

APPENDIX 2



LICENSING ACT 2003

CUMULATIVE IMPACT ASSESSMENT

APRIL 2024

Comments are invited on this document to:

Housing & Wellbeing
Watford Borough Council
Town Hall
Watford
Hertfordshire
WD17 3EX

Tel: 01923 278476

Email: licensing@watford.gov.uk

Cumulative Impact Assessment

The concept of cumulative impact has been described within the guidance issued by the Government under section 182 of the Licensing Act 2003 ('the s182 Guidance') since the commencement of the Licensing Act 2003 ('the Act'). Watford Borough Council, as a licensing authority, has had a special policy in place since the commencement of the Act in 2005 relating to the town centre, which has been referred to as a cumulative impact policy.

The Policing and Crime Act 2017 amended the Licensing Act 2003 to place cumulative impact policies on a statutory footing by introducing section 5A of the Act. The amended legislation came into force in April 2018

This cumulative impact assessment is being published under these provisions of the Act. The assessment is required to be reviewed every three years from the date it came into force. The Act sets out which parties must be consulted on the assessment.

The term 'cumulative impact' is described within the s182 Guidance as:

"the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area"

The s182 Guidance goes on to state that if the type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high, then problems of nuisance and disorder may arise, as well as from concentrating a large number of drinkers in a particular area when leaving a particular area.

Covid-19 Statement

This assessment is being compiled using data collated between April 2021 and November 2023 inclusive. It is recognised by the licensing authority that the Covid-19 pandemic will have influenced data collection over the period of April 2021 and March 2022 when all restrictions were relaxed, due to the effect that the national lockdown had on the Borough and the country as a whole. This will have an effect on the analysis of the data within this period, not only because indoor hospitality was only allowed to reopen from May 2021 but there is the unknown impact on the public and their willingness to socialise during a pandemic. Data from this period is included for transparency and openness, but it does need to be considered against the wider national picture. Any long-term effects of the pandemic upon public and business behaviour are still being established and will be continue to be reviewed.

Findings of the Cumulative Impact Assessment

In studying the data obtained, provided in this assessment, the licensing authority does consider that the number of alcohol-licensed premises within The Parade and the High Street is such that it is likely that granting further authorisations which allow the consumption of alcohol on the premises (whether this is for consumption only on the premises, or both on and off the

premises) would be inconsistent with the licensing authority's duty to promote the licensing objectives, specifically the licensing objective of the prevention of crime and disorder. The crime statistics provided by the police show that The Parade and the High Street have significantly higher crime statistics, particularly for alcohol-related crime, than other areas of the borough. The peak time for these offences occurring is during the night-time economy. Therefore, the council has adopted a cumulative impact policy for The Parade and the High Street

The cumulative impact policy shall apply to any application for a new premises licence or club premises certificate. The policy cannot be retroactively applied to existing licensed premises, but may be taken into consideration for any variations of existing authorisations, with special consideration given where there are representations concerning the licensing objective of crime and disorder, or any application to increase the capacity of a premises or the availability of alcohol sold at the relevant premises.

The policy does not apply to temporary event notices, although the s182 Guidance does state that it is open to the police and environmental health authority (as relevant persons) to refer to evidence published within this assessment when objecting to a notice.

The policy does not change the fundamental way in which decisions are made under the Act. Each application is required to be considered upon its own merits and goes through a public consultation. Should there be relevant representations submitted against an application, which are not withdrawn, and the matter is brought before a licensing sub-committee for determination, it will be for the committee to decide if the policy should be engaged and applied. It is possible for the licensing sub-committee to make an exception to policy where they consider it appropriate to do so. Where no representations are received against an application, even for an application within the policy area, the Act requires that the application be granted. It will still remain the responsibility of the licensing sub-committee to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

The cumulative impact policy shall not apply to the following premises:

- 1) where the supply of alcohol shall only be ancillary to a substantial table meal
- 2) where the supply of alcohol shall only by waiter/waitress service only to seated customers
- 3) where the supply of alcohol does not extend past 10pm on any day

In any other case where an applicant wishes to be considered as an exception to the policy, the responsibility is with them to show why they should be considered and not on the licensing committee to show why an exception should be made.

Exceptions to policy will not be made on the grounds that:

- 1) the building design is of a high standard; we would expect all applicants will want to ensure the highest design standards possible;
- 2) that the applicant is of good character; it is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must themselves hold a personal licence to sell alcohol;
- 3) that the premises are small; even small premises can contribute to crime, disorder and nuisance

Where an exception is made, the licensing committee may consider attaching specific conditions to the relevant authorisation requiring the use of door supervisors to monitor and control access to the premises and assist with dispersal, to install and maintain an electronic identification entry system which meets the reasonable requirements of Hertfordshire Constabulary, to make a monetary contribution to the town centre taxi marshal scheme (or such a replacement scheme which may be introduced to assist in the dispersal of customers from the town centre) and that the premises will actively participate in the town centre Pubwatch scheme and/or the Pubwatch radio scheme (or such a replacement scheme which may be introduced to assist in communication between venues).

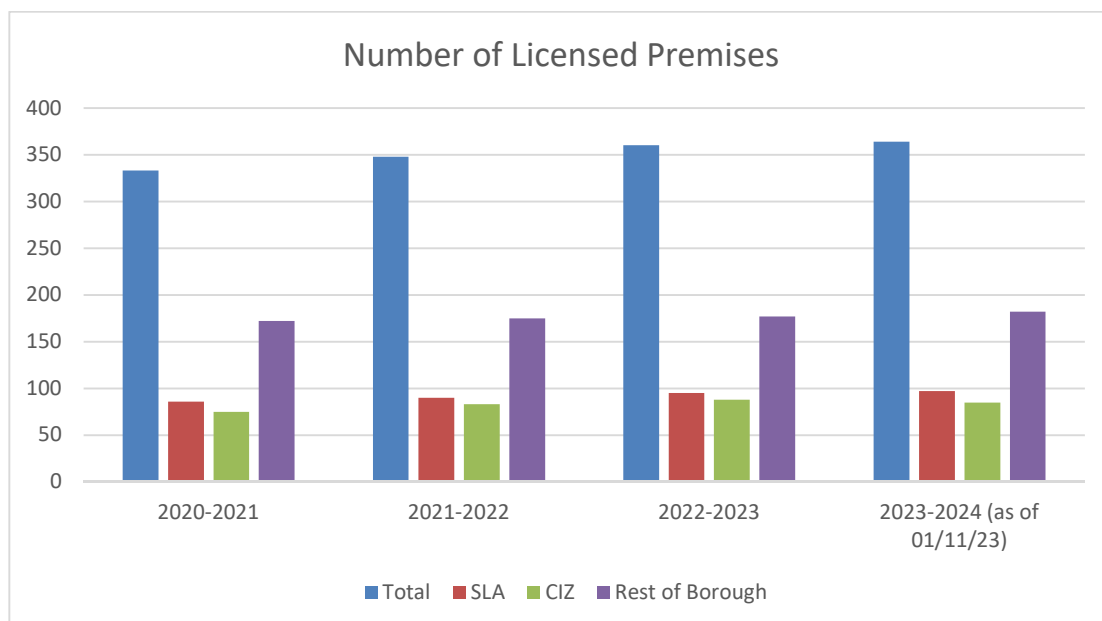
Cumulative Impact Assessment Data

Background Data

As of 1 November 2023, there were 364 authorisations issued by Watford Borough Council under the Licensing Act 2003. There were 348 premises licences and 16 club premises certificates.

The majority of licensed premises are located within the Central ward of the Borough, which covers the town centre, with 158 premises being located within this ward, consisting of 156 premises licences and 2 club premises certificates.

The following graph shows the distribution of authorisations between the cumulative impact zone (CIZ), the council's sensitive licensing areas (SLA), both of which were as detailed within the council's Statement of Licensing Policy 2023-2028, and the rest of the Borough. It has been decided to compare the figures between the two policy areas simply for the ease of comparison.



As of 01/11/2023 85 authorisations were in force within the cumulative impact zone, 97 authorisations were in force within the council’s sensitive licensed areas, and 182 authorisations were in force in the rest of the borough. The figures have remained relatively similar over the reporting period, with no significant increases or decreases in figures although the overall trend is an increase in licensed premises.

Most data has been gathered for the financial years of 2021-2022 to 2023-2024 (up to 01/11/2023). This is to allow for comparison between different sets of data, and to identify any trends. It should be noted that the council’s Statement of Licensing Policy 2023-2028 took effect from November 2023.

Data supplied by Hertfordshire Constabulary

Data was supplied by Hertfordshire constabulary with regards to crime statistics. The police data relates to the period of 01/04/2021 and 01/04/2023. The Police refer to this area as CC1 Central Ward with regards to recording locations of crimes and offences.

In this period, 7433 offences were committed within the ward between the dates specified. It is noted that there was an increase in offences on the previous two years, although this was to be expected due to the impact of the pandemic on the night-time economy. This data is presented within the graph below. The impact of the pandemic can clearly be seen in the decrease of the number of offences for 2020 when lockdown started through to 2021 when restrictions were started to be lifted. Increases can be noted in 2020 when restrictions were first relaxed but this fell again when restrictions were implemented again after the summer. The graph does show that in general crimes for the years shown are similar and clustered around 300 crimes per month, demonstrating that although variances can be recorded month by month, there is an overall consistency in the number of offences year on year.

Offence numbers between 01/01/2021 and 01/04/2023 and breakdown of offence types

Between 01/01/2021 and 01/04/2023, there were 7433 recorded offences within Central ward CC1 beat code.

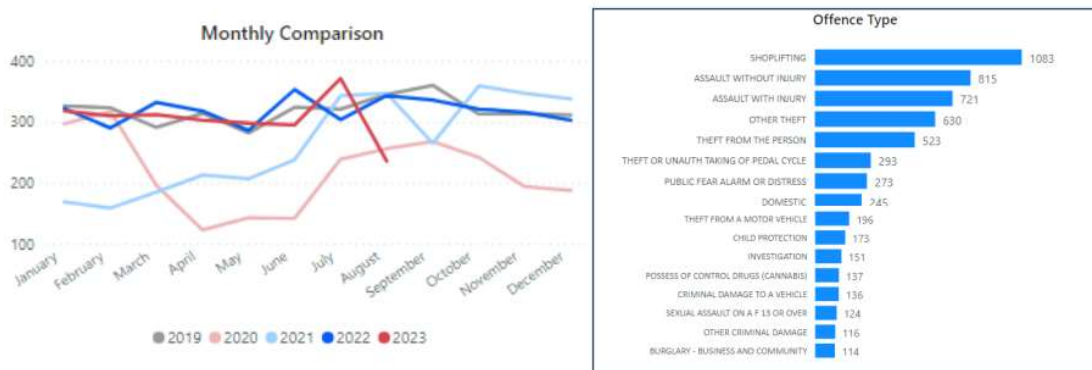


Table 1 – Number of offences per offence category (types with lower totals have been excluded)

As can be seen by table 1, offences of theft and assault or violence against the person offences accounted for most offences. Although not all offences are shown and offences with lower

totals have been excluded from the graphs, theft (37.6%) and violence against the person (23.8%) offences accounted for over 61.4% of the offences in this ward.

The police advise that there were no prevalent days or times noted with regards to the offences of theft and violence against the person, with the exception of alcohol-related offences as detailed later, although it is noted that the small hours of Saturday and Sunday (midnight to 04:00) generally see an increase in incidents. This is the period when most licensed premises within the town centre stop serving alcohol and close, pushing customers on to the streets to disperse from the town centre.

There were 601 offences recorded as being alcohol-related. For the purpose of this data collection, alcohol-related offences refer to where the offenders and / or victims have been noted on police systems as having been intoxicated. Alcohol-related offences mostly take place between 00:00 and 04:00 Saturday and Sunday, as noted earlier.

Street	Count
The Parade, High Street	114
The Parade	83
High Street	69
The Parade High Street	58
Market Street	32
Albert Road South	29
Clarendon Road	18
Station Road	17
Charter Place	13
Church Street	13
Lower High Street	11

Table 2 – list of streets which have experienced 10 or more offences.

Street Name
The Parade High Street **
Market Street
Albert Road South
Clarendon Road
Queens Road
Wellstones
Church Street
George Street
New Street
King Street

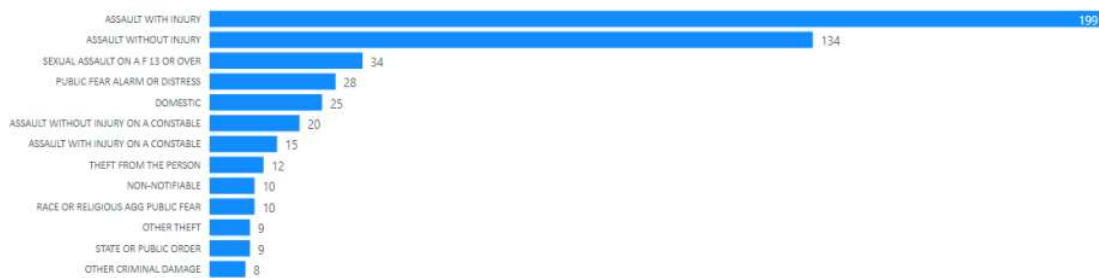
Table 3 – Streets of interest

As can be seen by table 2, The Parade and the High Street saw the most recorded alcohol-related offences. The police acknowledge that this is to be expected due to the high volume of people congregating in the area in comparison to other areas of the Borough, and the availability of alcohol within the vicinity. Over 50% of alcohol-related offences occur within The Parade, and it is therefore appropriate that focus is centred on this location. For the purpose of this data, the Police do note that due to how data is recorded 'The Parade' features in three different ways as can be seen in the table. When combined (identified by **), there are 255 offences recorded within The Parade, making this the top street for alcohol-related crime and a key street for the Police. The High Street also has more than double the number of recorded offences when compared to the next road, Market Street, in this table.

Streets of interest, as identified by table 3, are streets which are subject to specific focus from the police due to levels of crime within the area or local concerns. It is noted that The Parade and High Street appear to be justified as a location of concern.

The majority of these alcohol-related offences were classified as violence against the person, with assault with injury the most common offence. This shows that there is high chance of someone being assaulted by someone who is intoxicated, or where the victim is intoxicated, and are more likely to be a victim of such crime than other offences.

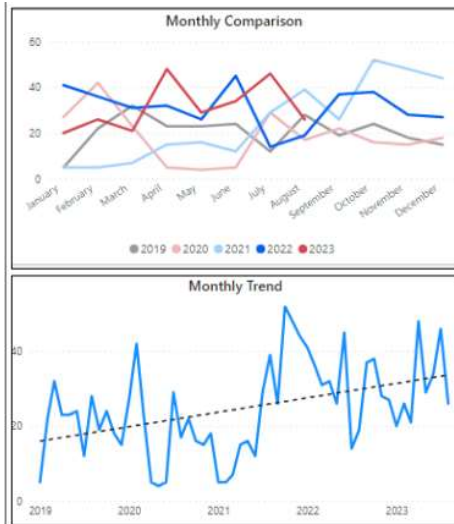
Alcohol Related



The Parade is singled out for special attention. The police data accounted for 36 licensed premises within The Parade with 159 licensed premises within the whole ward (the Police ward being slightly larger than the Central council ward). The licensing authority recorded 41 premises being licensed within The Parade as of 01/04/2023. This discrepancy from the actual number of licensed premises issued by the council can be explained by the fact that the police are notified by the licensing authority when licences are granted and keep their own records, and this data may not be as accurate as the records held by the licensing authority through human error and not necessarily deliberate intent. The council also have issued one shadow premises licence, which is a licence which is not currently being used but the premises to which it relates is licensed by another premises licence which is being utilised.

Of the total 7433 offences committed within Central ward CC1, 385 (5%) of all offences occurred within licensed premises on The Parade. When compared to all licensed premises within the Police's Central ward, 53% of all offences at licensed premises occurred within The Parade, despite only accounting for just over a quarter of all premises within the whole ward. This shows that these premises are associated with a disproportionate number of offences.

The figures do show a general upwards trend in offences reported, not only when compared to 2020 and 2021 which were affected by the pandemic but also to 2019 being the year before the pandemic.

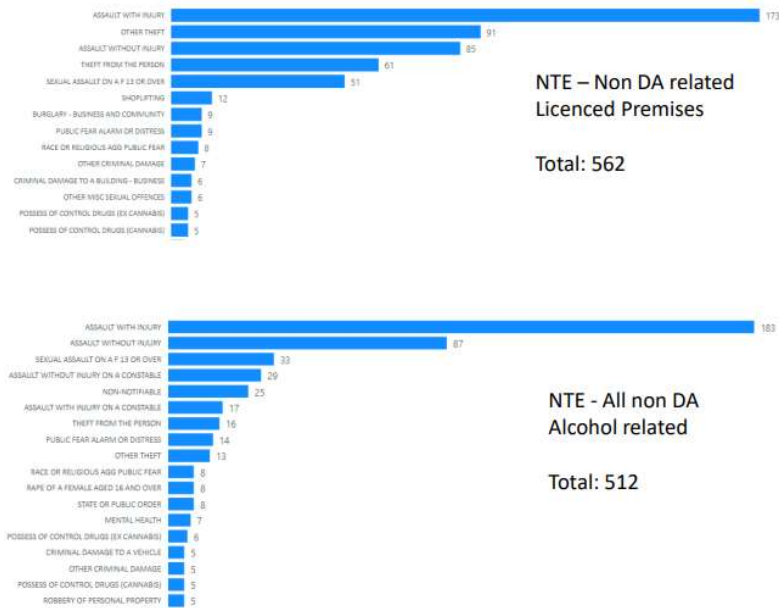


Offence Type	2019	2020	2021	2022	2023	Total
Theft from shops and stalls	47	68	55	67	71	308
Assault with Injury - Assault occasioning actual bodily harm	48	15	53	56	33	205
Assault without Injury - Common assault and battery	40	26	40	56	38	200
Theft if not classified elsewhere	30	32	36	41	29	168
Theft from the person of another	15	17	25	31	10	98
Making off without payment	8	17	9	13	15	62
Sexual assault on a female	3	1	13	29	9	55
Assault with Injury - Administering poison with intent to injure or annoy		1	11	19	3	34
Burglary - Business And Community	6	5	6	6	8	31
Other criminal damage, other (Under £5,000)	3	5	5	4	3	20
Causing intentional harassment, alarm or distress	3	2	7	4	3	19
Other criminal damage to a building - business and community (Under £5,000)		1	4	3	7	15
Attempted - Theft from shops and stalls	5	3	1	3		12
Fear or provocation of violence	1	7	1	1	2	12
Having possession of a controlled drug - Class B - Cannabis	6	1		2	1	10
Racially or religiously aggravated intentional harassment, alarm or distress	2		1	3	4	10

Table 5 – Number of offences per offence category.

The police have provided a breakdown of alcohol-related offences between the hours of 22:00 and 04:00 for the whole ward and also for licensed premises which operate during the night-time economy (NTE). Please note that this data explicitly records domestic assault (DA) reports.

Non-DA NTE - all Alcohol-related offences by type compared to NTE Licenced Premises offences between 22:00-04:00



Assault with injury made up the largest single category of non-DA offences at licenced premises, equating to 30.1%. In addition, another 85 offences occurred where no injury was caused. Temporal analysis reveals that the top time for offences at licenced premises where DA is excluded is 01:00 to 02:00 on **Sunday mornings**, but that hot times span Saturday Midnight to 03:00, Saturday 23:00 to midnight and Sunday midnight to 04:00*.

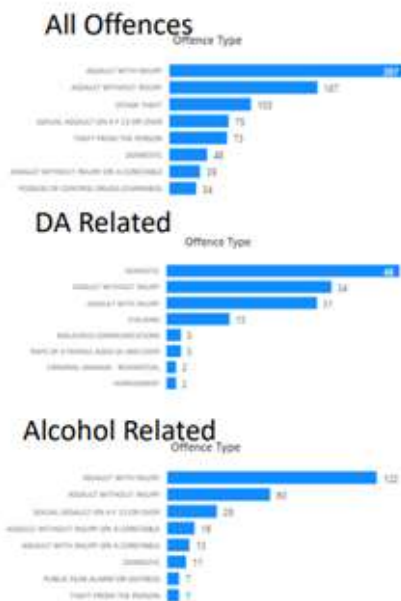
For Alcohol related non-DA, **Assault with injury** is again the top category, and takes a slightly higher proportion of the offence total (35.7%). Temporal analysis reveals that the top time for alcohol related offences at where DA is excluded is also 01:00 to 02:00 on **Sunday mornings**, but that hot times span Saturday Midnight to 03:00 and Sunday midnight to 04:00.*

(*NB the temporal analysis may be somewhat distorted by the Athena default time being 00:00). This marks a shift from previous data when Saturday stood out more than Sunday).

The data shows that assault with injury is unfortunately the most common offence committed within licensed premises during the night-time economy. The data recorded for non-licensed premises has a minimal impact upon the figures, demonstrating the link between licensed premises and high incidents of crime and the intensity of the number of offences associated with licensed premises.

A breakdown of offences and premises type has also been provided. This shows that reports for incidents out in the open street was the most popular location for recording data highlighting the cumulative impact of the number of people in the area and not being linked to any one particular premises, with public houses, bars and night clubs as the second most popular.

NTE offences (top 8 per category) & By Premises Type



NTE CC1 Location by Type		Alcohol Related	
All Offences	Count	Premises Type	Count
	1020		236
Street / Road	152	Street / Road	41
Public House / Bar / Night Club	86	Public House / Bar / Night Club	27
Flat/Apartment	42	Hotel / B&B / Guest house	5
Hotel / B&B / Guest house	16	Flat/Apartment	3
Shop / Store / Supermarket	14	Shop / Store / Supermarket	3
Car Park	8	Cemetery / Crematorium	1
Cafe / Restaurant	7		
Outside	6	DA Related	
Petrol / Filling Station	6	Premises Type	Count
Ambulance / Fire station / Police Station	3		118
Cemetery / Crematorium	3	Street / Road	12
Social Club	3	Flat/Apartment	10
Path	2	Public House / Bar / Night Club	3
Taxi Rank	2	Cemetery / Crematorium	1
Hall / Community centre	1	Hotel / B&B / Guest house	1
House - Bungalow	1	Petrol / Filling Station	1
Park / Gardens	1		
School	1		
Sports Club	1		

Tables 9-11 NTE offences by location type

Where a location type is recorded, 'Street / Road' offences is consistently the top location, however for both 'all offences', and Alcohol related offences, but NOT DA, Public House / Bar / Night Club is the second most common, whilst for DA it is a flat of apartment. Of note is that for the majority of offence no venue type is recorded. Of 1,375 offences that fall within the NTE time frame, Assault with or without injury combine to be the highest scoring throughout.

In respect of the locations of reports, a geographic map showing the cluster of alcohol-related offences. The Parade stands out as the location with the most reports with a clear cluster of offences recorded down the spine of the town centre covering The Parade and the High Street, and a second map has been provided to show a more detailed breakdown of complaints within The Parade.

NTE Top Streets (Excluding DA)

Top NTE streets when

Street	Count
The Parade, High Street	72
The Parade	68
The Parade High Street	41
Albert Road South	25
High Street	19
Market Street	8
Station Road	8

Table 12 – list of streets which have experienced 8 or more NTE Alcohol related offences.

NTE Offences



The Parade High Street features a large proportion of non-DA alcohol-related offences (just over 63%) between 22:00-04:00. This was the same situation noted at the time of the last report. This is to be expected considering the high volumes of people congregating in this area and the number of licensed premises here as it remains prudent to focus attention here.

Of the 41 licensed premises within The Parade as of 01/04/2023, 36 allowed the sale of alcohol. Of the 41 licensed premises within the High Street in the same period, 37 allowed the sale of alcohol. The breakdown of the number of premises by licensable activity are included in the table below. This data is supplied by the licensing authority.

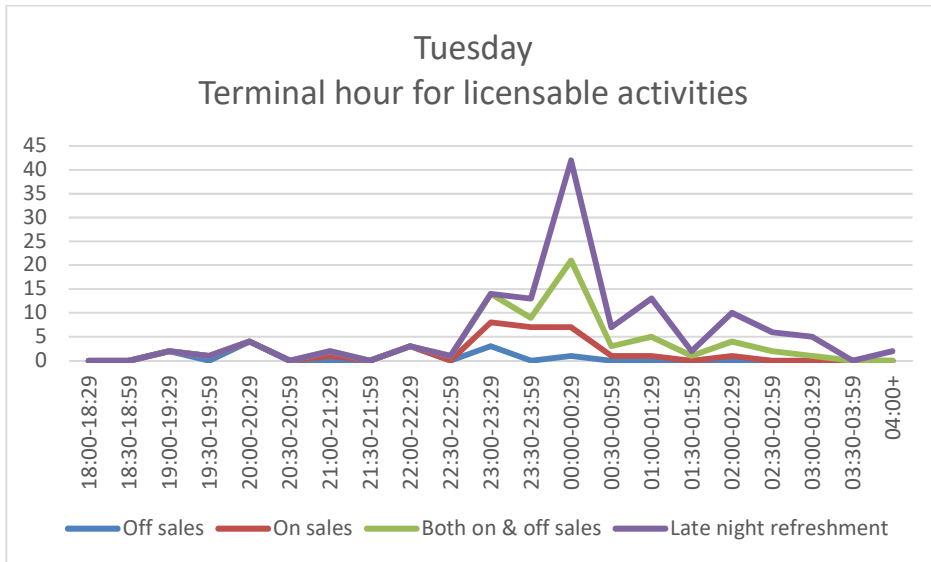
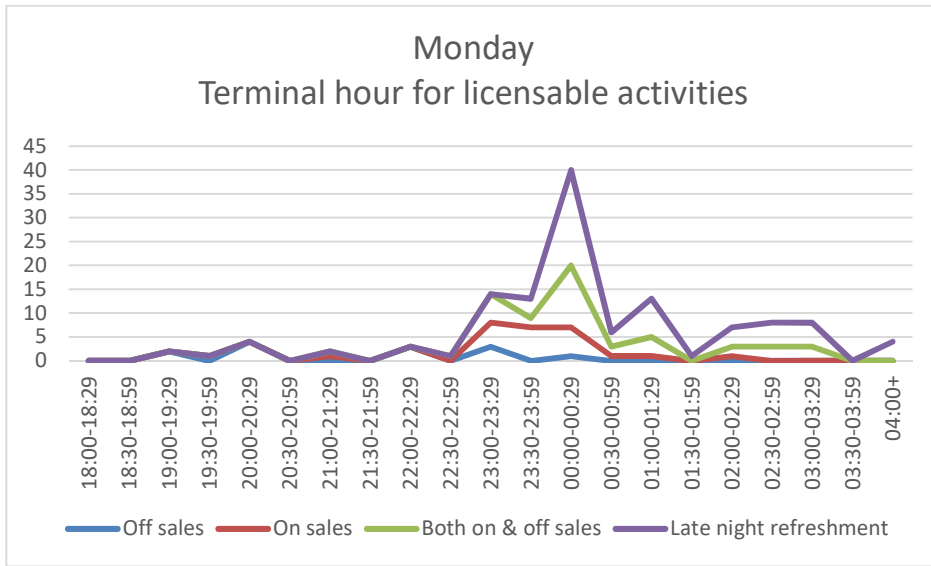
Licensable activity	Number of premises	
	The Parade	High Street
Supply of alcohol (consumption on premises)	13	10
Supply of alcohol (consumption off premises)	7	6
Supply of alcohol (consumption both on and off premises)	16	21
Late night refreshment only*	4	3
Regulated entertainment only	0	0

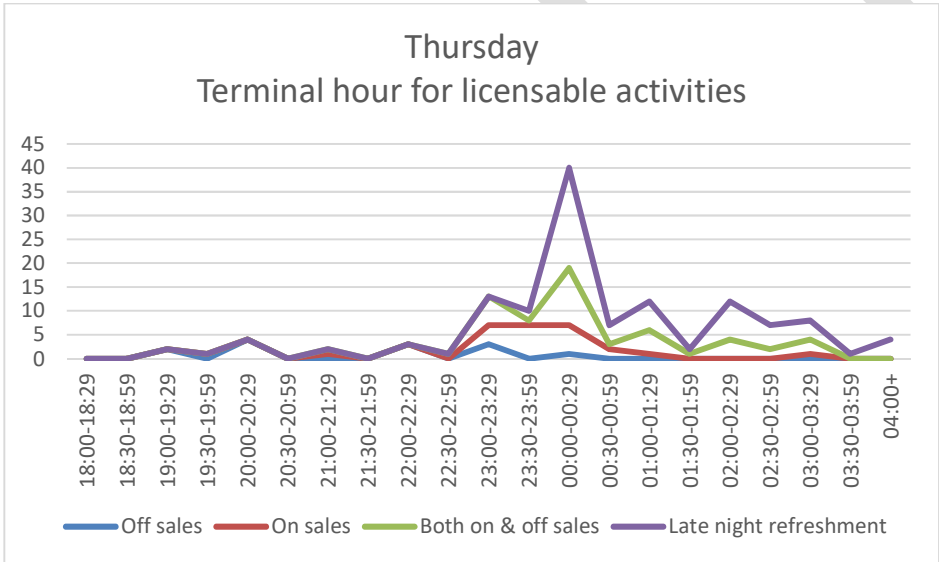
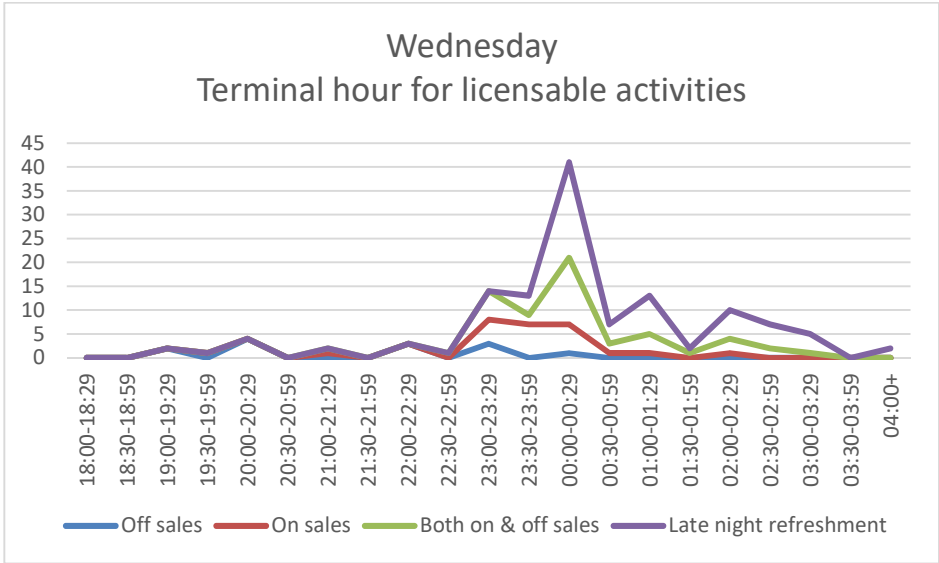
** On both The Parade and the High Street one premises is licensed for late night refreshment and regulated entertainment, explaining the difference between these figures and the total number of premises*

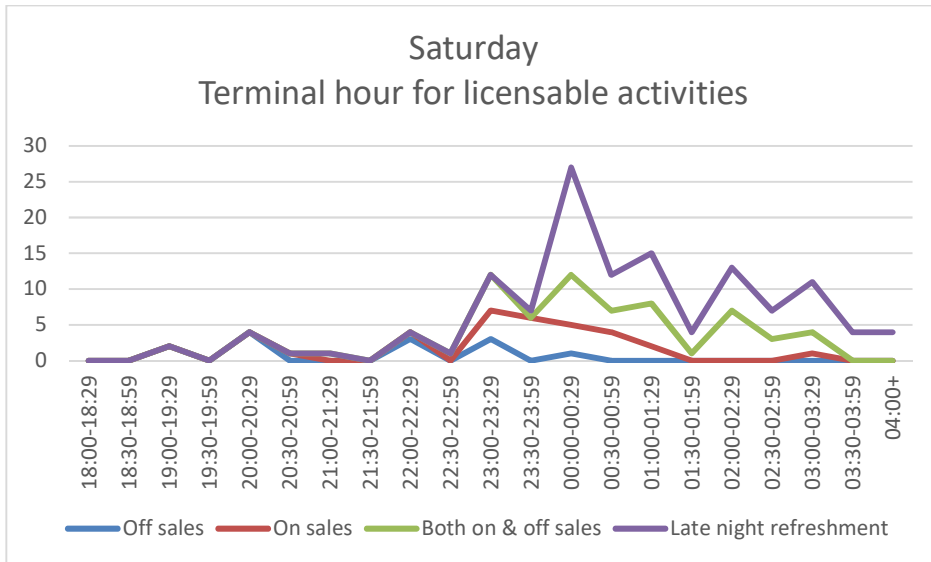
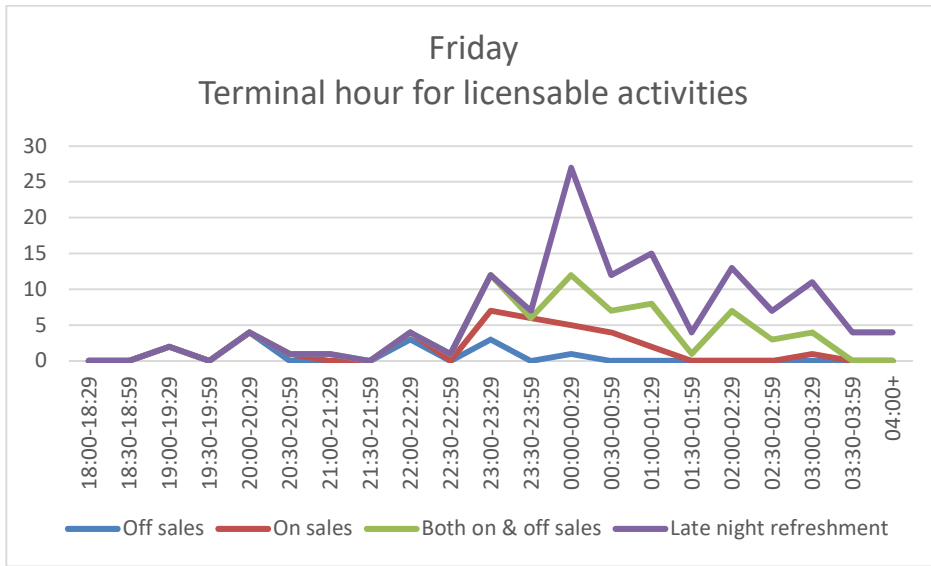
It is acknowledged that not all premises which sell alcohol only sell alcohol as a licensable activity. The full breakdown of the number of premises offering licensable activities, and which activities they can offer, is included in the following table. Again, this data is supplied by the licensing authority.

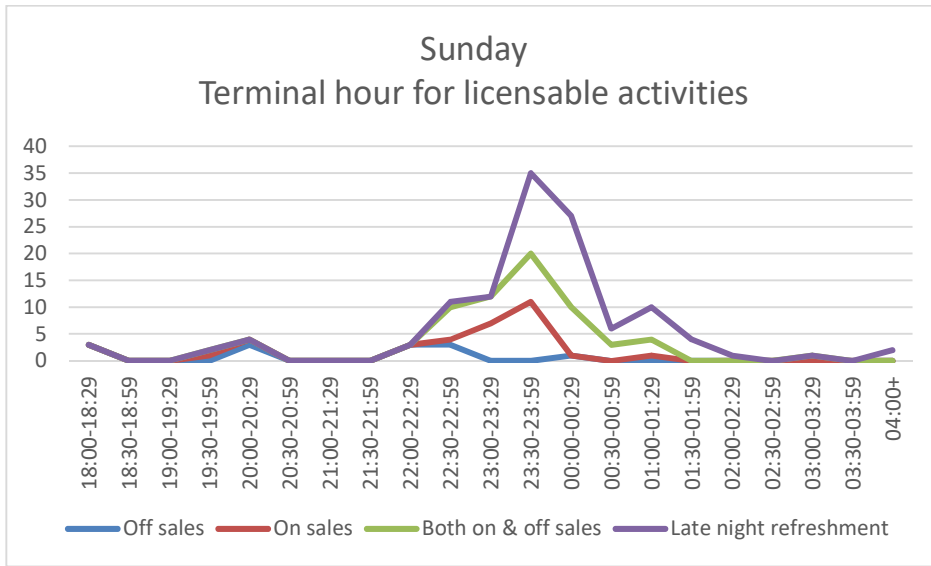
Licensable Activities	Number of Premises	
	The Parade	High Street
Supply of Alcohol (both on- and off-sales premises) only	1	3
Late night refreshment only	4	3
Supply of Alcohol (off-sales) only	6	6
Supply of Alcohol (on-sales) only	2	2
Supply of Alcohol (both on- and off-sales) & Late night refreshment	0	8
Supply of Alcohol (both on- and off-sales) & Regulated entertainment	0	2
Supply of Alcohol (off-sales) & Regulated entertainment	1	0
Supply of Alcohol (on-sales) & Late night refreshment	1	3
Supply of Alcohol (on-sales) & Regulated entertainment	2	1
Regulated entertainment & Late night refreshment	1	1
Supply of Alcohol (both on- and off-sales), Regulated entertainment & Late night refreshment	16	8
Supply of Alcohol (on-sales), Regulated entertainment & Late night refreshment	8	4

The terminal hours for these licensable activities extend later into the night closer to the weekend. The following graphs show the distribution of terminal hours for these licences for each day of the week, with noticeable peaks of later hours for alcohol sales on Thursdays, Fridays and Saturdays.









The majority of premises trade beyond 22:00, which appears to justify the police’s approach of classifying these premises as trading in the night-time economy. The police have advised that offence numbers peak between midnight and 03:00 on Saturday morning and midnight to 04:00 on Sunday morning. As can be seen from these graphs, this is when the majority of terminal hours for licensable activities occur and when customers should start vacating premises.

DRAFT