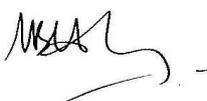


Report to:	Licensing Committee	Date:	18 December 2017
Report title:	Review of the Special Policy on Cumulative Impact		
Report from:	Mary Morrissey, Strategic Director of Environment, Housing and Regeneration		
Ward/Areas affected:	Borough Wide		
Chair of Committee/Lead Member:	Councillor Mary Burstow		
Author(s)/Contact Number(s):	David Kingstone, Licensing & Environmental Compliance Team Leader 020 8770 5162 / 07342 055767		
Corporate Plan Priorities:	<ul style="list-style-type: none"> • An Open Council • A Fair Council 		
Open/Exempt:	Open		
Signed:		Date:	8 December 2017

1. Summary

- 1.1 The Licensing Committee considered a report updating on the review of the special policy on cumulative impact at this Committee in September.
- 1.2 That report included an analysis report prepared by the Safer Sutton Partnership Service which incorporated analysis of a variety of crime types, ambulance call out data, key stakeholder viewpoints and other factors.
- 1.3 The Committee identified that the review of the Special Policy on Cumulative Impact should aim to reduce the number of off licences selling alcohol, encourage an increase in restaurants and to focus on reducing anti-social behaviour in the Impact areas.
- 1.4 Members requested that further evidence be considered around their concerns about parts of North Cheam and also the area surrounding Sutton Green, in order to assist the Committee with their consideration of Cumulative Impact Areas in the Borough.
- 1.5 This report introduces the further analysis relating to these areas, given in a supplementary report prepared by the Safer Sutton Partnership Service which is included at **Appendix A**.



2. Recommendations

The Licensing Committee is recommended to:

- 2.1 Consider the evidence provided in the supplementary analysis report together with the original analysis report and identify any areas where evidence supports a Special Policy on Cumulative Impact.
- 2.2 Agree the process for progressing with a draft Special Policy on Cumulative Impact, should the evidence support such a Policy, with reference to the options set out at paragraphs 5.1 to 5.3 of this report.

3. Background

- 3.1 Members may recall from the report presented in September that recommendations stemming from the original analysis report prepared by the Safer Sutton Partnership indicated that evidence was available to support the retention of two of the existing cumulative impact areas, and extending those to incorporate a slightly wider area.
- 3.2 This report asks members to consider whether evidence supports the inclusion of part of North Cheam and an area around Sutton Green should be subject to the Special Policy on Cumulative Impact.
- 3.3 It is recommended that the remainder of the existing zones should be removed on the basis that evidence indicates there is less of a concentration of licensed premises and / or the impact of those premises on the licensing objectives is reduced.

4. Issues

- 4.1 A cumulative impact policy places a greater responsibility upon applicants to demonstrate to the satisfaction of the Licensing Authority that their application will not add to the negative cumulative impact of premises in the area.
- 4.2 Removal of areas to which the Cumulative Impact Policy applies does present a risk of businesses seeking to apply for licences or variations to existing licences in these areas, where the additional responsibility upon applicants will no longer apply.
- 4.3 However, the absence of a special policy does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.



- 4.4 Areas where a Cumulative Impact Policy is applied, but is unsupported by evidence are liable to challenge by licence holders or applicants where decisions are refused on the basis of cumulative impact, and such decisions are less likely to be upheld.

5. Options

- 5.1 Having identified areas where a policy on Cumulative Impact might apply, preparation of a draft Policy is relatively straightforward, however any change to or addition of a Special Policy on Cumulative Impact must be subject to consultation and Members are invited to consider the options for moving this work forward.
- 5.2 One option would be to delegate the task of drawing up a draft policy to Officers in consultation with the Chair. This policy would then be published for consultation in January 2018, with the results presented for consideration and agreement of a final policy at the Committee meeting in March 2018 (noting that the Policy must be approved by Council before it comes into effect).
- 5.3 Alternatively, a draft policy could be prepared and brought to the next Committee meeting in March for approval, followed by a period of consultation and the results of that consultation being brought to the first Committee of the new municipal year following the local elections.
- 5.4 Members may also consider any other arrangement for progressing the development of the draft Policy for consultation.

6. Impacts and Implications

Financial

- 6.1 The costs of conducting the review of Cumulative Impact Policies will be borne through existing budgets, so there are no direct financial implications.

Legal

- 6.2 The Statutory Guidance states that once adopted, Cumulative Impact Policies should be reviewed regularly to assess whether they are needed any longer or if those which are contained in the Council's Statement of Licensing Policy should be amended.



7. Appendices and Background Documents

Appendix letter	Title
A	Supplementary Analysis of Data by Safer Sutton Partnership

Background documents
Data Analysis by Safer Sutton Partnership presented to Licensing Committee on 25 September 2017

Audit Trail		
Version	Final	Date: 6 December 2017
Consultation with other officers		
Finance	No	N/A
Legal	Yes	
Equality Impact Assessment required?	No	N/A