

Review of the Cumulative Impact Policy 2022

Licensing Act 2002

1.0 Introduction

In 2017 the council introduced several cumulative impact policies to help manage the adverse impacts of increasing numbers of premises selling alcohol. The council is now required to review this policy decision and to consult stakeholders on its proposal to retain its cumulative impact policies in relation to the sale of alcohol.

2.0 What is a cumulative impact policy?

As a Licensing Authority the council is required to ensure that any decision relating licence applications for the sale of alcohol, regulated entertainment or late-night refreshment is consistent the four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Each licence application must be considered on its merits however it is recognised that in some areas the cumulative affects effects of multiple premises in a specific area or locality may have the potential to undermine one or more of the licensing objectives. Where this is the case, the council may introduce a cumulative impact policy.

A cumulative impact policy creates the presumption that new and variation applications for premises that are likely to add to the cumulative impact will normally be refused unless the applicant is able to comprehensively demonstrate in their operating schedule that granting the application will not undermine one or more of the licensing objectives.

The cumulative impact policy to refuse an application can only be invoked if the council receives representations from residents, interested parties or responsible authorities regarding the granting of a new premises licence of varying an existing licence.

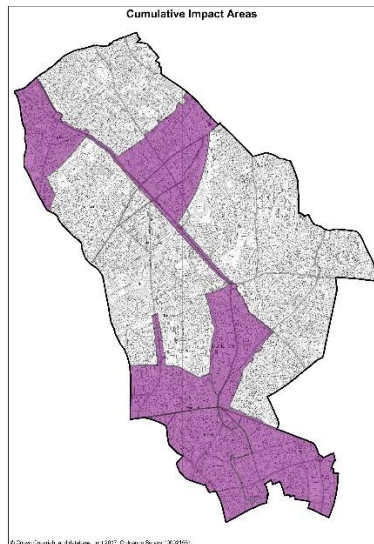
The exception to Islington's cumulative impact policy are applications that meet the following criteria:

- a. The provision of mixed use or flexible premises that support the people visiting the area during the day or support the wider cultural offer in the area
- b. Premises that are not alcohol led
- c. Premises with hours of operation consistent with framework hours described in the Licensing Policy
- d. Premises supplying alcohol for consumption on the premises with robust arrangements to prevent vertical drinking, for example fully seated venues
- e. Premises that can demonstrate high standards of management with respect to preventing public nuisance associated with waste management & littering
- f. Proactive support and commitment from the premises licence holder to:
 - actively support Pub watch through regular attendance and engagement at meetings
 - adopt the best practice standards described in the council's licensing policy

3.0 Cumulative Impact Areas

The cumulative impacts areas are those parts of the borough where there is the highest location of licenced premises.

The areas highlighted in purple of the map below show the location of cumulative impact areas for premises selling alcohol for consumption on the premises.



In addition, there is a borough cumulative impact area relating to premises selling alcohol for consumption off the premises.

4.0 Cumulative Impact Review

The 2022 Cumulative Impact Review has considered the following indicators to assess whether it is appropriate to retain, modify or dispense with one of more of the existing cumulative impact areas:

- Applications received
- Alcohol related antisocial behaviour, crime, and disorder
- Licensing Team complaints and referrals
- Alcohol related ambulance callouts
- Views key stakeholders:
 - Licensing Committee
 - Metropolitan Police
 - Public Health

4.1 Applications

Since 2017 there has been a 16% increase in the number of premises licenced under the Licensing Act 2003 in Islington. There are currently 1483 licenced premises, of which 122 are licenced for the sale of late-night refreshment only. During the 5-year period April 2017 to March 2022 the council considered 482 new and variation applications for premises licence, the majority of which were for premises located in cumulative impacts areas.

Table 1 below shows the number, type and location of applications received during the period 1 April 2017 and 31 March 2022

Applications	Number of New Application	Number of Variation Applications	Total Number of applications
Premises inside cumulative impact areas	342 (88%)	81 (86%)	423 (88%)
Premises outside cumulative impact areas	46 (12%)	13 (14%)	59 (12%)
Total Number of applications	388	94	482

Table 2 below shows the outcome of licence applications by number, application type and location during the period 1 April 2017 and 31 March 2022.

Application Outcome	Application Granted	Application refused	Total Number of applications
Premises inside cumulative impact areas	385 (91%)	38 (9%)	423
Premises outside cumulative impact areas	55 (93%)	4 (7%)	59
Total Number of applications	440	42	482

Analysis

The applications and outcome data indicates that:

- The cumulative impact areas continue to contain the highest concentration of licence premises.
- The low refusal rate indicates that most applications have been submitted with robust operating schedules that reflect the council's licensing and cumulative impact policies.

4.3 Alcohol related crime, disorder

The Council's Community Safety Team have analysed the council's data on alcohol related antisocial behaviour and police data on alcohol related crime and disorder for the period 2018-2021.

Key headlines are:

- The number of alcohol related ASB calls peak in general up to 1 hour after the framework hours indicated in the Licensing Policy
- There is a strong correlation between the location of alcohol related ASB calls and the number of licensed premises within small geographical areas
- There is a concentration of alcohol related antisocial behaviour calls within Cumulative Impact Areas near clusters of licensed premises
- Alcohol related ASB is focussed much more in nighttime economy areas/ town centres.
- The volume of alcohol flagged crime peaks shortly after framework hours.
- There is a concentration of alcohol related crime within Cumulative Impact Areas near clusters of licensed premises.

Analysis

The antisocial behaviour and crime data indicates that:

- there is a correlation between alcohol related antisocial behaviour, crime and disorder and the concentration of licenced premises
- the concentration of licenced premises and antisocial behaviour and crime hotspots during the period 2018 to 2021 is consistent with the previous period from 2014-2017.

4.4 Licensing Team complaints and referrals

Licensing Team are responsible for ensuring compliance with licensing requirements and for investigating complaints from residents and referrals from partners They work in close collaboration with the Police and the Late Night Levy funded Nightsafe Patrol Service.

Table 3 below shows the number of licensing complaints and referrals for the period 1 April 2017 to 31 March 2022.

Licensing Complaints and Referrals	Complaints from residents and ward councillors	Referrals for follow up investigation	Total
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Premises inside cumulative impact areas	179	572	751
Premises outside cumulative impact areas	47	71	118
Total	226	643	869

Analysis

The Licensing Complaint and referrals data indicates:

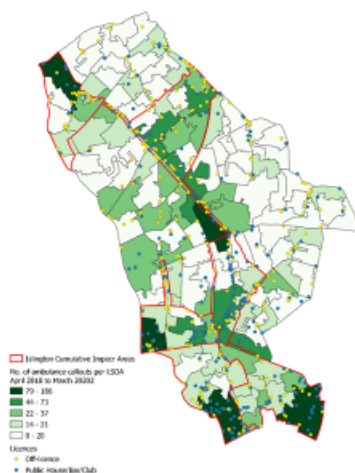
- 86% complaints and referral requiring licensing Team intervention related to premises located in cumulative impact policy areas

4.5 Alcohol related ambulance callouts

As a designated Responsible Authority under the Licensing Act 2003, the Council's Public Health Team have reviewed the impact of alcohol related harm in Islington for the period April 2018 to March 2020. The full Public Health review will be published on the council's website as part of the public consultation on the Council's Licensing Policy 2023 to 2027.

The two charts below are extracts from the Public Health Report.

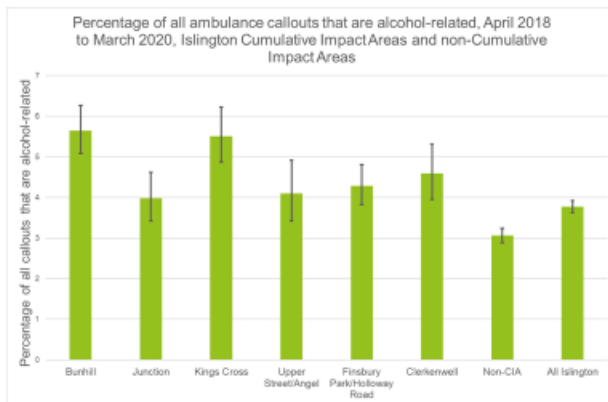
Alcohol-related ambulance callouts & density of premises



- There was a total of 2438 alcohol-related ambulance callouts in Islington between April 2018 and March 2020, an average of 10 per Lower Layer Super Outlet Area (LSOA) per year
- Areas with large concentrations of licensed premises tend to have greater numbers of alcohol-related ambulance callouts, which includes incidents involving visitors to Islington's night time economy. This is in contrast to alcohol specific hospital admissions (page 9), where higher rates tend to be in areas with fewer licensed premises, reflecting incidents amongst residents only.
- The darkest shaded areas on the map show the LSOAs where there were greater numbers of alcohol-related ambulance callouts. These are at Archway in the north of the borough, Holloway Road between the junction with Liverpool Road and Highbury Corner.
- Islington's Cumulative Impact Areas are shown with red borders, and the map shows that they are associated with a greater density of public houses, bars, clubs, and off-licences, as well as a greater number of alcohol-related ambulance callouts.

Source: GLA Safestats 2021, Islington Council Licensing Department

Alcohol-related ambulance callouts and cumulative impact areas



- The graph to the left shows the proportion of ambulance callouts that were alcohol related for each Cumulative Impact Area, non-Cumulative Impact Areas, and Islington as a whole.
- The proportion of ambulance callouts in all six cumulative impact areas was significantly higher than in non-cumulative impact area.

Analysis

The alcohol related ambulance data indicates:

- Areas of Islington with high numbers of licensed premises generally have higher numbers of alcohol-related ambulance callouts
- The proportion of ambulance call outs was significantly higher in cumulative impact area

4.6 Views of partners and key stakeholders

As part of the review of Islington's cumulative impact policies the council has sought the view of the following key stakeholders:

Licensing Authority

- LBI Executive Member for Community Safety
- Chair of Licensing Committee
- Licensing Committee

Metropolitan Police

- Islington Police Islington Team, delegated by the behalf of the Metropolitan Police Commissioner act as the 'responsible authority' for the Police with respect the licensing matters within the borough of Islington

Director of Public Health (Islington)

The above stakeholders have indicated that the application of the cumulative impact policy over the last 5 years has provided an invaluable mechanism to secure promotion of the four licensing objectives in Islington

The stakeholders agree that it is appropriate to publish the review of the cumulative impact policy and to seek the views of business, residents, and their representative organisations over the proposal to retain the existing cumulative impact policies.

The Cumulative Impact Policy consultation will form part of the wider 2023- 2027 Licensing Policy consultation

5.0 Statutory Consultation Requirements

Details of the consultation requirements are in Appendix A

Appendix A Consultation Requirements

Statutory Consultees: Licensing Act 2003 Section 5(3)

1. The chief officer of police for the licensing authority's area
2. London Fire Brigade
3. Director of Public Health
4. Such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority
5. Such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority,
6. Such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority
7. Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

Reasons for Publishing a Cumulative Impact Policy

The council published its first cumulative impact policy in 2017 and the reasons for the proposal are described in the Licensing Policy 2018 - 2022. A review of the cumulative impact policy has been conducted as part of the wider 5 yearly review of Licensing Policy. The indications are that the cumulative impact policies have achieved the following objectives:

- To promote the four licensing objectives in a borough which has one of the highest concentrations of licenced premises in England and where there is no delineation between residential and commercial areas
- To enable to Licensing Authority to balance the needs of residents, businesses and the local economy

The 2022 cumulative impact policy review has indicated the underlying reasons for selecting areas for cumulative impact still exist, there remains a high concentration of licenced premises in specific parts of the borough and these areas continue to be hotspot areas for antisocial behaviour, crime, disorder, licensing complaints and ambulance callouts.

Areas Covered by the Cumulative Impact Policy

Sale of alcohol in the following areas of Islington

Clerkenwell

Bunhill

Kings Cross

Upper Street and Angel

Holloway and Finsbury Park

Archway

Sale of alcohol for consumption off the premises (i.e. off sales)

All areas of the borough