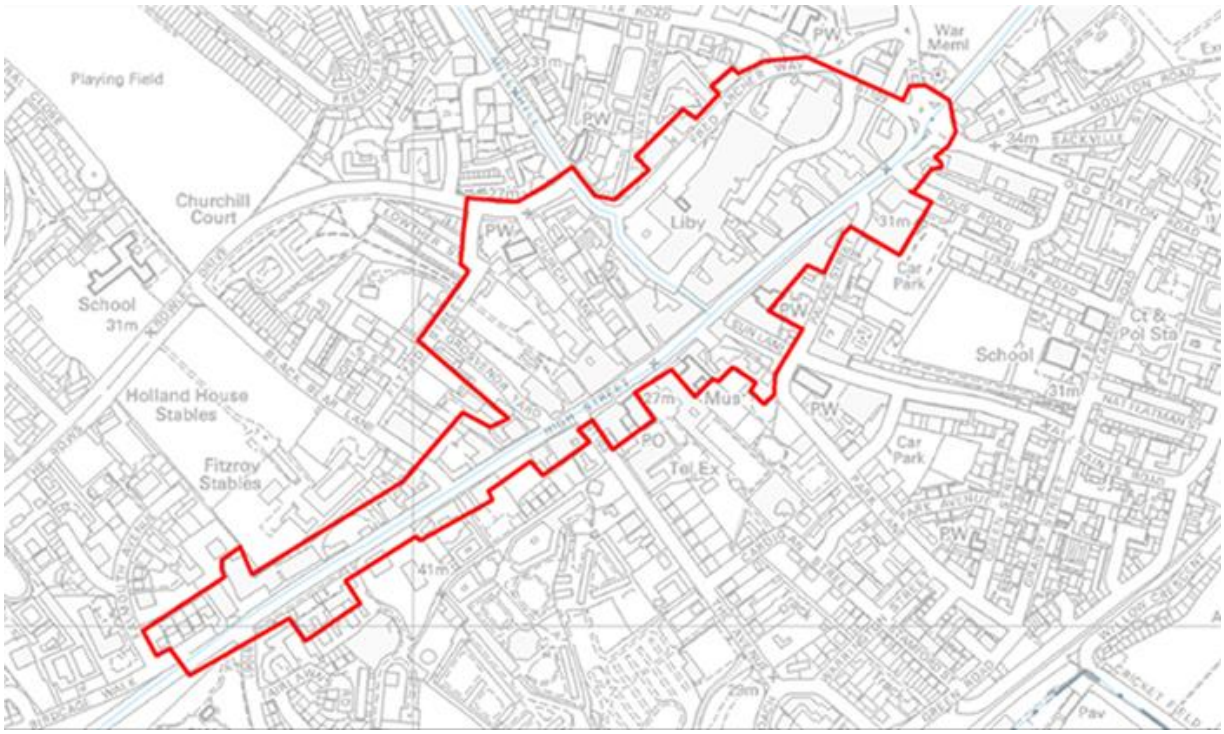
Cumulative Impact Assessment, Newmarket – Consultation Survey Summary

1. Newmarket; Overview of Licensed Premises within the Cumulative Impact Area

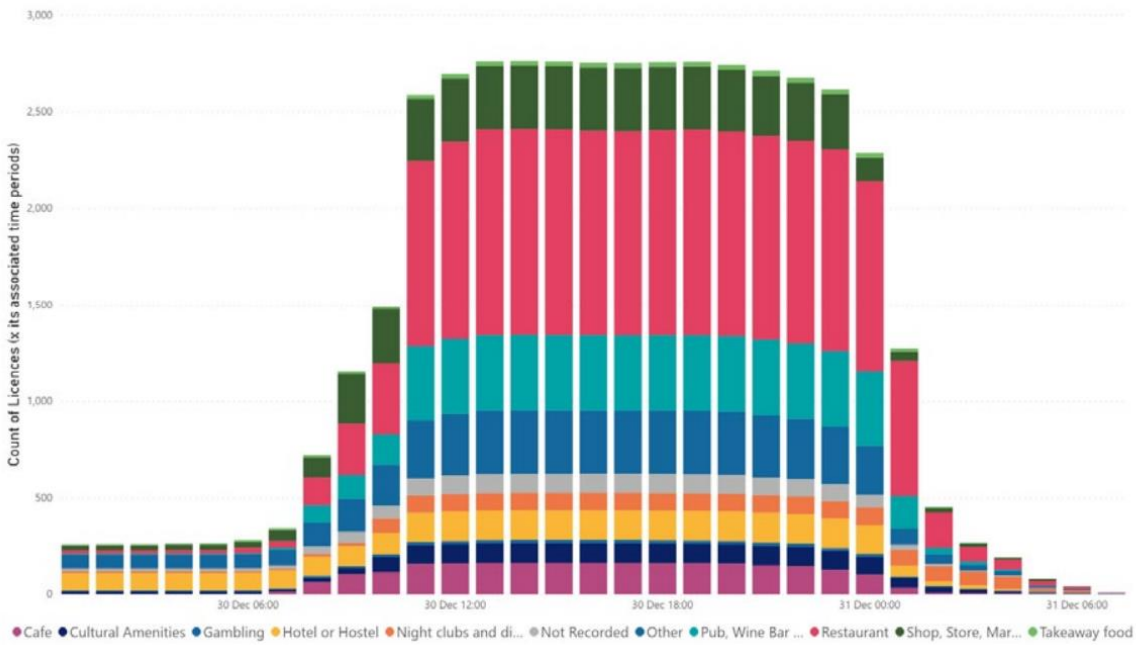
1.1 The current Cumulative Impact Assessment applying to the centre of Newmarket was designated in 2008 and re-adopted in 2011, 2016 and 2018. This expires in December 2021 and consultation has been undertaken to enable a decision to be made as to whether this should continue to be supported.



There are 43 licensed premises within existing CIA boundary, predominantly pubs, restaurants and off-licences. The nature of the area has changed over time as there is now only one nightclub, The Ark, whereas when the CIA was first introduced it included a number of nightclubs, including de-Niro's, which are now no longer operational.

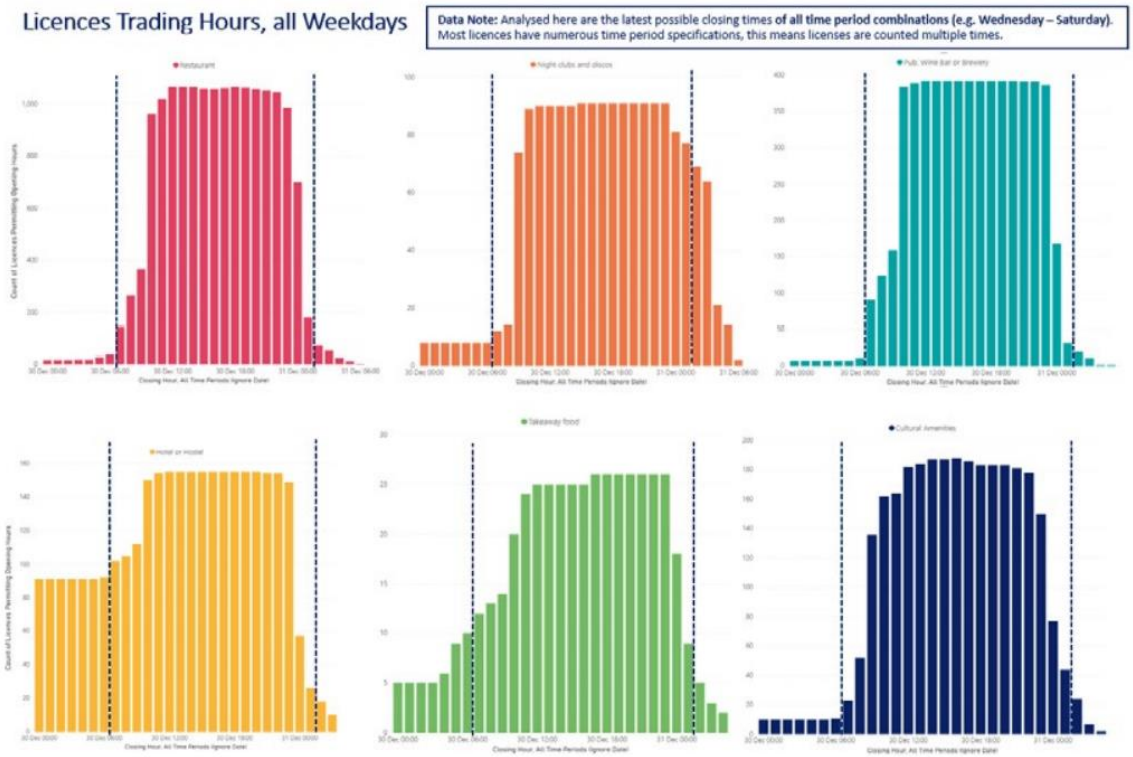
Appendix 5.1

Licensing trading hours by premises group type



Appendix 5.2

Licensing trading hours by premises group type



2. Consultation Overview

2.1 In reviewing the CIA, the council will be taking into consideration:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots such as antisocial behaviour offences
- health-related statistics such as alcohol-related emergency attendances and hospital admissions
- environmental health complaints, particularly in relation to litter and noise
- evidence obtained through local consultation.

2.2 As per section 5a of the Licensing Act 2003, in preparing the Cumulative Impact Assessment the Licensing Authority has consulted with the persons mentioned in section 5(3) of the Licensing Act 2003, namely:

- the chief officer of police for the area
- the fire and rescue authority for the area
- persons or bodies representative of local premises license holders
- persons or bodies representative of local club premises certificate holders
- persons or bodies representative of local personal license holders, and
- persons or bodies representative of businesses and residents in its area.

2.3 During the consultation period, views were sought from the public, residents' associations, Newmarket town Council, ward members and other community groups or organisations within the Newmarket area regarding the intention to renew the CIA, as well as potential minor changes to the area covered.

2.4 Businesses and licensees from both within and outside the current CIA were also engaged. Businesses were specifically asked whether the CIA had any known positive or negative impact on their ability to undertake their work.

2.5 An online response form was created, and this was published through media, website, social media, councillors, staff and partner organisations, such as the Newmarket BID.

2.6 In addition, businesses were further engaged through direct emails to licensees. Newmarket community organisations, such as local churches and charities, were also engaged through direct email messages.

2.7 At the time the consultation closed, 45 online forms had been completed. This report outlines the results from the analysis of quantitative data and themes that can be drawn from the qualitative (free text) data.

3. Analysing consultation feedback

It is important to note that due to the uncertain short, medium and long-term effects of COVID-19 on the town and shortage of data to describe its impact at the time of this analysis, the patterns observed in this research may not accurately describe the fabric and dynamics of the town at the time this assessment was published.

3.1 The full outcome of the consultation is shown in below. In summary;

- Of 45 responses, 28 (62 per cent) agreed to continuing the CIA. 15 (33 per cent) answered that they disagreed and 2 (4 per cent) responded that they did not know.

- Of the 28 respondents who agreed to the CIA, 17 were members of the public (61 per cent), seven represented a community organisation/local school or church/residents association (25 per cent) and four were businesses (14 per cent).

- Agreement varied by respondent type with 75 per cent of businesses, 65 per cent of members of the public and 50 per cent of representatives of community groups agreeing with the CIA.

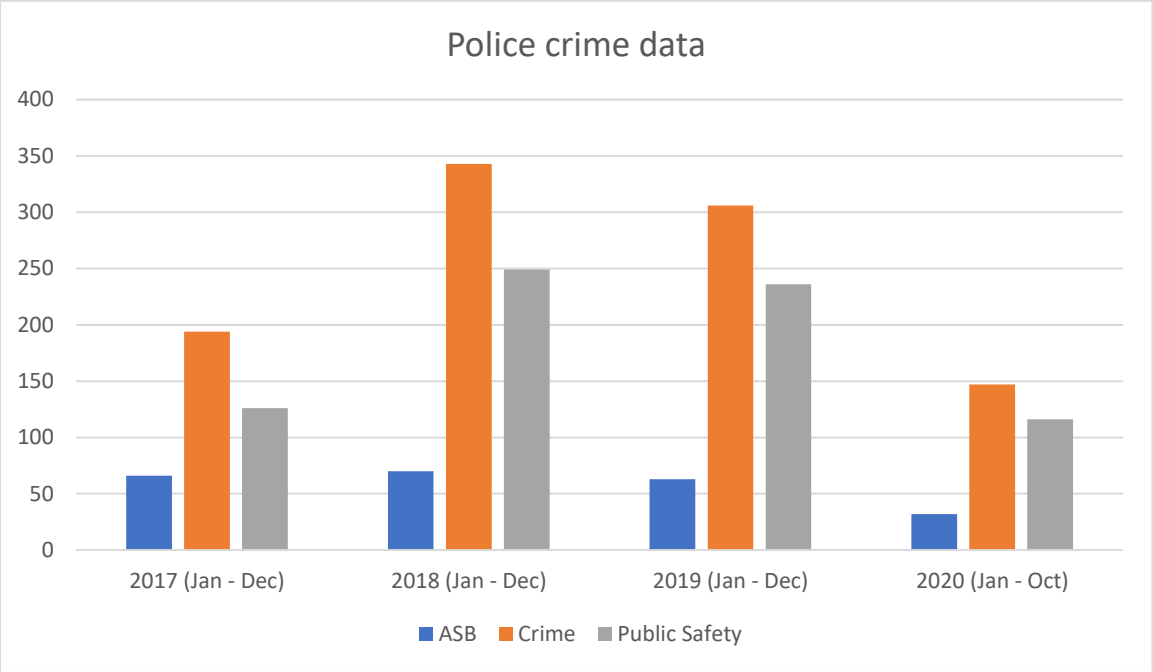
- When asked whether the existing CIA had had a generally positive or negative impact on their businesses, three of the five respondents stated that they "don't know". Two respondents answered that the CIA had a positive impact on their business. No respondents answered that the CIA had a negative impact.

3.2 In response to these representations the Licensing Authority has undertaken the following steps / analysis in considering whether to adopt a Cumulative Impact Assessment.

a) Statement of Evidence; Identified concern about crime and disorder or public nuisance

- On reviewing the consultation feedback, the authority has considered whether there is good evidence that crime and disorder are happening and are caused by customers of licensed premises and that the risk of cumulative impact is imminent.

- The information provided includes a broad sweep of incidents in Newmarket from 2017 to 2020. The incidents recorded cover ASB, Public Safety issues and Crime as shown in the graph below;

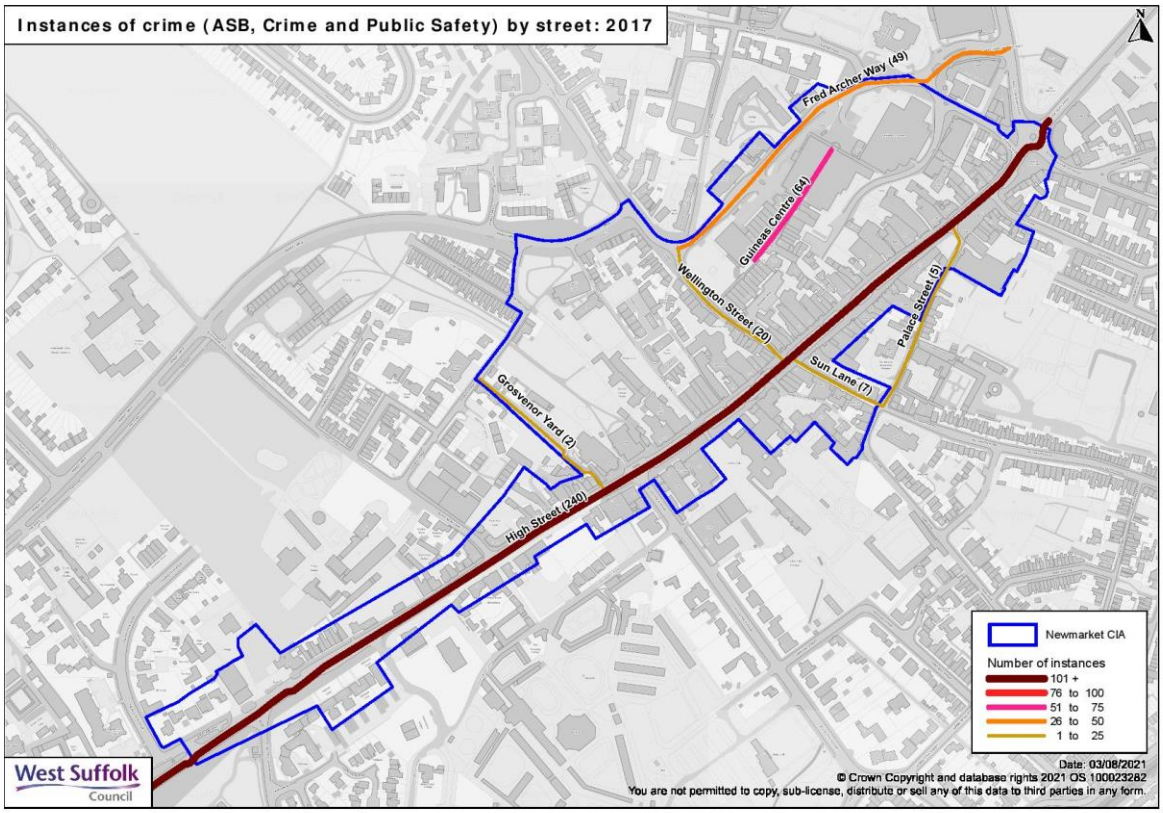


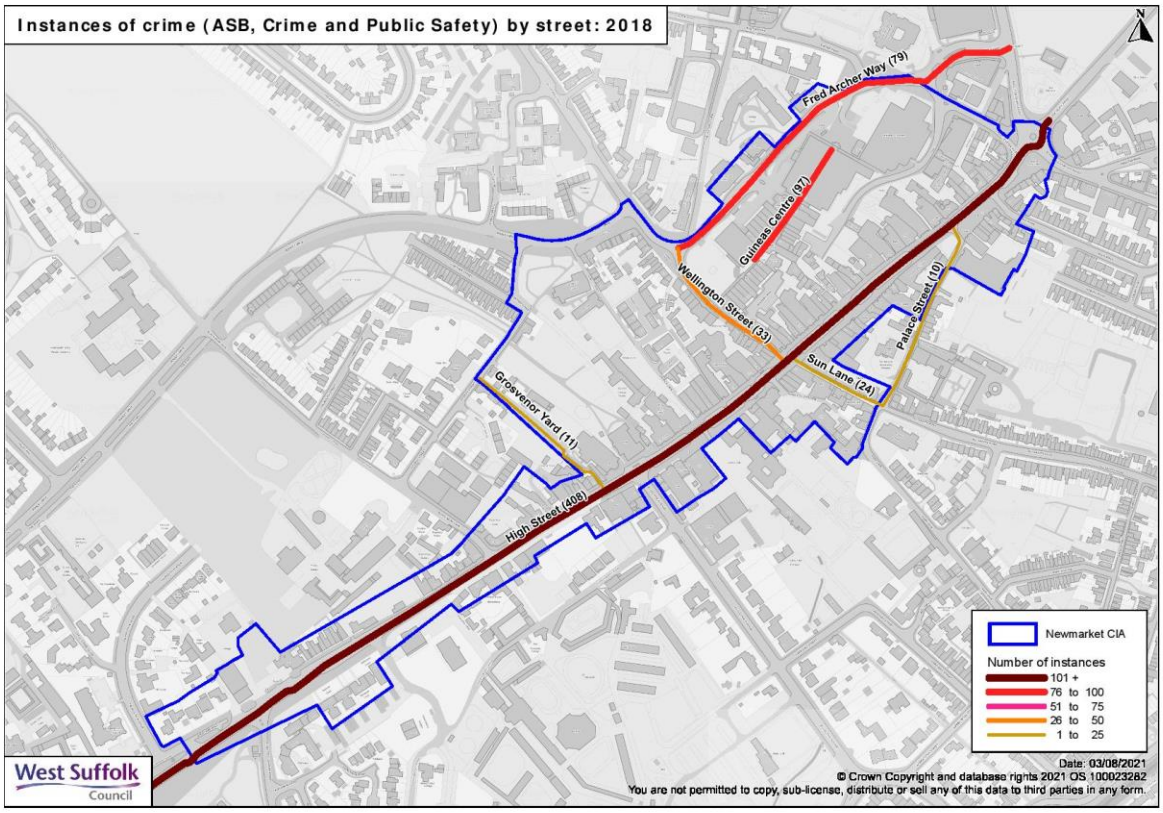
- The data indicates that ASB increased between 2017 and 2018, but that it has been on a downward trend between 2018-2020. The overall trend suggests that the number of incidents of ASB in the town are at a stable level. However, public safety and crime have increased significantly since 2017. Public safety incidents have increased from 126 in 2017 to 249 in 2018. Similarly, crime incidents increased from 194 in 2017 to 1343 in 2018. This trend is on a downward trajectory following 2018, however.

- The Police information for 2017-2020 also provides some location data. Three locations in Newmarket account for 87 per cent of all incidents. The most incidents are recorded in Newmarket High Street (1047), Guineas Centre (241) and Fred Archer Way (185).

Instances of crime (ASB, Crime and Public Safety) by street: 2017 – October 2020					
Street Name	2017	2018	2019	2020	**Grand total**
Fred Archer Way	49	79	60	37	**185**
Grosvenor Yard	2	11	19	7	**39**
Guineas Centre	64	97	77	48	**241**

High Street	240	408	385	172	**1,047**
Palace	5	10	5	8	**25**
Sun Lane	7	24	27	5	**61**
Wellington Street	20	33	32	18	**86**
Grand total	**387**	**662**	**605**	**295**	**1,949**




Instances of crime (ASB, Crime and Public Safety) by street: 2018
Fred Archer Way (79)
Guineas Centre (97)
Wellington Street (33)
Palace Street (10)
Sun Lane (24)
Grosvenor Yard (11)
High Street (408)
Newmarket CIA
Number of instances
101 +
76 to 100
51 to 75
26 to 50
1 to 25
West Suffolk Council
Date: 03/08/2021
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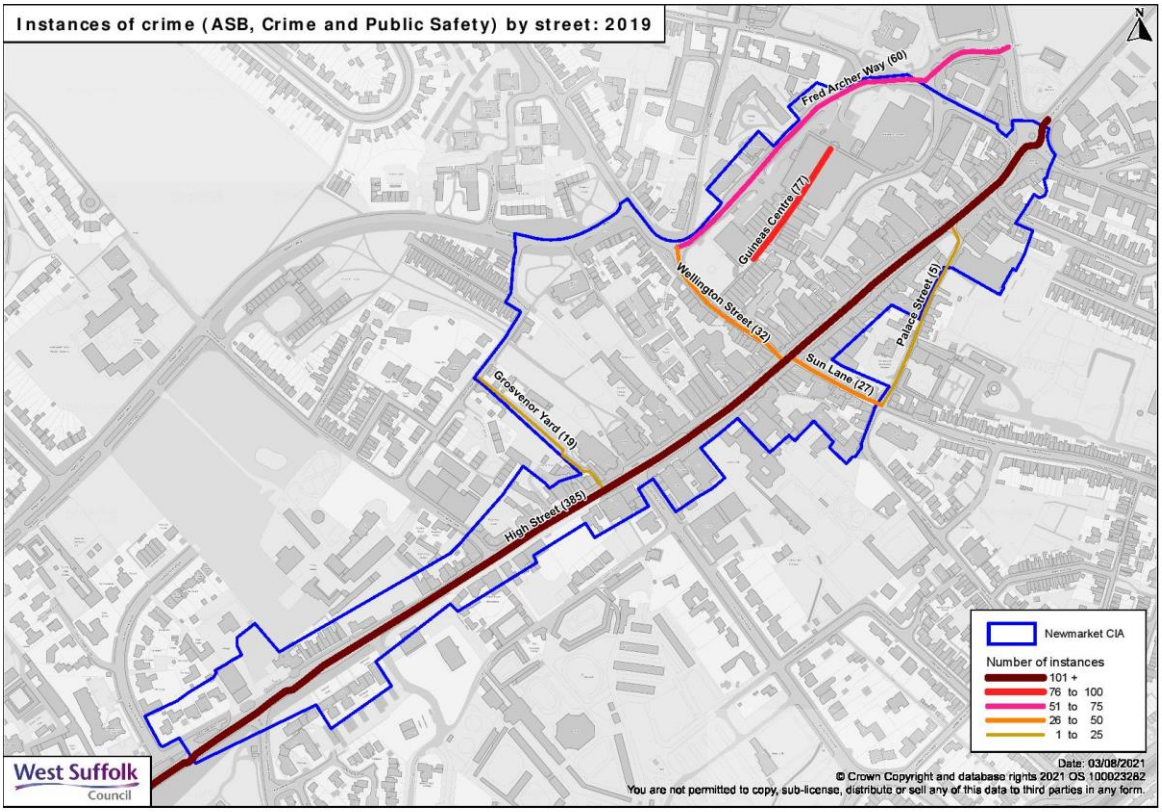
Instances of crime (ASB, Crime and Public Safety) by street: 2019
Fred Archer Way (60)
Guineas Centre (77)
Wellington Street (32)
Palace Street (5)
Sun Lane (27)
Grosvenor Yard (19)
High Street (385)
Newmarket CIA
Number of instances
101 +
76 to 100
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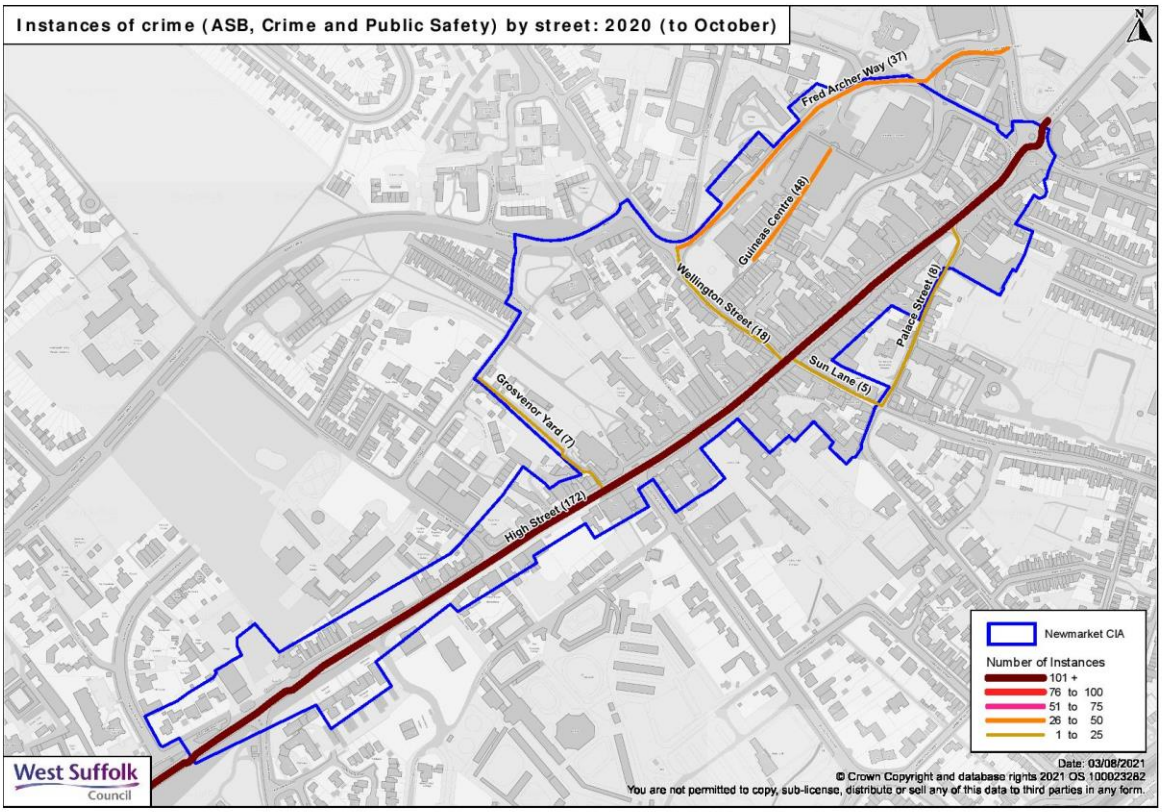
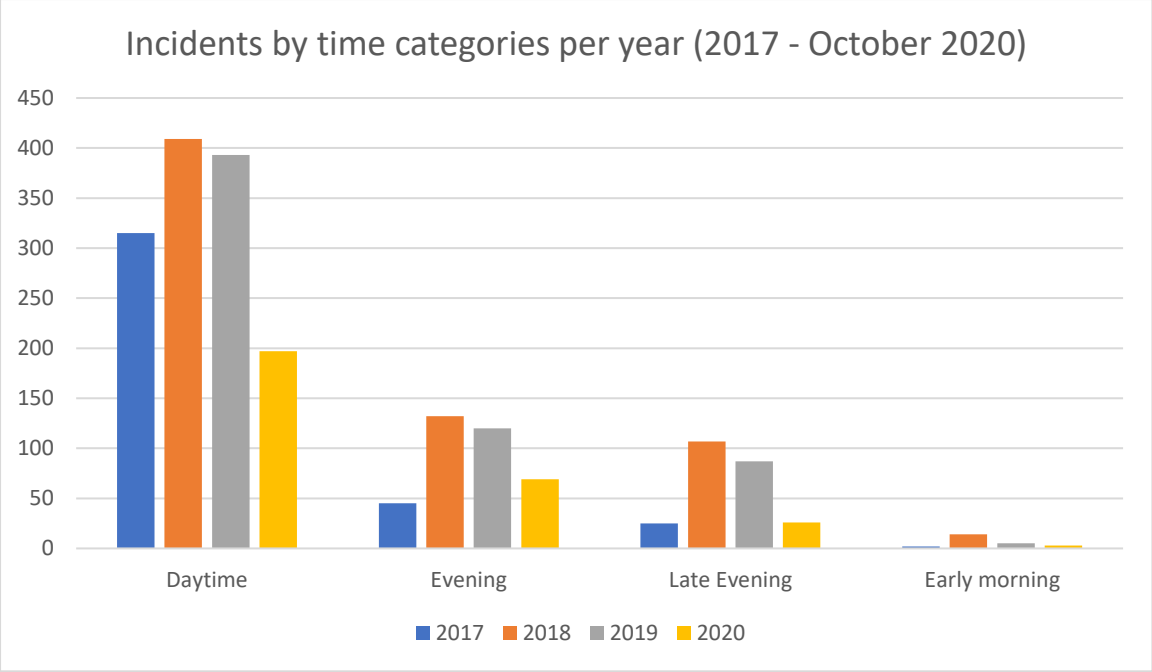
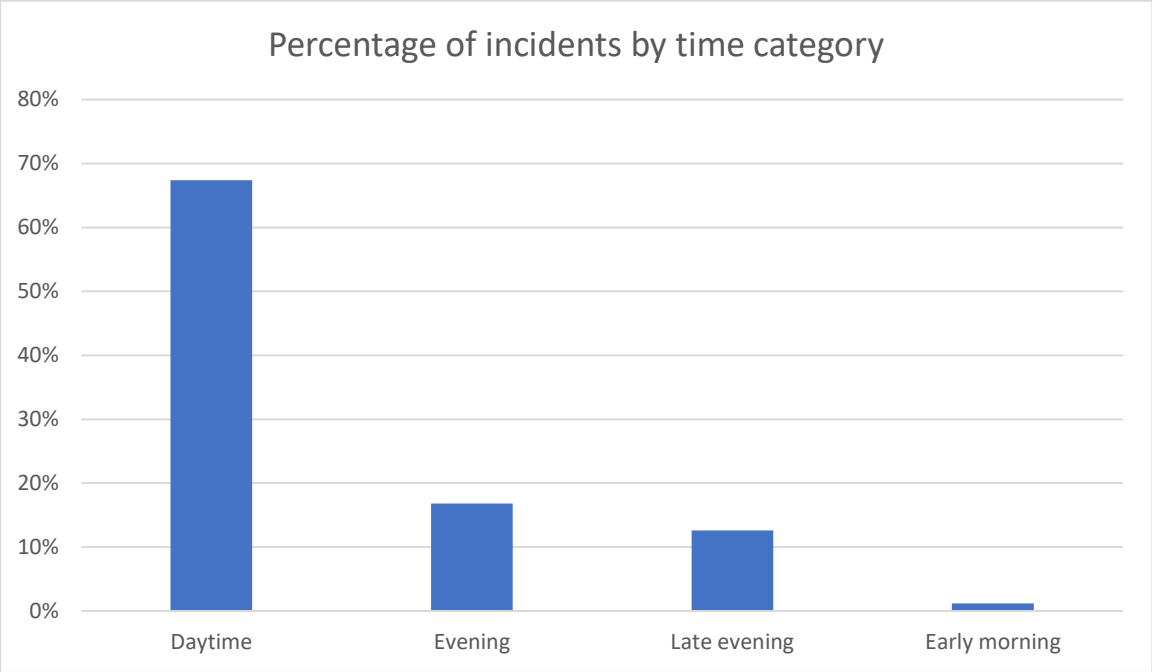


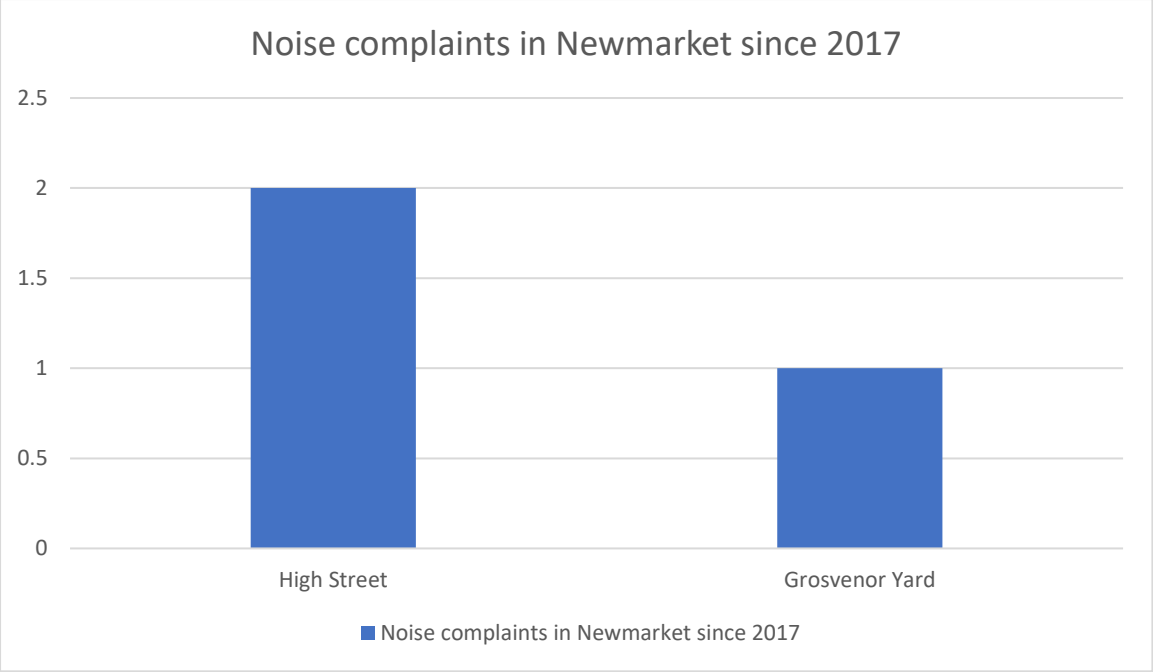
Instances by time category (ASB, Crime and Public Safety): 2017 – October 2020					
Time Categories	2017	2018	2019	2020	**Grand total**
Daytime (05:00AM – 19:00PM)	315	409	393	197	**1,314**
Evening (19:01 – 23:59PM)	45	132	120	69	**366**
Late Evening (00:00 – 04:00AM)	25	107	87	26	**245**
Early morning (04:01 – 04:59AM)	2	14	5	3	**24**
Grand total	**387**	**662**	**605**	**295**	**1,949**



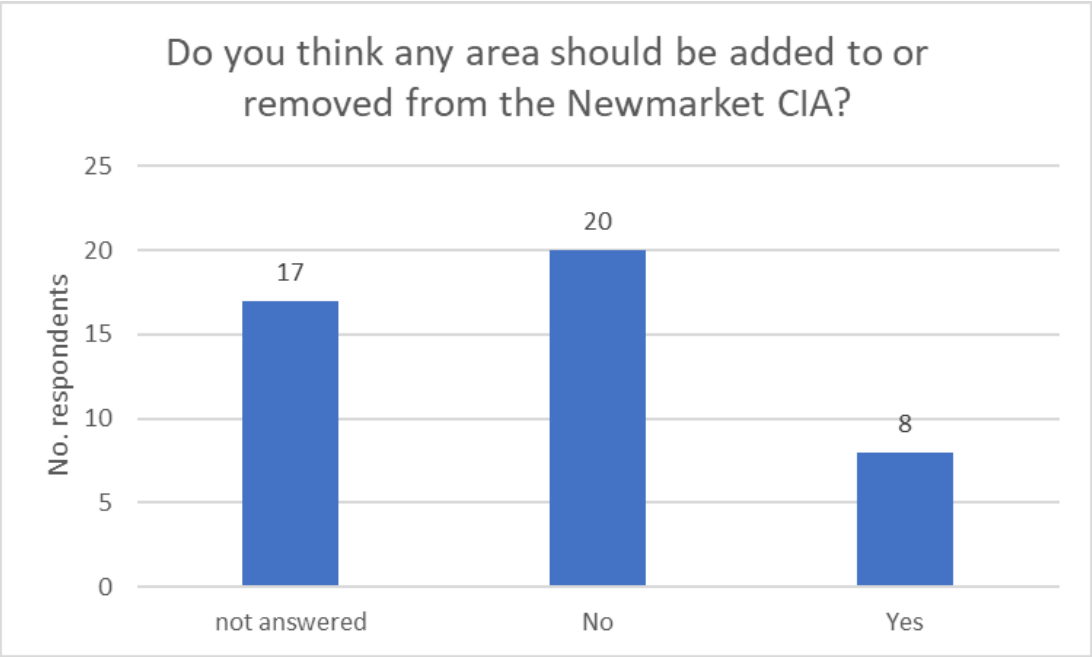


b) Statement of Evidence; Identifying the boundaries of the areas where problems are occurring

- Since 2017, there have been three official noise complaints originating from residents in Newmarket. The High Street received the most complaints (2), focusing on noise issues around the Waggon and Horses pub and the Shell Garage. One complaint was for Grosvenor Yard, focusing on noise issues from the Yard pub. All complaints originate around venues already within the CIA. This is shown in the graph below;



- Eight of the 45 responses (18 per cent) were in favour of adding to the CIA; 20 (44 per cent) answered no and 17 did not answer (38 per cent);



Road/Street/Location	**Frequency of inclusion**
All Saints Road (specifically referring to Prince of Wales pub and All Saints Church)	3
Yellow Brick Road	2
The Avenue	1

All of Newmarket	1

- When the qualitative consultation data is compared with quantitative information gathered by the council on noise complaints in Newmarket since 2017, the evidence from noise complaints supports the view that the current parameters of a CIA are correct. Should a further CIA be deemed necessary little evidence to suggest it is expanded.

c) Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a cumulative impact assessment in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation.

Waste Service commented:
The Waste team at West Suffolk Council have responsibility for street cleansing in Newmarket. While we do not have precise data to reflect this, we know that we experience more waste cleaning demands on Saturday and Sunday mornings in the Newmarket CIA area, reflective of the active night time economy. This is especially the case during Racing event weekends in the town. The array of street cleaning includes additional litter, additional food, alcoholic drinks and human waste (such as vomit). There are also instances of vandalism and ASB that need to be cleaned up or repaired – a recent example occurred on the weekend of 31st July 2021, which incurred a cost to the council to replace uprooted flower beds. There is also a noteworthy issue with homelessness in the CIA area, and the Waste team is responsible for the effects of this, such as cleaning up defecation. The level of these issues notably decreased during the COVID-19 pandemic. However, as we return to normality, we are noticing an increase in weekend clear up tasks, and we believe this trend will continue."

The Love Newmarket BID commented:
As a representative of businesses in Newmarket, the BID is sensitive to the needs of it's members, as well as the future needs of the area. The renewal of the Cumulative Impact Assessment (CIA) area in Newmarket would not represent a hindrance to future business development, including possible new licensees in Newmarket, or the recovery of the high street from COVID-19.

d) Statement of Evidence; Public Health /Ambulance data
The three main areas covering the CIA are LSOAs E01029954, E01029950 and E01029949.

Ambulance data for LSOAs covering CIA area (2018-2021):
Ending-954 = 1,555
Ending-950 = 724
Ending-949 = 617

There were a total of 2,896 call outs for ambulance services in these areas between 2018-2021. More than half (1,555) were in E01029954 – which covers the largest proportion of the Newmarket CIA.

The is limited evidence to suggest that there is an impact on hidden inequalities (see section 6 in Appendix A).

4. Conclusions

- On reviewing the data it could be concluded that the CIA has had an impact and accounts for reducing crime and ASB figures
- Nightlife in Newmarket high street has changed over the years and therefore crime is changing linked to this (this is not a result of the CIA specifically)
- Impact of COVID on data is not known (and this may also account for some downwards trends) and thus the data obtained during 2020 should be treated with caution

5. Recommendation

Based on evidence obtained and assessed, it is recommended that the licensing authority should consider implementing a cumulative impact policy to ensure its duty to promote the licensing objectives are not negatively impacted.

6.1 Having considered the available evidence and undertaken consultation, the Licensing Authority considers that it is appropriate and necessary to control cumulative impact. (TBC)

6.2 This Cumulative Impact Assessment will not be used:

• As an absolute. The assessment shall always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted.

• as a ground for revoking an existing licence or certificate when representations are received about problems with those premises.

6.3 It is important to note that there are also . For example:

- planning controls

• positive measures to create a safe and clean environment in partnership with local businesses, transport operators and others

• the provision of CCTV, ample taxi ranks, Newmarket BID.

• powers to designate parts of the city as places where alcohol may not be consumed publicly (Public Spaces Protection Orders)

• confiscation of alcohol from adults and children in designated areas

• police enforcement of the law with regard to disorder and anti-social behaviour, including the issuing of fixed penalty notices

• police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise

• the power of police, local businesses or residents to seek a review of the licence or certificate

• enforcement action against those selling alcohol to people who are drunk.

Appendix A

West Suffolk Council Newmarket Cumulative Impact Review: WIP Consultation Survey Summary

Background

1. Public consultation took place between 12 May and 5 July 2021 on the review of the Newmarket alcohol licensing Cumulative Impact Assessment (CIA) area.
2. Local authorities are required to produce a Statement of Licensing Policy under Section 5 of the Licensing Act 2003. The aim of the licensing policy is to ensure premises that will extend the diversity of entertainment and attract a wide range of participants, rather than premises mainly or exclusively focused on the sale of alcohol.
3. Cumulative impact policies were introduced as a tool for licensing authorities to manage the growth of licensed premises in an area where the number, type and density of premises selling alcohol could lead to nuisance, disorder or public safety issues.
4. On 6 April 2018 section 5A of the Licensing Act 2003 came into force. This section permits a Licensing Authority to publish a "Cumulative Impact Assessment" stating that the licensing authority considers that granting more premises licences and club premises certificates in one or more areas would have a negative impact on the area, and conflict with the local licensing objectives. As Cumulative Impact Policies (CIPs) were not part of the Licensing Act, there are no transitional provisions that apply to CIPs that were in place before 6 April 2018.
5. The existing policy requires reviewing to ensure it complies with the legislation. The major legislative change is the need for not only a full consultation to implement the CIA, but a new requirement to review it every three years (commencing with its publication or revision), including a full consultation.
6. The current Cumulative Impact Assessment applying to the centre of Newmarket was designated in 2008 and re-adopted in 2011, 2016 and 2018
7. In reviewing the CIA, the council will be taking into consideration:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots such as antisocial behaviour offences

- health-related statistics such as alcohol-related emergency attendances and hospital admissions
- environmental health complaints, particularly in relation to litter and noise
- evidence obtained through local consultation.

8. The council must review the Newmarket CIA by the end of 2021 in consultation with stakeholders and residents. If the decision is not taken to renew, the CIA will be automatically removed.

Methodology

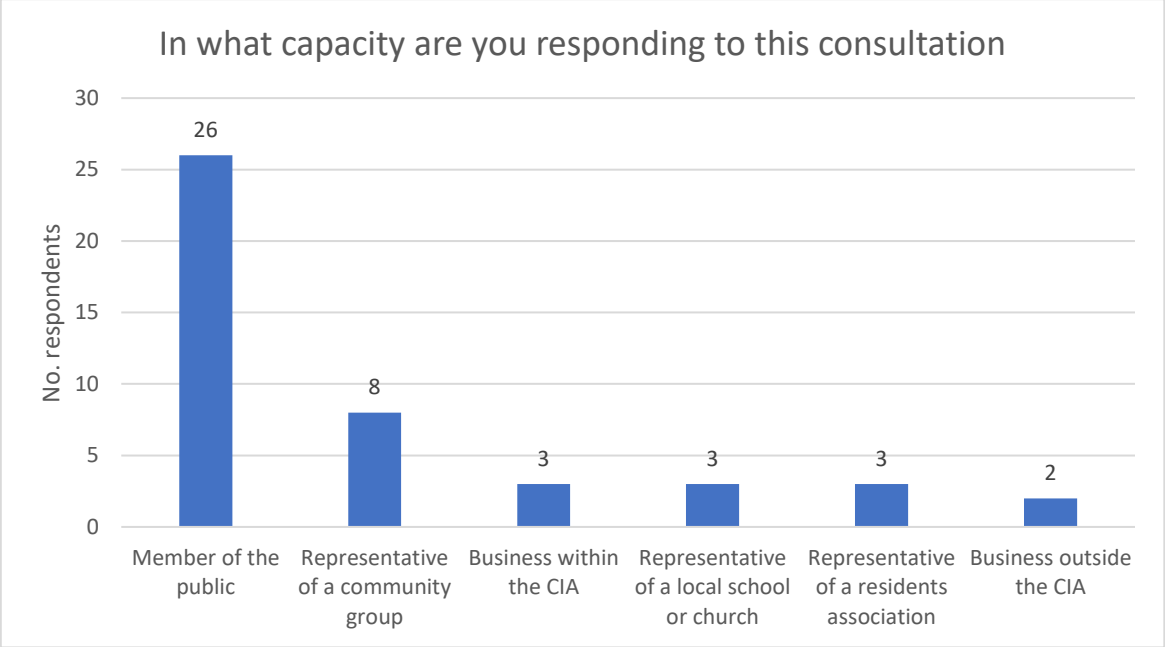
9. During the consultation period, views were sought from the public, residents' associations and other community groups or organisations within the Newmarket area regarding the intention to renew the CIA, as well as potential minor changes to the area covered.
10. Businesses and licensees from both within and outside the current CIA were also engaged. Businesses were specifically asked whether the CIA had any known positive or negative impact on their ability to undertake their work.
11. An online response form was created, and this was published through media, website, social media, councillors, staff and partner organisations, such as the Newmarket BID.
12. In addition, businesses were further engaged through direct emails to licensees. Newmarket community organisations, such as local churches and charities, were also engaged through direct email messages.
13. At the time the consultation closed, 45 online forms had been completed. This report outlines the results from the analysis of quantitative data and themes that can be drawn from the qualitative (free text) data.
14. Section 1 of this report outlines the type of respondents who took part. Sections 2 and 3 outline the specific survey results regarding whether the council should keep the CIA in place, the particular response from businesses and licensees, and comments on areas that could be added or removed from the CIA.
15. Please note:

- All questions are listed thematically to highlight the key findings of the consultation – namely whether there was agreement to retain the CIA in Newmarket; the particular response from businesses; and any additional information or suggested areas to add or remove from the CIA
- A large part of the survey was made up of free text responses. These have been analysed using standard manual techniques for free text analysis, which while highly effective are unable to fully eliminate any degree of judgement or subjectivity

- Many free text responses mention street drinking. It should be noted that while street drinking and antisocial behaviour can be synonymous, the purpose of the CIA is not to reduce street drinking.

Section 1: About the respondents

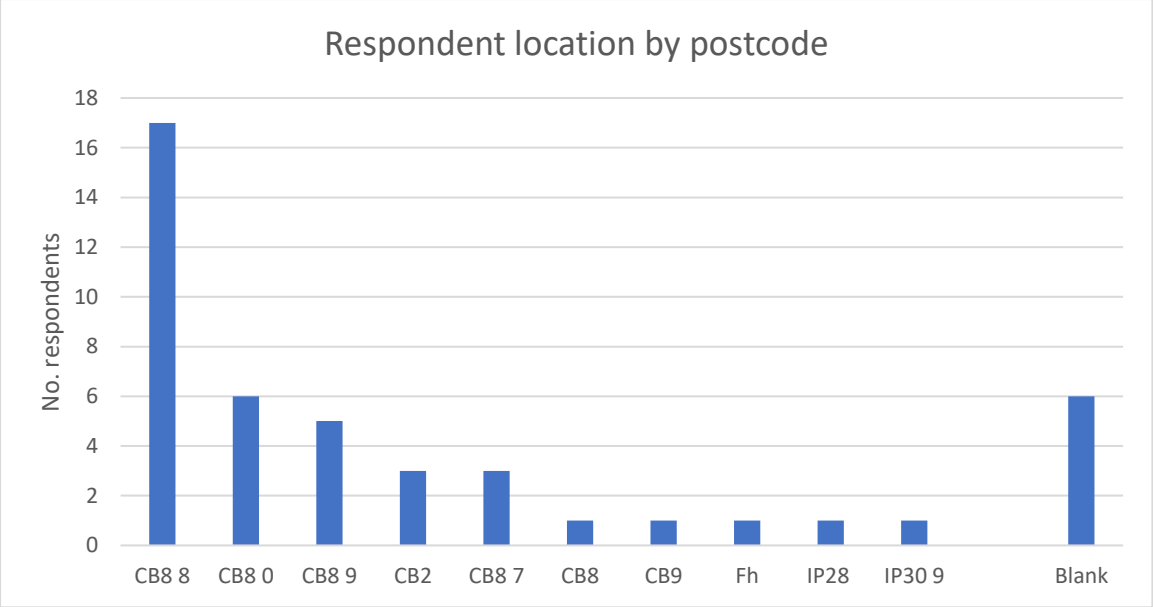
1. Of a total 45 respondents who responded online, the largest group of respondents was members of the public (58 per cent). 11 per cent responded to the survey as representatives of businesses. Of this number, the highest proportion identified as businesses situated within the current CIA in Bury (7 per cent). A further 32 per cent of respondents identified as representing local non-business organisation – local church or schools (7 per cent); community groups (18 per cent); and residents associations (7 per cent).



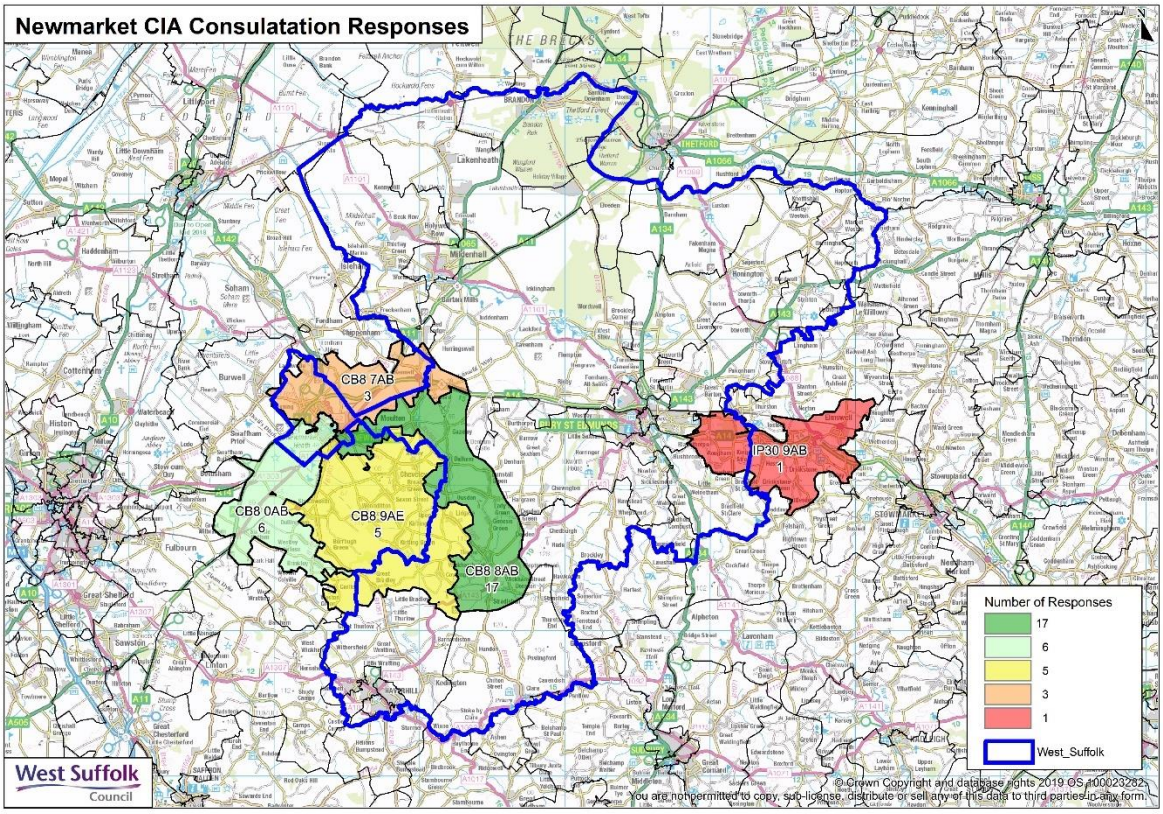
(The graph shows a small majority of respondents were members of the public)

Respondent location

16. Of those respondents who gave a postcode, 100 per cent were residents of West Suffolk. 82 per cent of those who provided a postcode were from Newmarket (CB8).



(Graph shows that all respondents came from West Suffolk, with the majority from the CB8 postcodes (Newmarket))



Gender

17. The survey was completed by 15 males and 26 females and four stated "Prefer not to say"

Age and health-disability

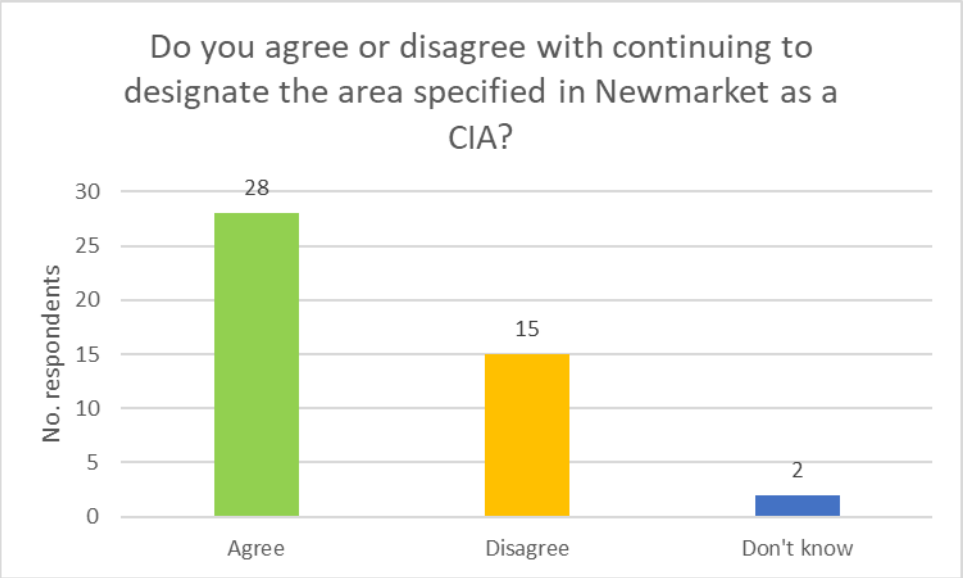
18. The age breakdown (see chart below) shows a larger proportion of older people completed the survey; ages 45 to 70+ represents 62 per cent of the total. There was no representation from those aged under 24

Age breakdown of respondents		
Age categories	% in each category	West Suffolk % (2020)
0-17	0	21.2
18-24	0	6.8
25-34	15.6	13.3
35-44	17.8	12
45-59	48.9	19.4
60-69	2.2	11
70+	11.1	16.4
Prefer not to say	4.4	
	100	100

19. Only one respondent stated that they had a long-term illness (2.2 per cent)

Section 2: Continuation of the Newmarket CIA

20. Question 6 sought to gauge whether there was agreement to continuing the Cumulative Impact Area in Newmarket. Of 45 responses, 28 (62 per cent) agreed to continuing the CIA. 15 (33 per cent) answered that they disagreed and 2 (4 per cent) responded that they did not know.



(Graph shows that 28 (62 per cent) of respondents agree with continuing the CIA in Newmarket.)

21. Of the 28 respondents who agreed to the CIA, 17 were members of the public (61 per cent), seven represented a community organisation/local school or church/residents association (25 per cent) and four were businesses (14 per cent).

22. Agreement varied by respondent type with 75 per cent of businesses, 65 per cent of members of the public and 50 per cent of representatives of community groups agreeing with the CIA.

23. These figures were reinforced with 11 respondents providing a free text reason for their answers. The most frequent reason was an agreement that maintaining the status quo would help prevent ASB increasing or that removing the CIA would make it worse.

Comments – Yes	**Frequency of inclusion**
Maintain the status quo – helps prevent ASB and removing will make it worse	6
There are still noise issues	2
More / too many places selling alcohol or with late night opening	2
ASB has led to decline of Newmarket as a family friendly town	1
Places in the town are still 'no go' areas after dark	1

24. 15 respondents disagreed to the renewal of the CIA and two didn't know. Nine (60 per cent) were members of the public, and one represented a business outside the CIA area (20 per cent of all businesses). 14 of the 17 respondents provided a free text response to explain their answer. The most frequent response was that there was no need for/not enough evidence to support the CIA.

Comments – No	**Frequency of inclusion**
No evidence / crime is down / no point	9
Could deter businesses	1
Licensing needs to be better thoughts out by council (referring betting shops and alcohol)	1
Why do we need extra restrictions – this is responsibility of the Police	1
The data doesn't show the CIA is effective – no clear link to health data	1

(Please note: one comment stating disagreement with the extension of licensing hours and advocating for a café culture in Newmarket appeared to have been made in error as it would be broadly in agreement with keeping the Cumulative Impact Assessment area. This comment has not been included in the above table.)

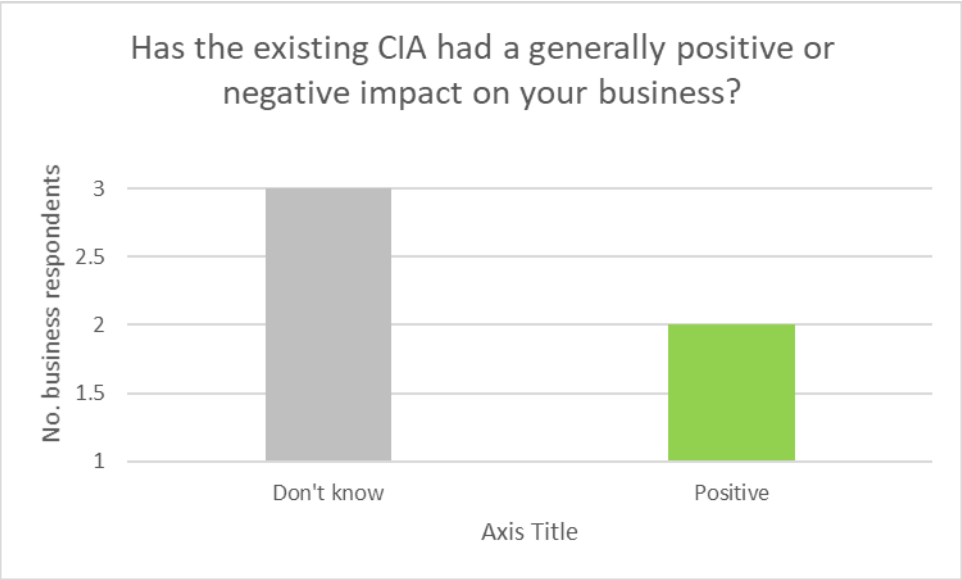
Section 3: Business questions

25. This series of questions was specifically aimed at businesses and licensees in the Newmarket area, both within and outside the CIA, to investigate the possible impact the CIA may have had on business. A free text comment option was provided for respondents to offer a reason for their answers.

26. The businesses all identified themselves as licence holders. Two held an alcohol licence; two a premises license for off-licence sales; and one a public premises licence.

Type of licence held	**Number of respondents**
Alcohol licence	2
Premises licence for off-license sales	2
Public premises licence	1

27. When asked whether the existing CIA had had a generally positive or negative impact on their businesses, three of the five respondents stated that they "don't know". Two respondents answered that the CIA had a positive impact on their business. No respondents answered that the CIA had a negative impact.



(Graph shows that three out of five businesses don't know whether the impact of the CIA on their ability to operate has been positive or negative.)

28. Of the respondents who answered, "don't know", two were from businesses within the CIA and one from outside the CIA. Of those who answered positively, one was from a business within the CIA and one from outside the CIA

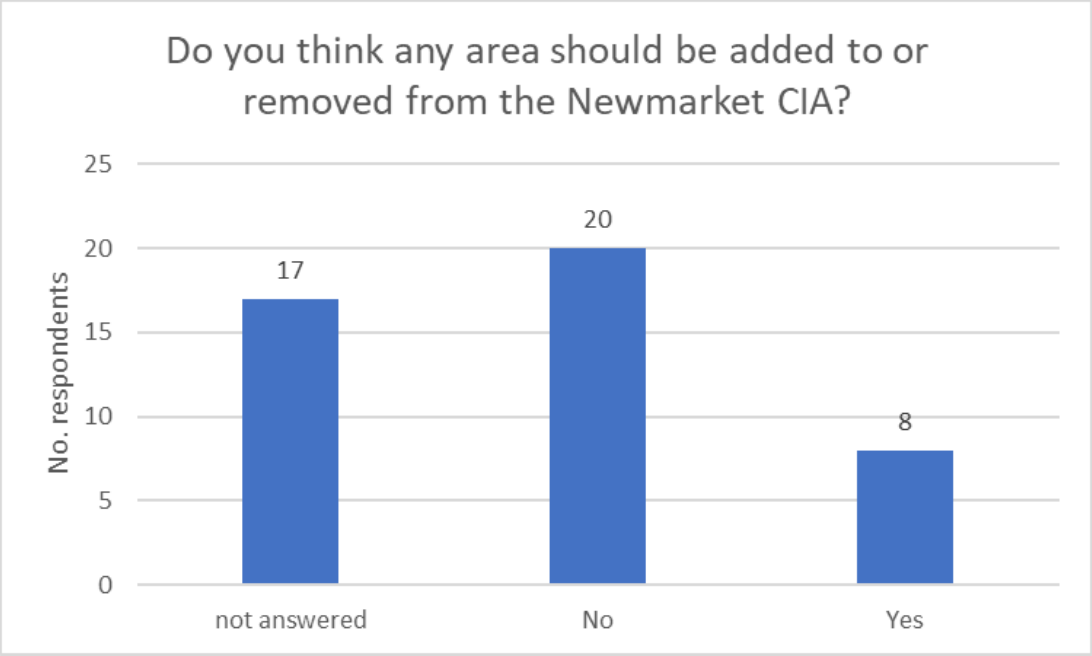
29. The free text comments provide greater clarity around why respondents provided their answers. The respondents who stated 'Don't Know' said that they had either received and feedback or were otherwise unaware of any issues affecting business, with one commenting that there had been no issues relating to alcohol purchase. The respondent who answered that the impact had been positive highlighted that ASB had been prevented by adhering to the licensing objectives.

Response	**Comments**	**Frequency of inclusion**
Don't know	Received no feedback / unaware of any issues affecting business	2
	Experienced no issues relating to alcohol purchase	1
Positive	We have been able to prevent anti-social behaviour by ensuring that all licensing objectives are adhered to, such as prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm.	1

Section 4 – CIA coverage

Should any area be added to or removed from the CIA?

30. Questions 8 to 11 focused on gathering evidence on possible areas to add to or remove from the current CIA. Eight of the 45 responses (18 per cent) were in favour of adding to the CIA; 20 (44 per cent) answered no and 17 did not answer (38 per cent)



(Graph shows that a majority of respondents think the CIA boundaries should not be changed.)

31. However, the eight respondents who felt the area should be expanded used the free text to highlight some concerning areas – namely:

- The Prince of Wales pub in All Saints Road
- All Saint Church grounds
- Yellow Brick Road

Road/Street/Location	**Frequency of inclusion**
All Saints Road (specifically referring to Prince of Wales pub and All Saints Church)	3
Yellow Brick Road	2
The Avenue	1
All of Newmarket	1

Section 5: Additional comments on the CIA

32. Question 11 asked respondents to provide any additional comments on the CIA. Eight respondents supplied a free text answer to this question. The responses were varied. Four respondents stated that the CIA should remain; two respondents asked questions of the data used; one stated that businesses should contribute to behaviour management; and one put forward an individual complaint concerning a licensed premises.

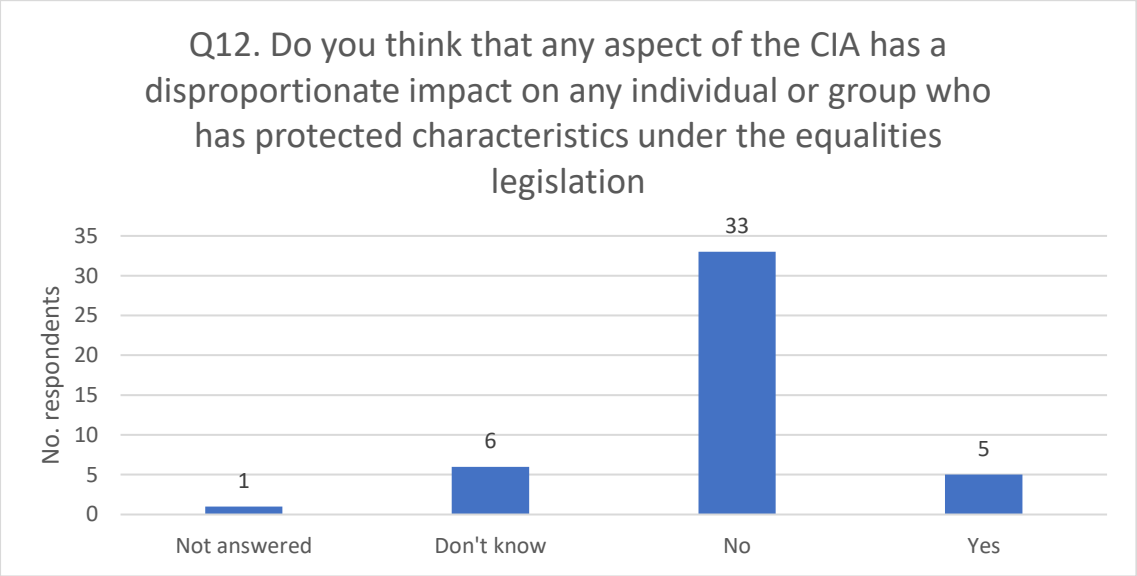
Additional comments	**Frequency of inclusion**
Continuation of the Newmarket CIA is welcomed / do not remove	4

Data used are questionable*	2
Businesses should contribute to behaviour management	1
Individual complaint about a premises	1

(*One comment questioned the use of data in detail. This comment has been taken under consideration. A full response will be provided in the Cabinet papers, with an updated map taking into account additional comments)

Section 6: Equalities impact

33. Respondents were asked an additional question around equalities impact. Five out of 45 respondents (11 per cent) answered that they did think the CIA had a disproportionate impact on any individual or group who has protected characteristics under the equalities legislation (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation).



(Graph shows that the majority of respondents think that there is no potential equalities impact from the CIA, however free text relating to Q12 state the following)

34. Responses to this question can be divided between issues that can be considered under the Equalities Act and other issues. Two respondents indicated that all groups are affected by alcoholism and ASB. Two other respondents stated that people in deprived areas and groups not interested in licensed premises were impacted. Two comments stated that the businesses themselves should have some responsibility for minimising the impact on the town.

Comments – Equalities Legislation	**Frequency of inclusion**
Alcoholism and ASB an issue for all	2
People in deprived areas	1

Families and others not interested in licensed premises	1

Comments – Other issues raised	**Frequency of inclusion**
Establishments / businesses should have responsibility for minimising the impact on the town	2

Conclusion

35. During the seven-week consultation period, the responses received to the consultation were in favour of retaining the Cumulative Impact Assessment area in Newmarket. In addition, there was no significant split in opinion between different groups, with a majority from all except one respondent groupings being in favour of retaining the CIA. The respondent grouping that did not show a majority in favour of retaining the CIA nonetheless did not show a majority in favour of removing it.

36. Responses from businesses did not indicate an overall negative impact of the CIA on their capacity to operate.

37. Regarding questions on expanding the CIA: most comments in favour of increasing CIA area focused on All Saints Road, with two individual premises named for inclusion. However, the evidence suggests that there is neither a majority in favour of expansion, nor is their enough evidence to justify the CIA covering additional areas of the town centre.