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Consultation – summary of response

A Framework for Managing the Night Time Economy in Wales

December 2016

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Introduction

The night time economy is the 'economic activity which occurs between the hours of 6pm and 6am'¹. A *Framework for Managing the Night Time Economy in Wales* was first developed in 2008 by Welsh Government with the aim of providing guidance to local authorities, local health boards, community safety leads and other stakeholders to support the development and delivery of alcohol related strategies, to reduce anti-social behaviour, and to improve access to the night time economy for a wider population.

Since 2008 both the Welsh and UK Governments have introduced a range of legislative measures that have impacted upon the management of the night time economy. To reflect these legislative changes and to respond to changes within the drugs field, most notably the emergence of new psychoactive substances, it was agreed that the night time economy should be revised and updated.

The Welsh Government held a 12-week public consultation period from 24th September to 17th December 2015 to seek the views on the content of a revised night time economy Framework. The revised Night Time Economy Framework was published online on the Welsh Government website to make it more accessible for any interested party and all members of the public to respond. The findings of the public consultation are provided in this report.

Overview of responses

In total, 31 consultation responses were received to the consultation, out of which 27 (87%) individuals responded on behalf of an organisation, one (3%) responded on an individual basis and three (10%) chose to remain anonymous. A full list of respondents can be found in Annex 1.

Supportive comments

The majority of respondents (71%) commented that the revised Night Time Economy Framework was useful and comprehensive. Comments were made in terms of the usefulness of the **legislative overview** within the Framework and the holistic approach with objectives covering a range of sectors which promoted a shared responsibility. **Effective joint working** with clear shared objectives was a strong emerging theme with almost 81% of respondents agreeing that improvements in multi-agency working can positively affect the management of, and interventions within, the night time economy.

Respondents welcomed **diversification** and development of the **transport infrastructure** in the night time economy. They showed their support for the important role of an effective transport system taking people in and out of the night time economy, and the role of taxi-marshals to supervise late night taxi queues. Plans for more inclusive and diverse environments for people who would not

¹ A Framework for Managing the Night Time Economy in Wales. Consultation document. Welsh Government (2015). Accessed from <https://beta.gov.wales/sites/default/files/consultations/2018-01/150924documenten.pdf>

normally visit the night time economy were also supported. Examples of **good practice** and locally tailored programmes such as participation in Local Alcohol Action Areas, 'Purple Flag' and 'Knowing the Score' were also noted to be important for reference within the framework.

Respondents from the health sector also stated their support for the inclusion of **minimum unit pricing** for alcohol and **controlling alcohol availability** in the Framework as it can help to limit alcohol consumption and prevent alcohol-related harm in the night time economy. Some respondents were particularly supportive of the reference to enforcement of the law against serving intoxicated people and several respondents supported the reference to **age verification** within the Framework.

In total, 22% of respondents, mainly from the health sector, supported the inclusion of public health as the **fifth licensing objective** to help in identifying the health risks with granting licences to different on- and off-licences.

Not supportive comments

Although many respondents felt that the revised Night Time Economy Framework represented useful guidelines to aid the development of local strategic plans, 55% of respondents strongly highlighted a current **lack of funding** and the potential impact on current services. This led to a number of respondents questioning whether the revised Night Time Economy Framework provided realistic guidance for managing the night time economy. For example, nine percent of respondents reported concerns about the lack of funding to support the use of **CCTV** going forward.

In terms of diversification and infrastructure, traditional 'stand up' drinking venues were suggested to be replaced by sitting down venues and the design of pubs to be improved so that it does not encourage excessive drinking. One respondent indicated their appreciation of the importance of taxi marshals, but the involvement of door staff to supervise taxi ranks was disagreed with due to already existing supervision demands.

Respondents also mentioned the current barriers to establishing some of the policy drivers such as the **Night Time Levy and Early Morning Restriction Order** in their local areas. For instance, it was argued that the need to roll out such restriction across areas would impose a substantial financial burden and was thought by some respondents from the public sector to be unfair to owners of businesses in more rural areas.

Respondents from the alcohol industry suggested that the introduction of **minimum unit pricing for alcohol** and **limiting alcohol availability** through Cumulative Impact Policies were not effective preventative measures. They suggested that there is no evidence to link particular off-licences with anti-social behaviour or violence and suggest that targeting the illicit retail of alcohol would be more beneficial. In addition, respondents from the alcohol industry commented that the introduction of public health as the **fifth licensing objective** was not deemed relevant in granting licences to on-licenses and off-licences.

Items not specifically addressed in the revised Night Time Economy Framework

Respondents to the consultation highlighted the importance of multi-agency working and joint cooperation, particularly due to scarce funding for the night time economy in the current economic climate. Respondents expressed the need for a **national recording system of data** to promote understanding of the night time economy in Wales, and consideration of the formalisation of a system to promote best practice.

In terms of diversification, one respondent called for the introduction of **alcohol-free or 'dry bars'** and also for licensed premises to promote cheap, non-alcoholic beverages at their establishments. **Mobility access** was also highlighted as some venues do not have wheelchair access. Guidelines for the effective management of **children, homeless people and sex-workers** in the night time economy were suggested to be incorporated into the Framework.

Universities were suggested to be included as one of the key stakeholders in the Framework as students play an important role within the night time economy. The **voluntary sector** was also thought to be a vital element in the management of the night time economy. Therefore, there is a need to incorporate the engagement of the voluntary sector such as street pastors in the Framework.

Moreover, a **positive promotion of the night time economy in the media** was shared as a factor to influence people's perception of a night life, which is not mentioned in the current Night Time Economy Framework. Furthermore, there were calls to promote the use of public transport to better manage incoming and outgoing night time economy visitors.

With regards to licensing, some respondents suggested that the framework needs to clearly outline the **roles and responsibilities** of both on-licences and off-licences in alcohol promotion.

Overall, 67% of respondents suggested developing sections of **effective prevention** in the Night Time Economy Framework. Addressing drug and alcohol awareness, 'pre-loading' and the binge-drinking culture was thought to be of great importance, but are currently only mentioned superficially or are missing from the Night Time Economy Framework. Furthermore, the need for an evidence-based approach was raised, for instance, to provide evidence for effectiveness of fixed penalty tickets and alcohol educational courses to reduce substance related harm. Respondents thought it would be useful to include additional examples of effective local interventions such as the 'Nightsafe' Scheme in Wrexham.

There were also a number of legislative documents and policy drivers which were suggested to be added to the existing Framework. These included reference to:

- *The Well-being of Future Generations (Wales) Act (2015)*²
- *The Social Services and Well-being (Wales) Act (2014)*³

² Welsh Government. 2015. *The Well-being and Future Generations (Wales) Act 2015*. <http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

- *Changing Scotland's Relationship with Alcohol: A Framework for Action (2009)*⁴
- *A Drinking Nation (2010)*⁵
- *Safeguarding Children from Sexual Exploitation (2009)*⁶
- *Working Together to Reduce Harm - Delivery Plan (2016-2018)*⁷
- *Anti-Social Behaviour, Crime and Policing Act (2014)*⁸

Summary

Generally, the revised Night Time Economy Framework was considered to be useful in terms of providing guidance for stakeholders involved in the night time economy, particularly regarding legislative context and developing future plans. However, the revised Night Time Economy Framework was questioned on how the plans and strategies could be delivered due to the current economic situation.

Respondents agreed with the importance of developing multi-agency cooperation and data sharing amongst a wide range of stakeholders. Voluntary sector and universities were suggested as additional key stakeholders to be included in joint-working. Diversification of the Night Time Economy Framework was supported but more attention should be given to individuals with protected characteristics such as wheelchair users, sex-workers, homeless people and children. Respondents from the health sector agreed that minimum unit pricing for alcohol and alcohol availability would play an important role in prevention; however, the alcohol related industry disagreed. Public health was promoted by the health sector to become the fifth licensing objective whereas the alcohol industry had an opposing view.

Prevention and preventative measures such as raising awareness and addressing 'pre-loading' and 'binge-drinking' culture were suggested to be introduced and expanded on. Respondents also provided comment on the policy drivers, presented examples of local projects to be included as examples of best practice and suggestion for other national and international initiatives and legislation to be considered in the Night Time Economy Framework.

³ Welsh Government. 2014. *The Social Services and Well-being (Wales) Act 2014*. http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.pdf

⁴ Scottish Government. 2009. *Changing Scotland's Relationship with Alcohol: A Framework for Action*. <http://www.gov.scot/Resource/Doc/262905/0078610.pdf>

⁵ Alcohol Concern. 2010. *A drinking nation? Wales and alcohol*. <https://www.alcoholconcern.org.uk/Handlers/Download.ashx?IDMF=80281144-8324-49b2-b7d6-9c9c1a4ad161>

⁶ HM Government. 2009. *Safeguarding Children from Sexual Exploitation*. http://webarchive.nationalarchives.gov.uk/20130401151715/http://www.education.gov.uk/publications/eOrderingDownload/Safeguarding_CPY_from_sexual_exploitation.pdf

⁷ Welsh Government. 2016. *Working Together to Reduce Harm - Delivery Plan (2016-2018)*. <https://gov.wales/docs/dhss/publications/160906substance-missuse-2016-2018en.pdf>

⁸ Home Office. 2014. *Anti-Social Behaviour, Crime and Policing Act*. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf

Annex 1: Respondents to consultation

1	Catrin Jones – individual response
2	Alcohol Concern Cymru
3	University of St Andrews Economics Society
4	ABMU Public Health Team
5	Anonymous 1
6	Wales Heads of Environmental Health
7	Welsh Chief Police Officers Group
8	Anonymous 2
9	Pembrokeshire Community Safety Partnership
10	Street Angels Christian Nightlife Initiatives Network
11	North Wales Police and Crime Commissioner’s Office
12	Welsh Local Government Association
13	Caerphilly County Borough Council
14	Aneurin Bevan Health Board / Aneurin Bevan Gwent Public Health Team
15	Association of Convenience Stores
16	Ceredigion County Council
17	Wine and Spirits Trade Association
18	Denbighshire County Council
19	Churches Together in Wales
20	Anonymous 3
21	Police and Crime Commissioner for South Wales
22	British Beer and Pub Association
23	Royal College of General Practitioners Wales
24	Hywel Dda University Health Board
25	Monmouthshire County Council
26	Gwent Licensing Forum
27	North Wales Public Health Team
28	Royal Town Planning Institute
29	Safer Swansea Community Safety Partnerships
30	Bridgend Local Service Board and Community Safety Partnership
31	Home Office