triable on indictment. Police and CSOs can issue Penalty Notices for Disorder (PNDs), for offences including destroying or damaging property (under £500).



In practice

Don't walk away

Merseyside Regional Ambulance service has launched a campaign called 'Don't Walk Away and Let a Friend Die!' to ensure that young drinkers stay with friends who have passed out due to excessive alcohol consumption, and put them in the recovery position until an ambulance arrived. The campaign recognises that young people will drink and need a long-term education programme to educate them on the dangers - in this case that running away and leaving a friend unconscious could lead to their death.

Alcohol restrictions in Birmingham

In Birmingham, a publicity campaign has been launched to warn the public of the dangers of binge drinking. The media has applauded the scheme as a positive step to ensure that public safety and order is maintained and that people feel safe and secure at night.

An Alcohol Restricted Zone was created in 2004 through the Birmingham City Centre Partnership and covers all areas of the city centre. Within the Zone, police are allowed to take alcohol from anyone drinking in the street unless they are drinking at a licensed outdoor street café. The scheme has been well received by the public and has contributed to a safer night-time environment in the city centre.



2.2 Greater uniformed presence

Providing reassurance

- People want to feel safe in town centres and are reassured by the presence of people in uniform, not just police officers.
- Their presence indicates that the centre is cared for and well managed - and can prevent crime and disorder occurring.
- A whole range of staff can provide this reassurance either as part of their role or just by being visible.

People should expect to be able to walk through town centres safely, both in the day and at night, without fear of crime, disorder and anti-social behaviour. In this respect the presence of uniformed staff is reassuring.

Devising a police operation that provides enough officers who are properly trained, tasked, directed, assigned and known to local venues and responsive to local needs and expectations, is a key consideration in keeping town centres safe.

But keeping a town centre safe is not just about police. There are a wide range of people who provide an extended presence on the street, including Community Support Officers (CSOs), Neighbourhood / Town Wardens, community safety accredited employees, taxi marshals, private security staff and door supervisors, health authority staff and those working for voluntary and community-sector organisations.

It is important that the range of uniformed presence in an area - Special Constables, CSOs, Neighbourhood and Town Wardens - work together to make best use of the powers available to them both individually and working together to effectively deal with persistent problems.

The use of fixed and mobile CCTV at strategic locations and staffed by skilled operators, combined with high-profile patrols, other uniformed presence and improved lighting, can greatly improve the responsiveness and performance of service providers.

Tools for success

- Deploying a **uniformed presence**, especially in hotspot areas, is proving effective in improving the responsiveness of police and partners in tackling crime, disorder and anti-social behaviour. It is especially effective in reassuring people that places are safe and that there is someone on hand should they need help.

Special Constables, Community Support Officers (CSOs) and Neighbourhood Wardens making targeted patrols at peak times can act as a deterrent to prevent crime and disorder occurring by providing a highly visible, uniformed presence.

- **Community Support Officers** provide high visibility patrols within communities, providing reassurance and tackling anti-social behaviour. Chief constables can designate CSOs with a range of powers

that can be used to assist in dealing with anti-social behaviour including the power to require the name and address of a person behaving in an anti-social manner and the power to confiscate alcohol from young people and people drinking in designated public areas. Interim evaluation of CSOs show that satisfaction with the police has increased where they patrol and the presence of CSOs makes people feel safer when out after dark. Further information, including links to local forces and vacancies, is available at www.policecouldyou.co.uk

- **Neighbourhood Wardens** have been introduced to provide a highly visible, uniformed, semi-official presence in residential and public areas, town centres and high-crime areas. Neighbourhood Wardens are the eyes and ears of the community, seeking to improve the quality of life and to help an area along the path to regeneration. Evaluation of warden programmes has shown that their presence is contributing to a fall of 28% in levels of crime in comparison to other areas. Further information on wardens is available at www.neighbourhood.gov.uk
- Crime and disorder at transport interchanges can result in people feeling afraid to use services. Posting a presence can help avoid trouble and provide reassurance at peak times. This includes making use of traffic wardens, street cleaners and bus and taxi marshals at bus stops, stations and taxi ranks and where there is a high concentration of night-time economy premises. Information on reducing crime and disorder related to public transport is available from www.dft.gov.uk

- The deployment of a uniformed presence can be made more effective by understanding the location of hot spots and by preventing incidents from occurring. Communication systems, co-ordinated management between venues, and CCTV-control radio links for officers can ensure that police officers and others are well equipped to deal with the situations they face during the day and at night.
- Community safety accreditation can provide an excellent means of co-ordinating the work of different people on patrol. It is designed to foster communication and information sharing between local partners on both a strategic and a day to day basis. Accreditation allows a chief constable to accredit people working in a community safety role such as neighbourhood wardens and security guards with a limited range of powers similar to those of CSOs. This enables them to assist in enforcement and allows the police and their partners to organise patrolling in order to maximise their joint capacity.
- Deploying **free phone lines** in A&E departments to connect victims with police can ensure that support is provided and that crimes are reported.

In practice

Community Support Officers

Community Support Officers (CSOs) in London and Bradford undertake specific duties in dedicated 'hotspot' places in order to make the cities safer. Funded by a combination of Home Office and Neighbourhood Renewal money, the CSOs have engaged regularly and proactively with local businesses, gaining useful local knowledge and making the police force more accessible. Theft of vehicles fell 49% and personal robbery fell by 47% in the 12 months following the introduction of CSOs in Leeds City Centre. 69% of the public surveyed by the University of Leeds, perceived an increase in the number of officers patrolling the city centres following the introduction of CSOs and 82% of respondents said that the presence of CSOs made the city centres more welcoming places to work, shop or visit.

Evening patrols in Coventry

Coventry City centre is a safer place thanks to the establishment of evening wardens by CV One, a tourism and city-centre management company. Evening patrols were a means of boosting the evening economy and tackling people's perception of threatening behaviour. At first the ambassadors were restricted to escorting lone females and visitors at theatre closing time, but their role has extended to advising beggars, assisting those worse for wear and helping tourists and new students with directions and information. The number of people using the centre increased in the first 18 months of the scheme.



Taxi marshals in Newcastle

In 2004, the Newcastle Safer Community Partnership funded a project involving taxi marshals. The marshals were door supervisors trained by the Security Industry Authority (SIA) and they ensured that order was maintained on the city centre's taxi rank. The scheme proved to be a success, with over 3,500 people using it during the five-week trial with no incidents of taxi-rank violence. The scheme has been extended into 2005.



How to...

2.3 Responsible trading

Encouraging the industry to set an example

- Those who sell alcohol as well as consumers are also responsible for tackling underage and binge drinking. If they commit offences they will be held accountable.
- An industry-led code of practice and proof-of-age accreditation schemes can promote responsible trading.
- Multi-agency visits to on- and off-licensed premises and licenses for door staff can tackle bad practices.
- The police can close licensed premises within a specified area for up to 24 hours, when additional powers in the Licensing Act are commenced.

Businesses have a key role to play in preventing crime and disorder by trading responsibly. They must prevent underage and binge drinking and ensure that their clients can enjoy a safe evening out in their town centre.

It is unlawful for premises to:

- knowingly sell or supply, or attempt to sell or supply alcohol to a person who is drunk
- knowingly allow disorderly conduct on licensed premises
- keep or allow to be kept on licensed premises any goods that have been imported without payment of duty or that have otherwise been unlawfully imported
- allow the presence of unaccompanied children under 16 at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Despite most licensed premises being responsible, too many breach their obligations to the community. In the summer of 2004 the Home Office and the Association of Chief Police Officers (ACPO) led an Alcohol Misuse Enforcement Campaign (AMEC). Police and Trading Standards worked together and participated in the campaign.

AMEC results

- Over 30,000 visits to licensed premises led to over 1,200 offences being detected.
- Around 1,800 test-purchase operations were conducted, and more than 600 (over a third) resulted in an offence being committed.
- In a Christmas campaign in 2004, a similar number of premises were visited and the number of offences fell to less than 400. However, targeted test purchases still showed that 32% of licensed premises were selling alcohol to under-18s.

By trading responsibly, businesses can help to prevent crime and disorder. There are examples of good, socially responsible practice within the industry. However, good practice is patchy and not always well co-ordinated. Preventing underage and binge drinking helps ensure that their customers can enjoy a safe evening out in a town centre and will help attract a broader range of people to the centre. The industry has a responsibility to join efforts with the police, local authorities and health services at a local level in order to tackle the harms associated with alcohol misuse.

Tools for success

An industry-led code of practice

The Government is working with alcohol producers and retailers in both the off- and on-licensed trade to support an industry-led code of practice for owners and operators. This will focus on key areas that will have a big impact, such as the development of clear protocols for seeking proof of age, effective end-of-evening dispersal policies and an end to irresponsible drink promotions.

Proof-of-age schemes

Measures to promote responsible trading, such as the PASS accreditation scheme, which aims to approve and accredit various proof-of-age schemes can help create a climate where people expect to be asked to prove their age and staff are encouraged to ask.

Licensing conditions

Where authorities or interested parties have evidence of problems with premises, they should make representations to their Licensing Authority. Where representations are received, they can impose conditions on licence applications to help prevent crime and disorder, and to promote the other licensing objectives. They can also require the licensed premises to operate in a certain way. Examples of conditions are included in the Guidance on the Licensing Act (See www.culture.gov.uk). They include requiring text or radio pagers, participation in a local pub-watch scheme, door supervisors, bottle bans, plastic containers and toughened glass, and the use of CCTV. Applicants can also propose their own conditions as part of the licence schedule.



Joint enforcement action

Licensed premises need to operate in accordance with a range of regulations including licensing, health and safety and environmental health. By working together, enforcement of all of these requirements can be checked at one time. Targeting premises that are known to have problems can help them develop actions to trade more responsibly and reduce the burden on the majority of premises who meet their requirements. Film or other records of poor behaviour can be used as evidence for prosecutions.

Security Industry Authority

The Security Industry Authority (SIA) was established to regulate the private security industry, under the Private Security Industry Act 2001 (PSIA). The SIA has responsibility for licensing individuals and approved companies in designated areas of the industry. The SIA's aims are very clear:

- to increase public trust and confidence in the private security industry
- to encourage businesses in the industry to improve their standards
- to create a security-industry centre of knowledge and expertise.

The new SIA door-supervisor licensing scheme is now rolling out across England and Wales. From 11 April 2005 it will be mandatory to have a licence to work as a door supervisor in England and Wales.

Pubs and clubs will be safer venues as they create a secure and more enjoyable environment for all. Door supervisors who are trained, qualified, licensed – and who have had their criminal records checked – are in a much better position to work closely with police. With the expansion of the night-time economy the role and remit of the modern door supervisor has changed radically. Their profile has been raised and they have taken on greater responsibilities, which means they are considered to be an essential element to ensuring a safe and enjoyable evening out.

Closing premises

Where disorder and/or excessive noise is occurring or anticipated, the Licensing Act will enable the police to close all licensed premises within a specified geographical area for up to 24 hours.

In practice

Best Bar None

Another of Manchester's City Safe initiatives (refer to 1.4) is the 'Best Bar None' programme which rewards well-run premises and awards best practice by entertainment venues. The initiative arose from the findings of the British Crime Survey, which showed that a significantly high proportion of crime was linked to poorly managed licensed premises.

Begun in late 2001 the scheme was developed in consultation with the alcohol industry and aimed to establish a common benchmark for operating standards for pubs and clubs. Premises who were investing in good management practices were dissatisfied that their effects were not

encouraged or recognised and that they were potentially at a commercial disadvantage. By engaging with all the enforcement agencies involved and the alcohol industry, a set of performance standards were developed together with guidance on what was required to qualify as well managed.

Bars applying to the scheme go through an application process which takes them through good management practices and are assessed by two accredited assessors. Applications are then marked and ranked according to their score and those that meet the minimum standard receive accreditation. The top five premises go forward to a gala awards night to be awarded the top bar, club or pub in a high profile event championing good practice.

Best Bar None is being adopted by cities such as Liverpool, Leeds, London boroughs and Birmingham with many more areas working towards adopting the process locally.

Multiple use of penalty notices

In Dorset, the police are tackling the issue of underage drinking by targeting bar staff serving underage drinkers. Their work recently focused on a large 2000 capacity nightclub in Bournemouth. This resulted in the issue of £80 Penalty Notices for Disorder to five members of the bar staff who served 14 year olds. One of the lessons learnt from the operation was the need to issue the tickets there and then on the night to avoid wasting time catching up with the bar staff later. A week later a repeat visit to the club revealed the premises had implemented several improved management practices, including the ending of an irresponsible drinks promotion, resolution of

health and safety issues, better management and an area for search and hand held metal detectors.

Code of conduct

In 2004, Richmond Council got a large number of licensed premises in the borough to sign a voluntary code of conduct agreeing not to hold happy hours or drinks promotions. By signing up to the code the licensees will work closely with both the police and the local council to deal with issues such as drinks promotions and drunk/abusive customers. Other clauses in the code include maintaining a log book in all premises of disturbances in and around the venue, prohibiting the removal of any glass vessel from an on-licence premises unless an outside seating area is provided and having an effective ID-monitoring system to stop underage sales of alcohol.



2.4 Getting home safely

Safer travel at night

- Criminal and anti-social behaviour against public transport passengers and staff is a barrier to travelling on public transport especially at nights.
- Too few taxis for hire, inadequate rank space, taxi touting and illegal plying for hire and poorly managed public transport interchanges can pose significant safety risks.
- Licensing authorities can promote safe journeys home by taking action on taxi tariffs, appointing additional rank space, increasing security at ranks, establishing formal taxi sharing schemes, and encouraging more night-buses.
- The Government has produced guidance on approaches to tackling transport related crime and disorder and personal security, and is developing guidance on taxi and private hire vehicles (PHV) policies.

Transport crime rates are low and national research has shown that most passengers travelling to and from town centres have no personal security concerns when travelling during the day. However, they do have concerns when travelling after dark. This particularly being the case for women, young people and minority ethnic communities. It is the waiting and walking parts of the journey which passengers have most concern about.

A vibrant town or city centre requires regular, safe and reliable transport, both day and night, to disperse people before groups begin to congregate and anti-social behaviour takes place. Later running and operating buses, trains (including trams and underground services where available), taxis and private hire vehicles (PHVs) can play an important role in getting people home safely.

Where there are insufficient numbers of taxis available for people or inadequate rank space, taxi touting and illegal plying for hire can become problems. Both of these problems pose significant safety risks.

Criminal and anti-social behaviour towards public transport passengers and staff can be as a barrier to people travelling on public transport, especially at night, and to the recruitment and retention of transport staff.

Tools for success

CDRPs should include transport-related crime in their audits and strategies, and Local Transport Authorities should consider taxi and PHV provision in the context of overall public transport needs for all the districts in their area. This should be reflected in their Local Transport Plans.

Local licensing authorities could consider whether the tariff they set for taxis could be amended in such a way as to encourage more taxi drivers to work at night.

- Where the number of licensed taxis are controlled by the licensing authority, they should consider whether such a policy is in the best interests of consumers. Where licensing authorities conclude that quantity controls on taxis should remain,

the legislation requires them to ensure that there is no significant unmet demand for taxi services in their district.

- Local licensing authorities, together with the Local Transport Authorities, could consider the case for allocating **additional rank space** in areas where there is likely to be high demand; take steps to ensure that passengers feel secure while waiting at ranks; and consider establishing a formal taxi sharing scheme.
- Local licensing authorities could take steps **to promote greater safety** with regard to taxis and PHVs, such as alerting passengers to the difference between the two and alerting them to the fact that only taxis can be hired immediately by being hailed off the street or approached at a rank.
- Local taxi / PHV licensing authorities should use their **licensing powers** to ensure that taxis and PHVs in their district are safe, comfortable, properly insured and convenient.
- The use of **CCTV** on buses and other forms of public transport will also make the drivers and users of night-time public transport feel safer. However drivers also need to know that they will receive practical support by those monitoring the CCTV.
- The Crime and Public Transport section on the Department for Transport web site provides a series of good practice documents on safer travel including 'Protecting Bus & Coach Crews' and 'Get on Board' - See www.dft.gov.uk

- Overground and underground rail stations can apply to be accredited under the Secure Stations Scheme, designed to standardise good security practices. The standards relate to such measures as staff training, help points, CCTV, lighting and information. There is evidence of reduced crime and increased passenger usage at accredited stations. For details of the scheme see www.dft.gov.uk

In practice

Night Cab

A new project called NightCab provides a late night marshalled taxi service from Edgware Bus Station in Central London. A service controller meets passengers and allocates licensed taxis which passengers can share for a fixed fee. Women-only taxis are available and CCTV is in operation in the waiting area. This project builds on the success of the marshalled rank pilot scheme in Cranbourn Street, London.

Late-night lessons from Leicester

In Leicester, the First bus company, local police and three night clubs worked in partnership to plan a night-bus service in a bid to tackle violence and disorder caused by the slow rate of dispersal of people leaving clubs and bars. The buses are fitted with digital CCTV and a protected driver area. One trained nightclub door supervisor rides on each bus while police officers are present at departure times. The number of assaults has been reduced and the scheme is now a self-sufficient commercial exercise.

2.5 Preventing street fouling

Taking on those responsible for street fouling

- Vomiting and street urination can be costly to clean up, threaten the health of people, and damage public footpaths and buildings.
- Adequate toilet provision and appropriate enforcement can reduce street fouling.
- A model bylaw can be an effective way of setting up measures for prosecuting people guilty of street fouling.

Street fouling is a highly unpleasant and a common side effect of the late-night economy. In town and city centres, the main problems are urination and vomiting, which are primarily caused by excessive alcohol consumption. Rather than using a toilet before they leave a pub or club, or waiting until they get home, many offenders, mostly male, urinate in the street or in shop doorways. Many public toilets have been closed due to the cost of vandalism and criminal damage.

Street urination causes an unpleasant odour and health risks, and cleaning it up often demands extra effort and costs, which can have a significant impact on local authority resources. Vomiting and urination can also be a major problem for local residents and businesses, who are frequently left with the task of cleaning their properties. Damage to buildings and footpaths through staining and erosion can also be costly.

Tools for success

- There is no statutory obligation on local authorities to provide **public toilets**, but it is considered good practice to do so. Demand for toilet provision currently exceeds supply, and where there are facilities already in place, opening hours often need to be extended to cater for those people who need to make use of the facilities at night.
- Planning tools, as described in section 1.4, can be used to stipulate conditions for the provision of additional toilets in commercial premises, helping to extend the range of available facilities.
- There is no specific legislation relating directly to **street fouling**, but it is possible to prosecute an offender using a range of legislative powers:
 - Section 5 of the Public Order Act (1986). This can be used alongside other legislation, such as that governing drunk and disorderly behaviour.
 - On-the-spot penalties may be given for disorderly behaviour under section 1 of the Criminal Justice and Police Act 2001. This offence warrants a penalty of £80.

- Bylaws can be used. It is currently an offence under Home Office model bylaws, set No. 8 (Bylaws for Good Rule and Government) and No. 24, for a person to urinate or defecate in any public place. Under these bylaws, offenders are liable to a fine of up to £500. The use of model bylaws can be an effective way of dealing with local environment problems, as bylaws are made locally and can therefore reflect local conditions.
- Town Police Clauses Act 1847 Section 28, which allows authorities to arrest those who indecently expose themselves in a public street.

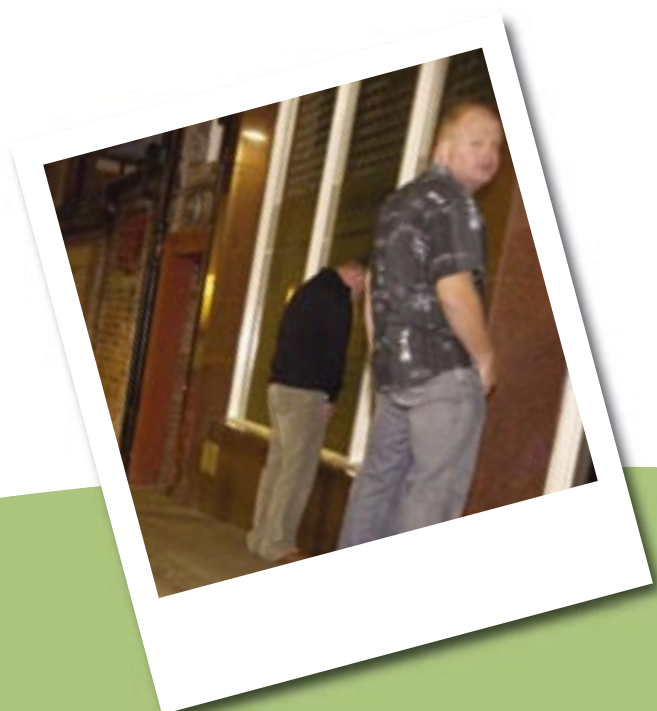
In practice

Westminster Urinals

To tackle the problems of street urination, Westminster City Council has installed telescopic toilets that are remotely controlled and rise hydraulically from the pavement. These are used in the evening times, in addition to temporary open-air urinals that are installed on Friday and Saturday nights, in street fouling 'hot spot areas'.

Better-designed toilet blocks

Cambridge City Council implemented a four-year programme of providing high-quality, safe toilet facilities. Through a combination of innovative design and management, the new facilities have successfully reduced anti-social behaviour, rough sleeping, drug use and improper disposal of needles. Design features include good lighting, vandal-resistance and drug-needle chutes.



2.6 Reducing noise

Tackling noise at night

- Local authorities have a duty to investigate complaints of noise.
- Parties found breaching a 'permitted level' of noise between 11pm and 7am can be issued a fine of up to £1,000.
- The use of fireworks at inappropriate times is covered by the Fireworks Act 2003, and perpetrators can be subject to a fine of up to £5,000.
- The police have powers to seize moving vehicles causing noise and nuisance in the street.

Unwanted noise can emanate from a number of different sources. These sources can include licensed premises, privately owned music systems, parties, vehicles, equipment in the street, intruder alarms, fireworks, and construction sites.

Although there has been only a slight increase in noise pollution in the last decade, the perception of noise nuisance as a problem has increased substantially, and complaints about noise have risen accordingly.

Local Authorities have several options available to combat noise problems.

- Take reasonable steps to investigate complaints about noise from premises, under Section 79 of the Environmental Protection Act 1990.
- Inspect their area from time to time for incidences of statutory noise nuisance. The Noise and Statutory Nuisance Act 1993 amends the Environmental Protection Act 1990 to require local authorities to investigate complaints of noise from equipment, vehicles or machinery in the street.

- They have a responsibility for enforcing the Noise Act 1996, which enables them to take action against night-time noise. However, local authorities are not required to use this legislation, as it is a power rather than a duty.
- The ability to issue fines of up to £1,000 upon summary conviction to those found breaching a 'permitted level' of noise between the night-time hours of 11pm and 7am under the Noise Act 1996.
- The ability to give offenders under the Noise Act 1996 the option of discharging liability for the £1,000 maximum penalty with the payment of a Fixed Penalty Notice of £100 within fourteen days of the offence having taken place.

The police are responsible for dealing with noise from moving vehicles, fireworks and anti-social behaviour from individuals in the street.

New powers will be available once the Licensing Act 2003 comes fully into force to enable local authorities to tackle noise from licensed premises through the provisions of Sections 40 and 41 of the Anti-Social Behaviour Act 2003. These provide that

if noise from any licensed premises is causing a public nuisance, an authorised environmental health officer would have the power to issue a closure order effective for up to 24 hours.

Tools for success

Abatement Notices

Those found responsible for a statutory noise nuisance under section 79 of the Environmental Protection Act 1990 should be served with an abatement notice by their local authority, requiring that the nuisance cease or that steps be taken to reduce the noise to the minimum practicable level. The maximum penalty for noncompliance to an abatement notice upon summary conviction is £5,000 for domestic premises and £20,000 for industrial, trade or business premises.

There are no fixed decibel levels that must not be exceeded under the Environmental Protection Act. Instead, the assessment of noise nuisance under this Act is based on the concept of “reasonableness”, taking into account, among other considerations, the character of the locality, the frequency of the occurrence and the number of those affected. The concept of ‘nuisance’ has not been defined under this Act, as this would restrict its application. Instead, decisions as to what constitutes a statutory noise nuisance rely on case law, so precedents are liable to change.

Construction Noise

Noise from construction sites can be controlled under section 60 of the Control of Pollution Act 1974. A section 60 notice

enables a local authority to set limits on the times of day that works can be carried out, the type of machinery that can be used, and the noise levels of such machinery. If a local authority decides not to regulate a construction site with a section 60 notice, the duty to inspect the area for noise under the Environmental Protection Act 1990 applies, and it will also have the duty to investigate complaints of noise.

Loudspeaker Bans

The Control of Pollution Act 1974 bans the use in the street of a loudspeaker that gives reasonable cause for annoyance.

Noise from Vehicles

Local authorities can deal with noise nuisance from stationary vehicles and equipment in the street under section 79 of the Environmental Protection Act 1990, as amended by the Noise and Statutory Nuisance Act 1993. The police are responsible for dealing with nuisance vehicles on the move, and section 59 of the Police Reform Act 2002 gives the police powers to seize such vehicles.

Fireworks

The police are also responsible for enforcing regulations under the Fireworks Act 2003. The use of fireworks between 11pm and 7am can result in a fine of up to £5,000 or six months’ imprisonment. The curfew begins at 1am on New Year’s Eve, Chinese New Year and Diwali Night, and at midnight on 5 November. It is also illegal for retailers to sell fireworks that produce a noise exceeding 120 decibels.

In practice

Bath Doorsafe Partnership

Bath has a large residential population, many of them living in the heart of the city centre. Noise is a major cause for complaint with many of the traditional Georgian residencies close to bars and clubs which hold post-midnight licenses. Many of the late night drinkers gather in the Orange Grove area of the centre at closing time to find taxis home. The large number of people in the area has led to serious litter and noise problems, and numerous violent encounters. The Bath Doorsafe Partnership debated various possible solutions to the problem, and it was agreed that security staff would be employed to manage the queue. Their responsibilities include keeping order in the queue, including keeping the noise level down, reporting any problems to the police and helping people find the right taxi home.

Noise monitoring equipment

Westminster City Council has piloted the use of wireless technology to reduce noise and tackle nuisance crime outside its nightclubs. Noise and video monitoring equipment, attached to lampposts, transmit data and images to a 24-hour contact centre.





How to...

2.7 Reducing litter

Towards litter free town centres

- A combination of enforcement, cleansing, training, education and communication can reduce litter.
- People who litter can be issued £50 on-the-spot Fixed Penalty Notices or fines of up to £2,500 by a magistrate's court.
- All take-away food outlets should sign up to Defra's 'voluntary code of practice' for reducing litter from food on the go.
- Litter Abatement Notices can be used for landowners who persistently fail to keep their land free of litter.

It is an offence for a person to throw down, drop, deposit or leave anything that causes defacement in a public place, from sweet wrappers and matchsticks through to large bags of rubbish.

Although businesses aren't directly responsible for the litter around their own shops, their customers often are. Businesses can influence their customers' behaviour by reminding them not to drop litter, and by setting a good example. Indeed 74% of businesses say that they clear litter from outside their premises.

While the total amount of litter found in our public places is stable or decreasing, the prevalence of litter from all types of food and drink consumed outdoors is increasing, especially in and around town centres. Litter discarded in town centres in the evenings includes fast food packaging, food deposits, cigarette butts, glass bottles, drinks cans, chewing gum, promotional flyers and drug-related materials, such as syringes.

While there are many benefits associated with a varied night-time economy and later and less uniform pub and club opening hours, these things can often result in an increase in litter.

The factors that affect littering will vary from location to location, and therefore, it is important to fully research, understand and monitor the issues that cause littering in a given area.

Tools for success

There is no single solution to reducing littering, but it is often best achieved through a combination of the following.

- Effective street cleansing, bin provision and waste-collection frequency
- Appropriate use of legislative powers
- Targeted education and communication campaigns
- Effective training
- Cross-department working within local authorities

- Partnership working between councils, businesses and the community
- Systematic monitoring to identify problem areas

Other actions available include encouraging fast food outlets, takeaway outlets and other retailers selling food items to sign up to Defra's voluntary code of practice for Reducing litter caused by 'food on the go'. The code provides a suggested framework for dealing with litter and waste, through joint co-operation between local authorities, businesses and the community.

Local authorities and partners also have a range of powers to deter people from littering and to punish those who do.

- **Prosecute people** who litter in an open public space. Both local authorities and the police can prosecute under the Environmental Protection Act 1990 (EPA) resulting in fines of up to £2,500 in a magistrate's court.
- **Serve penalty notices for littering.** Police constables are able to serve such notices under the Criminal Justice and Police Act 2001.
- Issue on-the-spot **£50 Fixed Penalty Notices**, as an alternative to prosecution. Local authority officers and litter wardens can issue these notices.
- Issue **Street Litter Control Notices** under section 93 of the Environmental Protection Act 1990. These can be used where premises are generating a particular litter problem, resulting in strewn items of packaging in the immediate area. In issuing a notice, local

authorities are able to place requirements on the occupiers of premises concerning the provision or emptying of litterbins and the frequency of litter clearance.

- Tackle littering of **publicly accessible land**. Local authorities are able to impose a duty under the Environment Protection Act (1990) for certain bodies to keep their land free of litter and refuse, by designating it a Litter Control Area. These designated areas can include public car parks, shopping centres and sports facilities.
- Serve a **Litter Abatement Notice** on the responsible body for failing to keep land clear of litter and refuse in accordance with Section 92 of the EPA 1990. The owner or occupier must then clean up the area within a given period of time, and failure to do so may result in a fine, along with a further daily fine if the offence continues.

Members of the public can make a complaint to the magistrate's court, under Section 91 of the EPA 1990, where an area falls below the required standard for longer than allowed. The court may then issue a Litter Abatement Order requiring action to remedy the defacement.



In practice

Eat Neat

Stoke on Trent City Council has designed and implemented an anti-fast food litter campaign called 'Eat Neat'. In the lead up to the campaign, areas within the city centre with particular problems were identified through a Local Environmental Quality Survey and bin provision was improved. The 'Eat Neat' campaign, devised by an advertising agency, then targeted these areas through a daily competition on the local radio station.

Members of the public were encouraged to mark rubbish thrown away in key sites in the city centre with their contact details for the chance to win the competition. Litter levels in the area have shown a marked improvement since the campaign.





How to...

2.8 Combating fly-posting

Tackling the cause of fly-posting

- Fly-posting is illegal and those responsible for it or benefiting from its display can be prosecuted.
- People caught putting up fly-posters can be given £50 on-the-spot fines, and fines of up to £2,500 per poster can be given to those benefiting from the posters.
- Speedy removal of posters is an effective method of control.
- Issuing ASBOs to fly-posters and beneficiaries of fly-posting can also be an effective way of reducing the problem.

Fly-posting can be a particular problem in town centres. It involves commercially driven defacement of the local environment through attaching advertisements to buildings, street furniture or other structures without the consent of the owner. Fly-posting is illegal, and those responsible for it or benefiting from it can be prosecuted.

Organisations responsible for fly-posting vary from large companies advertising their products, and local pubs and night-clubs publicising events, through to pressure groups and political bodies. Professional poster companies commonly display the larger, high-quality, colour posters, such as those advertising record releases and outdoor concerts.

The indiscriminate nature of this type of advertising can have a detrimental impact on the appearance of an area, cause damage to listed buildings, devalue property and project an air of neglect and decline that reflects badly on the image of a town or city centre.

Tools for success

Speedy removal of posters can be an effective way of controlling fly-posting. This can be costly, but provides a disincentive to fly-posting companies, who soon realise that their posters will not be displayed for a significant length of time. There are also a variety of other actions that Local Authorities can take.

- **Prosecute** those who put up fly-posters and those parties that benefit from their display, under Section 224(3) of the Town and Country Planning Act (1990) and the Town and Country Planning (Control of Advertisements) Regulations 1992. The perpetrators are subject to a one-off fine, plus an additional daily fine if the poster continues to be displayed.
- **Remove** posters without notice if the organisations responsible for displaying them cannot be identified after reasonable inquiry, or remove them after providing two days' notice where this information is given on the poster. These powers are covered in Section 132 of the Highways Act (1980).

- **Pursue** prosecution through a magistrate's court if an advertisement continues to be displayed after permission has been refused, and any appeal dismissed.

- **Issue Anti-Social Behaviour Orders (ASBOs)** as a mechanism to deter fly-posting. ASBOs can be issued to both fly-posters and beneficiaries of fly-posting. Breaking the terms of an ASBO anywhere in England or Wales is an offence that can carry a possible jail sentence of five years.

Under the Anti-Social Behaviour Act 2003 maximum fines have increased from £1,000 to £2,500 with authorised council officials now able to issue £50 'on-the-spot' fines. However, these fines can only be applied to those persons actually caught in the act of fly-posting, not to the company or any other beneficiary of the poster.

- **Tackle fly-posting.** Since 1995, London councils have had their own legislation covering fly-posting. The London Local Authorities Act 1995 enables London boroughs to give notice in writing to a person who displays a poster without permission. If the poster is not removed within two days of the written notice, then the local authority has the power to recover any costs that are incurred during removal. This provision places the onus of removal of the poster on the person responsible for displaying it, and introduces a mechanism for cost recovery.

It is often difficult for local authorities to enforce fly-posting powers, as it is not always possible to identify the beneficiaries or the fly-posting companies themselves. A beneficiary may be the owner or occupier

of the property on which the advertisement is displayed, or the person or organisation to whom the advertisement gives publicity.

Companies involved in fly-posting and those using it as a medium for advertising often seek to disguise the origin of the poster, making it difficult and time consuming for local authorities to track down the beneficiary. However, the details of all registered companies are held by Companies House (www.companieshouse.gov.uk) and often companies that are linked directly to advertised products can be identified through a simple internet search.

In practice

Use an ASBO

Recent action by London Borough of Camden to take out Anti-Social Behaviour Orders on employees of a large fly-posting company, and a number of major record company employees, has had a marked effect. Although charges were dropped in the case of the record companies, the action has resulted in a 95% drop in fly-posting almost overnight.



2.9 Managing commercial waste

Making waste collection work

- Poorly managed commercial waste can blight the image of a town centre, lead to an increase in litter, and threaten public health and safety.
- Businesses have a legal duty to package, store, transport, and have their waste collected for disposal in an appropriate manner. If they fail to do so, they can be heavily fined and face criminal prosecution.
- Efficient trade waste collection methods are important to the cleanliness and appearance of a town.

Ensuring the proper management of waste produced by business can play an important role in the cleanliness and safety of a town or city centre.

Where commercial waste is not properly contained, it can often spill out onto the street and be dispersed by the wind, thereby increasing the amount of litter that needs to be cleaned from the streets. Spilt refuse can often cause staining of footways and, depending on what it consists of, can pose a threat to health and safety. When trade waste is left out on the street for long periods of time, especially if it is badly contained, it can have a negative impact on the appearance of an area.

Tools for success

All business that produce, store, treat, or carry commercial waste have a legal duty to ensure they have the necessary provisions in place to handle and dispose of the waste in the correct manner.

Through a combination of enforcement and education, businesses should be encouraged to operate responsibly and to abide by their Duty of Care.

Operating responsibly

- Package waste in suitable containers so that it cannot fall out, blow away or escape from its receptacle.
- Secure waste against unauthorised removal, as far as reasonably practicable.
- Ensure that security is sufficient to prevent the breaking open of containers and removal of waste by vandals, thieves, trespassers and animals.
- Ensure that containers are of a sufficient standard to resist breakage by accident or weather.
- Ensure that the person removing the waste is either from a local authority or any other 'authorised person' for the purpose of Section 34 of the Environmental Protection Act 1990.
- Provide a written description of the waste they produce for the person or contractor who has been assigned to remove it.
- Put out waste for collection on or near the collection time, and for no longer than necessary.

The training of local authority staff and an efficient means of collecting and handling commercial waste can play an important role in the environmental management of a town centre. Collecting business and domestic waste at the same time can ensure that waste is on the street for as short a time as possible. Educating businesses to make them aware of their responsibilities in relation to the waste they produce can also play an important role in tackling the problem.

Businesses should be encouraged to set up environmental management systems in order to identify and manage those aspects of their operations that have a negative impact on the environment. These systems can be informal and basic, can be non-certified or self-certified, and can involve external independent assessment for ISO14001 and the European Eco Management and Audit Scheme (EMAS).

Under the Environmental Protection Act 1990, business that breach their 'Duty of Care' can be subject to a penalty of up to £5,000 if convicted in a magistrate's court, or an unlimited fine if convicted in a crown court.

Organisations can be prosecuted for depositing commercial waste without a trade-waste agreement or waste-management licence under the Environmental Protection Act 1990. The maximum penalty on conviction at the magistrate's court is a fine of £20,000 and/or six months' imprisonment. There are substantially higher penalties at the crown court.

In practice

Tidy Business Standards

Macclesfield Borough Council in Cheshire is working closely with businesses and traders in the town centre to ensure that commercial waste is managed effectively. The council is encouraging business to sign up to Tidy Business Standards. This is an award scheme managed by ENCAMS that helps businesses to improve the way they deal with their waste. The scheme outlines best practice in the containment, storage, collection and minimisation of waste, as well as providing education on the legal responsibilities of businesses under the Environmental Protection Act 1990.



3.1 Actions

A strategic approach to managing town and city centres is essential for making them attractive and safe, and for sustaining their vitality and viability. It requires commitment from many local and public authorities, businesses and individuals to work towards a shared vision for their town centres. The following key steps drawn out from this guide will help.

1. *Have a shared vision and a strategy for delivery* – local authorities can produce this by engaging, listening and learning from those with an interest in the way their city, town or local centres are managed.
2. *Work with partners* – partnership working will help pool and make best use of powers, skills and money; co-ordinate individual actions better; and produce win-win outcomes.
3. *Encourage responsible trading* – remove barriers to joint working and engage local businesses in action and initiatives to reduce binge drinking.
4. *Change behaviours* – changing the behaviours of the minority who are irresponsible and anti-social, whether they are individuals or businesses, will help to prevent Alcohol-related problems in town centres.
5. *Deploy reassuring presence* – community safety officers and wardens are effective eyes and ears; they will see and report problems, trigger action, and reassure people that town centres are safe.
6. *Get people home safely* – licensing authorities, police and both the leisure and transport industries need to work together to ensure safe environments surrounding public transport and taxi ranks. Public transport and taxis need to be widely available for getting people home at night.
7. *Tackle street fouling* – change peoples' habits before they leave premises at night, better provision of public toilets, and enforce against perpetrators.
8. *Reduce litter, noise and commercial waste* – use education to explain the problems caused by noise and litter, and encourage businesses to manage and reduce their waste better. Back this up with effective enforcement.
9. *Prevent fly-posting* – fly-posting is illegal and those responsible for it or benefiting from its display should be prosecuted. Removing posters quickly is an effective method of control.
10. *Encourage management innovations and deploy good practice* – by engaging in this programme and sharing your experiences with others.

Further issues for **How To...**

A strategic approach must also be flexible in order to accommodate changes and tackle new issues as they arise. Through the **How to** programme we will explore the issues and barriers that practitioners encounter in deploying powers and tools while doing their jobs. We will also develop practical guidance for overcoming these barriers, and prepare supplements to update this guide.

Future supplements will consider **how to:**

1. *Information* – remove barriers to proactively use and share information and data.
2. *Strategy* – put in place strategic approaches to town centre management for realising the benefits of new planning and licensing powers.
3. *Partnerships* – overcome barriers to partners pooling their responsibilities and resources and work together through effective local partnerships.
4. *Sensible drinking and behaviour* – change peoples' drinking habits and behaviour, and obtain a better balance of preventative and enforcement action.
5. *Uniformed presence* – join up the deployment and effectiveness of the CSOs, Wardens and other uniformed officials in town centres.
6. *Responsible trading* – engage local businesses in collective action and initiatives to reduce binge drinking and remove barriers to joint working.
7. *Getting home safely* – develop local travel plans for getting people home safely at nights.
8. *Tackling street fouling* – change peoples' habits and take tough enforcement action.
9. *Reducing litter, noise and commercial waste* – take effective enforcement action, and work with businesses in town centres to manage and reduce their waste better.
10. *Dealing with fly-posting* – reduce the demand for fly-posting and make enforcement work.



3.2 Powers

	Legislation (Recent Acts and Regulations available at www.legislation.hmso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
1.2 Knowing your centre	<ul style="list-style-type: none"> ■ s115 Crime and Disorder Act (1998): Power to share information for measures to reduce crime and disorder 	<ul style="list-style-type: none"> ■ www.crimereduction.gov.uk/infosharing ■ www.dca.gov.uk/foi/sharing ■ Planning Policy Statement 6: Planning for Town Centres www.odpm.gov.uk ■ www.neighbourhood.statistics.gov.uk ■ www.bvpi.gov.uk
1.3 Developing local leadership	<ul style="list-style-type: none"> ■ Local Government Act 2000: Powers to promote economic, social and environmental well-being 	<ul style="list-style-type: none"> ■ IDEA Leadership Academy: www.idea.gov.uk ■ Academy for Sustainable Communities: www.ascskills.org.uk ■ Association of Town Centre Management: www.atcm.org ■ Guidance on well-being powers at www.odpm.gov.uk under Local Government, community and political leadership
1.4 Preparing your strategy	<ul style="list-style-type: none"> ■ Planning and Compulsory Purchase Act (2004): Government has introduced widespread changes to the planning system ■ Licensing Act (2003): Promotion of licensing objectives ■ Town and Country Planning (Use Classes) Order (1997) ■ The Town and Country Planning (General Permitted Development) (Amendment) (England) Order (2005) ■ The Town and Country Planning (Use Classes) (Amendment) (England) Order (2005) 	<ul style="list-style-type: none"> ■ Planning Policy Statement 6: Planning for Town Centres: www.odpm.gov.uk ■ Planning Policy Statements: www.odpm.gov.uk/planning
Licensing	<ul style="list-style-type: none"> ■ s41 Highways Act (1980): to maintain highways at the public expense 	<ul style="list-style-type: none"> ■ Local streetscape manuals: to provide a co-ordinated strategy for local street environments: www.livingstreets.org.uk ■ Community Street Audits: to identify unnecessary street furniture or gaps in provision: www.livingstreets.org.uk/street-audits

	Legislation (Recent Acts and Regulations available at www.legislation.hmso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
Streetscape management	<ul style="list-style-type: none"> ■ s41 Highways Act (1980): to maintain highways at the public expense 	<ul style="list-style-type: none"> ■ Local streetscape manuals: to provide a co-ordinated strategy for local street environments: www.livingstreets.org.uk/street-audits ■ Community Street Audits: to identify unnecessary street furniture or gaps in provision: www.livingstreets.org.uk/street-audits
Accessibility		<ul style="list-style-type: none"> ■ Making the Connections: www.socialexclusion.gov.uk ■ Accessibility Planning Guidance: www.accessibilityplanning.gov.uk ■ 'Accession' accessibility software
1.5 Successful delivery partnerships	<ul style="list-style-type: none"> ■ Local Government Act 2003: Sections 93 and 94 general power to charge for discretionary services ■ Local Government Act 2003: Sections 95 and 96 powers to trade with private bodies and persons in a commercial manner 	<ul style="list-style-type: none"> ■ Safer and Stronger Communities Fund Implementation Guidance: www.neighbourhoods.gov.uk ■ Local government finance – see Local Government at www.odpm.gov.uk ■ Crime and Disorder Reduction Strategy: www.crimereduction.gov.uk/partnerships2 and toolkits ■ Business Improvement Districts: www.ukbids.org ■ Business Crime Partnerships: www.businesscrime.org.uk ■ Local Development Plan Frameworks: www.odpm.gov.uk/planning ■ Full Guidance on Local Transport Plans: www.dft.gov.uk/localtransport

	Legislation (Recent Acts and Regulations available at www.legislation.hmsso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
2.1 Drinking and behaving sensibly		
Closure of licensed premises to prevent disorder and/or noise	<ul style="list-style-type: none"> ■ The Licensing Act (2003) ■ s40, Anti-Social Behaviour Act (2003): closure of noisy premises 	<ul style="list-style-type: none"> ■ Department of Culture, Media and Sport: www.culture.gov.uk/alcohol_and_entertainment/default.htm
Alcohol restriction in a designated area	<ul style="list-style-type: none"> ■ s12 Criminal Justice and Police Act (2001): Consumption of alcohol in designated public place ■ Anti-Social Behaviour Act (2003): use of dispersal orders ■ Licensing Act (2003): Police and Community Support Officers can confiscate opened bottles and cans of alcohol from underage drinkers and those likely to cause nuisance 	<ul style="list-style-type: none"> ■ Department of Culture, Media and Sport: www.culture.gov.uk/alcohol_and_entertainment/default.htm
Anti-social behaviour in a public place	<ul style="list-style-type: none"> ■ Criminal Justice and Police Act (2001): Penalty Notices for disorder that can be used for businesses and premises ■ Crime and Disorder Act (1998) ■ s5 Public Order Act (1986): Use of threatening words or behaviour likely to cause alarm, harassment or distress ■ s91 Criminal Justice Act (1967): Disorderly Behaviour while in a public place ■ Anti-Social Behaviour Act (2003): use of dispersal orders 	
Anti-Social Behaviour Orders (ASBOs)	<ul style="list-style-type: none"> ■ s1, Crime and Disorder Act (1998): Local authorities, police forces, community support officers, Registered social landlords can issue ASBOs ■ Police Reform Act (2002) 	<ul style="list-style-type: none"> ■ Guidance on ASBOs and ABCs 2002
Acceptable Behaviour Contracts (ABCs)	<ul style="list-style-type: none"> ■ s1, Crime and Disorder Act (1998) ■ Police Reform Act (2002) 	<ul style="list-style-type: none"> ■ Guidance on ASBOs and ABCs 2002

	Legislation (Recent Acts and Regulations available at www.legislation.hmso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
Parenting Orders	<ul style="list-style-type: none"> ■ s58, Crime and Disorder Act (2002): imposing a parenting order 	<ul style="list-style-type: none"> ■ Crime and Disorder Act: Guidance Document: Parenting Orders
Individual Support Orders (ISOs)	<ul style="list-style-type: none"> ■ s322, Criminal Justice Act (2003): For 10-17 years old with ASBOs 	<ul style="list-style-type: none"> ■ Together campaign: www.together.gov.uk
Vandalism	<ul style="list-style-type: none"> ■ Criminal Damage Act (1971) (England and Wales): makes vandalism and the damage of town centre property an arrestable offence ■ Criminal Justice Act (2003): police power to stop and search people whom they suspect of having items intended to be used to cause criminal damage ■ Crime and Disorder Act (1998): racially or religiously aggravated criminal damage 	
Underage drinking	<ul style="list-style-type: none"> ■ s29-31, Criminal Justice and Police Act (2001): Buying or attempting to buy alcohol for consumption in a bar or licensed premises by a person under 18 	National Alcohol Harm Reduction Strategy 2004: www.strategy.gov.uk
Penalty Notices for Disorder (PNDs)	<ul style="list-style-type: none"> ■ Criminal Justice and Police Act (2001) 	
Fixed Penalty Notices (FPNs) for disorderly behaviour	<ul style="list-style-type: none"> ■ s1-11, Criminal Justice and Police Act (2001) ■ Anti-social Behaviour Act (2003) ■ Local Government Act (2003) ■ Police Reform Act (2002) 	
Exclusion Orders		<ul style="list-style-type: none"> ■ Government 'Drink Responsibly' Consultation Document: proposes greater use of exclusion orders
2.2 Greater uniformed presence	<ul style="list-style-type: none"> ■ Police Reform Act (2002) 	<ul style="list-style-type: none"> ■ Policing: www.policecouldyou.co.uk ■ Wardens: www.neighbourhoods.gov.uk

	Legislation (Recent Acts and Regulations available at www.legislation.hmso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
2.3 Responsible trading (licensed premises)	<ul style="list-style-type: none"> ■ The Licensing Act (2003) 	<ul style="list-style-type: none"> ■ Department of Culture, Media and Sport: www.culture.gov.uk/alcohol_and_entertainment/default.htm ■ National Alcohol Harm Reduction Strategy for England 2004: www.strategy.gov.uk ■ Best Bar None: www.citycentresafe.com ■ Lessons learned from the summer enforcement campaign: amec@homeoffice.gsi.gov.uk
2.4 Getting home safely		<ul style="list-style-type: none"> ■ See Crime and public transport section of www.dft.gov.uk
2.5 Street fouling	<ul style="list-style-type: none"> ■ s5, Public Order Act (1986) ■ s1, Criminal Justice and Police Act (2001) ■ Home Office model bylaws set No. 8: Bylaws for Good Rule and Government. Bylaw No. 24 ■ s28, Town Police Clauses Act (1847) 	

	Legislation (Recent Acts and Regulations available at www.legislation.hmso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
2.6 Reducing noise	<ul style="list-style-type: none"> ■ s79, Environmental Protection Act (1990): local authorities have a duty to take reasonable steps to investigate complaints of noise from premises ■ The Noise and Statutory Nuisance Act (1993): amends Environmental Protection Act to require local authorities to investigate complaints of noise equipment, vehicles or machinery in the street ■ Noise Act (1996): enables local authorities to take action against night-time noise ■ Anti-Social Behaviour Act (2003) ■ s60, Control of Pollution Act (1974): for controlling noise from construction sites ■ Police Reform Act (2002) ■ Fireworks Act (2003): banning the use of fireworks between 11pm and 7am 	
2.7 Reducing litter	<ul style="list-style-type: none"> ■ Environmental Protection Act (1990): prosecute people who litter in a public open space ■ s91, Environmental Protection Act (1990): provides a mechanism for members of the public to make a complaint to a magistrates court where an area falls below a required standard ■ s92, Environmental Protection Act (1990) ■ s93, Criminal Justice and Police Act (2001): issuing street litter control notices ■ Local Government Act (2003) 	<ul style="list-style-type: none"> ■ Voluntary Code of Practice for Reducing Litter caused by 'food on the go'. ■ Code of Practice for Litter and Refuse ■ ENCAMS: www.encams.org ■ Defra Local Environmental Unit: http://defraweb/environment/localenv/index.htm ■ www.idea-knowledge.gov.uk

	Legislation (Recent Acts and Regulations available at www.legislation.hmsso.gov.uk)	Advice and Guidance See www.cleanersaferegreener.gov.uk and
2.8 Combating fly-posting	<ul style="list-style-type: none"> ■ s224(3) Town and Country Planning Act (1990): prosecute those who put up fly-posting and those parties that benefit from it ■ Town and Country Planning (Control of Advertisements) Regulations (1992): prosecute those who put up fly-posting and those parties that benefit from it ■ s132, Highways Act (1980) ■ Anti-Social Behaviour Act (2003) ■ London Local Authorities Act (1995) (London Boroughs only): to give notice in writing to a person who displays a poster without permission 	
2.9 Managing commercial waste	<ul style="list-style-type: none"> ■ Environmental Protection Act (1990) ■ The Environmental Protection (Duty of Care) Regulations (1991) ■ The Controlled Waste Regulations (1992) ■ The Controlled Waste (Amendment) Regulations (1993) ■ Environment Act (1995) ■ Control of Pollution Act (1974) ■ Waste Management Licensing Regulations (1994) 	<ul style="list-style-type: none"> ■ Waste Management The Duty of Care, A Code of Practice ■ Waste Framework Directive 91/156/EEC