



LICENSING ACT 2003

ADOPTION OF CUMULATIVE IMPACT ASSESSMENT INTO STATEMENT OF LICENSING POLICY

Current Statement of Licensing Policy (Section 6.3)	Proposed Statement of Licensing Policy (Section 6.3)* <i>*(amended/additional text shown in bold italics)</i>
6.2 Cumulative Impact 6.3.1 The cumulative impact of the number, type and density of premises in particular areas, such as the city centre, may lead to them becoming saturated with premises of a certain type making them a focal point for large groups of people together leading to severe or chronic problems of public nuisance, anti-social behaviour or other alcohol related problems. Local crime and related trauma data	6.3 Cumulative Impact 6.3.1 The cumulative impact of the number, type and density of premises in particular areas, such as the city centre, may lead to them becoming saturated with premises of a certain type making them a focal point for large groups of people together leading to severe or chronic problems of public nuisance, anti-social behaviour or other alcohol related problems. Local crime and related trauma data

may be used to map the extent of such problems. The licensing authority may consider publishing a cumulative impact assessment (CIA) to help limit the number of types of licence applications granted in such areas if it is satisfied that it is appropriate to include an approach to cumulative impact in its Licensing Policy Statement. It will take the decision only after it is satisfied that there is evidence to support such a decision.

6.3.2 The effect of adopting a CIA of this kind is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will be unlikely to add to the cumulative impact already being experienced. What constitutes a material variation will depend upon the policy in place and the reasons for the area being designated as suitable for adoption of a special policy.

6.3.3 The Secretary of State's guidance encourages applicants to address the CIA in their Operating Schedules in order to rebut such a presumption. Any CIA will stress that the presumption does not relieve responsible authorities or other persons of the need to make a relevant representation before the local authority may lawfully consider giving effect to its CIA.

6.3.4 The Licensing Authority recognises that many different kinds and styles of premises sell alcohol, serve food and provide entertainment. It recognises that some

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applications in a CIA area will be unlikely to add to the problems arising from saturation. Where it can exercise discretion in determining applications in an area where a CIA is in force, that is, where relevant representations have been received, it will have full regard to the impact different premises may have on the local community.

6.3.5 The Licensing Authority must grant any application in a CIA area subject only to conditions that are consistent with the operating schedule submitted by the applicant if it receives no relevant representation.

6.3.6 The Licensing Authority will keep any cumulative impact assessment policy under review. Cumulative impact assessments' were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. The amendments require the Licensing Authority to review the CIA within three years of its publication.

6.3.7 The absence of a CIA does not prevent any responsible authority or other person making evidence based relevant representations on a new application for the grant of an authorisation on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

6.3.8 Having had regard to the guidance referred to above, consulted upon the issue, taken into account the views of respondents and considered the evidence the Council has determined that it is not appropriate to publish a cumulative impact assessment policy at this time. However at the time this policy was published the Council

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6.3.8 ***Having had regard to the guidance referred to above, consulted upon the issue, taken into account the views of respondents and considered the evidence the Council has adopted a CIA in respect of one area of Bristol. The CIA covers the central area within the Cabot Sector as identified by Avon and Somerset***

is considering publishing a Cumulative Impact Assessment Policy in respect of the city centre area of Bristol. A consultation will be carried out in that respect.

Police including the Welsh Back area and Stokes Croft

6.3.9 The CIA was requested by Avon and Somerset Constabulary. Evidence was produced to demonstrate that the central area of Bristol remains at saturation point and the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The CIA will apply to further applications for the grant of new licences or significant variations of existing licences in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets).

6.3.10 A map detailing the area covered by the CIA is available in the CIA document published on the Council’s website.