

Report of the Director of Neighbourhood Services

Review of Cumulative Impact Zone

Summary

1. This report seeks members approval to formally consult on changes to the boundary of the Cumulative Impact Zone following a report from North Yorkshire Police detailing changing patterns of crime and disorder in the City Centre.

Background

2. The Councils Statement of Licensing Policy 2008 - 2011 includes a special policy on cumulative impact for part of the city centre. Cumulative impact being defined as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”. The effect of the special policy is to create a rebuttable presumption that applications for new premises or material variations will normally be refused if relevant representations are received. Full details are to be found in section 6 of the Licensing Policy.
3. The boundaries of the cumulative impact zone were approved by council in April 2005 based on patterns of crime and disorder prior to that date. North Yorkshire Police have now submitted a report to the council requesting that the boundaries of the zone be amended to reflect current patterns of crime and disorder in the City. Their request and supporting documentation is attached as Annex 1 to this report.
4. Should members wish to pursue this matter there is a formal process of consultation and decision making to be undertaken. The licensing authority has a duty to consult with:
 - Chief Officer of Police
 - Chief Fire Officer
 - Representatives of local holders of premises licences and club premises certificates
 - Representatives of local holders of personal licences
 - Representatives of businesses and residents in the area
5. Any decision relating to changes to the Licensing Policy must be approved by Full Council.

6. In practice consultation on changes to the Licensing Policy have been much wider involving other statutory agencies, other relevant council departments, representatives of the leisure and hospitality industries, transport providers and relevant agencies in the voluntary sector. A full list is published on pages 9 and 10 of the current policy.
7. If members determine that consultation on the proposals is undertaken then it is suggested the following timetable be adopted:
 - Consultation period February – May 2010
 - Guildhall Ward Committee 26 April
 - Micklegate Ward Committee 6 May
 - Gambling and Licensing Acts Committee 4 June
 - Full Council 1 July

Consultation

8. This report seeks authority to commence consultation

Options

9. Option 1: To authorise officers to consult on the proposals to amend the boundary of the Cumulative Impact Zone as proposed by the Police.
10. Option 2: To authorise officers to consult on alternative proposals to amend the boundary of the Cumulative Impact Zone
11. Option 3: To take no further action.

Analysis

12. York has for many years been held in high regard nationally for the way it manages its night time economy. Statistics shown in the report compiled by the Safer York Partnership (SYP) show the continued reduction in city centre violent crime and criminal damage. These positive results could not be achieved without the excellent partnership working of the statutory agencies with the support of the trade. In considering this request from the Police, which is endorsed by SYP through its Nightsafe Task Group, members are requested to consider the role of the licensing authority in the partnership arena in maintaining continued improvement. Any decision not to support this request will need to be carefully reasoned as it will affect licence applications in the future which are subject to judicial scrutiny.

Corporate Strategy

13. The Licensing Act 2003 has 4 objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

14. The promotion of the licensing objectives will support the Council's strategy to make York a safer city with low crime rates and high opinions of the city's safety record.

Implications

15. **Financial:** Any costs involved in the consultation process will be met from existing budgets.

Human Resources (HR): None

Equalities: None

Legal :

Crime and Disorder: Members are reminded of their duty under the Crime and Disorder Act 1998, to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.

Information Technology (IT): None

Property: None

Other: None

Risk Management

16. There is no risk to the council in consulting on these proposals.

Recommendations

17. Members are asked to approve option 1 to authorise officers to consult on the proposed amendments to the boundary of the cumulative impact zone as proposed by North Yorkshire Police and to report back to the June meeting of this committee.

Reason : To assist with the effective implementation of the Licensing Act 2003 in the city and contribute to the reduction of alcohol related crime and disorder in the city centre.

Author:
Richard Haswell
Head of Licensing

**Neighbourhoods and
Community Safety**

Tel No: 01904 551515

Chief Officer Responsible for the report:
Andy Hudson
**Assistant Director of Neighbourhoods and
Community Safety**

Report Approved Date 19/01/2010

Specialist Implications Officer
Legal - Martin Blythe
Tel No. 01904 551044

Wards Affected: Guildhall and Micklegate



For further information please contact the author of the report.

Background Papers:

CYC Statement of Licensing Policy 2008 - 2011

Annexes:

Annex 1: Request from North Yorkshire Police and supporting documentation