

27 June 2016

Dear Consultee

Licensing Act 2003: Statement of Licensing Policy, Cumulative Impact Areas

In April 2015 the Licensing and Public Protection Committee considered and approved the revised Statement of Licensing Policy. This Policy was approved by the City Council in July. It is this policy which implements the areas of special policy within the City (Cumulative Impact Policy Areas or CIPs).

The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, **following relevant representations**, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application. (p13.30, s182 Guidance)

The Statutory Guidance issued under s182 of the Licensing Act by the Home Office explains cumulative impact in more detail. This guidance can be found at <http://bit.ly/s182Mar2015>

Paragraph 13.29 of the Guidance sets out the steps to be followed when considering a special policy area as follows:

- Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm.
- Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
- Consult those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement.

At the Licensing and Public Protection Committee meeting in November 2015, it was resolved to consult on additional special policy areas including Digbeth.

Having regard to the points made above, I would be obliged if you would consider and answer the following questions to allow us to assess the basis of an extension to the policy (please remember, a CIP is not retrospective, and will **not affect** the number of existing licensed premises):

1. Do you believe a Cumulative Impact Policy is necessary for the area shown in the map (see page 3)?

Yes

No

I believe a different area would be appropriate (please explain /mark on map)

What are your reasons for this answer? (continue on separate sheet if needed)

2. Should the CIP extend beyond on-sales to include off sales / late night refreshment?

On sales only

On and Off Sales only

On and Off sales and Late Night Refreshment

A different combination (please state)

Do you have any evidence to support your answers? (this can include incidents / issues / crime data, antisocial behaviour incidents etc) (Please attach / detail)

In order to ensure we have a clear understanding of the situation, we are of course also interested to hear from people who are not supportive of such a policy.

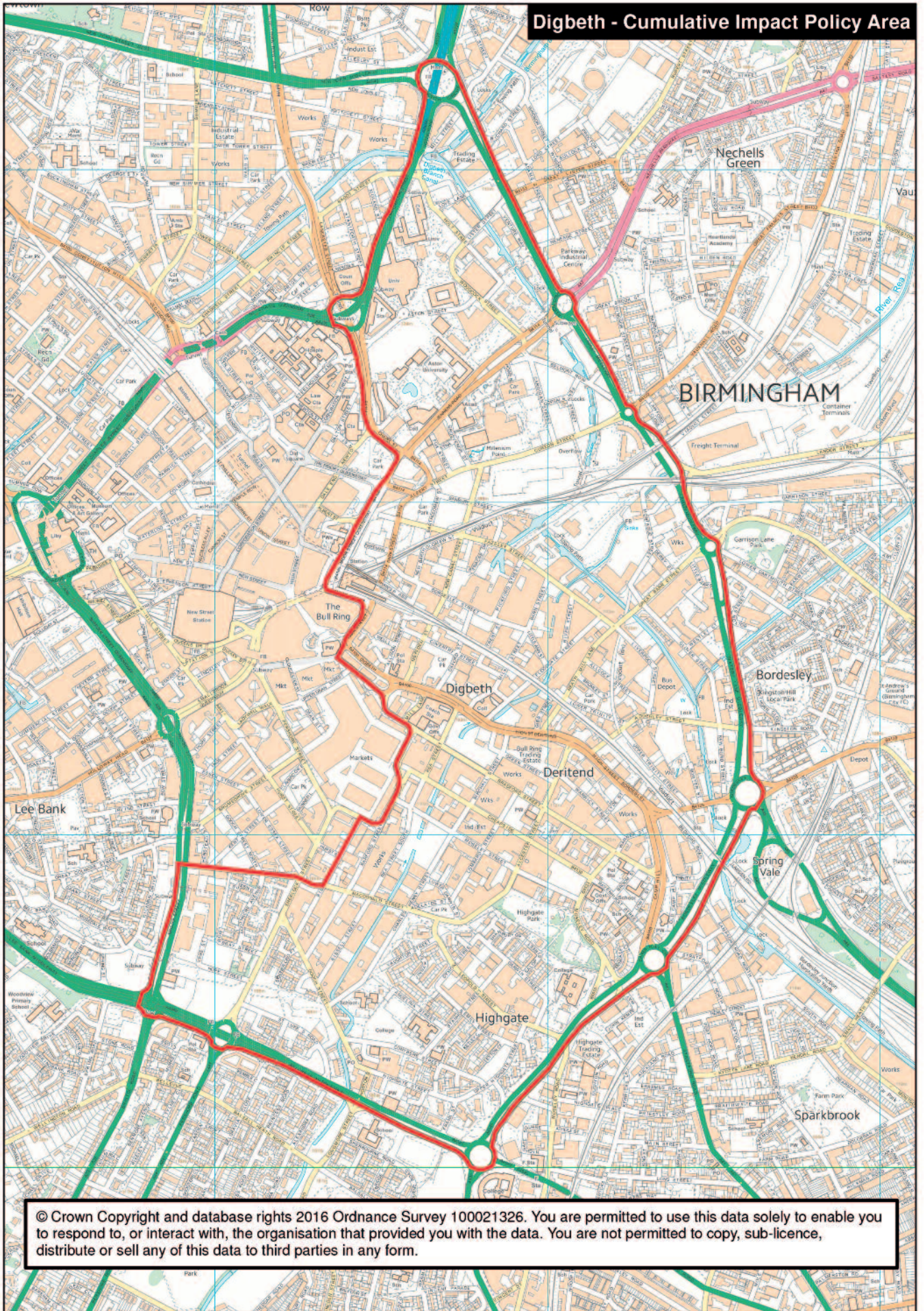
ALL RESPONSES MUST BE RECEIVED BY 19 AUGUST

Should you have any questions concerning this matter please contact me.

Yours sincerely

Emma Rohomon
Licensing Manager
Regulation and Enforcement
Place Directorate

Digbeth - Cumulative Impact Policy Area



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