

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Licensing Act 2003 Cumulative Impact Assessment

**Effective Period:
2019-2022**

Approved by full council 26 February 2019

Part 1

Introduction

- 1.1 Cumulative impact is the potential negative effect on the promotion of the licensing objectives of a significant number of licensed premises concentrated in an area. The licensing objectives are set out in the Licensing Act 2003 (the 'Act') and cover four key areas:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.2 A cumulative impact assessment helps to inform the statement of licensing policy with the aim of limiting the number of licence applications granted where there is evidence to show that the number of licensed premises in a particular area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 1.3 This assessment has been documented following the introduction of the Policing and Crime Act 2017 which took effect from 6 April 2018. The assessment will be formally reviewed every 3 years, however may also be reviewed during this period so that amendments can be made as necessary.
- 1.4 To avoid duplication the assessment should be read in conjunction with the policy, the Act, its regulations and the current edition of the Home Office revised guidance issued under section 182 of the Licensing Act 2003.

Consultation

- 1.5 We are required by the Act to consult the following groups of people:
- Chief Officer of police for the area;
 - Chief Officer of fire & rescue service for the area;
 - Persons/bodies representative of local holders of premises licences;
 - Persons/bodies representative of local holders of Club premises certificates;
 - Persons/bodies representative of local holders of Personal licences;
 - Persons/bodies representative of local holders of Businesses and residents in its area.
- 1.6 In preparing the assessment a consultation process was carried out between 7 June 2018 and 24 August 2018 which included those bodies/groups listed at paragraph 1.5. Comments received during that consultation were then considered and used to form this assessment and paragraph 10 of the statement of licensing policy.

Part 2

The Assessment

- 2.1 The district of North West Leicestershire is home to a number of popular restaurants, bars, night clubs and late night refreshment venues.

- 2.2 The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. This is reflected in the town centre having received a purple flag award.
- 2.3 The assessment relates to all types of licensed premises carrying on licensable activities within the cumulative impact zone, including the sale of alcohol for consumption on or off the premises (or both), the provision of late night refreshment and regulated entertainment. The assessment does not apply to Temporary Event Notices (TENs); however the evidence upon which the assessment is based may be used by the relevant responsible authorities when submitting objections to TENs.
- 2.4 The council considers that, in a specified part of Ashby de la Zouch town centre known as the cumulative impact zone (CIZ), the number of premises licences and/or club premises certificates are such that it is likely that granting further licences or variations to existing relevant authorisations would be inconsistent with our duty to promote the licensing objectives.
- 2.5 Although this assessment provides an evidential basis for applications within a CIZ to be refused; it does not relieve responsible authorities or any other persons of the need to make a relevant representation. Each application will be considered on a case by case basis and applicants are expected to demonstrate why the operation of the premises would not add to the cumulative impact already being experienced. The assessment will never be used as a ground for revoking an existing licence or certificate.
- 2.6 The evidential basis for the assessment is set out in Part 3 below; Part 4 includes a map of the CIZ identified by the assessment.
- 2.7 This assessment shall be kept under review and changes may be made in relation to local circumstances, the Licensing Act, associated regulations or statutory guidance and national legislation.
- 2.8 Below is a list of licensed premises within the CIZ. The list identifies the premises type and the terminal hour.

| PREMISES | TYPE OF PREMISES | TERMINAL HOUR |
|-----------------------------|-------------------------|--|
| Bulls Head Market Street | Public House | Monday to Sunday - 09.00am until 1.30am the following morning |
| White Hart Market Street | Public House | Monday to Thursday - 09.00am until 12.30am the following morning Friday and Saturday - 09.00am until 2.30am the following morning Sunday - 09.00am until 12.30am the following morning |
| Manhattans Market Street | Club | Monday and Tuesday - 9.00am until 12.00 midnight Wednesday and Thursday - 9.00am until 2.00am the following morning Friday and Saturday - 09.00am until 2.30am the following morning |

| | | |
|---|-------------------------------------|--|
| Lamb Inn Market Street | Public House | Monday to Wednesday - 09.00am until 11.00pm Thursday and Sunday - 09.00am until 12.30am the following morning Friday and Saturday - 09.00am until 1.30am the following morning |
| Bowling Green Inn Brook Street | Public House | Sunday to Thursday - 11.00am until 12.30am the following morning Friday and Saturday - 11.00am until 1.30am the following morning |
| Ashby Grill 78 Market Street | Take-Away/Late Night Refreshment | Sunday to Thursday - 11.00pm until 1.00am the following morning Friday and Saturday - 11.00pm until 2.30am the following morning |
| Ashby Fish Bar 83 Market Street | Take-Away/Late Night Refreshment | Friday and Saturday - 11.00pm until 2.30am the following morning |
| Ashby Chicken 59 Market Street | Take-Away/Late Night Refreshment | Sunday to Thursday - 11.00pm until 12.00 midnight Friday and Saturday - 11.00pm until 2.30am the following morning |
| Queens Head Hotel and Ciro's Market Street | Club | Sunday to Thursday - 9.00am until 2.00am the following morning Friday and Saturday – 9.00am until 3.30am the following morning |
| Tap at 76 Market Street | Public House | Monday to Saturday - 12.00 noon until 12.00 midnight Sundays - 12.00 noon until 11.00pm |
| Marranellos Wine Bar Rushtons Yard | Wine Bar/Public House | Monday to Thursday - 10.00am until 12.00 Midnight Friday and Saturday - 10.00am until 1.00am the following morning Sunday - 10.00am until 12.00 midnight |
| The Monkey Tree Mill Lane Mews, Ashby | Public House/ Restaurant | Monday to Sunday – 10.00am until 12.00 midnight |
| Cocktail Bar Rushtons Yard | Bar/Public House | Sunday to Thursday - 9.00am until 12.00 midnight Friday and Saturday - 9.00am until 1.00am the following morning |

| | | |
|---|--|---|
| Central England Co-operative Market Street | Off sales | Monday to Sunday - 7.00am until 10.30pm |
| GT News and Off Licence Market Street | Off sales | Every day - 5.00am until 9.00pm |
| Lyric Rooms Lower Church Street | Restaurant/function rooms | Monday to Sunday - 10.00am until 12.30am the following morning |
| Venture Theatre North Street | Theatre licensed for alcohol sales and entertainment | No time restrictions |
| Taste Of Thai Cuisine 84/86 Market Street | Restaurant with on/off sales | Monday to Sunday - 10.00am until 12.00 midnight Sunday - 12.00 noon until 11.30pm |
| De La Zouch Bangladeshi Cuisine 88 Market Street | Restaurant with on/off sales | Monday to Saturday - 10.00am until 11.00pm Sunday - 12.00 noon until 10.30pm |
| Zamanis Restaurant and Pizza Base Rushtons Yard Market Street | Restaurant with on/off sales | Monday to Saturday - 10.00am until 12.00 midnight Sunday - 12.00 noon until 10.30pm |
| Little India 77 Market Street | Restaurant with on sales | Monday to Thursday - 11.00am until 12.00 midnight Friday to Sunday - 11.00am until 12.30am the following morning |
| Wong Kwei Restaurant 9 Bath Street | Restaurant with on/off sales | Monday to Saturday - 10.00am until 12.00 midnight Sunday - 12.00 noon until 11.30pm |
| C K House 100a Market Street | Late Night Refreshment | Monday to Sunday – 11.00pm until 12.00 midnight |
| Rumblin Tums Market Street | Late Night Refreshments | Friday and Saturday – 11.00pm until 3:00am the following morning |

Part 3

Historical context

- 3.1 The cumulative impact policy relating to Ashby town centre was introduced in November 2005 following a rise in alcohol related violent crime in and around Market Street, Ashby de la Zouch.
- 3.2 Statistical information provided by Leicestershire police shows a dramatic rise in assaults in Market Street Ashby prior to November 2005 when the cumulative impact zone was created. Total assaults steadily rose from 56 in 2003 peaking at 87 in November 2005. Thereafter reports show a steady decrease in assaults year on year from 2006 to 2011, with the exception of a spike in 2011.
- 3.3 The statistics below relate to assaults only.

| Year | Ashby total | Ashby town centre | % Ashby town centre |
|------|-------------|-------------------|---------------------|
| 2003 | 174 | 56 | 32.2% |
| 2004 | 288 | 81 | 28.1% |
| 2005 | 263 | 87 | 33.1% |
| 2006 | 261 | 78 | 29.9% |
| 2007 | 246 | 77 | 31.3% |
| 2008 | 222 | 61 | 27.5% |
| 2009 | 215 | 55 | 25.6% |
| 2010 | 179 | 45 | 25.1 |
| 2011 | 170 | 68 | 40% |
| 2012 | 135 | 44 | 32.6% |

Current Evidential Basis

- 3.4 The evidential basis for the assessment has been supplied by Leicestershire police. The data taken from both NICHE and STORM recording systems relates to the licensed premises and streets within the cumulative impact zone. Each report required either attendance or case management resource from Leicestershire police.

| | Total reports | Av. Reports per month | Report type | Location – street | Location – within licensed premises | Violent offences (Home Office standard) |
|------------------|---------------|-----------------------|--|-------------------|-------------------------------------|---|
| 2012 (11 months) | 67 | 6 | Burglary, DV, harassment, assault, public order, drugs, damage, robbery, theft, drunk and disorderly, licensing breaches | 38 (56%) | 29 (44%) | 42 (63%) |
| 2013 | 57 | 5 | Assault, public order, damage and licensing breaches | 20 (35%) | 37 (65%) | 42 (74%) |
| 2014 | 65 | 5 | Assault, sexual offences, damage, public order, drugs, | 26 (40%) | 39 (60%) | 48 (74%) |

| | | | | | | |
|--------------------|----|---|---|-------------|----------|----------|
| | | | theft, weapon, licensing breaches | | | |
| 2015 | 43 | 4 | Damage, assault, public order, sexual offences, drugs, licensing breaches | 18 (42%) | 25 (58%) | 35 (81%) |
| 2016 | 63 | 5 | Assault, damage, public order, weapon, drugs, racially aggravated, licensing breaches | 31 (49%) | 32 (51%) | 51 (76%) |
| 2017 | 60 | 5 | Assault, damage, public order, weapon, licensing breaches | 22 (37%) | 38 (63%) | 43 (87%) |
| 2018 (9 months) | 51 | 6 | Assault, damage, public order, licensing breaches | 11 (24%) | 40 (76%) | 46 (90%) |

Conclusion

Although the analysis does indicate the number of reported crimes has remained stable since 2012; this is not considered enough to dispense with the cumulative impact zone. The percentage of total reports categorised as violent offences has risen slightly year on year since 2012.

It is considered that the statistical data evidenced above together with a written report produced by Leicestershire Police clearly supports the retention of the special policy relating to cumulative impact.

Additionally the data does not indicate that any extension to the geographical area of the CIZ is required.

Below is a map showing the cumulative impact zone.

