

## Cumulative Impact Assessment 2024

### Licensing Act 2003

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## Introduction

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.
6. 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. 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, with the reasons for departing from the Policy. If the Council decides that an application should be refused, reasons for the refusing the application will be given to the applicant and all parties who made a relevant representation.

7. Where no relevant representations are received an application will be granted in terms consistent with the operating schedule.
8. An applicant wishing to obtain a new licence or vary a licence for premises situated within the cumulative impact area, that are likely to add to the cumulative impact already experienced, will normally be refused if relevant representations are received. The applicant will be expected to demonstrate through the operating schedule, the steps that they intend to take to promote the licensing objectives, 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.
9. 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. Applicants should also have regard to the guidance issued by the Home Office under Section 182 of the Act.

### **Cumulative Impact – York City Centre**

10. 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.
11. The Council first assessment was produced in 2018, and published in March 2019, this was reviewed in 2021, and published in March 2022.

## Cumulative Impact Assessment – York City Centre 2024 Review

12. As required by the Act the Council has reviewed the cumulative impact area (CIA). 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 third draft assessment in relation to an area that has been identified in York city centre.
13. This CIA 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
14. 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.
15. 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

16. The key findings from Public Protection (noise) were:
  - That noise complaints within the CIA:
    - Increased in 2021/22 compared to 2020/21. Nine complaints were received in 2020/21 (the COVID 19 pandemic restricted the operation of several businesses), and 42 were received in 2021/22.
    - Increased further in 2022/23, 47 complaints were received.
    - Reduced 2023/24, 26 complaints were received.

- 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	2021/22	2022/23	2023/24	2024*
Blossom St / The Crescent	4	2	0	2
Micklegate / Bridge St	8	16	3	2
George Hudson St / Rougier St Tanner Row	7	2	4	1
Low / High Ousegate / Church Lane	2	8	7	0
Parliament St / St Sampsons Sq / Church St / Patrick Pool	2	1	1	1
Fossgate	3	4	1	0
Goodramgate	4	2	0	3
Low/High Petergate	2	3	0	0
Lendal / Museum St / Duncombe Pl	3	2	3	2
Swinegate / Grape Lane / Little Stonegate	3	2	1	0
Coppergate Centre / Castlegate	3	0	1	0
Pavement / Piccadilly / Whip-Ma-Whop-Ma-Gate / Colliergate	0	3	2	1
Coney St / New St	1	1	2	1
Blake St	0	1	1	0

\*up to 30 October 2024

17. The key findings from the Police were:

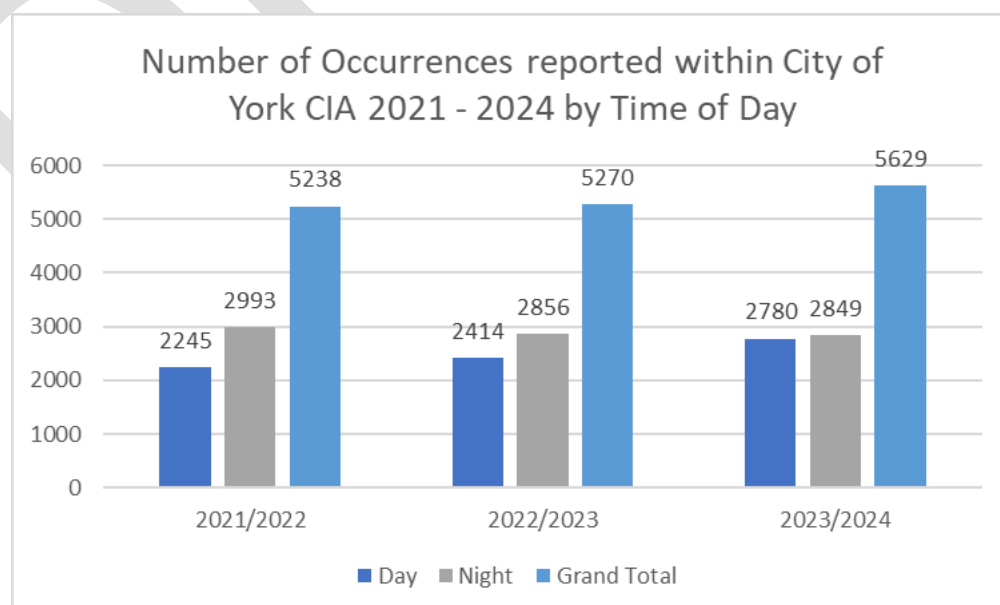
- Overall the crimes and occurrences continue to follow a similar pattern to those highlighted in the report covering 2018/19-2020/21. The CIA encapsulates the majority of crimes / anti-social behaviour (ASB) and public safety and welfare (PSW) incidents in the centre of York.
- 2019/20 data:
  - There are similar levels of reporting in the daytime and night-time economy.
  - The peak reporting time is between 14:00-18:00, which is a shift from 2020/21 where the peak was between 23:00-01:00.
  - There is a substantial rise in reporting on a weekend, in particular on Saturdays, which accounts for 22% of the total.
  - August is the month which sees the most reports.

- Crime Violence\* is the top crime type, followed closely by Crime Theft General, and then ASB Nuisance. This is a change from the 2018-2021 CIA (ASB Nuisance).
- The top five streets reflect previous years (with the order slightly changed).
- Piccadilly has seen a significant increase in reporting.
- ASB Nuisance accounts for 61% of Dispersals issued.
- Coney Street saw the most Dispersals issued (17% of the total).
- Coney Street is the location with the most Crime Theft General, and PSW Abandoned Call reports.
- Blake Street is the location with the most Crime Theft General, and PSW Abandoned Call reports.

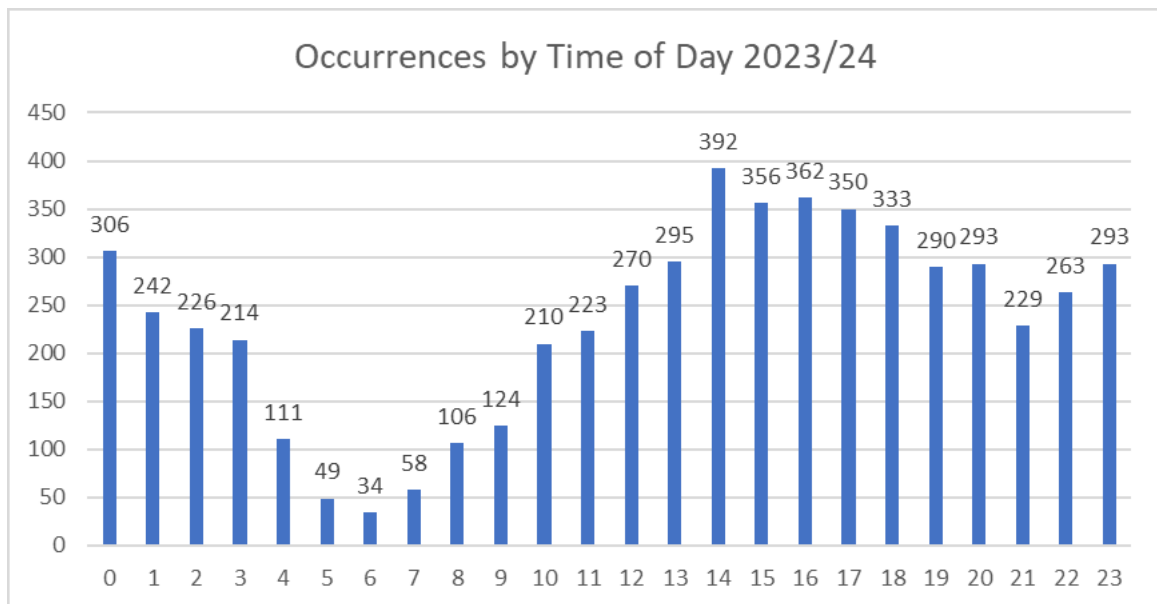
\*Examples of crime violence are – violence against the person which is assault with or without injury, public order offences, stalking, malicious communications, racially aggravated assault, harassment, controlling and coercive behaviour.

## Occurrences

18. There are more incidents reported within the City of York CIA during the night-time economy period (NTE), however this has levelled off in the period 2023 – 2024 with just over half (51%) reported in the NTE.

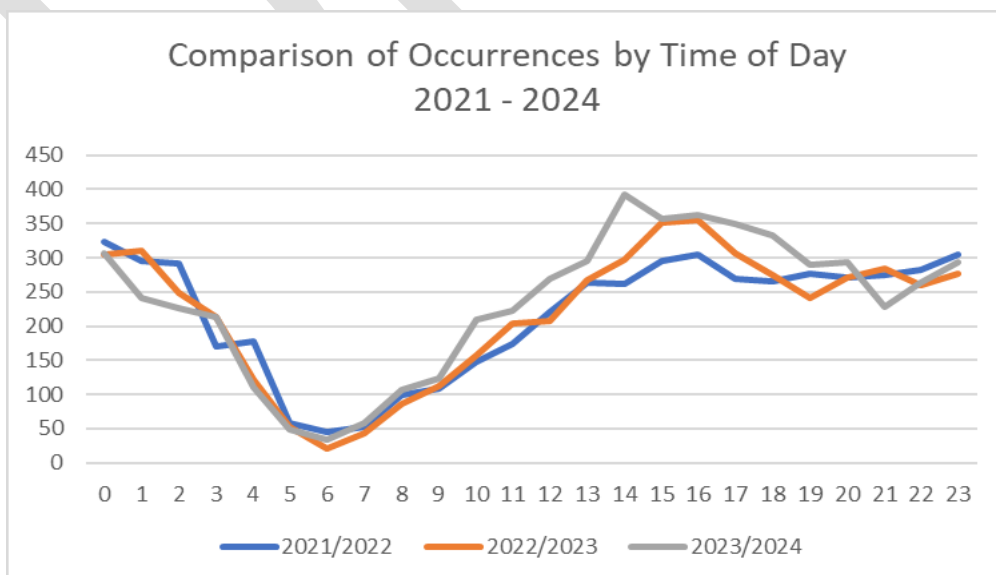


19. For the period 2023/24 there is a peak in reporting between 14:00-18:00. There is another smaller peak between 23:00-01:00.

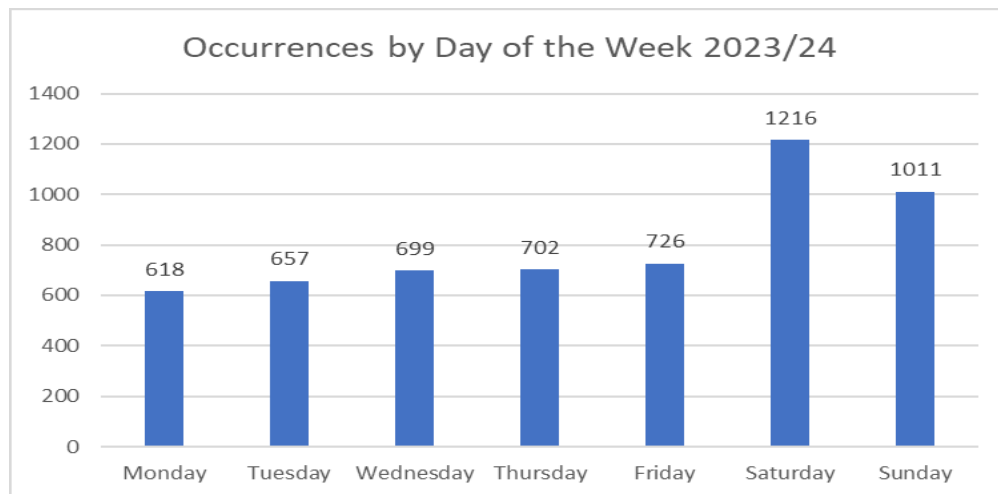


20. By comparison with 2021/22 and 2022/23, the peaks in reporting times are:
- 2021/22 the peak is between 23:00 – 01:00, with a smaller peak between 15:00 – 17:00
  - 2022/23 the peak is between 15:00 – 17:00, with a smaller peak between 00:00 – 02:00.

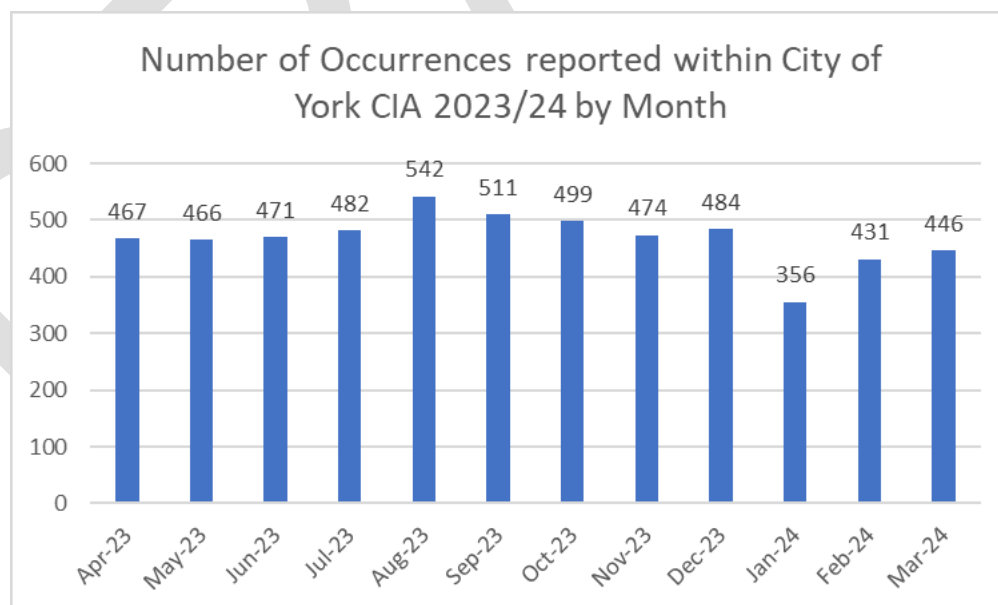
This shows a move towards increased reporting in the daytime economy over the years.



21. Incidents are reported throughout the week, with a substantial rise seen on a Saturday which accounts for 22% of the total in the period 2023/24, with Sunday accounting for 18%. This pattern is also seen in data for the period 2021/22 and 2022/23.



22. Reporting remains high throughout the year, with the peak in August and a decline in January.

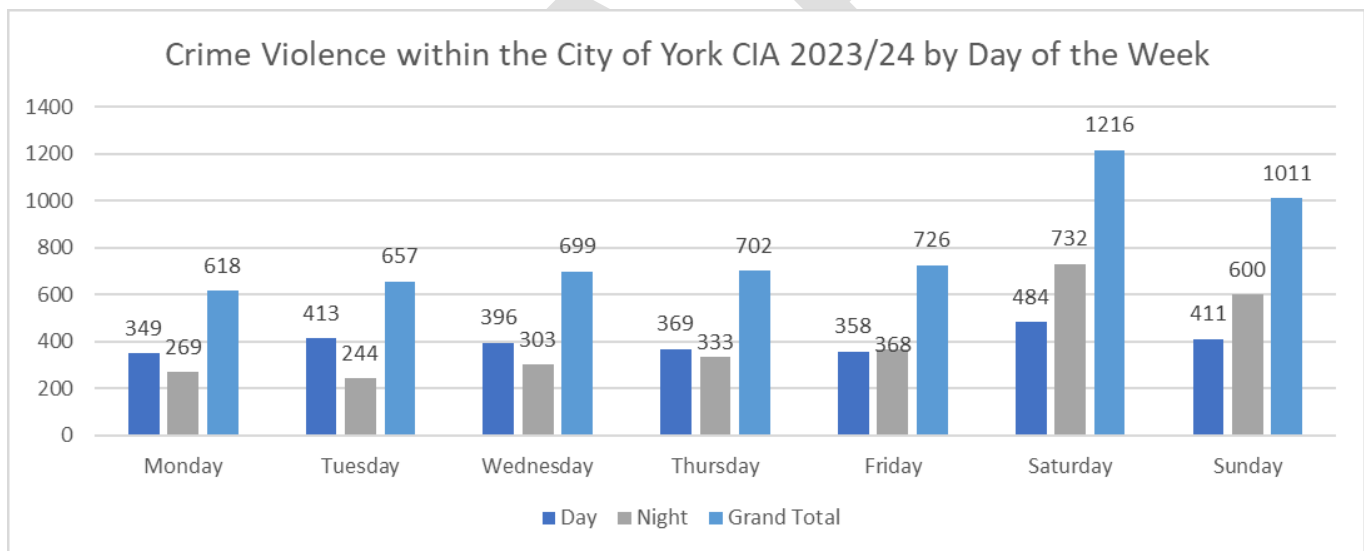


23. 5629 occurrences (within the parameters have been reported within the CIA in 2023/24. The top occurrence types are shown within the table below by year.



Occurrence Type	2021/22	2022/23	2023/24
Crime Violence	1025	1027	1005
Crime Theft General	736	851	937
ASB Nuisance	747	559	748
PSW Abandoned Call	451	530	674
PSW Concern for Safety/Collapse/Injury/Illness/Trapped	541	555	549

24. Crime Violence is the most prevalent crime type across all three financial years, accounting for 18% in the CIA 2023/24, 66% of which were reported in the night-time economy, and 50% were reported across the weekend<sup>1</sup>. Report of Crime Violence across the time periods is stable with a slight decline in 2023/24; with at least 55% of Crime Violence reporting is believed to be linked to alcohol<sup>2</sup>.



25. Crime Violence accounts for 41% of crime types in the CIA 2023/24. There is a noticeable decline in Crime Sexual Offence and Crime Robbery reports for 2023/24.

<sup>1</sup> Saturday and Sunday

<sup>2</sup> NICL closure class contains alcohol

Crime Type	2021/22	2022/23	2023/24
Crime Violence	1025	1027	1005
Crime Theft General	736	851	937
Crime Other Offences	240	187	164
Crime Criminal Damage	137	112	111
Crime Related Incident	67	70	87
Crime Sexual Offence	76	81	58
Crime Drugs	58	44	57
Crime Fraud & Forgery	35	47	33
Crime Robbery	24	12	13

26. Crime Sexual Offence is covered in more details in a recent report under Op Vigilant. Op Vigilant is an operation employed by North Yorkshire Police which uses specially trained officers to identify potential perpetrators of sexual offences operating in the night-time economy. The operation has been adopted from Thames Valley Police, where plain clothed officers observed individuals of concern, passing the details to uniformed officers to engage with the subjects and deter any offending.

The data analysed in the report covered the period April 2023 – March 2024, and focussed on the night-time economy in York city centre (rather than the CIA). Extract as follows:

- i) 72% of offences occurred between Friday night and the early hours of Sunday morning (28 out of 39 offences).  
The highest level of offending occurred on Saturday nights into Sunday mornings (18 offences, 46% of the total).  
There was a slight peak in offences in the early hours of Wednesday morning (5 offences). Three of the victims were aged between 17 and 21. Two victims' home address suggest that they could be students. One of the victims was walking home after working as a member of bar staff at a city centre bar. There were no repeat locations for midweek offences.
- ii) Number of offences:
  - George Hudson Street, York, YO1 6JL – 7
  - Tanner Row, York, YO1 6JB – 5
  - Swinegate, York, YO1 8AZ – 4
  - Clifford Street, York, YO1 9RD – 2
  - King Street, York, YO1 9SP – 2

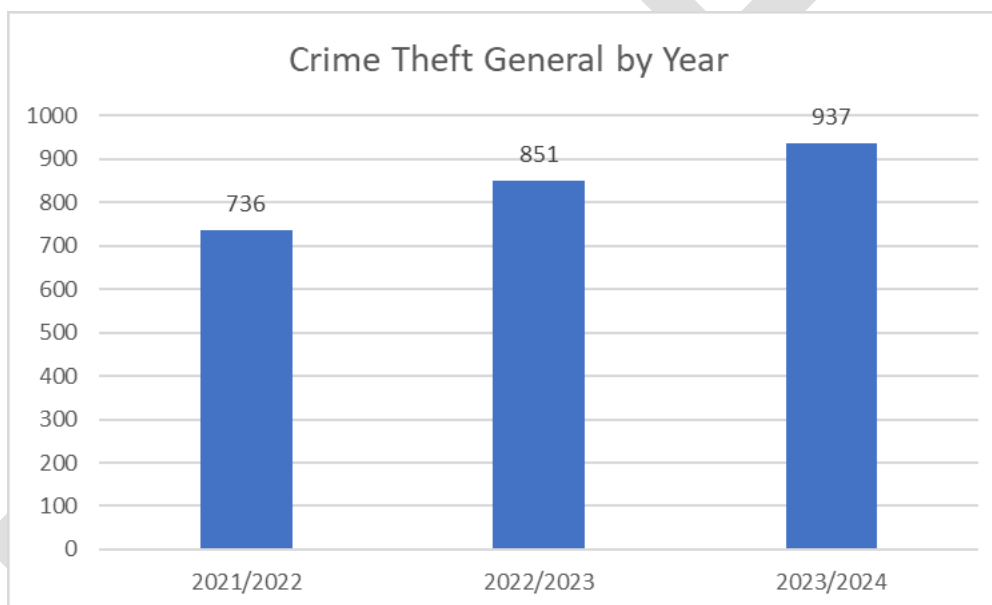
The top three repeat premises were located on:

- George Hudson Street
- Tanner Row
- Swinegate

These venues collectively accounted for 14 offences (36% of the total).

Of the offences which occurred on the street, no street saw more than one offence.

27. Crime Theft General has seen an increase in reporting year on year, accounting for 38% of the crime types in the CIA 2023/24. Out of the 937 Crime Theft General, 543 crimes have property listed as stolen, alcohol was stolen in 61 of the total offences (6.5%)<sup>3</sup>.



28. ASB Nuisance saw a reduction in 2022/23, with similar levels seen in 2021/22 and 2023/24. ASB Personal has seen a slight reduction between 2021/22 and 2023/24, with ASB Environmental seeing a significant reduction in 2022/23 and then again in 2023/24.

<sup>3</sup> Evidence from the Commercial Victimisation Survey (CVS), 2021 indicates that some types of retail premises experienced notably higher prevalence of theft by a customer. For example 77% of supermarkets experienced customer theft according to the CVS, 2021 which is much higher than the wider Wholesale and retail sector (25%). The two most commonly stolen items by customer theft were 'food or groceries' and 'alcohol' (an estimated 39% and 25%, respectively) (Source: ONS October 2023).

Occurrence Type	2021/22	2022/23	2023/24
ASB Nuisance	747	559	748
ASB Personal	61	34	44
ASB Environmental	71	25	15

29. Dispersals Notices<sup>4</sup> were issued across nine occurrence types, ASB Nuisance accounting for 61% of Dispersals in 2023/24. 2022/23 saw a decrease in Dispersals issued (35) overall, the number of Dispersals issued between 2021 – 2024 remains low.

Occurrence Type	2021/22	2022/23	2023/24
ASB Nuisance	51	18	43
Admin Police Generated Resource Activity	4	7	10
Crime Violence	4	2	4
Crime Theft General		2	7
Crime Other Offences	1	1	5
PSW Concern for Safety/Collapse/Injury/Illness/Trapped		4	
Crime Related Incident	1		1
ASB Environmental			1
Crime Drugs		1	
Grand Total	61	35	71

30. The top ten areas where Dispersal Notices were issued for the period 2023/24, shows Coney Street as the top locations (17%), this was also seen in 2022/23.

St Saviourgate is a new location seen in 2023/24 with six Dispersal Notices issued, compared to 2022/23 and 2021/22 where none were issued.

Similarly, Station Road has seen four Dispersal Notices used whereas in 2022/23 and 2021/22 none were issued.

In 2023/24 75% of the Dispersals were issued in the daytime economy.

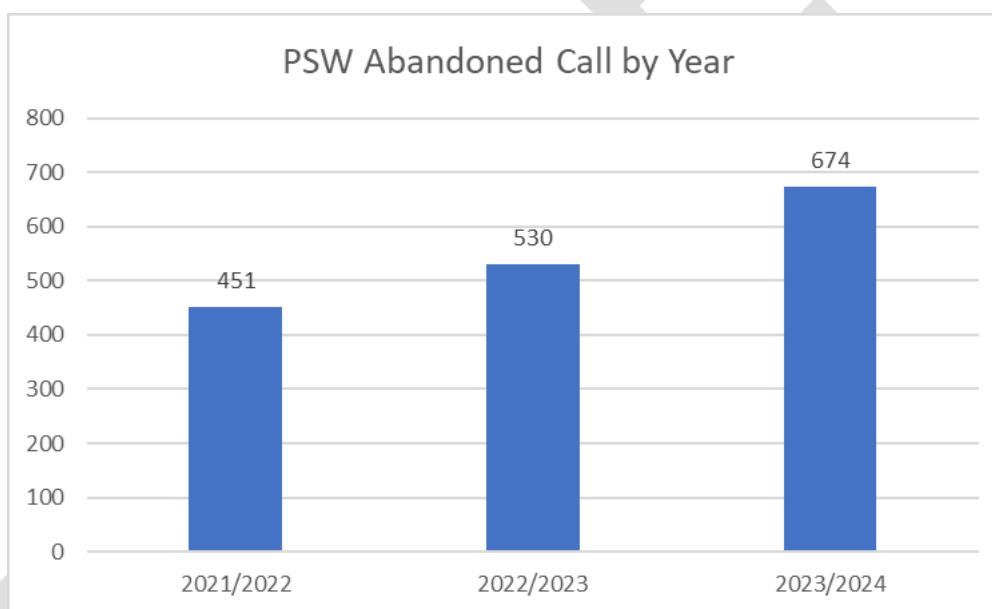
<sup>4</sup> Under the Anti-Social Behaviour, Crime and Policing Act 2014, Officers can disperse people who they believe are likely to commit crime or disorder, or behave anti-socially.

Street Address	2021/22
High Ousegate	6
St Helens Sq	5
Coney St	4
Parliament St	4
Low Ousegate	4
Lendal	4
Little Stonegate	3
Davygate	3
Stonegate	3
Blake St	2

Street Address	2022/23
Coney St	9
Blake St	7
Parliament St	4
Low Ousegate	3
St Helens Sq	2
Davygate	2
Pavement	1
Little Stonegate	1
Stonegate	1
Duncombe Pl	1

Street Address	2023/24
Coney St	12
Blake St	7
St Saviourgate	6
Low Ousegate	6
Parliament St	5
Piccadilly	5
Station Rd	4
Low Petergate	3
Stonegate	2
Pavement	2

31. PSW Abandoned Call has seen a steady increase in reporting between 2021 and 2024.



32. PSW Concern for Safety/Collapse/Injury/Illness/Trapped is also recorded within the top tier of occurrences. Levels remain relatively stable between 2021 and 2024.

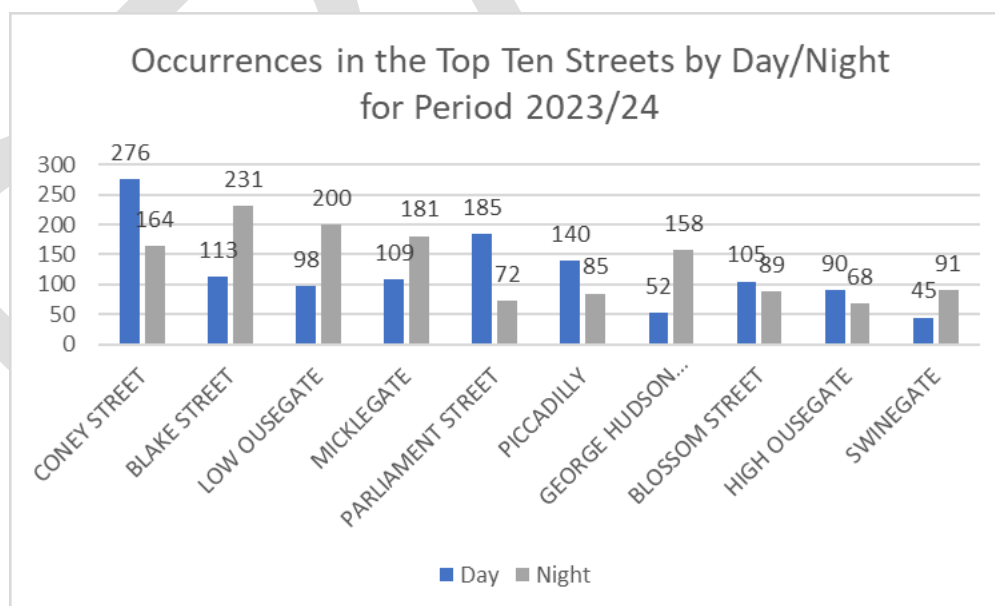
## Locations

33. The 'Top Ten Tier Streets', within the CIA, which record the highest level of occurrences and crimes, are evidenced within the table below. Coney Street, Blake Street and Micklegate, feature highly across the 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. Piccadilly has seen the biggest increase in reporting in 2023/24 compared with previous years, followed by Low Ousegate.

Street Address	2021/22	2022/23	2023/24	% Change 22/23-23/24
Coney St	370	386	440	↑ 12%
Blake St	284	301	344	↑ 13%
Low Ousegate	219	218	298	↑ 27%
Micklegate	335	318	290	↓ 10%
Parliament St	254	300	257	↓ 17%
Piccadilly	125	132	225	↑ 41%
George Hudson St	240	228	210	↓ 9%
Blossom St	196	195	194	↓ 1%
High Ousegate	93	138	158	↑ 13%
Swinegate	128	108	136	↑ 21%

34. NTE reporting is more prevalent in Blake Street, Low Ousegate, Micklegate, George Hudson Street and Swinegate.



35. The top five tier streets (2023-24) are listed below against the top five occurrence and crime types.

- Coney Street reports predominately Crime Theft General, followed by

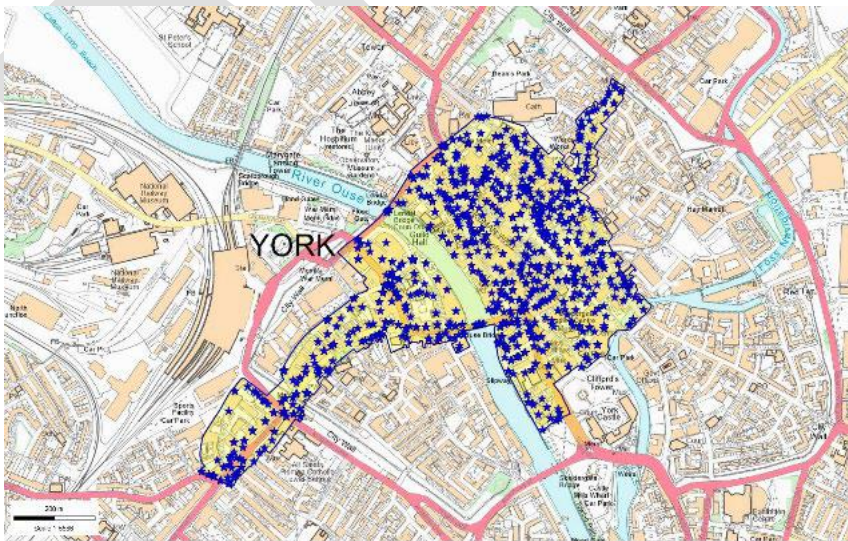
### PSW Abandoned Call.

- Blake Street reports predominantly ASB Nuisance, closely followed by Crime Violence.
- Low Ousegate reports predominantly PSW Concern for Safety closely followed by Crime Violence.
- Micklegate reports are predominantly Crime Violence.
- Parliament Street reports are predominantly Crime Theft General.

Street Address	ASB Nuisance	Crime Theft General	Crime Violence	PSW Abandoned Call	PSW Concern - Safety/Collapse/ Injury/Illness/ Trapped
Coney St	48	110	56	74	28
Blake St	100	28	88	25	19
Low Ousegate	35	42	63	11	67
Micklegate	34	27	63	33	25
Parliament St	33	81	17	12	26

## Maps

- Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue stars) committed within the CIA between 01/04/2021 and 31/03/2022.

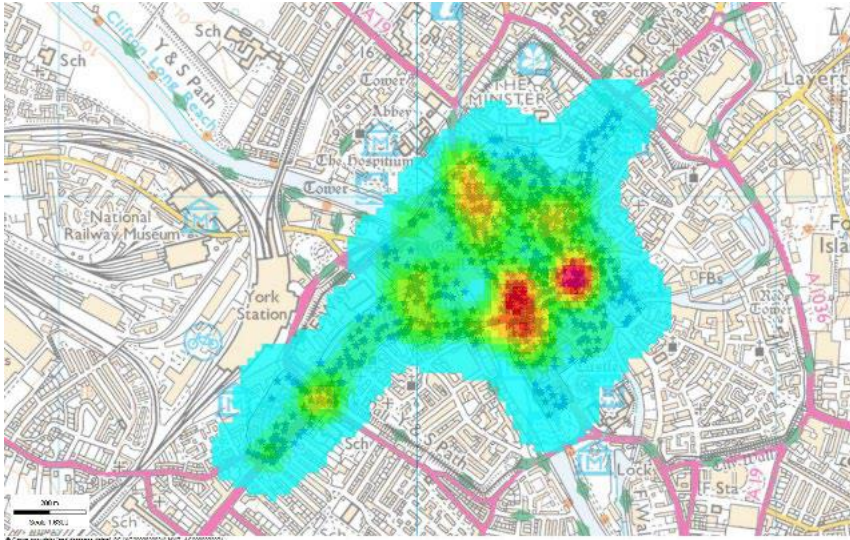




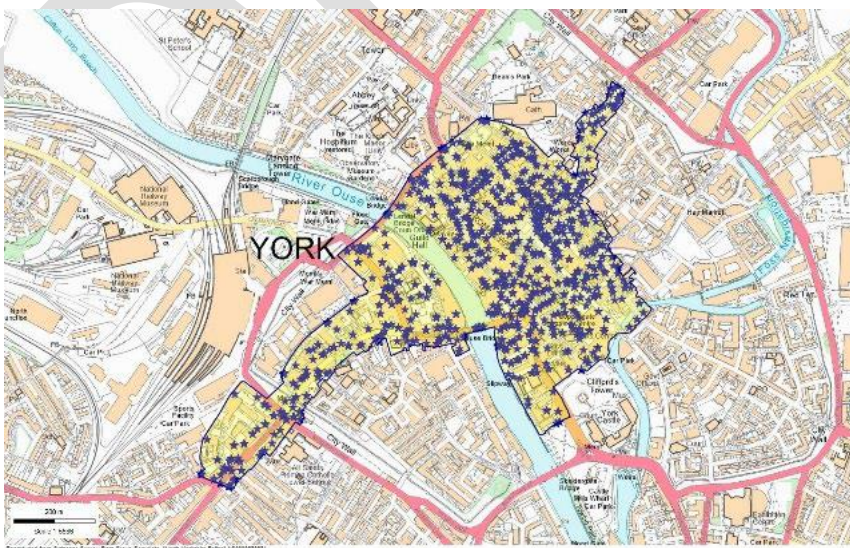
## Hot Spot Map

Area 1 – Parliament Street/Piccadilly/Pavement area

Area 2 – Coney Street/Spurriergate/Low Ousegate area



37. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue stars) committed within the CIA between 01/04/2022 and 31/03/2023.



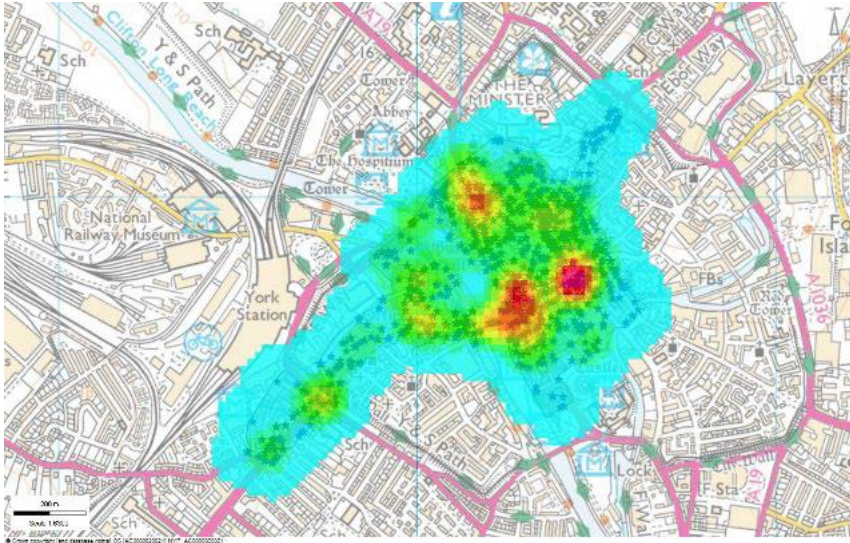


## Hot Spot Map

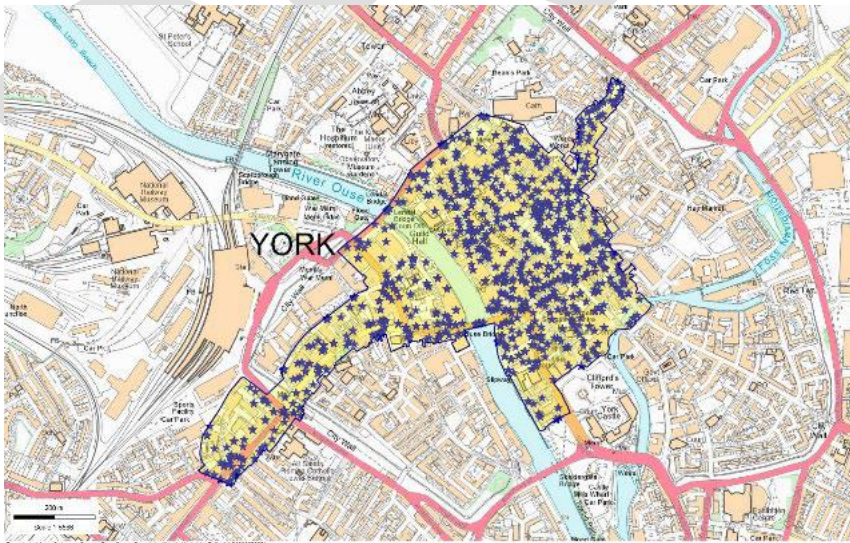
Area 1 – Parliament Street/Piccadilly/Pavement area

Area 2 – Spurriergate/Low Ousegate area

Area 3 – Blake Street area



38. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue stars) committed within the CIA between 01/04/2023 and 31/03/2024.

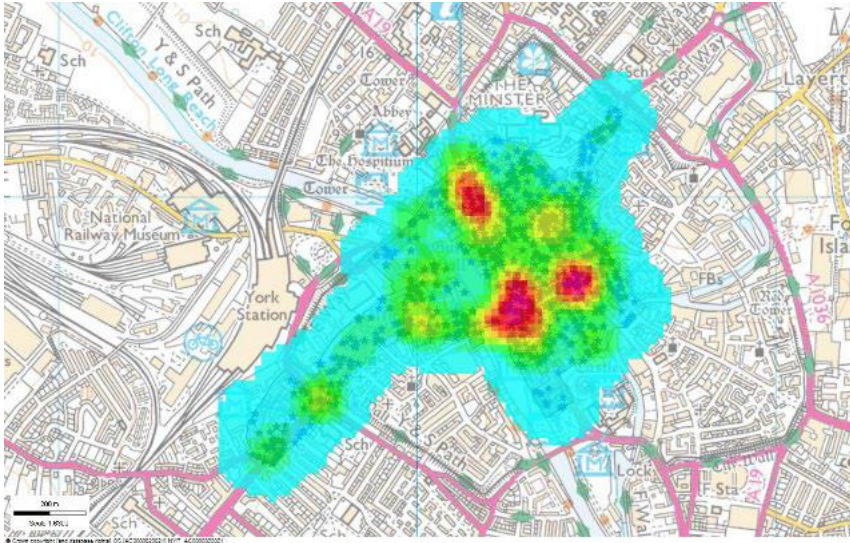


## Hot Spot Map

Area 1 – Coney Street/ Low Ousegate/ area

Area 2 – Parliament Street/Piccadilly area

Area 3 – Blake Street area



## Conclusion

39. 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 authorisations 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.
40. Based on the statistical data evidence above and the hot spot maps, the Council has determined that an area of the city centre should remain as a cumulative impact area.
41. The area has not been altered it is in line with top ten areas where Dispersal Notices have been issued and the 'Top Ten Tier Streets' highlighted within the 2021 Assessment, as detailed at paragraph 33 and the area identified on the hot spot maps at paragraphs 36, 37 and 38.
42. The area also includes locations highlighted within paragraph 26 where Crime Sexual Offence have been reported.



43. Goodramgate is no longer included within the 'Top Ten Areas' where Dispersal Notices were issued, or within the 'Top Ten Tier Streets'. The Council has, however determined that Goodramgate should remain within the cumulative impact area due to the number of occurrences and crimes reported in this area as identified on the maps at paragraphs 36, 37 and 38.
44. The cumulative impact area is defined in the map below (this area no longer includes defined zones):

