

## Oversight and Scrutiny Committee Meeting on “Westminster After Dark” on 13 March 2024

### Written Submission from the Soho Society

#### Background

##### The Soho Society

The Soho Society is a charity that has operated for over 50 years to make Soho a better place to live, work and visit - essentially to ensure that a balance is maintained between these activities and to allow all these different uses to co-exist. Over that 50 years it has reviewed, and where appropriate commented on, any planning or licensing application made for a property located in Soho. It's members played a key role in the establishment of the Soho Conservation Area, the Soho Housing Association and the Soho Neighbourhood Forum. It publishes a quarterly magazine, a monthly e-newsletter and runs a weekly community radio show. It organises a number of events such as the Soho Village Fete, the waiters race and election hustings. It has some 400 residential and business members.

##### Soho

Soho is part of the West End Ward in the borough of Westminster, has an area of 1/4 of a square mile, has some 3,000 residents of which 30% are social housing tenants. We understand from the Soho Housing Association that some 200 families live here. It also has shops, offices, restaurants, theatre, bars and cinemas which all co-exist cheek by jowl with often commercial activity on the ground and basement floors with residents in flats above. The residential density per square kilometre varies between average and above average when compared to the rest of Westminster. Over £235M was raised in business rates from this small area in 2022. Broadly, evening activity up until 11pm (theatres, cinemas, restaurants and pubs) has been manageable but activity after 11pm, especially when outside, high volume and alcohol led, has caused considerable harm to residential amenity.

At the end of the second world war some 30,000 people lived in Soho. By the turn of the millennium it had reduced to 5,000 and we believe it is now less than 3,000.

##### The current situation

People are giving up on Soho as their main place of residence for multiple reasons but for many it is because of the increase in noise from the significantly increased number of late night premises which have a terminal hour after 11pm.

This is a typical statement from people that have given up on living in Soho:-

*“I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since I moved out of my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.” (2022)*

*“During the 17 years I lived on that street it went from a pleasant place to live to a total nightmare. In the end I simply had no choice to move out this year.” (2022)*

People in social housing and people unable to sell or lease their flats have to put up with the increasing environmental noise nuisance at night as it is neither a simple nor affordable option for them simply to “just move”. There is evidence that it impacts their quality of life, health and mental health, sometimes seriously.

*“As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the day time.”  
January 2022*

*“I’ve noticed an obvious increase in the disruption from noise at night since the pandemic. This is due to a few factors, but I think the increase in bars and late night alcohol licences in Soho has been one of the main causes of this because it results in people who must be completely inebriated/on drugs shouting and screaming into the early hours on weekday nights (as well as weekends of course). I have had sleepless nights on every day of the week. It is effecting my performance at work because I am extremely tired, usually on at least two days a week. I really, really don’t want to leave Soho but if this continues, I don’t see continuing to live here being a realistic option unfortunately. I’m concerned it will effect my career in the long term, not to mention general health from sleep deprivation..... If my partner and I ever want to have a family, I don’t see how we can do that in Soho. It saddens me to say this because I think it would be great to live here and raise children but with the ongoing noise problems, I think I’m probably going to have to give up the hope that we can continue to live here for the long term. I’ve lived here for seven and half a years and my partner has lived in Soho for around ten years so I don’t say this lightly.” February 2022*

The noise also has an impact on families with children.

*Mr [] said that as a family they are destroyed. His son is ill but cannot be tested for ADHD because the symptoms are the same as symptoms of disrupted sleep. His son is severely ill and has been excluded from school. Mr [] said no-one had the resources to deal with the noise, ... October 2023*

The licensing of larger venues post midnight took place after the liberalisation created by the Licensing Act 2003. While late licensed small private clubs had existed in Soho before the Licensing Act 2003 their capacities were low and their customers more local and ASB and noise were low. Pre 2003 night clubs did not encourage large queues outside in the street and the demographic is now younger and just noisier. Long term residents confirm that Soho was an OK place to sleep when they moved here and it is in the last 20 years that the problems have arisen and increased. There is also evidence that the situation has got much worse post pandemic - maybe because of the various interventions that moved night time entertainment on to the street on a temporary basis but which has now changed visitors’ behaviour permanently.

There are now 491 licensed premises in Soho, of which 121 have a terminal hour between 1am and 6am. The capacity of those late night premises exceeds 22,000 people. The number of licences has continuously increased since 2003. Between 2020 and 2023, 51 new alcohol licences were granted which a capacity of over 4,200. Of the 51 new licences 9 licences were granted with hours outside the Council's own core hours policy - with a capacity of 1,178. Some streets with pubs now have unconstrained vertical drinking outside to 11.30 pm and certain streets have crowds of customers outside queuing until past 3am.

#### Alcohol Licensing in Soho and the West End - the debate

As a result of the changes that have taken place in the number of licensed premises, the grant of hours much later into the night, and customer behaviour, many people that live here worry that Soho will decline into an area that is not viable for living in on a permanent basis and more long term members of the community will leave. In turn this means services aimed at residents such as certain shops, the primary school and the GP practices will also close - creating a vicious circle. This is exacerbated by changes in national planning rules and the introduction of the Class E use class - this allows changes of use which would previously have required planning permission. Such changes may maximise rental income in the short term but reduce the amenity of the area for both businesses and residents as, for example, useful and diverse retail shops are replaced by a monoculture of bars and restaurants.

Maybe the best that can be done is to document the slow eradication of the long term community that has existed in Soho for many years. While older residents are reluctant to leave as they are too old to re-establish community connections in a new area and fear loneliness if they move, younger people and families move out. It's not clear if social housing tenants have been re-housed because of noise, but while we believe some have, it is not a route that all tenants can take. Moving long term residents out is not, in any event, the solution - we need to re-establish control of environmental noise nuisance at night so that Soho once again becomes a healthy place for people and families to make their home.

Some in the community blame the council for the ongoing damage to residents' health and well being that has resulted from the cumulative impact of licensing/planning decisions which they believe should not have been granted in a residential area, which conflict with the Licensing Act's objectives and with the council's own licensing and planning policies, and which appear to benefit primarily commercial property companies and a small number of businesses in a way that is unfair. It is impossible to imagine that the council is unaware of the declining quality of life for Soho's community and the strong feelings the expansion of the night time economy past midnight in the area has caused. It was a major issue of contention in the 2022 local elections.

The council has documented these concerns in some detail in its recent update (2023) to its cumulative impact assessment.

For example the CIA states:-

*27% of West End respondents feel there are problems related to licensed premises (e.g., people drinking/smoking outside, blocked pavements, deliveries, etc.). Any other ward is below 6% and too small a sample size. (page 30)*

*The output area with the most Noise Complaints (Output Area 1 with the most Licensed Premises covers the south end of Dean Street, Frith Street and Greek Street. Along Old Compton Street) has a noticeably different proportion of premises licence types than the borough average output area:*

- *More Nightclubs – three times as many (8 or 8.5% vs. 2.7%)*
- *More Restaurants (40 or 42.6% vs. 39.3%)*
- *More Cafés (9 or 9.6% vs. 6.4%)*
- *Fewer Shops, stores or kiosks (5 or 5.3% vs. 12.9%) (page 34)*

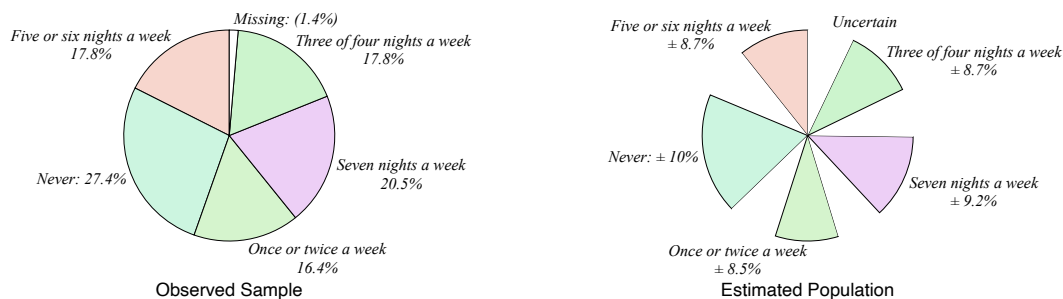
*Therefore, it can be concluded that the number of licensed premises is a significant factor in the generation of Noise Complaints. (page 38)*

In addition:

*A Soho Society survey showed 70% of the Soho community who responded agreed with the statement, “Noise nuisance and sleep deprivation is adversely impacting my health and the health of the people I live with” (2022)*

*Over 20% said there sleep was disturbed 7 nights a week. (2022)*

*Distribution of Environmental noise pollution disturbs my sleep*



Despite this:-

- the harm caused to the health of residents by environmental noise remains largely unexplored by the council - despite repeated requests inviting it to do so and despite evidence that there is a serious problem
- its licensing committees continue to grant additional licences and hours sometimes against its own policy, against police licensing officer advice, and in apparent ignorance of the evidence contained its own cumulative impact assessment and the Licensing Act 2003 statutory objectives
- enforcement of licence conditions relating to noise is often ineffective even where there is clear evidence of breach of the license terms e.g. on late night deliveries

- prosecutions of licence breaches which relate to noise take over a year and rarely seem to reach a conclusion
- the council's noise complaints service is ineffective for short duration repeated intermittent late night noise from dispersal, car horns, deliveries - exactly the noise problems which are identified most often by Soho residents - while useful data is potentially collected by the complaints process - a complaint rarely if ever leads to effective action to stop the noise as the noise is never “witnessed” by an officer - as a result many residents think its a waste of time and do not use it

Previous ward councillors have suggested that residents adversely impacted by the council’s decisions and failures to act “should just leave”. Its clear that many have already done so - but the “just leave” strategy is increasingly not a meaningful option for those that remain.

Two past Conservative ward councillors resigned or were deselected as they could not credibly both represent their constituents’ concerns and also defend the council’s actions and inactions - former Councillors Paul Church and Glenys Roberts. Both were well liked by their constituents.

Former Councillor Paul Church’s statement when he resigned has particular resonance as it perhaps provides a clue to the council’s inconsistent behaviour and actions.

He said:-

*I tried to stand up for the communities I was elected to represent against the dominance of property developers & their agents, patronage & power in Westminster, but I was bullied, silenced & threatened by their powerful allies. Local government shouldn't be like this.*

Concerns about the council’s close relationship with property interests have existed for years and came to a head with the resignation of Councillor Robert Davis who had been deputy leader and chair of planning for 17 years and a councillor for over 30 years. In 2018 he was found to have brought the council in to disrepute by the “extraordinary” scale of hospitality he had received from the property industry. There is not room here to go into that episode here or the unsatisfactory report into his behaviour put together by the council’s legal team but it still front of mind with residents when trying to understand the council’s decision making and actions.

The Society had hoped that the change in control in the council would mean a fundamental rethink of the council’s relationship with the property industry given the Labour Manifesto commitments to (1) listen to residents, (2) operate a fairer council and (3) no longer be driven by the power of property developers “who often set the agenda at the expense of residents.” While there has been some positive change, the new administration continues to assert that it has “partnered” with, for example, the Crown Estate, Shaftesbury/Capco and NWEA in many of its communications to people that live in Westminster. Precisely what form this partnership takes, whether it is documented, and what public (as opposed to private) benefits it delivers, remains less clear.

Property companies and businesses engaged in the night time economy have argued for its continued expansion because of the claimed benefits to the economy and jobs. Specifically, they argue that growth flatlined during the pandemic and there is therefore catching up to do to make up for the lost period of growth.

The Society is skeptical about these claims of economic benefits as we do not believe that the externalities imposed by the increases in late night licensed premises and inadequate management of them has been properly taken into account. The costs of the night time economy to the public / everyone else - primarily post midnight are significant:-

- the cost of crime - estimated at £315M for Westminster as a whole in 2022 i.e. £210M in the West End and St James' wards (*January 2023 Strategic Assessment by the Met and the Council*)
- the current cost of policing (and, likely a larger figure, the cost of adequate policing which, arguably, we lack)
- the cost of the criminal justice system (including the 2022 prosecution of a corrupt police officer in the Westminster Licensing Unit and others about illegal payments paid in 2015 in exchange for the grant of alcohol licences in Soho, and the cost of prosecuting other offences linked to the NTE in the West End)
- the cost of treating the victims of crime in the NHS
- the cost of Accident and Emergency attendances by visitors to the West End due to excessive alcohol and drug consumption
- the cost of the Night Stars and similar interventions both public and private
- the diminution of the value of the public and private housing stock from environmental noise pollution
- the damage to the quality of life and well being of the Soho community and the cost of NHS treatment costs from sleep deprivation - we know that two residents have been admitted to hospital with health issues related to sleep deprivation, others indicate it has impacted their recovery from other conditions
- the damage to Soho's businesses that operate earlier in the night whose customers who are put off by the crime and sense of disorder later in the night as they disperse
- the loss of business as certain visitors stay away given the crime and disorder at night - see <https://timesofindia.indiatimes.com/world/uk/you-are-far-more-likely-to-be-mugged-in-london-than-in-delhi-indian-biz-execs-tell-uk-shadow-foreign-secretary/articleshow/107503551.cms> where this has recently been identified in Mayfair

The council we understand plans to re-issue its cost benefit analysis of the night time economy published in 2015. The council was unable to ascertain the cost of policing the night time economy in Soho in 2015 or indeed any of the NHS costs or costs of environmental noise nuisance. It also contained this statement at paragraph 49 in discussing the late night levy:-

*We believe that it would make greater sense to engage with all stakeholders who have an interest in the ENTE to ensure a common understanding **such that a crude expression of 'polluter pays' is not simply foisted upon the business.** (my emphasis)*

i.e. any suggestion that the relatively small number of companies that profit from the expansion in the night time economy might contribute to the costs that expansion has imposed on the public purse is explicitly rejected - why this is the case is unstated. Why the new administration has not

sought to rethink this position, inherited from the previous administration, given its stated manifesto commitments, is also unclear.

The Society and others have also questioned the value of jobs that involve late night working. For example see <https://www.theguardian.com/world/2024/mar/05/spains-late-night-eating-culture-poses-mental-health-risk-says-minister>

In terms of the economic success of Soho we have as an example real estate investment trust Shaftesbury/Capco's recent results announcement of 29 February 2024:

*Footfall was high and trading conditions were strong across its prime West End portfolio, with sales in aggregate 10% above 2022 levels; while vacancy was low, with 2.1% of estimated rental value (ERV) available to let.*

*Over the medium term, Shaftesbury is targeting rental growth of 5% to 7% per year with stable cap rates, which would result in average total property returns of 7% to 9% and total accounting returns of 8% to 10%.*

*Annualised gross income increased 10.4% like for like to £192m, and ERV growth resulted in a 6.9% like-for-like increase to £236.9m. Gross profit for 2023 was £141.9m – up from £57.3m in 2022.*

The Soho Society believes that the success of Soho's property companies has been delivered by a number of factors over the last 20 years including:-

- replacement of shops with F&B outlets which have higher rents but place more pressure on the public realm in terms of need for deliveries, public toilets, waste left on the streets, environmental noise and crime
- transfer of large swathes of the public realm (pavement and roads) into commercial use at well below market value such as in Manette Street, Kingly Street, Carnaby Street and Chinatown
- grant and extension of late night licences to night clubs in residential areas which cause significant nuisance and harm to residential amenity
- increased rents through property ownership consolidation<sup>1</sup> and control of the mechanism of rent review - Shaftesbury Capco now controls between 40% and 50% of retail rental property in Soho according to the Competition and Markets Authority investigation in 2023

While some of these changes have brought benefits they also increase rents and prices, and increase the burden of keeping Soho safe, clean and a good place to live, work and visit. We also believe they have reduced, not increased, the diversity of offering at night<sup>2</sup> as only mainstream bars and

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<sup>1</sup> other businesses have consolidated - one company now owns practically all of Soho's LGBTQ pubs - while this may have benefits in terms of efficiency it also leads to uniformity and possibly higher prices for drinks, we have also seen a transition to managed pubs rather than landlords which may also impact "diversity" and a loss to Soho's drinking culture and heritage

<sup>2</sup> increased rents have impacted LGBTQ venues - this week Heaven is under threat - if the council is interested in diversity and LGBTQ venues it should investigate rent levels That issue appeared to be absent from the stakeholders assembly discussion.

clubs can afford the rent and increasingly ones that only serve wealthy customers. Some of these changes were in the gift of the council.

While Soho has more than delivered for property investors over the last 20 years it has been at the expense of the people that live here, its visitors and the people that have to pay for the clean up of the various forms of pollution from the increased economic activity i.e. council tax payers. This needs to be reviewed from a fairness perspective given the new administrations commitment to that concept. If the council thinks the benefits which accrue to the national economy through rent, rates, profits and taxes collected in Westminster justify any amount of costs and pain at the local level - it needs to say so - and show how it has made that calculation.

### Crime in Soho related to the expansion of the Night Time Economy after midnight

Crime in Soho as a result of the increase in the number of licensed premises is significant.

The council's own 2023 Cumulative Impact Assessment stated:-

- There are 4,045 licenses issued in Westminster, these are largely concentrated in the West End (30%).
- Just under 66% (50,462) of all crime in Westminster and 74% (43,715) of 'public realm' crime occurs in just two wards: West End Ward and St James's Ward
- Approximately a third (30% 8,329) of all crime (with an identifiable location) during the night-time economy (NTE) was identified as involving a location related to licensing and the night-time economy
- Violence is also concentrated in the West End areas, with 47% (4,879) of all violence in West End Ward and St James's Ward. Approximately 59% (6,028) took place during the night-time, most concentrated in the period just prior to and after midnight. This places Westminster in contrast with other boroughs, as our violence is not in highly deprived areas but locations with an active night-time economy.
- there is a concentration of offending in the West End where there are approximately 1,236 unique licensed premises. The key times for crimes occurring at locations of interest to licensing and the night-time economy are predominantly overnight Friday/Saturday and Saturday/Sunday
- Over 65% (808) of all sexual offences in Westminster occur in the West End and St James's wards.
- This is a similar case for Violence against Women and Girls (VAWG), where 46% (5,006) of these offences occur in these wards, with 28% (1,347) being associated locations of interest to licensing and the night-time economy

In addition the Met's analysis of crime in the West End for January 2024 presented at the Soho West End Ward Panel meeting (19 February 2024) revealed as follows:-

In the West End and St James wards (but primarily Soho and Leicester square based on the crime heat maps):-



Violence Against Women and Girls in **January 2024 alone**

<b>sexual assault on a female .....</b>	<b>9</b>
<b>rape of woman over 16 .....</b>	<b>2</b>
<b>GBH serious wounding .....</b>	<b>1</b>
<b>GBH with intent.....</b>	<b>1</b>
<b>exposure .....</b>	<b>2</b>
<b>actual bodily harm.....</b>	<b>8</b>
<b>assault on a female .....</b>	<b>1</b>
<b>attempted rape .....</b>	<b>1</b>
<b>common assault.....</b>	<b>19</b>
<b>Total .....</b>	<b>44</b>

Violence against a person (Assault with injury, Common assault, Harassment, Murder (homicide), Offensive weapon, Other violence, Wounding/GBH) in **January 2024 alone**

**199 offences**

We continue to discuss with local officers the degree to which each incident is NTE related but the cumulative impact assessment and heat maps suggest much of it is. 17.4% of the victims of crime in the West End also live in the West End - an even percentage will be Westminster residents.

These statistics are significant and suggest the cost of crime from the NTE is both large and puts further pressure on already stretched public resources. We also note that there appears to be no clear accountability within the council for producing and delivering on a plan to reduce the level of crime from current levels and to stop it increasing - it appears to be accepted as a given and no-one's responsibility. At best the public are advised how to take fewer risks but without any clarity being provided about the scale of the risk. None of it really seems to deal with the fact that creating an area with 1,000's of vulnerable people post midnight with narrow streets, limited CCTV coverage, no "designed-in" crime mitigation and insufficient police resources is a gift to organised criminal gangs and sexual predators. The Society's view is that the council is not doing enough to protect the public from crime in the West End.

Westminster After Dark ("WAD") and the proposed Night time plan

Into this context of difficult issues the council started a process called "Westminster After Dark" last year which is intended to assist the council in developing its evening and night time plan.

The council is seeking:-

*"to find the right balance between the interests of residents, visitors, and businesses, so that night-time in the city is managed well and serves the needs and interests of all those who have stake in the evening and night-time environment."*

It certainly needs to.

Council documents state that WAD is pan Westminster and includes everything from 6am to 6pm. The process, in the council's words, seeks engagement, encouragement of diversity, supports sustainable economic growth and employment. The night time plan will be launched in June/July 2024 (though this date may have slipped. After the stakeholder assembly no further engagement is planned - at least in the original documents. There has been an online process where people can geo-tag their comments on the night time economy called "Common Place". The themes in the stakeholder assembly were safety, community and culture, economic development and accessibility. Crime and environmental noise are not directly mentioned.

The council has also said:-

*However, as a Council, we recognise the challenges that come with so much night-time activity, including crime and disorder, anti-social behaviour, and noise disturbances, which often adversely impact our residents. We must strike the right balance between the interests of residents, visitors, and businesses, so that night-time in the city is managed well and serves the needs and interests of all those who have stake in the evening environment.*

*That is why we are launching Westminster After Dark, a six-month engagement with the city's residents, businesses, visitors, and communities, will take place from today, 3 October, to inform the council's first ever Evening and Night-time Plan. Once in place, the plan will outline an approach which has been designed with residents, visitors and businesses that sets a vision for the future of our evening and night-time environment that truly reflects the diverse needs, aspirations, and desires of everyone who lives, works in, visits, or runs a business in the city.*

We agree that balance is key but we do not agree that the current situation reflects an appropriate balance. More emphasis and engagement is needed on crime reduction and protecting residential communities from the impact of environmental noise pollution at night in all its forms.

We note that the council have said nothing as to whether this work will lead to changes in licensing policy that might further increase activity late at night. Indeed very little in the council's documents on WAD explain what policy levers might be engaged as a result of any new night time economy plan. At the WASF meeting on 31 January 2024 licensing officers were asked if the possible outcome might be later core hours and that was **not** ruled out.

With slightly unfortunate timing, Camden Council announced on 25 January 2024 its plans to cancel its cumulative impact policies and significantly increase its alcohol core hours by as much as two hours, following on from its stakeholder assembly in 2023 and its new more recently announced night time strategy.

Westminster residents, worried that Westminster Council might be working in a similar direction to Camden, have concluded that yet later hours are in prospect in Westminster and are scared.

While the council's language suggests that it wants to play the honest broker between two conflicting interest groups on this issue, its management of the WAD stakeholder assembly caused alarm as it did not appear to be fair in a number of respects:-

- the stakeholder assembly was not a consultation but a “sortition process”, further consultation exercises with residents were promised by the Leader at the WASF meeting, but they are not in the council’s original timetable
- sortition is a process from public choice theory that seeks better public policy decisions by excluding interest groups with strong views from decision making and replacing them with a middle ground of members of the public selected at random - a bit like a jury in a criminal trial
- there are a number of issues with the choice of sortition to inform these decisions - it seems inappropriate where individual rights are engaged under ECHR Article 8 for example see <https://www.theguardian.com/world/2023/jun/05/italy-top-court-orders-city-to-pay-euro-50000-couple-noisy-nightlife-brescia-residents> - but leaving that aside for now.
- the main problem with the assembly was that while the council excluded west end residents from the assembly as they have “too strong” a view, the council did not exclude business or property interests that have a clear, and in some cases very large financial interests, in increasing the amount of night time activity in the areas where they own large swathes of commercial property - no fewer than three members of the assembly were from the Soho Business Alliance and one was the managing director of Soho Estates. If the council was serious about “sortition” then these individuals should also have been excluded. I know of four Soho residents who applied and were excluded from the assembly for various reasons.
- the whole assembly event was run by a consultancy called sixtillsix (<https://sixtillsix.com>) selected by the council, sixtillsix is closely associated with lobbying efforts by the night time industries association for increased hours
- of the speakers engaged on the first day, nine represented businesses in favour of longer hours and one spoke on behalf of west end residents, others talked about other issues which, while worthy, are largely a distraction as they are not controversial - over the course of the three sessions two other west end residents did participate, but only in smaller group discussions i.e. without presenting to the whole assembly
- although a police officer spoke he was relatively junior and has been substituted at the last minute which means he had not had time to familiarise himself with the slides he presented - he did not provide much data from the Met’s strategic crime assessment which you might think was highly relevant
- members of the assembly were not provided with slides in advance, complained they couldn’t read the slides and asked why the council had not provided a body of agreed and relevant background stats and evidence in advance, these seem like important admissions - but may have been addressed at later sessions
- it was not apparently technically possible to show a set of short videos showing a night club dispersal at 3 am in Marshall Street and some deliveries as an example of what noise nuisance can look like:-
  1. <https://youtu.be/s0s5iMOhbXg>
  2. <https://youtu.be/Xxn2yIjUC6I>

3. <https://youtu.be/nUqv0qkx-pk>

- some paid participants appeared to only be there to collect the £250 voucher or had other axes to grind - such as the alleged health problems with 5G mobile phone masts and computer chips in laptop computers being used for mind control

If the council hoped the stakeholder assembly would show itself as an honest broker to the various interest groups involved - it has failed.

### Conclusion and Recommendations

While Westminster After Dark may have been intended to show the council in a good light trying to find some sort of middle way on a controversial issue, given the history of WCC and its relationship with business, the lack of some basic natural justice in the management of the assembly, and the unfortunate timing of announcements from Camden Council of its parallel processes, Westminster residents are at best confused, and in some cases cynical, angry and dismissive about the process that has been used.

Violent crime, sexual crime and noise nuisance forcing people to leave their homes are serious issues about which the council is fully aware. Rather than reflect and document these concerns and possible mitigations for discussion the council has presented WAD in marketing terms (branded cups and bags) as some sort of cheerful opportunity much removed from people's lived experience in the areas most likely to be impacted by any decision on the NTE. Using words such as "vibrancy" to describe the council's objectives is just confusing when what is required is data led and forensic decision making that is linked to real human values such as health, safety and community. Over and over again we hear council talk about Westminster as a commercial opportunity, rather than a place where people live.

### Recommendations

Stop doing some things:-

referring to the council's relationship with business as a "partnership" - instead be clear what the public and private benefits are from the co-working and list them separately

ignoring the council's own data when making licensing and planning decisions - instead have relevant data accessible at all licensing hearings for the area under discussion - maybe on a display board

Do more of the following:-

Appoint a cabinet member with the task of reducing crime in the West End with a specific target e.g. 50% reduction in incidents of violent and sexual crime in 12 months through taking action on crime such as:-

re-introducing monitored CCTV in the West End (20% to 30% reduction in theft according to police research on CCTV);

more effective licence enforcement - e.g. enforcing rules about not serving people who are already intoxicated;

if its not working, review licences;

consider an Early Morning Restriction Order, in the absence of any other plan, which could be used on a time limited basis just for the streets where the crime is concentrated while the police and the council, businesses and property owners work out a plan to make the West End a safe place to visit.

engagement with the people directly impacted by the current issues - victims of crime and residents in the cumulative impact areas

look at all the causes of noise pollution at night and make efforts to mitigate them as their impact is cumulative

for example. change traffic and loading restrictions to prevent late night deliveries in the West End between 11pm and 7am, don't delay action on this pending the completion of the monitoring study

renew the WCC noise strategy and include forensic analysis of the harm to health from lack of sleep from environmental noise

work with UCL medics and experts on public health on the Soho Monitoring Study to investigate the problem of noise on health so we can know the scale of the issue and possible mitigation

investigate the well being and health impacts of noise pollution

install 24 hour electronic video and noise monitoring when requested and publish the results - stop relying on officers "witnessing" noise nuisance as its impractical and find another solution

use Public Space Protection Orders to reduce ASB and noise in the most impacted areas - from car horns, deliveries, cars and bikes revving and racing

Publish and share forensic analysis of noise nuisance from the Soho Monitoring Study

proactive enforcement of licence conditions which the council relies on to promote the licensing objectives - its light touch at the moment i.e premises with a restaurant condition functioning as bars, doors left open, deliveries etc

by either negotiation or licence review, update all alcohol licences with a terminal hour after midnight to include model conditions dealing with customers providing ID on entry and reducing the number of customers queuing outside the premises - including considering moving to a ticketing model as it some crime is facilitated by victims being selected while they are queuing and then targeted later in the night

work with the taxi drivers to agree a way to ensure safe dispersal from the West End post 3am - by for example designating a part of Charing Cross Road for taxi pickup, rather than leave vulnerable visitors to find transport home having been spotted in Soho and then followed to quieter areas for a theft/assault to take place - like this video shows <https://youtu.be/VOscDo5P1aI>

make the noise reporting service fit for purpose for repeated short duration events

ask meaningful questions in surveys of all Westminster Residents - e.g. how much is your quality of life impacted by noise pollution? not - how much do you like trees?

at licensing hearings show short videos recorded before and after the proposed terminal hour around the area where the premises are located - and show that to the committee before the applicant speaks, this would rapidly convey the actual situation on the ground - a picture of the premises in the middle of the afternoon is not helpful

Talk more about the following:-

talk about the fact that human beings need 8 hours sleep at night for mental health and well being and that is true of ALL Westminster residents (not just the ones that live in wealthier areas), make it a key policy objective and monitor the impact of all policies on that objective - protected sleep hours used to be a council policy

the role of the council in defining and defending the public interest rather than a sponsor of private commercial interests

the value of community and how it will be protected

the councils role in protecting the NHS by improving health so that burdens on the NHS from avoidable harm are reduced (criminal violence, sexual crime and drug and alcohol overdosing, drink spiking)

that the West End is a place where families live and should continue to live

engage with victims of crime in the West End and discuss the impact on them more widely so that the consequences of a growing late night economy (crime and nuisance) are understood and managed - not just the financial opportunities