



Report of Chief Officer Elections and Regulatory

Report to Licensing Committee

Date: 2nd July 2019

Subject: Review of the City Centre Cumulative Impact Area

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City and Hunslet		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. The Council adopted the first Licensing Act 2003 Statement of Licensing Policy in 2005 and this policy has been reviewed in line with the requirements of the legislation every three years until 2012 when it was moved onto a five year schedule.
2. In December 2013, Licensing Committee approved a change to the city centre cumulative impact policy, which forms part of the Statement of Licensing Policy, to enable the areas that relate to this particular policy to be reviewed annually.
3. This report provides details of this year's review of the city centre cumulative impact area, the consultation and recommendations.

Recommendations

4. That Licensing Committee reviews the proposed cumulative impact areas for the city centre and approves the attached interim review of the city centre cumulative impact area.

1 Purpose of this report

- 1.1 To present to Members the annual review of the city centre cumulative impact area, the consultation and recommendations for approval.

2 Background information

- 2.1 Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a Statement of Licensing Policy every three years. The council's first Statement of Licensing Policy was adopted by Council on 12th January 2005 and has been reviewed every three years since then.
- 2.2 In April 2012 the Police Reform and Social Responsibility Act (2011) changed the length of the lifetime of a policy from three to five years. This necessitated a different approach to the City Centre CIP, which due to the dynamic nature of the night time economy would need to be reviewed more frequently than every five years.

- 2.3 Last year the Government introduced cumulative impact assessments into the Licensing Act 2003 providing a legal framework under which cumulative impact policies are developed and reviewed.

3 Main issues

- 3.1 The current CIP was adopted as part of the Licensing Act 2003 Statement of Licensing Policy 2019 to 2024 which was adopted by full Council in November 2018 and came into effect on 15th January 2019. The policy specifies that the city centre CIP evidence and map would be revised each year based on the most recent crime and disorder statistics supplied by West Yorkshire Police, although the scope and wording of the cumulative impact policy would remain the same. The review is scheduled for the latter part of the year so that it can take effect in January. This has been delayed this year, in part due to the full assessment of all the cumulative impact policies which took place during 2018 and culminated in the publication of the council's Cumulative Impact Assessment which provides a comprehensive review.
- 3.2 Due to the full Cumulative Impact Assessment being published so late in the year, this review was due to be light touch with a simple review of the latest crime statistics, focussing on the city centre hotspot areas. Officers met with West Yorkshire Police who have provided crime statistics for the preceding 12 months which is attached at **appendix 1** and referred to as the Police Report in this report.
- 3.3 From this information no amendment to the CIP boundaries is recommended, however the guidance document has been updated to provide the latest statistical evidence. The new guidance document is attached at **appendix 2**.
- 3.4 The change to bring cumulative impact within the legislative framework of the Licensing Act 2003 has brought an additional requirement to consult with those people affected on any review of the cumulative impact areas. As such, even though no change to the policy is recommended, the council must consult with business and people working and living in the area, and the responsible authorities.

- 3.5 A four week email consultation took place between 13th May 2019 and 9th June 2019 and included all premises licence holders in the city centre, all ward members who represent the local residents, members of parliament, and specialist licensing solicitors who may represent new licensees.
- 3.6 Only one response was received from a premises outside of the red zones complaining about street drinking and rubbish accumulation which is attached at **appendix 2**. This information has been passed to West Yorkshire Police for their attention as it is a matter for them to action rather than something that can be dealt with by way of the Cumulative Impact Assessment.
- 3.7 As such, no changes following the consultation are required. The final version of the cumulative impact assessment for the city centre is attached at **appendix 3**.
- 3.7 Should Licensing Committee decide not to approve the Cumulative Impact Assessment for the city centre, the one published in November 2018 would remain in place until a full review of the Statement of Licensing Policy, or any other action required by Licensing Committee takes place.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 A consultation with those people affected by the proposals is required under the legislation. This took place between 13th May 2019 and 9th June 2019.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Equality and diversity, cohesion and integration have been considered each time the policy is reviewed. At this time there are no implications for equality and diversity/cohesion and integration.

4.3 Council Priorities and Best Council Plan

- 4.3.1 The licensing regime contributes to the following Best Council Plan 2015-20 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us.

- 4.3.2 The licensing regime is linked to the Best Council Plan objectives:

- Supporting communities and tackling poverty, and
- Becoming a more efficient and enterprising council

4.4 Resources and value for money

- 4.4.1 Reviewing any policy has a cost associated with it. However, it is considered good value for money as a robust policy supports the decisions of the Licensing subcommittees and therefore reduces the risk of legal challenge.

4.4.2 Having a strong policy which is reviewed regularly, which consults with a wide range of people who are affected people and which is approved by Licensing Committee, ensures that the expansion and increase in licensed premises [in](#) violent crime hotspots is controlled, saving money not just for the council but for other authorities such as West Yorkshire Police and the NHS.

4.5 Legal Implications, Access to Information and Call In

4.5.1 It is good practice to ensure that the documents the council relies upon to inform licensing decisions are accurate and up to date as this reduces the risk of a successful legal challenge.

4.6 Risk Management

4.6.1 As previously stated the review of the city centre cumulative impact areas reduces the risk of legal challenge to the licensing subcommittee decisions.

5 Conclusions

5.1 The revised police evidence showed that no change is needed to the city centre cumulative impact area as the boundary of the red and green areas is still in the right place, even though the increase in violent crime is concerning.

6 Recommendations

6.1 That Licensing Committee reviews the proposed cumulative impact areas for the city centre and approves the attached interim review of the city centre cumulative impact area.

7 Background documents¹

7.1 There are no unpublished background documents that relate to this matter.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.