

## Nottingham City Council

### Responses to consultation on Cumulative Impact Assessment (2021)

#### Chapter 1 – Introduction

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
				N/A	N/A

#### Chapter 2 – Statement of Evidence - General

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	Zoe Mallett - NTU	2.9	It is inferred that NCC believes that students account for a significant proportion of offenders and majority of victims and perpetrators of alcohol related crime and disorder in the NTE. The section is contradicted by police statistics and feels that section 2.9 is unhelpful and misleading.	Your note is acknowledged and the authority appreciates your interpretations of these statistics. The authority has sought further clarification from Nottinghamshire Police on the analysis of these statistics for future consideration of the Cumulative Impact Assessment.	It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and 4 is incorrectly based on a wider areas than was intended  It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.

					No changes to be made at present but shall be a consideration upon submitted evidence on the future considerations of the CIA following the determination of the Policy's status at the committee meeting.
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**Chapter 3 – Statement of Evidence – City Centre Saturation Zone (Crime & Disorder, Anti-Social Behaviour, Noise & Nuisance)**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

**Chapter 4 – Statement of Evidence – Berridge, Arboretum & Radford Saturation Zone (Crime & Disorder, Anti-Social Behaviour)**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	Zoe Mallett – NTU	4.4, 4.5, 4.6 & 4.7	This section of the report suggests that the impact of students' behaviour in this area is similar to that of offenders, homeless people, and 'people with complex needs who can lapse into criminal and anti-social behaviour'. No evidence supports the 'extraordinary assertion' Believe section 4.7 should be removed or amended and reflected	Your points have been acknowledged and although it is not the authority's intention to portray students, homeless persons and street drinkers into a category of stereotypical behaviour the description is intended to reflect that the high concentration of students is evidenced to have an impact on the area. However the authority notes that the language and descriptions	It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and 4 is incorrectly based on a wider areas than was intended  It will be recommended that the Committee determine

			by evidenced accounts.	could be perceived otherwise and therefore shall consider your note and any submitted evidence on future considerations of the Cumulative Impact Assessment.	not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.  No changes to be made at present but shall be a consideration upon submitted evidence on the future considerations of the CIA following the determination of the Policy's status at the committee meeting.
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### Chapter 5 – Other Control Measures in Use

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

### Chapter 6 – Conclusion

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	Zoe Mallett	None provided conclusion over all	NTSU is broadly supportive of the conclusions of the document and agrees that the Alcohol Saturation Zones should remain in place in both the areas outlined in the	Noted support of CIA remaining in place.	It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and

			document.		<p>4 is incorrectly based on a wider areas than was intended</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.</p> <p>No changes made.</p>
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## Chapter 7 - Appendices

### Appendix 1 – Map of City Centre Saturation Zone

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

### Appendix 2 – Map of Berridge, Arboretum & Radford Saturation Zone

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

### Appendix 3 – Evidence - Statement of Inspector Paul Gummer dated 17 July 2021

Ref	Name of	Policy or	Summary of Respondents	Authorities Appraisal of	Authority's Response
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No.	Respondent	Paragraph Number	Comments	Comments	with regard to Statement of Policy
2	James Anderson	Paragraph 2	<p>Refers to numbers of licensed premises in the city directly affects the levels of violence. – Questions whether is correct – premises have increased but levels of crime are down.</p> <p>Questions whether a comprehensive study has taken place to premises which have closed or changed style.</p> <p>Makes reference that the increase of premises licences must relate to restaurants or none drink-led use premises due to rigorous enforcing of the policy.</p>	<p>The authority has acknowledges your point on the validity of the statistics provided.</p> <p>No comprehensive study required as S182 Guidance refers to types of premises within chapter 14 of the guidance. Refers that it is to be expected that the impact shall be different for premises with different styles.</p> <p>The CIA policy also shows that the Authority recognises that the operating style of a premises affects the impact that they may have.</p> <p>The authority must still account for licenses that remain on registers whether they are in use or not as the licence remains indefinite until such time it lapses in accordance with regulations. Therefore the number of premises licences in place may not reflect that of the current economy especially in response to the pandemic with units perceived to be shut down and empty. The potential for a licence to be transferred and a premises to have use of licensable activities remains.</p>	<p>It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and 4 is incorrectly based on a wider areas than was intended</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.</p> <p>No changes to be made at present but shall be a consideration upon submitted evidence on the future considerations of the CIA following the determination of the Policy's status at the committee meeting. The authority gives further considerations to the type of premises it would like to encourage to be part of Nottingham City's economy</p>

					to promote the licensing objectives.
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#### Appendix 4 – Night Time Economy Statistics Charts dated July 2021

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	Zoe Mallett - NTUS	None provided general statement	Provided analysis of statistics relating to student percentages in relation to Police stats and insinuates a contradiction – “The police’s own data therefore apparently tells a very different story to the consultation document.”	The authority notes potential inconsistencies with the evidence provided and shall look into this in further detail upon consideration of the CIA in future	<p>It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and 4 is incorrectly based on a wider areas than was intended</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.</p> <p>No changes to be made at present but shall be a consideration upon submitted evidence on the future considerations of the CIA following the determination of the Policy’s status at the committee</p>

					meeting.
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**Appendix 5 – Evidence – Statement of Inspector Amy English dated 19 July 2021**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

**Appendix 6 – Evidence – Statement of Inspector Luke Todd dated 22 July 2021**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

**Appendix 7 – Evidence – Richard Taylor, Environmental Health & Safer Places Team Manager, Community Protection**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

**Appendix 8 – Evidence – Statement of Melanie Fretwell, Principal Enforcement Officer, ASB Service**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

**Appendix 9 – Strategies, Policies & other published documents given regard**

Ref No.	Name of Respondent	Policy or Paragraph Number	Summary of Respondents Comments	Authorities Appraisal of Comments	Authority's Response with regard to Statement of Policy
					N/A

## General Comments

<b>Ref No.</b>	<b>Name of Respondent</b>	<b>Policy or Paragraph Number</b>	<b>Summary of Respondents Comments</b>	<b>Authorities Appraisal of Comments</b>	<b>Authority's Response with regard to Statement of Policy</b>
2	James Anderson – Poppleston Allen	None quoted – general comments	<p>General points on the policy – both saturation zones seems to be larger and no reference made in the document of this matter. South of the train station and two areas in the north east. The RBA zone is significantly larger. If an increase then the following is expected</p> <ul style="list-style-type: none"> <li>- the increase highlighted in the policy</li> <li>- how they are consistent with the authorities duty under section 4(1) of the act with no evidence. The zones have no correlation to council wards.</li> <li>- The increase indicates that new licenses are less likely to be granted in parts where there is no evidence of existing problems</li> <li>- The authority is at risk for legal challenge by failing to provide evidence under section 5 of the Act.</li> </ul>	<p>The Authority recognises the differences between the previously published maps and the maps published within the draft. An administrative error has been identified and it is acknowledged that the error has caused a perception that the saturation zones have altered. This is not the case and the saturation zones remain the same.</p> <p>The authority agrees that the saturation zones do not correlate to the council wards and this was incorrectly communicated.</p>	<p>It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and 4 is incorrectly based on a wider area than was intended.</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.</p> <p>The maps and the data referred within any future draft CIA, shall be scrutinised to ensure the data reflects a true account.</p>
2	James Anderson – Poppleston Allen	None quoted – general	Future success as a city – similar arguments are in the assessment	The Authority recognised the value that external initiatives have in	

		<p><b>comments</b></p>	<p>as previous ones. There is no coherent message relating to Nottingham and does not recognise the importance of the hospitality industry and LNE. The city must be applauded on a number of initiatives such as purple flag and Best Bar None. The draft policy on page 8 refers to an economic burden of alcohol related harm and the current policy paragraph 1.2 refers to recognition of the entertainment and leisure industry.</p> <p>Reality is that even well run establishments are likely to lead to an increase of crime due to the increase of people in the city.</p> <p>Reference that Liverpool's authority has removed their CIA.</p>	<p>relation to the hospitality business sector within Nottingham however the policy should remain to describe the relevance of the evidence provided. The consultation for this Policy seeks the comments from interested parties in order for them to have a say and unfortunately no comments or evidence was provided by these parties to enable consideration to be made in regards to them. The Authority encompasses partnership working with internal and external parties outside of the policy where relevant.</p> <p>This comment is noted.</p> <p>Nottingham's Authority can only account for the issues present within Nottingham and should not refer to reasons why other authorities may have removed their Policies as their consultations will reflect the evidence to support their reasons to do so. However the authority does communicate where relevant with other authorities.</p>	
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			<p>Nottingham could be more imaginative in trying to change the demographic to provide craft ale traditional venues or modern bars to drive up standards and attract the 30 and 35+ into the city and mix younger crowds with maturing groups.</p> <p>Needs to be a more constructive approach if Nottingham is not prepare to remove the policy.</p>	<p>This is not a responsibility of the authority in exercising its functions see paragraph 14.9 of the S182 guidance.</p> <p>Each application is taken on its own merit and where relevant the CIA is considered.</p> <p>The operation of a licensed premises is dependent on the operator's response to the economy and relevant trends such as café culture etc.</p> <p>What is proposed within a premises licence application is on the onus of the operator and whether their type of operation/premises would attract a certain clientele</p> <p>Additionally the authorities such as Nottinghamshire Police have 'pre-consultations' with applicants to indicate whether they would or would not be in support of the type of operations due to its potential impact on the licensing objectives.</p> <p>However the authority does acknowledge the feedback and that there are alternative approaches to consider in order to attract operators even if there are tighter restrictions such as a CIA.</p>	<p>No changes at present. The comments have been noted and has highlighted to the authority of looking into alternative approaches to the CIA policy.</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out. Insufficient weight had been placed on the effects of the pandemic on businesses and that more general consideration ought to be given to the benefits and effects that the hospitality industry has on the wider economy and vitality of the city centre in particular</p>
2	James Anderson – Poppleston Allen	Non quoted – general	Impact of Pandemic - Many licensed premises have closed,	The Authority has not had a decrease in the amount of	It will be recommended that the Committee

		<b>comments</b>	<p>will close or have changed style and operation significantly to survive.</p> <p>There is no evidence to conclude that once the pandemic is over that there is a cumulative impact as a result of the hospitality industry. Believes it is unjustifiable that without sufficient or updated evidence that reflects the current state of the licence sector.</p> <p>The current policy is outdated and inflexible particularly with the city centre given the unprecedented challenges the industry has faced and at present continues to face.</p> <p>Sever and adverse repercussions for the industry, economy and employment should the proposals be pursued.</p>	<p>applications received relating to new premises licences or variations. Neither the amount granted. The numbers have remained steady throughout the pandemic and therefore the impact of the pandemic is not indicated with these numbers.</p> <p>Rather the amount of Vary DPS/Transfer applications decreased due the premises being closed.</p> <p>The authority acknowledges that the statistics provided by interested parties may not provide a true indication of the impact the pandemic has had in relation to licensed premises whether their impact on the Saturation Zones has altered due to this.</p>	<p>determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out. Insufficient weight had been placed on the effects of the pandemic on businesses and that more general consideration ought to be given to the benefits and effects that the hospitality industry has on the wider economy and vitality of the city centre in particular</p>
3	Lucy Stanford – Nottingham BID	<b>None quoted – general comments</b>	<p>The NTE has a positive impact on Nottingham with local employment and industry growth.</p> <p>No recognition that the NTE behaviour has drastically changed with less vertical drinking establishments and high-end operators.</p>	<p>Comment noted.</p> <p>Similar comment to above – the S182 guidance and the CIA policy makes reference that the types of premises can have different impacts. This also reflects the purpose or intended impact of the CIA as it is expected that there will be a decrease in the number if</p>	

			<p>The opportunity cost must be considered – with a number of operators who have avoided investment into Nottingham because of the policy.</p> <p>Limited contributors to the report. Industry evidence and opinion should be considered from industry experts and professionals.</p> <p>The paper implies crime figures have decreased as a result of the policy but there is little evidence to support this. The reduction may be due to other factors and initiatives such as Best Bar None. Benefits need to be weighed against the economic growth constrained by the policy.</p> <p>Other local authorities have dropped their CIA policies to simulate investment in their areas.</p>	<p>vertical drinking establishments.</p> <p>The authority would not have the figures to indicate operators avoiding Nottingham and their reasons for doing so. Statistics indicate a steady amount of applications received and an increase from previous years on the number of licences granted.</p> <p>The authority has consulted all relevant parties as described within the regulations and the consultations welcomes relevant comments from those parties. The experts and professionals should take the consultation as an opportunity to provide such data and opinion to support their comments.</p> <p>See responses above which refer to police statistics.</p> <p>As per the response above in relation to Liverpool’s actions on their CIA.</p>	
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<p>4</p>	<p><b>Richard Johal – Nottingham Hospitality Association</b></p>	<p><b>General points</b></p>	<p>No recognition that the NTE behaviour has drastically changed with less vertical drinking establishments and high-end operators. No research on the opportunity cost with a number of operators who have avoided investment into Nottingham because of the policy.</p> <p>The pandemic has made operators scrutinise their business models, to ensure that they operate safely both for their customers and staff</p> <p>Hospitality are taking over premises without licensing opportunities.</p> <p>Crime stats within the report are not time relative and could be incidents during the day time and covid ASB relate.</p> <p>The paper implies crime figures have decreased as a result of the</p>	<p>Same response as above – comments supports the purpose/intended impact of the policy.</p> <p>Same comment as above – this is data that the authority would not record or be aware of.</p> <p>Same as above – Operators should scrutinise their operation in order to make relevant proposals to promote the licensing objectives rather than have an affect against.</p> <p>This is dependent on the reaction to the economy and not a function of the Authority it is dependant as to whether a licence is already in place at the establishment and whether that operator has the relevant proposals to make an application that would be successful against the scrutiny of the policy (if referred to in any relevant representations)</p> <p>See responses above referring to Police statistics.</p> <p>See responses above referring to Police statistics</p>	<p>It has transpired that the plans attached at appendix 1 and 2 of the draft CIA and the statistical information, in particular at Sections 3 and 4 is incorrectly based on a wider areas than was intended</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out.</p> <p>It will be recommended that the Committee determine not to publish the CIA at this time as the authority acknowledges before consideration can be given to the adoption of the CIA that there is a need for further analysis be carried out. Insufficient weight had been placed on the effects of the pandemic on businesses and that more general consideration ought to be</p>
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			<p>policy but there is little evidence to support this. The reduction may be due to other factors and initiatives such as Best Bar None. Benefits need to be weighed against the economic growth constrained by the policy.</p> <p>No input from other professional and interested parties has been sought prior to the draft of the policy. Shows a narrow focus of the consultation and does not recognise the conflict with government initiatives to encourage re-opening of the high street.</p> <p>Believe there should not be an antiquated one size fits all policy and that it is no longer fit for purpose of the current city centre landscape. Propose there should be an impact assessment every 2 years to assess the impact that removing the policy has on crime and violence for future years.</p>	<p>Same comments as above – the Authority has sought consultation from relevant parties in accordance with the regulations and the consultation welcomes the input from all other parties and this is where the opportunity can be taken by professional and interested parties to make comment.</p> <p>The CIA can be reviewed anytime during 3 years should it be relevant and evidence indicates so. The authority recognises that there could be alternative approaches to any CIA policy it may seek to publish.</p>	<p>given to the benefits and effects that the hospitality industry has on the wider economy and vitality of the city centre in particular</p>
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