

MAYOR AND CABINET		
Report Title	Evening and night time offer - a vision for Lewisham	
Key Decision	Yes	Item No
Ward	All	
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Date	26 June 2019	

1. Summary

- 1.1 This report sets out the policy context, background for the Boroughs Vision of an Evening and Night time Offer.
- 1.2 This report sets out the Vision which will help all other strategies and polices to support this.
- 1.3 Appended to this report is full document

2. Structure of the Report

- 2.1 The report is structured as follows:
 - Section 3 sets out the recommendations
 - Section 4 policy context
 - Section 5 background
 - Section 6 the Vision
 - Section 7 provides the Financial Implications
 - Section 8 provides the Legal Implications
 - Section 9 provides Crime and Disorder Act Implications
 - Section 10 provides Equalities Implications
 - Section 11 provides Environmental Implications
 - Section 12 sets out the Conclusion
 - Section 13 appendix

3. Recommendations

- 3.1 It is recommended that Mayor and Cabinet:
 - i) Approve the Vision document
 - ii) For all relevant strategies and policy changes to take note of this document and ensure it will support the Borough's Vision.

4. Policy Context

4.1 This report will be responding to the Council's Corporate Strategy and Strategic priorities:

- Lewisham is a welcoming place of safety for all, where we celebrate the diversity that strengthens us
- Building an inclusive local economy - Everyone can access high-quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
- Building safer communities - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

5. Background

5.1 The London's Night time Commissioners report following large scale consultation "Think Night: London's neighbourhoods from 6pm – 6 am" has laid out the following:

"London is a dynamic and diverse ecosystem at night that goes far beyond commercial transactions. It incorporates the culture, character and atmosphere of our city. Londoners are more active between 6pm and 6am, and have later bedtimes and a better quality of sleep, than anyone else in the UK. Two-thirds of us regularly do everyday activities at night – errands, shopping, catching up with friends – and a staggering 1.6 million of us usually work at night. Our city needs better planning to ensure life can thrive during these vital and vibrant hours. We need to tackle the very real challenges of cost and accessibility which hold many of us back from living life to the full at night."

5.2 A well-managed night time economy brings a huge range of benefits to the local community and the area's economy.

And with the rapidly changing landscape, there is a focus on ensuring the evening and night time economy works for everyone. We are taking an active role in re-shaping civic spaces for the benefit, of their communities who access their high streets for employment, leisure and shopping.

A safe and attractive town centre with a diverse night time economy, accessible to all, while protecting the quality of life for residents'.

5.3 the Document sets out the Boroughs strategic vision for the evening and night time offer which will shape, influence and talk to wider strategies and policies across the council which impact and support it.

6. The Vision

6.1 Lewisham is proud of its current offer of arts, culture and music with the Vision seeking to build on its unique character and play a significant role in the London vision for an offer that moves from the day to evening and night.

At the heart of the vision the Council will:

- Use policies to support the development of the evening and night time offer
- Support local businesses
- Encourage and influence regional government regarding improvements to public transport
- Always support the local characteristic of a place upon which further offer will be built
- Place shape opportunities through regeneration
- Have continuous conversations with our community about what is wanted

6.2 There were a number of things that helped in creating the vision:

- ✓ A borough wide Survey (Appendix A)
- ✓ Information from the Lewisham Economic Assessment 2018
- ✓ Mapping the night time economy
- ✓ Input from the Catford conversation
- ✓ Crime and community safety analysis

6.3 Examples of input included:

Why expand the evening offer

- Increasing variety of food available
- Expanding to evening Markets/ shopping offer
- Performances and events
- Night school / learning

From evening to night

- Accessibility to Pubs and bars
- Later opening Restaurants
- Clubs and music venues
- Food after events and a variety of places to eat

6.4 Building on the strengths of Lewisham's community and what is already in place and linking to the day time economy, our vision is to have:

- ✓ A diverse inclusive offer for all communities.
- ✓ A safe and healthy night out.
- ✓ Decent work and an inclusive night time economy.
- ✓ Well-connected and thriving town centres.
- ✓ Fostering creativity, music and the arts.

6.5 The Council will Support businesses seeking to meet good standards through:

- ✓ Joining schemes such as Pubwatch, Purple Flag, Best Bar None, Street Pastors, Approved door staff schemes.
- ✓ Signing up to the Women's safety charter
- ✓ Promote the London living wage
- ✓ Encourage local employment
- ✓ Support high standards in venue and event management

- ✓ Operate good neighbours policies and considerations

7. Financial Implications

- 7.1 There are no specific financial implications at this stage. All new schemes will have individual financial implications attached to them which will be considered and agreed through Mayor and Cabinet. The delivery of the vision is as a vehicle to influence other strategies and policies.

8. Legal implications

- 8.1 Under s17 of the Crime and Disorder Act 1998, the Council has a statutory duty to exercise its various functions with "...due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can, to prevent:

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area."

- 8.3 When carrying out its approach to the evening and night time economy, the Council must be mindful to ensure it complies with the provisions of the Equality Act 2010. ("The Act".) The Act introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

8.4

It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.

8.5

The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 8.6 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

- 8.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

- 8.8 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1> introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9. Crime and disorder implications

- 9.1 Delivery of this vision is likely to have direct crime and disorder implications which will be considered in each and every case with measures being considered to reduce the impact. Section 17 places a duty on partners to do all they can to reasonably prevent crime and disorder in their area. The level of crime and its impact is influenced by the decisions and activities taken in the day-to-day of local bodies and organisations. The responsible authorities are required to provide a range of services in their community from policing, fire protection, planning, consumer and environmental protection, transport and highways. They each have a key statutory role in providing these services and, in carrying out their core activities, can significantly contribute to reducing crime and improving the quality of life in their area.

10. Equalities implications

- 10.1 The vision focuses on inclusivity of all.

The Council's Comprehensive Equality Scheme provides an overarching framework and focus for the Council's work on equalities and help ensure compliance with the Equality Act 2010.

The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

- 10.2 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 10.3 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of

Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

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11. Environmental implications

11.1 there will be environmental implications and these will be considered individually. It is important that any delivery of this vision takes into consideration the negative and positive implications on the environment and supports the large range of strategies and policies which the Borough supports in delivering its environmental agenda.

12. Conclusion

12.1 This document sets out the Boroughs strategic vision for the evening and night time offer which will shape, influence and talk to wider strategies and policies across the council which impact and support it. It sets out the Intentions for the Council and its partners in creating the opportunities for the evening and night time economy to thrive alongside the character and vision of the Place.

Appendices

The table below outlines the appendices to this report:

Appendix A	Full Survey results
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