

# Agenda Item 31.

<b>TITLE</b>	<b>Cumulative Impact Assessment for Remenham</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee on 11 March 2024
<b>WARD</b>	Remenham, Wargrave and Ruscombe
<b>LEAD OFFICER</b>	Director, Place and Growth - Giorgio Framalocco

## **OUTCOME / BENEFITS TO THE COMMUNITY**

The Licensing Act 2003 regulates the sale of alcohol, the provision of late-night refreshment, and the provision of regulated entertainment. The Act aims to balance the interests of the licensed trade, local communities, and public safety.

Cumulative Impact Policies (CIP) allow Licensing Authorities to have more control over the density of licensed premises in a particular area.

The purpose of a CIP is to help the Licensing Authority to limit the licenses that it grants in an area where there is evidence to show that the number or density of licensed premises may be contributing to problems that are undermining licensing objectives.

## **RECOMMENDATION**

The Committee to consider the request for a Cumulative Impact Assessment (CIA) for Remenham.

## **SUMMARY OF REPORT**

The purpose of this report is to provide essential background information for the Council's consideration of initiating a Cumulative Impact Assessment (CIA) for Remenham under the Licensing Act 2003. The information presented is derived from Section 182 (S182) statutory guidance associated with the Act.

## **Background**

Cumulative Impact refers to the potential impact on the licensing objectives due to the concentration of licensed premises in a specific area. Such concentration may lead to issues around public nuisance, crime, disorder, or public safety concerns. The Licensing Act recognises the need for Local Authorities to address these issues through the adoption of Cumulative Impact Policies.

## **Key Considerations for Cumulative Impact Policies**

- **Evidence of Impact:**  
Councils should collect and analyse evidence demonstrating that the cumulative impact of licensed premises in an area is causing or likely to cause problems relating to the licensing objectives.
- **Consultation:**  
Effective consultation with relevant stakeholders, including the police, local residents, businesses, and other relevant authorities, is crucial when considering a CIP. It ensures a comprehensive understanding of local concerns and potential solutions.
- **Scope of Policy:**  
The Council should clearly define the geographical scope of the Cumulative Impact Policy, specifying the areas where the policy will apply and detailing the licensing activities covered.
- **Presumption of Refusal:**  
A Cumulative Impact Policy includes a presumption that new applications within the designated area will be refused unless the applicant can demonstrate that granting a premises licence will not add to the cumulative impact.

## **Analysis of Issues**

The S182 guidance provides an outline to the steps of publishing a Cumulative Impact Assessment:

- Identify concern about crime and disorder; public safety; public nuisance or protection of children from harm in a particular location.
- Consider whether there is good evidence that crime and disorder or nuisance is occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If there is evidence that such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that 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. As with consultations in respect of the licensing policy statement as a whole, it is for each Licensing Authority to determine the extent of the consultation it should undertake in respect of a CIA (subject to the statutory requirements).
- For the purposes of the consultation provide the persons specified in section 5(3) with the following information:
  - the reasons why it is considering publishing a CIA;
  - a general indication of the part or parts of its area which it is considering describing in the assessment;
  - whether it considers that the assessment will relate to all premises licence and club premises certificate applications and variation applications, or only to those of a particular kind described.
- Subject to the outcome of the consultation, include and publish details of the CIA, including the evidence in support of the assessment and the particular kinds of premises the assessment relates to. Licensing Authorities are not restricted to using general terms such as on-trade, off-trade and late night refreshment providers, and can apply their own descriptions such as vertical-drinking bars and night clubs if appropriate.
- Summarise the Licensing Authority's opinion in light of the evidence of cumulative impact (or any revision to an existing opinion) in the licensing policy statement and explain within the policy statement how the authority has had regard to any CIAs it has published under section 5A. The summary within the licensing policy statement should include, but is not limited to:
  - the nature of the problems identified and the evidence for such problems;
  - the geographical extent of the area covered by the assessment;
  - the types of premises described in the assessment;
  - and the types of applications for which it would likely be inconsistent with the Licensing Authority's duty to promote the licensing objectives to grant.

Following the guidance provided in Section 182, the undertaking of a Cumulative Impact Assessment will ensure a thorough and evidence-based decision-making process to maintain a balance between promoting licensed activities and safeguarding the well-being of local communities.

In conclusion, the Council's consideration of conducting a Cumulative Impact Assessment is a proactive approach to potentially addressing some of the issues arising from the concentration of licensed premises in Remenham during the summer periods.

The Licensing Committee, upon hearing a future report concerning the finding of Cumulative Impact Assessment and statutory consultation, will then be presented with a decision on whether to publish the CIA to form a special licensing policy for the area.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	none		
Next Financial Year (Year 2)	Unknown – quote to be sought		
Following Financial Year (Year 3)	n/a		

### **Other financial information relevant to the Recommendation/Decision**

A Cumulative Impact Assessment could be undertaken through the existing resources within the Enforcement & Safety Service.

### **Cross-Council Implications**

A Cumulative Impact Assessment includes a statutory consultation which will include all Responsible Authorities such as Environmental Health, Trading Standards, Planning etc.

### **Public Sector Equality Duty**

Due regard to the Public Sector Equality Duty will be taken in any progression of a Cumulative Impact Assessment.

***Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030***

The undertaking of a Cumulative Impact Assessment will not have any impact on the Council's carbon neutral objective.

### **Reasons for considering the report in Part 2**

N/A

### **List of Background Papers**

[Revised Guidance issued under section 182 of the Licensing Act 2003](#)  
[House of Commons Library: Alcohol licensing cumulative impact assessments](#)

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