

Consultation on changes to Eastbourne Borough Council's Statement of Licensing Policy Cumulative Impact Assessment consultation report

December 2021

Background

From 20th October 2021 to 6th December 2021 we consulted on proposed changes to our Statement of Licensing Policy Cumulative Impact Assessment (CIA).

The Licensing Act 2003 ("the Act") requires Licensing Authorities to prepare and publish for a five-year period, a Policy for their area which apply when exercising its functions under the Act. Eastbourne Borough Councils current Licensing Policy runs from 2019-2024.

Licensing Authorities must review special policies (the CIA comes into this category) regularly. Section 5A (12) of the Licensing Act 2003 and Home Office Guidance issued under Section 182 Licensing Act 2003 states this should be every three years for such policies.

This consultation is purely about the CIA element of the Statement of Licensing Policy.

How we consulted

- We carried out a public consultation from 20th October to 6 December 2021.
- We published a page on the Borough Council website which included the background to the review and the draft guidance.
- We provided an online survey for respondents to structure their feedback and made the offer of providing paper copies of this on request.
- We also offered the consultation information in different languages and formats.
- We publicised the consultation through the local media, our social media channels, via the council's website and by email to the council's consultation mailing list.

Next steps

- This report will be published on the council website.
- The report will be taken to the Licensing Committee on 17th January 2022.
- An updated Statement of Licensing Policy will be submitted to Full Council for approval and published on our website.

Appendix 2

Survey Findings

1. Please tell us in what capacity you are responding to this consultation:

Answer Choices		Response Percent	Response Total
1	An individual	93.62%	44
2	An organisation	6.38%	3
		answered	47
		skipped	0

2. The Council must review its Cumulative Impact Assessment (CIA) every three years. Please indicate which one of the following options you most support? Please note, the principles referenced in option d would be: Premises applying for a new licence or variation to their existing licence will not be authorised to have an outside area open after 11pm. Premises applying for a new licence or variation to their existing licence will not be authorised for sale of alcohol for consumption 'off the premises only' after 11pm. Premises applying for a new licence or variation to their existing licence will not be authorised for late night refreshment after 1am (on or off premises) save in exceptional circumstances. Premises applying for a new licence or variation to their existing licence will not be authorised for the sale of alcohol for consumption on the premises or regulated entertainment after 2am. Premises applying for a new licence or variation to their existing licence that wish to sell alcohol for consumption on the premises between midnight and 2am will be expected to provide where appropriate the provision of CCTV and SIA door staff in their Operating Schedules. Premises applying for a new licence or variation to their existing licence that wish to provide regulated entertainment on the premises between midnight and 2am hours will be expected to provide where appropriate the provision of CCTV, SIA door staff and a Noise Management Policy in their Operating Schedules.

Answer Choices		Response Percent	Response Total
1	a) Keep the current Cumulative Impact Assessment	35.56%	16
2	b) Change the area covered by the current Cumulative Impact Assessment (map of zone is included as part of the current policy in Appendix 1)	4.44%	2
3	c) Remove the whole Cumulative Impact Assessment part of the policy at this time with an option to reintroduce if it becomes necessary.	8.89%	4
4	d) Remove the current Cumulative Impact Assessment part of the policy but replace with a set	48.89%	22

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	of principles (set out above) that the Licensing Authority would expect to be considered on all new or variation applications.		
5	None of the above (please tell us your reasons why):	2.22%	1
		answered	45
		skipped	2

Do you have any comments about the options presented above? (6)

1	Now all it needs is for it to be enforced
2	It's better to keep the Cumulative Impact Assessment as anti-social behaviour had hugely increased and the Police need to be able to be involved in each decision. The xxxx at The xxxx is turning what was a very quiet area into a nightmare and they don't care when you call them. With Covid, bars are leaving windows and doors wide open for ventilation but refuse to turn down the volume of music impacting their neighbours. Residents in the Town Centre have a right to quiet enjoyment of their homes and need the police to be involved in ALL decisions. Just in the last fortnight, we have had drug use and dealing by our home, numerous episodes of shouting/screaming past midnight, vomiting AND defecation near our home, (utterly disgusting) and a few nights ago a man urinated all over our front gate and into our entrance (blind drunk coming out of The *** Bar) meaning I had to go outside at 1am with a water hose to try to clean it all down before others (postman etc) ending up touching the gate. The anti-social behaviour from those pouring out of bars is out of control and definitely needs the input of the Police to ensure we as local residents aren't overwhelmed by anti-social behaviour by those pouring out of bars, clubs, pubs. What is also concerning is that bar owners now seem to care little as they are much more concerned about making money than caring about their neighbours and some are playing live music well beyond what their licence allows. Please keep the Cumulative Impact Assessment so that the Police can always be involved to try to cut down the huge amount of anti-social behaviour which is hellish for town centre residents. Thank you.
3	I live on Susans Road in the centre of town. The police need to be involved in making decisions around licensing as this largely residential area away from the main drag struggles to cope with the impact of the number of places with licences as it is e.g anti social behaviour.
4	This is watered down. We have lived with excessive loud music and shouting customer noise from nearby beer gardens, the council has done very little over the last 6 months. And still, why allow options of 2am!? Eh, no, this is not solving any ASB or attached problems in late venues. This is all so disappointing.

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8	75 +	9.09%	3
9	Prefer not to say	0.00%	0
		answered	33
		skipped	14

6. What is your sex?

Answer Choices		Response Percent	Response Total
1	Male	50.00%	16
2	Female	46.88%	15
3	Other	3.13%	1
		answered	32
		skipped	15

7. What is your ethnic group? Ethnic groups are defined by the 2011 census

Answer Choices		Response Percent	Response Total
White			
1	English/Welsh/Scottish/Northern Irish/British	90.63%	29
2	Irish	0.00%	0
3	Gypsy or Irish Traveller	0.00%	0
4	Any Other White background	6.25%	2
Mixed/Multiple Ethnic Groups			
5	White and Black Caribbean	0.00%	0
6	White and Black African	0.00%	0
7	White and Asian	0.00%	0
8	Any Other Mixed background	0.00%	0
Asian or Asian British			
9	Asian/Asian British	0.00%	0
10	Indian	0.00%	0
11	Pakistani	0.00%	0
12	Bangladeshi	0.00%	0
13	Chinese	0.00%	0
14	Any Other Asian background	0.00%	0

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Black/African/Caribbean/British Black			
15	African	0.00%	0
16	Caribbean	0.00%	0
17	Any Other Black/African/Caribbean background	3.13%	1
Other ethnic group			
18	Arab	0.00%	0
19	Any Other Ethnic Group (please specify):	0.00%	0
		answered	32
		skipped	15
Any Other Ethnic Group (please specify): (0)			
No answers found.			

8. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Answer Choices		Response Percent	Response Total
1	Yes, limited a lot	9.09%	3
2	Yes, limited a little	15.15%	5
3	No	75.76%	25
		answered	33
		skipped	14