

<b>Title of Report</b>	<b>REVIEW OF CUMULATIVE IMPACT ASSESSMENT OF LICENSED PREMISES IN ASHBY DE-LA-ZOUCH TOWN CENTRE</b>	
<b>Presented by</b>	Andrew Cooper Licensing Team Leader	
<b>Background Papers</b>	<a href="#">Licensing Act 2003 Section 182 Guidance</a> April 2018  <a href="#">Cumulative Impact Policy</a>	<b>Public Report:</b> Yes
		<b>Key Decision:</b> No
<b>Financial Implications</b>	The risk of incurring costs arising from any challenge against the assessment	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	There is a risk that the Council's Cumulative Impact Assessment is challenged. Legal advice sought in its preparation to mitigate the risk of challenge.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	The workload associated with the review of the Assessment shall be undertaken within existing resources.	
	<b>Signed off by the Deputy Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	<b>To consult Licensing Committee on the review of the Cumulative Impact Assessment for Ashby De La Zouch town centre ahead of a formal consultation process.</b>	
<b>Recommendations</b>	<b>That Licensing Committee;</b> <ol style="list-style-type: none"> <li><b>1. Endorses the commencement of statutory consultation following the process detailed within the report.</b></li> <li><b>2. Notes the crime data relating to Ashby De La Zouch and make initial comment on the necessity to retain a Cumulative Impact Assessment beyond February 2022.</b></li> </ol>	

## 1. BACKGROUND

1.1 The Licensing Act 2003 made local authorities, as licensing authorities, responsible for the administration of licences and certificates for:

- The sale/supply of alcohol
- The provision of regulated entertainment and
- The provision of late-night refreshment

There are four licensing objectives which underpin the legislation, and these are:

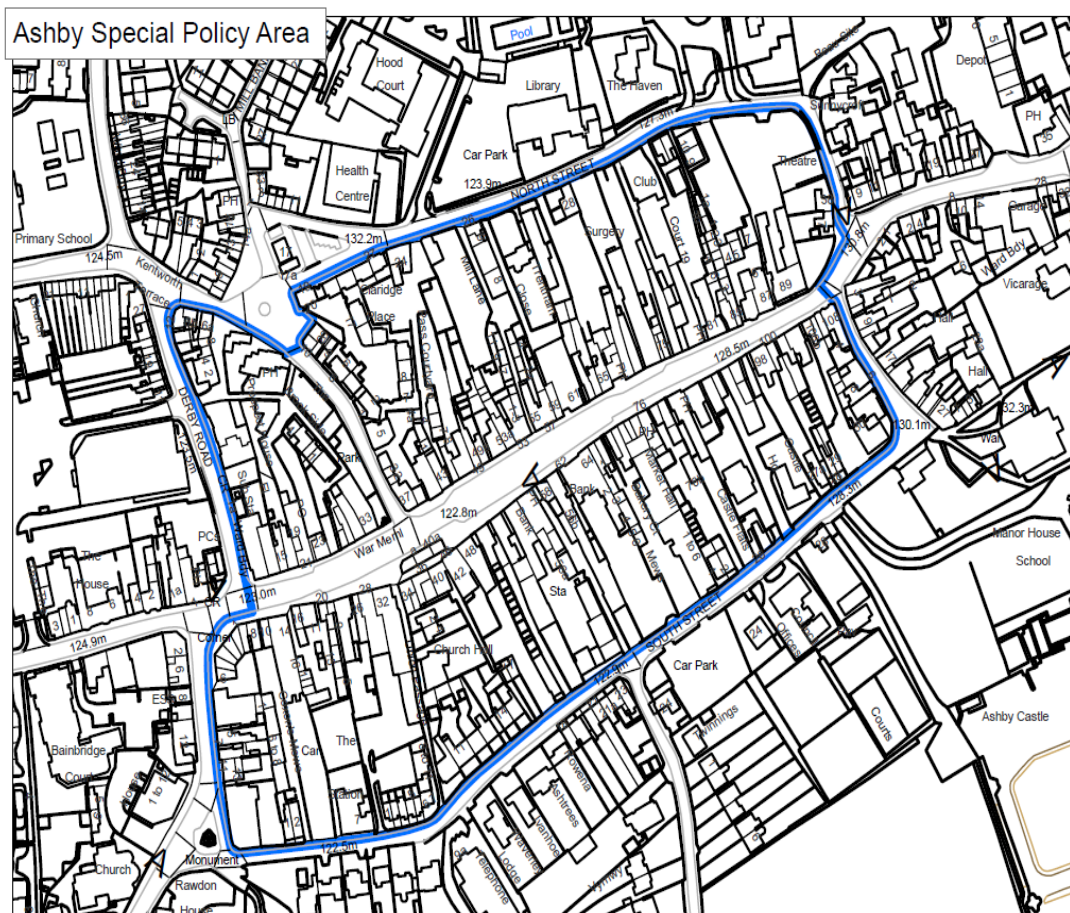
- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

All decisions under the act must be taken with a view to promoting these licensing objectives.

- 1.2 In addition to processing applications, the act requires each licensing authority to determine and publish a policy setting out how it will exercise its functions under the act. The act requires the Council to review and re publish its Statement of Licensing Policy every 5 years and its Cumulative Impact Assessment (CIA) every 3 years.
- 1.3 Since the Licensing Act 2003 was enacted, the Government has produced statutory guidance to accompany it and the concept of 'cumulative impact' has always been detailed in this statutory guidance. The statutory guidance was updated in April 2018 to reflect an amendment to the Licensing Act 2003, which placed cumulative impact on a statutory footing. Cumulative impact is the potential impact on the promotion of the licensing objectives (listed at 1.1 above) of a number of licensed premises concentrated in one area.
- 1.4 A CIA in Ashby De La Zouch town centre was approved and included within the original Statement of Licensing Policy in 2005. The current policy (issue 7) was approved by Full Council and came into force on 26 March 2019 and remains valid until 25 March 2022 unless amendments are necessary before this date.
- 1.5 After publishing a CIA the licensing authority must, within 3 years, consider whether it remains of the opinion set out in the CIA.
- 1.6 A CIA may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIA's relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.
- 1.7 If, having consulted, the licensing authority decides that it remains of the opinion set out in the CIA, it must revise the CIA to include a statement to that effect and set out the evidence as to why it remains of that opinion.

## **2. CUMULATIVE IMPACT – ASHBY DE LA ZOUCHE TOWN CENTRE**

- 2.1 The CIA was initially adopted by the Licensing Authority in November 2005 because of the impact on the prevention of crime and disorder licensing objective. The CIA in respect of Ashby de la Zouch town centre has been retained following reviews of the policy in 2008, 2011, 2014 and 2019.
- 2.2 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 club premises certificates are such that it is likely that granting further licences or variations to existing premises licences and/or club premises certificates would be inconsistent with our duty to promote the licensing objectives. The map outlining the CIZ is as follows.



### 3.0 Crime and Disorder in Ashby De La Zouch Town Centre

3.1 Leicestershire Police have continued to monitor crime data in relation to the late-night economy for Ashby De La Zouch since the implementation of the CIZ. Data from 2002 to present is attached as **Appendix 1**.

### 4.0 Consultation & next steps

4.1 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;
- The Local Health Board;
- each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's 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.

4.2 The timeline and next steps are as follows;

- Commence consultation in June 2021 for a period of 12 weeks with the groups listed above;
- Analyse consultee comments;
- Present a report to the Licensing Committee of the outcome of the consultation recommending the continuation or removal of the CIA;

- Present outcomes and /or policy changes to Full Council for approval and implementation.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Business and Jobs, Homes and Communities
Policy Considerations:	Cumulative Impact Assessment
Safeguarding:	Not applicable
Equalities/Diversity:	Equality Impact Assessment already undertaken, issues identified actioned
Customer Impact:	Businesses may be impacted by any decision made
Economic and Social Impact:	Any proposals to change the number and operating times of licensed premises within Ashby De La Zouch town centre may be impacted by the decision made
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Informative report for Members. Responsible Authority and trade consultation to follow
Risks:	There is a risk that the Council's Cumulative Impact Assessment is challenged. Legal advice sought in its preparation to mitigate the risk of challenge.
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