



Cumulative Impact Assessment 2022 to 2025 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. 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, will be expected to 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 2021 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 second draft Assessment in relation to an area that has been identified in York city centre. This area includes red and amber zone areas.
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:

- That noise complaints within the CIA:
 - Reduced in 2019 compared to 2018. 33 complaints were received in 2018, and 14 were received in 2019.
 - Reduced further in 2020, nine complaints were received. The impact of the COVID 19 pandemic, restricted the operation of a number of businesses within the CIA, with a majority of businesses been closed due to restrictions.
 - Increased in the first 10 months of 2021, 27 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.

Cumulative Impact Assessment 2022 to 2025

- The locations of the complaints are as follows:

Location	Number of complaints 2019	Number of complaints 2020	Number of complaints 2021*
Blossom Street/ The Crescent	4		3
Micklegate/Bridge Street/St Martins Lane	5	3	5
George Hudson Street/Rougier Street	2	1	2
Tanner Row	1		
Low/High Ousegate			2
Parliament Street		1	
Church Street			1
Fossgate	1		2
Goodramgate			1
Low/High Petergate		2	5
Silver Street			1
Kings Square		2	
Swinegate/ Grape Lane			2
Little Stonegate			1
Stonegate			1
New Street	1		1

(up to 31 October 2021)

15. The key findings from the Police were:

- Overall the crimes and occurrences continue to follow a similar pattern to those highlighted in the report 2017-2018. 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:

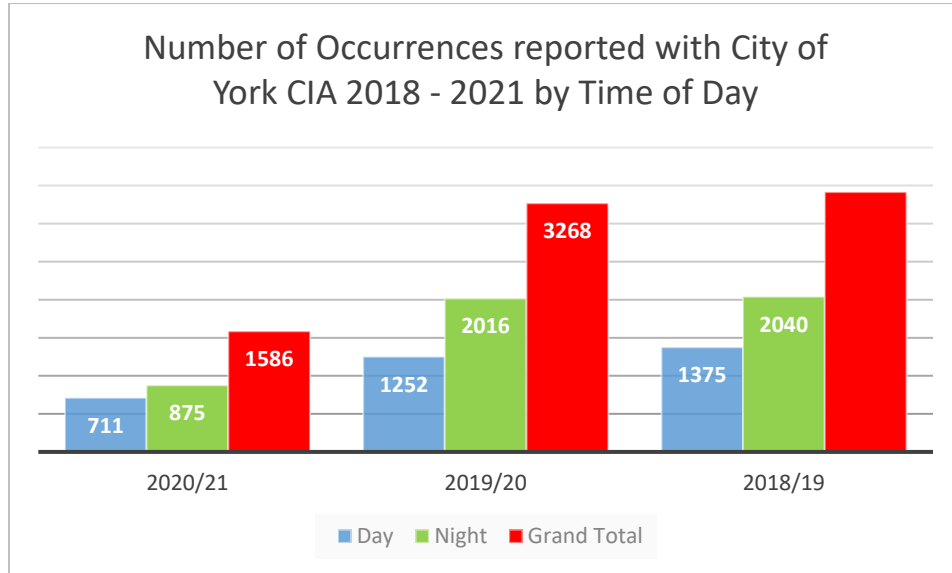
- The majority of incidents continue to occur in the night-time economy, peaking between 23:00 and 04:00.
- There is a substantial rise in reporting on a weekend, in particular on Saturdays, which accounts for 24% of the total.
- The top tier occurrence types continue as previously reported, with ASB nuisance the top report incident with 42.5% of this total reported across the weekend.
- There is a significant increase in the number of ASB dispersal notices totalling 166.
- Coney Street continues to be the top area where dispersal notices are issued.
- PSW Concern for Safety and PSW Suspicious Circumstances are also recorded within the top tier of occurrences. Levels remain relatively stable between 2018 and 2021.
- Crime Violence continues to feature highly, accounting for 73% of the crime types in the CIA 2019/20.
- 55% of Crime Violence for period 2019/20 occurs on a weekend (Saturday/Sunday) with all incidents believed to be linked to alcohol.
- Similar to previous years, the top five streets where incidents are reported are Micklegate, Coney Street, Blake Street, Blossom Street and Low Ousegate.
- The months which see the most reports follow patterns seen in previous years, with an increase in summer months and around December.

2020/21 difference to note:

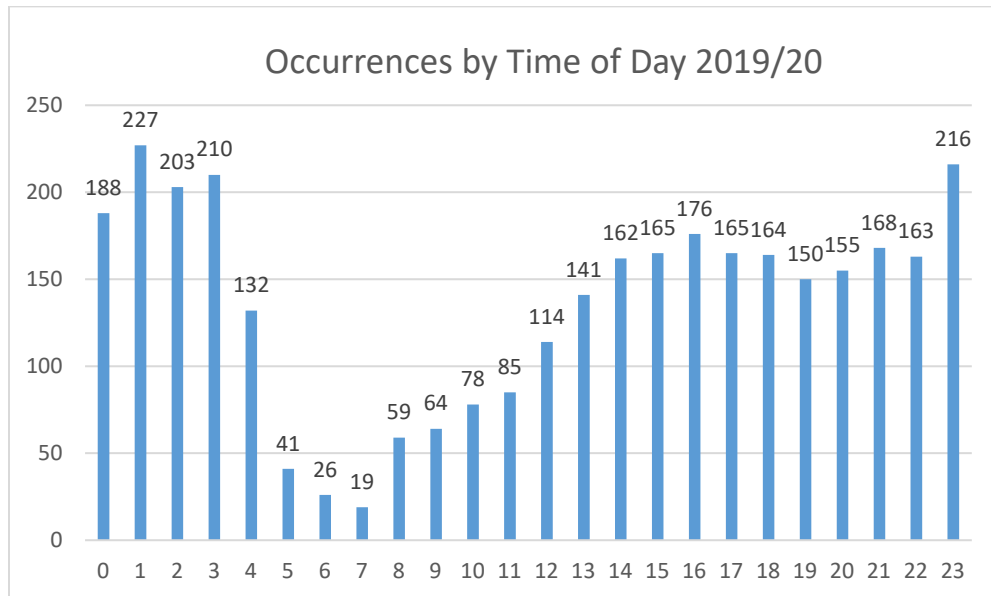
- The majority of incidents continue to be in the night-time economy, although peak times are earlier than in previous years, 22:00 to 23:00.
- The top tier occurrence types continue as previously reported, however there is a significant increase in ASB Environmental, compared to the previous years.
- Crime Violence reduces to 60% from 73% in 2019/20.
- Crime Violence occurring on a weekend has reduced slightly to 49%.
- The top 5 streets reflect previous years, apart from one change where Goodramgate replaces Blake Street.
- The reporting months follow a similar pattern to previous years; however this is more a reflection of COVID restrictions being reduced or removed. The summer months saw pubs and restaurants re-open, and December saw restrictions lifted, York was not heavily affected by the Government's three-tier systems.
- There were 41 COVID tags applied to locations impacted, Little Stonegate has 14 tags, which accounts for 82% of the incidents on Little Stonegate.
- 126 COVID tags have been applied to occurrences, ASB Environmental has the highest number with 81 out of the 142 issued.

Occurrences

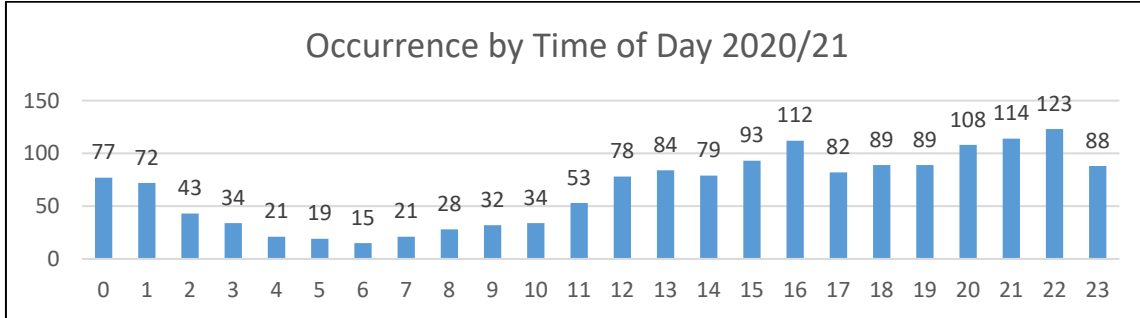
16. The majority of incidents reported within the City of York CIA are during the Night-Time Economy period (NTE).



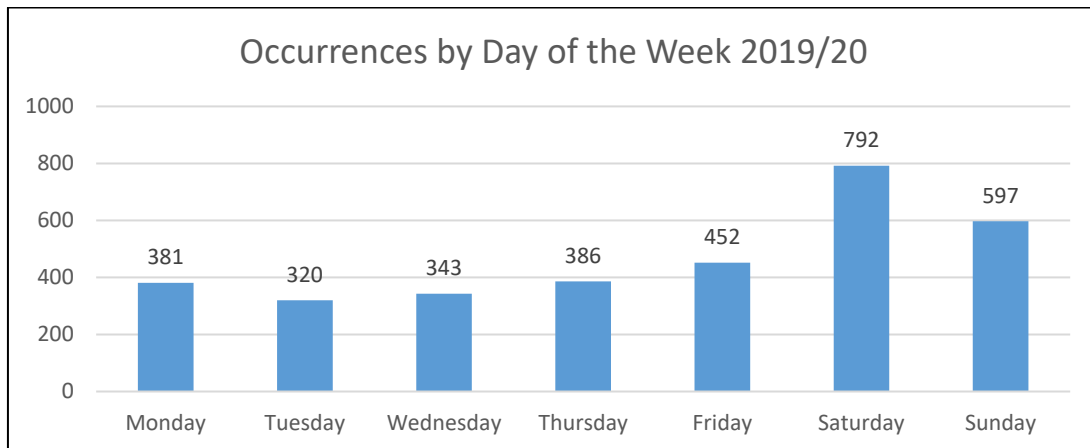
17. For the period 2019/20 there is a steady increase in reporting throughout the afternoon, which levels off and then peaks in the late evening and early hours of the morning 23:00 – 04:00, accounting for 61.7% of reporting occurring in the night-time economy.



18. For the period 2020/21 there is a slight shift, with 55% of occurrences reported during the night and 45% in the day. There is increased reporting in the afternoons, which follows a similar pattern in the early evening, the peak is earlier than previous years, around 22:00-23:00.



19. Incidents are reported throughout the week, with a substantial rise seen on a Saturday which accounts for 24% of the total in the period 2019/20. This pattern is also seen in data for the period 2020/21.

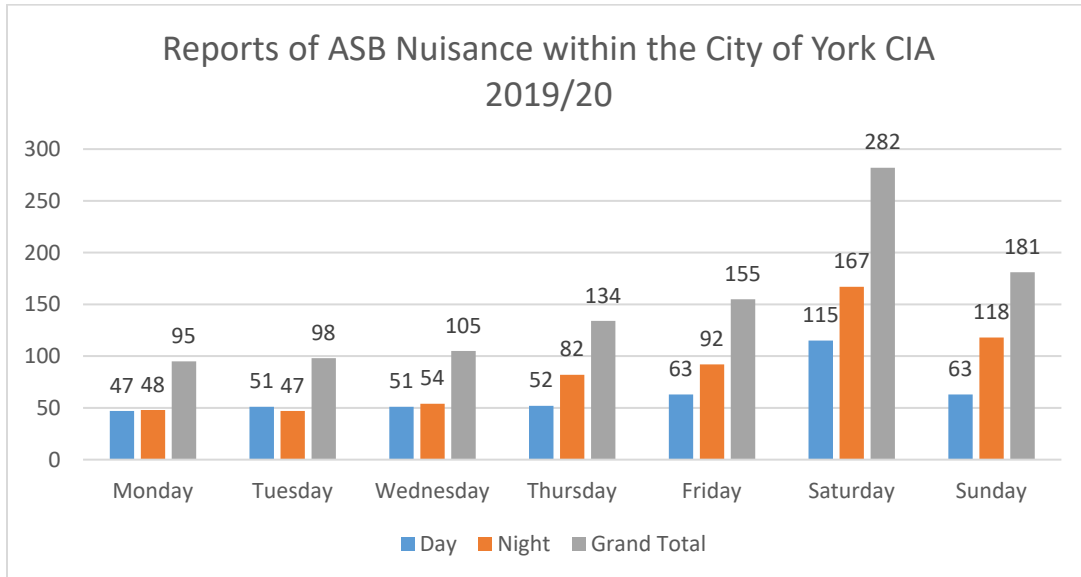


20. 3271 occurrences have been reported within the CIA in 2019/20. The top tier of occurrence types is shown within the table below, by year.

Incident Type	2018/2019	2019/2020	2020/2021
ASB Nuisance	1196	1050	465
PSW Concern for Safety/Collapse/Injury /Illness/Trapped	582	549	275
PSW Suspicious Circumstances/ Insecure Premises/ Vehicle	642	494	243
Crime Violence	402	534	150
ASB Environmental	30	19	142
PSW Abandoned Call	208	297	122



21. ASB Nuisance continues as the most prevalent occurrence type across all three financial years, with 44% reported across the weekend (Saturday & Sunday) in period 2019/20. For the same period 61.5% of weekend incidents are reported during the night-time economy period.



22. ASB Dispersal Notices are also included within the ASB Nuisance category.

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

In the period 2019/20 166 were enacted, with a vast reduction in 2020/21 with just 56.

The increased figures in 2019/20 is partially due to the proactive operations of Erase and Safari (planned operations to target alcohol fuelled disorder within the City) where pre-authorized dispersals were readily available and pro-actively utilised to reduce crime and disorder in the CIA.

Cumulative Impact Assessment 2022 to 2025

23. The top ten areas where Dispersal Notices were issued for the period 2018/19 and 2020/21, shows Coney Street as the top location, this was also seen in periods 2018/19 and 2020/21.

***Bold** indicates previous top 5 streets highlighted in the CIA 2018.

Address Street	2018/ 2019	Address Street	2019/ 2020	Address Street	2020/ 2021
Coney Street	20	Coney Street	24	Coney Street	9
Blake Street	8	Blake Street	14	Davygate	8
High Ousegate	8	Parliament Street	12	Goodramgate	6
Low Ousegte	6	Low Ousegate	11	King's Staith	5
Micklegate	5	Micklegate	10	Blake Street	3
Tanner Row	4	Piccadilly	9	Low Ousegate	3
Spurriergate	3	Davygate	6	Clifford Street	3
St Mary's Square	3	Spurriergate	6	Station Rise	3
North Street	2	North Street	6	Micklegate	2
Bridge Street	2	Coppergate	6	St Helen's Square	2

24. ASB Environmental has seen a significant increase in period 2020/21, this is believed to be the impact of COVID 19.

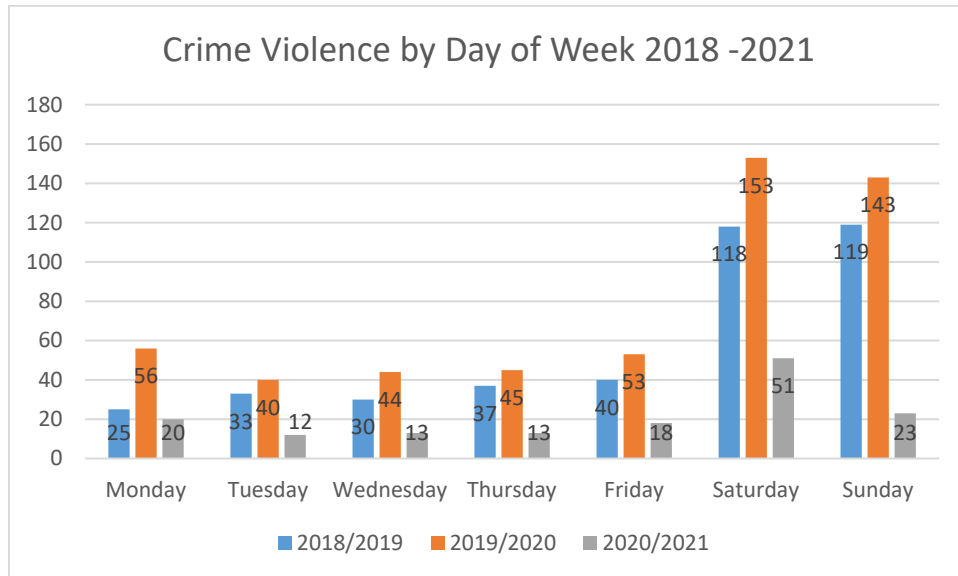
Occurrence Type Description	2018/2019	2019/2020	2020/2021
ASB Nuisance	1196	1050	465
ASB Environmental	30	19	142
ASB Personal	73	51	27
Grand Total	1299	1120	634

19. PSW Concern for Safety and PSW Suspicious Circumstances are also recorded within the top tier of occurrences. Levels remain relatively stable between 2018 and 2021.

20. Similar to both 2018/19 and 2020/21, Crime Violence continues to feature highly, accounting for 73% of the crime types in the CIA 2019/20, however this reduces to 60% in 2020/21.

Occurrence Type Description	2018/2019	2019/2020	2020/2021
Crime Violence	402	534	150

21. 55% of Crime Violence for period 2019/20 occurred on a weekend (Saturday/Sunday) with all incidents believed to be linked to alcohol. This has reduced slightly to 49% in 2020/21.

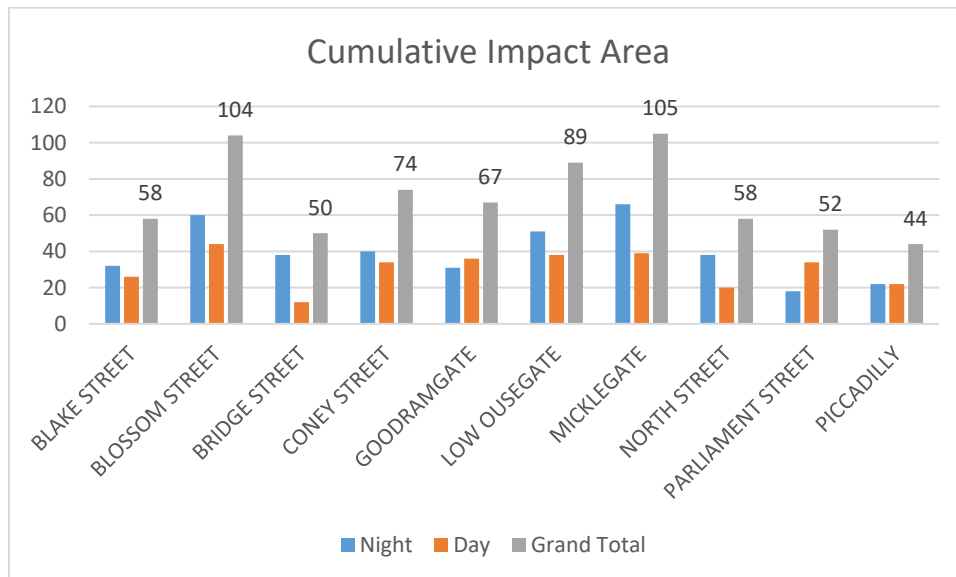


22. 724 crimes have been reported within the CIA in 2019/20. The top tier of Crime Groups exemplified within the table below account for 96.8% of crimes reported.

Crime Type	2018/2019	2019/2020	2020/2021
Crime Violence	402	534	150
Crime Other Offences	51	93	63
Crime Criminal Damage	43	39	22
Crime Drugs	10	18	6
Crime related incident	28	17	6

Locations

23. The ‘Top Ten Tier Streets’, within the CIA, that record the highest level of occurrences, are evidenced within the graph below. Micklegate, Coney Street, Low Ousegate 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. Goodramgate has overtaken Blake Street in the period 2020/21 which hasn’t featured in previous years top five locations.



24. There are now four hotspot red zones in the CIA 2020 – 2021 which also reflects the data 2018 - 2020.

The main difference is an increase in incidents in the Church Street/Swinegate/Low Petergate area. This may be due to the increase in outdoor pavement café establishments in the area, which have increased since the COVID 19 restrictions have been introduced.

COVID Data

24. COVID Restrictions:

- 23/03/2020 – UK in lockdown
- 10/05/2020 – UK restrictions eased
- 01/06/2020 – Phased re-opening of schools
- 15/06/2020 – Non-essential shops re-open
- 23/06/2020 – Further easing of restrictions and 2 metre social distancing in place
- 04/07/2020 – Further easing of restrictions, including re-opening of pubs, restaurants and hairdressers
- 03/08/2020 – Eat out to help out scheme launched
- 14/08/2020 – Further easing of restrictions, including opening of theatres, bowling alleys and soft play
- 14/09/2020 – Rule of six indoor and outdoor implemented
- 22/09/2020 – Return to working from home
- 14/10/2020 – Three tier system introduced
- 05/11/2020 – Second lockdown in place
- 02/12/2020 – Second lockdown ends and three tier system in place
- 23-27/12/2020 – Christmas rules – up to three households can meet indoors
- 06/01/2021 – Third lockdown in place
- 08/03/2021 – Schools return
- 29/03/2021 – Rule of six in place

25. A COVID tag has been applied to locations via the Storm system. Out of the 1588 occurrences there are forty-one streets with this tag, the top streets with five tags of more are listed below.

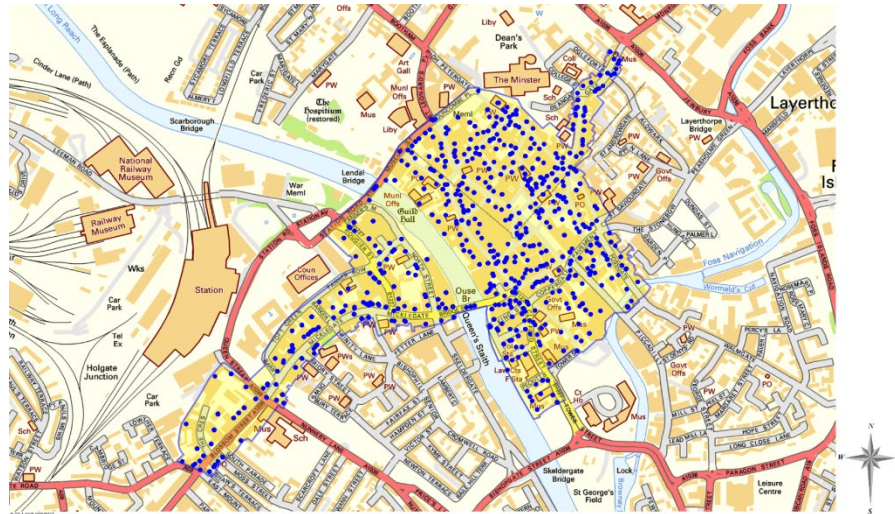
Street	COVID Tag Count	Occurrence % with COVID Tag
Little Stonegate	14	82.30%
Blossom Street	12	13.04%
Fossgate	7	28%
Coney Street	6	8.80%
Micklegate	5	5%
Low Ousegate	5	6%
Pavement	5	17.20%
Piccadilly	5	12.80%
Goodramgate	5	8%

26. There are 126 COVID tags linked to occurrences, as follows:

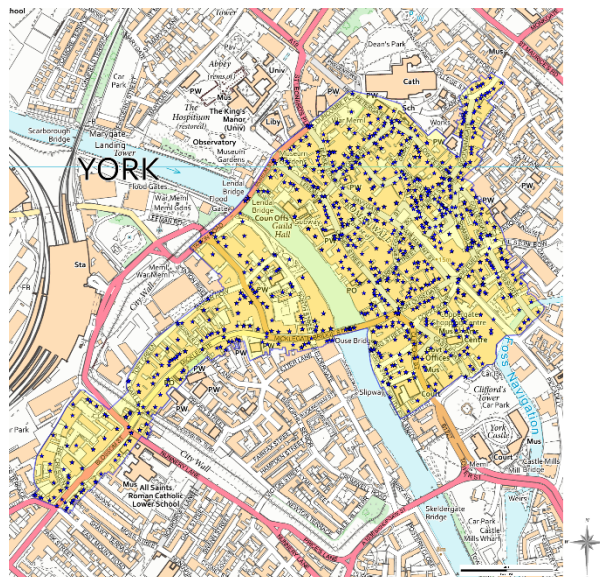
Occurrence Type	Occurrence	COVID	Grand Total
ASB Environmental	61	81	142
ASB Nuisance	429	36	465
PSW Licensing	3	5	8
PSW Concern for Safety/ Collapse/Injury/Illness/Trapped	273	2	275
Crime Violence	149	1	150
ASB Personal	26	1	27

Maps

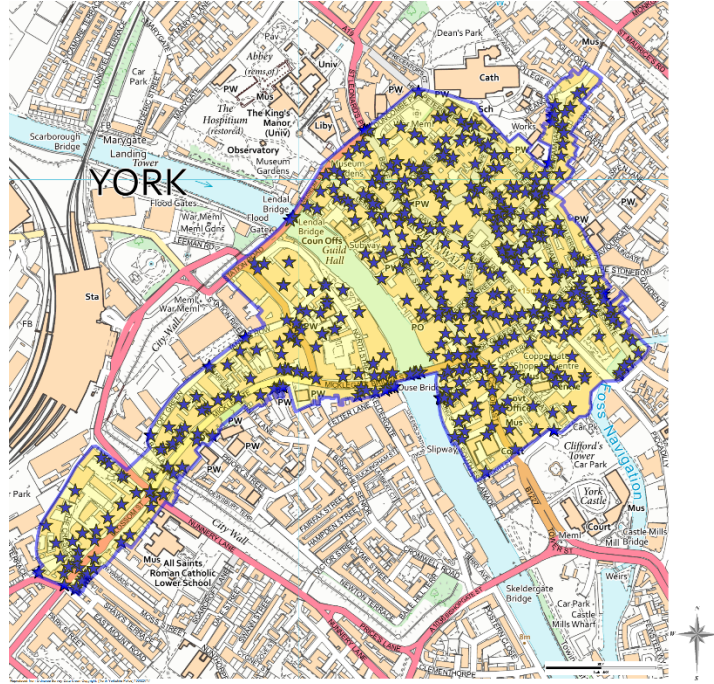
27. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue dots) committed within the CIA between 01/04/2017 and 31/03/2018.



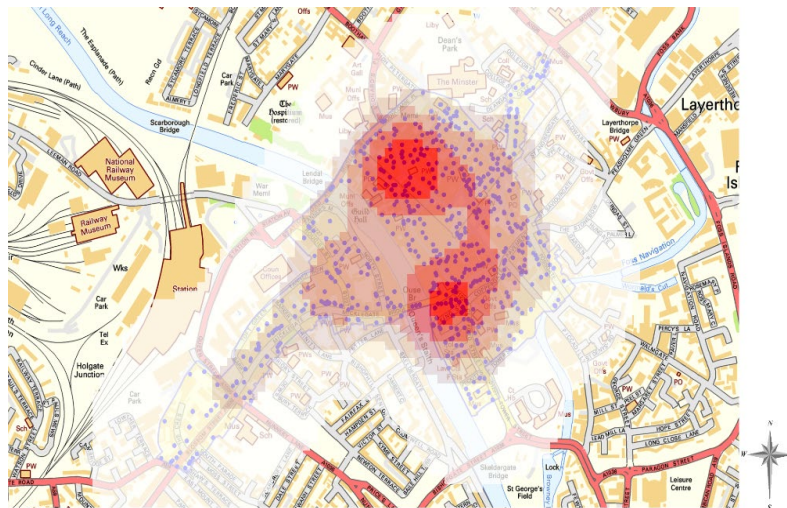
28. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue dots) committed within the CIA between 01/04/2018 and 31/03/2020 (pre COVID).



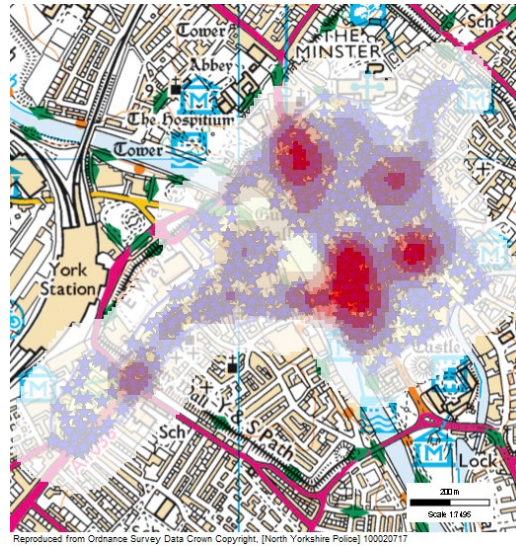
29. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue dots) committed within the CIA between 01/04/2020 and 31/03/2021 (during COVID).



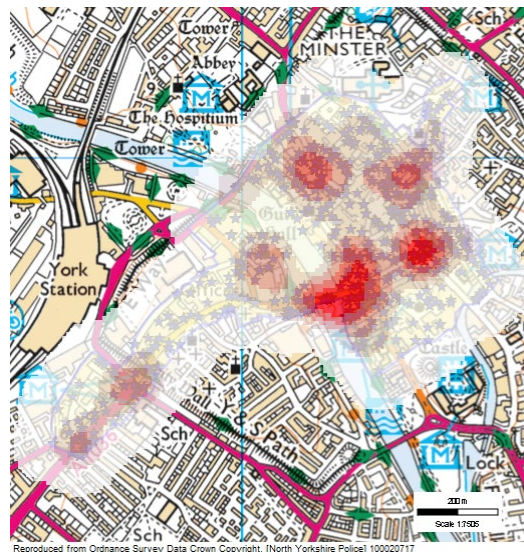
30. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2017 and 31/03/2018. Red shading indicates highest density and graduating red/pink/white shading showing lowest density of occurrences.



31. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2018 and 31/03/2020 (pre-COVID). Red shading indicates highest density and graduating red/pink/white shading showing lowest density of occurrences.

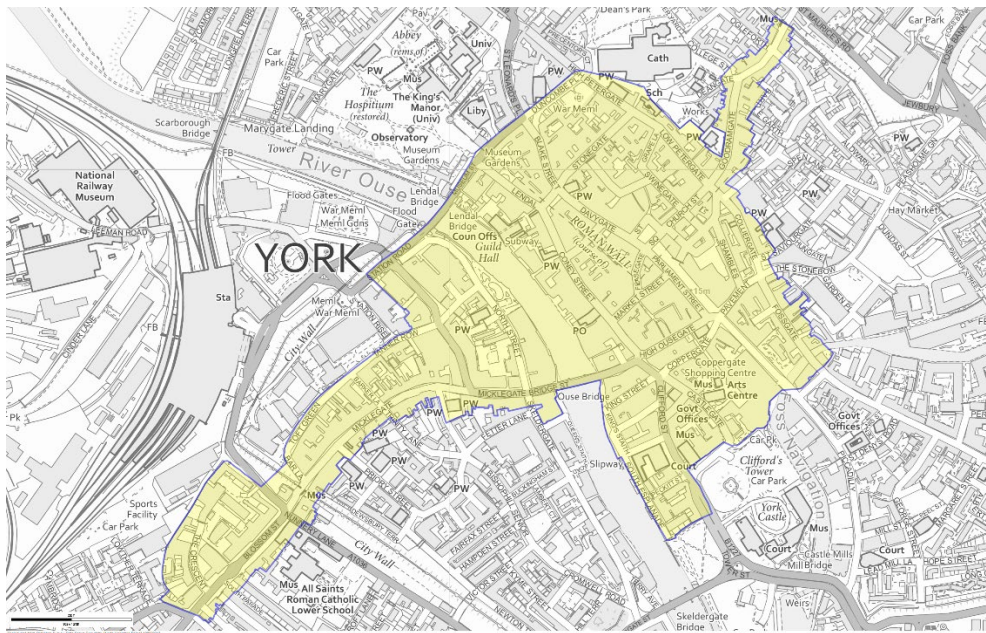


32. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2020 and 31/03/2021 (during COVID). Red shading indicates highest density and graduating red/pink/white shading showing lowest density of occurrences.

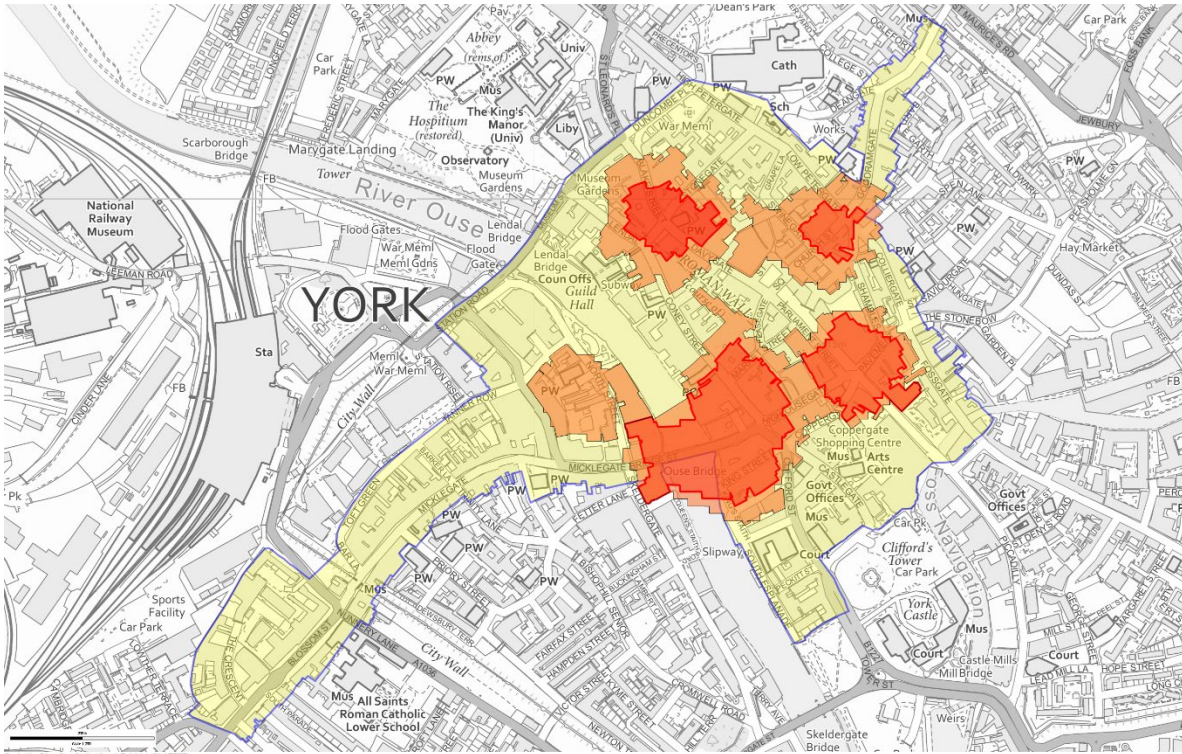


Conclusion

33. 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.
34. 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 has not been altered it matches the top ten areas where Dispersal Notices have been issued, which includes the 'Top Five Tier Streets' highlighted within the 2018 Assessment, as detailed at paragraph 23 and the area identified on the hot spot maps at paragraphs 31 and 32. The red zone area is to be reduced, creating four small red zone areas, and an amber zone areas are introduced, and these are a combination of the areas identified on the hot spot maps which shows the highest density of occurrences.
35. The cumulative impact area is defined in the map below:



36. The cumulative impact area and the red and amber zones area are defined in the map below:



37. The red and amber zones are identified in the map below:

