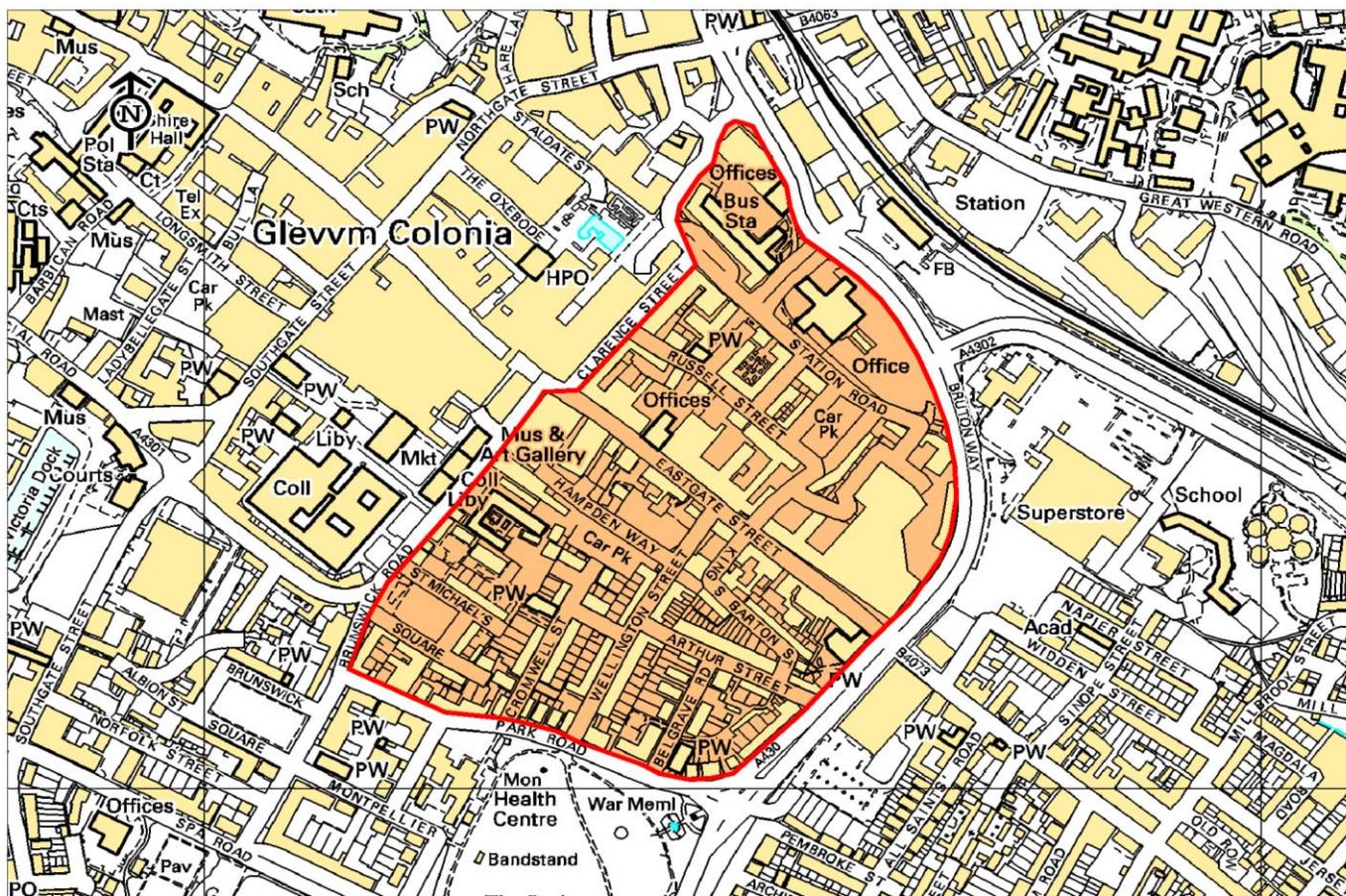


# Cumulative Impact Assessment (Draft)

## 1. Introduction

Gloucester City's first Cumulative Impact Zone (CIZ) was put in place alongside the first policy the council had under the Licensing Act 2003. It was based on data presented by Gloucestershire Constabulary and this theme has generally continued at each review point, the last of which was in 2016.

The current Cumulative Impact Policy area can be seen below:



Gloucestershire Constabulary have presented some data in relation to the review of the current policy. Part of this assessment will be to test the evidence for this.

The starting point for developing any understanding of licensing policy is the 4 objectives that all local authorities must uphold in undertaking their licensing activities.

## 2. The Licensing Act 2003

Section 4 of the Licensing Act 2003 required that local authorities must carry out their functions under the Act with a view to upholding these objectives:

- (a) The prevention of crime and disorder;

- (b) Public safety;
- (c) The prevention of public nuisance; and
- (d) The protection of children from harm

The Act requires that the way in which the objectives are to be upheld should be included in a statement of licensing policy. This document must be reviewed every 5 years to ensure it remains fit for purpose. As part of this process, local authorities can consider the potential cumulative impact of a large number of premises operating in a small area and, if warranted, publish a Cumulative Impact Policy (CIP) as part of this.

An amendment to the Act, made via the Policing & Crime Act 2017, placed the principles of Cumulative Impact on a statutory basis, adding the concept to the face of the law. Before this it was only present in the guidance made under s182 of the Act, which still stands. The new Section of the Act gives Cumulative Impact a stronger status in law but the definition remains as written within the guidance. The new sections talk about a Cumulative Impact Assessment. It is this assessment that should lead directly to the decision as to whether there is a cumulative impact and also how the local authority should respond to it.

### **3. Cumulative Impact Policy**

These have undoubtedly helped licensing authorities to limit the number or type of licence applications granted in areas where the number of licensed premises is causing problems. Such problems have typically included crime and disorder or public nuisance caused by large numbers of drinkers being concentrated in one area.

However, the fact that the concept of Cumulative Impact was originally only set out in the guidance issued under Section 182 of the Act meant that not all licensing authorities have made or are making effective or consistent use of them.

This has led to the licensed trade having concerns about the transparency of the process for putting a CIP in place and the quality of evidence used as the basis for some. Putting the process on a statutory basis and requiring an assessment of a broad range of factors should help tackle these perceptions.

Below is the definition of Cumulative Impact:

(Home Office Guidance, issued under section 182 of the Licensing Act 2003)

“Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area”

#### **4. Cumulative Impact Assessment**

Gloucester City is home to a number of popular restaurants, bars, night clubs and late night refreshment venues.

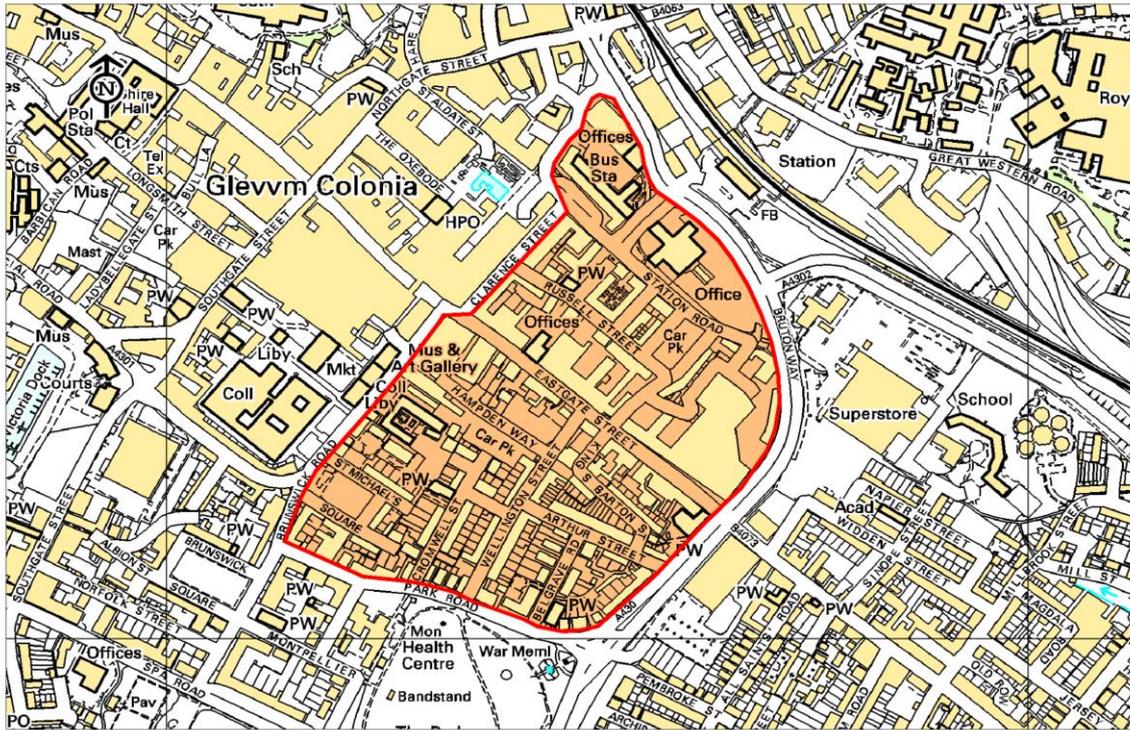
The Council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. This is reflected in Gloucester City Council having received a purple flag award.

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.

The council considers that, in a specified part of the City Centre within and around Eastgate Street, 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.

Although this assessment provides an evidential basis for applications within the CIP 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.

The evidential basis for the assessment is set out below; The area identified by the assessment can be seen below and identified within the red line.



This draft assessment will be kept under review and changes may be made in relation to local circumstances, the Licensing Act, associated regulations or statutory guidance.

## 5. Police Data

Gloucestershire Constabulary provided a submission focusing on crime and disorder and alcohol related incidents that have taken place over the past 9 years for alcohol related incidents and the past 19 years for crime and disorder within the current cumulative impact area.

The two tables below show the data provided by Gloucestershire Constabulary in relation to both Crime and Disorder incidents and alcohol related incidents within the current cumulative impact area.

### Alcohol Related Incidents in Eastgate Street

Year	Number of Incidents
2019	171
2018	165
2017	196
2016	215
2015	241
2014	308
2013	282
2012	307

2011	420
2010	358

#### Crimes in Eastgate Street

2019	271
2018	204
2017	196
2016	195
2015	184
2014	141
2013	186
2012	171
2011	258
2010	218
2009	287
2008	243
2007	285
2006	312
2005	232
2004	185
2003	179
2002	144
2001	89
2000	84

From the two tables above you can see that incidents of crimes have gone up since the last review in 2016 and the number of alcohol related incidents have gone down but are slowly creeping up.

As part of their submission Gloucestershire Constabulary recognise that there is compelling evidence that where a CIA is in place and supported and embraced by both the police and local authority that it does help to reduce crime and disorder,

Gloucestershire Constabulary also state that alcohol related incidents within Eastgate Street are still the highest in the county and although the issue has reduced over the years there is still a significant problem and therefore would not like to see the Cumulative Impact Policy taken out of the Statement of Licensing Policy.

## 6. Conclusions

The analysis indicates the number of reported crimes have increased since the last review in 2016. The alcohol related incidents have reduced since 2016 but are slowly creeping up year by year. As this is the case it is not considered enough to dispense with the cumulative impact zone.

It is considered that the statistical data evidenced above together with a written report produced by Gloucestershire Constabulary 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 CIP is required.