

The impact of the Licensing Act 2003 on levels of crime and disorder: an evaluation

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Key implications for decision makers

The Licensing Act 2003, which came into force at the end of November 2005, abolished set licensing hours in England and Wales. Opening hours of premises are now set locally through the conditions of individual licences. The aim was to liberalise a rigid system whilst reducing the problems of drinking and disorder associated with a standard closing time. The Act gave licensing authorities new powers over licensed premises, whilst giving local people more of a say in individual licensing decisions. It was hoped that in the longer term its provisions – coupled with other government initiatives – would help to bring about a more benign drinking culture.

- In the run-up to implementation, there was widespread concern that the legislation would lead to '24-hour drinking' and an increase in associated problems. These fears were not met in the year after implementation.
- Nor are there any clear signs yet that the abolition of a standard closing time has significantly reduced problems of crime and disorder.
- The scale of change in licensing hours has been both variable and modest: while the majority of pubs have extended their hours, most of these extensions have been short.
- The limited evidence suggests that alcohol consumption has fallen slightly, although some people are drinking until later into the night.

- The overall volume of incidents of crime and disorder remains unchanged, though there are signs that crimes involving serious violence may have reduced. However, there is evidence of temporal displacement, in that the small proportion of violent crime occurring in the small hours of the morning has grown.
- Alcohol-related demands on Accident & Emergency (A&E) departments appear to have been stable in aggregate, though some hospital services have seen increased demand, others a fall.
- Police, local authorities and licensees generally welcomed the changes, the new powers it gave them, and the Act's partnership philosophy. They did not report significant problems with implementation – once teething problems were solved – and did not think generally that alcohol-related problems of crime and disorder had worsened.
- In surveys, local residents were less likely to say that drunk and rowdy behaviour was a problem after the change than before it, and the majority thought that alcohol-related crime was stable or declining.
- The main conclusion to be drawn from the evaluation is that licensing regimes may be one factor in effecting change to the country's drinking culture – and its impact on crime – but they do not appear to be the critical factor. The key issue is how they interact with other factors.

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Keywords

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Summary

The Licensing Act 2003, introduced in November 2005, abolished set licensing hours in England and Wales. Opening hours of premises are now set locally through the conditions of individual licences. The aim was to liberalise a rigid system whilst reducing the problems of heavy drinking and disorder associated with a standard closing time. The intention was not simply to relax drinking hours but to provide licensing authorities with new powers and to encourage better partnership working. It was hoped that in the longer term, the Act – in combination with national and local alcohol strategies – would also help bring about a 'sensible drinking' culture which attached less value to heavy drinking and drunkenness as ends in themselves.

The Act has been the subject of much controversy. Although its aim was specifically to address problems associated with late-night drinking, in the run-up to implementation it was presented by some of the media as a drunkard's charter, whereby alcohol would be on sale 24 hours a day. There was concern both about the public health impact of the new licensing regime and about its effects on crime and disorder. The Home Office put into place a multi-strand evaluation, focusing largely on the Act's impact on crime and disorder. The various elements include:

- a statistical exercise covering 30 of the 43 police forces in England and Wales;
- a national telephone survey of police licensing officers;
- findings from the British Crime Survey (BCS) Night Time Economy module covering periods before and after implementation; and
- detailed case studies of the experience of five towns and cities.

This report pulls together the key findings from these various strands. It also draws on previously published material on the Act, notably Department of Culture Media and Sport (DCMS) statistics, HM Revenue and Customs statistics as published by the British Beer and Pub Association (BBPA), a survey of demands on Accident & Emergency (A&E) hospital services and a national survey of local authorities. To place the findings in context, the research team also mounted an international review of the relevant academic literature on alcohol related crime and how to manage the night time economy. Collectively, the different strands of the evaluation can describe trends in alcohol-related crime and disorder in the periods before and after the Act's implementation. What the evaluation cannot do, however, is to answer counterfactual questions about the direction that trends would have taken, had the Act not been implemented.

The 2003 Licensing Act

The problems created by standardised pub closing times were a source of concern for many years. On the one hand, the simple fact of a closing time was thought to encourage some drinkers to drink as much as they could whilst they could. On the other, standardised closing times meant that across the country large numbers of - mainly young - people in various states of drunkenness were decanted into open public space and onto public transport simultaneously.

The Licensing Act 2003 passed the responsibility for licensing from Magistrates' Courts to local authorities. It simplified the licensing law by introducing a single premises licence – covering the provision of alcohol, regulated entertainment and refreshments late at night – in place of the six types of licence that previously existed. Crucially it replaced the statutory licensing hours with opening hours set locally through the conditions of individual licences. It also gave the licensing authorities new powers over licensees, and encouraged partnership-working between the local authority, the police and others.

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The new licensing authorities were expected to grant the licences requested by licensees unless there were well-founded objections that doing so was inconsistent with the Act's four licensing objectives:

- to prevent crime and disorder;
- to promote public safety; and
- to prevent public nuisance.

Although it was the abolition of standardised licensing hours that gave rise to fears about '24-hour drinking', the aim was to liberalise a rigid system whilst reducing the problems of rapid drinking and disorder associated with a standard closing time. Staggered pub and club closing hours were intended to avoid the closing time melées that created such problems. It was also hoped that the move away from limited, standardised drinking hours would discourage excessive drinking and encourage a more relaxed, southern European-style drinking culture, over the longer term.

Impact on licensing hours and consumption

Overall, there was a modest increase in opening hours. According to a DCMS snapshot survey of a small number of licensing authorities conducted shortly after the changes, only a very small minority of pubs and clubs applied for 24-hour licences. A fifth stuck with their old 11pm closing time, and half applied for an hour's extension to midnight. The remaining 30 per cent opted for 1am closing. These times represented the latest that establishments could serve alcohol. Some licensees exercised this right only rarely and others used the extension as a 'winding down' period. The most recent DCMS statistics indicate that only 470 pubs, bars and nightclubs have 24-hour licences. An analysis of closing times commissioned by the DCMS in November 2007 found that most licensed premises continued to close at 11pm and the rest extended their opening hours by half an hour or an hour. Actual closing times across all types of establishment were extended on average by 21 minutes.

The British Crime Survey (BCS) Night Time Economy module suggests that there has been no change in frequency of pub usage. There are indications that some people now drink later into the night – as one would expect given that some premises are staying open for longer – though according to two YouGov surveys conducted for the British Beer and Pub Association (BBPA) more than four out of five of the population think that the new provisions have not encouraged them to change their drinking patterns. The General Household Survey, which includes self-report data on alcohol consumption, suggests that the average amount of alcohol consumed per person fell slightly between 2005 and 2006. BBPA statistics derived from HM Revenue & Customs (based on excise duty returns) also show that the fall in alcohol consumption in licensed premises that began in 2005 continued into 2006.

Impact on levels of alcohol-related crime and disorder: the national picture

In July 2007, the Home Office published findings from an analysis of data collected from a self-selecting sample of police forces. Comparing the 12-month periods before and after the change, the survey of 30 police forces shows a one per cent fall in recorded incidents involving violence, criminal damage and harassment, and a fall of five per cent in serious violent crimes. The timing of incidents of crime and disorder has changed, however. There was a one per cent rise in the overall number of incidents occurring between 6pm and 6am, and a steep rise in the small minority of incidents occurring in the small hours (3am or later). Thus for the – well-measured – category of more serious crimes of violence, there was an increase in the number of offences committed between 3am and 6am that was small in absolute terms (236 incidents) but large in proportionate terms (25%). The peak time for serious violent crime shifted forward by about an hour.

The 30-force survey showed an overall seven per cent increase in recorded harassment offences in the year after the change, but this is best interpreted as a consequence of the deployment of new police powers, notably the ability to issue penalty notices for disorder (PNDs) which are a tool used by the police to tackle low level offending and anti-social behaviour, including drunken and rowdy behaviour.

Although some studies showed increases in alcohol-related hospital attendances and ambulance call-outs, a survey of 33 A&E departments across England and Wales found a two per cent fall in assault related injury attendances in 2006 compared with 2005, this fall being concentrated amongst women.

According to the BCS Night Time Economy module, there was also no change following the introduction of the Act in the proportion of people feeling unsafe in town centres at night, or in the proportion of people witnessing drunken anti-social behaviour in town centres.

Impact on levels of alcohol-related crime and disorder: the five case studies

In the first year of the new licensing regime, overall problems of crime and disorder did not increase. In aggregate, the five case study sites show little change. Overall, violent crime fell by three per cent; this masked increases in three sites – statistically significant in only one – offset by falls in the other two sites. Calls to the police relating to disorder either did not change or showed statistically significant reductions – with the exception of a significant increase in one site in the latter part of 2006. There is evidence of temporal displacement: in four out of five sites there was a fall in levels of violent crime between 11pm and midnight; and the small proportion of violent crimes occurring between 3am and 5am grew in the year after the change. Although we cannot know for certain it seems likely that this is a consequence of the extension of licensing hours.

The evaluation assembled information either from hospital A&E departments or from ambulance services for the five case study sites. The data appear volatile, and trends are often inconsistent with those found in police data. Trends were stable in two sites and marginally upward in a further two. Relevant episodes at the A&E department in the fifth site doubled, however. Violent crimes recorded by the police in this site also increased in 2006 – though not as steeply as A&E incidents.

Residents surveyed in three out of five case study sites were less likely to say that drunk and rowdy behaviour was a problem after the change than before it, and the majority in all five sites thought that alcohol-related crime was stable or declining. Generally, people working in the night-time economy and those involved in its regulation generally thought that alcohol-related problems had remained stable or declined.

How does our experience match with other countries?

The evidence from those countries that have moved from strict opening hours to a more relaxed regime, such as Australia, New Zealand, Scotland and Iceland, is that liberalised regimes tend to result in higher levels of consumption and more alcohol-related problems of crime and disorder. It may be that the scale of the change in England and Wales to date has been much smaller than in these jurisdictions. Equally, parallel initiatives to promote sensible drinking and to manage the night time economy may have counterbalanced pressures for heavier drinking and associated problems. It is also possible that marked effects of the change will emerge only over a longer period.

Conclusion

Whilst some indicators point in different directions, the overall conclusion to be drawn from the evaluation is that in their first year the changes introduced by the 2003 Licensing Act had only small effects on the opening hours of most pubs and clubs, on levels of alcohol consumption and on alcohol-related problems of crime and disorder. Some crime has been displaced into the small hours, but overall levels of crime associated with the night-time economy remain largely unchanged, and there has also been a small fall in serious crimes of violence – possibly as a consequence of the extension of licensing hours.

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I. Introduction

The Licensing Act 2003 was introduced in November 2005. Responsibility for the legislation falls to the Department for Culture, Media and Sport (DCMS) – where the topic is the responsibility of the Licensing Minister. The DCMS had its own programme of monitoring and evaluation, including a ministerial monitoring group and detailed examination of the experience of ten 'Scrutiny Councils'¹. The Home Office role relates largely to the problems of crime and disorder associated with alcohol, and in 2005 the Home Office put into place a programme for evaluating the Act's impact on crime and disorder. This report presents the results of the Home Office evaluation, covering the periods two years before and one year after the change.

The Licensing Act

Under the Act, each local authority is required to publish, every three years, a 'statement of licensing policy', which must have regard to the Secretary of State's guidance on the Act and reflect local consultation with interested parties. Licensing functions are to be carried out by local authorities with a view to promoting four licensing objectives:

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

Thus the Act has an explicit preventive philosophy embedded in its provisions. It simplified licensing law by introducing a single premises licence – covering the provision of alcohol, regulated entertainment and refreshments late at night – in place of the six types of licence that previously existed. Crucially, it replaced

¹ See DCMS: http://www.culture.gov.uk/what_we_do/Alcohol_entertainment/monitoring_and_evaluation/scrutiny_councils.htm

statutory licensing hours with opening hours set locally through the conditions of individual licences. It was this provision that gave rise to fears about '24-hour drinking', although the aim was to liberalise a rigid system whilst reducing the problems of rapid heavy drinking and disorder associated with a statutory closing time. The intention of the Act was not simply to relax drinking hours but to provide licensing authorities with new powers to deal with problematic licensed premises and to encourage closer partnerships between the range of authorities who tackle alcohol-related problems.

Problems associated with pub closing times had been a source of concern for many years. On the one hand, the simple fact of a closing time was thought to encourage some to drink as much as they could whilst they could. On the other hand, standardised closing times meant that large numbers of - mainly young - people in various states of drunkenness in towns and cities were decanted into open public space and onto public transport simultaneously, an obvious recipe for alcohol-fuelled violence and disorder.

The expansion in the 1990s of night time economies had been encouraged by licensing and planning policies (ODPM, 2004). From 2000, however, concerns were voiced within national and regional government, by academics and the wider public about the negative repercussions of these developments. There was concern not only about the disorder and violence associated with high levels of alcohol consumption by young people but the emergence of city and town centre districts containing concentrations of (often large-scale) entertainment venues, frequented predominantly by young customers. More flexible pub and club closing hours were intended to avoid the closing time melées, discourage excessive drinking and, in time, encourage a more relaxed drinking culture.

Under the provision of the Act, the responsibility for licensing was passed from magistrates' courts to local authorities. These new licensing authorities were expected to grant licences unless there were well-founded objections that doing so was inconsistent with the Act's four licensing objectives. The Act also introduced a range of offences and sanctions to control alcohol-

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related problems, including the power to place conditions on licences to ensure that the four licensing objectives are met, the extension of police powers to close premises associated with noise and disorder and increased penalties for selling alcohol to those aged under 18. There was a much greater emphasis on preventive strategies than hitherto, and an expectation that the new arrangements would stimulate effective partnership work. The legislation also gave a greater voice to the public: the powers of local residents were enhanced to enable them to ask for reviews of existing licences and to have input into decisions on licensing applications.

One important provision in the Act was the introduction of Cumulative Impact Policies, whereby a local authority, in consultation with others, can identify areas where a concentration of licensed premises is considered to be causing a cumulative impact on one or more of the licensing objectives. In such circumstances, where representations are made, the presumption is to refuse applications for new licences, or variations to existing ones, unless the applicant can demonstrate that they do not add to the cumulative impact. The aim is to encourage a more mixed and diverse night time economy by encouraging other types of businesses to open.

Methods

The evaluation had several strands to it. Information about the national picture is drawn from several sources, some of them already published:

- most notably a survey of 30 police forces, covering violent crime, disorder and criminal damage for the period from October 2004 until November 2006 (Babb, 2007). This provides the most comprehensive analysis of relevant statistics of recorded crime;
- a large-scale survey of incidents of violence as reflected in A&E statistics conducted by the Violence and Society Research Group at Cardiff University (Sivarajasingam *et al.*, 2007);
- Department for Transport statistics on injuries and deaths caused by drunken driving;
- a Home Office telephone survey of police licensing officers in 26 of the 43 police forces in England and Wales six months after the implementation of the Act;
- a survey of local authorities commissioned by the Alcohol Education and Research Council (AERC) (Foster *et al.*, 2008);
- the British Crime Survey (BCS), which is a national, large-scale survey of victimisation, which provided information on long-term trends in violent crime; and

- the British Crime Survey (BCS) Night Time Economy Module: an additional set of questions which were included in the 2004/05, 2005/06 and 2006/07 surveys, covering people's experience of, and attitudes to, the night time economy (referred to hereafter as the BCS NTE module).

The main BCS also permits quite fine-grained analysis of crime trends, broken down by time and location, although it is too early to mount analysis of this sort in relation to the Act.

A central element was a series of detailed case studies conducted in Birmingham, Blackpool, Croydon, Guildford and Nottingham (three of these are also DCMS Scrutiny Councils). The five sites were thought to be sufficient in number to provide an overview of experiences of the Licensing Act in different types of towns and cities facing different levels of violent crime. The sample was intended to be illustrative rather than nationally representative – although we have no reason to think that with regard to the implementation of and their experience of the Act these areas were atypical. Work on the case studies was carried out by various independent researchers and by Home Office researchers, and included:

- detailed spatial and temporal analysis of 'time-stamped' recorded crime data, mounted by the Applied Criminology Centre, University of Huddersfield;
- post-implementation qualitative interviews with a limited number of representatives from licensed premises, mounted by the Applied Criminology Centre;
- analysis of health service data, mounted by the Applied Criminology Centre;
- 'before and after' telephone surveys of residents carried out by the British Market Research Bureau (BMRB);
- 'before and after' in-depth qualitative interviews with licensees and representatives from other night time economy businesses which were located in the main night time economy areas, carried out by Cragg Ross Dawson;
- 'before and after' in-depth qualitative interviews by researchers from the Home Office with representatives from the responsible authorities designated under the Act, the licensing authority, the Crime and Disorder Reduction Partnership (CDRP), the Drug and Alcohol Action Team (DAAT) and the town centre manager; and
- additional data from police and health authorities assembled by Home Office researchers.

We have drawn on various independent local evaluations. Two of these were conducted by Home Office Regional Government Office researchers in the East of England and Yorkshire and the Humber regions (Pike *et al.*, 2008). There have also been analyses of local health authority data, and interview studies with local authority and health staff (e.g. Bellis *et al.*, 2006; Newton *et al.*, 2007, London Ambulance Service, 2007).

Finally, the Home Office commissioned the Institute for Criminal Policy Research (ICPR), King's College London to carry out a review of the relevant literature on how to tackle alcohol-related crime and manage the night time economy, and to pull together and summarise the findings of the various strands of the evaluation. This report is the result. We have drawn on all material that appeared to be relevant, including work mounted independently of government. Necessarily, this short report only summarises the key findings. Tables and charts relating to the case study areas are detailed in Appendix A and information about the evaluation's methodology can be found in Appendix B, both of which can be found online at <http://www.homeoffice.gov.uk/rds/horrpubs.html>

There are also reports which present detailed findings on each of the five case study areas (Jacobson *et al.*, 2008, Newton *et al.*, 2008a-d). In addition, there are further reports by the Applied Criminology Centre, University of Huddersfield which present detailed findings from the temporal and spatial analysis of recorded crime data in each of the case study areas (Newton *et al.*, 2008e-k, Newton and Hirschfield, 2008).

Strengths and weaknesses of the evaluation

The evaluation has both strengths and weaknesses. A significant strength is the range of information upon which it draws: national and local surveys and both quantitative and qualitative data from the police, local authorities and health authorities. The case studies offer sight-lines on the process from several different vantage points, permitting a considerable degree of 'triangulation' in building an account of the Act's impact. The work conducted in the case studies was undertaken by a number of researchers from different organisations. This final report, which pulls together and makes sense of the findings, was produced by an independent team of researchers.

In terms of weaknesses, the evaluation is unable to answer counterfactual questions about what would have happened in the absence of any changes to the licensing laws. Implicit in the evaluation is the assumption that if the Act had not been

passed, there would have been a 'steady state' covering the periods before and after the change. However, supporters of the legislation might argue that the Act has prevented the worsening of problems of crime and disorder. Equally, sceptics could argue the Act has disrupted a declining trend. There is not much that can be done to address these problems, except to examine the direction of long-run trends surrounding the period of change and to see if clues can be gleaned from variations between areas in the intensity with which the changes were put into place.

Finally, the evaluation covers only the short-term impact of the changes. Its overall message – that there has been little change – does not rule out the possibility that in the longer term there may be more marked changes – whether malign or benign – resulting from the overhaul of licensing arrangements. Cultural change can happen at a slow pace, and patterns of drinking may evolve in response to the new system over a long period of time.

The shape of this report

Chapter 2 summarises what can be said about the experience of implementation, and traces what can be said about the impact on licensing hours – and, insofar as data are available, upon alcohol consumption. Chapter 3 draws on a range of national or near-national statistics to assess the impact of the Act on the country as a whole. Chapter 4 presents the findings from the case studies on alcohol-related crime and disorder. This chapter offers depth of analysis but limited breadth of geographical coverage. Its findings are illustrative of the variation that occurs at a local level; the case studies in aggregate are not intended to be nationally representative. Chapter 5 discusses the experience of other countries that have introduced similar measures. Chapter 6 is more discursive, offering the researchers' interpretation of the findings.

2 Implementation: impact on licensing hours and consumption

This chapter draws largely on the findings of the five case study sites to describe the process of implementation, and the effects of the Act on opening hours and on alcohol consumption. At the time of writing there was limited information on consumption for the year following the change.

The implementation process in case study areas

The case studies provide a detailed view of the changes to licensing from the perspective of people working in the trade and those responsible for its regulation. In-depth qualitative interviews with licensees and other business owners generally showed enthusiasm about the prospect of more flexibility (before the change) and satisfaction with the new arrangements (once introduced). According to these interviews, the Act was implemented against a backdrop of existing local and national initiatives designed to address problems associated with late-night drinking, including the following:

- the *Best Bar None* award scheme to encourage responsible retailing;
- Pubwatch schemes with the aim of achieving safer drinking environments;
- the introduction of a ‘gentleman’s agreement’ among some licensees not to offer discounted drinks after 8pm on Friday and Saturday nights;
- the introduction in 2003 and 2004 of new police powers for issuing Penalty Notices for Disorder (PNDs) – or ‘on the spot’ fines;
- the introduction of Security Industry Authority (SIA) accredited door supervisors in 2004 and 2005; and
- the Home Office-funded *Alcohol Misuse Enforcement Campaigns* (AMECs), which included test purchase operations at on- and off-licences and increased use of penalty notices for disorder. Also, in Nottingham the Home Office funded the Tackling Violent Crime Programme (TVCP) which included police enforcement operations.

Home Office researchers conducted interviews in the case study areas before and after the changes with key representatives of Licensing Authorities (LA) and Responsible Authorities (RA) (Police, Fire, Trading Standards, Environmental Health, Social Services, Planning) and the Crime and Disorder Reduction Partnerships (CDRPs) and Town Centre Managers.² The main points to emerge are as follows:

² Interviews were conducted after implementation with licensing authorities, police, CDRP and DAAT staff and the Town Centre Manager.

- most applications for new licences were submitted in the days immediately before the deadline, and there were no extra resources to deal with the consequent spike in workload;
- the quality of the application forms submitted was described as poor for smaller or independent premises and variable for larger firms. For example, large pub chains employed the services of solicitors to complete all their applications, thus limiting detail about specific local circumstances;
- the submission process was overly complicated (applications had to be sent to the LA and each of the RAs) and the accompanying guidance was not always clear;
- there was insufficient time to review applications and raise objections to Temporary Events Notices (TENS);³
- the Act was, however, considered to encourage joint agency working between the LA and RAs and to encourage better relationships with the alcohol trade;
- the review process⁴ was highlighted as beneficial in all the case study areas, although there was a cost for the LA attached to this process which had to be taken into account when deciding what reviews should be undertaken;
- the ability for the RAs to add conditions onto premises’ licences to ensure the four licensing objectives were met (e.g. with regard to the prevention of crime and disorder licensing objective the police could request, for example: the use of door supervisors, providing notice to police of use of extended hours, installation of CCTV, or impose a final time for entry into premises, such as 11pm) was perceived as a key advantage of the Act, and the LAs and RAs reported using these to tackle local area problems; and
- overall, it was generally agreed that the Act had supported the effective management of the night time economy and the crime reduction initiatives that were already in place.

Independent regional or local evaluations involving interviews with a range of stakeholders paint a similar picture: teething problems followed by recognition of the benefits of the new system (e.g. Greenaway and Handley, 2007; Morleo *et al.*, 2007). For example, the shift in responsibility for licensing decisions from magistrates to local authority was regarded as being more efficient and as facilitating partnership working among the relevant local agencies. However, the extent of participation in licensing meetings of potentially interested parties was variable; it was thought likely to diminish further over time and there was also some concern expressed about exclusion of stakeholders with

³ TENS are used to authorise small-scale ad hoc events. The organiser must submit a notice and fee to the LA ten days in advance of the event. The ‘light touch’ procedure introduced by the Act replaced a much more formal application process for temporary licences.

⁴ DCMS LA guidance http://www.culture.gov.uk/Reference_library/Publications/archive_2007/guidancesection182_licact03june07.htm

an interest in health and social problems. The Scrutiny Councils⁵ reported a number of positive developments since the Act, including the fact that residents were now more aware of their rights with regard to licensed premises and licensees more aware of their responsibilities and that the police and other Responsible Authorities have engaged well with the licensing process.⁶

Foster *et al.* (2008) conducted a national survey of local authority areas on behalf of the Alcohol Education and Research Council.⁷ Whilst this collected perceptions rather than factual data, it represents an important source of information about the implementation process. The survey paints a picture (unsurprisingly) of increased local authority influence over licensing decisions. However, respondents also thought that other key stakeholders were now involved in the process, notably the police and residents. A clear exception to this was the perceived lack of involvement of health professionals. Only a minority thought that licensing had become a party political issue. The same survey indicated that a cumulative impact area had been adopted by only 17 per cent of local authority areas, the majority of which were in urban areas and, unsurprisingly, they were created in response to concerns about crime and binge drinking.

Opening hours

The interviews with licensees and those involved in the regulation of licences provide a clear sense of the way in which – despite a great deal of media attention to the impending changes – the process of moving to the new system was carried out very much at the last minute. Many applicants made rapid decisions as the deadline loomed, which were informed neither by a clear idea of the strength of the demand for extended drinking hours nor by a sense of the practicability of keeping their establishments open for longer.

Fears about large numbers of pubs being open 24 hours have not been met. According to a limited DCMS survey carried out shortly after the change, of the 200,000 premises licences in place (including off-licences, hotels and supermarkets) only 1.5 per cent had applied for 24-hour licences, of which around a fifth were for pubs and clubs.⁸ A fifth of pubs, bars and clubs stuck with their old 11 pm closing time, and half applied for an hour's extension to midnight. The remaining 30 per cent opted for a 1am closing (DCMS, 2006). These times represented the latest that establishments could serve alcohol. Some licensees exercised this right only rarely and others used the extension as a 'winding down' period. In November 2007, DCMS published more authoritative statistics, based on returns from 87 per cent of licensing authorities, and these show that only 470 pubs, bars and nightclubs had 24-hour licences (DCMS, 2007).

5 A group of ten councils invited by DCMS to help in monitoring the impact of the Licensing Act.

6 DCMS are planning a further survey of the Scrutiny Councils to assess progress two years after implementation.

7 Sixty-three per cent of authorities participated, with information provided for the most part (74%) by heads of licensing teams or in some cases by chairs of licensing committees (23%).

8 The survey, which was sent to all Licensing Authorities in England and Wales, achieved only a 28 per cent response rate, so its findings must be treated with caution.

The DCMS commissioned further work from CGA Strategy Ltd, a consultancy which maintains a large database on the operation of pubs, bars, clubs, restaurants and hotels. This work (CGA, 2007) found that on a typical Saturday night 56 per cent of on-licensed premises continued to close at 11 pm and that most of the remainder had extended their opening by half an hour or an hour. Pubs, bars and nightclubs stayed open for just under half an hour on average; registered clubs stayed open for almost an hour longer, whilst hotels and restaurants showed very little change.

Home Office researchers carried out a telephone survey of police officers with responsibility for licensing in 26 of the 43 police force areas. The 27 respondents reported that the Act had resulted in the following main changes.⁹

- *Most premises used the opportunity to extend their opening hours:* 63 per cent of survey respondents reported that at least 70 per cent of premises in their area had applied to vary their hours, although in some areas this was as low as 10–20 per cent, with the remainder of premises applying for straight conversions.
- *The number of extra hours applied for was low:* the majority reported that pubs and clubs had generally applied for one or two extra hours of trading, with pubs now closing between 12am and 1am and clubs closing between 3am and 4am.
- *Only a minority of premises requested 24 hour licences:* generally, it was reported that few on-license premises had applied for or obtained 24-hour licences. Supermarkets were most frequently reported as having applied for 24-hour licences, followed by off-licences.
- *Extra hours were not routinely used:* the majority of respondents (87%) reported that premises were using their new hours at the weekend only or for particular occasions such as parties (26%), bank holidays (22%) and sporting events (17%).

This mirrors the situation in the five case study sites. For example, in all of the areas, it was reported that the premises that had been granted extensions were not using their additional hours fully. In four of the case study sites, around half of all extra opening hours applied for were used (47% in Birmingham, 48% in Blackpool and Croydon and 55% in Guildford) and in one site (Nottingham) only about a third of extended hours were used (34%). Looking specifically at the 15 licensed premises in town and city centres of each site with the worst problems of crime and disorder, these used only half of the additional hours for which they applied.

Post-implementation qualitative interviews with 105 licensees and other night time economy business owners in these sites found that almost all bars closed later at the weekend than they did before the Act, with a greater degree of staggering in most

9 There were two respondents in the Metropolitan Police, making a total of 27 respondents. The 26 forces accounted for about two-thirds of crime in England and Wales in 2005/06.

areas. However, closing times during the week were invariably earlier with some premises closing before their licensed hours if trade was poor. This general pattern of business hours was also reported in the interviews with LAs and RAs. The flexibility of closing times was widely appreciated by the licensees:

"We can open till 1am during the week if we wish to. But because the trade is not around, especially midweek, we shut at 11pm."
(Chain pub, Nottingham. Cragg, Ross, Dawson interviews.)

Most respondents reported no great increase in trade or profits as a result of extended opening hours, particularly when assessed against the additional overheads required for staying open longer. They also observed that customers tended to have a finite budget for alcohol; they might stay out later but this did not necessarily mean they would buy more drinks over that period:

"What I see happening now is that people start leaving at 1.30am, but now some people stay and take a bit longer over their last drink. I don't see a big upturn in my takings."
(Chain pub, Birmingham. Cragg, Ross, Dawson interviews.)

"People have only a certain tolerance level and also they judge by their pockets; £20 to spend is £20 to spend."
(Chain nightclub, Guildford. Cragg, Ross, Dawson interviews.)

Impact on drinking behaviour and the night time economy

Licensee and business respondents perceived some changes in the patterns of drinking as a result of the Act. For example, there was a general view amongst licensees that people were going out later; many reported that busy drinking periods started an hour or so later than before the Act was implemented:

"I honestly think that people are definitely coming out later. They have one or two bottles of wine at home or a few drinks... We've noticed that people used to come in at 8pm and now that has shifted towards 10pm."
(Chain pub, Birmingham. Cragg, Ross, Dawson interviews.)

"When we had the 11pm licence, we would be busy by 8pm, now we don't peak till 9pm or 9.30pm. So now people are tending to come out later because they know they've got that extra hour and a half compared to what they used to have."
(Chain pub, Croydon. Cragg, Ross, Dawson interviews.)

It was also noted that leaving the pub had become a more gradual process either because of a local strategy of staggered closing time or because few people had the stamina or financial resources to take advantage of the extended opening hours:

"I think people are leaving when they want to leave rather than being kicked out. We used to chuck the whole bar out at 1am"
(Chain pub, Guildford. Cragg, Ross, Dawson interviews.)

"Rather than at 2am having between 30 and 50 thousand people thrown onto the streets, that now happens over maybe an hour and a half between 1.30am and 3.30am. So obviously the potential for disorder is lessened, which is better."
(Chain nightclub, Birmingham. Cragg, Ross, Dawson interviews.)

Respondents felt overall that there were fewer people coming into town and city centres at night, possibly as a result of local pubs being open later. In their view, these factors taken together meant reduced numbers out on the streets in the city centres at night:

"The locals aren't going into town as much as they used to because the pubs on the periphery, that used to be the meeting point for people going into Blackpool, now shut at 1am... So obviously local people are stopping locally."
(Taxi company, Blackpool. Cragg, Ross, Dawson interviews.)

"Where people on Friday night had to come into the city centres or up the high street to get a drink past 12am or 11pm, now they can drink locally until 1am. There is no rush anymore and no taxi fare home so that saves them £20 or £30."
(Chain nightclub, Birmingham. Cragg, Ross, Dawson interviews.)

It was also noted that dispersal was 'age-staggered', with younger customers more likely to take advantage of the extended hours than older customers:

"People my age [30s] would probably be used to going home about 2am, but the younger generation are used to staying out much later, till 3am or later..."
(Chain pub, Birmingham. Cragg, Ross, Dawson interviews.)

Consumption and participation in the night time economy

There is some evidence about overall levels of alcohol consumption since the introduction of the Act. The General Household Survey (GHS), which includes self-report data on alcohol consumption indicates a fall of six per cent in the average number of units of alcohol consumed per week between 2005 and 2006 (Goddard, 2006).¹⁰ Using the revised method of calculating average units per week this fall just reaches statistical significance.¹¹ The British Beer and Pub Association (BBPA) statistics on the consumption of alcohol in the United Kingdom as a whole (BBPA, 2007a) provide estimates of overall

¹⁰ This fall is in line with a slight annual decline shown in the GHS since 2002. Goddard (2006) suggests that this fall may be an artifact of the increase over this period in the size of pub measures of wine. The methodology for calculating units has now been revised and the new methodology takes into account the increase in the size of the glass in which wine is served on licensed premises and the increase in the alcoholic strengths of wines, beers, lagers and ciders. However, the fall in units consumed between 2005 and 2006 is approaching six per cent according to both the old and new method (see Goddard, 2007, for a description of the new method and for 2005 figures calculated according to this method).

¹¹ Although the fall is statistically significant, it would be unwise to attach a great deal of weight to a change over one year in average units consumed per week. A more robust analysis is planned by the Office for National Statistics (ONS), which will examine change over the time in the alcohol consumption of the 'embedded panel' of respondents who took part both in the 2005 and 2006 GHS.

consumption, based on HM Customs and Revenue statistics (derived from excise duty returns).¹² These indicate that UK consumption fell by 3.3 per cent in 2006. This comes on top of a two per cent drop in 2005.¹³ Equivalent estimates for on-licence premises only again show a peak in 2004, followed by a 2.2 per cent fall in 2005 and a 3.8 per cent fall in 2006.

There are indications that some people now drink later into the night – as one would expect given that some premises are staying open for longer. However, two YouGov surveys conducted for the BBPA have found little behavioural change. In the first, conducted in November 2006, 85 per cent of respondents thought that the new provisions had not encouraged them to change their drinking patterns (BBPA, 2006).¹⁴ The second, conducted a year later (BBPA, 2007b), found a broadly similar picture, with 83 per cent saying that the change has not affected how often they go out. Four out of five respondents said they drank the same amount of alcohol, 12 per cent said less and three per cent more.¹⁵

The BCS NTE module shows that there has been no change in frequency of pub usage. For example, in 2006/07, 53 per cent of respondents aged 16 years and over had visited a pub or bar in the month prior to interview, representing no statistically significant change from 2005/06 and a decrease from 54 per cent in 2004/05. Among the more 'regular' drinkers in the 16- to 30-year age group, the proportion reporting getting very drunk in the 2006/07 survey was not statistically significantly different from the 2004/05 survey. There is evidence, however, of an

¹² See <http://www.uktradeinfo.com/index.cfm?task=bulletins> for source data from HMR&C.

¹³ http://www.beerandpub.com/content.asp?id_Content=3011&id_ContentType=40

¹⁴ The survey used internet quota sampling methods using the YouGov panel, with a sample of 2,095.

¹⁵ The survey used the same methodology as in the previous year, with a sample of 1,841. Response rates were under 50 per cent in both surveys.

increase since the 2004/05 survey in the proportion of people who visit town centres in the evenings. Most respondents in both survey periods felt safe when out in the city centre at night.

Telephone surveys of residents in the five case study areas were carried out before and after the implementation of the Act.¹⁶ Respondents reported few statistically significant changes in behaviour after the introduction of the Licensing Act and some positive perceptions of the Act's impact on drinking patterns.

- There was no statistically significant change in the percentage who had visited the city centre in the evening nor in the proportion of those who visited the city centre regularly.
- There were some changes in some of the areas regarding the times at which respondents reported leaving the city centre at nights. For example, in Guildford and Blackpool there was an increase in the proportion who reported leaving after midnight.
- The majority of respondents who had visited the city or town centre in the last 12 months and who said they went to pubs, bars and clubs agreed that rapid drinking close to last orders had decreased since the introduction of the Licensing Act and only a minority (between 7% and 16% across the sites) reported increasing their consumption of alcohol on a 'typical night out' since the introduction of the Act. When asked about their overall consumption of alcohol, four out of five reported no change in their drinking behaviour; a small minority reported increased drinking and a smaller minority reported a decrease.

¹⁶ Sample sizes were 3,495 (pre) and 3,760 (post) across the five sites, with response rates respectively of 45 per cent and 38 per cent. The final samples were weighted to improve representativeness.

3. Alcohol-related crime and disorder: the national picture

Whilst the case studies discussed in the next chapter can provide depth and texture about the impact of the Act on alcohol-related crime and disorder, these cannot provide a reliable guide to experience across the country as a whole. For this, nationally representative statistics are needed. There is now a growing body of national or near-national information about the impact of the Act. As described in the introduction, this chapter draws on a range of sources:

- the survey of 30 police forces (Babb, 2007);
- the survey of violent incidents handled by A&E departments conducted by the Violence and Society Research Group at Cardiff University (Sivarajasingam et al., 2007);
- department for Transport statistics on injuries and deaths caused by drunken driving;
- the Home Office survey of police licensing officers;
- the survey of local authorities commissioned by the AERC (Foster et al. (2008); and
- findings from the British Crime Survey (BCS).

At the end of the chapter some reference is also made to the growing number of regional or local evaluations.

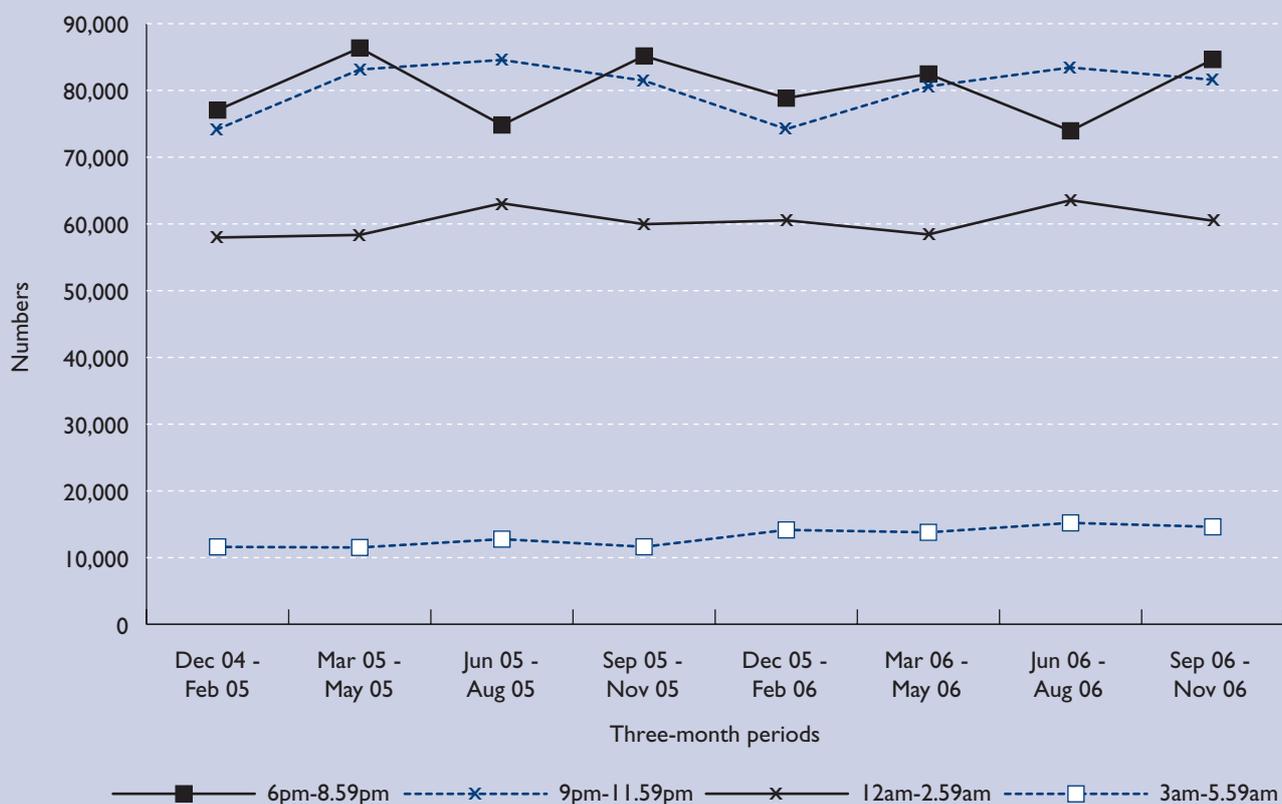
The 30-force survey

The Home Office mounted this survey from late 2005 onwards. Police forces were asked to return ‘time-stamped’ monthly recorded crime figures for the following offences: serious violent offences; less serious wounding; assault without injury; harassment; and criminal damage (providing a proxy indicator of alcohol related offences).¹⁷ The survey covered 12-month periods before and after the introduction of the changes.

In aggregate, across all times of day, there was a slight fall (of 1%) in these five categories of recorded crime in the 30 forces. There was a slight rise (of 1%) for offences occurring between 6pm and 6am. Figure 1 shows three-monthly trends over the two-year period, breaking the night time period into four three-hour periods. Despite fluctuation in the number of recorded offences there is very little change in offending rates prior to 3am. Offences occurred rarely between 3am and 6am, representing around three per cent of the total prior to the change and four per cent of the total post implementation of the Act; however, for this minority there was a step-change in December 2005,

¹⁷ Although the sample of 30 forces was self-selecting, it includes the three largest forces in the country and many of the smaller ones. Participating forces accounted for just under 75 per cent of recorded crime in the England and Wales.

Figure 1: Number of offences in three-monthly periods by time of night



Source: Babb (2007)

numbers rose by 10,235 – an increase of 22 per cent in the 12 months after the change.

Murder, manslaughter and serious wounding

One of the strengths of the survey is that it allows analysis separately of more and less serious violent offences. The more serious offences are generally more consistently recorded, and are less likely to reflect the impact of policing activity. Thus one can interpret trends with more confidence. Trends within offence subgroups varied. Murder, manslaughter or serious wounding made up a small minority (1%) of all violent offences. This category of offences fell by five per cent (631 offences) over the evening and night time periods in the 12 months after the change. As with the totality of violent offences, however, there was an increase in the small numbers occurring in the small hours: between 3am and 6am, there was an increase of 236 offences, representing a 25 per cent rise.

Less serious wounding and assaults with no injury

The larger category of less serious offences of wounding rose from November 2004 until November 2005 and then fell; in absolute terms there were 8,719 fewer offences between 6am and 6pm, a fall of three per cent; the increase between 3am and 6am was 3,601, or a rise of 26 per cent. Daytime offences fell by eight per cent. Assaults with no injury fell consistently from November 2004 until May 2006, and then showed a shallow upturn.

Harassment

Offences of harassment showed a steady increase from November 2004 until November 2005, and then plateaued. This pattern is likely to reflect the increased use by the police of Penalty Notices for Disorder (PNDs) for incidents that would previously have been dealt with in other ways. Looking specifically at harassment offences committed in the evening and night time, the upward trend continued after the licensing change: overall, evening and night time offences of harassment increased by 7,127, or seven per cent.

Criminal damage

For criminal damage offences the overall numbers fell by one per cent in the year after the change, from 832,000 to 826,000. While there were larger falls in the numbers of offences during the daytime, there was a two per cent increase across evening and night time hour periods. Within the night time period there was a 14 per cent increase (representing 3,400 cases) in the small number of offences occurring between 3am and 6am. As with harassment, some of the increase in offences of criminal damage will reflect the increased use of PNDs.

In summary, this important near-national set of evidence shows a lack of marked change overall in levels of crime. Looking specifically at the period between 6pm and 6am, recorded violent crime involving injury has fallen and assault without injury shows no change. Harassment offences rose – very probably reflecting the greater police use of new powers to issue PNDs – and criminal damage showed a small increase. In general, offences committed in the evening or night show less marked falls – or marginally larger rises – than offences committed in

daytime. What increases there were tend to be concentrated in the small hours. In other words, against a backdrop of very little change, there appears to have been some temporal displacement, pushing a small proportion of offences forward into the small hours. Although we cannot know for certain it seems likely that this is a consequence of the extension of licensing hours.

The A&E survey

This survey involved a structured sample of 33 A&E departments across England and Wales conducted by the Violence and Society Research Group at Cardiff University (Sivarajasingam *et al.*, 2007), and compared numbers of people treated for injuries sustained through assault in 2006 with the previous five years. The survey covered 44,000 attendances, around one in eight of the estimated national total.¹⁸ The survey found a two per cent fall in attendances in 2006, compared with 2005. The fall was concentrated amongst women – where there was an eight per cent change. The trend for males was flat. The report concluded that “there is little evidence to suggest that the 2003 Licensing Act had any significant effect on violence-related injuries in England and Wales” (Sivarajasingam *et al.*, 2007: p.6).

These findings are consistent with a smaller study by Bellis *et al.* (2006), though some individual A&E departments and localities have seen large rises. For example, Newton *et al.* (2007) report a threefold increase in the number of night time alcohol-related attendances at a London hospital in March 2006 compared with the same month in 2005. The London Ambulance Service also reports a two per cent increase in alcohol-related call-outs in the first ten months following the changes – in line with a pre-existing upward trend – and a further ten per cent increase in the same ten month period from 24 November 2006.¹⁹

Department for Transport (DfT) statistics on injuries and deaths caused by drunken driving

Provisional DfT figures for 2006²⁰ show a four per cent fall from 2005 in the number of people killed or seriously injured in personal injury accidents involving drink-driving. The number of deaths resulting from such accidents fell from 550 to 540 – a fall of two per cent. The number of slight injuries arising from drink-drive accidents fell by seven per cent. It is impossible to say whether these reductions can be attributed in any way to the Licensing Act, but these statistics constitute prima facie evidence that the changes have not caused a significant increase in such accidents.

¹⁸ The sample was drawn from a subset of A&E departments that were committed to statistical work of this sort, and it may not be representative of the country as a whole. However, a weighting procedure was used to improve representativeness in grossing up estimates to provide national figures.

¹⁹ <http://www.londonambulance.nhs.uk/news/latest/latest.html>

²⁰ http://www.dft.gov.uk/162259/162469/221412/221549/227755/Summary_2006.pdf

The British Crime Survey

The British Crime Survey (BCS) is considered a more reliable measure of violent crime than police recorded crime, as it is not influenced by changes in police recording, public reporting and police activity. Procedures for collating police statistics were subject to unprecedented levels of change in the period from 1998 to 2004, though it is probable that recording systems have been more stable since then.²¹

Unfortunately, for the purposes of this evaluation, the annual BCS reports cannot yet provide estimates of alcohol-related violence for a full year after November 2005. The 2005/06 interviews yield incidents that happened both before and after the licensing change, as do those conducted in 2006/07.²² However, the most recent BCS quarterly update can very nearly provide an estimate of levels of violent crime post-implementation, which can be compared with estimates for the equivalent period two years earlier, which fully pre-dated implementation. Interviews conducted between October 2004 and September 2005 count incidents occurring between October 2003 and August 2005 – in other words, before the implementation date. These interviews yield an annual estimate of 2,395,000 violent offences (Kara and Upson, 2006). Interviews conducted between October 2006 and September 2007 count incidents occurring between October 2005 and August 2007 – in other words, very largely after the implementation date. These interviews yield an annual estimate of 2,328,000 violent offences. Adding in snatch thefts, which were excluded from this total – but included in estimates for earlier years – this ‘post-implementation’ figure, 2,407,000, is around the same level as the pre-implementation estimate, and the difference is not statistically significant.

These trends need to be seen in their broader context. There has been an overall downward trend in violent crime since 1995 (Nicholas *et al.*, 2007). Violence committed by strangers has shown a shallow decline since 1995; levels reported by 2006/07 respondents were slightly higher than in 2004/05 and 2005/06, but slightly lower than 2002/03 and 2003/04. Acquaintance violence fell steeply between 1995 and the turn of the century, and has been fairly stable since, but with a small (non-significant) upturn in 2006/07. Domestic violence shows similar but less pronounced trends. The proportion of victims of violence who thought that their assailant had been drinking has been stable over the last five years (yielding proportions of 45% for 2002/03 interviews, then 51%, 49%, 45% and 46% for successive years).

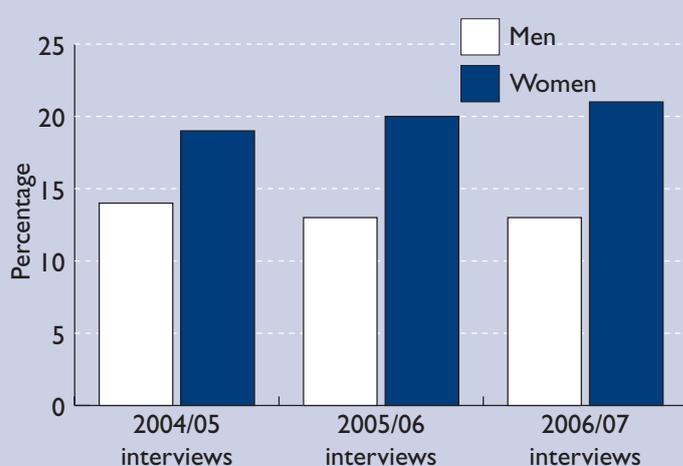
21 See <http://www.homeoffice.gov.uk/rds/recordedcrime1.html>

22 Respondents are interviewed about their experiences of crime over the previous 12 months as well as the current month of interview: incidents in the full 12-month period (excluding the month of interview) are used to estimate victimisation rates. See BCS 2006-07 Technical Report Volume 1 for more details: <http://www.homeoffice.gov.uk/rds/pdfs07/bcs0607tech1.pdf> Shortly it will be possible to compare interviews completed in the 12 months up to the end of November 2005 with those completed in the 12 months up to 24 November 2007, providing ‘clean’ pre-Act and post-Act periods. It should be also possible to analyse trends in incidents associated with pubs and clubs, and those associated with alcohol.

Perceptions of crime and disorder in the BCS Night Time Economy (NTE) module

According to the BCS NTE module, there was also no statistically significant change, post implementation, in the proportion of people feeling unsafe in town centres at night, or in the proportion of people witnessing drunken anti-social behaviour in town centres. As Figure 2 shows, only a minority of respondents who went out to town centres in the evening felt unsafe when they did so. Combining men and women, 16 per cent said that they felt a bit or very unsafe in all three years.

Figure 2: Proportion of people feeling ‘very’ or ‘a bit’ unsafe in town centres at night



Notes

1. Source: 2004/05-2006/07 BCS Night Time Economy (NTE) module.
2. Overall sample sizes: 10,903 (2004/05), 11,870 (2005/06), 11,633 (2006/07). Results are based on respondents who had paid at least one visit to a town centre in the month prior to interview and indicated that they felt ‘very’ or ‘a bit’ unsafe: question sample sizes = 734 (2004/05), 796 (2005/06), 785 (2006/07).
3. Weighted data. In all three sweeps the overall response rate was 75 per cent.

Those reporting that they felt unsafe said they did so when there were a lot of drunken people about (47%), when there were groups or gangs hanging about (38%) and when there were aggressive or threatening people about (27%). Almost one in four respondents (26%) perceived people being drunk and rowdy in public places in their local area to be a big or a fairly big problem. Many reported that noise or disturbance (66%), fighting between people who are drunk (48%) and verbal abuse (41%) were problems caused by drunk and rowdy people in their local areas. However, there were no statistically significant changes since 2005/06. Similarly many respondents reported having seen cans and bottles (78%), fast food wrappers (75%) and broken bottles or glass being left in the street or thrown into gardens (65%). But again, these findings are the same as for 2005/06.

The Home Office survey of police licensing officers

The survey of 27 police licensing officers in 26 forces lends further support to the view that the Act had not had adverse effects on crime and disorder. Thirteen of the 27 said that the Act had had a positive effect on crime and disorder, and a further four said it had had no impact. Eight said it was too early to say, or that the impact was mixed. Only one did not have a view, and only one thought that the Act's impact had been largely negative. Several reported that some offences were occurring later, and some suggested that there were now fewer 'true peaks' in crime and disorder, with problems being spread evenly throughout the night and early hours of the morning. Half said that this had resulted in adjustments to shift systems, and others reported other ways of accommodating to the time-shift in workloads. Interviewees did not report any changes in the areas or locations of alcohol-related crime and disorder following the introduction of the Act. The sample is a small one, of course, but it is the business of licensing officers to be informed about these issues, and some significance can be attached to their views.

The Alcohol Education Research Council's survey of licensing authorities

The Alcohol Education Research Council (AERC) survey by Foster *et al.* (2008) asked key informants in local authorities about the impact of the Act on several dimensions. Half of respondents thought that the number of licensed premises had increased, and the general perception was that police activity had increased. But on a range of dimensions, the majority thought that there had been no change in problems associated with licensed premises. Thus 68 per cent thought that alcohol-related crime had remained unchanged, 19 per cent thought it had fallen and 13 per cent thought it had risen. Sixty per cent thought that numbers of alcohol-related fights were unchanged, 27 per cent thought there had been a decrease and 13 per cent a rise. Fifty-nine per cent thought that noise levels were unchanged, nine per cent thought there had been an increase and 32 per cent a fall. Whilst the survey was asking about perceptions, the respondents were well placed to provide an informed view on these issues.

Regional and local evaluations

Regional evaluations have been mounted by Home Office researchers in the Government Office for Yorkshire and the Humber and in the Government Office for the East of England (Pike *et al.*, 2008). Both studies drew on quantitative and qualitative sources and assessed the early experiences of the Act in terms of levels of crime and disorder six months post implementation. Both studies concluded that the change did not result in increases in alcohol-related violence, and suggested that the reason for this is to be found in the small scale changes in opening hours which were actually implemented. Consistent with the Home Office 30-force survey and the case study sites, evidence of temporal displacement was found, with incidents more likely to occur around the new closing times, and there was some evidence of a flattening of peaks of violence. The study in the East of England focussed on six market towns, where experience was quite variable. The growth in violence in one town was judged to be unrelated to the Act's provisions, however. The findings are broadly consistent with those of Greenaway and Handley (2007) relating to three local authorities within this region. Similar findings are reported in an evaluation of the Act's impact in Lancashire carried out by Liverpool John Moores University (Morleo *et al.*, 2007).

4. Alcohol-related crime and disorder: the case studies

The five case studies comprise an important part of the evaluation. Whilst their findings on alcohol-related crime and disorder are illustrative rather than nationally representative, they have sufficient depth and texture to allow fairly reliable judgements to be made about the Act's impact in these areas. They were selected to represent a mix of towns and cities that had significant late-night economies with different levels of reported violent crime and different partnership arrangements.²³ A very large amount of information was drawn together for the case study sites, including police data on recorded crimes and incidents, statistics on the use of health emergency services, survey data on residents' perceptions and qualitative data from licensees, licensing and responsible authorities and others involved in relevant businesses.

As will emerge, there were variations in the experience of the five sites. In general, however, there was not a great deal of change, and where there was change, it was usually on a small scale. The 'headline findings' are that across the five sites, recorded violent crime fell by three per cent; calls to the police relating to disorder either did not change or showed statistically significant reductions – with one exception. There is evidence of temporal displacement, in that the small number of incidents of crime and disorder occurring in the small hours grew. This overall picture is highly consistent with the conclusions that can be drawn from the national statistics presented in the previous chapter.

This chapter offers a summary of the key findings as they relate to crime and disorder. Figure 3 gives an overall flavour of the results. The areas are not intended to be nationally representative but are probably a reasonable reflection of similar places across the country – at a glance one can see that patterns of experience were variable. Column 2 of Figure 3 summarises findings from the previous chapter about the impact of the Act on licensing hours, and Column 3 records whether the local authority's licensing policy included a 'saturation zone' or a policy on 'cumulative impact'. The other seven columns are concerned with the impact on crime and disorder. The figure necessarily does some injustice to the complexity of the findings, but the rest of the chapter presents a fuller picture.

Violent crime

Across the five sites, total recorded violent crime²⁴ fell by three

23 An additional selection criterion was that there had to be sufficient cases for analysis and this limited the choice of areas. In particular it ruled out the possibility of including any truly rural areas.

24 Violent crime' is used as a shorthand to refer to all offences classified by the Home Office as 'violence against the person'. For details see <http://www.homeoffice.gov.uk/rds/countrules.html>. Interpreting statistics of violent crimes recorded by the police is not straightforward. Rules for recording such offences were substantially revised in 1998 and again in 2002. The changes may still have been bedding in over the period covered by the evaluation. Moreover, police powers for dealing with violent offences have been extended, for example through powers to issue PNDs, and the availability

per cent in the 12 months after the change. The fall was more marked during the week (4%) than for weekends (1%), when interview data suggest that licensed premises were more likely to close later. There were variations between sites: Croydon and Blackpool saw falls of 13 per cent and 10 per cent respectively. Guildford, Birmingham and Nottingham saw increases of 12 per cent, seven per cent and three per cent. There was only one statistically significant rise in violence – for Guildford, in the first six months after the change²⁵. The other changes were either not statistically significant, or else were statistically significant falls.

Monthly figures for violent crime showed considerable fluctuations both before and after the change in licensing hours. In Blackpool and Guildford, and to a lesser extent in Nottingham, reductions in violence coincided with Alcohol Misuse Enforcement Campaigns (AMECs)²⁶. These might have been responsible for the falls – but equally they could have resulted in the recording of offences that would otherwise have escaped police attention. In Nottingham and Blackpool, violence increased during the Football World Cup (June to July 2006), but we cannot say whether the latter caused the former. Incidents of recorded violence were concentrated in all five sites around a small number of pubs and clubs. In Guildford and Blackpool, the 15 premises with the highest crime accounted for between 65 per cent and 79 per cent of recorded violence against the person offences after implementation²⁷.

The timing of violence shifted forward in four out of the five case study areas. The number of offences in all of the areas grew between 3am and 5am, except for in Croydon. The proportionate increase in these areas was large, but the absolute increase was small – just over 300 recorded offences in total. Figure 4 illustrates this, showing trends for recorded violence in Birmingham (the corresponding charts for the other areas are

of these powers may result in the recording of offences which previously would have been dealt with informally. Finally, over the period covered by the evaluation the police were encouraged to mount AMECs and in one case study area a Tackling Violent Crime Programme (TVCP) which may simultaneously have depressed offending and stimulated the recording of offences.

25 Over this period Surrey Police overhauled their crime reporting and recording procedures, in a way they thought would have the effect of exaggerating any increase in recorded violent crime. See technical Appendix B for details about the statistical tests which were conducted.

26 The Home Office ran a series of targeted AMECs, which included test purchase operations at on- and off-licences and increased use of penalty notices for disorder across England and Wales. These campaigns also identified what works in terms of preventing alcohol-fuelled violence and regulating problem licensed premises. See <http://police.homeoffice.gov.uk/operational-policing/crime-disorder/alcohol-misuse> AMECs were conducted in Birmingham over the following period: July to August 2004, December 2004 to January 2005, November 2005 to January 2006 and May to June 2006. In Blackpool they were conducted in: July to August 2004, December 2004 to February 2005, November 2005 to January 2006 and May to June 2006. In Croydon they were conducted in: July to September 2004, January to February 2005, November to January 2006 and May to June 2006. In Guildford they were conducted in: June to August 2004, December to January 2005, November 2005 to January 2006 and May to June 2006. In Nottingham they were conducted in: July to September 2004, January to February 2005, November 2005 to January 2006, November 2005 to January 2006, May to June 2006 and July to September 2006. Also in Nottingham a Tackling Violent Crime Programme (TVCP) was implemented in May 2005 and ran for a number of weeks.

27 Defined as the top 15 licensed premises in each case study site, ranked for recorded violence against the person levels.

Figure 3 Summary of experience in case study sites

1	2	3	4	5	6	7	8	9	10
Case study site	Impact on licensing hours	Saturation/cumulative impact zone policy	Recorded violent crime	Recorded criminal damage	Calls for disorder	A&E data and ambulance call out data	Residents' views of drunk and rowdy behaviour	Regulators' perceptions of problems: up or down?	Perceptions of those in the trade: problems up or down?
Birmingham	Small	✓	↑	↔	↓↓*	↔	↓↓*	↓	↓
Blackpool	Small	✗	↓	↓	↔	↑	↔	↔↓	↑↓
Croydon	Small	✓	↓↓*	↔	↓	↓	↔	↓	↔↓
Guildford	Small	✓	↑*	↔	↑*	↓	↓↓*	↓	↓
Nottingham	Small	✓	↑	↓↓*	↔	↑	↓↓*	↔	↓↔

Notes:

- ↑ = worsening problem after change. ↓ = reducing problem. ↔ = no change. ↔↓ or ↑↓ = mixed. Large symbols mean a large change occurred and large symbols with a * symbol means the change was statistically significant (where statistical tests were performed, in columns 4, 5, 6, and 8. See Technical Appendix B for details about these statistical tests that were conducted.)
- Residents' views = proportion of residents saying that "drunk and rowdy behaviour was a very or fairly big problem in the city centre". Source: BMRB pre and post telephone survey among residents in the five case study areas.
- Columns 9 and 10 are (inevitably subjective) summaries of views of licensing authorities and responsible authorities, and of those working in the trade, as expressed in qualitative interviews.

included in Appendix A). The evidence for temporal displacement was stronger when analysis was restricted to violence occurring within 50 metres of any licensed premises, suggesting an association with changes to licensing hours. The changes were generally most marked during the weekends – again suggesting a strong relationship with the licensing hours introduced by the Act.

One of the rationales for liberalising the licensing laws was that the spike of incidents immediately after closing time would be flattened out. This happened in Blackpool and Birmingham, but there was no change in Croydon and Nottingham. In Guildford – the only site to record a statistically significant increase in recorded violence – the peak moved forward in time into the small hours.

In all five case study areas, the concentration of violence increased among high-crime licensed premises²⁸ that actually used six or more additional hours per week, but decreased amongst the remainder. This pattern of findings was not found when examining hours applied for.

Data on ambulance call-outs and A&E attendance were assembled for each case study site. These provide a supplementary source of information about violent crime and other alcohol-related problems. The police statistics capture a larger proportion of violent incidents than health statistics on assaults, but the ratio varied between sites – suggesting considerable variation in recording practices amongst health services (cf Patton *et al.*, 2007²⁹). Trends for health data on assaults were often the reverse of those found in police records for violence. In Guildford, police statistics for violence against

28 Defined as the top 15 licensed premises in each case study site, ranked for recorded violence against the person levels.

29 This study found low and variable levels of screening for alcohol consumption and alcohol problems. The clear implication is that recording practice in flagging alcohol-related incidents will also be variable.

the person rose by 12 per cent whilst health figures for assaults fell by 34 per cent. In Blackpool, police figures fell by 10 per cent whilst health figures rose by 18 per cent. Only in Croydon and in Nottingham were the trajectories in the same direction. One possible explanation, suggested by Sivarajasingam *et al.* (2007), is that effective – and early – intervention by the police can actually reduce later demands placed on health services. Further research may be necessary to disentangle these relationships.

Criminal damage

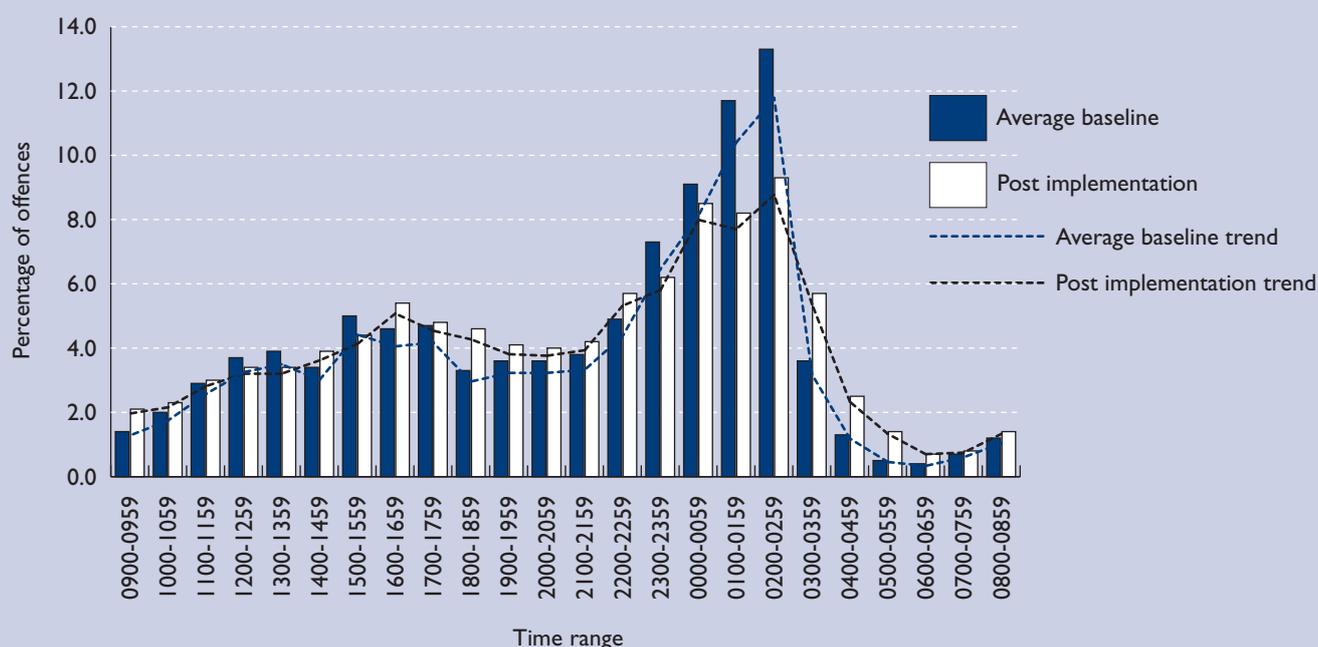
The case studies included analysis of police statistics of criminal damage (or vandalism). There were concerns that this offence would also rise following the liberalisation of opening hours. Patterns of criminal damage were varied. Figures fell in Nottingham and Blackpool. They remained largely unchanged in Birmingham, Croydon and Guildford. The only statistically significant change was the fall in Nottingham – following a statistically significant increase in the previous 12 months.

Changes in the timing of criminal damage were small, and those changes that did occur often took place at times and in locations that one would not expect to be influenced by the changes in the operating hours of licensed premises. Overall, the evidence is strong that vandalism was unaffected by the Act.

Disorder calls for service

Data on calls for police assistance relating to disorder were analysed for the periods before and after the change. Apart from a statistically significant increase in disorder in Guildford in the latter half of the year following the changes, there were no other statistically significant increases in calls for disorder.

Figure 4 Percentage of recorded violent crime by time of day in Birmingham City Centre



In Birmingham, significant reductions in disorder preceded the introduction of the Act and continued into the first half of the post implementation year. Overall, disorder calls fell by one-fifth in Birmingham between the baseline and post implementation period. In Croydon, significant reductions leading up to the Act were not sustained post implementation. In Blackpool and in Nottingham there was no statistically significant change either during the baseline period or beyond.

Disorder calls for service overall generally peaked earlier in the evening than incidents of violence, both before and after the change. For example, in Blackpool they peaked between 9pm and 10pm and in Croydon and in Nottingham between 8pm and 9pm. There was no indication of temporal displacement following the change, with the exception of Guildford.

Residents' perceptions

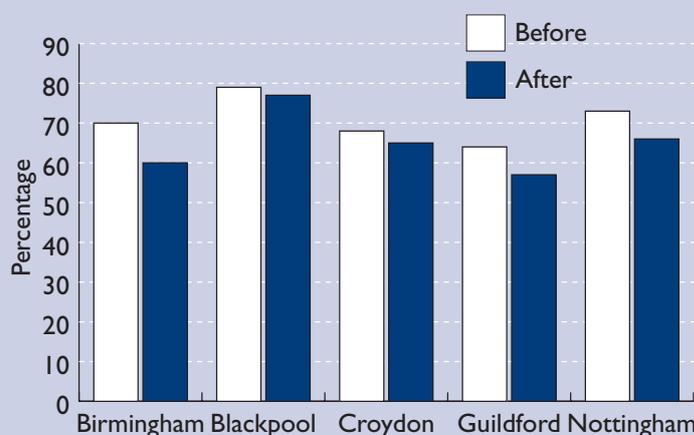
The residents' telephone surveys asked whether people considered drunk and rowdy behaviour to be a problem in the city or town centre. Figure 5 shows that in three out of the five sites, there was a statistically significant fall in the proportion thinking that it was a fairly or very big problem. These findings are puzzling given the evidence that alcohol-related problems had actually changed very little.

Residents were also asked in the post-implementation surveys whether the amount of crime caused by people who have been drinking had increased, decreased or stayed the same after the implementation of the Act. The majority in all five sites thought that it was stable or falling, though sizeable minorities thought it had increased: 43 per cent in Birmingham, 39 per cent in Blackpool, 38 per cent in Croydon, 28 per cent in Guildford and 29 per cent in Nottingham.³⁰ The findings from the telephone survey, on the whole, do not match the findings from the recorded crime data and it is possible that in the run-up to the change media coverage had sensitised people to the issue – although fieldwork in the 'before' period was conducted well before implementation.

Views of professionals and those in the trade

Qualitative interviews with those in the trade, licensing authorities and responsible authorities generally show a lack of change. Numbers of interviews were small, and it should be recognised that both those working in the late-night economy and those involved in its regulation have a vested interest in presenting a positive picture. Nevertheless, on the whole, the findings suggest that both groups generally thought that alcohol-related problems had remained stable or declined. For example:

Figure 5: Drunk and rowdy behaviour as a fairly or very big problem in the city/town centre before and after the implementation of the Act



Notes

1. Source: BMRB residents' telephone surveys.
2. Achieved overall sample sizes per site ranged from 649 to 807.
3. Question: Thinking about people being drunk and rowdy in and around (name of area) (town / city centre). How much of a problem would you say this is at the moment?
4. 'Before and after' differences are statistically significant in Birmingham, Guildford and Nottingham.

Rather than at 2am having between 30 and 50 thousand people thrown onto the streets, that now happens over maybe an hour and a half between 1.30 and 3.30am. So obviously the potential for disorder is lessened, which is better.

(Chain club, Birmingham. Cragg Ross Dawson interviews.)

While, there was a sense that concerns about the potential negative impact of the Act had not been realised, there was also caution about confirming any positive or neutral effects too early:

"I think last year I would have said, 'Don't do 24-hour drinking', but I have been proved wrong on that one. I think, let it run its course for the next two years and see how it is working then. You have to give these things time to work and people's attitudes to change and so I would leave it another two years and then have a look."

(Chain restaurant, Blackpool. Cragg, Ross, Dawson interviews.)

The qualitative interviews conducted by Home Office researchers of licensing authority staff and those from responsible authorities were fairly consistent: most respondents described problems of crime and disorder associated with the night time economy as stable or declining. However, several suggested that this trend was independent of the changes introduced by the Act.

³⁰ Trends in perceptions are better measured by repeating the same question at two different points in time than by asking people directly what they believe the trend to be after the change has occurred.

5. How does our experience match with other countries?

The evidence from those countries that have moved from strict opening hours to a more relaxed regime, such as Australia, New Zealand, Scotland, Ireland and Iceland, is that liberalised regimes tend to result in higher levels of consumption and more alcohol-related problems of crime and disorder. It may be that the scale of the change in licensing hours in England and Wales to date has been much smaller than in these jurisdictions – or has been accompanied by measures designed to help manage the night time economy and counterbalance increased availability of alcohol. It is also possible that marked effects of the change will emerge only over a longer period of time.

International studies have been presented by critics of the Licensing Act as confirmation that longer opening hours will in fact increase drunkenness, excessive drinking and related disorders (Hadfield, 2007; Hayward and Hobbs, 2007; Plant and Plant, 2005; IAS, 2005). Comparisons obviously need to be made with caution, in that different evaluations have used different methods.

- For example, in Australia, often likened to the UK in terms of drinking culture, a relaxation of controls led to a rise in alcohol consumption and a significant increase in assaults in or near pubs with extended trading hours (Chikritzhs *et al.*, 2000; Chikritzhs and Stockwell, 2002). In addition, peak times for road traffic accidents changed in line with the altered licensing times (Smith, 1988). Overall, it was argued that late-night opening of licensed premises delayed alcohol-related violence, road crashes and other accidents until after midnight when police and emergency services were less able to cope with the demand (Chikritzhs and Stockwell, 2002). In 2007 demands were made for an end to 24-hour licensing.
- In New Zealand, since 1989 the law has permitted 24-hour opening. An evaluation of the impact of the *Liquor Act* found that late-closing premises were most likely to require police intervention, to attract ‘migrating drinkers’ and to be associated with increased street disorder. A rise in excessive drinking among teenagers in New Zealand was partly attributed to licensing liberalisation and the police reported more arrests of drink-drivers in the early hours of the morning following extended licensing times (IAS, 2005).

- In Iceland, permitted hours for selling alcohol were abolished between 1999 and 2000. During that time the total number of admissions to A&E increased, with a 34 per cent rise in alcohol-related violence. Drink-driving was estimated to have risen by 80 per cent. On the positive side, the experiment reduced the numbers of people on the streets in the early hours of the morning. However, in 2001 fixed closing times were re-introduced (Ragnarsdottir *et al.*, 2003).
- Closer to home, the experience in Scotland and the Republic of Ireland are noted as deterrents against liberalising the licensing law. In Scotland, available data show higher rates of heavy drinking than in England, a rise in alcohol-related injuries and offences associated with alcohol misuse and a substantial rise in the rate of alcohol dependence and related liver disease (Elmers, 2003; Plant, 2004; IAS, 2005). However, Scotland has also been cited as an example of deregulation that did not result in a dramatic increase in crime, although as Foster (2003) has noted, this initial change in 1976 coincided with severe economic recession in the country and cannot be taken as an indication of successful policy (Foster, 2003; IAS, 2005).
- In Ireland, an increase in late night disorder and violence was attributed to the extension of licensing hours, introduced in 2000. The Irish Government has recently reduced trading hours in response to these concerns (Plant and Plant, 2005; IAS, 2005).

Conclusion

The experience in England and Wales, at least in the first year of implementation, seems at odds with that of other countries which have made similar changes to their licensing arrangements. This may reflect the fact that changes elsewhere had a more significant impact on the availability of alcohol. Equally, the changes elsewhere may not have been accompanied by counterbalancing preventative measures.

6. Making sense of the findings

The evaluation clearly indicates that the impact of the Act in its first year of operation brought fewer problems than were feared by pessimists, and fewer benefits than expected by optimists. There are three 'families' of explanation for the findings. One is that the new licensing regime has not significantly changed patterns of drinking; the second is that there have been significant changes to drinking patterns, but that these changes have not led to more crime and disorder. The third is that extraneous factors have had a bigger impact than the changes to licensing hours.

Limited changes to drinking patterns?

There is considerable evidence in support of this. In general there appears to have been only limited demand for extended hours, and only limited enthusiasm on the part of pubs and clubs for meeting this demand. Many licences were extended on the basis that it was better to be safe than sorry and in practice they were not exploited to the full. In areas serving as focal points for late-night economies, saturation policies damped down the extent of change.

The General Household Survey indicates that the average number of units of alcohol consumed each week fell by almost six per cent between 2005 and 2006 – a fall that just reaches statistical significance. The statistics published by the British Beer and Pub Association (derived from HM Revenue & Customs data) also suggest a fall in alcohol consumption in 2006 – on top of a fall in the previous year. Whilst it seems unlikely that these falls are a result of the changes in opening hours, neither dataset suggests that the change has stimulated alcohol consumption. This poses the question whether the initial inertia in drinking patterns will slowly be overcome, or whether there are more structural factors at play. It could simply be that people's habits take time to catch up with changing leisure opportunities – and that bigger change may lie ahead. Alternatively, it may be that people have only a finite amount of money for discretionary spending, and that few of those who use the facilities of the night time economy have enough flexibility to increase their expenditure on more freely available drink.

The apparent difference between the emerging findings in this country and the experience elsewhere may be a function of differences in the licensing regimes prior to liberalisation. Whilst our closing times were quite restrictive overall, the demand for late-night drinking overall may also be in line with supply. The exception to this is to be found in town centres that have already developed thriving late-night economies – and, of course, the Act provides the responsibility and the powers to address alcohol-related problems in these areas. In other words, the Act may not, in reality, have extended the headroom for further drinking to the extent that has occurred in other liberalising countries.

Changes to drinking patterns but not to crime and disorder?

Another possibility is that significant changes to drinking patterns have occurred without triggering greater problems of crime and disorder. Of course, the rationale for liberalising drinking hours was precisely that more flexible closing times would render these problems more manageable in the longer term. There is evidence of limited elongation of drinking times, and certainly evidence of some temporal displacement of crime and disorder into the small hours. The view of those working in the trade, and of those responsible for its regulation, was that the growing efforts to address the problems associated with the late-night economy – including the change to opening hours – were meeting with success. There is plausible evidence that preventive efforts may have been mounted – and proved effective – to respond to problems associated with alcohol consumption. Some of these efforts were in place in advance of the changes, such as AMECs.

Extraneous factors

A final possibility is that extraneous factors have served to mask the impact of the Act. One argument is that crime and disorder would have declined sharply had it not been for the changes to licensing. The argument relies on the fact that violent crime, as measured by the BCS, has been falling since the mid-1990s, and that in the absence of changes to opening hours, the decline would have continued. This is not a very persuasive argument, because the BCS trend was flattening out before November 2005, and in any case the trend for night time incidents is not markedly different from daytime trends. It also presupposes, of course, that the Act has triggered significant changes in drinking patterns – which is questionable. The mirror image of this argument is that problems of crime and disorder would have been very much greater had it not been for the preventive impact of the changes to opening hours. The evidence is equally weak for this view.

Finally, there is a – highly speculative – argument that public attitudes are hardening against excessive drinking, and that we are approaching a 'tipping point' where the country's drinking cultures are rapidly transformed. Critics of the Act might argue that it has impeded the pace of change, by providing a counterbalance in the shape of greater ease of access to alcohol. This line of argument is much less parsimonious than the simple one that in the first year of the new regime, the pace of change was actually very slow. Of course, the architects of the Act envisaged that liberalising the licensing laws would help the process of transition to a less damaging drinking culture.

Concluding thoughts

It is clear that the chaos feared and predicted by the critics of the Act has not come about – despite the negative experiences of liberalisation in other countries. On the other hand, neither is there clear evidence that positive benefits have accrued from staggered and better managed closing times. In short, it is too early to say with confidence whether the Act has succeeded or failed in its intention to tackle night time crime and disorder associated with pubs and clubs. What can be said with a degree of confidence is that it has not made matters worse in the first year or so of the changes. Clearly, further monitoring, research and evaluation will be of crucial importance in tracking the impact of the Act and, more broadly, in assessing the success of the Government's strategy for promoting a 'sensible drinking' culture.

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