

Report: Review of the Cumulative Impact Policies (Licensing) in Brick Lane and Bethnal Green

Executive Summary

Under Section 5A of the Licensing Act 2003 the Council as a Licensing Authority must review its Cumulative Impact Policies by November 2021. These policies provide for a rebuttable presumption that the Council will not issue any new licences under the Licensing Act 2003 within the designated areas due to a 'saturation' of licences, which has resulted in elevated levels of crime and anti-social behaviour.

The Council has two Cumulative Impact Policies or Cumulative Impact Assessments (CIA) as they are now referred to in the legislation and government guidance. The Brick Lane CIA has been in place seven years and the Bethnal Green CIA has been in place for two years.

A consultation is required to decide on the future of these two CIA, the options are:

- i. Retain both Cumulative Impact assessments
- ii. Remove both CIA's
- iii. Remove Cumulative Impact assessment for Bethnal Green and retain the one for Brick Lane
- iv. Remove Cumulative Impact assessment for Brick Lane and retain the one for Bethnal Green

Evidence can support the retention of both the CIAs, particularly Brick Lane. However; given the current commercial trading challenges that has specifically affected, hospitality, the Council may wish to consider whether if it should be continuing with Cumulative Impact Assessments that place additional burdens on businesses wishing to obtain a licence within these areas.

However, we must carry out a consultation of businesses and other interested groups that may be continuing the CIAs or their removal.

The previous consultation completed prior to the adoption of the CIA in Brick Lane and the creation of the Bethnal Green CIA (November 2018) found that because of the number and density of licensed premises selling alcohol, on and off the premises, and the provision of late night refreshment (sale of hot food after 11pm) within the area of both CIA's, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Council took the view that the number, type and density of premises selling alcohol for consumption on and off the premises, and/or the provision of late night refreshment in the areas now designated as the CIZ was having a cumulative impact on the licensing objectives. Thus, the CIA was designated in Brick Lane and Bethnal Green. There are currently 58 licences issued for Bethnal Green and 248 licences in the Brick Lane CIA's.

Background and Current Position

Brick Lane CIA

Since its introduction incidents of crime and antisocial behaviour linked to licensed premises within Cumulative Impact Assessment (CIA) have seen a reduction despite fluctuating figures. The CIA was reviewed in 2018, which showed that there was evidence for it to remain in place.

The Hot Hotspot Maps A to D in Appendix 1 show that incidents of crime and antisocial behaviour linked to licence premises between 2017 and 2019 have increased, however looking over the life span on this CIA the overall number of incidents is still less than was seen prior to 2015. The hot spot maps show that the Police received 351 complaints relating to licensed premises in 2017, 362 in 2018 and 468 in 2019. The data for 2020, has been skewed due to licence premises having to close due to Covid requirements, from January 2020 to September 2020 there have been 183 complaints.

In contrast the tables below show that complaints received by the Environmental Health and Trading Standards Service between 2017 and 2020 have remained fairly static.

Row Labels	Nov 17 - Oct 18	Nov 18 - Oct 19	Nov 19 - Oct 20
Brick Lane CIZ Noise Complaints	40	31	30
Brick Lane CIZ Licensing Complaints	59	59	60

On a borough wide basis the Spitalfields & Banglatown and Weavers wards, where the Brick Lane CIA falls within, remain consistently one of the highest wards for complaints received by the Service. This can be seen in Figures 1, 2 and 3 in Appendix 2, which illustrates that these wards have consistently attracted more complaints than other wards in the borough.

The CIA is also reducing the numbers of licences and variation of licence applications granted within the area.

The tables below show this reduction and in particular the number of new premises licences granted continues to decrease year on year.

November 2017 to October 2018		
Decision	New Premises Licence Application	Variation of Premises Licence Application
Hearing grant	2	1
Hearing grant with variation	3	
Hearing - refused	1	
Officer grant	7	4
Total	13	5
November 2018 to October 2019		
Decision	New Premises Licence Application	Variation of Premises Licence Application
Hearing grant with variation	2	
Hearing - refused		1
Officer grant	3	7
Total	5	8
November 2019 to October 2020		
Decision	New Premises Licence Application	Variation of Premises Licence Application
Hearing grant with variation	2	1
Hearing - refused		1
Officer grant	1	4
Total	3	6

Bethnal Green CIA

This CIA was introduced in November 2018 so has only been in place for just two years. The Hot Hotspot Maps A to D in Appendix 3 show fluctuations in Police incidents, with 185 in the area for 2017, reducing to 158 in 2018 and then going up in 2019 to 180. Thus, following the introduction of the CIA in Bethnal Green the incidents have gone up in comparison to the previous year. The data for 2020, has been skewed due to licence premises having to close due to Covid requirements, from January 2020 to September 2020 there have been 41 complaints.

Since its introduction the complaints received by the Environmental Health and Trading Standards Service has seen a reduction in Noise complaints but no significant reduction in licensing complaints. The reduction in complaints received by the Noise Team shows they have decreased by nearly three quarters 2017-18 and 2018-19, and then a significant drop in 2019-20, though this could be attributed to the ongoing coronavirus pandemic. See tables below.

	Nov 17 - Oct 18	Nov 18 - Oct 19	Nov 19 - Oct 20
Bethnal Green CIZ Noise Complaints	21	7	1
Bethnal Green CIZ Licensing Complaints	16	13	15

On a borough wide basis Weavers and St Peter's wards appear to consistently high numbers of complaints received. These are the main wards that the Bethnal Green CIZ falls within. This can be seen in Figures 1 to 3 in Appendix 2, which illustrates that these wards have consistently larger numbers of complaints than many of the other wards.

In terms of licence and variation of licence applications granted within the Bethnal Green CIZ area these have remained fairly static. This can be seen in the tables below.

November 2017 to October 2018		
Decision	New Premises Licence Application	Variation of Premises Licence Application
Hearing grant	1	
Hearing - refused		3
Total	1	3
November 2018 to October 2019		
Decision	New Premises Licence Application	Variation of Premises Licence Application
Hearing grant with variation		1
Officer grant	2	
Total	2	1
November 2019 to October 2020		
Decision	New Premises Licence Application	Variation of Premises Licence Application
Hearing grant with variation	2	2
Total	2	2

Consultation

The Licensing Authority must consult in the same way as it would for reviewing its Statement of Licensing Policy. Therefore, the Licensing Authority must consult those specified in section 5(3) of the Licensing 2003, and subject to the outcome of the consultation, include and publish details of the Cumulative Impact Assessments in their Statement of Licensing Policy. Those who must be consulted are:

- a) the chief officer of police for the licensing authority's area,
- b) the fire and rescue authority for that area, i.e. the Fire Brigade
- c) The Council's Director of Public Health,
- d) such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
- e) such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority,
- f) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- g) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

Appendices

Appendix One: Hotspot Maps A to D (Brick Lane CIZ)

Appendix Two: Figures 1 to 3 - Complaints received by the Environmental Health and Trading Standards Service by Ward

Appendix Three: Hotspot Maps A to D (Bethnal Green CIZ)

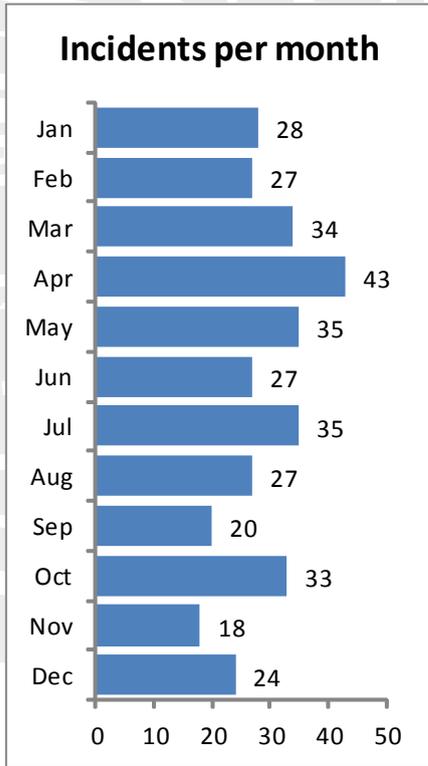


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Brick Lane CIZ Hotspot Map 2017

Between 1 January 2017 and 31 December 2017 there were 351 incidents of crime or anti-social behaviour which were linked to an establishment licensed to sell alcohol within the Brick Lane CIZ

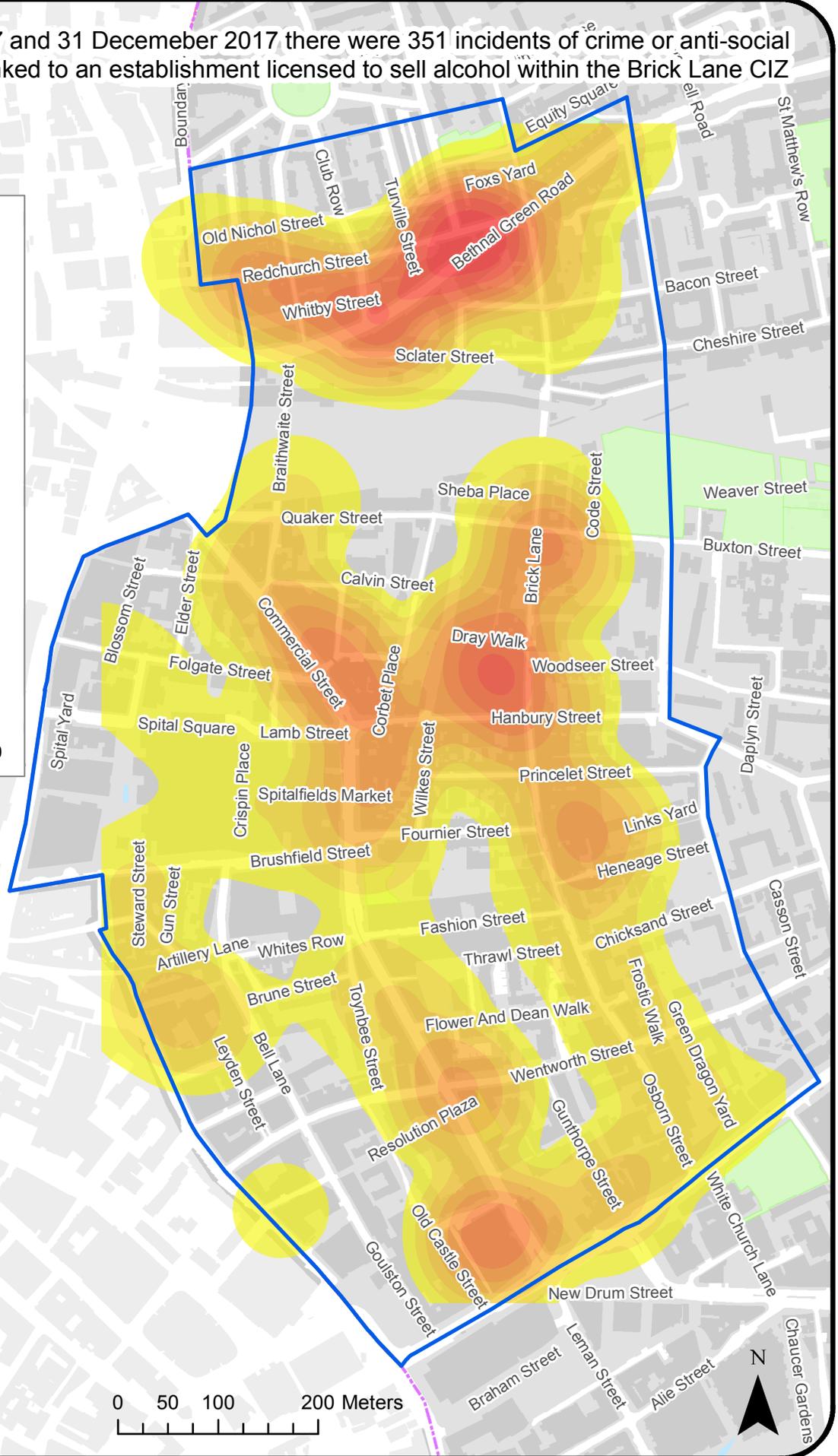


Legend

- Brick Lane CIZ
- Borough Boundary

Hotspot Key

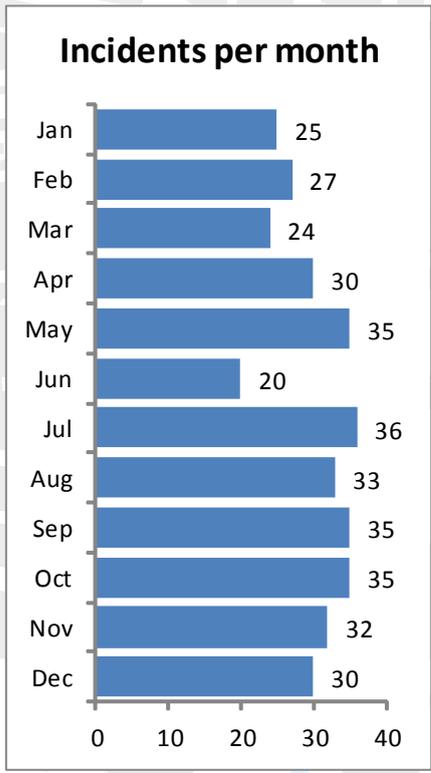
- Low
- Medium
- High





Brick Lane CIZ Hotspot Map 2018

Between 1 January 2018 and 31 December 2018 there were 362 incidents of crime or anti-social behaviour which were linked to an establishment licensed to sell alcohol within the Brick Lane CIZ

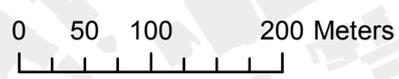
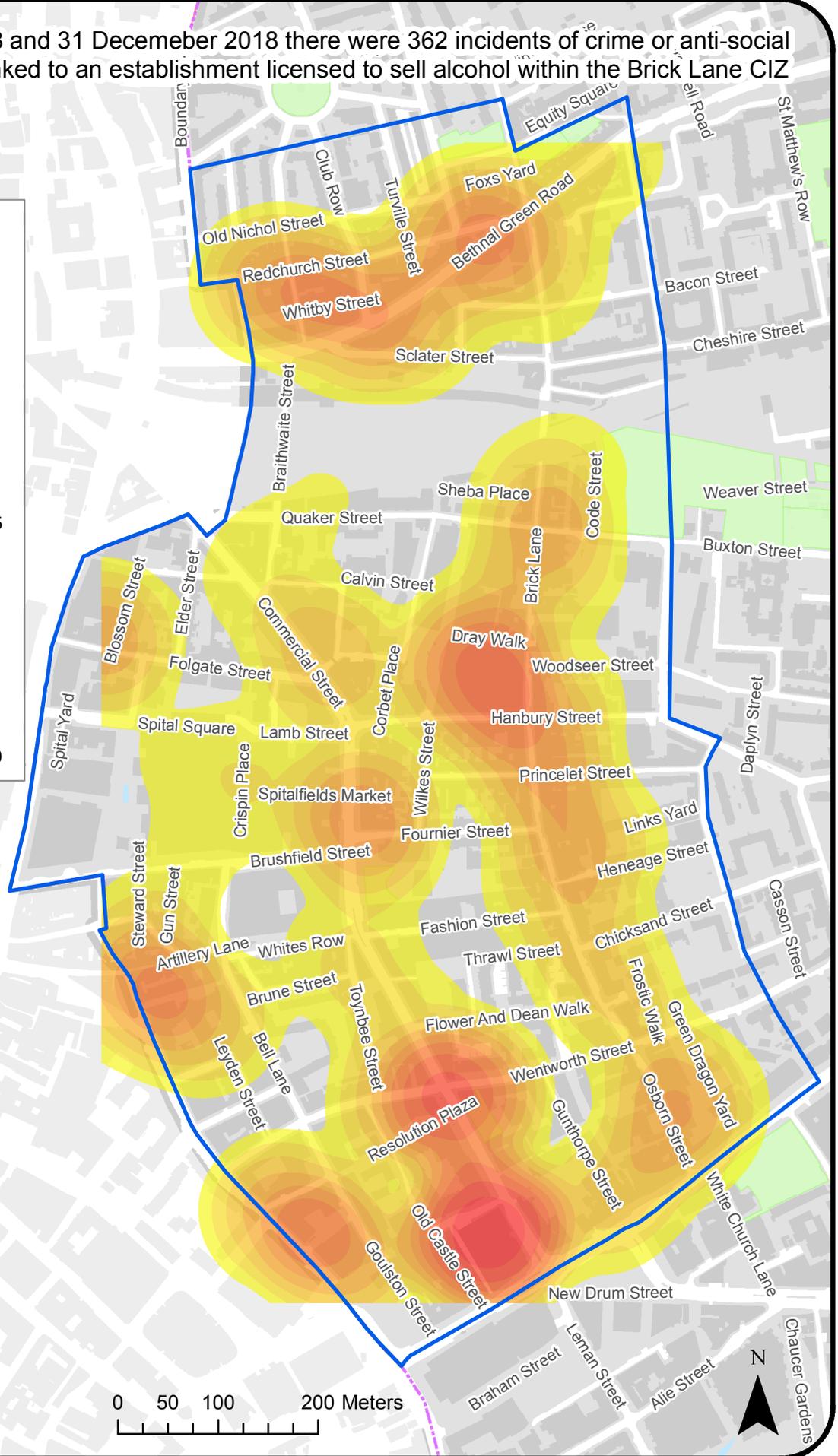


Legend

- Brick Lane CIZ
- Borough Boundary

Hotspot Key

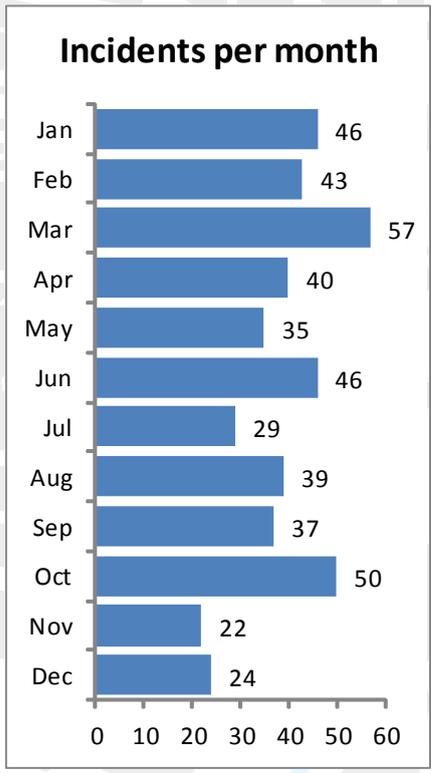
- Low
- Medium
- High





Brick Lane CIZ Hotspot Map 2019

Between 1 January 2019 and 31 December 2019 there were 468 incidents of crime or anti-social behaviour which were linked to an establishment licensed to sell alcohol within the Brick Lane CIZ

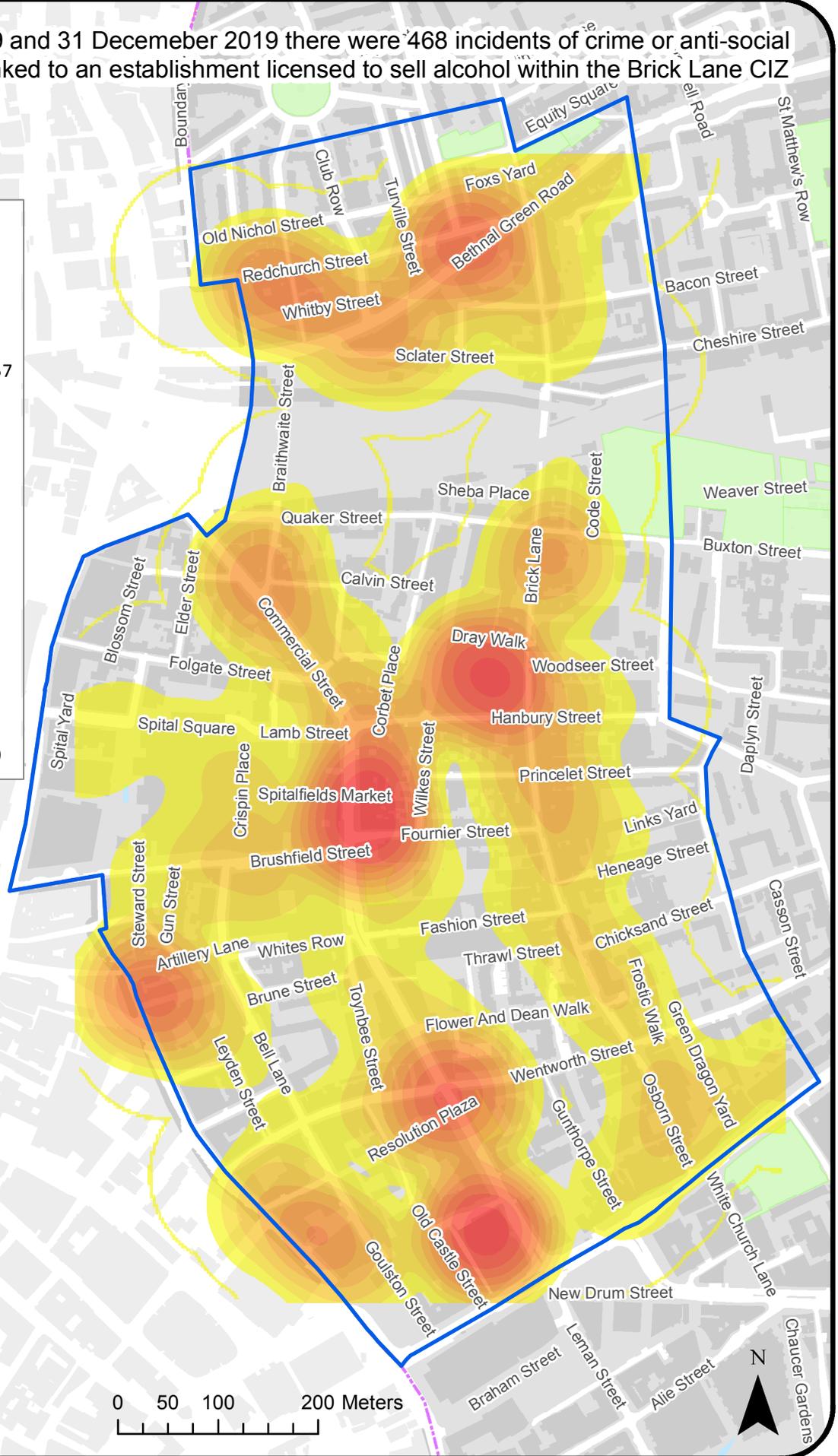


Legend

- Brick Lane CIZ
- Borough Boundary

Hotspot Key

- Low
- Medium
- High



Appendix 2 – Complaints received by the Licensing Team by Ward

Figure 1

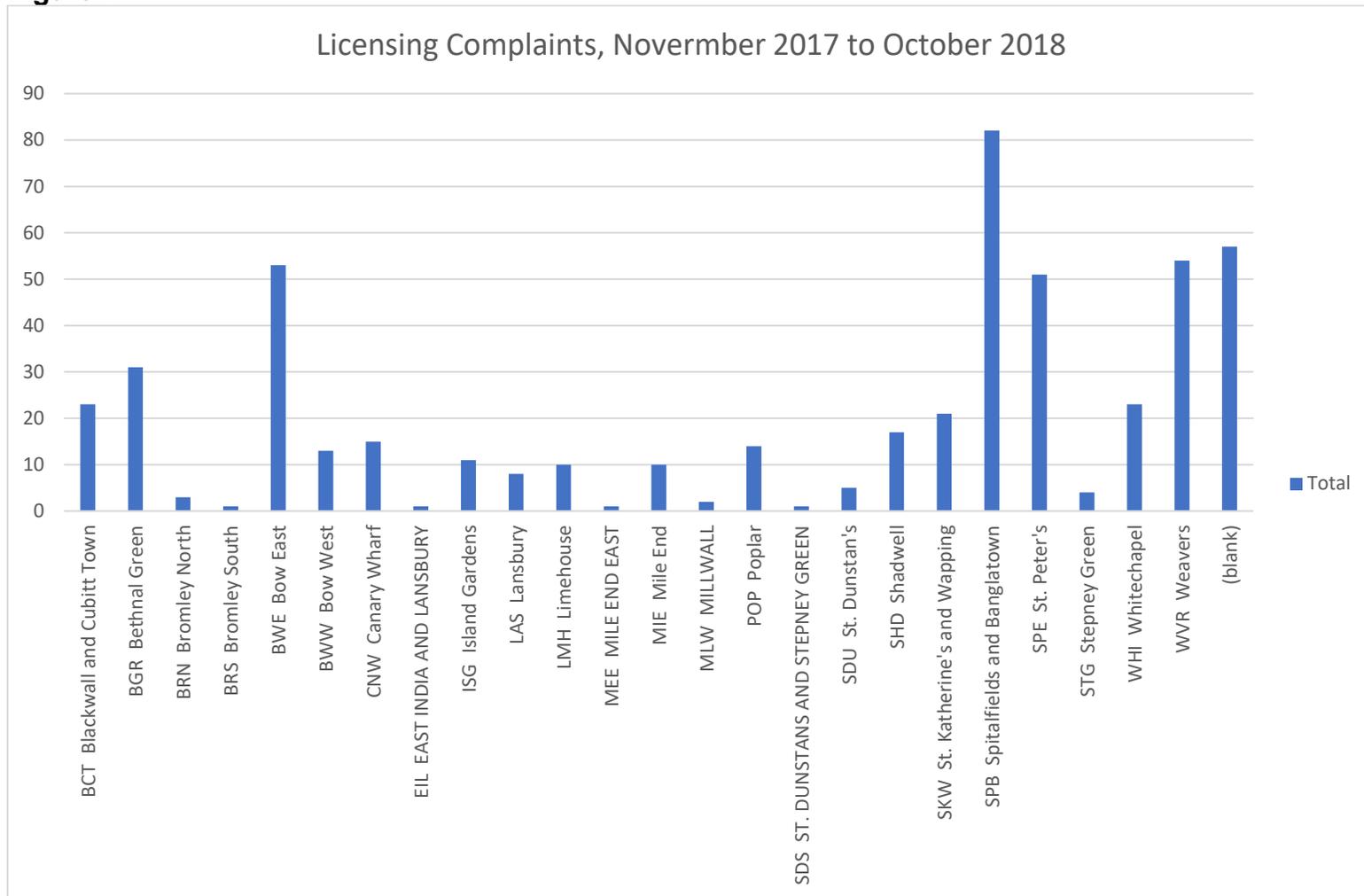


Figure 2

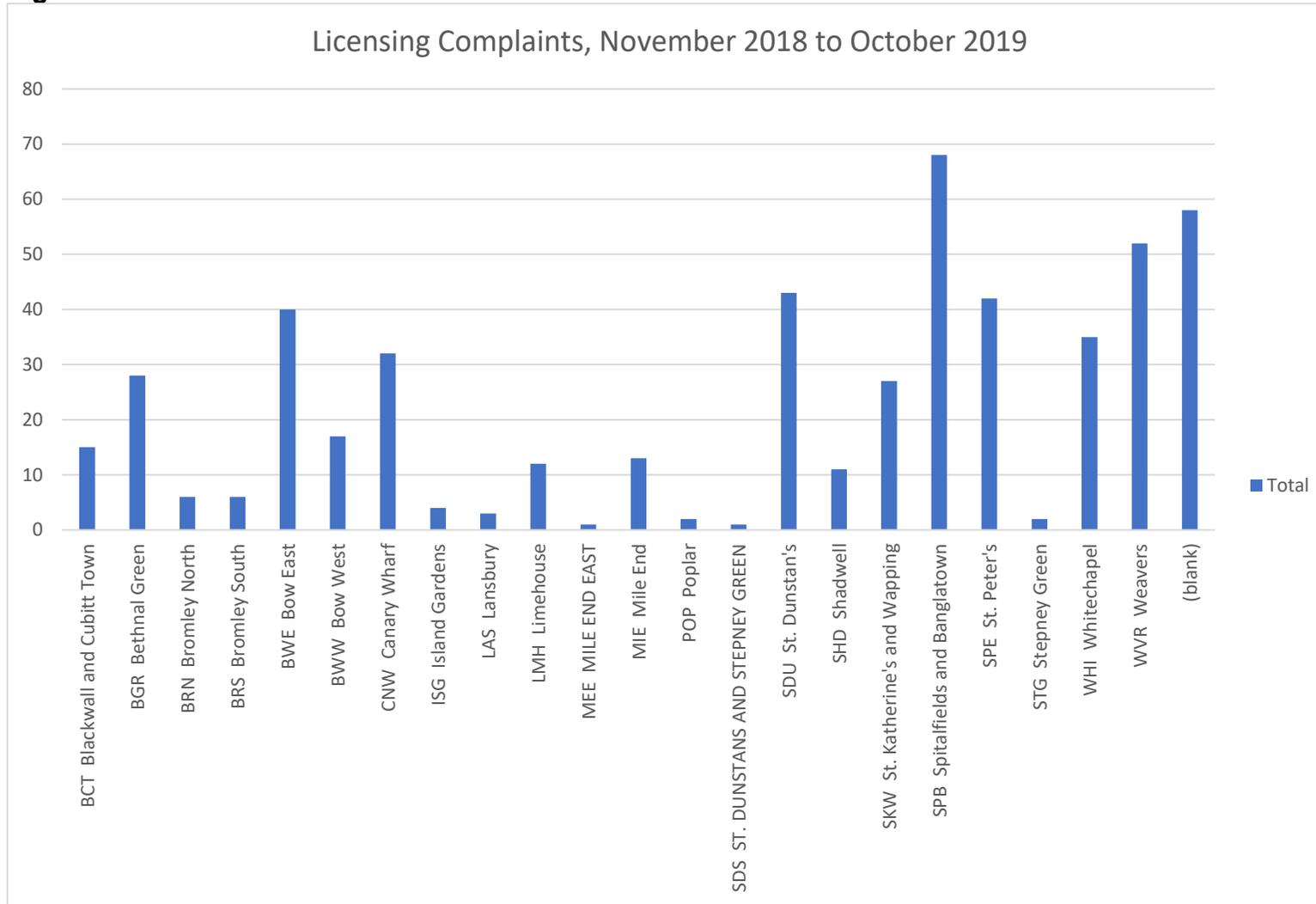
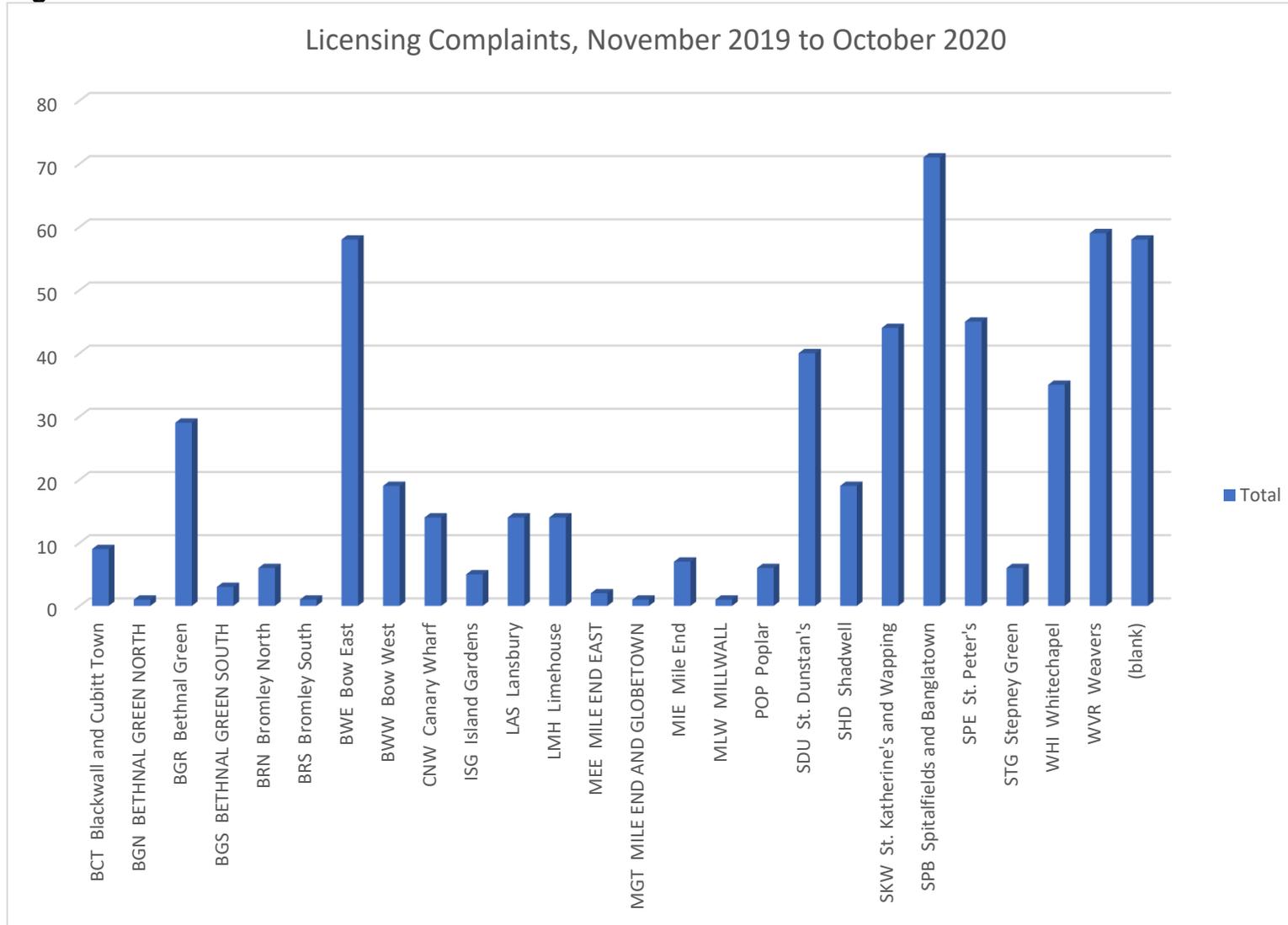


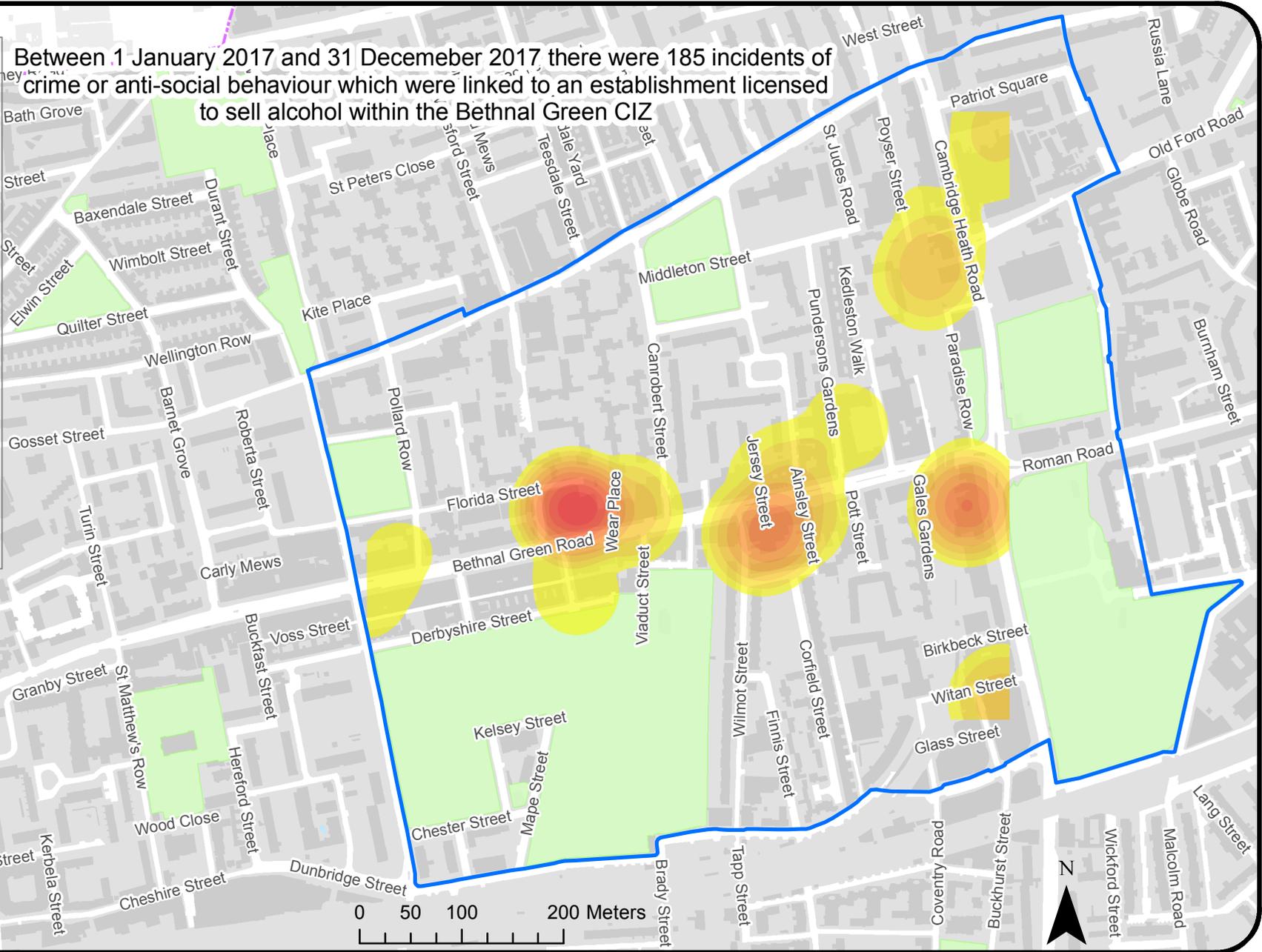
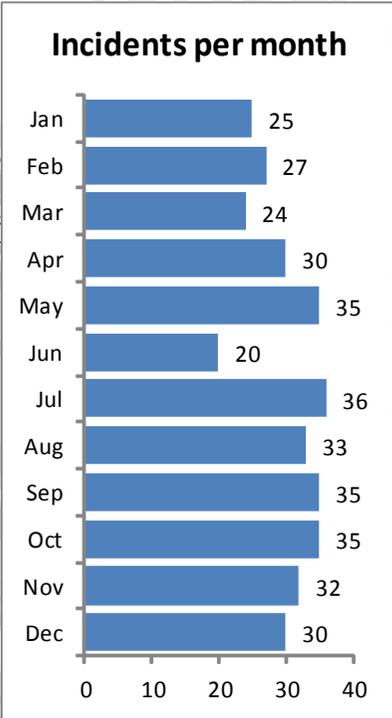
Figure 3





Bethnal Green CIZ Hotspot Map 2017

Between 1 January 2017 and 31 December 2017 there were 185 incidents of crime or anti-social behaviour which were linked to an establishment licensed to sell alcohol within the Bethnal Green CIZ



Legend

- Bethnal Green CIZ
- Borough Boundary

Hotspot Key

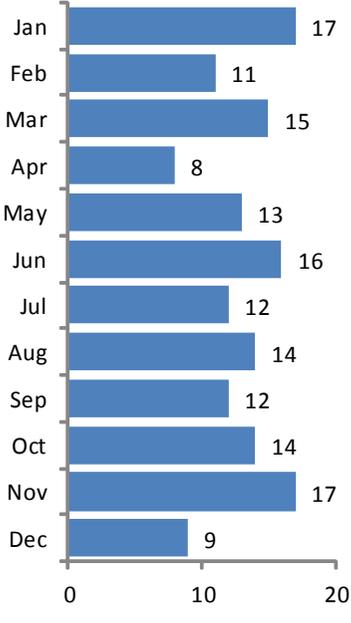
- Low
- Medium
- High



Bethnal Green CIZ Hotspot Map 2018

Between 1 January 2018 and 31 December 2018 there were 158 incidents of crime or anti-social behaviour which were linked to an establishment licensed to sell alcohol within the Bethnal Green CIZ

Incidents per month

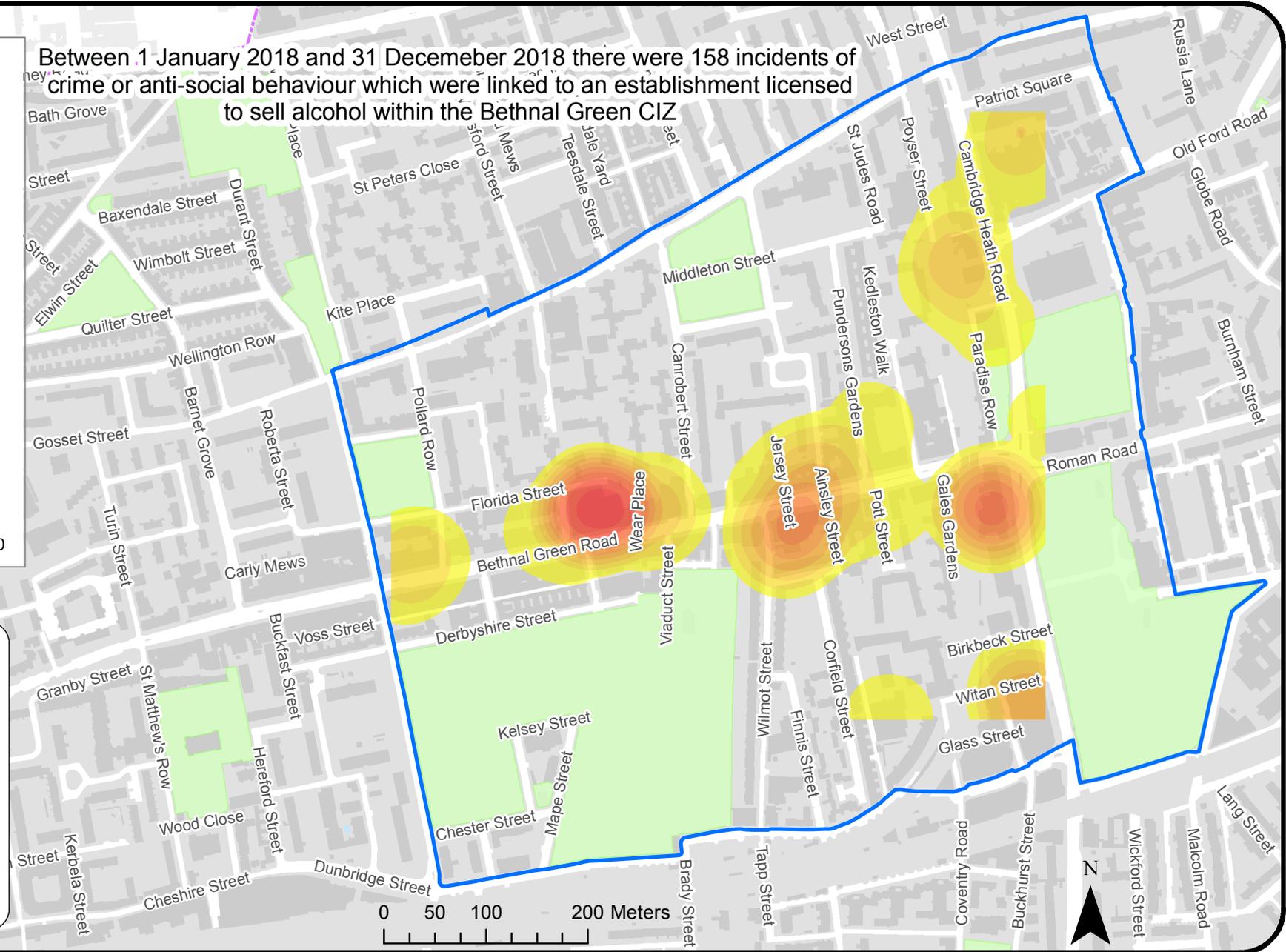


Legend

- Bethnal Green CIZ
- Borough Boundary

Hotspot Key

- Low
- Medium
- High

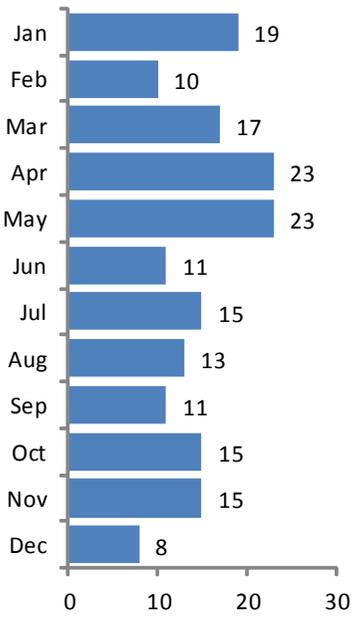




Bethnal Green CIZ Hotspot Map 2019

Between 1 January 2019 and 31 December 2019 there were 180 incidents of crime or anti-social behaviour which were linked to an establishment licensed to sell alcohol within the Bethnal Green CIZ

Incidents per month



Legend

- Bethnal Green CIZ
- Borough Boundary

Hotspot Key

- Low
- Medium
- High

