



	<ul style="list-style-type: none"> Extended the licensing exemption for live music, integral to a performance of Morris Dancing or dancing of a similar type, so that the exemption applies to live or recorded music instead of unamplified live music.
10.	The Cumulative Impact of a Concentration of Licensed Premises
10.1	The commercial demand or "need" for particular types of licensed premises is a matter for planning consideration, or for the market to decide. It is not a matter for consideration as part of the Councils licensing function.
10.2	Although each new premises application will be considered on its own merits, the Licensing Act does allow the Council to consider the issue of 'cumulative impact' in a given area in relation to the promotion of the licensing objectives. The Council will therefore consider representations on applications relating to new premises licences and club premises certificates or for material variations of existing licences/certificates, on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
10.3	The Licensing Act allows the Council to declare a special policy, referred to as a Cumulative Impact Policy (CIP) designating an area or areas as saturated, whereby the presumption would be to refuse any more licensed premises within that area.
10.4	The Council is aware of the link between an increase in licensed premises within the city centre and the potential for violent crimes and anti-social behaviour.
10.5	As a consequence of the number of late-night premises within the city centre, the Council and Staffordshire Police have adopted many special measures to deal with any resulting crime and anti-social behaviour. These have included additional police resources at times of peak demand, taxi marshals, supporting a street pastors scheme, and playing an active role in supporting a business led Nightlife Partnership aimed at reducing crime.
10.6	One of the Council's key objectives is to seek a reduction in crime and disorder throughout Stoke-on-Trent, consistent with its statutory duty under section 17 of the Crime and Disorder Act 1998, and an improvement in local amenity through the reduction of anti-social behaviour.
10.7	In view of the findings of a member led task and finish examination of the City Centre night time economy and representations from Staffordshire Police, the Council has declared a CIP for the City Centre (Hanley) area, which applies to all of the premises within the ring road boundary marked red on Map 1. In 2016 the Council declared a second CIP for Burslem town centre, which applies to all of the premises within the area marked red on Map 2, and these maps are attached as Appendix 3.
10.8	Where relevant representations have been received about applications for the licensing of properties within the CIP area, the licensing sub-committee will consider whether to refuse the application if it appears that the application is likely to add to the existing problems of crime and disorder in the area, or if public nuisance is more likely than not to be caused.
10.9	As part of the cumulative impact policy, the licensing sub-committee will not consider whether or not there is a need for any particular type of premises, but

	it will consider the cumulative impact a new premises licensed to sell alcohol or applications to vary existing licences would have on the designated area.
10.10	It will be for applicants to demonstrate to the Council that their application will not add to the existing cumulative problems of crime, disorder and nuisance within the designated area.
10.11	In general, the Council wishes to encourage entertainment that appeals to all age groups and not just 18-25s, in the city centre and discourage anti-social behaviour especially that associated with excessive alcohol consumption.
10.12	<p>Even in the light of valid representations, acceptable grounds for exceptions to be considered may include:</p> <ul style="list-style-type: none"> • The applicant can demonstrate that the primary activity in the premises will not be the consumption of alcohol. This may be evidenced by the general nature of the business activity e.g. restaurant or other considerations such as the proportion of the floor space available for other activities that do not involve alcohol consumption and/or • The applicant can demonstrate that the general age profile of customers will be 25+ and/or family groups. The committee may consider evidence such as marketing plans showing examples of advertising and promotions.
10.13	Where an applicant wishes an exception to be considered, the responsibility is on the applicant to show why an exception should be considered, not on the committee to demonstrate why an exception should not be made.
10.14	<p>Where the Licensing Authority's discretion is engaged, grounds that will not be considered as an exception to the policy include:</p> <ul style="list-style-type: none"> • That the building design will be of a high standard. It is assumed that all applicants will want to ensure the highest design standards possible. • That the applicant is of good character. It is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must hold a personal licence to sell alcohol. • The premises are small. A small business can still contribute to crime, disorder and nuisance suffered by interested parties in the vicinity of the special saturation area.
10.15	If any external representations concerning the adoption of any additional cumulative impact policies are received then the Council will give them serious consideration. However the onus will be placed on the objector, namely the individual or organisation making the representation, to provide an evidentiary base for the assertion that the addition of the premises in question would produce the cumulative impact claimed. The differing characteristics of licensed premises have a different impact on the local community; these factors will be taken into account in judging whether or not to adopt a cumulative impact policy.
10.16	If a cumulative impact policy were being proposed, then consultation (similar to the consultation undertaken on the Council's Licensing Policy) would be undertaken before any decision was taken. Such a policy would also be subject to regular review and as a matter of course would be reviewed with the Council's Licensing Policy.