

## **COUNCIL – 22<sup>nd</sup> April 2024**

### **Report of the Licensing Committee**

#### **Part A**

#### REVIEW OF THE SPECIAL POLICY ON CUMULATIVE IMPACT (INCLUDED WITHIN THE LICENSING ACT 2003 POLICY)

##### Purpose of Report

To consider a revised Statement of Licensing Policy, in respect of the 'Special Policy on Cumulative Impact' zone, made under the Licensing Act 2003, following consideration by the Licensing Committee and public consultation.

##### Recommendation

That the 'Special Policy on Cumulative Impact' be retained within the Statement of Licensing Policy made under the Licensing Act 2003, set out in Annex A to this report, be approved and adopted.

##### Reason

To ensure that the Council has an up-to-date Statement of Licensing Policy to adhere to which sets out the Council's policy in respect of liquor licensing, including the Special Policy Cumulative Impact Zone (CIZ) (required to be reviewed on a three yearly basis), that meets the licensing objectives and complies with the requirements of the Licensing Act 2003.

##### Policy Justification and Previous Decisions

A role of the Licensing Committee is to make recommendations in respect of the Council's Statement of Licensing Policy made under the Licensing Act 2003 prior to submission to Full Council for approval.

At its meeting on 6<sup>th</sup> February 2024, the Licensing Committee considered a report from the Head of Regulatory and Community Safety, seeking approval for the retention of the 'Special Policy Cumulative Impact Zone within the Statement of Licensing Policy 2022 that would be the subject of consultation prior to submission to Full Council.

The following extract from the minutes of that meeting details the consideration and decisions of the Committee:

The Head of Regulatory and Community Safety, the Licensing Manager and PC McCaffrey (Leicestershire Police) assisted with consideration of the report.

Summary of discussion:

- (i) The proposal was to retain the existing provision. There had been only one change to the zone previously related to the installation of the inner relief road. The provision covered all late-night venues that undertook licensable activities.
- (ii) Re: the delegation to make minor amendments proposed in recommendation 3, this had been agreed as part of previous decisions on the matter. The type of minor amendments that might be made were briefly outlined.
- (iii) The view was expressed that other larger settlements might warrant a similar policy, with particular reference to Shepshed town centre and the increased public space resulting from recent public realm improvements. Noted, including the evidential requirements for such policies.

## **RESOLVED**

1. that the proposed retention of the Special Policy Cumulative Impact Zone (CIZ) included within the Statement of Licensing Policy 2022-2027 attached at Appendix 1 to the report, made under the Licensing Act 2003, be approved for consultation;
2. that the continuation of the Special Policy on Cumulative Impact contained within the existing Statement of Licensing Policy be approved;
3. that, following the consultation, the Head of Regulatory and Community Safety is given delegated authority to make minor amendments and alterations to the Cumulative Impact Zone within the Statement of Licensing Policy, in consultation with the Chair of the Licensing Committee, and to submit the final version of the Policy to Full Council.

The Statement of Licensing Policy, including the retained Special Policy on Cumulative Impact zone, submitted to the Council for approval is attached at Annex A.

### Implementation Timetable including Future Decisions

Once agreed by Council, the retained Special Policy on Cumulative Impact zone, within the current S t a t e m e n t of Licensing Policy will come into immediate effect.

### Report Implications

The following implications have been identified for this report.

### ***Financial Implications***

None.

### ***Risk Management***

No specific risks have been identified in relation to this decision.

### ***Equality and Diversity***

*None identified*

### ***Climate Change and Carbon Impact***

*None identified*

### ***Crime and Disorder***

*None identified*

### ***Wards Affected***

*All*

### ***Publicity Arrangements***

*See Part B of report.*

### ***Consultations***

*See Part B of report.*

### ***Links to the Corporate Strategy***

<i>Efficient and Effective Council</i>	Yes
<i>Environment and Climate Change</i>	Yes
<i>Homes and Communities</i>	Yes
<i>Economy and Growth</i>	Yes

Key Decision : No

Background Papers:           Licensing Committee Report Pack 6th February 2024  
February

Government Guidance issued under Section 182 of the  
Licensing Act 2003  
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Officers to Contact:           Gareth Harvey  
Head of Regulatory and Community Safety  
01509 634650  
[gareth.harvey@charnwood.gov.uk](mailto:gareth.harvey@charnwood.gov.uk)

## Part B

### Background

1. The current Statement of Licensing Policy was last reviewed in 2021. The concept of “Cumulative impact” has been described within the Home Office Guidance issued under S.182 Licensing Act 2003 and used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. With effect from 6 April 2018, ‘cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017. Cumulative impact is the potential impact on the promotion of the licensing objectives of several licensed premises concentrated in one area.
2. The Statement of Licensing Policy must be considered every 5 years and was last reviewed, by Full Council on 25<sup>th</sup> April 2022 (minute reference 157). The ‘Special Policy on Cumulative Impact’ within the existing Statement of Licensing Policy is reviewed every 3 years and was last reviewed by Full Council on 26<sup>th</sup> April 2021 (minute reference 131). The retention of the Cumulative Impact zone and any proposed changes must be consulted upon in 2024 and approved by Full Council.

### Changes to the Statement of Licensing Policy Following Consideration by the Licensing Committee

3. A report was submitted to the Licensing Committee on 6<sup>th</sup> February 2024 setting out a review of the Special Policy Cumulative Impact Zone prior to public consultation. At this meeting the Licensing Committee approved the retention of the draft revised Special Policy Cumulative Impact Zone for consultation.
4. The consultation period for the Statement of Licensing Policy commenced on 12<sup>th</sup> February 2024 and closed on 8<sup>th</sup> March 2024. During the consultation process, the following bodies were consulted:
  - the ‘Responsible Authorities’ (including Charnwood Borough Council Licensing, Fire, Health and Safety, Health and Safety Executive, Planning, Police, Environmental Protection, Trading Standards, Public Health, and the Home Secretary)
  - Business and residents. e.g. relevant residents groups
  - Councillor’s
  - British Beer and Pub Association
  - Pub Watch
  - Solicitors
  - Premises Licence Holders
  - Premises Licence Holders of premises in the Cumulative Impact Zone (CIZ area)
  - Premises Licence Holders of Late-Night Refreshment premises in the CIZ area.
  - Club Premises Certificate holders.

The consultation was also featured on the Council's website.

6. No comments were received within the consultation period,

Annex A – Revised Statement of Licensing Policy

Annex B – Consultation Letter