

Summary of Responses to the Consultation on the Statement of Licensing Policy

A total of eight responses were received during consultation, summary of main points raised below:

Summary of consultation response	Officer comment
<p>Local MP Suggests adopting a Cumulative Impact policy into the following areas; Lower part of Eastfield Road due to large number of licensed premises all selling cheap strong alcohol, Broadway Cemetery, Lower part of Broadway, Huntley Grove, Vergette Street, Monument Street, Stanley Recreation Ground, Crawthorne Road, Crawthorne Street and Padholme Road. Issues in the area include; street drinking, vagrancy, ASB, litter, parking</p>	<p>It is for members to determine if sufficient evidence exists, to adopt a Cumulative Impact Policy in the areas suggested. Is the area 'saturated' with licensed premises? And, is there sufficient evidence to establish that it is having a negative impact on the objectives?</p> <p>The Licensing Act 2003 is not the primary mechanism to deal with general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises.</p>
<p>Two Residents of Eastfield: Suggest Eastfield Road should have a Cumulative impact policy, due to increase in the amount of shops providing alcohol leading to incidents caused by excessive alcohol, e.g. fights, drug abuse, drunks in the street, arguments, graffiti, litter, disruptive behaviour of patrons, residents feel uncomfortable / threatened, speeding cars</p>	
<p>Eastfield Park Residents Association Suggests Eastfield Road should have a Cumulative Impact Policy due to number of licensed premises.</p>	
<p>MANERP (Millfield and New England Regeneration Partnership) Area is sensitive, volatile and neglected, has a history of alcohol fuelled ASB exacerbated by growth of off sales premises. Supports the continuation of the cumulative Impact Policy in the Op-Can-Do area of Peterborough, states that the area is still over saturated which negatively impacts on the four objectives. Continuing the CIP will prevent the proliferation of alcohol outlets</p>	<p>Recommend that the current CI area in Op-Can-Do is retained. Refer to Peterborough Cumulative Impact Assessment review March 2015. (Appendix D)</p>
<p>Cambridgeshire Police and Crime Commissioner Supports the Policy and amendments, and partnership working with Cambridgeshire Constabulary</p>	
<p>One Resident in Gladstone Street Suggests that the policy has loop holes, is contradictory, and is deliberately written in this way to confuse and avoid control. States that the expression 'rebuttable presumption' does not make sense. Queries why officers cannot initiate their own review (section 16.11). Queries what DCMS have to do with alcohol.</p>	<p>The policy must have regard to the Act and guidance. There is no provision within the Act to refuse a licence without providing the applicant the opportunity to put his/her case to the committee. The policy must be fair and cannot out rule any application without a fair hearing. Rebuttable presumption; within the Act there is a presumption to grant unless objections based on the objectives are received. Where an area is saturated with licensed premises</p>

	<p>and this is having a negative impact on the objectives, a CI policy can be adopted. This means there is a presumption to refuse applications where relevant representations about the cumulative impact on the licensing objectives are received, therefore rebutting the presumption to grant. A policy cannot account for every scenario, so it provides general rules for the authority to follow. The Licensing Authority has to make all decisions with a view to promoting the objectives, be evidence based and justified, in conjunction with local knowledge, the merits of the application and representations received if any.</p> <p>Licensing Officers cannot initiate their own review, however, a provision exists whereby the Licensing Authority can apply for a review and this is detailed in section 17.7.</p> <p>The Home Office have governance over alcohol and DCMS (Department for Culture Media and Sport) have governance over regulated entertainment.</p>
<p>Combined response from Director of Public Health, Director of People and Communities and Cabinet Member for Public Health.</p> <p>Page 3 – replace ‘The Local Health Board’ with The Director of Public Health.</p> <p>Page 4 – include information regarding health and wellbeing being below the national average into the description of Peterborough and District.</p> <p>Page 6 – suggestion to add text regarding the licensing authority as a responsible authority.</p> <p>Page 7 – objectives, suggestion to include more detail on each of the objectives, providing examples of what should be considered.</p> <p>Paragraph 4.4 include ‘health service’ in paragraph</p> <p>Paragraph 5.2 include the Director of Public Health</p> <p>Request that paragraph 6.7 is put in bold text</p> <p>Paragraph 8.1 Request extra words added to this section.</p> <p>Propose to add extra paragraph at 11.1</p> <p>Paragraph 11.11 request extra information to be added to this section</p> <p>Add extra paragraphs 11.16 and 11.17 Other mechanisms for controlling cumulative impact</p>	<p>Page 3 agreed, amended to The Director of Public Health.</p> <p>Page 4, this page is a general overview of Peterborough with a licensing perspective, the suggested text is not considered appropriate in this context as public health is not (yet) a licensing objective</p> <p>Page 6 – Not agreed, The text has been incorporated into the amended policy under section 17.6 and 17.7</p> <p>Page 7 – Whilst reviewing the policy consideration was given to expanding this area, but it was decided against inclusion as guidance, opinion and best practice develops and changes over time. Further information is available and updated on the council’s website.</p> <p>Paragraph 4.4 agreed and added</p> <p>Paragraph 5.2 agreed and added</p> <p>Not agreed – by doing this it would imply that this paragraph is more important than the others.</p> <p>Paragraph 8.1 agreed and added</p> <p>Not agreed – the text is already included within 11.2</p> <p>Agreed with regards to the extra information, but added to section 11.14</p> <p>Agreed, paragraph 11.16 and 11.17 added, the licensing act is not always the most</p>

<p>Section 12.1 and 12.2 proposal to add extra text on EMRO's and Late night levy</p> <p>Section 12.3 extra text proposed</p> <p>Proposal to add new paragraph (13.1) into section 13</p> <p>Proposal to add extra bullet point in section 13.4</p> <p>Proposal to add two extra bullet points into section 13.7</p>	<p>appropriate mechanism to deal with all problems experienced</p> <p>Not agreed, sections kept to a minimum as the council has not adopted these provisions.</p> <p>Section 12.3 some changes made</p> <p>Agreed, new paragraph added and re numbered section 13.</p> <p>Not agreed, the proposed bullet point is within section 13.7</p> <p>One bullet point added, the second not agreed. Unaccompanied children on licensed premises is allowed in certain circumstances.</p>
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