



## Cumulative Impact Assessment

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### **What is Cumulative Impact?**

Cumulative impact is “*the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.*” For example where there is a high density of licensing premises selling alcohol or supply hot food that may give rise to crime and disorder or nuisance.

### **Background**

The concept of “Cumulative impact” has been described within the s.182 Licensing Act 2003 Guidance and used by licensing authorities within their statements of licensing policy (SLP) since the commencement of the 2003 Act. ‘Cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. In general terms and effect they replaced Cumulative Impact Policies (CIP), however there was no statutory transition or conversion process.

A cumulative impact assessment (CIA) may be published by licensing authorities to help them limit the number or types of licence applications granted within a specified area. They can do this where there is an evidential basis that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

Before adopting a CIA the authority must establish the evidential basis that one is required, and consult upon its scope and extent with the same persons that must be consulted over the SLP.

### **Cumulative Impact Assessment Details**

A consultation was undertaken between March and April 2024. Following the consultation period, having received evidence from Staffordshire Police and the Council’s Environmental Health department, the Licensing Committee (the Committee) determined that there was an evidential basis to implement a CIA and extend both the area and scope to be covered.

The area covered by the previous CIA has been extended. The plan of the new area is attached at **Appendix A**. The assessment will relate to all premises and business types within the specified area that have a premises licence or a club premises certificate which will be carrying on or proposing to carry on the following licensable activities:

- The sale or supply of alcohol on or off the premises;
- The provision of late night refreshment
- The provision of any regulated entertainment

The Committee came to this decision following statistical data provided by Staffordshire Police showing that levels of crime and Anti-Social Behaviour had reduced in 2023-24 from 2022-23, however it had not reduced to the levels seen pre and during the pandemic in the area known as the ‘Town Centre’. They also stated that the CIA was a key tool in supporting the licensing objectives and in helping keep the area a safe place to live, work and visit. Additionally, it is the Police’s view that

without a CIA it may lead to a proliferation of licensed premises which would likely have a detrimental effect on the safety of the town.

The evidence provided by Staffordshire Police and the Council's Environmental Health department suggested that premises that offer, or propose to offer, late night refreshment may add to the cumulative impact of premises within the night time economy and those premises should be included.

The Police data provided covered the three periods detailed below and relates to Crime and Anti-social behaviour. The data that relates to the 'Town Centre' is attached as **Appendix B**, and the data for the Whole Borough is attached as **Appendix C**:

- April 2021-March 2022
- April 2022-March 2023
- April 2023-March 2024

Full data that was presented to the Committee in making their decision can be found on the Council website at: <https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=435&MId=4086>.

The Committee decision was that to grant any further premises licences or club premises certificates, or variations of existing permissions, within the area detailed in Appendix A, would be inconsistent with the authority's duty to promote the licensing objectives.

### **Assessment of Applications**

The evidence underpinning the publication of this CIA will generally be suitable as the basis for a decision to refuse an application or impose conditions. However it does not change the fundamental way that the Council must make decisions under the 2003 Act. Therefore, each decision subject to the CIA still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of this CIA does not remove the Council's discretion to grant applications for new licences or applications to vary existing licences, where they are considered appropriate in the light of the individual circumstances of the case.

In publishing this CIA the Council is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. The Council must have regard to the assessment when determining or revising its SLP. It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. As stated above, the CIA does not change the way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

This CIA does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing

objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. However, it remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject to at a hearing. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

Whilst this CIA does not apply directly to Temporary Event Notices, the Secretary of State's Guidance to the Licensing Act 2003 states that it is open to the Police and Environmental Health officers to refer to this assessment and the evidence contained within it when objecting to a TEN. The authority believes this is a right and proper approach as extension of hours within the Cumulative Impact Assessment Area can have a direct impact on the promotion of the licensing objectives.

### **Review of the CIA**

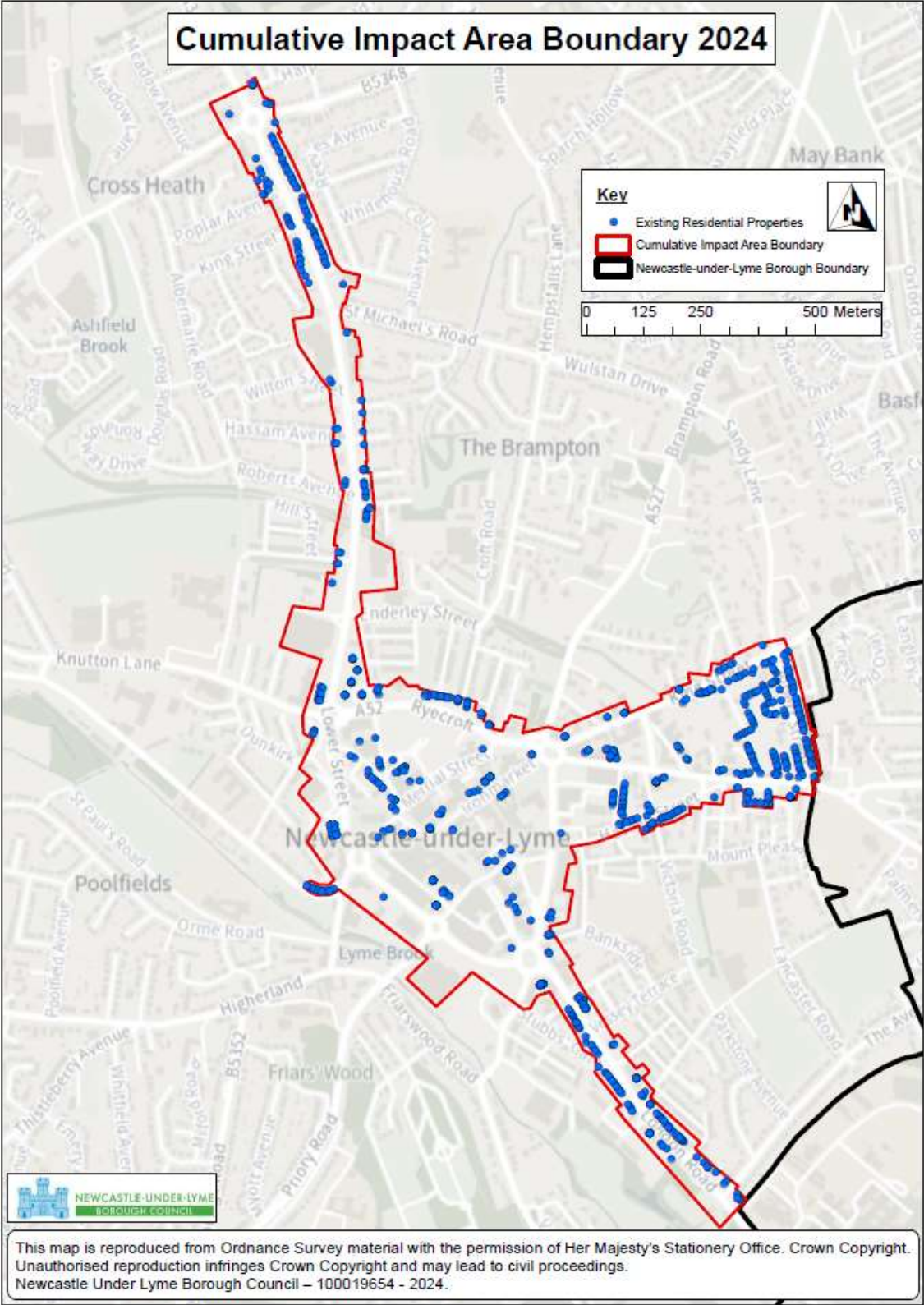
This CIA is a standalone live document and is capable of being amended, following the required consultation process and without the need for the Council to review and consult upon the SLP document.

The licensing authority must, within three years, consider whether it remains of the opinion set out in this assessment. In order to decide whether it remains of this opinion it must again consult the appropriate persons. If having consulted the Council decides that it is no longer of the opinion set out in the CIA, it must publish a statement to that effect. The statement must make clear that any reference to the CIA in its licensing policy statement no longer applies. The licensing authority should remove any reference to the CIA within its SLP at the earliest opportunity.

If having consulted the Council decides that it remains of the opinion set out in the assessment, it must revise the CIA to include a statement to that effect and set out the evidence as to why it remains of that opinion. It will be important for any evidence included in the revised CIA to be robust and relevant to the current problems described. This will likely involve the collation of fresh or updated evidence of cumulative impact. The Council must also at this stage publish any other material change to the assessment. For example if the types of premises or area described in the assessment have changed due to a shift in the nature of the problems being experienced, or where there is evidence of the emergence of a new type of problem.

In each case the three year period for reviewing a CIA begins with the original date of the publication of the CIA or the date that a CIA was last revised. Where the SLP as a whole is due for review, under the five year review period under the Act and this occurs before the end of the three year CIA review period, the Council may use this as an opportunity to carry out a review of the evidence in support of the CIA. However, the Council is free to carry out consultations and reviews of the CIA (and/or SLPs) at more regular intervals if considered appropriate.

Appendix A – Plan of area covered by CIA



**Appendix B - Town Centre (known by Police as IB60 and IB61)**

**Crime (Newcastle Town)**

The following comparative reports of crime are summarised.

Information is taken from The Brain police recording system 01/04/2021 – 01/04/2024. This information covers the area of Newcastle Town NB61.

<b>CRIME</b>	<b>2021- 2022</b>	<b>2022- 2023</b>	<b>2023- 2024</b>	<b>+ / - (Compared to previous 12 months)</b>	<b>+ / - % (As a percentage</b>
VIOLENCE (includes less serious violent crime with injury, more serious violent crime with injury and other violence against the person)	318	419	365	-54	-13%
ROBBERY	17	13	4	-9	-105%
SEXUAL OFFENCES	15	43	22	-21	-64%
PUBLIC ORDER	106	172	133	-39	-25%
CRIMINAL DAMAGE	99	112	101	-11	-10%
DRUGS POSESSION	12	32	29	-3	-9%

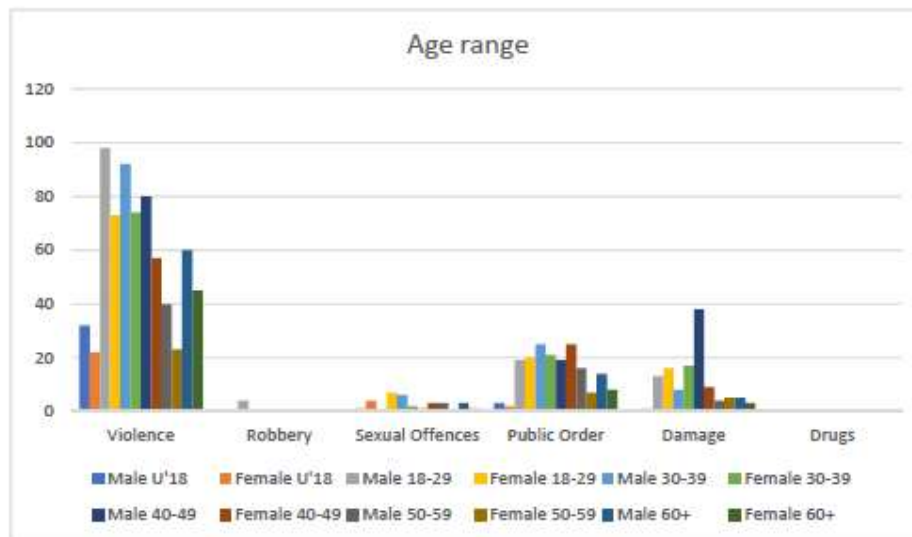


## Victims by age range 1/4/2023 – 1/4/2024

### Reference to licensing aims of public safety and protection of children

Offence	Male U'18	Female U'18	Male 18-29	Female 18-29	Male 30-39	Female 30-39
Violence	32	22	98	73	92	74
Robbery	0	0	4	0	0	0
Sexual Offences	1	4	0	7	6	2
Public Order	3	2	19	20	25	21
Damage	0	1	13	16	8	17
Drugs	0	0	0	0	0	0

Offence	Male 40-49	Female 40-49	Male 50-59	Female 50-59	Male 60+	Female 60+
Violence	80	57	40	23	60	45
Robbery	0	0	0	0	0	0
Sexual Offences	1	3	3	0	3	1
Public Order	19	25	16	7	14	8
Damage	38	9	4	5	5	3
Drugs	0	0	0	0	0	0



### **Anti-Social Behavior (Newcastle Town)**

Information is taken from The Brain police recording system 01/04/2021 – 01/04/2024. This information covers the area of Newcastle Town NB61.

Anti-social behavior is classified into three collective groups:

#### **Community**

Likelihood of a general and nonspecific effect on an area whether towards businesses, visitors, or residents. Likely to be more than one person / group effected.

Examples of which are begging, street drinking, littering, etc

#### **Personal**

Direct, Indirect or intended effect on an individual or business

Examples of which – Foul / abusive language, drunken behavior, behavior causing harassment, alarm or distress.

#### **Environmental**

Likelihood of impact on environmental issues.

Examples such as – excessive noise, fly-tipping, burning of waste.

<b>ASB</b>	<b>2021-2022</b>	<b>2022-2023</b>	<b>2023-2024</b>	<b>+ / - (Compared to previous 12 months)</b>	<b>+ / - % (As a percentage)</b>
ASB (includes community nuisance, personal nuisance and environmental)	463	390	320	-70	-19%



### Appendix C - Whole Borough

#### Crime (Newcastle Borough)

The following comparative reports of crime are summarised.

Information is taken from The Brain police recording system 01/04/2021 – 01/04/2024. This information covers the area of Newcastle Borough Local Policing area.

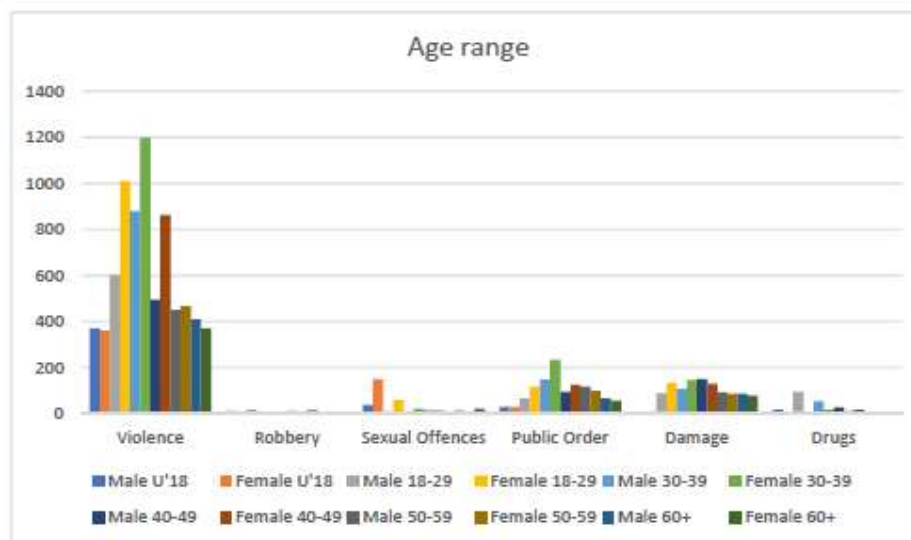
<b>CRIME</b>	<b>2021- 2022</b>	<b>2022- 2023</b>	<b>2023- 2024</b>	<b>+ / - (Compared to previous 12 months)</b>	<b>+ / - % (As a percentage</b>
VIOLENCE (includes less serious violent crime with injury, more serious violent crime with injury and other violence against the person)	3701	4475	3671	-804	-18%
ROBBERY	65	87	39	-48	-76%
SEXUAL OFFENCES	230	265	234	-31	-12%
PUBLIC ORDER	581	867	745	-122	-15%
CRIMINAL DAMAGE	879	918	746	-172	-20%
DRUGS POSESSION	139	155	146	-9	-6%

# Victims by age range 1/4/2023 – 1/4/2024

## Reference licensing aims of public safety and protection of children

Offence	Male U'18	Female U'18	Male 18-29	Female 18-29	Male 30-39	Female 30-39
Violence	371	360	602	1010	879	1199
Robbery	12	0	16	1	4	3
Sexual Offences	38	149	6	57	10	21
Public Order	30	30	67	119	148	233
Damage	0	2	89	134	107	145
Drugs	18	0	95	8	54	18

Offence	Male 40-49	Female 40-49	Male 50-59	Female 50-59	Male 60+	Female 60+
Violence	495	864	452	467	408	370
Robbery	12	5	15	3	6	0
Sexual Offences	13	13	8	14	4	22
Public Order	96	125	118	100	66	55
Damage	149	129	92	87	87	79
Drugs	29	11	16	4	6	0



### **ASB (Newcastle Borough)**

The following information provides a comparative of ASB across the whole of Newcastle Borough when viewed against the Town Centre.

<b>ASB</b>	<b>2021- 2022</b>	<b>2022- 2023</b>	<b>2023- 2024</b>	<b>+ / - (Compared to previous 12 months)</b>	<b>+ / - % (As a percentage)</b>
ASB (includes community nuisance, personal nuisance and environmental)	2940	2408	1668	-740	-36%