

Committee: Licensing Committee

Date: 15 October 2020

Wards: All

Subject: Report on the five yearly review of the Council's Statement of Licensing Policy as required under Section 5 of the Licensing Act 2003 following consultation

Lead officer: Chris Lee, Director of Environment and Regeneration.

Lead member: Councillor Nick Draper, Chair of the Licensing Committee

Forward Plan reference number: N/A

Contact Officer: Caroline Sharkey, Licensing Manager, London Boroughs of Merton, Richmond upon Thames and Wandsworth Joint Regulatory Services Partnership and Guy Bishop Senior Lawyer Litigation and Planning Team.

Recommendations:

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- A. To consider the comments received during the public consultation process, which took place between 15 June and 7 September 2020;
 - B. To discuss, debate, recommend, or amend and approve the proposed Cumulative Impact Assessment having regard to the responses to the public consultation;
 - C. To approve delegated authority to the Licensing Manager, in consultation with the Chairman of the Licensing Committee, to approve any amendments to the Statement of Licensing Policy and/or Cumulative Impact Assessment following the Committee meeting and prior to submission to Council for adoption on 18 November 2020; and
 - D. To approve the draft Statement of Licensing Policy and Cumulative Impact Assessment subject to the above paragraph and recommend them for adoption by full Council on 18 November 2020.
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1. **PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 There is a statutory requirement under section 5 (1) of the Licensing Act 2003 (as amended) for the Council to review and re-publish its Statement of Licensing Policy every five years.
- 1.2 As of the 6th April 2018, Cumulative Impact Assessments were introduced under section 5A of the Licensing Act 2003 by section 141 of the Policing and Crime Act 2017. Under the legislation, a local authority must collect, publish and consult on the evidential basis for any proposal " that the licensing authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the

assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts". The final Cumulative Impact Assessment must be included as part of the Licensing Policy.

1.3 At its meeting on the 9 June 2020, the Licensing Committee agreed a draft Licensing Policy for consultation. In addition, the Licensing Committee reviewed the data that would form the evidential basis for introducing a Cumulative Impact Policy in any part of the borough and agreed that consultation should revolve around the proposal that:

- Evidence is available to support retention of the two of the existing cumulative impact areas, Wimbledon Town Centre and Mitcham Town Centre;
- There is insufficient evidence to support the retention of a special policy for Wimbledon Village;
- It is not appropriate to include any other area of the borough in the Cumulative Impact assessment.

1.4 Members are asked to consider the Statement of Licensing Policy attached at **Appendix A** to this report and, subject to any amendments they may consider appropriate in response to the consultation, to recommend to the Council to approve it as the Council's Statement of Licensing Policy to take effect from 6 January 2021 and to apply to applications received by the licensing authority after that date.

2. **DETAILS**

2.1 **Consultation**

The Licensing Authority must carry out consultation with a prescribed list of consultees, listed in section 5(3) of the Act, before determining its policy. These include:

- The Chief Officer of Police
- The Fire and Rescue Authority
- The Director of Public Health.
- Persons/bodies representing local premise licence holders
- Persons/bodies representing local club premise certificate holders
- Persons/bodies representing local personal licence holders
- Persons/bodies representing local businesses and residents.

2.2 Their views must be given appropriate weight when the policy is determined. Subject to the statutory requirements; it is for each Licensing Authority to determine the extent of the consultation having regard to the cost and time.

2.3 At its meeting of 9 June 2020, the Licensing Committee approved a draft Statement of Licensing Policy for the purposes of public consultation and approved the arrangements for the consultation. The Licensing Committee also considered the available evidence of cumulative impact in the Borough. The Committee approved for consultation a general indication of the parts

of the Borough where it believes that the number or density of licensed premises is having a cumulative impact leading to problems which are undermining the licensing objectives. The Cumulative Impact Analysis included the reasons for this belief and whether the special policy would relate to all premises licences and club premises certificates or only to those of a particular kind.

2.4 The public consultation of the draft Statement of Licensing Policy and Cumulative Impact Analysis took place between 15 June and 7 September 2020. Consultation was carried out as laid out in Sections 5.2 and 5.3 of the Policy. This included directly contacting Responsible Authorities, solicitors who regularly represent licensees in the Borough, trade associations, Ward Councillors residents' associations and other stakeholders who receive e-mail notification of applications received by the Licensing Authority. In addition, electronic copies of the consultation documents were published on the Council's website. The consultation was also publicised on social media by the Council.

3.0 **Responses on consultation on the Licensing Policy (excluding Cumulative Impact Assessment)**

3.1 During the consultation period the Licensing Authority received thirteen responses to the consultation on the draft Licensing Policy (excluding the Cumulative Impact Assessment which was subject to parallel but separate consultation) through the on-line survey. In addition, direct responses were received from the Metropolitan Police and the Director of Public Health. A summary of the on-line responses, including free text comments, can be seen at Appendix B of the report.

3.2 The majority of those who responded are generally positive towards the existing Statement of Licensing Policy and also approve of the proposed amendments to the Policy. Most free text comments relate to the potential removal of the special policy for Wimbledon Village. However, concerns have also been expressed about littering associated with licensed premises. It is therefore, proposed to amend the Policy as shown in Paragraph 13.4 (iv) of the Statement of Licensing Policy attached at Appendix A so that litter is addressed in licensing applications.

3.3 The Director of Public Health supports the proposed Statement of Licensing Policy but has sought a number of amendments relating to the role of public health in licensing as follows:

(i) To amend Section 1.9 to make it more explicit that the opinion of Public Health as a Responsible Authority should be taken into account when deciding applications at the same level as other Responsible Authorities.

It is recommended that policy be amended as shown in the draft Policy attached at Appendix A

(ii) To include an additional sub-section, after sub-section 2.3, summarising the relevant public health data for Merton related to alcohol licencing.

It is recommended that policy be amended as suggested, as shown in the Policy attached at Appendix A

- (iii) To add an additional point to Section 4.5 to indicate the importance of responsible authorities working together in partnership in order to promote a holistic approach to licensing.
It is recommended that policy be amended as suggested, as shown in the Policy attached at Appendix A.
- (iv) To include an additional sub-section between 9.7 and 9.8, highlighting the added importance of particular relevant public health data in assessing the cumulative impact of premises.
It is recommended that this information better sits in Section 10 of the Licensing Policy as shown in the proposed new section 10.2 to the Policy attached at Appendix A
- (v) To add an additional section following sections 11-14, which relate to individual licencing objectives for public health. This would acknowledge that public health is not a licencing objective but would state that health related data will always be considered where they relate to the licencing objectives. It would also encourage applicants to consider health impacts of proposed activities and provide guidance for health-related considerations when completing operating schedules.
It is not proposed to add a section as suggested by the Director of Public Health. Public health is not a licensing objective and the only matters that an applicant is obliged to address in its operating schedule, and indeed the only matters that the Licensing Authority can consider, are those that will impact on one or more of the licensing objectives This does not include health impacts of proposed activities. To include the section as suggested by the Director of Public Health would risk a judicial review against the Policy and/or reference in an appeal. However, it is recommended that many of the measures suggested by the Director of Public Health be included within sections 11 as shown in the Policy attached at Appendix A. It is acknowledged that this does not include all the matters raised by the Director of Public Health. Some of the points raised, such as those relating to the sales of the cheapest alcohol and irresponsible promotions in pubs and clubs are already covered by statutory conditions.

3.4 The Metropolitan Police have not raised any comments regarding the Statement of Licensing Policy. Their comments relate to the Cumulative Impact Assessment.

4.0 Cumulative Impact Assessment

4.1 Section 141 of the Policing and Crime Act 2017 came into force on 6 April 2018 and gave cumulative impact assessments (CIAs) a statutory basis in the Licensing Act 2003. Until that date, cumulative impact policies (CIPs) were only described in Home Office guidance on the 2003 Act. The guidance described cumulative impact as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.”

4.2 In 2016 the Home Office published its Modern Crime Prevention Strategy which included a range of measures to prevent alcohol-related crime and disorder. One of these was to put CIPs “on a statutory footing, to strengthen the ability of authorities to control the availability of alcohol and reduce alcohol-

related crime and disorder, as well as providing industry with greater clarity about how they can be used". At that time, the Home Office was concerned that the system could, among other things, lead to disproportionate restrictions on new business. They felt that CIP's could be implemented on relatively weak grounds and remain in place for a number of years based on limited or outdated evidence. It was their belief that this could lead to disproportionate restrictions on new business and potentially an associated impact on communities where a CIP could prevent new venues in town centres which could enhance the area. The lack of evidence or a poor evidence base could also lead to the failure of a CIP to stand up to scrutiny in the courts in the event of an appeal or make it difficult for the authority, as a responsible authority, to protect the policy.

- 4.3 By giving Cumulative Impact Assessments a statutory basis, the Government believed that this would assist transparency in decision making. Under the 2003 Act, therefore, a licensing authority can publish a CIA to help limit the number or types of licence applications granted where there is evidence showing that the number or density of premises in an area is having a cumulative impact and leading to problems which are undermining the licensing objectives. The 2003 Act sets out what a licensing authority needs to do to publish a CIA. This includes consulting with residents and businesses in the borough and reviewing the Assessment every three years to ensure that it is current and remains rooted in strong evidence.
- 4.4 Under the amendments to the Licensing Act 2003 brought about by the Policing and Crime Act 2017, there is no longer a 'rebutable presumption' that applications for licences in areas with CIP's would be refused unless there was a strong reason put forward by the applicant to grant. Instead the requirements for determining new or variation applications are the same in areas with a CIP as they are elsewhere. However, anyone making a representation can have regard to the CIP when deciding whether to make a representation for or against an application.
- 4.5 At its meeting on the 9th June 2020, the Licensing Committee reviewed the evidence regarding the number of licensed premises and the impact such premises were having on crime and disorder, nuisance and health (through ambulance call out figures) across the borough. It also reviewed the responses to the 2019 residents' survey which explored resident perceptions of their local area and council services. A copy of this Analysis is attached at **Appendix D** of this report, updated with further information provided by the Director of Public Health on hospital admissions for alcohol related conditions. The Committee approved for consultation a general indication of the parts of the borough where it believed that the number or density of licensed premises was having a cumulative impact leading to documented problems which were undermining the licensing objectives. The Cumulative Impact Analysis included the reasons for this belief and whether the policy would relate to all premises licences and club premises certificates or only to those of a particular kind. The consultation revolved around the proposal that:
- Evidence is available to support retention of the two of the existing cumulative impact areas, Wimbledon Town Centre and Mitcham Town Centre;
 - There is insufficient evidence to support the retention of a special policy for Wimbledon Village;
 - It is not appropriate to include any other area of the borough in the Cumulative Impact assessment.

Wimbledon Town Centre CIA, consultation response

- 4.6 100 people responded to the on-line consultation. Of these, 89% agreed or strongly agreed that there should be a special policy on cumulative impact in respect of Wimbledon Town Centre. A copy of the responses is attached at Appendix C, together with responses to the free text comments where appropriate. 6% of the respondents disagree or strongly disagree that there should be a special policy but have not provided any evidence as to the reasons for this belief.
- 4.7 The Director of Public Health supports the continuation of the special policy on cumulative impact in Wimbledon Town Centre on the basis of the density of premises and crime data presented in the cumulative impact analysis. He also notes, however, that available public health data does not appear to show a cumulative impact on health, with hospital admissions for alcohol related conditions in the wards within this CIA all relatively low compared to the English average and East Merton wards.
- 4.8 The Metropolitan Police have stated that Wimbledon Town Centre, prior to lockdown, required constant management to control antisocial behaviour (ASB) and crime. They advise that whilst there has been some mild departure from the policy, the existing cumulative impact policy for this area has enabled the Licensing Authority to heavily restrict new licences to negate the risk of further impact on crime and ASB.
- 4.9 The majority of those that responded to the consultation were broadly in agreement that the special policy on cumulative impact should continue. The evidence from the cumulative impact analysis, attached at Appendix D, shows that this area has the highest concentration of licensed premises in the borough. Residents of Trinity and Abbey Wards register high levels of concern regarding people being drunk and rowdy in public spaces and general anti-social behaviour. The Wards have high levels of complaints to the police about anti-social behaviour, as well as high levels of ambulance call outs for alcohol and assaults and police call outs for violence – non domestic. Although relatively low in numbers, the area also attracts a number of complaints to the Council’s licensing and noise teams. It is therefore recommended that the special policy on cumulative impact continue.
- 4.10 Wimbledon Town Centre is a vibrant part of the borough with a diverse entertainment offering. Not all types of licensed premises will negatively impact on the area and the Committee may wish to acknowledge this in the Policy by adding the following wording (Appendix 3 of the Policy).
- 4.11 The Authority recognises that it must balance the needs of business with those of local residents. However, currently the number and type of premises are impacting negatively on the licensing objectives. In adopting the special policy, the authority is setting down a strong statement of approach to considering applications for the grant or variation of premises licences and club premises certificates in the Wimbledon Town Centre CIA. However, the Authority recognises that the impact of premises can be different for premises with different styles and characteristics. For example large nightclubs or late night bars and public houses might add to the problems of cumulative impact, a small restaurant or theatre may not. For this reason, applications with comprehensive operating schedules that meet the following criteria may be able to demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives:
Premises that are not alcohol led and
- i. support the people visiting the area during the day; and/or
 - ii. support the wider cultural offering in the area’

Mitcham Town Centre CIA, consultation responses

- 4.12 95 people responded to the on-line consultation. However, of these, 64% indicated that they had no view on whether there should be a CIA in Mitcham Town Centre.

Of those that recorded a view (43 people), 76.7% were in favour of a special policy on Cumulative Impact relating to off-sales in Mitcham Town Centre. In response to the question 'to what extent do you agree or disagree that the Mitcham Town Centre cumulative impact zone should be extended to other license types?' 84% of those who had a recorded a view felt that it should be extended (a total of 33 people recorded a view)

- 4.13 A copy of the responses is attached at **Appendix C**, together with responses to the free text comments where appropriate.
- 4.14 The Director of Public Health supports the continuation of the special policy on cumulative impact in Mitcham Town Centre, which is restricted to off-premises sales, based on data presented in the Merton Cumulative Impact Analysis. Public Health has provided additional data which provides further evidence in support of a special policy for Mitcham Town Centre. The data shows high levels of hospital admissions for alcohol related conditions in the wards which fall into the CIA, for example, Cricket Green has the highest standardised admission ratio (SAR) for alcohol attributable conditions in Merton (102.0) and is higher than the average for England (100.0).
- 4.15 The Metropolitan Police state:
- 'From my observations and experience over the last 4 years, there is clear evidence that the CIZs have been effective in Mitcham and Wimbledon town centres. ASB and crime associated with street drinking in Mitcham town centre remains a problem and I often make representations to block applications for new Premises Licences within the zone. The most recent being in May for a new off-licence only two doors from another where there are already 10 off-licence shops within 300m. I also have an interesting letter from a local resident commenting on the positive effects of the obvious enforcement of the CIZ.'
- 4.16 The majority of those that responded to the consultation were broadly in agreement that the special policy on cumulative impact should continue. Although a number of respondents indicated that the policy should be widened to include all licenced premises, no clear evidence was given to support such a move. It is, therefore recommended that in light of the evidence provided in the Cumulative Impact Analysis that the special policy on cumulative impact as it relates to off-licences continue in Mitcham Town Centre as laid out in Appendix 3 of the Statement of Licensing Policy

Wimbledon Village, consultation responses

- 4.17 88 people responded to the on-line consultation. Of these 12.5% strongly agreed that there was insufficient evidence to retain a special policy on cumulative impact in Wimbledon Village. 87.5% disagreed or strongly disagreed with this statement. A copy of the on-line responses is attached at Appendix C, together with the free text comments.
- 4.18 In addition, 65 responses were received directly objecting to the removal of a special policy in Wimbledon Village, with 5 in support. 1 accepted that there was insufficient evidence at this time for a special policy but wished assurance that the decision could be quickly reversed if problems started to occur. Direct responses were received from Parkside Residents Association, Wimbledon East Hillside Residents Association, Lauriston Road and Wilberforce Way Residents Association, Wimbledon Union of Residents' Associations, the Belvedere Estates Residents' Association, Merton Conservative Group, Wimbledon Village Ward Safer Neighbourhood Police Panel as well as from individual residents. Copies of all these responses have been made

available to Members of the Licensing Committee. Many of the points made in the individual responses duplicate the comments made on-line and it is likely that some respondents to the on-line consultation also responded directly.

4.19 The main thrust of the objections to removing the special policy on cumulative impact for Wimbledon Village are laid out below:

- There is a high density of licensed premises in Wimbledon Village.
- The policy was first introduced in 2006 as a response to problems with anti-social behaviour arising from licensed premises and has remained in place since that time.
- The policy has generally worked and consequently this, in itself, should be a good reason for its retention.
- There are still problems with anti-social behaviour although not sufficiently serious to warrant complaint to the police or to Licensing or Environmental Services.
- There is a concern that the removal of the special policy on cumulative impact will be a 'green light' for new late night applications and drink led businesses taking over vacant premises in the area without the protection previously afforded by a CIP.
- There is a concern that the withdrawal of a CIP will be an indicator to the trade that Merton is actively seeking applications for late night venues in this area.
- If the special policy is removed from Wimbledon Village but retained for the Town Centre, this could see a drive towards moving late night venues into the Village.
- Covid 19 has highlighted problems relating to off sales which has increased problems in the area and contributed to illegal gatherings in nearby open spaces.
- No changes should take place during a pandemic
- There is a concern that Covid19 has severely affected the hospitality sector and, once restrictions are lifted, it will be a natural reaction for premises to seek late licences in order try to recuperate losses. The loss of CIP status could exacerbate this.
- There has been a lack of consultation with residents and the use of the results of the 2019 residents survey does not give a true picture of the problems facing residents in the area.

4.20 The Director of Public Health Public Health is in support of the discontinuation of the CIP in Wimbledon Village as the data presented in the cumulative impact analysis does not support a cumulative impact on the licencing objectives in this area and alcohol-related hospital admissions in Village Ward are the lowest in the Borough.

4.21 The Metropolitan Police advise that Wimbledon Village has not suffered from crime or ASB associated with the cumulative effect of multiple premises selling alcohol. Alcohol related crime in the area is extremely low despite the presence of several bars and restaurants, and ASB complaints have only ever been about individual premises. The police acknowledge that ASB complaints have been received about one premises that has remained open (legally for takeaways) during the Covid 19 lockdown due to perceived breaches of COVID guidance and that complaints are still being received due to customers standing on the pavements. Although crime/ASB does increase during Wimbledon fortnight it is not excessive. Footfall is significantly reduced at all other times. There have been departures from the current policy in the village, notably new Premises Licences at the Ivy Restaurant and Megan's, and neither have had any effect on crime or ASB. The police can see no justification to keep the current CIP in

the village, and its existence does not assist in the management of crime/ASB in that area.

5.0 Introducing a special policy on cumulative impact elsewhere in the borough – consultation responses

- 5.1 86 people responded to the on-line consultation but of these 87% had no view on whether a cumulative impact policy should be introduced anywhere else in the borough. Of the remainder 45% (5 respondents) felt that such a policy should be introduced with 54.5% (6 respondents) believing that no further special cumulative impact policies were needed. A copy of the on-line responses is attached at Appendix C, together with the free text comments. Of the 5 that indicated that they were in favour of introducing a policy elsewhere in the borough, only one indicated where that area should be. They were concerned that anti-social behaviour nuisance could increase in Raynes Park, particularly in view of the late night train service.
- 5.2 In addition to the on-line consultation comments were received from Merton Conservative Group and the Director of Public Health.
- 5.3 The Director of Public Health commented that the cumulative impact analysis found that the high density of licenced premises in Morden Town Centre (31 premises) coincided with high levels of violence, anti-social behaviour and ambulance call outs in the wards connected to it. These data show comparable or higher rates than wards containing Wimbledon and Mitcham Town Centres. For example, Merton Park and Ravensbury saw the joint second highest number of ambulance call outs for assault in the Borough between April 2019 and March 2020 with a high density of violent incidents specific to Morden Town Centre. In the 2019 residents' survey, Ravensbury had the highest number of concerns about anti-social behaviour in the borough with concerns around people being drunk and rowdy in public places. Additionally, public health data on hospital admissions for alcohol related conditions in Ravensbury and St Helier are also among the highest in the borough. As such, there is evidence for a cumulative impact on licencing objectives and public health outcomes in this area. However, he acknowledges that Morden Town Centre is part of a planned redevelopment project and that it is important that any actions to tackle these issues are fully evidence-based and would not interfere with planning. As such, while a CIZ covering Morden Town Centre is not appropriate at this time, Public Health proposes that an audit of this area and consultation with local residents be undertaken with the aim of informing the next review of cumulative impact in three years.
- 5.4 This sentiment is echoed by Merton Conservative Group who also raise concerns about the level of violence and anti-social behaviour in Morden Town Centre and whilst not wishing to see the introduction of a Special Policy on Cumulative Impact at this time would support further action in the future.

6.0 MATTER FOR DECISION

- 6.1 Members of the Licensing Committee are asked to consider the responses to the consultation with regard to Wimbledon Village and decide whether:

- (i) to adopt a special policy on cumulative impact in Wimbledon Village as there is sufficient evidence to show that the number or density of premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives;
- (ii) to not adopt a special policy in this area at this time as the CIZ in place over the last 14 years had achieved its objectives and that there is no longer the evidence to implement a special policy under the revised legislation and to review the situation in three years as required by statute;
- (iii) to not adopt a special policy in this area at this time as the CIZ in place over the last 14 years had achieved its objectives and that there is no longer the evidence to implement a special policy under the revised legislation but to review the situation in 18 months and bring a report back to Committee.

6.2 Members of the Licensing Committee are asked to consider the responses to the consultation with regard to the adoption of a special policy on cumulative impact in any other part of the borough.

6.3 Members of the Licensing Committee are asked to approve the Cumulative Impact Assessments for Wimbledon Town Centre and Mitcham Town Centre as laid out in Appendix 3 and 4 to the Statement of Licensing Policy.

6.4 Members of the Licensing Committee are asked to approve the amended Statement of Licensing Policy set out in Appendix A to this report subject to the delegation of authority to the Licensing Manager, in consultation with the Chairman of the Licensing Committee, to approve any amendments to the Statement of Licensing Policy following this Committee meeting and prior to submission to Council for adoption on 18 November 2020.

7.0 ALTERNATIVE OPTIONS.

7.1 Members may choose not to implement or agree to the proposed Cumulative Impact Policies for Wimbledon Town Centre or Mitcham Town Centre.

7.2 Members may choose not to approve the amendments to the Licensing Policy and/or may wish to make further amendments to the Policy.

8.0 Consultation undertaken or proposed.

8.1 A twelve week (three month) public consultation was undertaken on the proposed Statement of Licensing Policy and the Cumulative Impact Analysis.

9.0 Timetable.

9.1 Statement of Licensing Policy under the Licensing Act 2003 to go to Full Council meeting for adoption on 18 November 2020.

10. Financial, resource and property implications.

10.1 None for the purposes of this report.

11. Legal and statutory implications.

- 11.1 As set out in the report the licensing authority is required by section 5 the Licensing Act 2003 to determine and publish a Statement of Licensing Policy at intervals of not less than five years. The Licensing Authority is required to undertake a consultation process prior to determining its Statement of Licensing Policy.
- 11.2 Section 141 of the Policing and Crime Act 2017 amended section 5 of the Licensing Act 2003 placing the requirement of a cumulative impact assessment (“CIA”) on a statutory footing, instead of the adoption of Cumulative Impact Zones and Policies, as part of the licensing authority’s Statement of Licensing Policy.

Section 5A(1) of the Licensing Act 2003 (as amended) states:

- 11.3 “A licensing authority may publish a document (“a cumulative impact assessment” stating that the licensing authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority’s duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts.”
- 11.4 A cumulative impact assessment must set out the evidence for the authority’s opinion in accordance with subsection (1) above and must be referred to in the Statement of Licensing Policy.
- 11.5 Before introducing a Cumulative Impact Assessment the Licensing Authority is required to undertake a formal public consultation process and a CIA can only be introduced where it is supported by evidence. Paragraphs 14.29 to 14.33 of the Home Office Guidance issued under section 182 of the Licensing Act 2003 sets out what evidence and other matters the Licensing Authority may wish to consider.
- 11.6 Human rights, equalities and community cohesion implications.
- 11.7 These are statutory functions and are applied globally.

12 Crime and Disorder Implications.

- 12.1 The service has a statutory duty to contribute to the reduction of crime and disorder within the London Borough of Merton under Section 17 Crime and Disorder Act 1988. The prevention of crime and disorder is also one of the licensing objectives as defined in the Licensing Act 2003 and in the Council’s current Statement of Licensing Policy.
By examining issues raised such as the possible adoption of a Cumulative Impact Assessment covering specific areas of the borough the licensing authority is contributing to that commitment.

13 Risk management and health and safety implications.

- 13.1 All risk and health and safety implications have been considered when compiling this report. None are apparent.

14 Appendices – the following documents are to be published with this report and form part of the report.

- 14.1 Appendix “A” Draft revised Statement of Licensing Policy showing proposed changes using track changes and Counsels opinion.
- 14.2 Appendix “B” The responses received in respect of the on-line consultation on the draft Statement of Licensing Policy (excluding consultation on the adoption of special policies on cumulative impact).

- 14.3 Appendix "C" The responses received in respect of the on-line consultation on the adoption of special policies on cumulative impact.
- 14.4 Appendix "D" the Cumulative Impact Analysis, amended to include information received from the Director of Public Health
- 14.5 Appendix "E" responses submitted in response to the consultation
- 15 **Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report.**
- 15.1 The original analysis of the on-line consultation
- 15.2 The emails received from consultees (copies of which have been made available to members of the Licensing Committee).
- 15.3 The Licensing Act 2003
<https://www.legislation.gov.uk/ukpga/2003/17/contents>
- 15.4 Statutory Guidance made under Section 182 Licensing Act 2003
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
- 15.5 House of Commons Library Briefing Paper: Alcohol Licensing, Cumulative Impact assessments
<https://researchbriefings.files.parliament.uk/documents/CBP-7269/CBP-7269.pdf>