

Item

Cumulative Impact Assessment



To:

Licensing Committee

Report by:

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Wards affected:

All

1. Executive Summary

- 1.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate. The existing Statement of Licensing Policy for Cambridge City Council became effective on 19th October 2017.
- 1.2 The Statement of Licensing Policy has been reviewed within the 5 year period as on 6th April 2018, The Policing and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing.
- 1.3 The Statement of Licensing Policy contains a section on the cumulative impact of a concentration of licensed premises.
- 1.4 The proposed Statement of Licensing Policy has seen this section amended and also produced as a stand-alone document, The Cumulative Impact Assessment.

- 1.5 Whilst drafting the Cumulative Impact Assessment, evidence was provided by Cambridge Constabulary supporting the current areas covered by the special policy on cumulative impact.
- 1.6 The evidence also proposed a further area of Cambridge be added to the Cumulative Impact Assessment. The map at Appendix 3 of the Cumulative Impact Assessment highlights the area of Chesterton Road, Milton Road and Mitcham's Corner. The area runs along Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.
- 1.7 The process to start publishing a Cumulative Impact Assessment began in August 2020 and a twelve-week public consultation took place between 31st August 2020 and 22nd November 2020.

2. Recommendations

2.1 Members are recommended to:

- Consider the results of the public consultation exercise as summarised in Appendix B of this report and the information provided by Cambridge Constabulary and Public Health before the public consultation as attached to this report as Appendix C;
- Approve the proposed Cumulative Impact Assessment attached to this report as Appendix D. Appendix E is the current section in the Statement of Licensing Policy on the cumulative impact of a concentration of licensed premises; or
- Approve the proposed Cumulative Impact Assessment attached to the report as Appendix D without the added area of Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.

3. Background

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- 3.1. The Council currently has a Cumulative Impact Policy within the Statement of Licensing Policy. The areas covered by the Cumulative Impact Policy are stated in paragraph 5.8 of the Licensing Policy.
- 3.2 The Policing and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing.

- 3.3 As Cumulative Impact Policies (CIPs) were not part of the 2003 Act, there are no transitional provisions that apply to CIPs that were in place before 6th April 2018.
- 3.4 It was recommended that any existing CIPs should be reviewed within three years of the commencement of the legislation on Cumulative Impact Assessments or when the licensing policy statement is next due for review, whichever is sooner.
- 3.5 We have taken the opportunity to create a stand-alone Cumulative Impact Assessment before 6th April 2021 and review the Statement of Licensing Policy at the same time.
- 3.6 The term 'Cumulative impact' is defined in paragraph 14.20 of the Guidance issued under Section 182 of the Licensing Act 2003 as "the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area".
- 3.7 The guidance further states that a cumulative impact assessment 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.
- 3.8 In considering whether to publish a Cumulative Impact Assessment, the authority needs to consider the following:
- Identify concern about crime and disorder; public safety; public nuisance or protection of children from harm in a particular location.
 - Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
 - If there is evidence that such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that cumulative impact is imminent.
 - Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
 - Consult those specified in section 5(3) of the 2003 Act. As with consultations in respect of the licensing policy statement as a whole, it is for each licensing authority to determine the extent

of the consultation it should undertake in respect of a CIA (subject to the statutory requirements).

- Subject to the consultation, include and publish details of the special policy in the licensing policy statement.

- 3.9 Ahead of the public consultation, Cambridgeshire Constabulary provided data covering the previous 3 years showing the Alcohol Related Crime and Incidents broke down by wards within Cambridge City.
- 3.10 Part of the data provided shows that over the last 3 years, Chesterton Road (mainly in West Chesterton) has become a hotspot for alcohol related crimes and incidents. Cambridge Constabulary requested that consideration should be given to extending the Cumulative Impact Area to include the area of Chesterton Road, Milton Road and Mitcham's Corner. The area runs along Chesterton Road from Croft Holme Lane to Ferry Path; Victoria Avenue from the River Cam to Chesterton Road; and Milton Road around Mitcham's Corner and up to Springfield Terrace.
- 3.11 The above area was added to the proposed Cumulative Impact Assessment and was subject to a 12-week public consultation between 31st August 2020 and 22nd November 2020. This was undertaken by directly contacting the relevant responsible authorities and residents' associations and publishing the consultation on our website and in the Cambridge News on Monday 31st August 2020. Additionally, all those holding a premises licence or club premises certificate were directly consulted, as were all businesses in the areas proposed in West Chesterton.
- 3.12 The issues raised in individual responses to the consultation affecting the review are detailed in Appendix B. 1 response was received as a result of the consultation exercise. All comments were addressed and no amendments were required to be made to the policy.

4. Implications

(a) Financial Implications

Provision has been made in the Council's budget to review the statement of licensing policy and to publish a Cumulative Impact Assessment, the council will meet the cost of consultation.

(b) Staffing Implications

There are no additional staffing implications. Budget provision has been made for the publishing of the assessment.

(c) Equality and Poverty Implications

An Equality Impact Assessment (EqIA) has been completed alongside the publishing of this assessment.

(d) Environmental Implications

The Act requires the Licensing Authority to carry out its function with a view to promoting the four licensing objectives, one of which is the prevention of public nuisance, to protect the local environment and community.

(e) Procurement Implications

Nil

(f) Community Safety Implications

Cambridge City Council must fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Cambridge. The assessment promotes that fact and states that any decision by the Licensing Authority will be with a view to promoting the licensing objectives.

5. Consultation and communication considerations

- 5.1 In accordance with Government Code of Practice on consultation, the proposed Cumulative Impact Assessment was submitted for public consultation over a 12-week period between 31st August 2020 and 22nd November 2020. Legislation requires that we undertake consultation with bodies prescribed in the Act for the review.
- 5.2 Consultation was undertaken as widely as possible, with approximately 600 letters and emails being sent out, including the Chief Officer of Police and all other parties as required by legislation, including persons/bodies representing holders of premises licences and club premises certificates, businesses and residents associations. The consultation was also available to view on Cambridge City Council website and appeared in the Cambridge News on Monday 31st August 2020.
- 5.3 All comments received are listed in the attached Appendix B, which relates to specific written comments received in response to the proposed assessment. Consideration to all comments has been given in

drawing up the assessment. The schedule shows the nature of the comment, the evaluation of the comment and the action taken.

6. Background papers

Background papers used in the preparation of this report:

- (a) Licensing Act 2003
- (b) Guidance published under section 182 of the Licensing Act 2003
- (c) Policing and Crime Act 2017
- (d) Cambridge City Council's Existing Statement of Licensing Policy

7. Appendices

Appendix A – Current Statement of Licensing Policy

Appendix B – Comments and Responses from Consultation

Appendix C – Response and information provided by Cambridge Constabulary and Public Health ahead of the consultation.

Appendix D – Proposed Cumulative Impact Assessment

Appendix E – Section on Cumulative Impact taken from Current Statement of Licensing Policy.

Appendix F – Equality Impact Assessment

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Technical Officer, tel: 01223 457818, email: luke.catchpole@cambridge.gov.uk.