

## CUMULATIVE IMPACT POLICY

### 1 BACKGROUND

1.1 Derby City Council, as the Licensing Authority, has a duty to comply with its obligations under Section 17 of the Crime and Disorder Act 1998 in respect of crime and disorder and to promote the four licensing objectives of the Licensing Act 2003.

The four licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance, and
- The protection of children from harm.

1.2 This Cumulative Impact Policy is written in accordance with the guidance issued under Section 182 of the Licensing Act 2003.

1.3 The Licensing Authority is aware of problems that can be created when longer trading hours, large numbers, or the density of premises offering licensable activities are located in close proximity to one another, or where the premises are out of character with the surrounding social infrastructure.

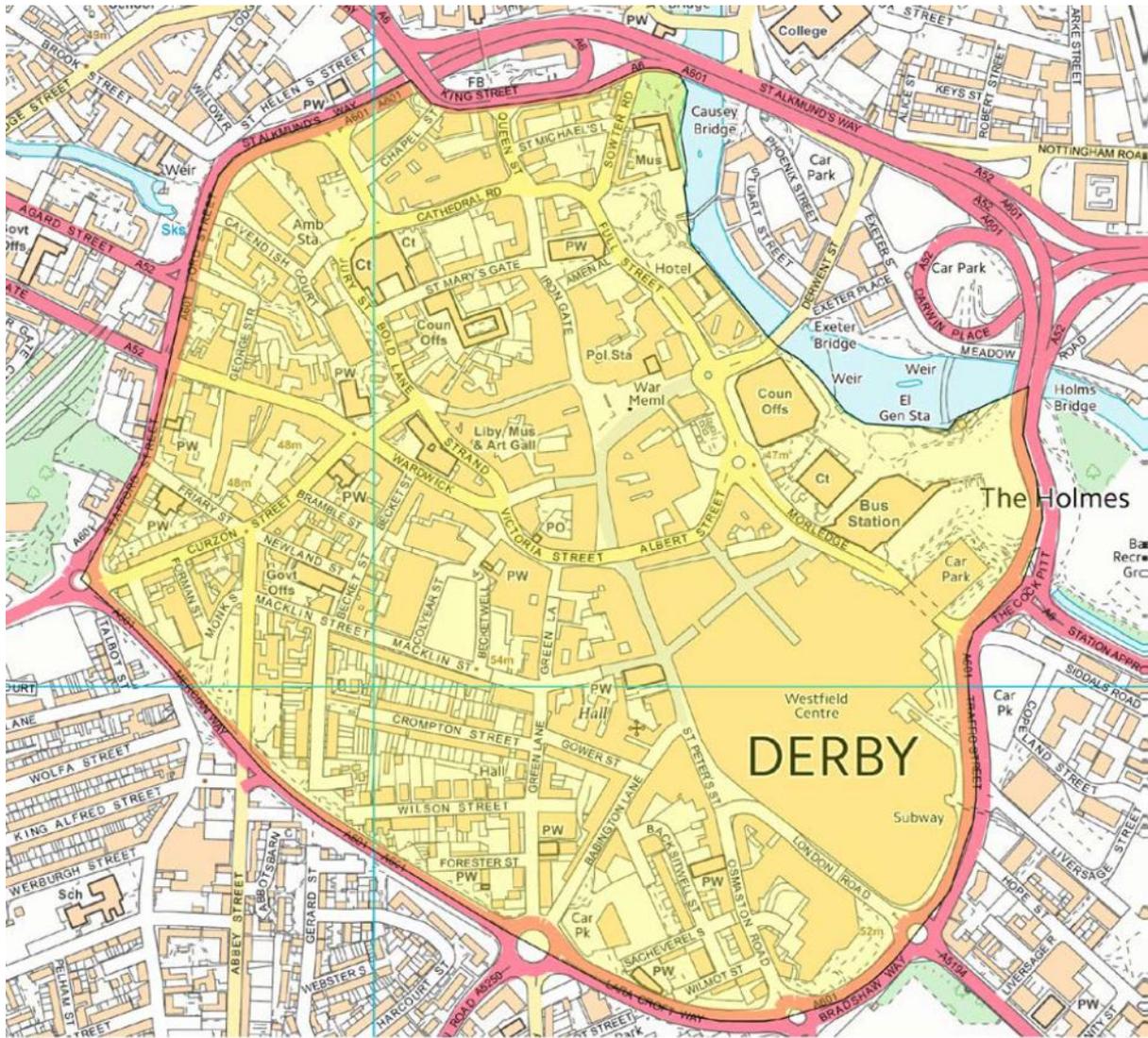
1.4 Derbyshire Constabulary provided evidence to support the retention of a Cumulative Impact Policy in 2019 within the area shaded yellow on the attached plan. The evidence showed a correlation between an increase in alcohol fuelled crime and disorder in the city centre area and the number and density of licensed premises within the identified area.

1.5 The statistics showed an increase in crime and disorder offences throughout the evening, starting around midnight and sustained into the early hours of the morning, until around 5am. Numbers of crimes were higher on Saturday and Sunday nights.

1.6 The area most significantly affected by the cumulative impact of licensed premises are generally contained within the city centre, which represents 1% of the total area of the city of Derby, yet accommodates 23% (208) of all licensed premises within the city.

1.7 The Licensing Authority accepts that the grant of new premises licences or club certificates, or the positive variation of existing licences or certificates within this area would undermine the crime prevention objective, and add to the existing cumulative impact of the existing licensed premises.

1.8 The Council has adopted a cumulative impact policy for the area contained within the city's inner ring road, shown on the plan set out below.



## 2 EFFECTS OF THE POLICY

- 2.1 There will be a presumption to refuse relevant new applications for premises licences or club certificates, or variation applications to existing licences or certificates, unless the applicant can demonstrate that the premises will not add to the existing cumulative impact of licensed premises within the cumulative impact policy zone. The onus therefore falls on applicants to demonstrate this in their operating schedules.
- 2.2 Variation applications covered under this policy would exclude minor variations.
- 2.3 The policy will only be triggered where relevant representations from responsible authorities or interested parties are received in relation to a specific application. If no representations are received, the Licensing Authority must grant the premises licence or club certificate.
- 2.4 The policy cannot be absolute and the Licensing Authority recognises this and will consider each application on its own merits. Premises with different

operating and/or business styles or characteristics may have different cumulative impacts. Applications relating to premises where the evidence demonstrates that a grant would be unlikely to add to the cumulative impact will be granted.

2.5 The policy will not be used to:

- revoke a licence that is being reviewed following representations received about problems with an existing licensed premises,
- adopt quotas or set terminal hours in a particular area.

2.6 Conditions will not be imposed on premises licences or club certificates for premises within the cumulative impact zone by the Licensing Authority, unless relevant representations from a responsible authority or interested party have been received.

### **3 REVIEW**

3.1 The cumulative impact policy will be reviewed on a regular basis, this will usually be every three years..

3.2 A review may involve the boundaries of the existing cumulative impact area being revised, subject to available evidence existing at the time to justify the revision. It may also assess whether the policy is still needed.