

## Appendix A - Cumulative Impact Assessment (CIA) areas, Bury St Edmunds and Newmarket: Evidence and analysis

### Introduction

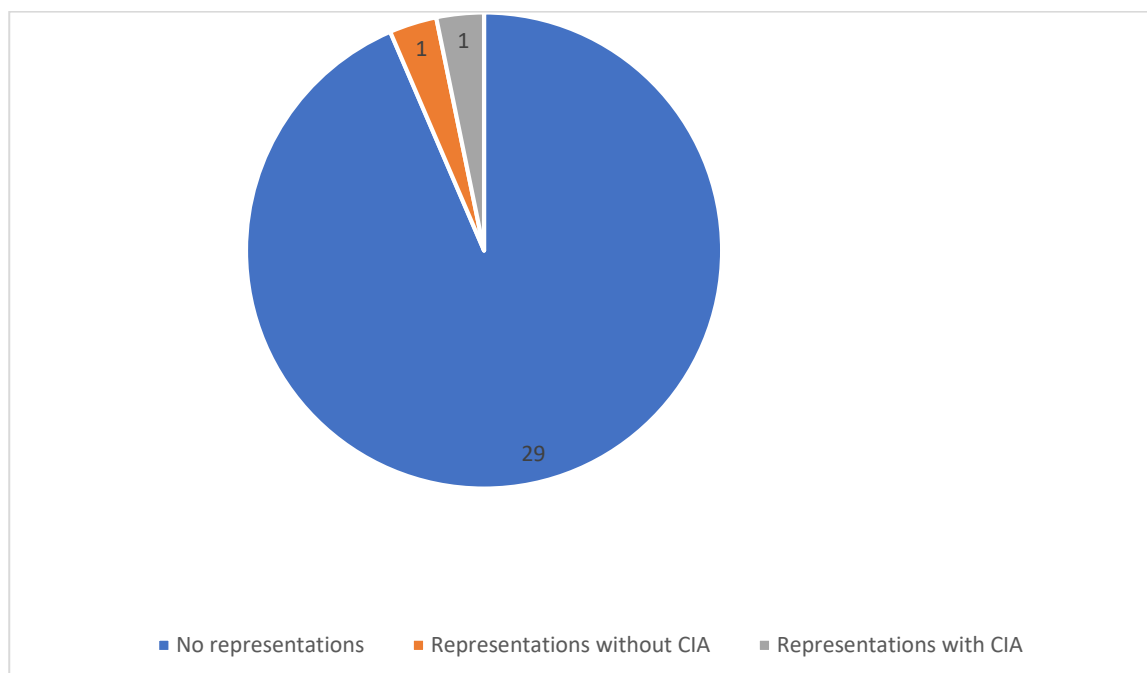
1. Local Authorities are required to produce a Statement of Licensing Policy under Section 5 of the Licensing Act 2003. The aim of West Suffolk's licensing policy is to ensure that the four licensing objectives are met:
  - Reducing crime and disorder
  - The prevention of public nuisance
  - The protection of children from harm
  - Promoting public safety
2. To review both CIAs, the council must consider two key issues:
  - Whether the CIAs are effective and practical
  - Whether there is sufficient evidence justifying that the CIAs are still required.
3. This study looks into the data available to consider these two issues.

### Are the CIAs practical and useful in the licensing process?

#### Analysis of new application or variations

4. To consider whether the use of CIAs is both effective and practical in the licensing process – specifically when licence applications are submitted and, in particular, when representations are made - all licence applications from 2019 to November 2022 were analysed.

#### Total new or variation licenses granted, 2019-2022

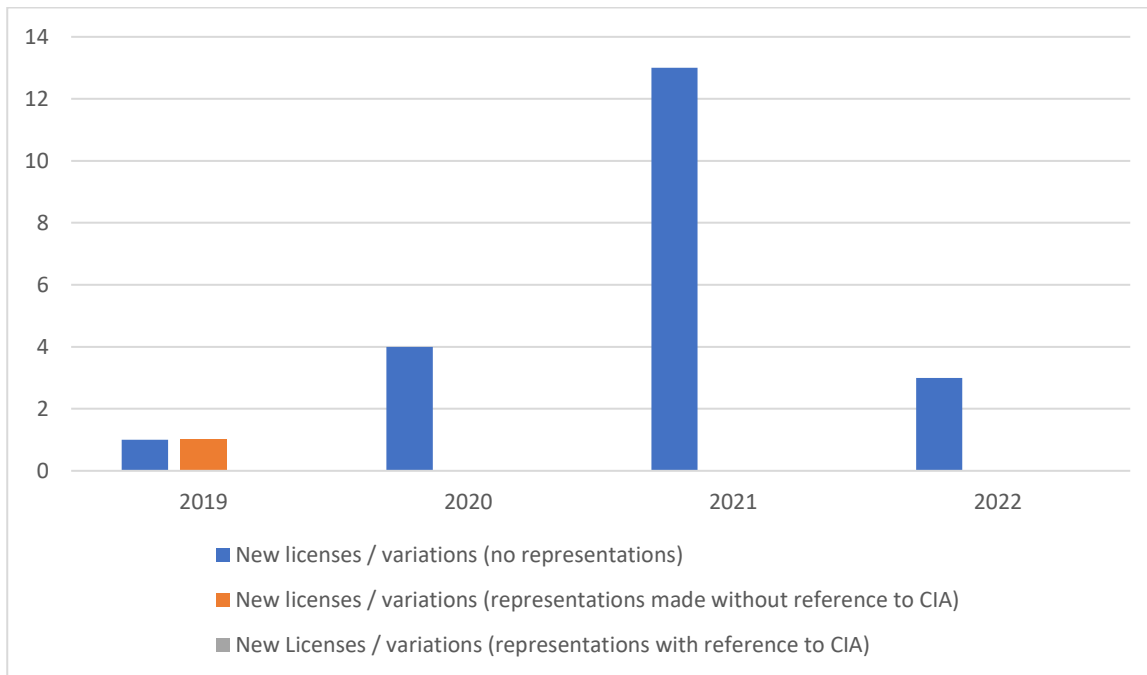


5. Of the 31 new or variation licences granted within the BSE and Newmarket CIA areas since 2019, 29 were granted without any representations made. Only two

applications received representations, of which only one representation referred to the CIA.

### Bury St Edmunds Licenses (within CIA area), 2019-2022

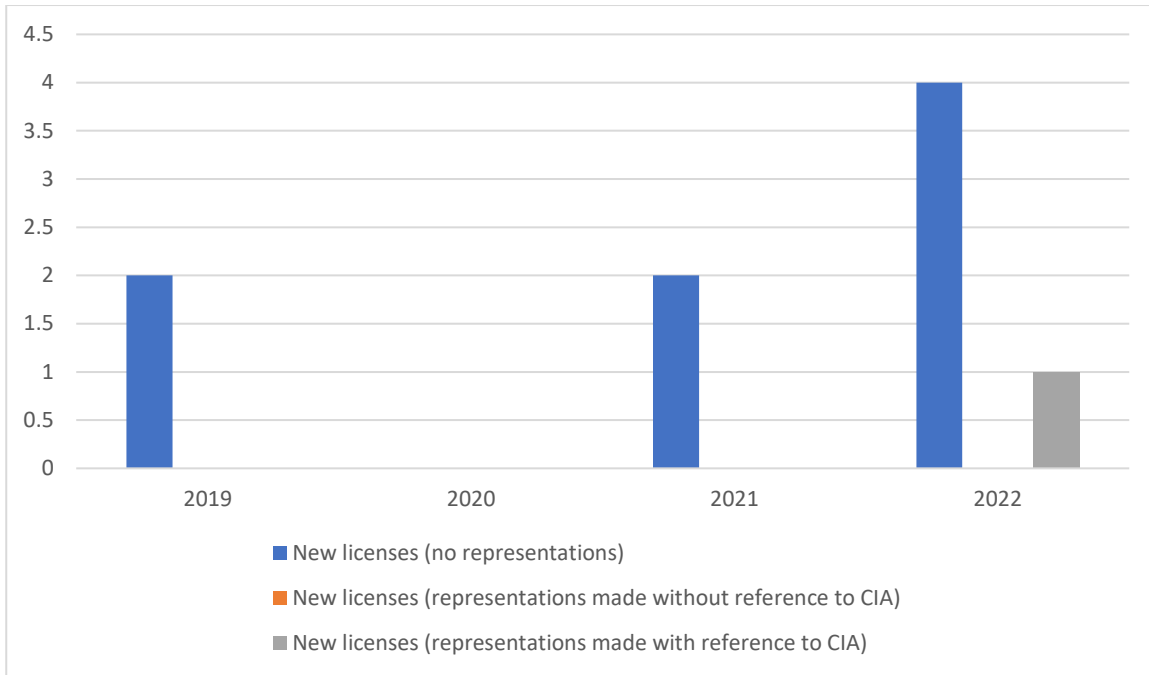
Year	New applications or variations granted without representations made	New applications or variations granted with representations made (but without reference to CIA)	New applications or variations granted with representations made (with reference to CIA)
2019	1	1	0
2020	4	0	0
2021	13	0	0
2022	3	0	0
<b>Total</b>	<b>21</b>	<b>1</b>	<b>0</b>



### Newmarket Licenses (within CIA area), 2019-2022

Year	New applications or variations granted without representations made	New applications or variations granted with representations made (but without reference to CIA)	New applications or variations granted with representations made (with reference to CIA)
2019	2	0	0
2020	0	0	0
2021	2	0	0
2022	4	0	1

<b>Total</b>	<b>8</b>	<b>0</b>	<b>1</b>
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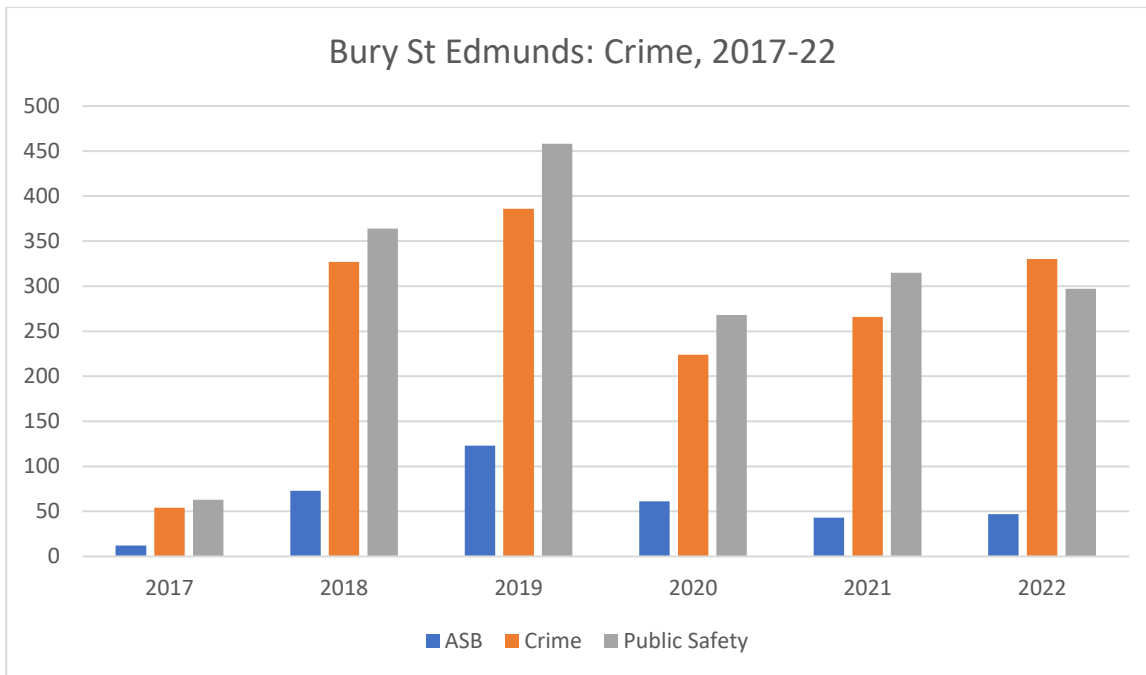
6. No representations were successful, including the single representation that referenced the Newmarket CIA.
7. This would suggest that the CIAs are not widely used in the application and representation process.

**Are the CIAs justified by available evidence?**

**Crime data**

8. As the CIAs are set up to support the four licensing objectives, the most salient issue to consider is crime.

**Bury St Edmunds Crime, 2017-2022**

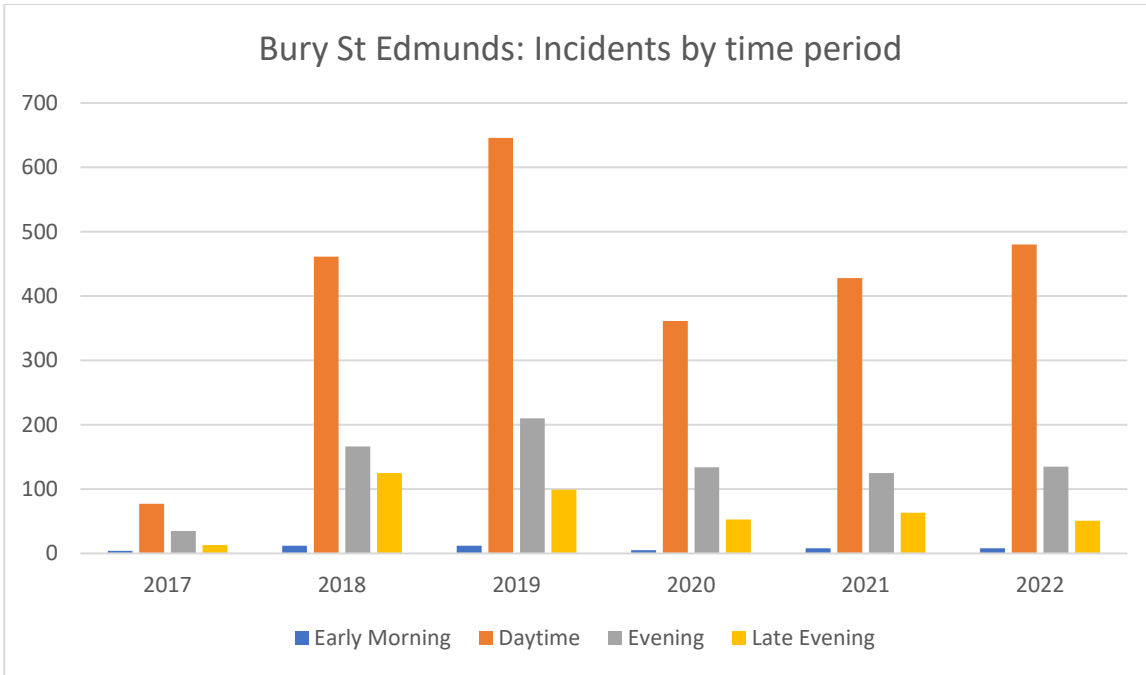


9. In Bury St Edmunds, public safety accounts for the largest group of incidents between 2017-2022 (48 per cent), followed by crime (43 per cent) and Anti-social Behaviour (ASB) (10 per cent).

10. The overall number of incidents is highest in 2019 and the lowest in 2020 (likely to reflect COVID restrictions at the time). When comparing 2022 to the peak levels in 2019, incidents of ASB have decreased by 62 per cent, public safety has decreased by 35 per cent and crime has decreased by 15 per cent.

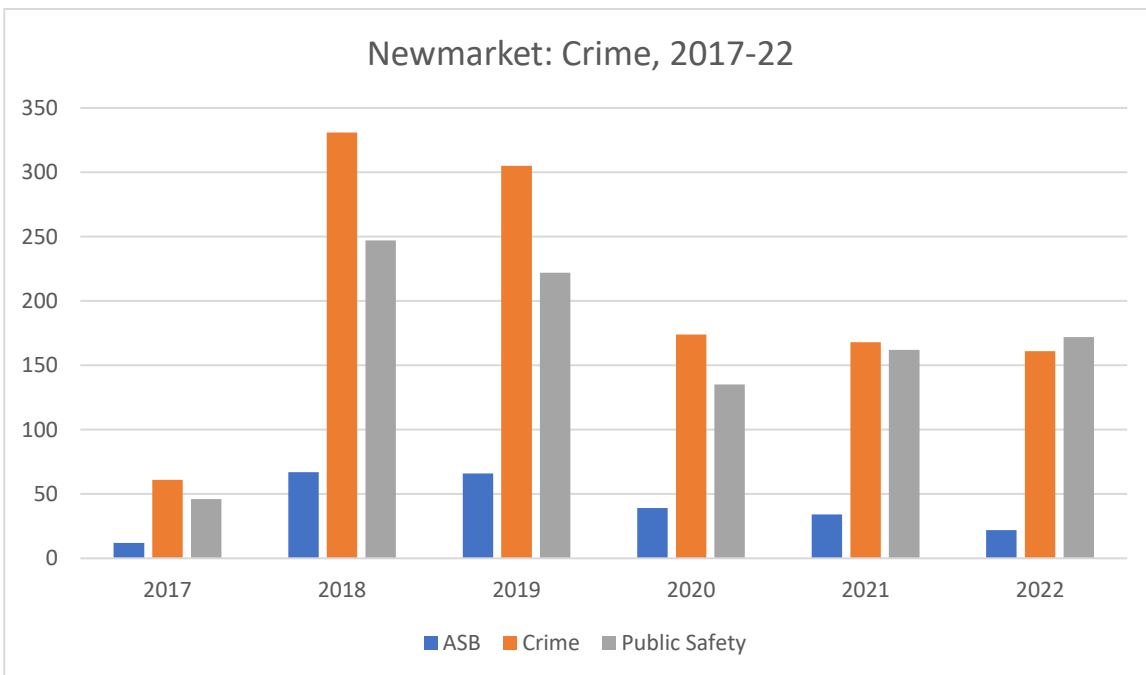
11. Levels of ASB remain similar between 2021 and 2022 (43 and 47 incidents respectively), while crime has increased by 24 per cent and public safety incidents have decreased by 5 per cent.

### **Bury St Edmunds – Incidents by time, 2017-2022**



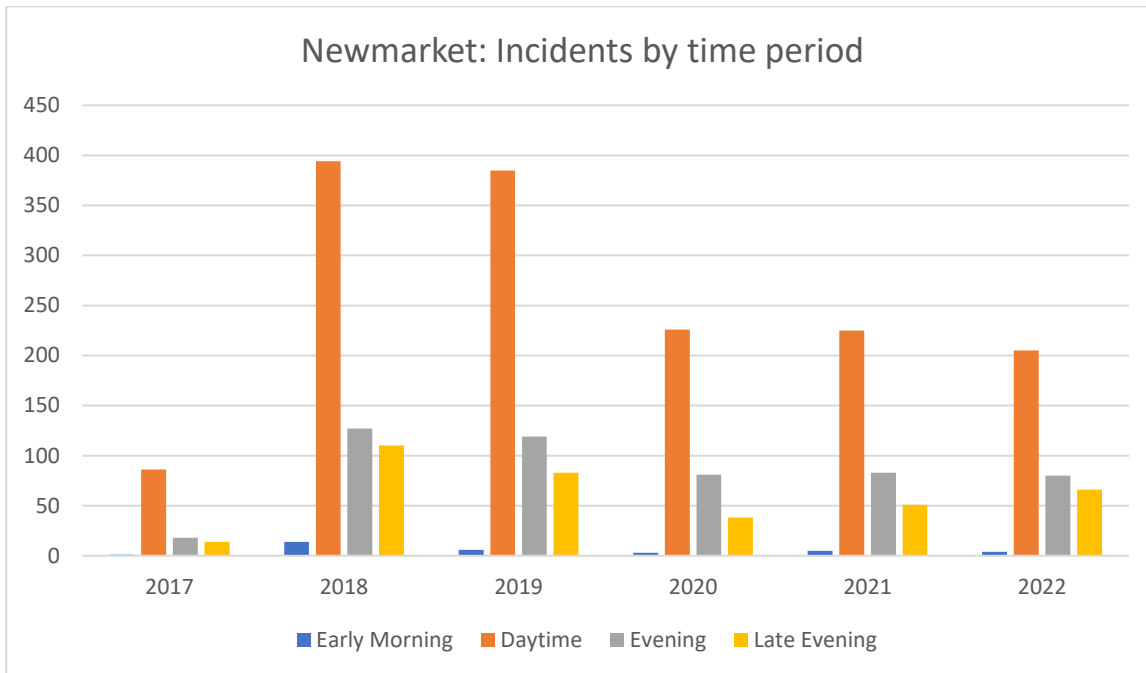
12. Daytime accounts for the largest time group of incidents in Bury St Edmunds overall between 2017-2022 (66 per cent) followed by Evening (22 per cent) Late Evening (11 per cent) and Early Morning (1 per cent). Between 2021 and 2022, Early Morning incidents remained constant, while Daytime incidents increased by 12 per cent, Evening incidents increased by 8 per cent and Late Evening incidents decreased by 19 per cent.

**Newmarket Crime, 2017-2022**



13. Crime accounts for the largest group of incidents in Newmarket between 2017-2022 (49 per cent) followed by public safety (41 per cent) and ASB (10 per cent).

14. 2018 and 2019 feature the highest number of incidents, which decrease across all incident categories in 2020-2022. When compared to 2018, the number of incidents reported in 2022 has decreased 49 per cent for crime, 67 per cent for ASB and 30 per cent for public safety. Public safety levels have increased slightly from 2021 to 2022 (6 per cent), while ASB decreased by 35 per cent and crime decreased by 4 per cent.



15. Daytime accounts for the largest time group of incidents in Newmarket overall between 2017-2022 (63 per cent) followed by Evening (21 per cent), Late Evening (15 per cent) and Early Morning (1 per cent). Incidents across all time groups are highest in 2018, with similar numbers seen in 2019. Incidents then decreased in 2020 across all time groupings and remained at similar levels between 2020 and 2022.

16. Between 2021 and 2022, Early Morning incidents remained low (4 incidents compared to 5), while Daytime incidents decreased by 9 per cent, Evening incidents decreased by 4 per cent and Late Evening incidents increased by 29 per cent - but still remained lower than pre-2020 levels.

### Crime summary

17. Data provided by the Suffolk Constabulary indicates that crime levels, including crime that can be associated with the cumulative impacts of alcohol licenced premises, continues to show a continuous and gradual rate of decline over the last five years.

18. When broken down further by incidents by time of day, the number of evening and late evening incidents, most associated with alcohol related issues, remain low and have generally decreased across both areas.

19. While this data needs to be considered in light of the pandemic, it would nonetheless suggest that the cumulative impact of alcohol premises in the CIA areas as it relates to crime is increasingly negligible.

## Public health data

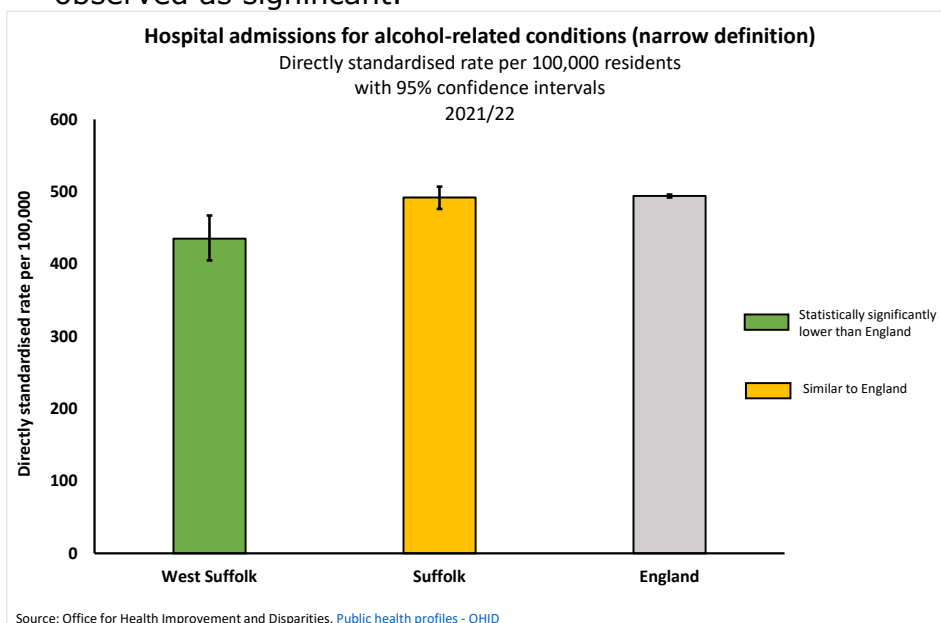
### Bury St Edmunds CIA

#### Alcohol related hospital admission rates

20. The chart below shows alcohol related hospital admission rates for West Suffolk district, the lowest geographic data available for 2021 to 2022. This is compared to data for Suffolk County and England.

21. This shows that West Suffolk district has a rate of alcohol related admissions (435 per 100,000 residents) that is statistically lower than the national average (494 per 100,000 residents). The rate for Suffolk County (492 per 100,000 residents) is not statistically different to the national average.

22. Statistical significance means the difference we see is real, and not due to chance. The 95 per cent confidence intervals are displayed as error bars. If the confidence intervals for any area overlap, we cannot regard the difference observed as significant.

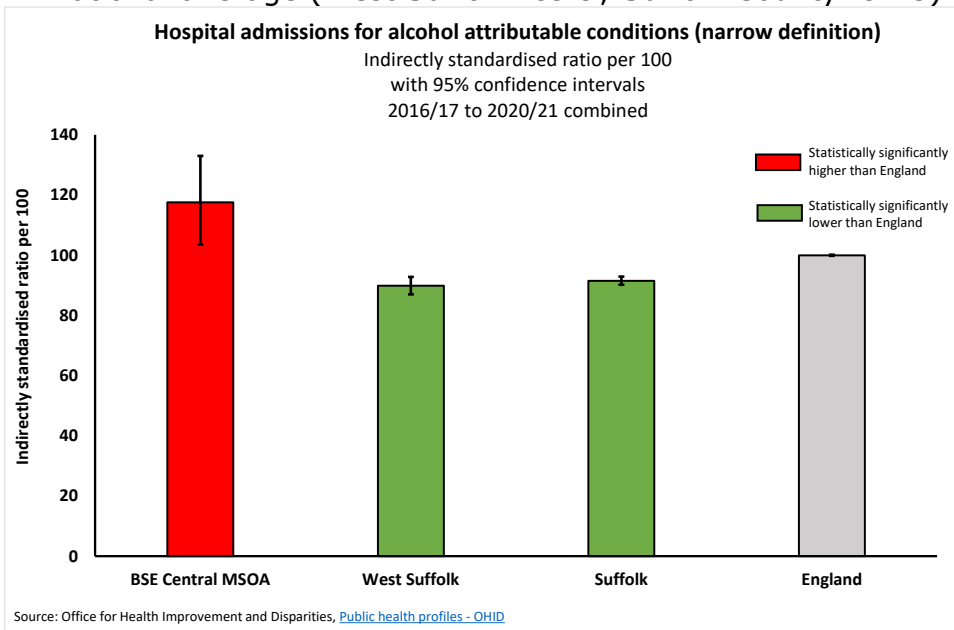


#### Hospital admissions for alcohol attributable conditions

23. Data for geographical areas smaller than district are available but are not as timely. The chart below shows hospital admissions for alcohol attributable conditions at Middle Layer Super Output (MSOA) area level - an administrative geography containing a population of between 7,000 and 10,000 people - for the combined years 2016 to 2017 and 2020 to 2021. Alcohol attributable admissions are defined as admissions to hospital where the primary diagnosis or any of the secondary diagnoses relates to alcohol.

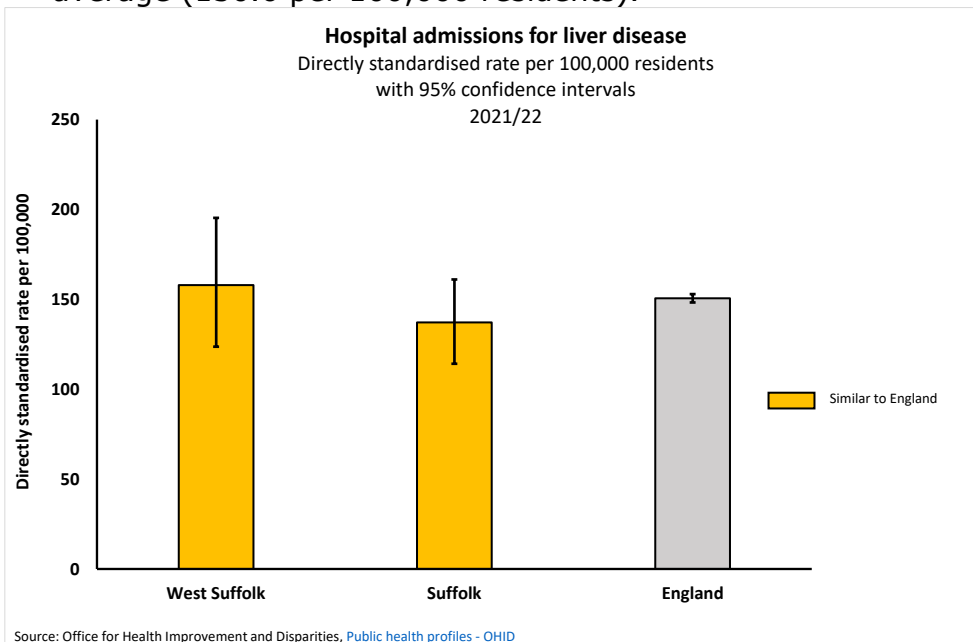
24. The MSOA that covers the Bury St Edmunds CIA area is Bury St Edmunds Central. It has a statistically higher (worse) ratio (117.6) than the national average, which is set to 100.

25. At district and county level the ratios are statistically lower (better) than the national average (West Suffolk: 89.9; Suffolk County: 91.5).



### Hospital admissions for liver disease

26. Data on hospital admissions for liver disease is also only available at district level and above. The rates for West Suffolk (157.9 per 100,000 residents) and Suffolk County (137.2 per 100,000 residents) are not statistically different to the national average (150.6 per 100,000 residents).



### Newmarket CIA

#### Alcohol related hospital admission rates

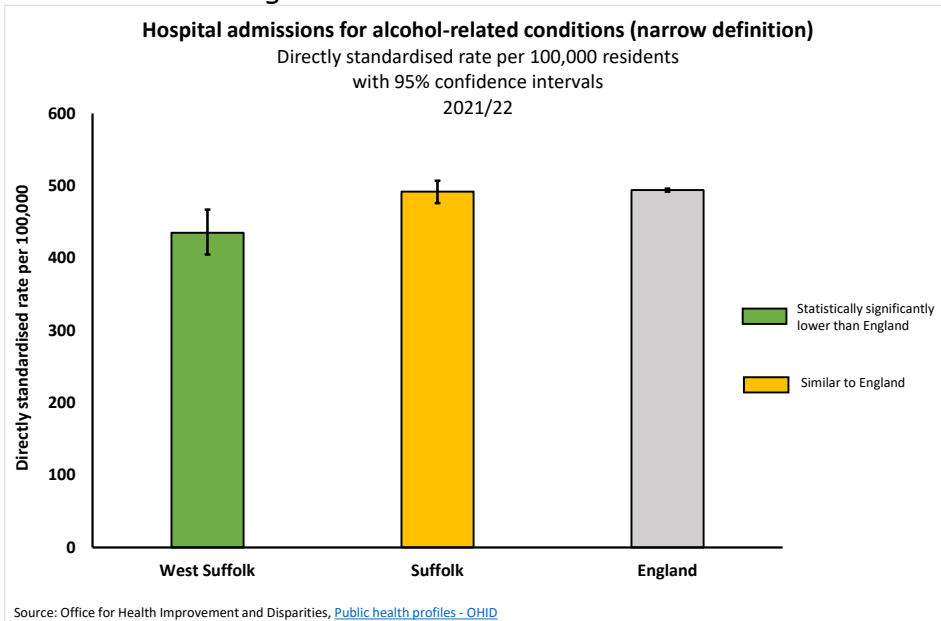
27. The chart below shows alcohol related hospital admission rates for West Suffolk district, the lowest geographic data available for 2021 to 2022. This is compared to data for Suffolk County and England.

28. This shows that West Suffolk district has a rate of alcohol related admissions (435 per 100,000 residents) that is statistically lower than the national average (494



per 100,000 residents). The rate for Suffolk County (492 per 100,000 residents) is not statistically different to the national average.

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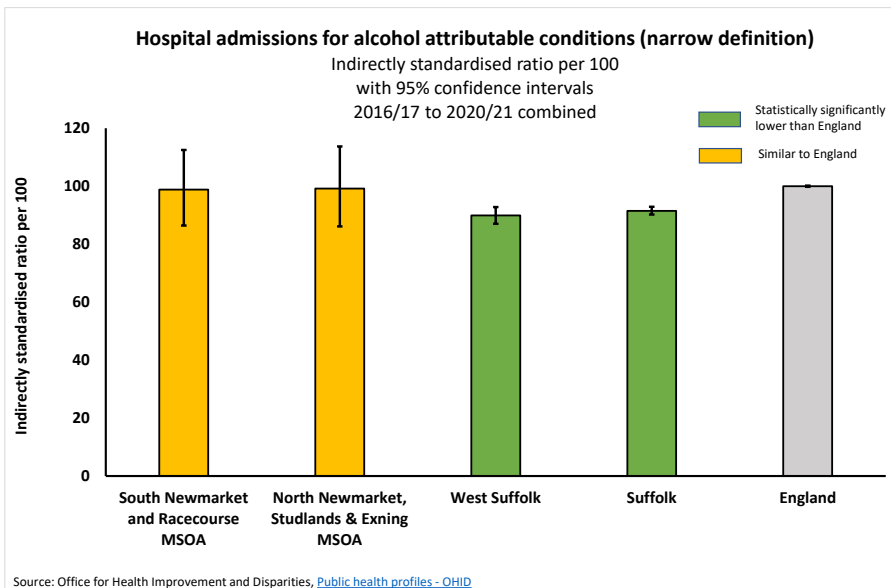


### Hospital admissions for alcohol attributable conditions

30. Data for geographical areas smaller than district are available but are not as timely. The chart below shows hospital admissions for alcohol attributable conditions at Middle Layer Super Output (MSOA) area level - an administrative geography containing a population of between 7,000 and 10,000 people - for the combined years 2016 to 2017 and 2020 to 2021. Alcohol attributable admissions are defined as admissions to hospital where the primary diagnosis or any of the secondary diagnoses relates to alcohol.

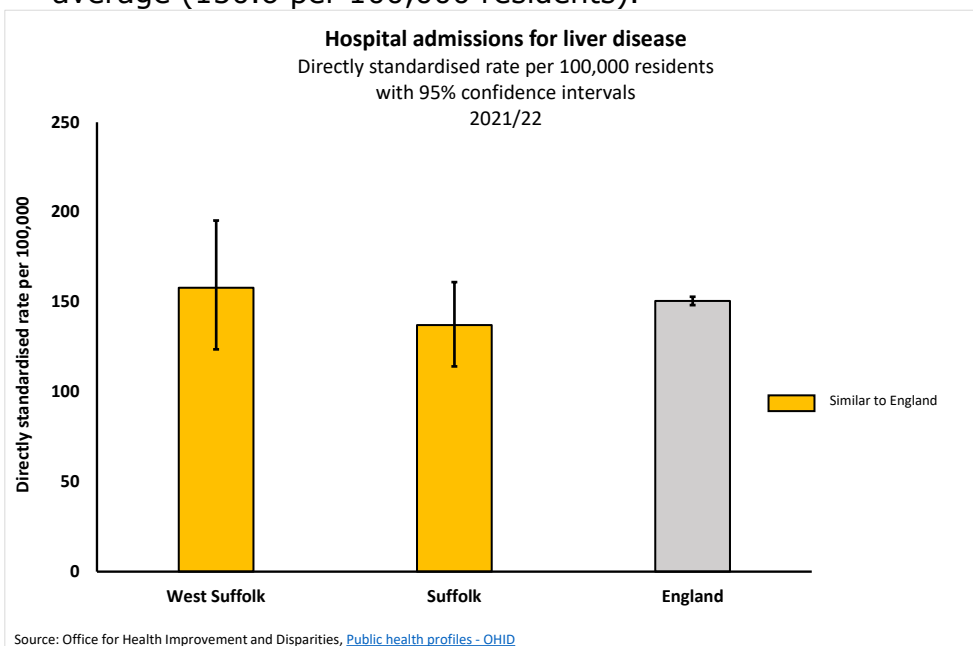
31. There are two MSOAs that cover the Newmarket CIA area - South Newmarket and Racecourse, and North Newmarket, Studlands and Exning. Both MSOAs have ratios slightly below - and not statistically different from - the England average, which is set to 100 (South Newmarket and Racecourse: 98.8; North Newmarket, Studlands and Exning: 99.2).

32. At district and county level however, the ratios are statistically lower than the national average (West Suffolk: 89.9; Suffolk County: 91.5).



### Hospital admissions for liver disease

33. Data on hospital admissions for liver disease is also only available at district level and above. The rates for West Suffolk (157.9 per 100,000 residents) and Suffolk County (137.2 per 100,000 residents) are not statistically different to the national average (150.6 per 100,000 residents).



### Public health data summary

34. Public health information suggests a nuanced picture. While only one area connected to a CIA (in Bury St Edmunds) shows health impacts that are higher than both the Suffolk and England average, both CIA areas would appear to have higher alcohol related hospital admission rates than the West Suffolk average.

35. However, overall data suggests that both CIA areas are broadly in-line with the national average.

## Noise data

36. Analysis of noise complaints, especially complaints relating to the night-time economy (such as music or commercial), represent a useful indicator of cumulative activity in the CIA areas.

### Bury St Edmunds – noise complaints, 2017-2022

Noise complaints, 2017-22	Number
Outside CIA	32
Within CIA	29

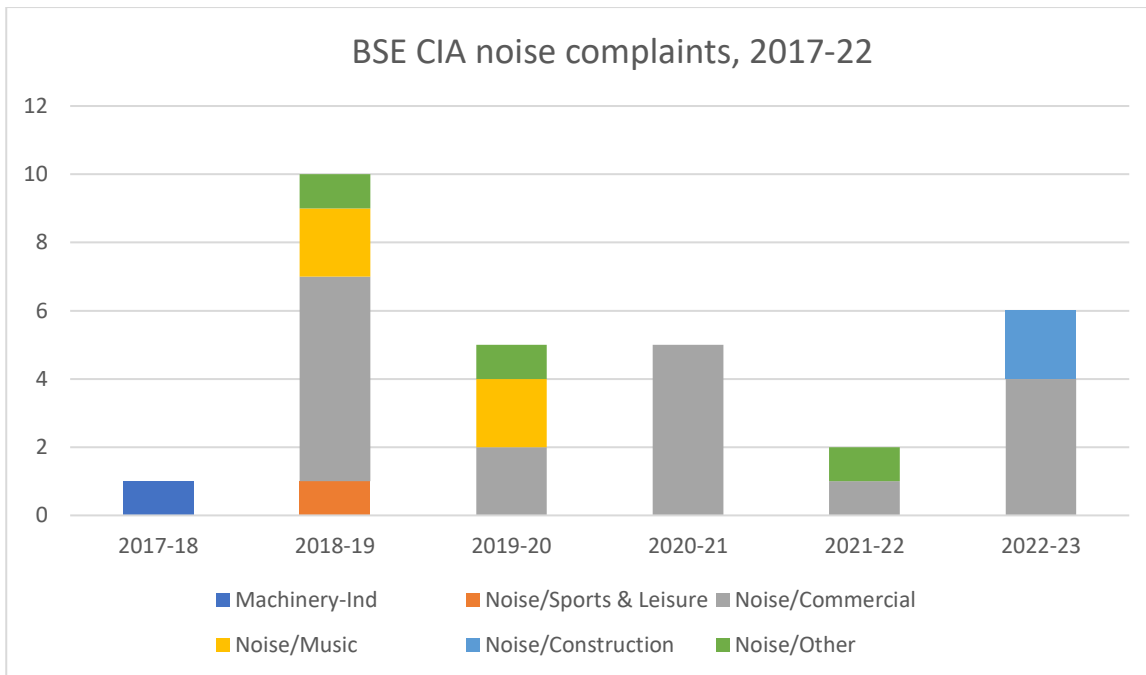
37. Between 2017 and 2022<sup>1</sup>, there were 61 noise complaints in Bury St Edmunds, 29 of which were in the CIA area.

### CIA noise complaints, 2017-2022

Noise	2017-18	2018-19	2019-20	2020-21	2021-22	2022
Machinery-Ind	1	0	0	0	0	0
Noise: Sports & Leisure	0	1	0	0	0	0
Noise: Commercial	0	6	2	5	1	4
Noise: Music	0	2	2	0	0	0
Noise: Construction	0	0	0	0	0	2
Noise: Other	0	1	1	0	1	0
Total	1	10	5	5	2	6

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<sup>1</sup> November 2022



38.A breakdown of complaints in the CIA area shows that commercial related noise was the most common cause for complaint (totalling 18 complaints). There were four complaints relating to music, however it should be noted that the most recent complaint was in 2020.

### Newmarket – noise complaints, 2017-2022

Noise complaints, 2017-22	Number
Outside CIA	27
Within CIA	7

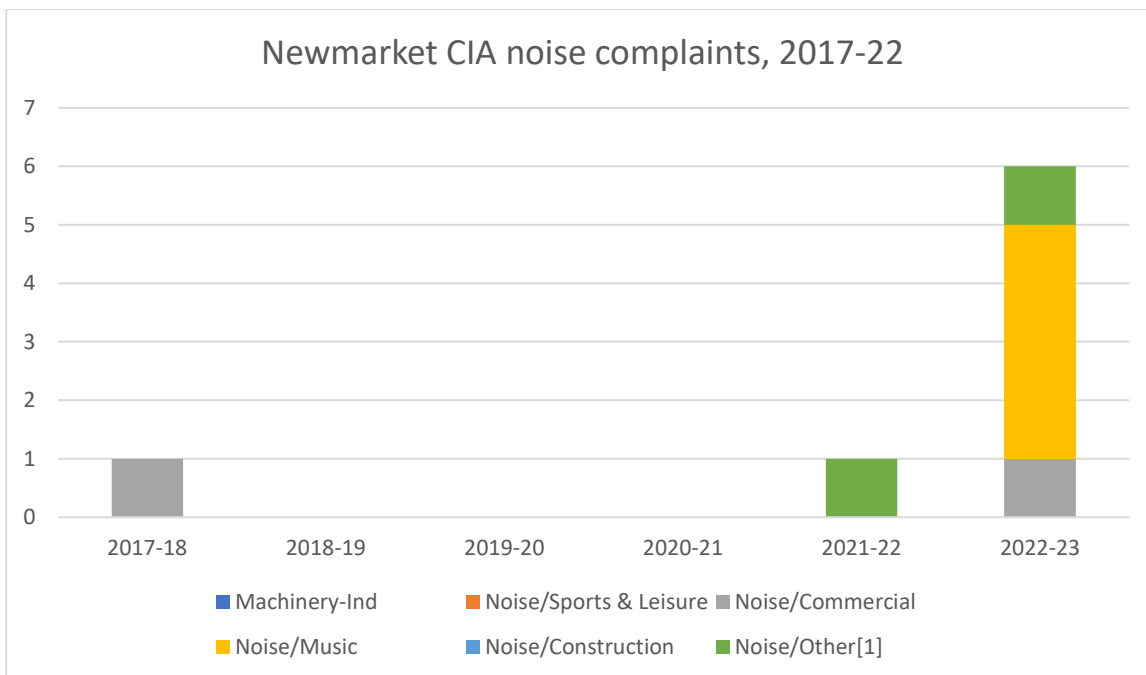
39.In Newmarket, there were 34 noise related complaints between 2017-2022<sup>2</sup>. Only seven were in the CIA area.

### CIA noise complaints, 2017-2022

Noise	2017-18	2018-19	2019-20	2020-21	2021-22	2022
Machinery-Ind	0	0	0	0	0	0
Noise: Sports & Leisure	0	0	0	0	0	0
Noise: Commercial	1	0	0	0	0	1
Noise: Music	0	0	0	0	0	4
Noise: Construction	0	0	0	0	0	0

<sup>2</sup> November 2022

Noise: Other <sup>3</sup>	0	0	0	0	1	1
Total	1	0	0	0	0	6



40. In Newmarket, music complaints were the most numerous. However, it should be noted that all four music related complaints occurred in 2022, which would suggest that this is a localised spike that will eventually be resolved, rather than a long-term trend.

**Noise data summary**

41. Nuisance caused by noise, which are related to cumulative issues, are not frequent in either BSE or Newmarket, but especially so in Newmarket.

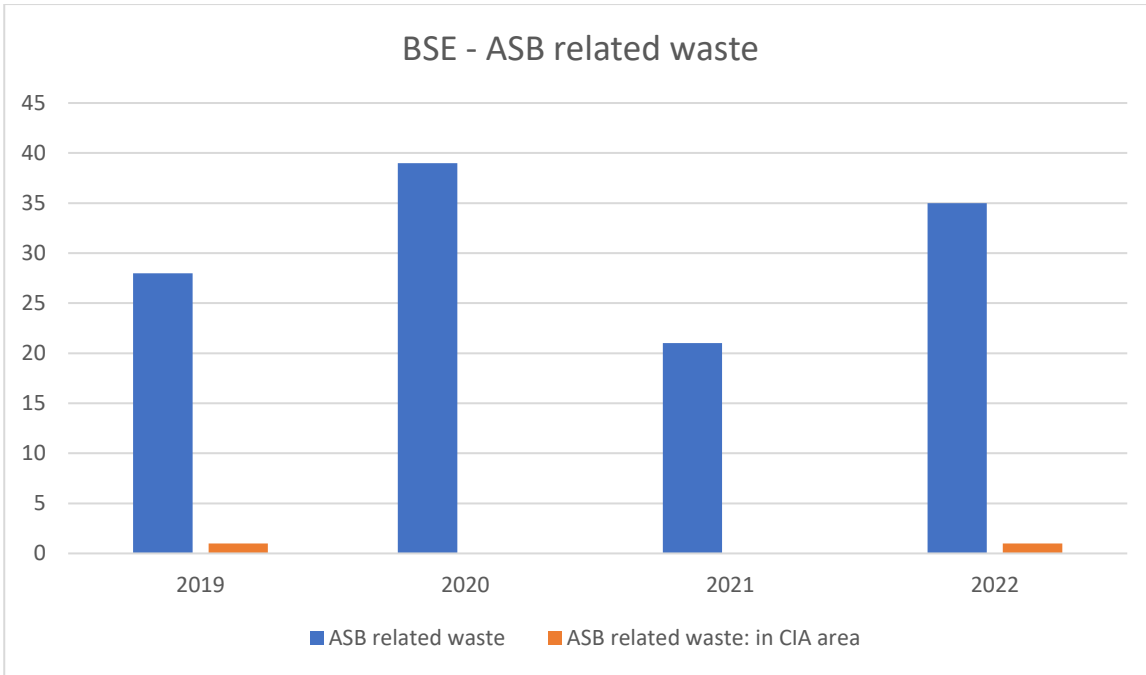
42. Noise complaints in Bury St Edmunds suggest a more consistent issue, but still do not amount to more than a handful of cases every year.

**Waste enforcement – ASB related waste in CIA areas**

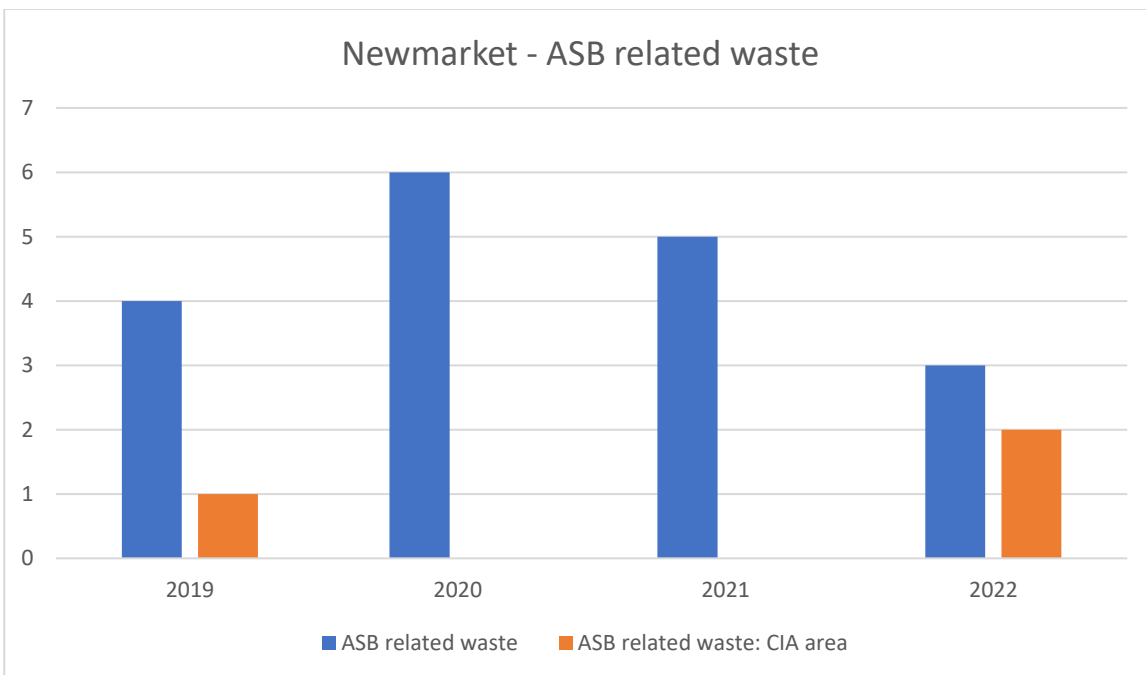
43. Analysis of waste enforcement information, particularly as it relates to anti-social behaviour (ASB), can also be useful in indicating whether there are any persistent cumulative issues relating to alcohol in the CIA areas.

44. To this end, waste issues have been filtered against ASB related information – focused on instances of graffiti, drug or other paraphernalia and any littering or waste reports that mention alcohol (or alcohol related items).

<sup>3</sup> Including alarms



45. In Bury St Edmunds, of the 125 total instances of ASB related waste enforcement since 2019, only two were in CIA area.



46. There were only 21 instances of ASB related waste enforcement in Newmarket since 2019. With three issues arising in the CIA area, a higher proportion of the total occur in the CIA in comparison to BSE. However, this remains a very small number of instances.

**Waste enforcement summary**

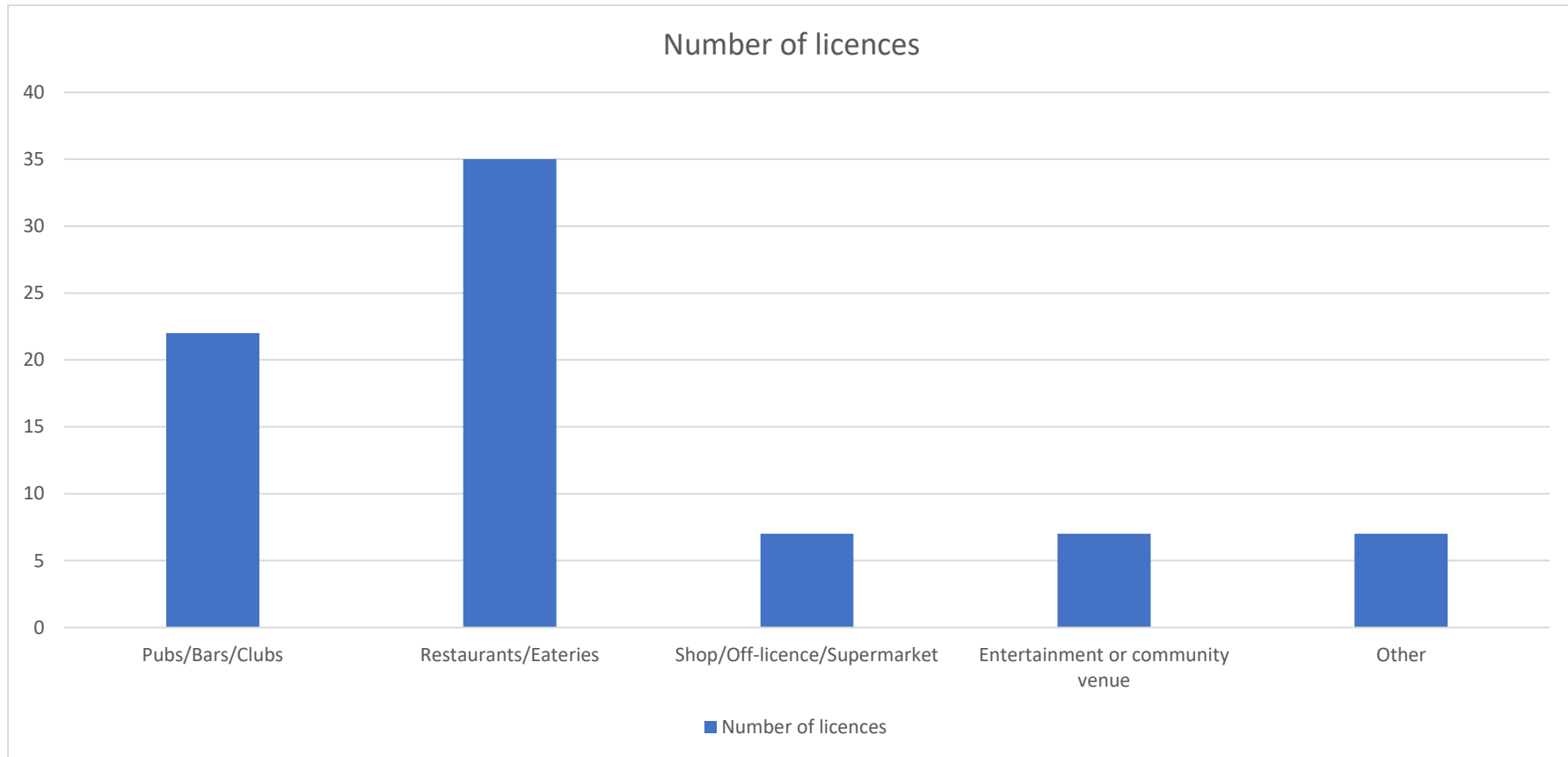
47. It should be noted that absence of evidence in this instance may not mean there is not an issue – many references to “rubbish” and other waste noted down by

waste enforcement staff may include alcohol related items. However, as this information is not recorded, it is not included in this analysis.

48. Nevertheless, according to the data that is held, there is only a total of five instances of ASB related waste issues within both CIAs since 2019. As such, this cannot be considered an indication of serious cumulative issues in the CIAs.

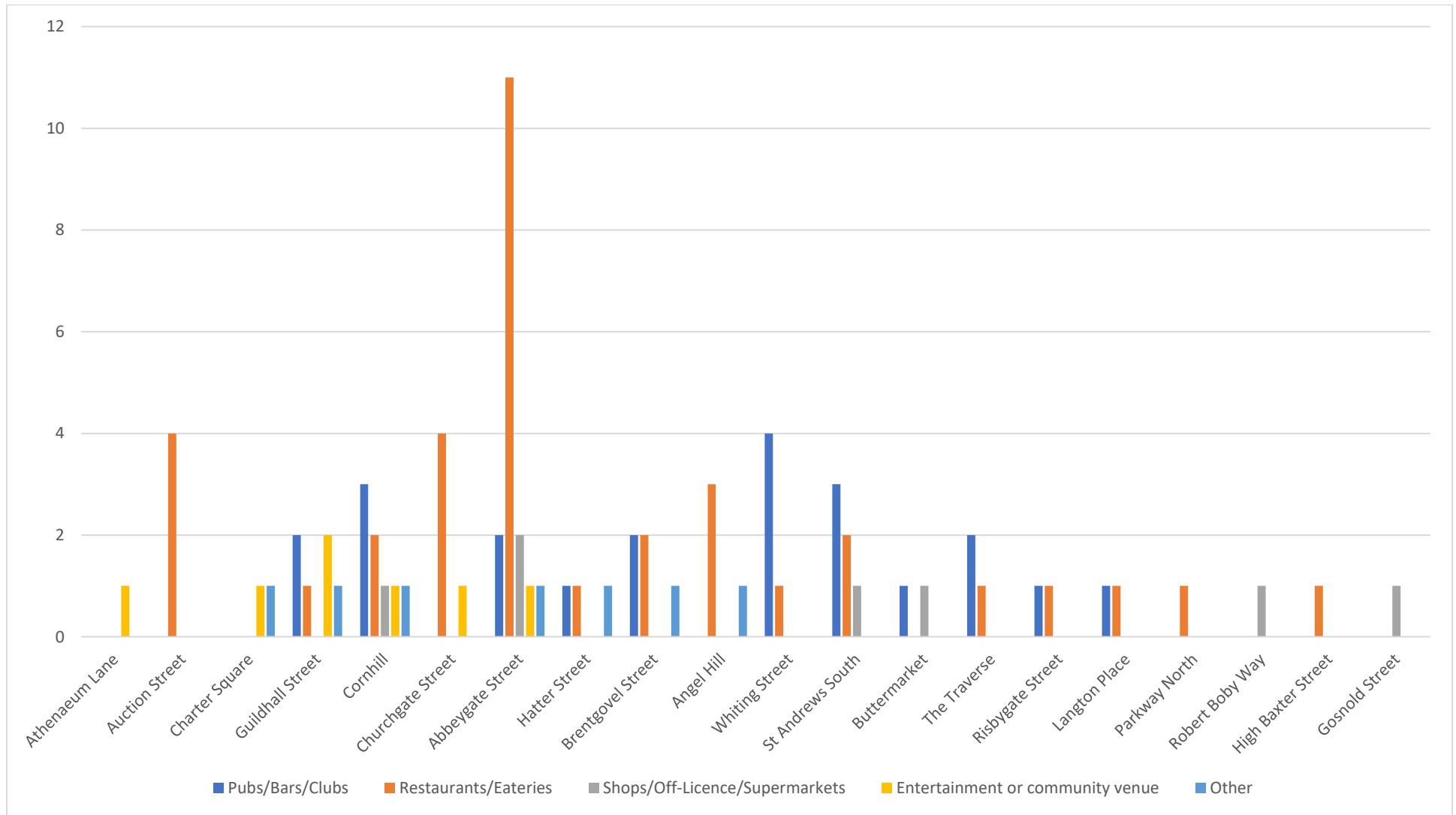
## Licensing location data

Bury St Edmunds – Make up of licenses within CIA area:

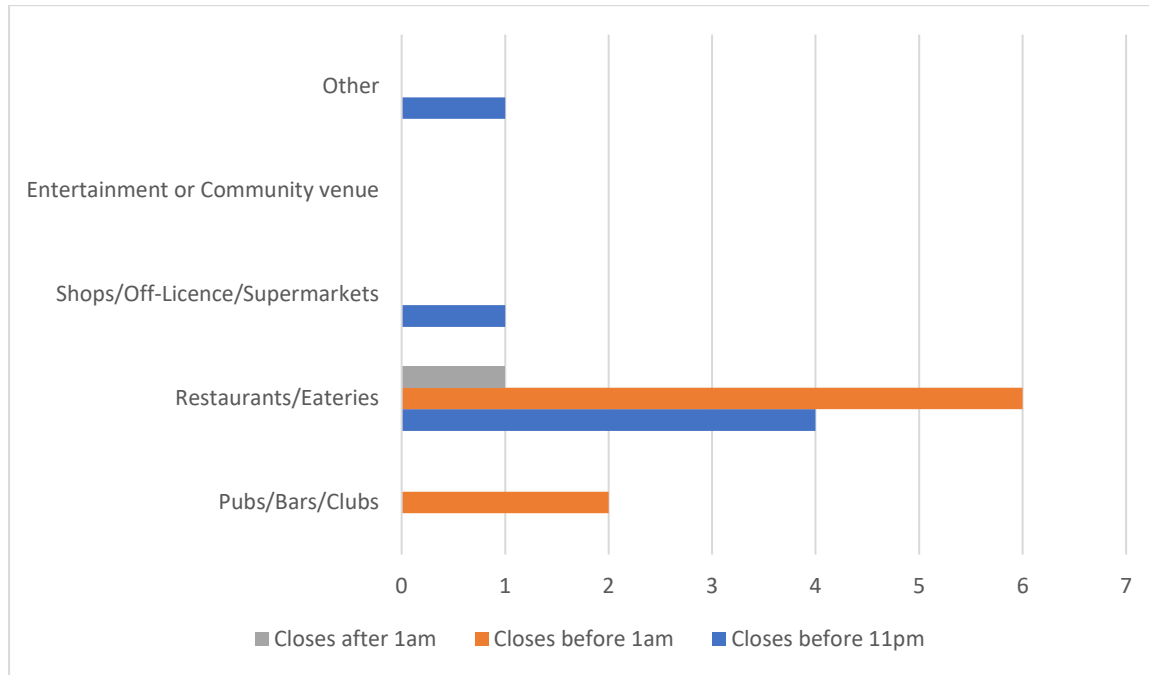


Bury St Edmunds – Type of licence by location:

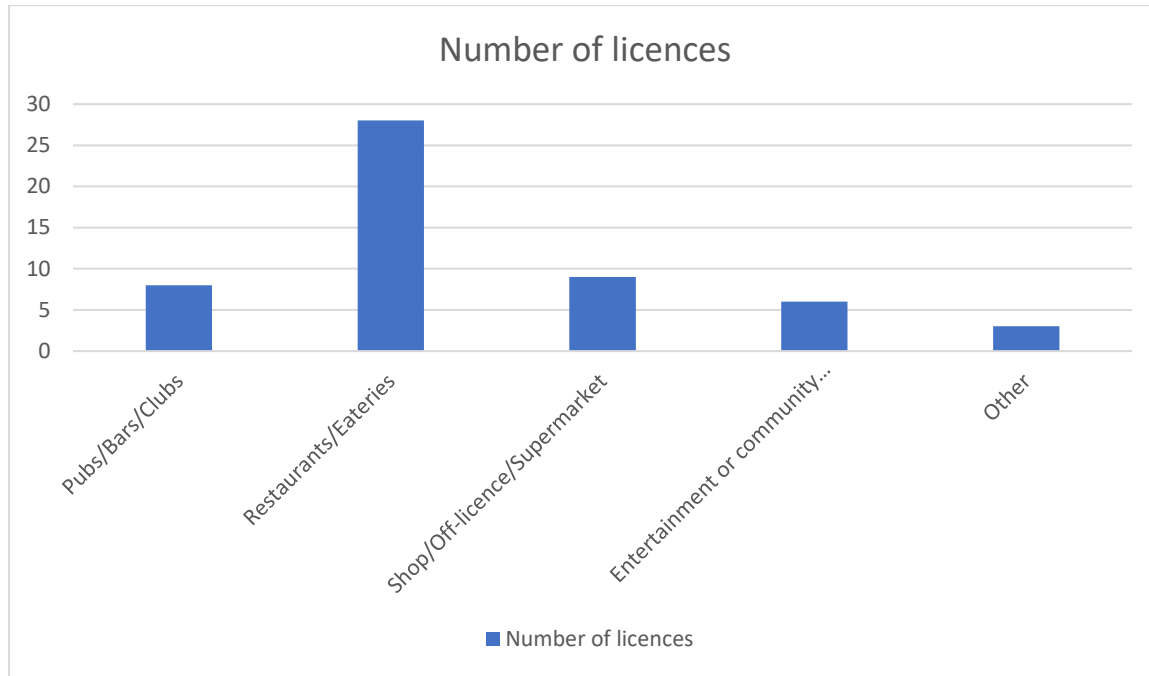




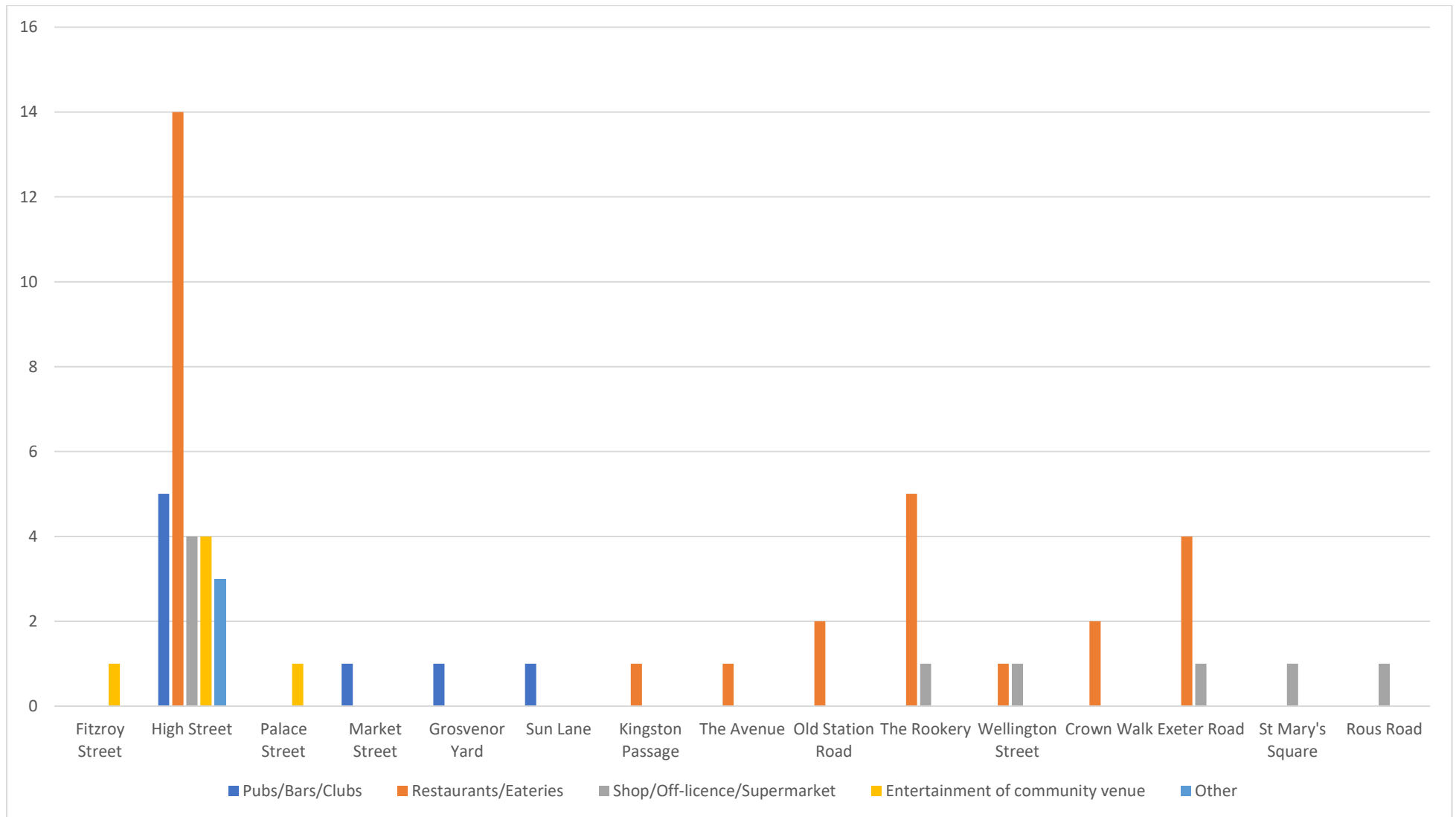
Bury St Edmunds – Breakdown of Abbeygate licensees opening hours:



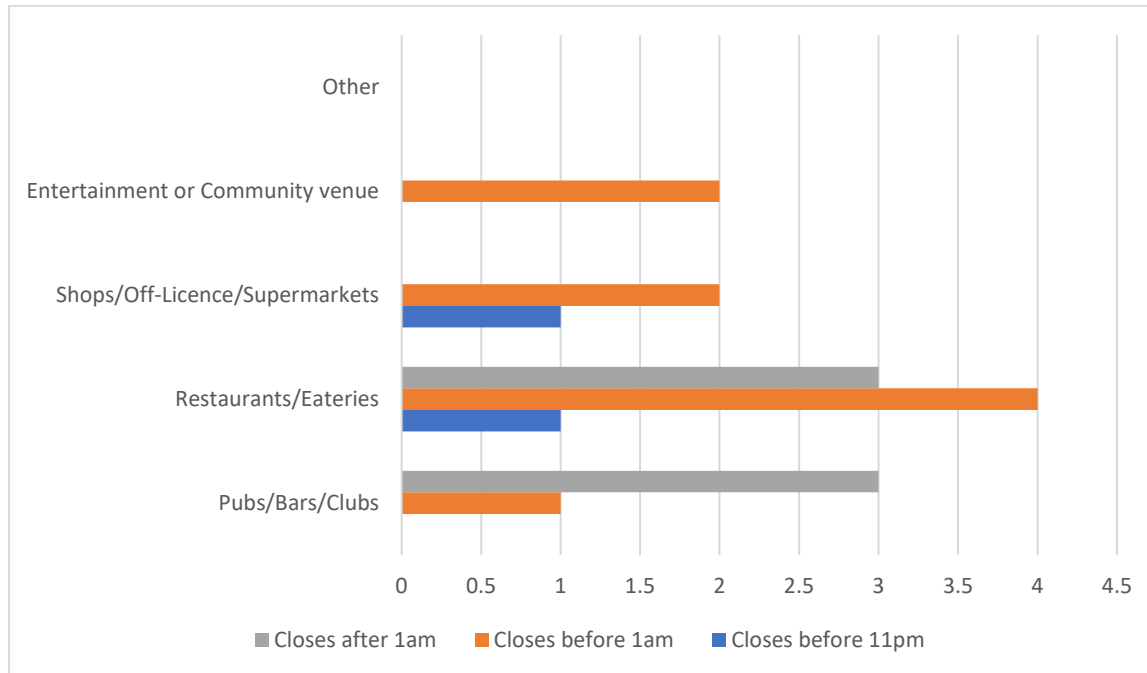
Newmarket – Make up of licenses within CIA area:



Newmarket – Type of licence by location:



Newmarket – Breakdown of High Street licensees opening hours:



## New licenses and variations, 2017-2023

<b>CIA</b>	<b>Location</b>	<b>New licence or Variation</b>	<b>Date</b>	<b>Opening times or variations requested</b>
BSE	Guildhall, Guildhall Street	New licence	May, 2018	Opening times: Mon-Sat – 8am – 1am Sunday – 8am – 12pm
	Mariarty's, 3 Whiting Street	New licence	October, 2019	Opening times: Sun-Wed – 9.30pm Thursday – 10.30pm Friday-Sat – 11.30pm
	The Northgate, 13-14 Northgate Street	Variation	November, 2020	Extending opening hours to midnight on all Bank holidays
	Nowton Park, Nowton Road	New licence	August, 2022	Opening times: Mon-Sat – 11am – 12pm Conditions: Limited to 5 events per annum
	Everyman Cinema, 3 Charter Square	New licence	April, 2023	Opening times: Mon-Sun – 8am – 3am.
Newmarket	Regent Place, 122 High Street	New licence	May, 2018	Opening times: Mon-Sun – 9am – 1.30pm
	5 All Saints Road	New licence	July, 2022	Opening times:

CIA	Location	New licence or Variation	Date	Opening times or variations requested
				Friday-Sat – 11pm – 1am Conditions: Windows to remain closed. Noise inhibitors to be installed. Clientele to arrive and leave promptly and quietly.
	USA Chicken, 94 High Street	Variation	October, 2022	Variations: Late night refreshments: Thurs-Sat – 8am – 2am Wed – 8am – 12pm Conditions: 2 SIA registered door staff to be employed Thurs-Sat, 11pm – 2am.

## Examples from other councils

49. It is also worth considering the example of other councils that have decided to remove their CIAs.

### Bournemouth, Christchurch and Poole Council

50. In November 2020, Bournemouth, Christchurch and Poole Council made the decision to remove the existing cumulative impact policy in force in certain areas of Bournemouth, as part of their licensing policy consultation. This included the town centre, as well as the Boscombe and Charminster Road areas previously covered by a CIA.

51. Bournemouth had four cumulative impact areas (CIAs). Licensing solicitor Philip Day, of Horsey Lightly Fynn, told the council's licensing board this was putting people off because they thought it would be too difficult and expensive to get a licence.

52. Solicitor quoted the example of 'Dusk Till Dawn' in Old Christchurch Road, which was closed after its licence was revoked by the council's licensing board:

53. *"There is now an empty building in the middle of Old Christchurch Road. A number of people have approached me and asked, 'What do you reckon?' but the answer is 'It's almost a certainty you will get an objection.*

54. *'The prospects of getting past the council are not good. It's almost certain to go to appeal, so how deep are your pockets?' There are very few people prepared to take that risk, it does seriously put people off.*

55. *As a result, there are an increasing number of former nightclubs in town where the prospects of them reopening are very poor indeed."*

56. The council stated, however, if any relevant evidence is provided for a cumulative impact area it would be reviewed and the appropriate CIA assessment and consultation to include any new areas be undertaken.

57. It is worth noting that the decision made was against the advice of the police.

58. The Dorset Police stated:

59. *"The cumulative impact zones are a significant tool that helps us and helps you and helps local communities reduce crime in that area.*

60. *This is assisting us and assisting you to make Bournemouth a safer place.*

61. *The cumulative impact statement doesn't give carte blanche to ban all premises from the town, it just allows for a better consideration of the applicants that are going into the area. It also makes operators think about how they can operate responsibly."*

### Birmingham City Council

62. In December 2021, Birmingham City Council made the decision to remove the existing cumulative impact special policy in force in areas of Birmingham as part of a wider licensing policy consultation.

63. The full review, including Cumulative Impact Assessment (CIA) was due to be commenced in the spring of 2020 as part of the statutory requirement to review licensing policies at least every five years. However, due to "urgent operational



matters resulting from the Coronavirus Pandemic” the council was not able to progress a full consultation.

64. Therefore, an interim licensing policy 2020 was issued, following a short consultation, which took effect from December 2021.

65. A key change is that the existing cumulative impact special policy and designated areas were removed. The cumulative impact policy covered special policy areas for Broad Street, Hurst Street and Arcadian, Central Moseley, Erdington and Digbeth.

66. The council stated in its interim licensing policy report that they have been unable to carry out CIAs due to the Coronavirus pandemic as extensive timely data is required to establish the required evidence for the introduction or maintenance of a CIP, and much of that evidence is not available (as many licensed premises have not been operating or operating on restricted hours). Given this, they therefore removed the existing cumulative impact special policy and designated areas from the interim licensing policy until a full CIA takes place.