

AGENDA ITEM NO. 4

LICENSING COMMITTEE

Date **23 July 2019**

Title **REVIEW OF CUMULATIVE IMPACT ASSESSMENT POLICY**

1 PURPOSE/SUMMARY

To review the current Cumulative Impact Policy (CIP) and give consideration to adopt the new Cumulative Impact Assessment (CIA)

2 KEY ISSUES

- Full Council adopted the current Cumulative Impact Policy (CIP) on 12 May 2016.
- Our current CIP covers predominately Wisbech Town Centre (Medworth Ward) but does cover some adjoining wards.
- Within this CIP zone any person wishing to apply for a new premises licence or variation must provide additional evidence to show how they are not going to impact on the current issues the area is suffering.
- This CIP sits as an appendix to the Council Statement of Licensing Policy.
- The introduction of the Cumulative Impact Assessment (CIA) was formally added to the LA 2003 by the Policing and Crime Act 2017, with effect from 6 April 2018.
- Due to this recent amendment to the LA2003 Act, the Council, as the Licensing Authority, must look to review the CIA Policy every 3 years to ensure all evidence is relevant to the current issues.

3 RECOMMENDATION(S)

- Officers are seeking Licensing Committee approval to undertake the consultation in relation to the CIA Policy.
- If approved for consultation, officers would consult on the area as defined in **APPENDIX B** and the CIA Policy as defined in **APPENDIX A**.
- If approved for consultation, then to duly authorise officers to follow the consultation procedure as per section 5.3 of the LA2003.
- That Officers report back to the committee with the outcome of the consultation for a decision to be made.
- If approved for consultation, the community will be asked whether they think maintaining the policy and area in its current form is a good idea or not.

Wards Affected Medworth

Forward Plan Reference No.
(if applicable) N/A

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Background Paper(s)	Licensing Act 2003 Section 182 Guidance to the Licensing Act 2003

1 INTRODUCTION

- 1.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Licensing Policy every five years. The current policy was adopted at Full Council and came into effect on 12 May 2016.
- 1.2 Within the Licensing Policy is an adoption of a Cumulative Impact Zone(CIZ) and Cumulative Impact Assessment (CIA)
- 1.3 The first CIA for Wisbech was adopted on 20 June 2013 following a request from Cambridgeshire Constabulary and the relevant consultation process followed.
- 1.4 The CIA was reviewed again and re- adopted as part of the Licensing Policy with effect from 12 May 2016.
- 1.5 In 2017, it was decided that the Cumulative Impact Assessments (CIA) were added to the Licensing Act 2003, with effect from 6 April 2018.
- 1.6 Along with the addition to the Licensing Act 2003, it was also decided that the CIA policy should be reviewed every 3 years or sooner if appropriate and that the evidence used to revise it must be robust and relevant to the current issues.
- 1.7 Although there is no transitional arrangement for the CIP's that were in place prior to 6 April 2018, it is recommended that these be reviewed as early as possible to ensure they are in line with the commencement of the CIA legislation.
- 1.8 Within the current CIZ area we have a total number of 53 Licensed Premises, the breakdown is:
 - 14 On Sales which means they can sell alcohol for consumption on the premises, these are predominately Pubs/Restaurants/Café's
 - 16 Off Sales which means they can only sell alcohol for consumption off the premises, these are predominately retail outlets and small convenience stores
 - 19 premises which are authorised for both on and off sales, these are predominantly Pubs/Café's and Restaurants.
 - 5 which are authorised for Late Night Refreshment only. This is where there are no sales of alcohol but the premises sells hot food and/or drink between the hours of 11:00pm and 05:00am

2 KEY ISSUES

- 2.1 There must be an evidence basis for the decision to publish or continue an existing CIA. Local community safety partnerships and responsible authorities may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing or continuing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Such evidence could include:
- Local crime & disorder statistics, including statistics on specific crime types locations
 - Statistics on local anti-social behaviour offences
 - Health related statistics A&E attendance etc
 - EHO complaints in relation to litter and noise
 - Complaints recorded by local authority from residents or associations
 - Evidence from local and parish councillors
 - Evidence gained through local consultation
- 2.2 Cambridgeshire Constabulary have provided analysis showing that problems identified have reduced over the past 2 years. Details of this analysis can be seen at **APPENDIX C**.
- 2.3 Public Health have provided evidence in support of the CIA, they would respond to any consultation on a formal basis but as an indication to their concerns, they feel the below must be highlighted:
- Alcohol is the leading risk factor in England for ill health, premature death and disability in 15-49 year olds and the 5th most common factor for all other age groups
 - There is a direct link between deprivation and health inequalities and some of the wards in Wisbech in particular are among the most deprived in England
 - There is a link between alcohol outlet density and social disorder
 - There are high alcohol related hospital admissions from the Fenland area. Public Health list a total of 15 separate measures for Fenland where the situation is statistically significantly more of an issue in Fenland than in the rest of the England, this can be seen at **APPENDIX D**.
- 2.4 For the past 2 years that the CIZ special policy has been in place the Council have received 2 (two) licensing applications for new and variation to premises within the Cumulative Impact Area. Both of these have received representations made under the CIZ Special Policy in respect of those applications from Public Health. To date, the hearings for these have not been held.
- 2.5 Wisbech does experience issues with Street drinking and to help support this, CCTV has provided some important data which shows street drinking has reduced but is still an ongoing concern. A breakdown of the data and graphs for 2016 – 2019 can be seen at **APPENDIX E**.
- 2.6 As a further support to help tackle the issues of Anti-social behaviour caused by Street Drinking, there is an emerging Action Plan whereby a number of agencies are pulling together resources to look at ways to react to the concerns of the public. Some examples include:
- Education/Awareness

- Support and signposting for further help
- Use of enforcement legislation within the PSPO area

CONSULTATION/AWARENESS

- 3.1 Licensed premises throughout the district rely on local licensing policies to ensure there is clear guidance on the continued operation of local businesses. Maintaining a regularly reviewed policy, which has undergone public consultation, will ensure a consistency of support to licensed premises, members of the public and other stakeholders affected by these activities.
- 3.2 Cumulative Impact Assessment proposals are geographically based around evidence of crime and disorder and should assist in the council's overall aim in reducing current levels. This policy promotes the four licensing objectives: public safety, the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.
- 3.3 The policy promotes the licensing objectives and sets out a general approach to making licensing decisions. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this special policy is framed around those objectives.

Proposals for a new licensed premises, or for certain variations to existing ones, within a Cumulative Impact Area have a rebuttal presumption following relevant representations unless it can be demonstrated that there will be no negative cumulative impact.

- 3.4 As per section 5(3) of the Licensing Act 2003, all consultations will be carried out in accordance with the requirements of the Act.

4 POLICY IMPLICATIONS

- 4.1 The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally by government. The recommendations in this report would only affect new applications and variations to existing premises licenses and would not impact on current levels of income from renewals of applications.
- 4.2 The Cumulative Impact Assessment policy should follow the fundamental principles set out in the Licensing Act 2003 and statutory guidance. Adoption of this Policy is a major step and one which must be taken in accordance with proper procedure and legal advice in order to avoid legal challenge.

Failure to meet this statutory duty may lead to uncertainties in decision making, loss of business continuity and an inability to meet customer care standards.

5 COMMUNITY IMPACT

- 5.1 A rebuttal presumption against new licensed premises in a Cumulative Impact Area may reduce the ability for small businesses to open as off-licences. This would be reflected in the Customer/Equality Impact Assessment.

- 5.2 The Licensing Act 2003 seeks to provide public protection by way of the four licensing objectives.
- 5.3 A full Customer/Equality Impact Assessment will be completed and be produced in line with the results of the Consultation.

6 APPENDICIES

- 6.1 APPENDIX A – Current CIA policy that was adopted in May 2016.
- 6.2 APPENDIX B – Showing the zoned area in which the CIA takes effect
- 6.3 APPENDIX C – Cambridgeshire Constabulary Evidence
- 6.4 APPENDIX D – Public Health Data
- 6.5 APPENDIX E – CCTV & Street Drinking Data

Cumulative Impact Zone Special Policy 2016 – 2021

Fenland District Council

Cumulative Impact Policy

1.0 Legislative Framework

1.1 Fenland District Council, as the Licensing Authority, has a duty to comply with its obligations under Section 17 of the Crime and Disorder Act 1998, and to promote the Licensing Objectives contained within the Licensing Act 2003, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.2 Due regard is had to Section 182 Guidance issued under Section 182 of the Licensing Act 2003, as revised in 2010 concerning the cumulative impact of licensed premises within an area, and the resultant impact on the promotion of the licensing objectives.

1.3 The cumulative impact of licensed premises on the promotion of the licensing objectives under the Licensing Act 2003 is a proper matter which the Licensing Authority can take into account.

1.4 This should not, however, be equated with the 'need' for a licensed premises. This relates to the commercial demand for a particular type of premises. The issue of 'need' is a matter for the market to decide, and does not form part of the Cumulative Impact Policy or wider Licensing Policy Statement.

2.0 Definition

2.1 For the purposes of the Fenland District Council Statement of Licensing Policy, cumulative impact is defined as:

'The potential impact on the promotion of the licensing objectives where there are a number of licensed premises concentrated in one area.'

2.2 Where the number, type and density of licensed premises are unusually high, serious problems of noise, nuisance and disorder can occur outside or some distance away from the licensed premises in question. This is described as the cumulative impact of all premises taken together.

2.3 It is recognised that the impact on surrounding areas in relation to the behaviour of patrons from a number of premises located in close proximity to one another is greater than the impact of individual premises.

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2.4 The issue of cumulative impact is also linked to:

- Any material increase in the occupant capacity of the premises;
- Any change in the nature of the operation of the premises. This may include a change to layout, the provision of vertical drinking, * the inclusion of regulated entertainment, the addition of other licensable activities, extension to the times regulated entertainment and alcohol is sold or supplied, both on and off the premises;
- Consideration will also be given to applications for premises seeking to provide late night refreshment between the hours of 11.00pm -5.00am.

3.0 Context

3.1 The Licensing Authority may receive relevant representations from either a 'Responsible Authority' or an 'Interested Party,' that the cumulative impact of new premises licences, material changes and variations to existing permissions is leading to an area becoming saturated with licensed premises.

3.2 The issue of cumulative impact will be taken into account when considering the individual merits of an application. The onus is on the person or organisation making representations to prove any assertion by way of evidence, that the addition of the premises concerned and/or a variation to activities, hours or a change in nature of operation will undermine the promotion of the licensing objectives.

3.3 The Licensing Authority will not operate a quota of any kind which would pre-determine an application, nor will it seek to impose general limitations on trading hours in particular areas unless there are clear, evidence based reasons for doing so.

3.4 Regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide regulated entertainment, but with contrasting styles and characteristics.

3.5 Proper regard will be made to those differences and the impact they are likely to have on the local community. It is recognised that it may not always be possible to attribute issues to a particular premise, or patrons from a particular premises, but that cumulatively; there can be a negative effect.

4.0 Adoption of Cumulative Impact Policy

4.1 Consideration will be given to the infrastructure in place to facilitate the dispersal of patrons from an area, including the availability of late night bus services, taxis and street cleansing services when establishments offering food, alcohol and regulated entertainment close.

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- 4.2 A major concern for the Council is the level of alcohol related violent crime and alcohol related Anti Social Behaviour. This is particularly apparent in the town centre and its impact on policing the evening and night time economy.
- 4.3 The Council have considered:
- Evidence of serious concern, regarding the concentration of licensed premises that is undermining the promotion of the licensing objectives from a Responsible Authority, namely Cambridgeshire Constabulary.
 - Evidence from ‘Interested parties,’ to include local businesses, residents and representatives groups regarding noise, nuisance and disorder where a particular concentration of licensed premises in an area of Fenland is considered to be causing a negative impact on one or more of the licensing objectives.
- 5.0 What Does The Policy Do?
- 5.1 The effect of adopting a Cumulative Impact Policy is to create a rebuttable presumption that applications for new premises licence, club premises certificates or material variations to such will normally be refused if relevant representations are received.
- 5.2 Applicants must address the Cumulative Impact Policy and produce evidence to demonstrate how the application will:
- (a) Not add to cumulate impact, and challenges already being experienced in the area or;
 - (b) Undermine the promotion of the licensing objectives.
- 5.3 The applicant must produce evidence to rebut the presumption to refuse an application within the Cumulative Impact Policy area. This Policy takes effect where a relevant representation is received.
- 5.4 It must be stressed that the presumption to refuse an application does not relieve Responsible Authorities of ‘Interested Parties’ of the need to provide supporting evidence in conjunction with a relevant representation. This must be submitted before the Licensing Authority may lawfully consider giving effect to the Cumulative Impact Policy.
- 5.5 Where there is evidence that a particular area of the District is already suffering adverse effects arising from a concentration of licensed premises, and it can be demonstrated that communities are under pressure because of it, this will be taken into account in determining any further applications or material changes to licensed premises within the area identified. This includes:
- The character of the surrounding area;

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- The impact of the licence on the surrounding area, both individually, and cumulatively with existing licences;
- The nature and character of the proposed operation;
- The availability of other support services at key times, for example street cleansing services;
- The impact upon the policing of an area.

6.0 Integration of Strategies

- 6.1 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and beyond the control of the licence holder but is still a key aspect of such control and will be part of a holistic approach to the management of the day and night time economy in the District.
- 6.2 The Licensing Authority recognises that as well as licensing legislation, there are a number of other mechanisms for addressing issues of noise, nuisance and anti social behaviour which occur in the vicinity of licensed premises. These include:
- Planning controls;
 - Ongoing measures to provide a safer and cleaner environment in partnership with residents, local businesses and others;
 - Powers to designate parts of the District which restricts the consumption of alcohol in designated public places;
 - Confiscation of alcohol in designated areas;
 - Police enforcement of the law with regard to disorder and anti-social behaviour;
 - Police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise;
 - The power of police, local businesses or residents to seek a review of the premises licence;
 - Enforcement action against those selling or supplying alcohol to people who are underage or already drunk.
- 6.3 The Licensing Authority may address a number of these issues through Community Safety Partnerships in line with the strategic objectives for crime and disorder reduction within the District.
- 6.4 The Licensing Authority and Cambridgeshire Police are aware of the problems associated with the town centre area in respect of alcohol related crime and disorder and have launched a number of initiatives to combat this including intelligence sharing about problem premises, joint licensing visits and targeted activity.
- 6.5 There is an established alcohol treatment referral scheme for those individuals who come into custody and investment in diversionary activities for young people.

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- 6.6 The Licensing Authority recognises that the Cumulative Impact Policy is one of a range of mechanisms to regulate activities of both premises and individuals, as part of a holistic approach which seeks to offer treatment to individuals and other interventions as appropriate.
- 6.7 Other measures include an established radio system to facilitate communication between licensed premises and exclude problem individuals from venues, CCTV coverage and monitoring of the centre, regular joint operations to monitor licensed premises, active use of dispersal orders.
- 7.0 Where Does The Cumulative Impact Policy Apply?
- 7.1 The Licensing Authority has applied a special Cumulative Impact Policy to an area around Wisbech Town Centre. This is identified on the map attached at Appendix A.
- 7.2 Police review of the Cumulative Impact Policy April 2016
- 7.3 Figures using the Police Recording system (CORA) show the number of incidents within the Wisbech Town Centre Wards. This system evidences the numbers reducing significantly since a partnership approach was adopted by Public Health, Trading Standards and Cambridgeshire Constabulary in preventing further proliferation of alcohol outlets within the CIZ area. Since the formation of the alcohol partnership agencies, health and mental health services have seen an increase in demand for support, as street drinkers are directly engaged and offered help.
- 7.4 Alcohol related incidents have moved away from a Night Time Economy issue to be one that currently involves the street drinking community. Increases in litter, public urination and defecation have been reported and these have mainly been in areas evidenced to be used by street drinkers. Some of the Town's historic areas have been targeted as they are out of sight of the CCTV cameras and the general public. Sugar Tub Lane and Ghost Lane are particularly impacted with Ghost Passage having seen large quantities of human excrement having to be cleared by the public health services.
- 7.5 Officers patrolling these areas have on occasions, been attacked by street drinkers and one PCSO has had a glass bottle thrown at him by an aggressive male who did not want to be moved on. Other areas of the CIZ and also in the town centre wards, including Tillery Park, Town Park and the St Peters Church gardens all suffer from street drinkers at various times throughout the day and often well into the early hours. Seven pre-planned dispersals have been utilised within the CIZ since 31/01/2014 within the CIZ targeting alcohol and or anti-social behaviours. These powers come under Section 35 of the Anti-Social Behaviour, Crime and Policing Act 2014.
- 7.6 It is worth noting that the Constabulary uses a Secure Information Recording System called SIRCS which is operated by Empowering Communities and from January 2015 to April 2016 281 pieces of information were placed onto the system – most of this from the town centre alone relating to alcohol. This information has come from the Wisbech Pub Watch Group,

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Police and Horsefair Security. It evidences the strong shift from night time pub related issues to street drinking becoming an increasing problem.

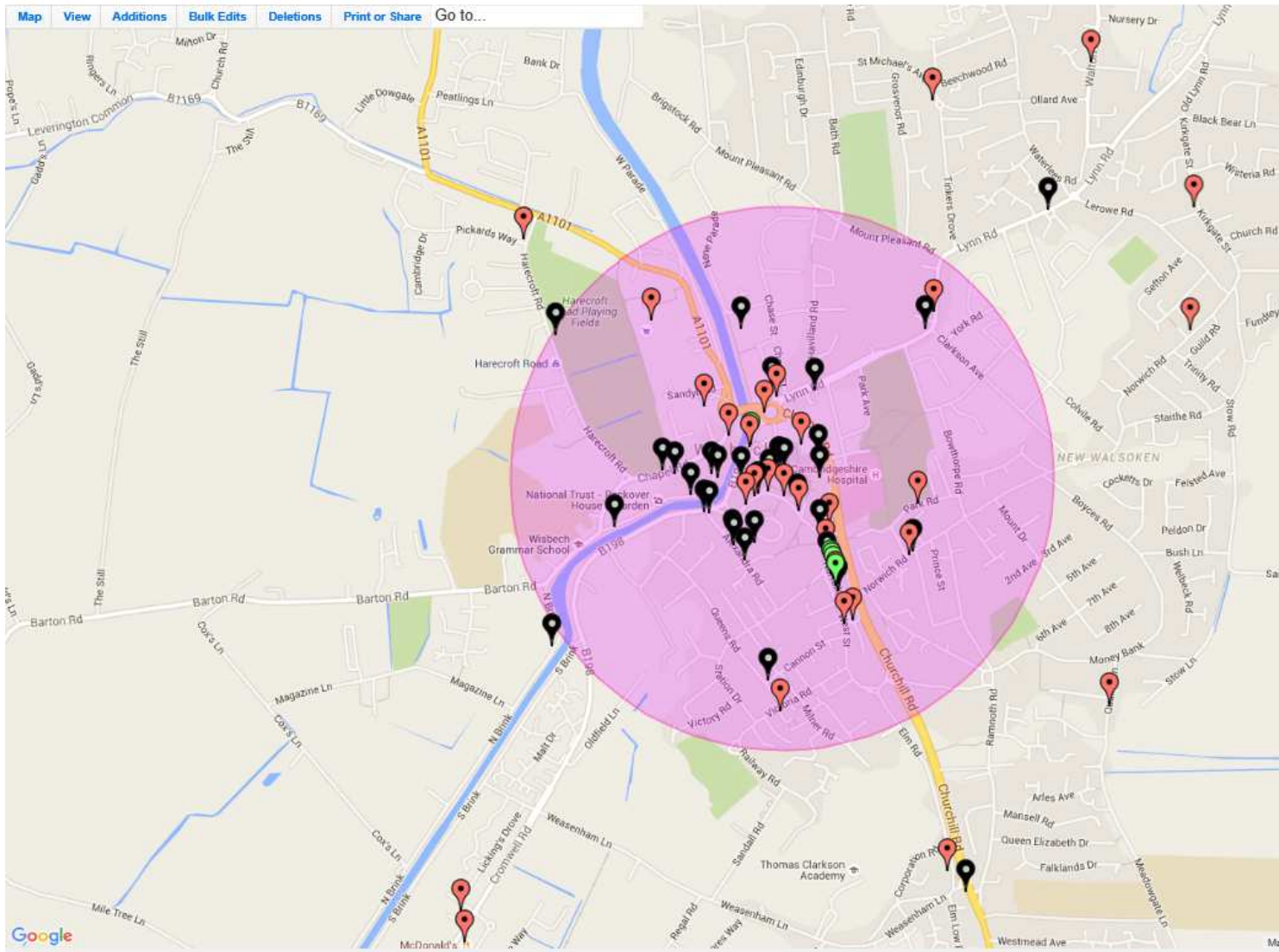
7.7 Offence/Incident Table

Offence/Incident	2012-2013	=+/-%	Offence/Incident	2014-2015	=+/-%
ASB	2,382 -2,159	-9.4%	ASB	1,881 -1,418	-24.8%
Alcohol Related Crime	970 -727	-25.1%	Alcohol related crime	786 – 781	-0.6%
Violence	721 – 662	-8.2%	Violence	231 – 151	-34.6%
Criminal Damage	580 – 502	-13.4%	Criminal Damage	497 - 483	-2.8%
Alc related Violence	30 - 23	-23.3%			
Historic Figures used for CIZ Policy					
Offence/Incident	2009	2010	2011	= + / - %	
Violent Crime	516	454	504	-2.3%	
Alcohol related Violent crime (% of total violent crime)	211 (40.9%)	188 (41.1%)	244 (48.4%)	+15.8% (+7.5%)	
Antisocial behaviour	1858	1543	1480	-20.3%	
Alcohol related ASB (% of total ASB)	508 (27.3%)	498 (32.3%)	533 (36.0%)	+4.9% (+8.7%)	
Criminal Damage	377	372	314	-16.7%	
Alcohol Related Criminal Damage (% of total criminal damage)	46 (12.2%)	58 (15.6%)	69 22.0%	+50% (+9.8)	

7.8 It is still evident that in areas of street drinking there is a high proportion of alcohol related ASB, urination and defecation, with the associated impact this has on public perception and fear of crime. The local community have made this one of their local priorities for the police to tackle and the ability to deliver on this priority has been facilitated through the benefits provided by the CIZ Policy.

7.9 As part of the CIZ review, incidents outside of the CIZ were considered and the decision has been that the current geographical limits of the CIZ area remain both appropriate and proportionate for the town at this time. Consideration was given to extending the area covered but it is believed that this would not significantly improve the current effectiveness of the CIZ area.

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Map key:

Red Markers – Off Sales Premises

Black Markers – On Sales Premises

Green Markers – Late Night Refreshment Premises (23:00hrs onwards)

Purple circle – indicates approximate area of current CIZ area

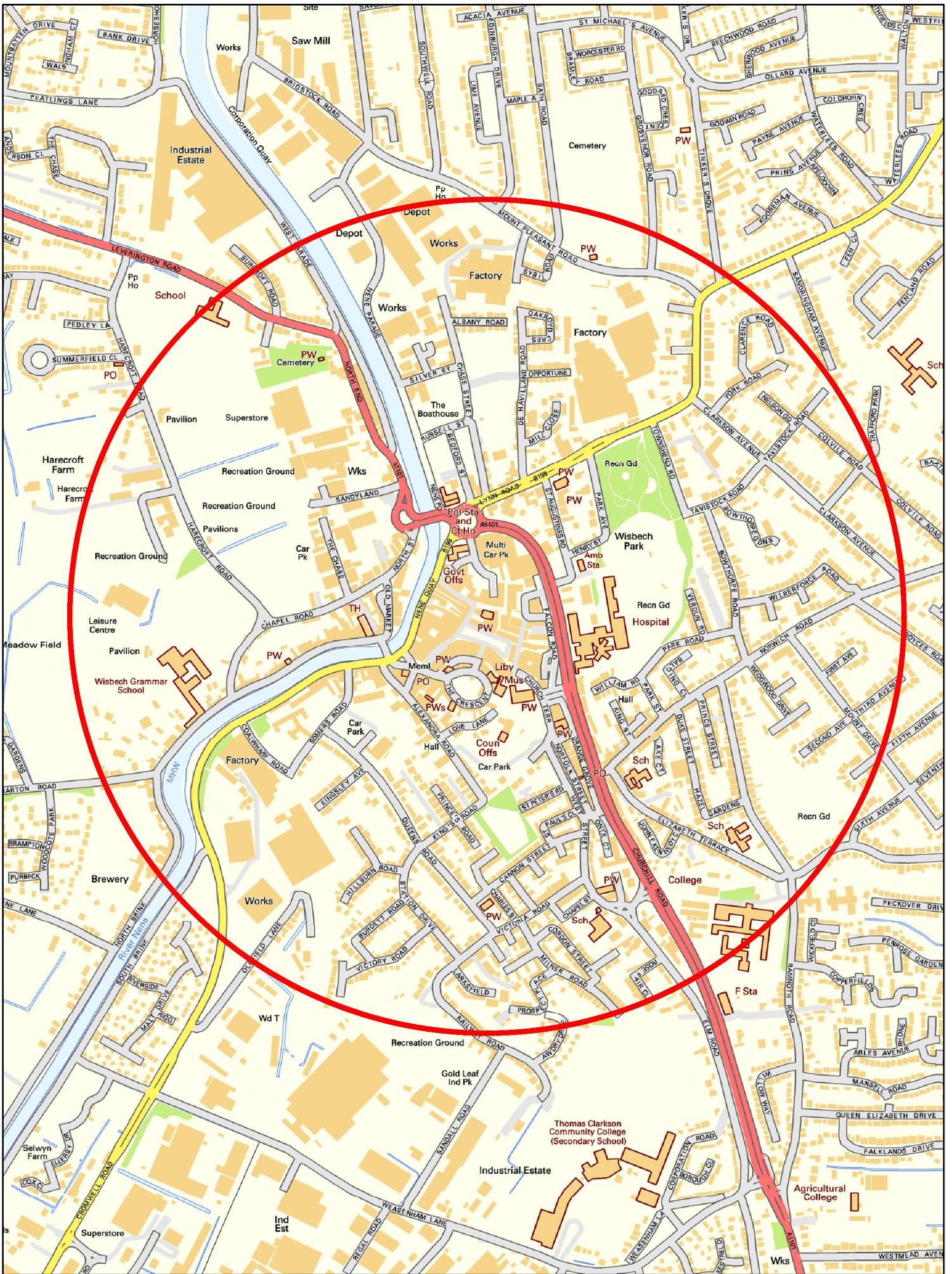
8.0 Conclusion

- 8.1 The conclusion drawn in respect of the evidence is that where relevant representations are submitted, the Cumulative Impact Policy should aim to limit the number of new or material variations to licensed premises. The rebuttable presumption to refuse such remains in place.
- 8.2 The Licensing Authority believes that the presence of a Cumulative Impact Policy in the designated area will support and assist the range of strategies in place to tackle alcohol related crime and disorder.
- 8.3 Accordingly, the Licensing Authority has resolved to maintain the Cumulative Impact Policy. The Policy will come into effect where relevant representations are received, will seek to prevent a further increase in the number of licensed premises and material changes to licences within that area.
- 8.4 The Licensing Authority wishes to encourage the provision of a range of entertainment in the area and to reduce the dominance of pubs, off licences, and take away premises with off licences. Any further expansion of licensed premises and the evening or night time economy should be consistent with the wider regeneration aspirations of the Council and its partners and should actively promote an inclusive town centre for all that is a safe and pleasant place to be in. This will be balanced against any likely negative impact on the licensing objectives.
- 8.5 The Licensing Authority has resolved that the Cumulative Impact Policy is one such measure to facilitate this, and ensure that the correct balance is sought.

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REVISION HISTORY

Version	Status	Date of Issue	Reason for Change	Sections
V 01	Draft – approved Licensing Committee	15/01/2016	First Draft	All
V 02	Approved – Licensing Committee	19/04/2016	Reviewed and final edits made	All
V 03	Final – Approved Full Council	12/05/2016		All



Created on: 19/12/2012

Wisbech Cumulative Impact Zone

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Scale = 1:10,000



Wisbech CIA - Alcohol Assessment 2016 – 2019

CUMULATIVE IMPACT AREA(S)¹

Under the Licensing Act 2003, responsibility for licensing decisions in England and Wales rests with local authorities. This includes the issuing of premises licences and club premises certificates.

CIP's were put on a statutory footing within S141 of Policing & Crime Act 2017 – to add legal certainty and transparency for applicants, LA's and other responsible authorities on how CIP's (CIA) should be developed and operated –

- Amends S5 LA03 (“Statement of Licensing Policy”)
- Inserts new S5A (“Cumulative Impact Assessments”)
- Updated S182 Guidance at 14.20 – 14.48
- In force since 06th April 2018.

- As at 31st March 2018 there were 107 Local Authorities with 222 CIA's in place.
- 65 (29%) of CIA's in London.
- Of **1,107 decisions on applications** for new premises licenses in CIA's **92% were granted** (2013/14) and 8% refused (compared with 3% refused outside CIA's)

Home Office Statistics

s.5A(1): A licensing authority **may** publish a document (“a cumulative impact assessment”) stating that the licensing authority considers that the number of premises licences or club premises certificates in respect of premises in one or more parts of its area described in the assessment is such that it is **likely** that it would be inconsistent with the authority's duty to promote the licensing objectives² to grant **any** further premises licences or club premises certificates in respect of premises in that part or those parts.

- A cumulative impact assessment must set out the **evidence** for the authority's opinion as set out in the assessment.
- In determining or revising its **statement of licensing policy**, a licensing authority must have **regard** to any cumulative impact assessments.
- A CIA may relate to all relevant authorisations **or** only to relevant authorisations of a kind described in the assessment (e.g. only alcohol, or only LNR or only after certain time etc.)
- Before publishing a CIA the licensing authority must **consult**.
- If LA publishes a CIA it must, following consultation, consider whether it remains of the opinion stated in the assessment - before end of **3 year period** following publication or revision of CIA.
- If no longer of opinion CIA required – must publish statement to that effect and not consider CIA.
- If CIA still required – must set out **evidence** to justify.

¹ Acknowledging material supplied by Gary Grant Licensing Barrister Francis Taylor Building Chambers, London

² Licensing Objectives – Prevent crime & disorder; Promote public safety; prevent public nuisance; protect children from harm

The effect of adopting a CIP is to “*create a rebuttable presumption*” that applications for licences which are **likely** to add to the existing cumulative impact will normally be **refused** (or subject to certain limitations) unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives³.

A CIP should never be absolute, and Statements of Licensing Policy should allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. CIPS should therefore not be used to impose quotas on the number of licensed premises in an area⁴.

Industry partners are generally opposed to the concept of CIPs, as they feel they restrict new businesses while protecting existing poorly run premises and can displace problems to neighbouring areas. There are particular concerns from some industry groups that CIPs put small businesses at a disadvantage (for example if a small business cannot afford for a solicitor to make the application on its behalf and represent the business at a hearing) and discourage applications. See pros and cons below.

There must be an evidence basis for the decision to publish or continue an existing CIA. Local community safety partnerships and responsible authorities may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing or continuing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Such evidence could include:

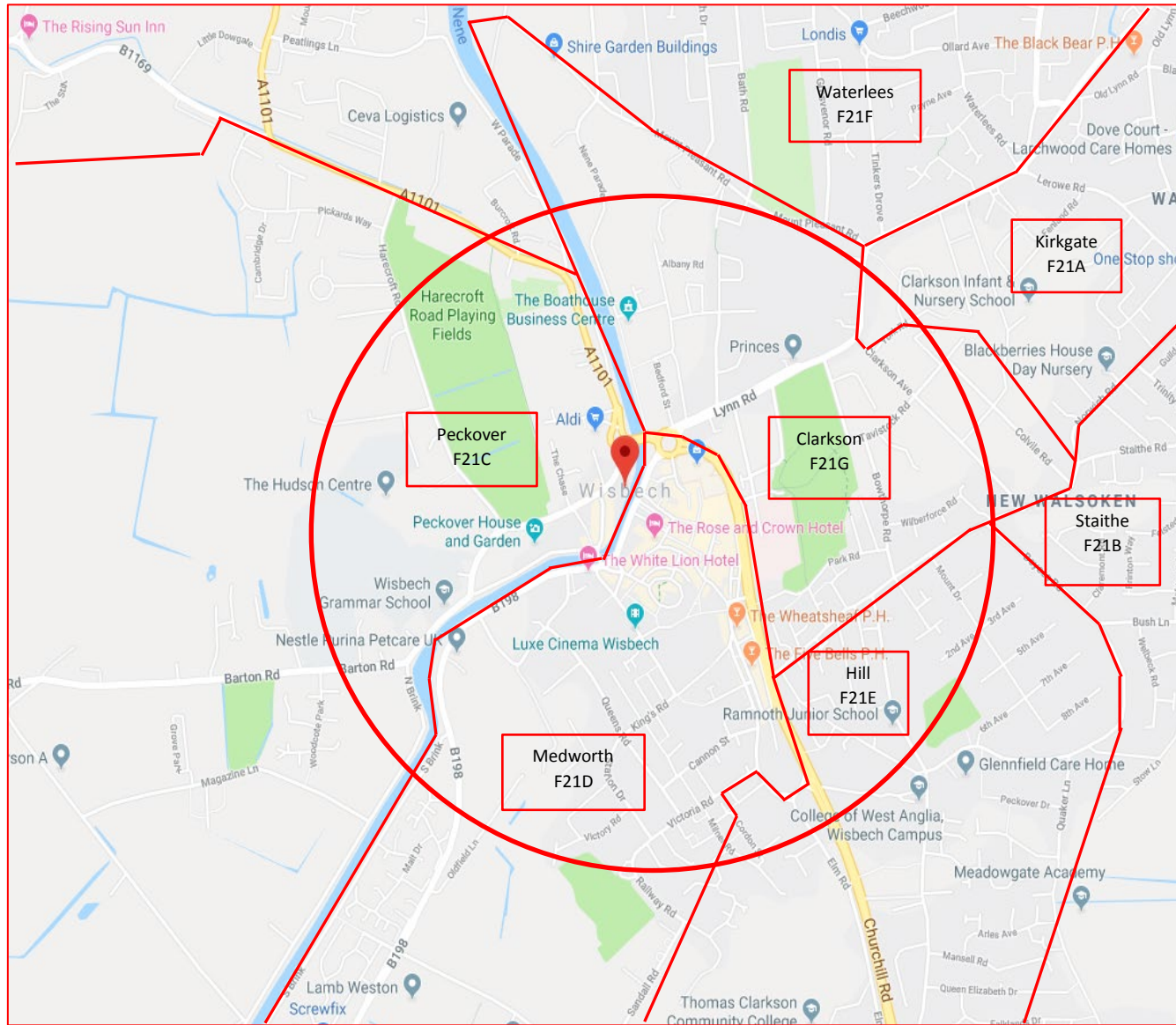
- Local crime & disorder statistics, including statistics on specific crime types locations
- Statistics on local anti-social behaviour offences
- Health related statistics A&E attendance etc
- EHO complaints in relation to litter and noise
- Complaints recorded by local authority from residents or associations
- Evidence from local and parish councillors
- Evidence gained through local consultation⁵

³ House of Commons Library – Alcohol: cumulative impact assessments by John Woodhouse 2 May 2017

⁴ Putting Cumulative Impact Policies on a Statutory Footing – Home Office Impact Assessment 01 Nov 2016

⁵ S182 Guidance Licensing Act 2003 Para 14.29 (April 2018)

Wisbech Ward Areas & Cumulative Impact Area



1. CADET Data - search limited to whole of FENLAND.

Alcohol Related Crime - FENLAND

Earlier Period		Later Period		% Change
From	To	From	To	
Apr-16	Mar-17	Apr-17	Mar-18	
513		559		+9%
Apr-17	Mar-18	Apr-18	Mar-19	
559		246		-56%

CADET data is an aggregate data set covering the whole of Fenland. The graphic above shows that there has been a **significant decrease in alcohol related crime across Fenland by 56%**.

Crimes raised by Cambridgeshire Constabulary on Athena (post May 2018) where alcohol has been involved *should* be marked with one or more of the following tags called 'keywords' and can be found searching crimes using said 'keywords' –

- Alcohol (suspect Intoxicated)
- Alcohol (victim Intoxicated)
- Alcohol

Crimes recorded by the Constabulary prior to the introduction of Athena (pre May 2018) can be sourced on CamNet 'Command & Control' and CamNet 'Crimefile' links. Similarly each crime or incident should have a closure code of 'Alcohol' if alcohol was involved.

Below illustrations show Crime & Incident data recorded between specific times. Figure in brackets shows alcohol related element of those crimes and incidents. Percent change year on year shows +/- variation year on year.

2. Crimefile Data (Alcohol Related)

LOCATION	Period		% Change Year on Year Crime (Alcohol)
	From	To	
	Apr-15	Mar-16	
Peckover	335 (42)		-
Clarkson	319 (46)		-
Medworth	1010 (116)		-
	Apr-16	Mar-17	Crime 15/16
Peckover	400 (57)		+16.25 (+26.4)
Clarkson	348 (51)		+8.4 (+9.9)
Medworth	1161 (125)		+13.1 (+7.2)
	Mar-17	Apr-18	Crime 16/17
Peckover	355 (38)		-11.25 (-33.4)
Clarkson	473 (68)		+26.5 (+25)
Medworth	1434 (135)		+19.1 (+7.5)
	Apr-18	Mar-19	Crime 17/18 16/17
Peckover	390 (18)		+9 (-52.6) (-68.5)
Clarkson	489 (23)		+3.3 (-66.2) (-55.0)
Medworth	1342 (50)		-6.5 (-62.9) (-60.0)

3. Incident Data (Alcohol Related)

LOCATION	Period		% Change Year on Year Incident (Alcohol)
	From	To	
	Apr-15	Mar-16	
Peckover	1181 (88)		-
Clarkson	1339 (133)		-
Medworth	3017 (299)		-
	Apr-16	Mar-17	Incident 15/16
Peckover	1284 (138)		+8.1 (+36.3)
Clarkson	1371 (139)		+2.4 (+4.4)
Medworth	3103 (377)		+2.8 (+20.7)
	Mar-17	Apr-18	Incident 16/17
Peckover	1014 (113)		-21.1 (-18.2)
Clarkson	1362 (158)		-0.7 (+12.1)
Medworth	3086 (297)		-0.6 (-21.3)
	Apr-18	Mar-19	Incident 17/18 16/17
Peckover	870 (72)		-14.3 (-32.3) (-47.9)
Clarkson	1120 (104)		-17.8 (-34.2) (-25.2)
Medworth	2614 (320)		-15.3 (+7.2) (-15.2)

Illustrations show that there has been a significant reduction in alcohol related crime and incidents year on year. Despite a small increase in general crime in Peckover and Clarkson 2018/19 we see a large decrease across all wards. Similarly with alcohol related incidents - despite a small increase in Medworth in 2018/19 compared to 2017/18 figures - Medworth still shows a significant decrease on 2016/17 figures.

Incident Data (breakdown)

The Incident data below shows associated alcohol data for incidents recorded in all wards that make up the CIA. Figures shown are year on year with a (+/-) percentage difference on 2016/17 compared to 2018/19 Figures. Generally across the board we can see significant decreases in alcohol related incidents.

Police crime data (including ASB) reports showed that the number of ‘**alcohol-related ASB incidents**’ in Wisbech has reduced significantly between 2016/17 and 2018/19 from 205 incidents to 145 incidents, a reduction of 29.3%. This is replicated across the wards, including those wards that make up the current CIA, with greater reductions in Peckover and Clarkson, and a similar reductions in Medworth. The only increases we do see is with Alcohol related violence and domestic incidents in Clarkson and Medworth and Medworth and Hill respectively.

Location	Street Drinking			+/- %	Alcohol Violence			+/- %	Alcohol Criminal Damage			+/- %	Alcohol Rowdy / Nuisance			+/- %	Alcohol Domestic Incident			+/- %
	16/17	17/18	18/19		16/17	17/18	18/19		16/17	17/18	18/19		16/17	17/18	18/19		16/17	17/18	18/19	
Wisbech (All) F21	32	29	17	-46.0	133	137	128	-5.8	12	6	4	-66.0	205	147	145	-29.3	194	213	180	-7.3
Peckover F21C	2	6	0	-	25	15	6	-76.0	1	3	1	-	32	20	12	-62.5	14	12	7	-50.0
Clarkson F21G	6	4	2	-66.0	15	19	20	+25.0	1	0	0	-100	23	22	13	-43.5	28	26	17	-39.3
Medworth F21D	24	17	14	-41.0	50	51	60	+16.0	8	1	0	-100	107	71	84	-21.5	22	34	43	+49.0
Hill F21E	0	0	1	+100	11	14	11	-	0	1	0	-100	12	10	9	-25.0	23	33	31	+26.0

Police report (Consultation process 2018)

Crime data submitted by the Police Licensing Officer is limited and may not reflect a true and accurate picture of how alcohol is impacting the area that is Wisbech. The Wisbech CIA fits within 4 larger wards namely Peckover, Clarkson, Medworth and Hill. The data provided is a percentage data picture for the combined sectors rather than the CIA alone. We can see that alcohol related incidents and crime have significantly decreased across the board with one or two exceptions.

Local Authority Licensing & Police Licensing along with other partners such as Trading Standards, UKBA and HMRC will work together to improve standards within the Wisbech area specifically around alcohol licensing, and enforced against the sale of counterfeit and illicit alcohol & cigarettes, forced labour or employing illegal immigrants and subsequent tax evasion.

The CIA should have seen an improvement in the standard of license applications such that conditions are being set that would suggest that the premises would not impact or contribute towards the cumulative impact in the area. Where applicants are not so informed or co-operative, representations will be sent to the Licensing Sub-Committee for them to make the final determination. We will continue to seek a voluntary undertaking not to sell lager, beer or cider over 6.5% Abv.

The Police Licensing, Local Authority Licensing and partners will continue to monitor and regulate licensing in the Wisbech area amongst other areas. I believe this course of action, supported by the CIP should allow us to define a set standard and maintain it, and as such we will see a positive uptake from Licensees and their contracted representatives.

Routinely Police Licensing will mediate with applicants, in partnership with other responsible authorities, and where the desired standards are met, such that it is believed that the applicant will not impact on the cumulative problems, will not make any representation.

Police Licensing has seen a marked decline in information and intelligence, incidents and crimes directly attributed to licensed premises. Whilst residents may be anecdotally informing other partners, this information is not being relayed back to the Licensing Authority and as such providing the valuable information / intelligence needed to proactively deal with problem premises. This may be because it is not being flagged in a specific way that would make it easier to find or that the general public are not routinely reporting problems directly to the Police. Similarly when we look at alcohol related violent crime the majority come back to residential or street addresses and do not directly correlate to a specific licensed premises.

Pros

- Stems increase in nuisance, crime, ASB etc
- Supports responsible authority / residential concerns and objections
- Powerful filter for Local Authority considering applications
- Reduces likelihood of successful appeal by operator
- Improvement in quality of applications (*local observation*)
- Decline in detrimental reports concerning licensed premises (*local observation*)

Cons

- Stagnation – preserves bad? status quo
- Shuts out / deters new operators (especially independents)
- Deters innovation among existing operators
- Impacts on market value of premises licenses.

Balancing Exercise



“It cannot be the policy of the cumulative impact policy to bring the iron curtain clanging down... I accept that the committee and the police did their best but their application of the Policy was too rigid. They seemed to take the view that Man was made for the policy, when the Policy should be made for the man”
- Brewdog v Leeds City Council, DJ Anderson, Leeds MC, (6.9.2012)

“A CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved”⁶.

⁶ S182 Guidance Licensing Act 2003 14.44

APPENDIX D – PUBLIC HEALTH

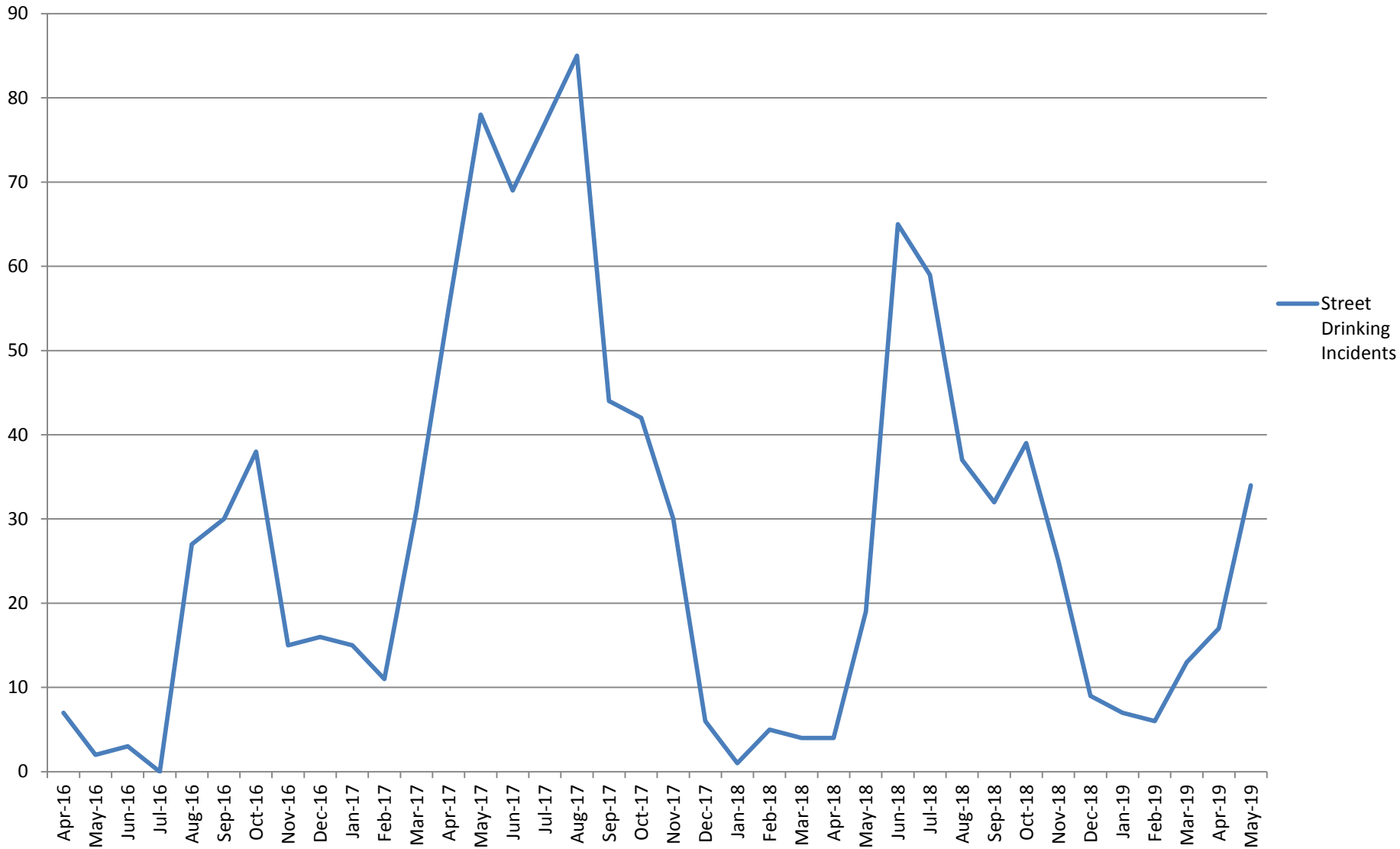
TABLE 1: Key Alcohol Indicators from Local Alcohol Profile, Fenland (Source: Local Alcohol Profiles, Public Health England)

Indicator	Time Period	Fenland	England	Fenland Status
Hospital admission episodes for alcohol-related conditions (Narrow) Persons, directly age-standardised rate per 100,000	2017/18	726	632	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related conditions (Narrow) males, directly age-standardised rate per 100,000	2017/18	930	809	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related conditions (Narrow) females, directly age-standardised rate per 100,000	2017/18	539	473	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related conditions (broad) Persons, directly age-standardised rate per 100,000	2017/18	2515	2224	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related conditions (broad) males, directly age-standardised rate per 100,000	2017/18	3409	3051	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related conditions (broad) females, directly age-standardised rate per 100,000	2017/18	1725	1513	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related conditions (Narrow) under 40s, Persons,	2017/18	400	298	Statistically significantly higher (worse)

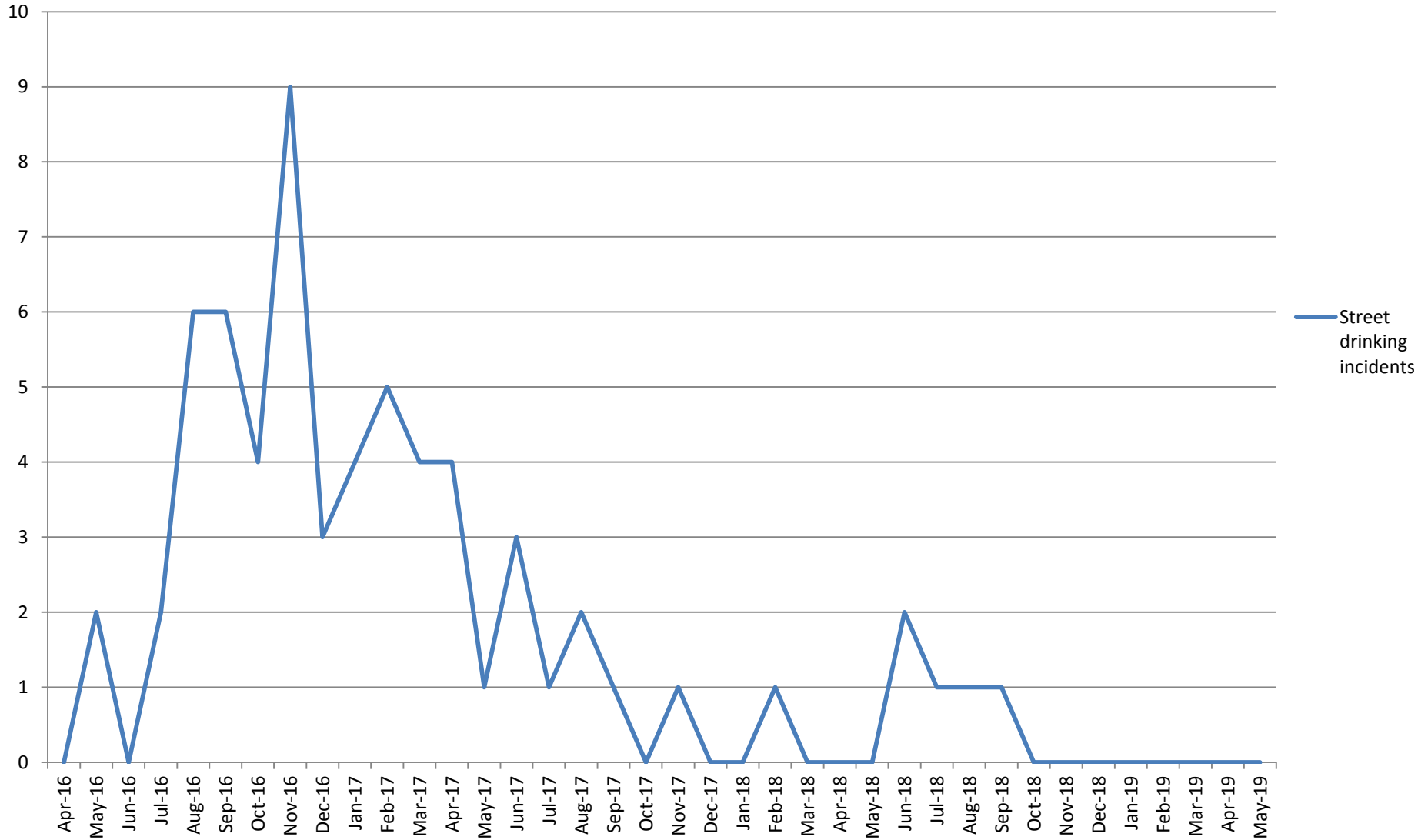
directly age-standardised rate per 100,000				than England
Hospital admission episodes for alcohol-related conditions (Narrow) under 40s, males, directly age-standardised rate per 100,000	2017/18	483	348	Statistically significantly higher (worse) than England
Hospital admission episodes for intentional self-poisoning by and exposure to alcohol conditions (Narrow) - Persons, directly age-standardised rate per 100,000	2017/18	63.6	46.2	Statistically significantly higher (worse) than England
Hospital admission episodes for intentional self-poisoning by and exposure to alcohol conditions (Narrow) - Males, directly age-standardised rate per 100,000	2017/18	61.8	39.5	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related cardiovascular disease conditions (Broad) - Persons, directly age-standardised rate per 100,000	2017/18	1364	1162	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related cardiovascular disease conditions (Broad) - Males, directly age-standardised rate per 100,000	2017/18	1948	1681	Statistically significantly higher (worse) than England
Hospital admission episodes for alcohol-related cardiovascular disease conditions (Broad) - Females, directly age-standardised rate per 100,000	2017/18	872	739	Statistically significantly higher (worse) than England

Hospital admission episodes for alcoholic liver disease (Broad) - Persons, directly age-standardised rate per 100,000	2017/18	150.5	120.6	Statistically significantly higher (worse) than England
Hospital admission episodes for alcoholic liver disease (Broad) - Females, directly age-standardised rate per 100,000	2017/18	105.0	76.7	Statistically significantly higher (worse) than England

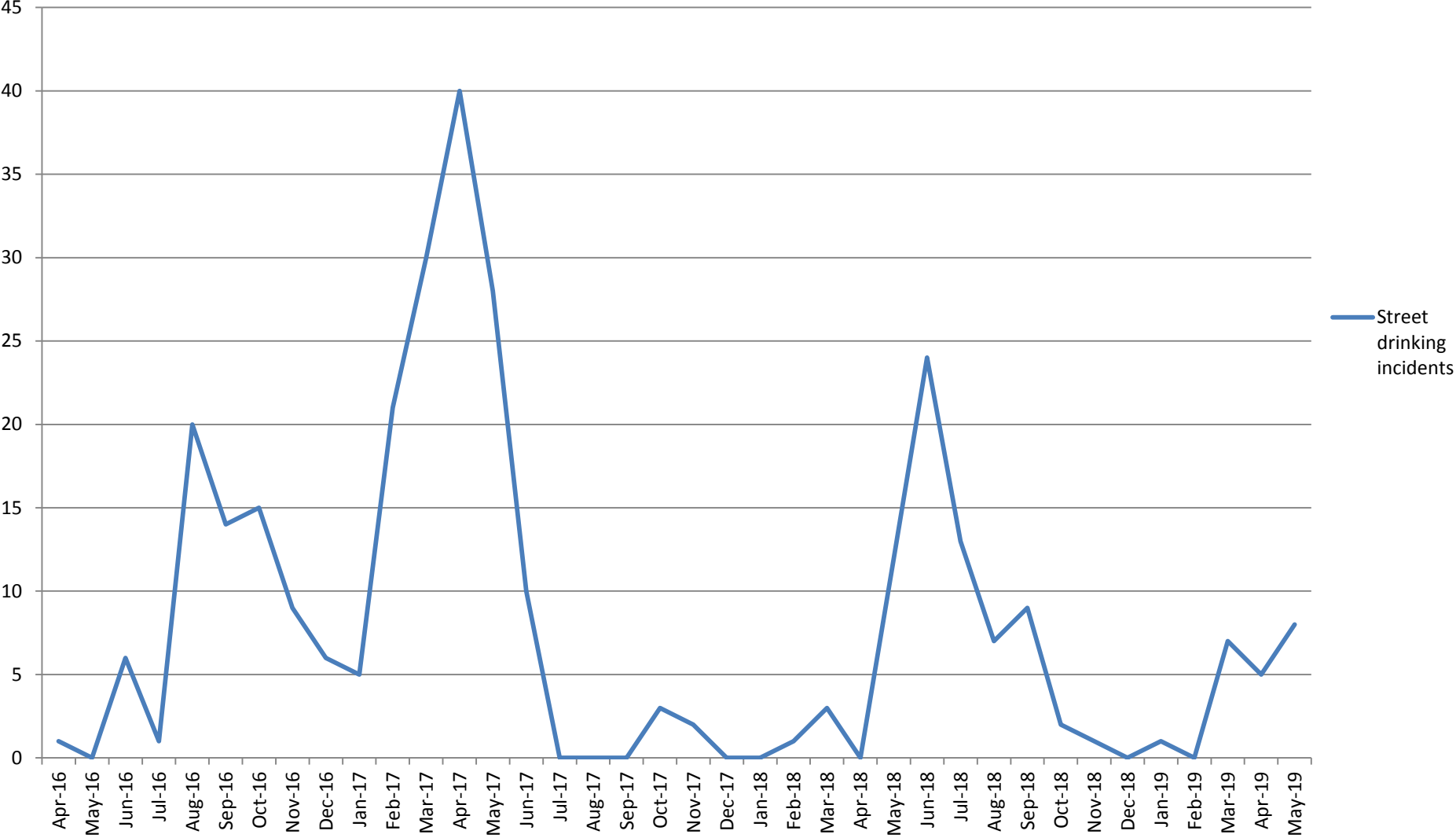
CCTV Street Drinking Incidents St Peter's Gardens from April 2016 - May 2019



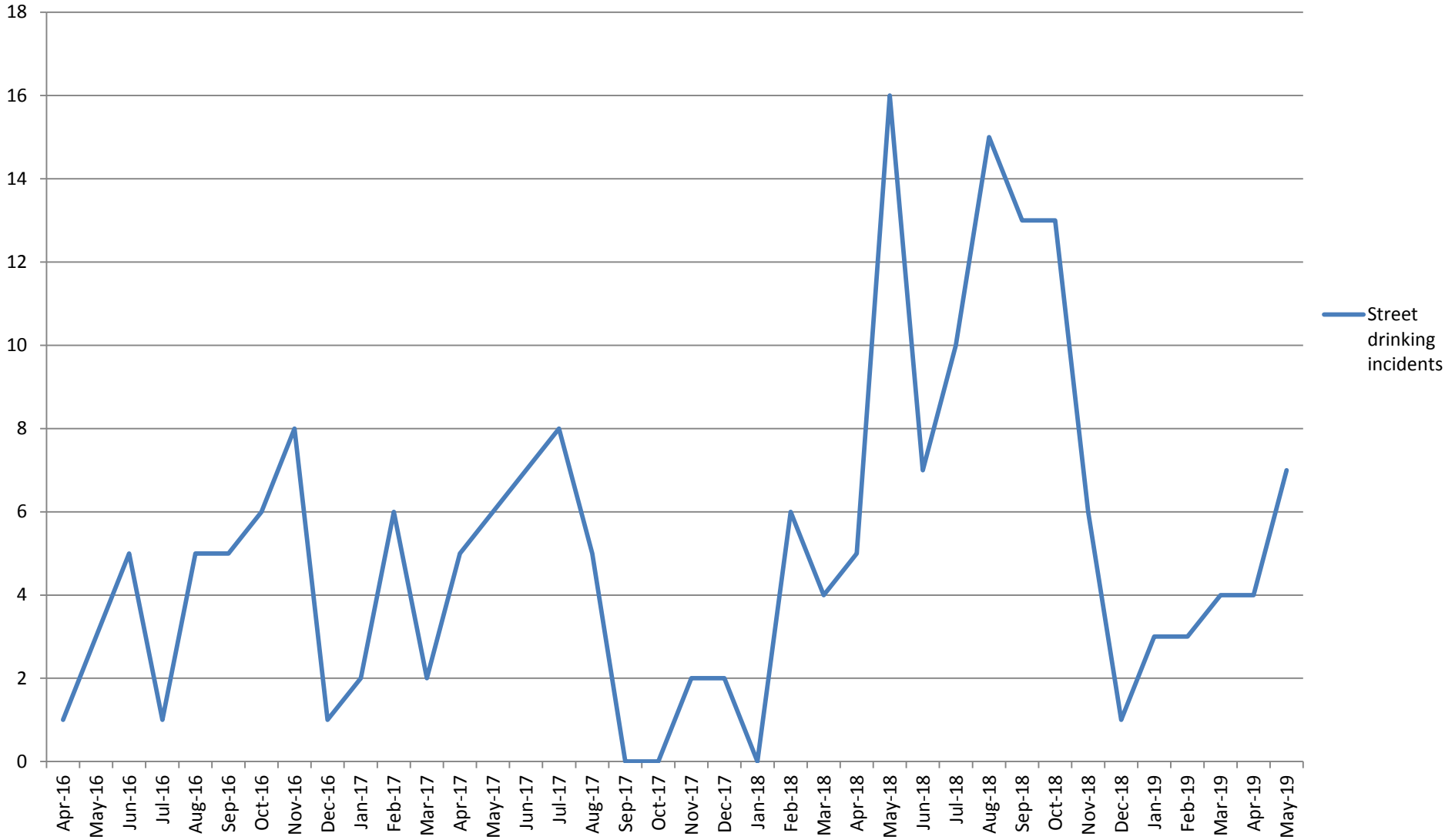
CCTV Street Drinking Incidents Union Place from April 2016 - May 2019



CCTV Street Drinking Incidents Tillery Field from April 2016 - May 2019

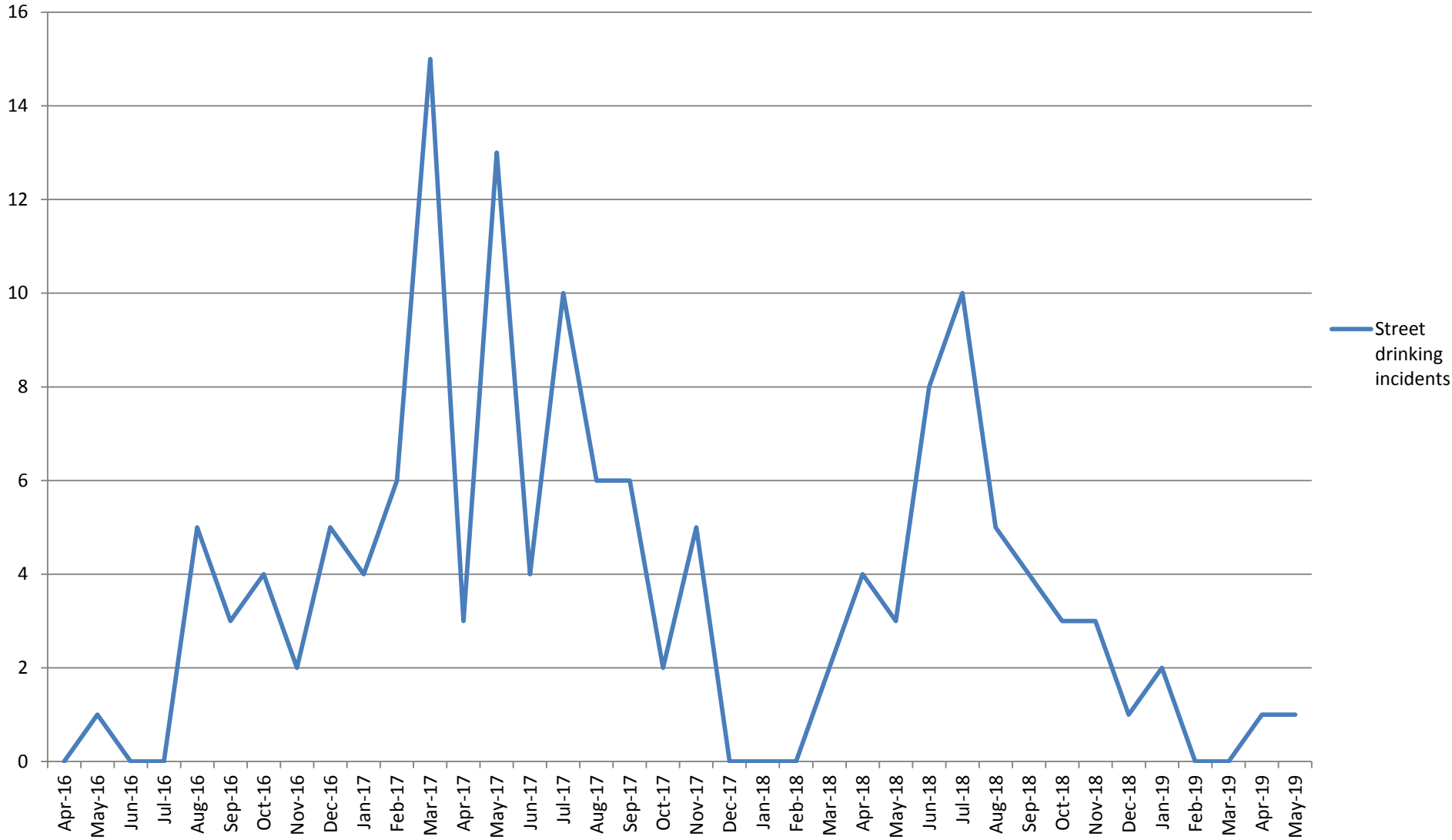


CCTV Street Drinking Incidents Market Place from April 2016 - May 2019



CCTV Street Drinking Incidents

Nene Parade from April 2016 - May 2019



CCTV Street Drinking Incidents

Combined areas from April 2016 - May 2019

