

<b>COUNCIL</b>	AGENDA ITEM No. 13(a)
<b>17 APRIL 2013</b>	<b>PUBLIC REPORT</b>

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## CUMULATIVE IMPACT POLICY

<b>RECOMMENDATIONS</b>
<b>FROM</b> : Licensing Committee
That Council:
(i) Agrees that the Cumulative Impact Policy and specified area as set out in Appendices to this report be incorporated into the Council’s current Statement of Licensing Policy; and
(ii) Resolves that the Cumulative Impact Policy comes into effect from 18 April 2013.

### 1. ORIGIN OF REPORT

1.1 This report is submitted to Council following a meeting of the Licensing Committee on 14 March 2013.

### 2. PURPOSE OF REPORT

2.1 To consider the contents of the report and the recommendation from the Licensing Committee to incorporate a Cumulative Impact Policy (“special policy”) for all licensed premises in the Op Can Do area into the Council’s current Statement of Licensing Policy.

### 3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>Yes</b>
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### 4 CUMULATIVE IMPACT

4.1 Cumulative Impact is not mentioned in the Licensing Act 2003 (“LA03”). It is however, mentioned in the guidance issued by the Secretary of State under section 182. It is defined as the “potential impact” on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

4.2 In accordance with the guidance, where the cumulative effect of many licensed premises within an area gives rise to problems of public disorder and nuisance to the surrounding area the Council may consider it inappropriate for any further licensed premises to be established in the area or permitted hours of operation to be increased. Therefore, through adopting a special licensing policy for the Op Can Do area, the Licensing Authority will be empowered to reject new applications and restrict changes to existing licences following a valid representation.

## 5. BACKGROUND

- 5.1 In December 2012 concern was expressed by council officers over the perceived saturation of licensed premises in the Operation (Op) Can Do area and to the negative effect on the licensing objectives.
- 5.2 A report was considered by the Licensing Committee on 21 January 2013 where it was agreed officers should carry out a consultation on the adoption of a special policy in the Op Can Do area.
- 5.3 A consultation was carried out to assess the level of evidence in favour of and against the creation and adoption of a Cumulative Impact Policy ("special policy").
- 5.4 The following were consulted:
- Cambridgeshire Constabulary,
  - Cambridgeshire Fire & Rescue Authority; and
  - Those persons/bodies representing the trade and businesses as well as businesses and local residents both by way of direct communication and by publicity on the council's website.

The consultation commenced on 22 January and ended on 4 March 2013.

- 5.5 A notice of publication advertising the review of the Council's Statement of Licensing Policy to include a Cumulative Impact Policy was advertised on Thursday 24 January 2013 in the Peterborough Telegraph detailing where more information could be accessed.
- 5.6 The evidence produced was wide ranging and consisted of crime data, anti social behaviour, service requests relating to licensed premises, health statistics and local residents' opinion on the introduction of a special policy.
- 5.7 A copy of the responses received are attached as **Appendix A** with all personal information removed.
- 5.8 All representations received were in full support of the proposed special policy.

## 6. CONSIDERATIONS

- 6.1 The Licensing Committee, at a meeting held on 14 March 2013, on considering the representations and evidence produced during the formal consultation, resolved in favour for the adoption of a special policy in the Op Can Do area for all licensed premises.
- 6.2 The Policy is attached at **Appendix B**.
- 6.3 Council is asked to consider the incorporation of the proposed special policy into the Council's current Statement of Licensing Policy as recommended by the Licensing Committee.

## 7. IMPLICATIONS

### Corporate Resources

Legal Services will be required to ensure that the decision making process is implemented in accordance with the Licensing Act 2003.

### Cross Service Implications

The Licensing Act 2003 is far reaching and affects a number of different departments and as such a closer working relationship will continue to be developed to ensure delivery of The Licensing Act 2003.

### Finance Implications

Income from licensing fees is included within the budget for 2013/14. There may be a small reduction in licensing fee income as a result of adoption of a special policy for the Op Can Do area but it is not anticipated that this will be significant.

### Community Implications

The Licensing Act 2003 and the Guidance compiled under s.182 of it have a significant impact on the community both in terms of its protection and the furtherance of the provision of entertainment and economic growth.

### Equality Impact Assessment

A stage 1 Equality Impact Assessment has been carried out for this policy. The EIA found no equality issue.

### Resources

The Authority will continue to review the resources necessary both internally and externally to enable the delivery of this statutory responsibility.

## **8. BACKGROUND DOCUMENTS**

Licensing Act 2003

Revised Guidance issued under Section 182 of the Licensing Act 2003

Minutes of the Licensing Act 2003 Committee held on 14 March 2013

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