

Record of Decisions

Licensing Act 2003 - Cumulative Impact Assessment 2024 - 2027

Decision Taker

Cabinet on 21 November 2023.

Decision

That Cabinet recommend to Council:

1. that the Cumulative Impact Assessment is maintained, and the revised assessment contained in Appendix 1 to the submitted report is adopted and published and will come into effect from 7 January 2024; and
2. that the Licensing Committee be authorised to approve future reviews and adoption of the Cumulative Impact Assessment. Since the introduction of section 5A of the Licensing Act 2003, all matters regarding Cumulative Impact Assessments are now the responsibility of the statutory Licensing Committee, by virtue of section 7(1), as it is no longer part of the Licensing Act 2003 Statement of Policy.

Reason for the Decision

After publishing a Cumulative Impact Assessment the Licensing Authority must, within three years, consider whether it remains of the opinion set out in the assessment as detailed in the section 182 guidance and republish the final version after consideration of the responses received as part of the consultation process.

Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 7 December 2023.

Information

Cumulative Impact Assessments were introduced formally in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. After publishing a Cumulative Impact Assessment the licensing authority must, within three years, consider whether it remains of the opinion set out in the assessment as detailed in the section 182 guidance.

Cumulative impact means the potential impact that a significant number of licensed premises in one area can have based on the following four licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

There are currently two designated cumulative impact areas in Torquay, The Strand and Castle Circus. The recent Cumulative Impact Assessment 2024-2027 proposed that the Cumulative Impact Assessment continues to cover these two areas.

At the meeting, Councillor Tranter proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The review of a Cumulative Impact Assessment is a statutory requirement therefore no other options have been considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

24 November 2023

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet