

## APPENDIX 1- PROPOSED CUMULATIVE IMPACT ASSESSMENT AREA 2019

### PUBLIC CONSULTATION RESPONSES

Response Number	Person(s) Making Response	Comments	B&NES Officer Response	Recommendation
1	B&NES Resident/ Councillor	I am surprised that the area is being reduced rather than enlarged to take into account where student and other young persons' activities take place in the City.	<p>The comments are noted with thanks.</p> <p>Student accommodation is not a consideration unless it impacts on the licensing objectives; there is no evidence to suggest that there is crime and disorder from licensable activities in locations of student accommodation.</p>	No change to proposed CIA boundary.
2	Marlborough Lane and Buildings Residents Association	<p>Last night at our committee meeting we discussed what our response should be.</p> <p>After some discussion we would urge the Council not to change the boundaries of the Cumulative Impact Area (CIA) on this occasion.</p> <p>While crime figures may be down in certain parts of the current CIA it remains a major concern to our members that Julian Road would cease to be included under the new</p>	<p>The comments are noted with thanks. There is no evidence to support the inclusion of Julian Road or park areas based upon crime and disorder from licensable activities at this time. However, the CIA must be reviewed in conjunction with the Statement of Licensing Policy or sooner if a need is identified. Any new evidence will be taken into account at the time of the next review.</p>	No change to proposed CIA boundary.

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		<p>proposals. The area is still quite volatile, liable to change and has experienced a degree of deprivation in recent times.</p> <p>As you know if anything we would like the so called "green areas" to be included in the area where there is a presumption not to issue any licence. However I doubt that your exercise would cover such a suggestion. You are aware of our reasons for this suggestion.</p> <p>Our overall feeling is that the CIA has worked well in reducing crime in the City Centre area and therefore should not be prematurely changed. The CIA has enough licences to meet the current demand for alcohol in our view.</p> <p>Our views might be different in 5 years' time.</p>		
3	Royal Crescent Society	<p>Our view is that given the positive effect the current boundary has had to date in areas such as Walcot Street, we feel it would be unwise to risk jeopardising this progress in the future by reducing the boundary area.</p>	<p>The comments are noted with thanks. There is no evidence to support the inclusion of Julian Road or park areas based upon crime and disorder from licensable activities at this time. However, the CIA must be reviewed in conjunction with the Statement of</p>	<p>No change to proposed CIA boundary.</p>

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		<p>We agree with the view of Marlborough Lane and Marlborough Buildings RA that ideally the boundary should extend to include the Julian Road area, given the ongoing problems with crime here and the existence of empty shops currently along this road which could in theory become licensed premises.</p> <p>As we discussed in the meeting, we would also ask if the possibility of an extension to the boundary to include Royal Victoria Park could be explored. Residents would not welcome, for example, an alcohol license being granted to Royal Crescent Lower Lawn.</p>	<p>Licensing Policy or sooner if a need is identified. Any new evidence will be taken into account at the time of the next review.</p> <p>The Council encourages residents to report any issues associated with licensed premises so that they can be investigated and used to support future public consultations on the cumulative impact assessment area.</p>	
4	The Royal Hotel, Bath	<p>Thank you for your letter of the 21<sup>st</sup> June advising us that you are reviewing the above statement for Bath City Centre.</p> <p>Patron Hotels and Restaurants Ltd, lease The Royal Hotel in Bath, where we have traded for some 25 years.</p> <p>Having read the revisions on your website, I am at a loss to understand why you think by increasing the amount of outlets selling alcohol in</p>	<p>Thank you for responding to our consultations regarding the Licensing Act and the proposed revision of the cumulative impact area.</p> <p>There is no intention to increase the number of outlets selling alcohol in the evening. Indeed, there is no intention to increase or decrease the number of outlets at all. The number of licences issued will depend on the number of</p>	No change to proposed CIA boundary.

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		<p>the evening that this will reduce incidents of crime linked to alcohol, drunkenness, etc., etc. – experience tells one the opposite will be the case.</p> <p>Therefore, perhaps you would be kind to advise me what research the Council has carried out that convinces of them of this statement.</p>	<p>applications that will be received and issued in future. History tells us that a varying number of new licences are granted every year to add to the existing number. However, several licences are surrendered in any given year also.</p> <p>The cumulative impact area is proposed to be reduced based on evidence on crime and disorder provided by Avon and Somerset Police.</p>	
5	BANES resident/former councillor	<p>With reference to the proposed reduction of the perimeter of the CIA, I would request that the Council ensures the southern half of Walcot St is retained within its boundary.</p> <p>The northern boundary shown on the current revised map indicates a line running along Bennet Street, crossing the Paragon and intersecting Walcot Street. This point is the furthest south it should be allowed to shrink. Also, would be clearer if the north/south boundary continued to be drawn on the eastern side of the river to show that Walcot Street really is within the CIA.</p>	<p>The comments are noted with thanks.</p> <p>On a further review of the evidence from Avon and Somerset Police, there is no evidence to suggest that there is crime and disorder from licensable activities in this area. However, the CIA must be reviewed in conjunction with the Statement of Licensing Policy or sooner if a need is identified. Any new evidence will be taken into account at the time of the next review.</p>	No change to proposed CIA boundary.

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		<p>The lower, southern half of Walcot Street is too close to the hottest part of ASB heat map and any new licensed premises in this part of Walcot Street would add to the overall negative impact. The evidence for this persists on Walcot Steps, between the Paragon and Walcot St. The graffiti, broken glass, drug paraphernalia, all point to a continuing problem with the night time economy and that a concentration of night time entertainment establishments must be avoided.</p>		
6	The Circus Area Residents Association (CARA)	<p>The Circus Area Residents Assoc committee have discussed the proposed changes to the area covered by the Cumulative Impact Assessment and do not feel able to support the removal of the area bounded by Julian Road, Marlborough Buildings and Royal Ave.</p> <p>The suggestion that the boundary be changed because of the lack of Police reports of related incidents in the area is a little spurious as any reports do not report the source of alcohol consumed by miscreants. At a recent Licensing hearing, reports of</p>	<p>The comments are noted with thanks.</p> <p>There is no evidence to support the inclusion of Julian Road or park areas based upon crime and disorder from licensable activities (i.e. alcohol sales) at this time. However, the CIA must be reviewed in conjunction with the Statement of Licensing Policy or sooner if a need is identified. Any new evidence will be taken into account at the time of the next review.</p>	No change to proposed CIA boundary.

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		<p>antisocial behaviour were discounted because it could not be proven that the individuals had consumed excess alcohol at the event in question.</p> <p>The considered opinion is that the area should be expanded to include all of the lower part of Royal Victoria Park. This is a direct result of the increasing number of commercial events taking place in that area.</p> <p>It is the opinion that retention or increasing the area involved would not generate any additional workload but would provide an albeit limited protection for local residents.</p>		
7	Punch Taverns	<p>We note that your cumulative impact policy section makes only a brief reference to cumulative impact assessments ('CIA's'), with reference to 'Appendix 1'. It would assist if s. 15 were expanded to explain more about CIA's and the effect of them, including that cumulative impact policies need to be reviewed every 3 years, rather than the 5 for the policy itself.</p> <p>We note that the city centre Cumulative Impact Zone ('CIP') appears to be retained and to include a significant proportion of the city</p>	<p>The comments are noted with thanks.</p> <p>A fuller explanation will be provided in the final version following the completion of the public consultation and decision-making process.</p>	No change to proposed CIA boundary.

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		<p>centre.</p> <p>We understand that there are occasions where CIP's provide a valuable tool to local authorities in regulating the night time economy. However, our experience is that they can also be an impediment to businesses and the development of a thriving night time economy.</p> <p>Punch, as a promoter of entrepreneurship within our estate of leased pubs understands very well the challenges that small business operator's face when looking to enter a new market or adapt their offer.</p> <p>Cumulative impact policies can have the effect of dissuading operators from even attempting to get a licence. This unintentionally penalises operators considering smaller more novel applications (simply because of the prohibitive cost), often resulting in them looking to take their ideas elsewhere and thereby wasting a chance to develop a more rounded and vibrant economy in the CIP. For the same reason, such policies also promote ubiquity and stagnation as the only operators willing to take on the risk and outlay of applying in</p>	<p>The CIA must be reviewed every 3 years and any new evidence will be taken into account on the next review.</p> <p>We acknowledge the comment about small/ independent operators and the council is willing to consider innovative applications as long as the licensing objectives are supported.</p>	

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		<p>cumulative impact zones are larger established chains with the financial backing to fight for a licence. Given the plight of the pub market 7 years ago and now the casual dining market, in part because their offers failed to change as the market developed around them, the use of CIPs needs careful oversight- especially in large city centres, such as Bath.</p> <p>As such, we suggest that any CIP makes it clear that it will consider small, independent and/ or otherwise innovative applications both for new licences and variations to existing licences as being outside of the CIP. Such applications will still need to demonstrate that they do not undermine the objectives, but we would hope that adding something to this effect into the policy will stimulate and incentivise smaller operators to make applications. Whilst it may sound counter-productive for a pub company with licenses already granted in the area to support the growth of competition, we recognise that innovation and new operators stimulate the economy for established premises and can often lead to raising standards across the board.</p>		

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		<p>This can only be good in the long-term for everyone.</p> <p>Existing cumulative impact policies need to be scrutinised with an open mind. Stagnation will kill a vibrant area and CIP's, if left to choke the area they were designed to protect can do as much damage as good. We would suggest that if the CIP is to be maintained, specific types of licence are identified as being particularly problematic in certain areas, rather than just applying the CIP policy to all licensed premises. The Leeds City Centre CIP is a good model of this working in practice. This allows for an area to gradually adapt and change with the policy, so long as the policy then adapts and changes to the area.</p>		
8	Twerton Liberal Club	Due to the large amount of student accommodation already in place and proposed increase would suggest that the revised boundary be extended to include the Lower Bristol road (A36).	<p>The comments are noted with thanks.</p> <p>Student accommodation is not a consideration unless it impacts on the licensing objectives; there is no evidence to suggest that there is crime and disorder from licensable activities in locations of student accommodation.</p>	No change to proposed CIA boundary.

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9	Resident and representative of, Pulteney Estates Residents Association (PERA)	<p>I am responding both as an individual resident and also on behalf of PERA - the Pulteney Estates Residents Association -</p> <p>We accept that the redrawing of the boundary of the cumulative impact boundary reflects the new situation on the ground, largely due to key premises closing or significantly changing their business models. However we consider that the extension across Pulteney Bridge incorporating Argyle Street, and the top of Grove Street should be included as these areas have recently seen a great increase in short term multi-occupancy holiday lets, with a many more in the process of being converted. This is likely to see an increase in the type of anti-social behavior that would qualify for this area to be included in a CIA.</p> <p>Furthermore, as with other resident groups, we did have one suggestion that BANES might consider, while acknowledging that it may fall outside what was envisioned by Cumulative Impact Assessment in the Act, we would propose including the river bank outside the Rugby Stadium and</p>	<p>The comments are noted with thanks.</p> <p>On a further review of the evidence from Avon and Somerset Police, there is no evidence to suggest that there is crime and disorder from licensable activities in the areas mentioned- short-term multi-occupancy lets are not licenced under the Act.</p> <p>The comments regarding any new rugby stadium are noted. As the CIA must be reviewed every three year any new evidence will be taken into account at the time of the next review.</p>	No change to proposed CIA boundary.

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		<p>relevant adjacent streets and areas on the grounds that there is soon to be a substantial planning application which includes several new licensable premises in this area and that this is likely to greatly increase the cumulative impact within the timeframe of the review.</p>		
10	Federation of Bath Residents Associations (FoBRA)	<p>In addition to the proposals already made, while acknowledging that it may fall outside what was envisioned by Cumulative Impact Assessment in the Act, FoBRA proposes including the river bank outside the Rugby Stadium and relevant adjacent streets and areas on the grounds that there is soon to be a substantial planning application which includes several new licensable premises in this area and this is likely greatly to increase the cumulative impact within the timeframe of the review.</p>	<p>The comments are noted with thanks.</p> <p>The comments regarding any new rugby stadium are noted. As the CIA must be reviewed every three years any new evidence will be taken into account at the time of the next review.</p>	<p>No change to proposed CIA boundary.</p>