



Cumulative Impact Assessment 2018

Licensing Act 2003

1. Cumulative impact has been included within the Section 182 guidance issued by the Home Office since the commencement of the Licensing Act 2003.
2. In April 2018 the Police and Crime Act 2017 introduced a new provision within the Licensing Act 2003, Section 5A. This provision provides that a licensing authority may, in appropriate circumstances, publish a document, cumulative impact assessment (Assessment), stating that the licensing authority considers that a number of relevant authorisations in respect of premises in one or more parts of its area, described in the Assessment, is such that it is likely that it would be inconsistent with the authority's duty under the Act to grant any further relevant authorisations in respect of premises in that part or those parts.
3. Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
4. The Assessment must set out the evidence for the authority's opinion, must be consulted upon before it is published, it must be reviewed at least every three years to consider whether it remains of the opinion stated in the Assessment, a review must be consulted upon and any revisions must be published along with the evidence. Following the introduction of Section 5A of the Act, and in accordance with the Section 182 Statutory Guidance, the Council's previous approach and policies have been reviewed.
5. By publishing an Assessment the Council is setting down a strong statement of intent about its approach to considering applications for grant and variation of premises licences or club premises certificates in the area described. The Council must have regard to the Assessment when determining or revising the Statement of Licensing Policy. The Assessment does not change the fundamental way that a licensing decision is made, as each application will be considered on its own merits. It is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in the area covered by the Assessment 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 the Council determines to grant an application reasons for granting the application will be given to the applicant, the Chief Officer of Police and all parties who made a relevant representation.
6. Where no relevant representations are received an application will be granted in terms consistent with the operating schedule.

7. An applicant wishing to obtain a new licence or vary a licence for premises, within the cumulative impact area, must demonstrate through the operating schedule, the steps that they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.
8. The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly, with those authorities, or through the Council's Licensing Section.

Cumulative Impact – York City Centre

9. City of York Council (the Council) has included a Cumulative Impact Policy (known as the cumulative impact zone CIZ) within its Statement of Licensing Policy since 2005, following the receipt of evidence provided by North Yorkshire Police (the Police) and the Council's Public Protection Service (noise), in relation to an area identified within York city centre. This area was reviewed in accordance with the requirements of the Act. Due to the changes within the city centre, mainly the changing locations where licensed premises were predominately operating and following the receipt of further evidence from the Police and Public Protection this area has increased on two occasions over the years.

Cumulative Impact Assessment – York City Centre 2018 Review

10. As required by the Act the Council has reviewed the cumulative impact area. The Police have provided statistical data for the area, which includes crime associated with the consumption of alcohol and Public Protection has provided data relating to noise associated with the operation of licensed premises. The Council, in consultation with the Police, has developed its first draft Assessment in relation to an area that has been identified in York city centre. This area includes a red zone area.
11. This cumulative impact area has been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in this area continue to adversely affect residents, visitors and other businesses and therefore adversely affecting the promotion of the licensing objectives:
 - prevention of crime and disorder
 - prevention of public nuisance
12. The Assessment relates to applications for the grant and/or variation of premises licences, club premises certificates or the issue of provisional statements. Throughout this Assessment a general reference to a premises licence, will include a club premises certificate and/or provisional statement.
13. The variation of premises licences relates to:
 - changing the style of operation;
 - extending the premises/licensed area;

- increasing capacity; and
- extending the licensed hours.

York City Centre Area

14. The key findings from Public Protection (noise) were:

- Overall noise complaints with the CIZ have increase 27% in 2017/18 compared to 2016/17. 24 complaints were received in 2016/17, and 33 were received in 2017/18.
- The complaints relate to noise from either music from licensed premises, people at or in the vicinity of licensed premises or deliveries/collections to and from licensed premises.
- The locations of the complaints are as follows:

Location	No Complaints 2016/17	No Complaints 2017/18
Blossom Street / The Crescent	0	3
Micklegate	3	9
George Hudson Street	2	1
Tanner Row / Toft Green	2	4
Low / High Ousegate	2	1
Clifford Street	2	5
Cumberland Street	2	0
Piccadilly	1	1
Pavement	1	0
Fossgate	2	5
Goodramgate	3	1
Low Petergate	1	0
Shambles Market	1	0
Kings Square	1	0
Coffee Yard	1	2
Little Stonegate	0	1

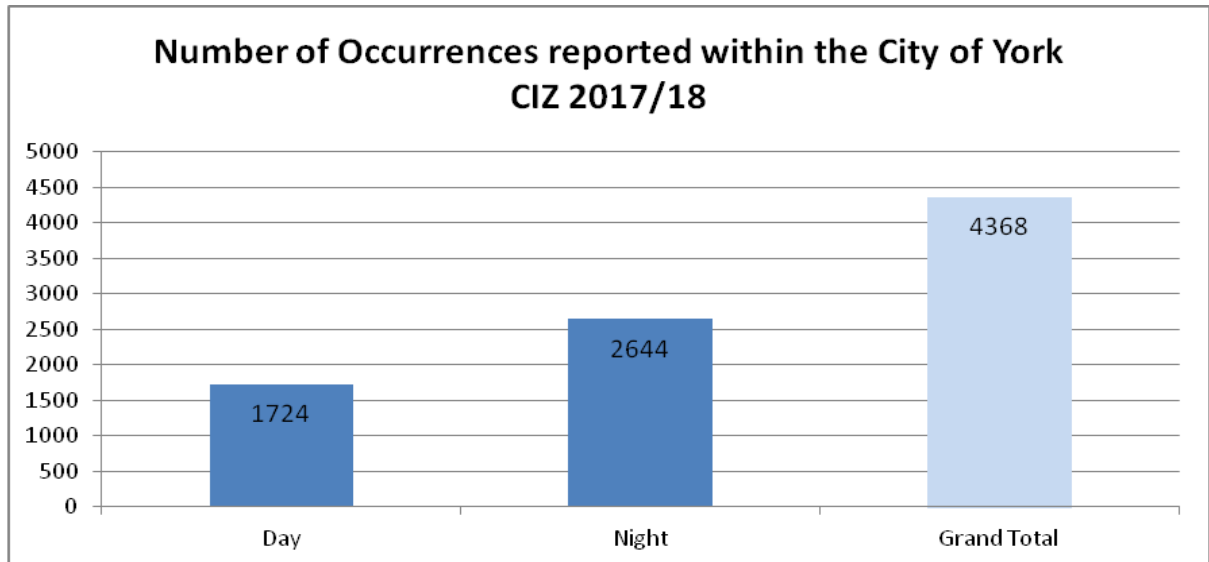
15. The key findings from the Police were:

- Whilst the majority of incidents within the current City of York Cumulative Impact Zone (CIZ) area are reported during the night-time economy period there is an identified period during Saturday afternoons.
- Overall, levels of Anti-Social Behaviour (ASB) have decreased by 10% in 2017/18 compared with 2016/17.
- ASB Nuisance is the most prevalent occurrence type representing no change compared with 2016/17. Almost half of occurrences (47%) are reported across the weekend; over two-thirds of weekend incidents are reported during the night-time economy period.

- Crime Violence occurrences also feature highly with an increase evident compared with 2016/17. Correspondingly, alcohol related Crime Violence also shows an increasing trend. Similar to ASB Nuisance, half of occurrences are reported across the weekend with three-quarters of violent weekend incidents reported during the night-time economy period.
- Violence Against the Person, Arson & Criminal Damage together with Public Order crimes predominate. Violence Against the Person and Public Order offences have increased this year compared with the last.
- Within the Violence Against the Person category, Assault Occasioning Actual Bodily Harm (AOABH) and Common Assault feature most highly - no change from 2016/17. Both offences have increased this latter year. Over half of offences are reported across the weekend - primarily during the night-time economy period.
- Racial/Religious assaults are also evident and have almost doubled compared with 2016/17, increasing from seven reports to 13.
- The highest concentration of occurrences is within areas where footfall is high. These zones encompass a higher concentration of public houses, off-licenses, late night eateries and cafes as well as hotel and retail premises.
- Micklegate, Blake Street and Clifford Street are consistently highlighted as areas with high levels of crime and ASB.
- Calls for police service are at their highest on weekends; Saturday and Sunday. This is consistent with previous years.
- Overall, reports are highest between 1400 and 1900 followed by a further increase between 2300 and 0400 - the traditional night-time economy period - and this pattern is mirrored across both years.
- Saturday afternoons also feature with increased visitation to the city by revellers, particularly from the North East and South Yorkshire, which has proven to impact on police and partner resources as well as affecting the perception of tourists and local families when visiting York during this period.
- Reported occurrences in 2017/18 are highest in March/April and July through to September. Isolated increases are also evident in October and December. Increased reporting during these periods is likely influenced by increased footfall to the city from tourists/visitors during school and bank holidays, York Races and other sports fixtures together with seasonal festivities such as the traditional Christmas Fair.

Occurrences

16. The majority of incidents reported within the City of York CIZ are during the Night-Time Economy period (NTE).



17. 4368 occurrences have been reported within the CIZ in 2017/18. The top tier of occurrence types is exemplified within the table below.

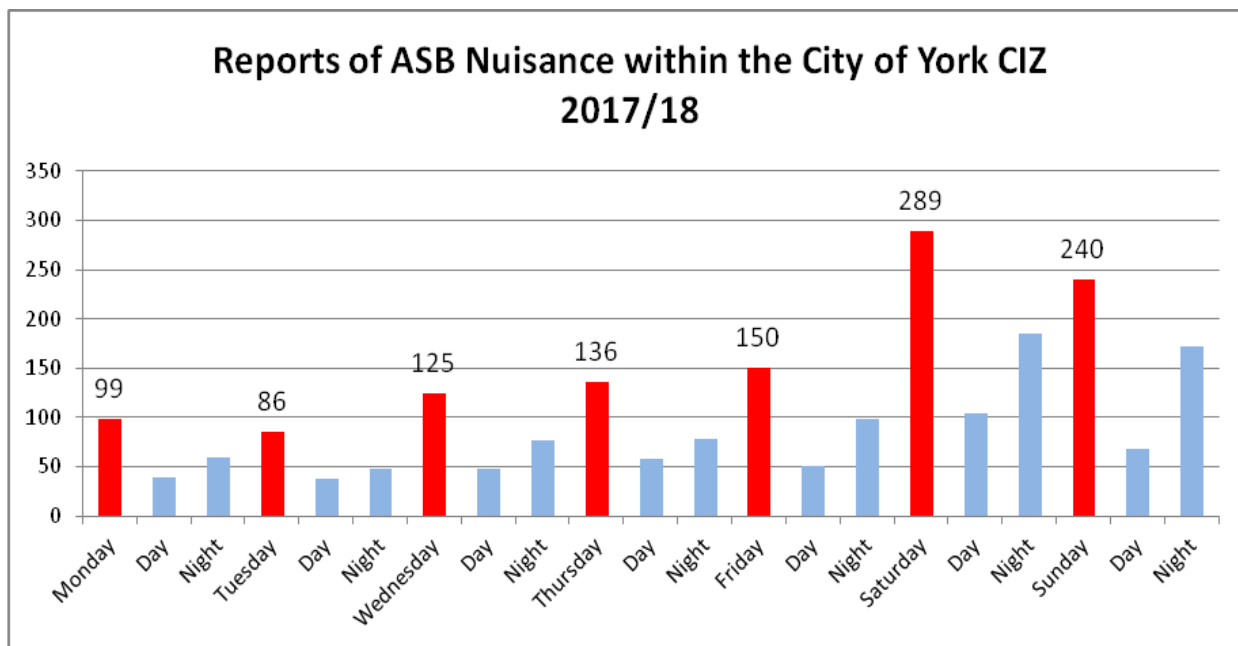
OCCURRENCE - Top 5 Reported Types	Count
ASB Nuisance	1125
Crime Violence	710
PSW ¹ Concern for Safety/Collapse/ Injury/Illness/Trapped	592
PSW Suspicious Circumstances/Insecure Premises/Vehicle	534
Admin Duplicate	205

18. ASB Nuisance continues as the most prevalent occurrence type representing no change from 2016/17 with almost half of occurrences (47%) reported across the weekend². Over two-thirds of weekend incidents are reported during the night-time economy period. These reports encompass complaints of begging and vagrancy, urination in public places and rowdy behaviour for example fighting, verbal abuse and youth related

¹PSW: Public Safety Welfare

² Saturday and Sunday

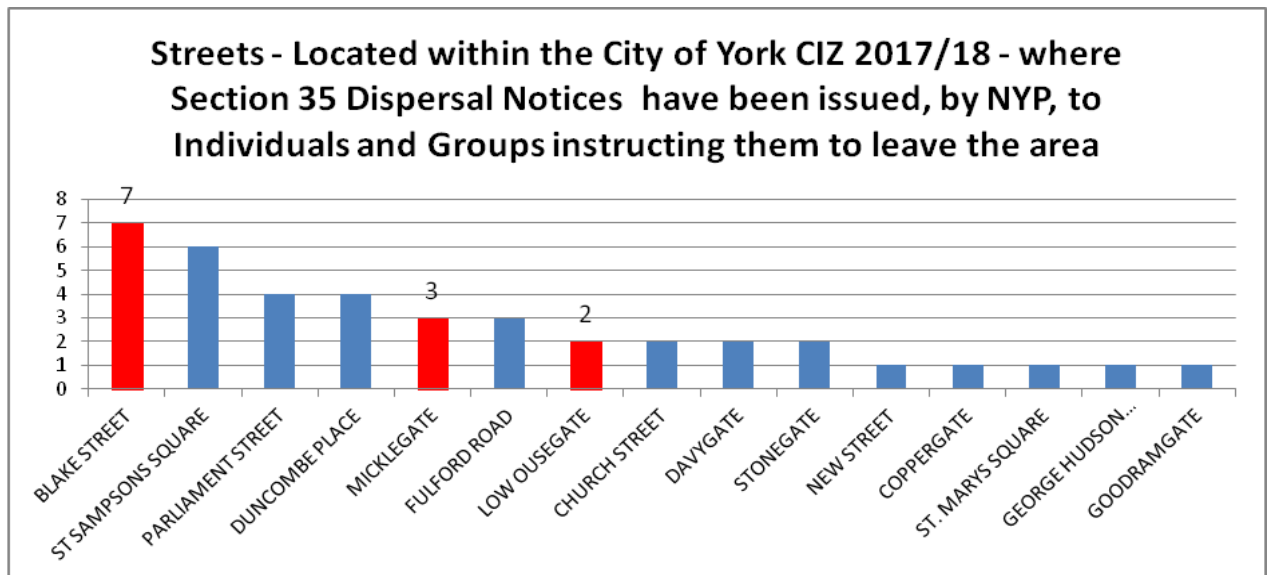
activity. It is estimated that 45% of ASB Nuisance occurrences are thought to be alcohol related although this is likely to be a conservative figure.³



- ASB Dispersal Notices⁴ are also included within the ASB Nuisance category. Forty 'Section 35 Dispersal Notices' were issued by police officers for behaviour related incidents within the CIZ during 2017/18 where individuals, and groups, were instructed to leave the city. This represents a 29% increase compared with 2016/17 (31). Almost three quarters (70%) were issued across the weekend period (day and night) and 30% issued within the top five streets highlighted within the 'Location' section of this document.

³ National Incident Category List (NICL Code) specified as 'Alcohol' within the occurrence/crime data

⁴ Under the Anti-Social Behaviour, Crime and Policing Act 2014, Officers can disperse people who they believe are likely to commit crime or disorder, or behave anti-socially.



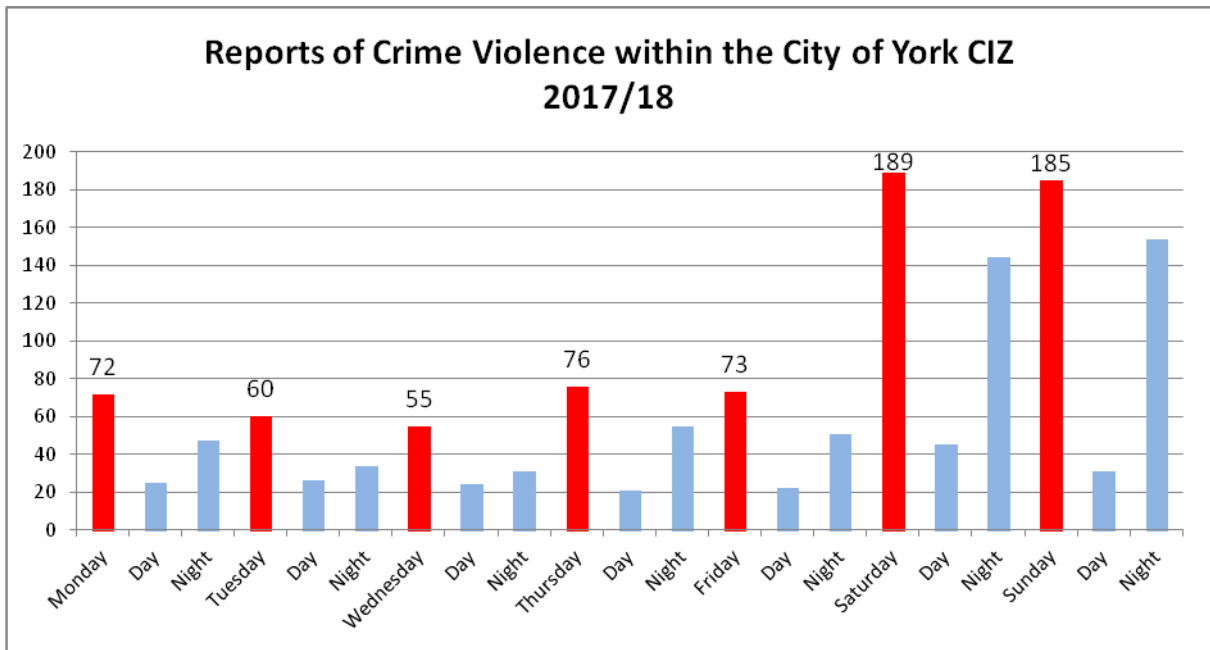
20. Overall, levels of ASB Nuisance, ASB Personal and ASB Environment have decreased this year compared with 2016/17.

ASB OCCURRENCE TYPE	2016/17	2017/18
ASB Nuisance	1237	1125
ASB Personal	98	76
ASB Environmental	55	47

21. The police and City of York Council (CYC) Community Safety Hub - co-located within the council offices - generally manage ASB complaints. The introduction of this Hub in 2014, together with the introduction of CYC Neighbourhood Enforcement Officers (NEOs) and York Business Improvement District (BID) Street Rangers has likely contributed towards the decrease in overall ASB.
22. Similar to 2016/17, Crime Violence continues to feature highly with an increase evident compared with the previous year (+24%).

OCCURRENCE TYPE	2016/17	2017/18
Crime Violence	572	710

23. Over half of Violence occurrences (52.7%) are reported across the weekend. 80% of weekend violence incidents are reported during the night-time economy period. It is estimated that almost half (47.7%) are likely to be alcohol related with an increase in related reports from 250 to 339 in 2017/18.



24. In addition to ASB Nuisance and Crime Violence, PSW Concern for Safety and PSW Suspicious Circumstances are also recorded within the top tier of occurrences. Levels remain relatively stable compared with 2016/17. Calls for Concern predominate and relate to people with vulnerabilities - adults and youths - by way of mental health problems or people in drink or affected by drugs and those potentially vulnerable because of circumstances such as rough sleeping or apparent injury.

OCCURRENCE TYPE	2016/17	2017/18
PSW Concern for Safety/Collapse/Injury/Illness/Trapped	608	592
PSW Suspicious Circumstances/Insecure Premises/Vehicle	502	534

Crime

25. 1127 crimes have been reported within the CIZ in 2017/18. The top tier of Crime Groups exemplified within the table below account for 91.7% of crimes reported.

OCCURRENCE - Top 5 Crime Groups	2016/17	2017/18
Violence Against the Person	502	665
Arson & Criminal Damage	141	128
Public Order Offences	108	116
Drug Offences	46	79

Sexual Offences	39	46
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26. The most reported crime types within the CIZ are;

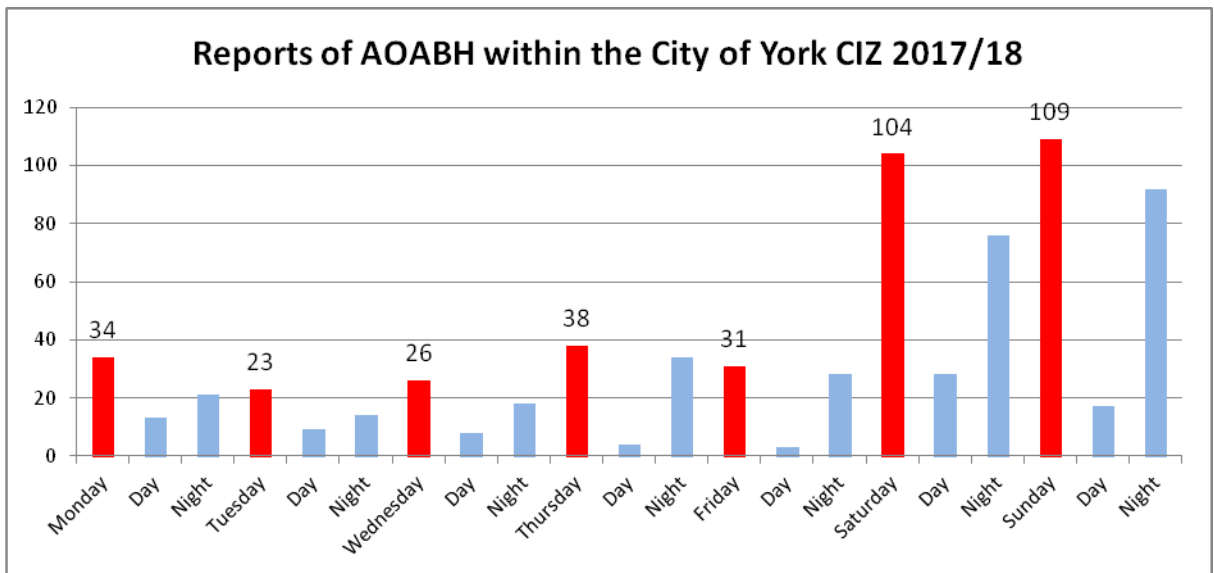
OCCURRENCE - Top 5 Crime Types	2016/17	2017/18
Assault Occasioning Actual Bodily Harm (AOABH)	250	365
Common Assault and Battery	175	205
£5000 or under - Criminal Damage to a building other than a dwelling	82	73
Having Possession of Cannabis	16	36
Fear or Provocation of Violence	24	34

27. The most reported crime types within the CIZ are:

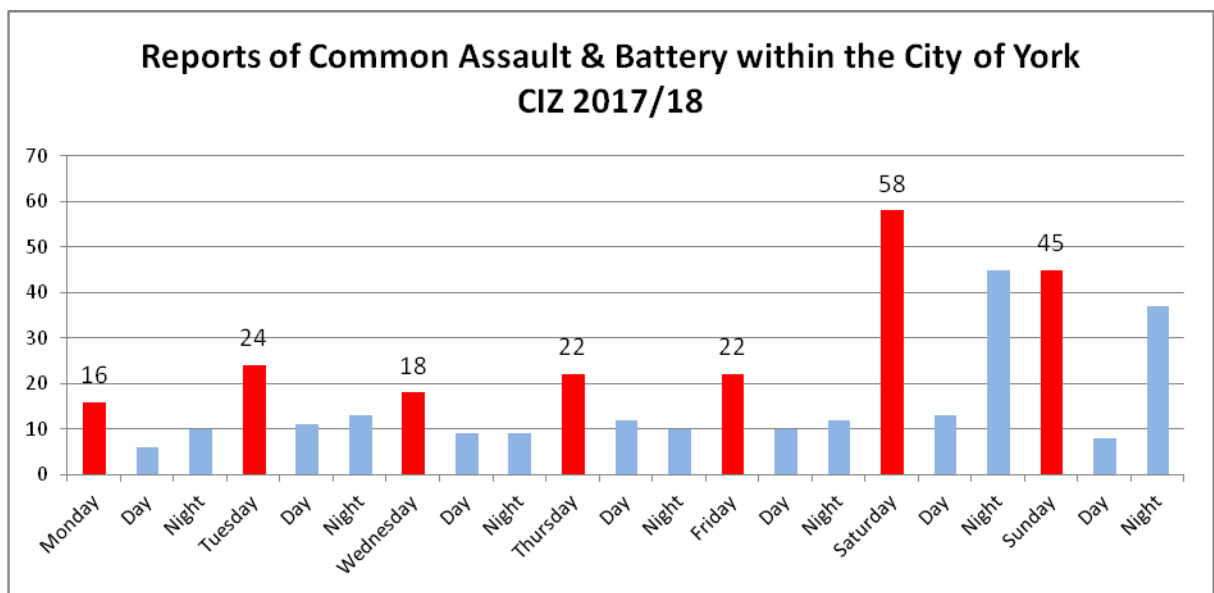
OCCURRENCE - Top 5 Crime Types	2016/17	2017/18
Assault Occasioning Actual Bodily Harm (AOABH)	250	365
Common Assault and Battery	175	205
£5000 or under - Criminal Damage to a building other than a dwelling	82	73
Having Possession of Cannabis	16	36
Fear or Provocation of Violence	24	34

28. Recorded alcohol related crime has increased from 351 to 439 occurrences in 2017/18.

29. Violence Against the Person offences have increased notably (+163) when compared with 2016/17 and this is reflected by corresponding increases in AOABH and Common Assault. Both crime types have featured highly across previous years. Over half of these violence offences are reported across the weekend - primarily across the night-time economy period.



30. Racial/Religious assaults are also evident - occurrences have almost doubled compared with 2016/17, increasing from seven reports to 13.

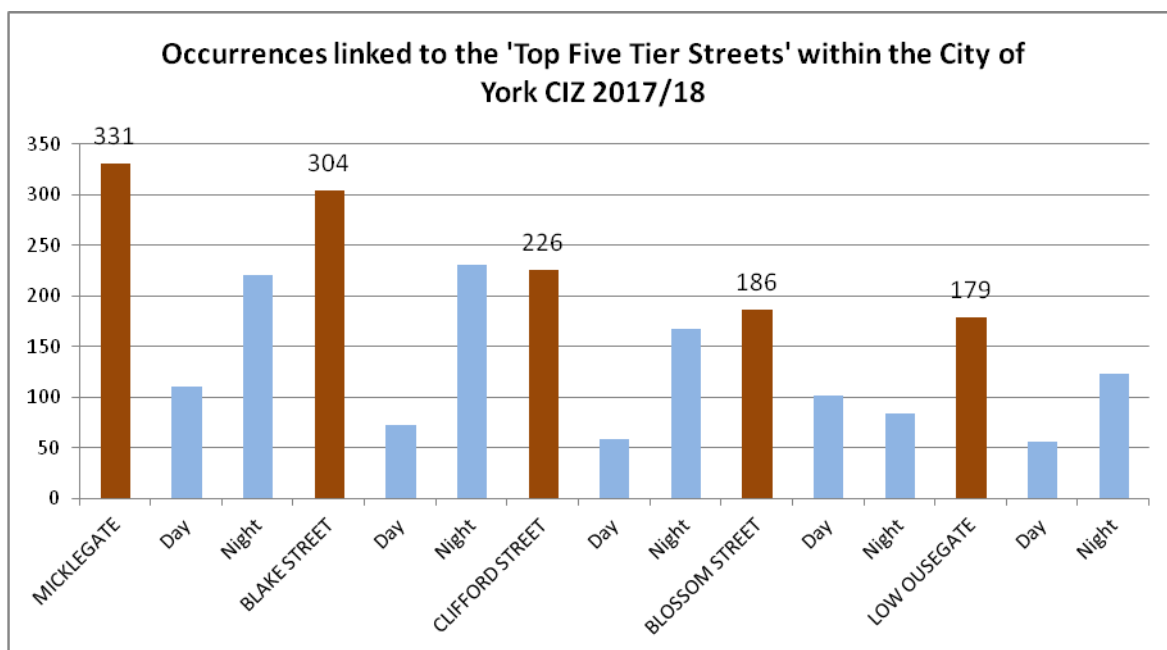


31. Public Order offences comprise primarily of Section 4, Section 5 and Affray offences (85%) which are committed mainly during the night-time period. These offences encompass behaviour in a public place including verbal abuse, verbal threats, spitting, shouting and swearing, urination and on one occasion, walking a seagull on a lead down a main thoroughfare.
32. Sexual offences have also recorded an increase compared with 2016/17 albeit the increase is in singular figures (+7). Reports of Sexual Assault on a female account for the highest level of offences within this crime group (21) followed by Rape of a Female aged 16 or over (13). Sexual assaults are reported primarily across the weekend period

specifically on Saturdays (day and night) with remaining reports across the week in general. Reported offences of Rape show no specific pattern and are consistent throughout the week.

Location

33. The 'Top Five Tier Streets', within the CIZ, that record the highest level of occurrences, are evidenced within the graph below. Micklegate, Blake Street and Blossom Street have been highlighted across previous years. These localities encompass a high concentration of licensed premises, off-license express supermarkets, late night eateries and cafes as well as hotel and retail premises. Consequently footfall is high.

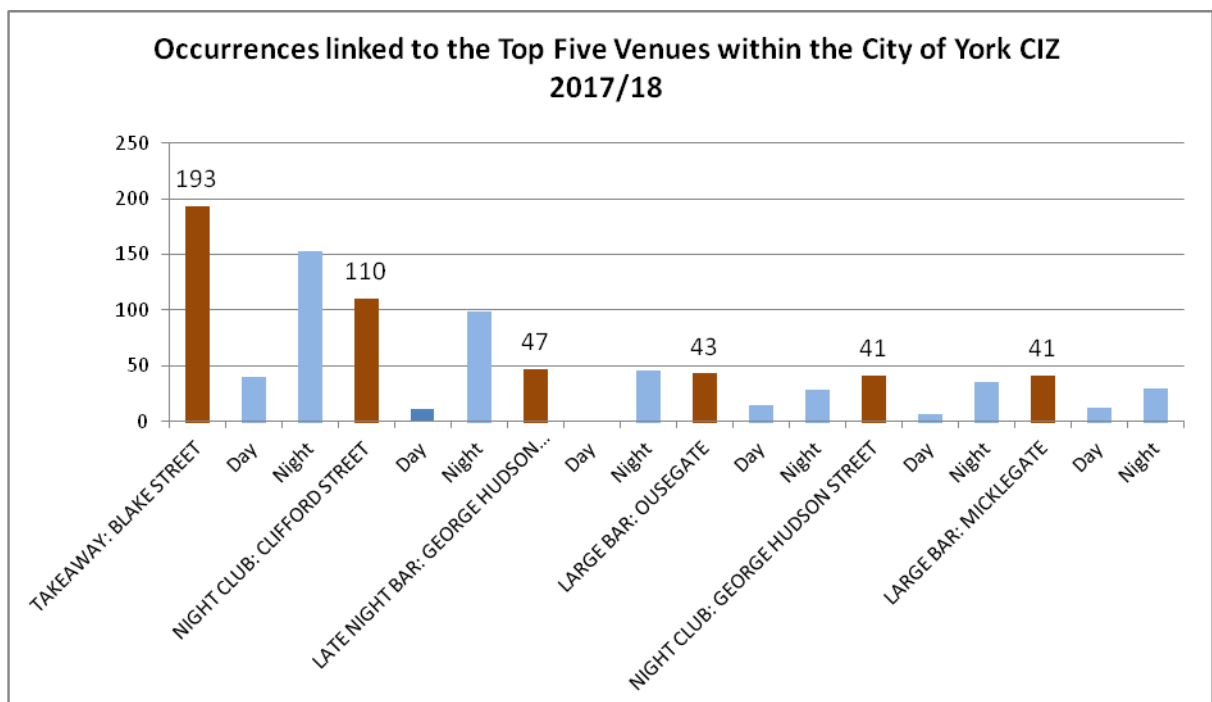


34. The level of reported occurrences, within the above localities, is highest during the night-time economy period on weekends.
35. Local, anecdotal information suggests that high footfall in Micklegate is partly attributable to large crowds of pedestrians congregating outside a licensed premises, encouraged – in most part – by the hole-in-the-wall ATM machine. Additionally, two licensed premises located along this street are highlighted within the 'Top Five Venues' for 2017/18. Both factors are likely to have contributed to the high level of occurrences recorded.
36. Blake Street is consistently highlighted for high levels of occurrences. A takeaway restaurant is situated within this area and this premise also features within the 'Top Five Premises' list. Police resources have frequently been called to the area this year by recurring incidents of disorder and ASB from gangs of youths travelling into the city from

outside of York and North Yorkshire. These gangs of youths have also caused disorder along High Ousegate in the vicinity of a local restaurant and this is also likely to have impacted on the level of occurrences in this street, highlighting it as a top tier location for 2017/18. ASB Dispersal Notices have been utilised on a number of occasions to address this specific issue.

37. Similar to Micklegate, a nightclub located on Clifford Street - and listed within the top 'Top Five Premises' list - is likely to have impacted on the level of occurrences reported within this locality. High footfall drawn by these venues results in increased demand for service from both the police and partners.

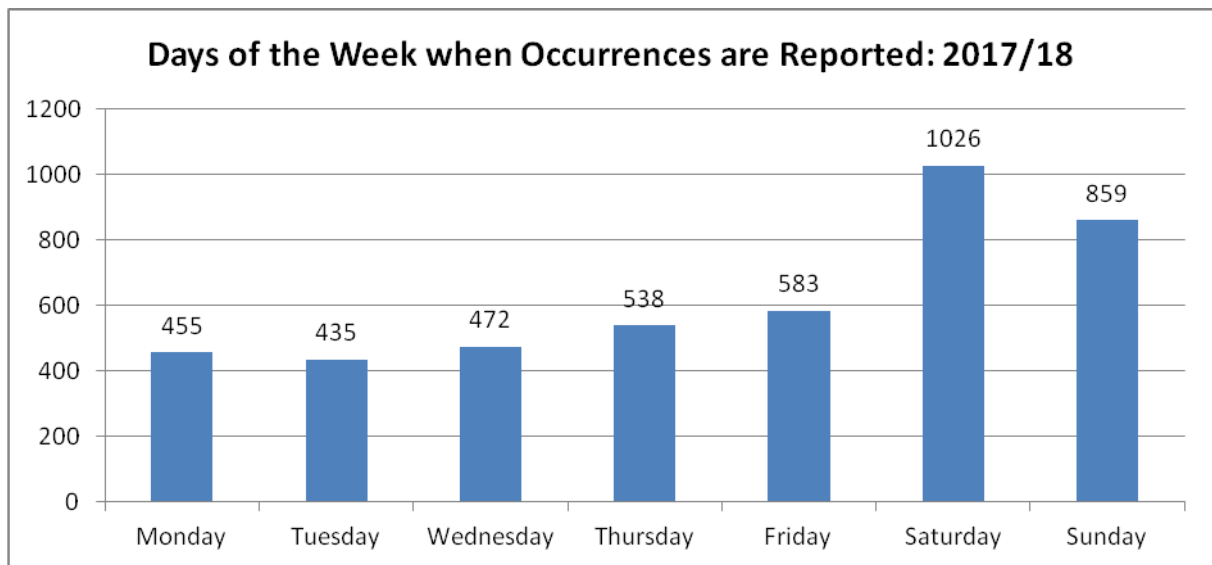
PREMISES TYPE & LOCATION - Top 5 Premises	2017/18
Takeaway: Blake Street	193
Nightclub: Clifford Street	110
Late Night Bar: George Hudson Street/Micklegate	47
Large Bar: Low Ousegate	43
Nightclub: George Hudson Street	41
Large Bar: Micklegate	41



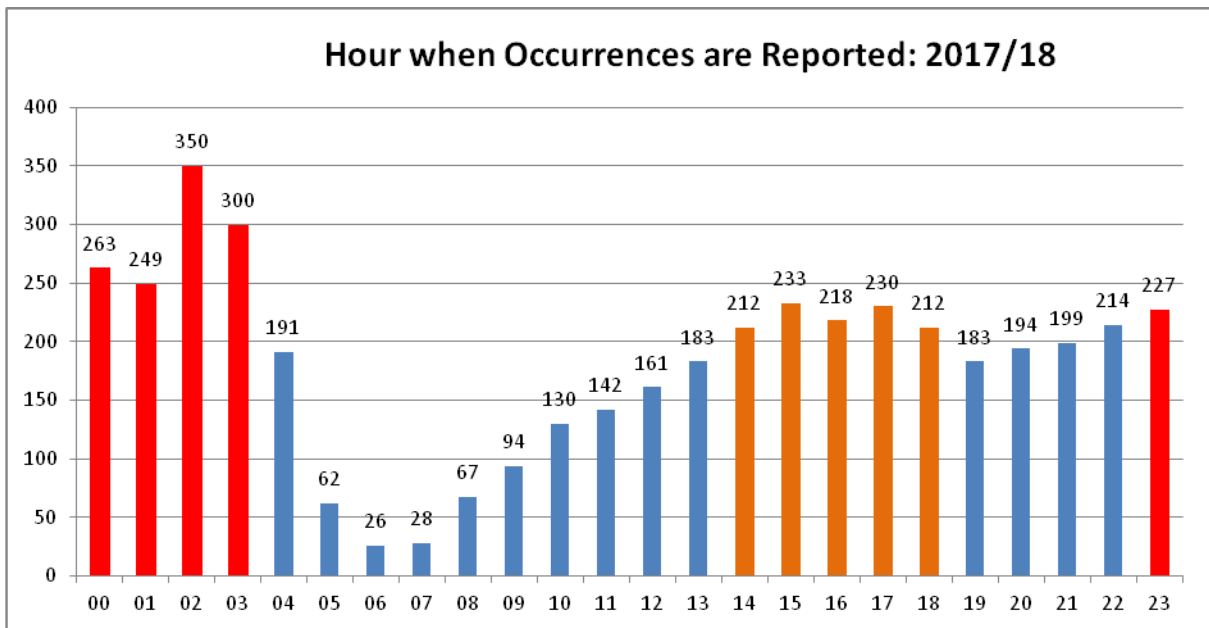
38. Occurrences in Blossom Street – in contrast with the remaining four ‘top tier’ streets – are reported mainly during the day-time economy period, likely influenced by reports linked to a local drug and alcohol integrated recovery service together with a cinema, newsagent and pharmacy. Several licensed premises and takeaway venues are also located along this street.

Temporal Information

39. Calls for police service are at their highest on weekends; Saturday and Sunday. This is consistent with previous years.



40. Overall, occurrences are at their minimum between 0500 and 1000 and this is mirrored across both years. During the daytime, the peak period for reported occurrences is between 1400 and 1900 followed by a further peak period between 2300 and 0400 - the traditional night-time activity period.



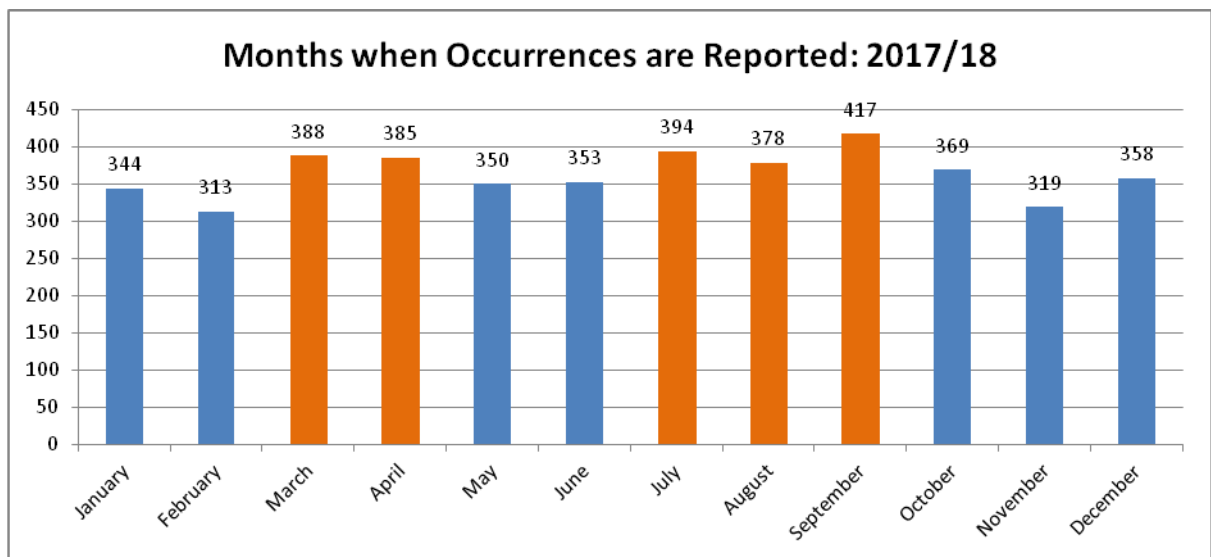
41. The daytime pattern can be attributed to a specific influx of revellers travelling in from other regions such as the North-East of England and South Yorkshire to enjoy the leisure facilities/activities offered in York during this time. These revellers include Hen and Stag parties. Revellers generally arrive at York Railway Station late morning and return back to their home towns during the evenings. Licensed premise representatives have previously reported a lull after the departure of these visitors until local revellers begin to emerge later in the night to enjoy activities and this pattern supports this theory.

42. The consequence of this temporal pattern means that traditional night-time economy hours have been superseded by a greater influx of visiting revellers into the City of York during Saturday afternoons which has resulted in traditional shopping activities of families and tourists - on a weekend - being affected by the ASB activities of the revellers as well as increasing resource implications for, not only NYP, but also partner agencies including British Transport Police (BTP) and respective train companies. External research in 2014 by Planning Express⁵ indicated that standards of behaviour in the city centre, whilst not reported as ASB or constituting a crime, can be perceived by residents and visitors as inappropriate.

43. Similar to many other towns and cities in England and Wales, a pre-loading culture also exists in the City of York and this includes consumption of alcohol on many of the trains bringing revellers into the city from surrounding counties albeit periodic 'dry trains' have been implemented on Saturdays by the rail networks in an attempt to control behaviour prior to arrival in York.

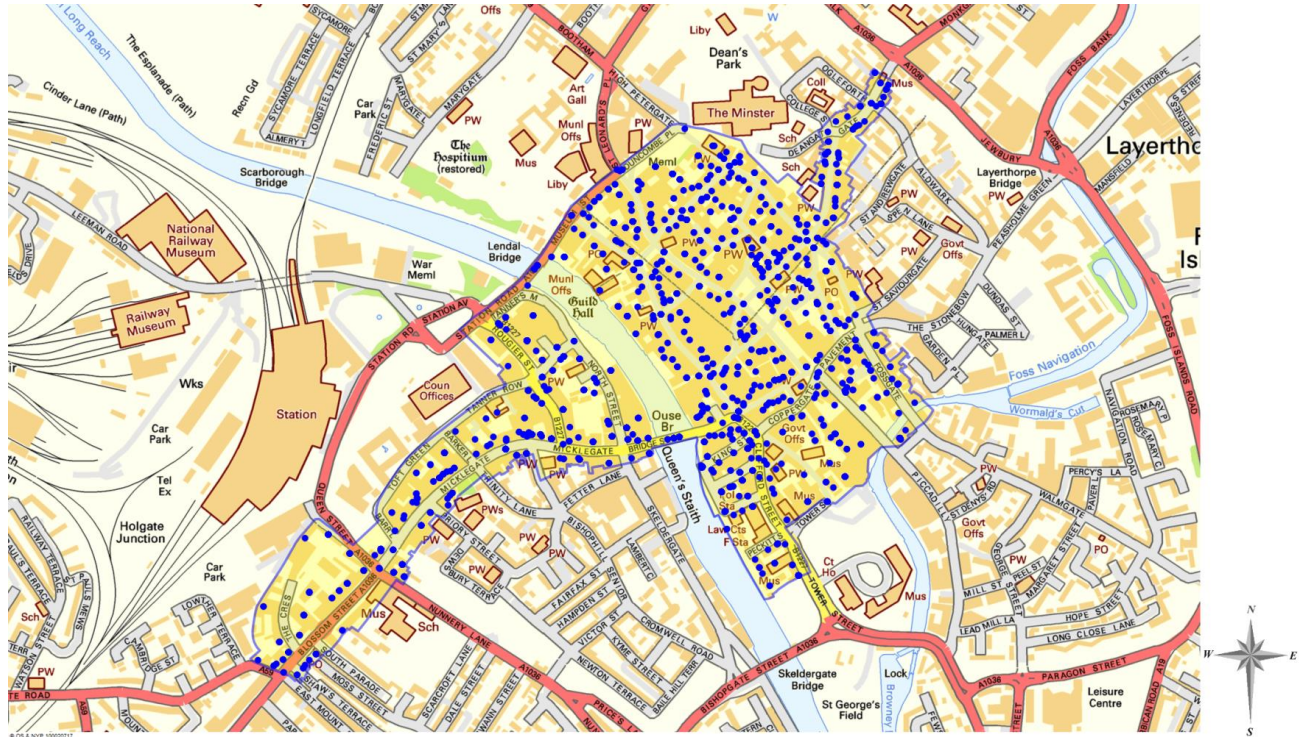
⁵ North Yorkshire Police and Crime Commissioner (NYPCC) Report 'Reducing the Risk of Harm to Vulnerable People in York's NTE, 28 October 2014

- 44. Operation Erase and Operation Safari - led by NYP - continue to operate within the city centre on Saturday afternoons and during the night-time economy period.
- 45. Reported occurrences in 2017/18 are relatively consistent across all months with increases evident March - April and July - September. Isolated increases are also evident in October and December.
- 46. The months highlighted above incorporate school and Bank Holiday periods and - commencing May - the onset of the seasonal increase in tourists/visitors to the City attending recurrent events such as York Races. Increases during December are likely influenced by increased footfall to the city attending events such as Christmas Fairs and other associated festivities as well as increased social activities at licensed venues as a consequence of Christmas and New Year.

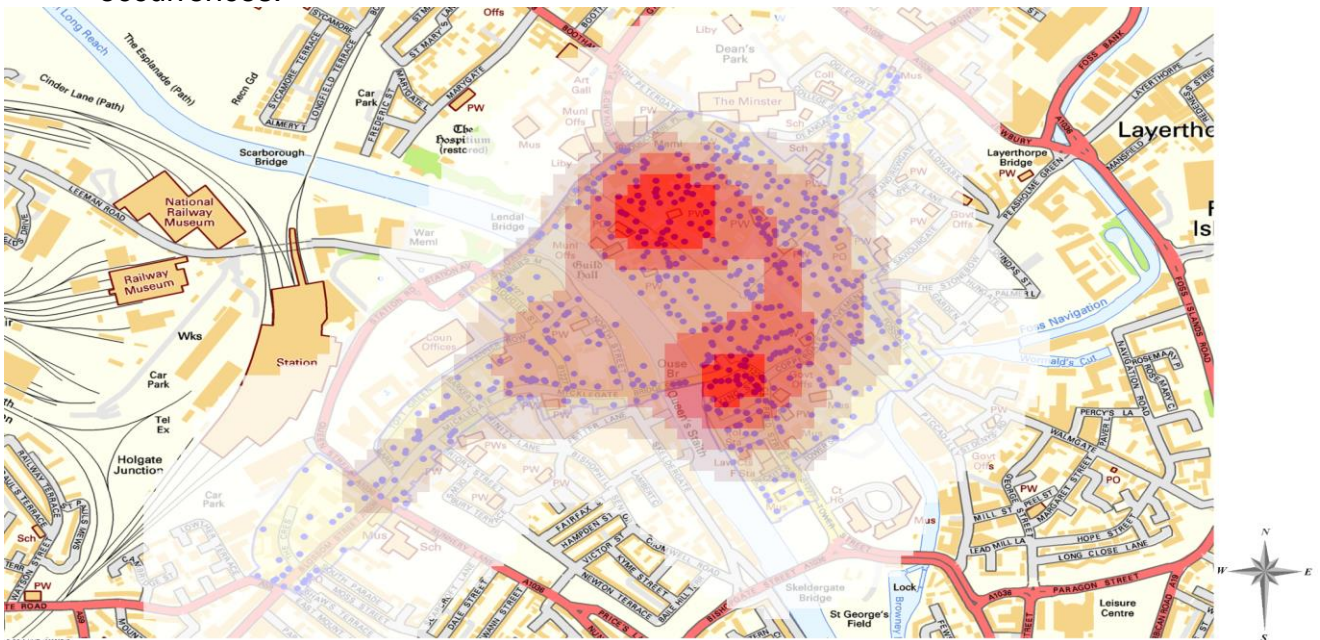


Maps

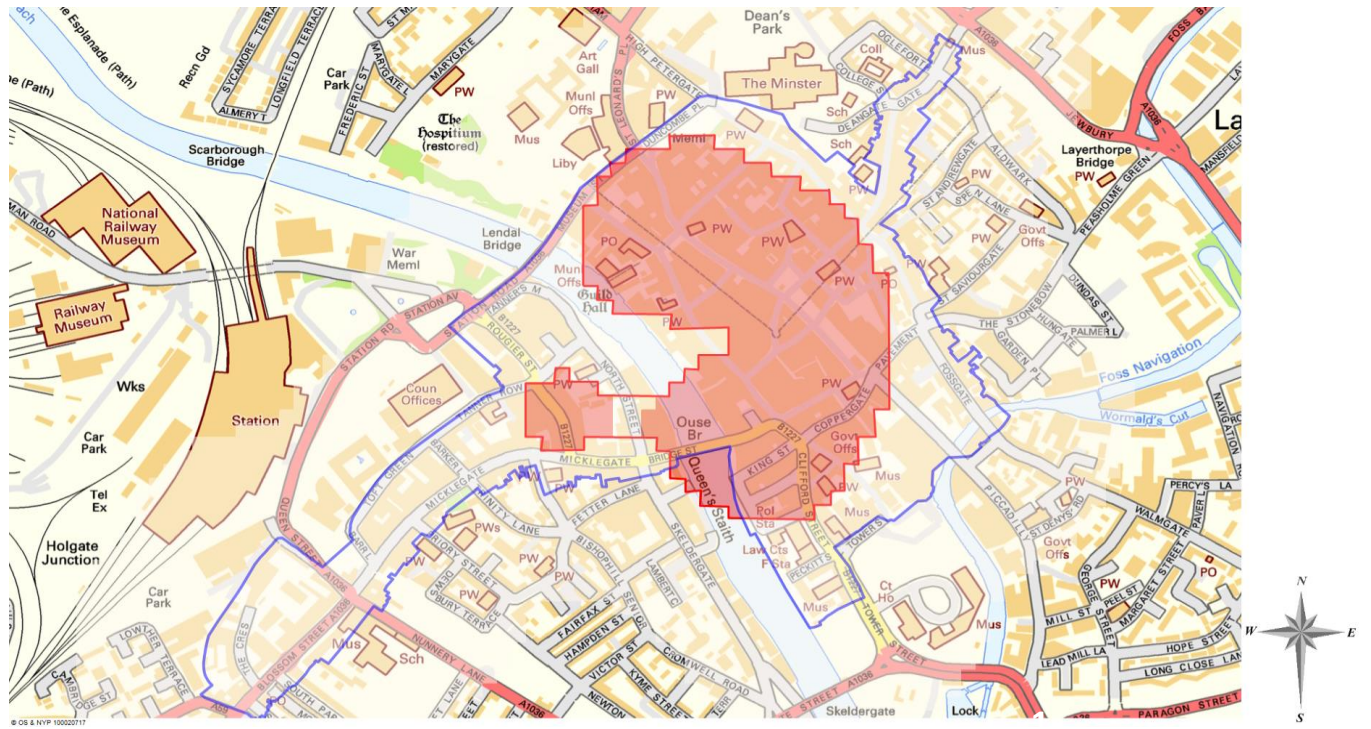
47. Map of the City of York showing the Cumulative Impact Zone as indicated by the blue boundary lines together with all occurrences and crimes (represented by blue dots) committed within the CIZ between 01/04/2017 and 31/03/2018.



48. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2017 and 31/03/2018. Red shading indicates highest density and graduating red / pink / white shading showing lowest density of occurrences.



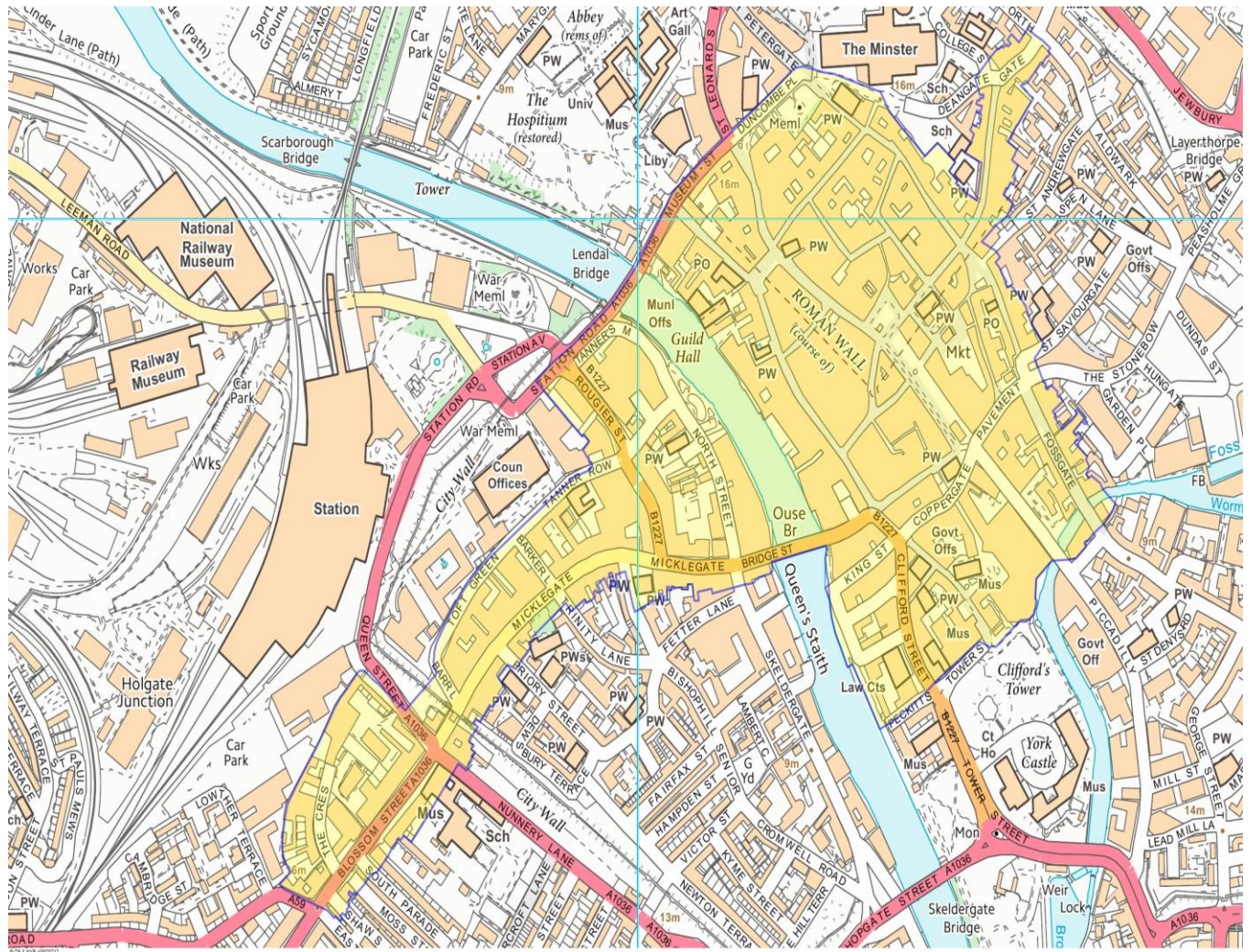
49. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2017 and 31/03/2018. Red shading indicates highest density of occurrences.



Conclusion

- 50. The Assessment has been carried out in accordance with the Section 5(a) of the Licensing Act 2003. This Assessment has been published because the Council considers that the number of relevant authorisation in respect of premises in one area described in the assessment is such that it is likely that it would be inconsistent with the Council’s duty under the Act to grant any further relevant authorisations in respect of premises in that part.
- 51. Based on the statistical data evidence above and the hot spot map, the Council has determined that an area of the city centre should remain as a cumulative impact area. The area should be altered (reduced) to match the ‘Top Five Tier Streets’ identified at paragraph 32 and the area identified on the hot spot map at paragraph 46. A red zone area is to be introduced, this is the area identified on the hot spot map at paragraph 47 which shows the highest density of occurrences.

52. The cumulative impact area is defined in the map below:



53. The red zone area is defined in the map below:

