

SUMMARY

At the request of the Dutch Ministry of Health, Welfare and Sport (VWS) INTRAVAL – bureau for social-scientific research and consultancy – has carried out a research into the opening hours of places of entertainment, *droge horeca* (snackbars, restaurants, hotels, and guesthouses without a license for selling alcohol) and the retail business. In June 2000, the National Platform Against Street Violence issued a so-called ‘Promotion Plan for Having a Safe Night Out’ in order to try to reduce street violence. One of the pieces of advice in the plan is to pay more attention to the coordination of the opening hours of entertainment places, *droge horeca* and the retail business.

The Alcohol Act of 2001-2003, which mentions the problems that may arise from (excessive) alcohol consumption on a night out, states that this piece of advice is endorsed by the cabinet. In order to gain insight into the various existing regulations the Ministry of Health, Welfare and Sport has commissioned INTRAVAL to do research into these regulations. INTRAVAL has investigated whether or not, and if so to what extent, the various local acts have had an impact on local safety, reduction in alcohol consumption, local economy, the number of visitors from outside the municipality (tourism) and traffic safety.

The objective of the study is twofold. On the one hand it aims at receiving information on opening hours in the Netherlands. On the other hand it wants to gain an insight into the impact of different local acts on: 1. public order (local safety); 2. alcohol prevention (reduction in the consumption of alcohol); 3. local economy; 4. visitors from outside of the municipality (tourism); and 5. traffic safety. The emphasis is on public order and alcohol prevention.

In this research 150 Dutch municipalities were approached, 137 of which returned a questionnaire with useful information. This is a 91 % response. Moreover, 8 municipalities were subjected to a more qualitative research. So as to leave no doubt, it should be mentioned that the hotel and catering industry refers to in particular places like cafés, discotheques, snackbars, restaurants, hotels, and guesthouses. The regulations for closing hours of other establishments (paracommercial places and grocery shops) are such that it is hard to draw comparisons.

1. Regulations

To start with, the diversity of the local acts used is rather extended. Therefore, categorising these regulations was not an easy task. In this study a distinction is made based on three types of (catering) facilities where alcohol is available. Group 1 comprises places frequented on nights out (cafés, bars and discotheques), snackbars with and without licences, restaurants, hotels and guesthouses. Group 2 consists of paracommercial places like sports club canteens, socio-cultural facilities, theatres and student societies. And, lastly, group 3 is made up of grocery shops (with both regular and extended opening hours) and off-licence shops. A first inventory has shown that group 1 in particular is relevant with relation to closing hour regulations.

Three main categories

Based on the collected data three main categories in closing hour regulations are distinguished. Special attention was paid to whether or not fixed closing hours exist and to possible differences between closing hours on weekdays and at weekends.

- Category A comprises 75 (54%) of the municipalities investigated. On weekdays the establishments in these municipalities close their doors at an hour different from that at weekends.
- Category B comprises 42 (31%) of the municipalities investigated. Establishments in these municipalities have the same closing hours throughout the entire week.
- Category C comprises 20 (15%) of the municipalities investigated. These municipalities have no rules and regulations as to when the establishments should close.

Seven types of regulations on closing hours

The three main categories are subdivided into seven different types of closing hour regulations. Attention was paid not only to the exact closing hour but also to the fact whether or not all places within group 1 (i.e. cafés, discotheques, snackbars, restaurants, hotels and guesthouses) close their doors at the same time.

- The various different establishments in municipalities with the A1 regulation all close their doors at the same time on weekdays and at weekends. Closing hours on weekdays are earlier than during the weekends. A total of 30 municipalities (22%) have this regulation..
- Municipalities with an A2 regulation have different closing hours for different establishments at weekends and earlier closing hours on weekdays (compared to the weekends). 10 municipalities (7%) belong to this group.
- In municipalities with an A3 regulation we see different closing hours on weekdays and earlier closing hours on weekdays (compared with weekends). 5 municipalities (4%) have this type of regulation.
- A total of 30 municipalities (21%) follow an A4 regulation. This regulation allows for differing closing hours both on weekdays and on weekends. Closing hours on weekdays are earlier than at weekends.
- The B1 type has the same closing hours for all places both on weekdays and at weekends. Also, closing hours on weekdays and at weekends are the same. 22 municipalities (16%) belong to this B1 group.
- In municipalities with a B2 regulation different places close at different hours both on weekdays and at weekends. The same places do close their doors at the same hours both on weekdays and during weekends. 20 municipalities (15%) have this regulation.
- Finally, 20 municipalities (15%) have no fixed closing hours for the various different establishments (the C policy).

Most municipalities in the sample survey seem to have the A1 or A4 type of regulation. In the 30 municipalities (22%) with the A1 regulation the different kinds of places all follow the same closing hour pattern both on weekdays and at weekends, closing hours during the week being earlier than during weekends. In the 30 municipalities (21%) with the A4 regulation the various different kinds of establishments have different closing hours both on weekdays and at weekends, closing hours during the week also being earlier than during weekends. Besides, 41% of the municipalities make use of exemptions when dealing with closing hours.

2. Policy

A vast majority, namely 115 (85%) of the 137 municipalities, have laid down their regulations in a policy concerning the hotel and catering industry or the so-called General Local Bye-Law (APV). Half the number of these municipalities indicates to have done this between 1995 and 2001. It should be mentioned, however, that a number of municipalities (20: 15%) do not have fixed closing hours, which leads to free closing hours. Some of these municipalities have laid down this freedom in council documents.

One third (34%) of the 137 municipalities investigated have changed their closing hour regulations in the past few years. The most common change (46 % of the 46 municipalities) concerns a liberalization of closing hours. The most important reason for this change is to improve public order, local safety and nuisance problems.

Besides, 93% of the 115 municipalities with their regulations laid down in policies or the bye-law (APV) check on the closing hours. 60 % of the municipalities investigated point out that the actual closing hours are in accordance with the agreed closing hours. Most of the time it is the police in cooperation with the municipality who see to the enforcement. Enterprises which do not comply with the guidelines receive a warning before being sanctioned.

3. In practice

In practice the closing hour regulations see a number of bottlenecks. The most important ones are the absence of means of enforcement and limited possibilities to impose sanctions. In addition, the absence of coordination between the municipality, its suburbs and other municipalities in the same region and the transportation of visitors during peak time are mentioned.

In the 8 case-municipalities the most important point of interest concerning the closing hours seems to be the fact that when closing hours are fixed great numbers of visitors are released into the streets at one and the same hour. Solutions to prevent this problem are not only the free closing hours, with which the city of Groningen has positive results, but also the awarding of exemptions and the imposing of an admission stop, *een afkoeluur* and an alcohol stop. Besides, the closing hours of various different establishments are geared to one another. Several municipalities, for instance, offer the opportunity to visit a snackbar after a discoteque has closed its doors. The underlying thought of all these measures is to prevent all visitors from one particular area to head home at one and the same hour. By offering these solutions problems related to public order can be regulated.

Clear agreement between the hotel and catering industry, police, and municipality is very important, for it can have a positive impact on public order in particular and to a certain extent also on alcohol prevention and traffic safety.

Finally, the cases show that many municipalities have adapted their closing hour regulations to local circumstances throughout the years. As far as these adaptations are concerned a general trend cannot be discerned.

Whereas one municipality solves the nuisance problem in the neighbourhood of snackbars by relaxing regulations concerning closing hours, another municipality chooses to solve the same problem by being more strict in checking on adherence to existing regulations or by imposing earlier closing hours. Based on the data available no clear and unambiguous guidelines can be given.

Connections

No connection was found between different kinds of regulations on the one hand and municipality size, the region in which the municipality is located or the number of catering facilities on the other hand. Whether or not a municipality is regarded a touristic centre does not seem to play a role in the regime chosen, either. Generally speaking there are no seasonal differences in relation to the opening hours.

By far the most important goal of the regulations is the improvement of public order and safety. Half the number of the municipalities investigated observes a positive impact of the regime on public order and safety. A direct impact on the local economy, traffic safety, alcohol prevention or the number of visitors from nearby municipalities (tourism) is mentioned less frequently.

4. Finally

This study has looked at the different closing hour regulations in the Netherlands and their impact on 1. public order; 2. alcohol prevention; 3. local economy; 4. visitors from outside the municipality (tourism) and 5. traffic safety. A division based on the different types of regulations was made to see whether the municipalities' choices based on municipality size, them being a touristic centre or not and the number of hotel and catering facilities.

The distribution of regulations over the municipalities turns out to be rather diverse. The choice of a particular regulation is not based on the fact whether the municipality is big or small, whether or not it is a touristic centre. The choice of a particular regulation is often prompted by local circumstances at a certain moment. These circumstances make a municipality decide whether or not to bring about changes. An important reason for making adaptations to the existing regulation is the wish to improve public order and safety. Municipalities often indicate that as to where this aspect is concerned a positive effect can be observed. Other aspects seem to be less important for municipalities to bring about changes.

All in all, choosing regulations to solve or improve certain problematic situations is not an easy task for municipalities. They will first need to assess the local circumstances before a particular regulation can be chosen. The findings of this research may serve as a guideline in this choice.