

Derby City Council

Cumulative Impact Renewal Report

Prepared by

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Report – Cumulative Impact

Cumulative Impact refers to the detrimental effect on the promotion of the licensing objectives caused when a significant number of licensed premises, particularly “vertical drinking” establishments are concentrated in one area. This can impact on crime and disorder or public nuisance in that area.

A Cumulative Impact Policy creates “a rebuttable presumption that any new application for a premises licence or major variation of one within a specific area, likely to add to the existing cumulative impact, will be refused.”

Derby City Council published a cumulative impact policy as part of its second statement of licensing policy after extensive consultation. In October 2011, this policy was applied to an area known as a cumulative impact zone (CIZ) within the Derby City Centre. Because of continued evidence of alcohol fuelled crime and antisocial behavior in Derby City Centre, the Derbyshire Constabulary acting as a “responsible authority” feel it necessary to request that the Licensing Authority retain the existing special policy in its current statement of licensing policy.

At this time there are in excess of 80 clubs/bars and restaurants that open in this zone after midnight on busy weekends, there are also over 15 late night refreshment establishments and 5 hotels, these coupled with the 50 off licences within the CIZ make for a significant amount of licenced premises in what is a relatively small geographical area.

These licensed premises are spread across the highlighted zone with clustering’s in the City Centre area and to the perimeter of the zone as defined by the inner ring road. It is the view of the police that the issues identified and still experienced have a potential to exacerbate should the appropriate control measures that currently exist not be in place.

It is the position of the Derbyshire Constabulary that the use of the Cumulative Impact Zone continues to be utilised as part of the Licensing Policy for the City Centre area. This policy has already proved a positive step forward in promoting the licensing objectives for the area. The Policy is not seen as a bar or “Iron Curtain” approach to prevent future development but as a supportive measure to enable positive future growth that will compliment licensed premises that already exist within the City Centre.

Since the introduction of the CIZ within the Derby City Council Licensing Policy there is evidence enough to show that the policy has been utilised when necessary with good intent, and as intended. The CIZ has not been abused and Premises Licence applications have

been supported when they have been submitted evidencing the criteria expected on type and times of licensable activities within the operating schedule.

Embers, Sadler Bridge Studios, The Forge, Byron Hamburgers and more recently Turtle Bay are all testaments to the policy being appropriately used and have all successfully opened new businesses within the restricted zone. The applications were made in a way that satisfied the responsible authorities that there would be little or no chance of cumulative impact being caused by the licenses being issued.

The implementation and positive use of the Cumulative Impact Zone has also sent out a clear message of the high standards that are expected to be met from licensed premises within our vibrant, thriving Night Time economy. It has helped encourage a more diverse range of licensed activity within the City Centre and has helped in the award of the prestigious "Purple Flag" status for the City of Derby.

The CIZ has proved to be a practical tool which has assisted the police licensing team and the other responsible authorities to object to less favourable applications. These, when submitted have shown little or no desire to meet with the criteria of the policy and to give good reason why the application should be approved. The good reason in the majority of instances is that the applicant has failed to discharge their burden – the "rebuttable presumption" – that their proposal will not increase the negative impact within the area covered by the policy.

The current CIZ policy was extended to include "Off Licenses". Off Licenses can have a severe negative impact on the community at large, with cheap alcohol being made available for "Street Drinkers" and for pre-loading and post drinks on a night out.

Numerous applications have been received by the responsible authorities for new (off) premises licenses within the CIZ. It appears there is an opening in the market to make a quick profit from the retail supply of alcohol. If all of the applications that the police received were approved without scrutiny, the City Centre would be saturated with cheap alcohol thereby fueling anti-social behavior and crime and disorder.

The police have successfully rebuffed new applications or enquiries for The Charcoal Grill as well as new premises which are situated on Exchange Street and Friargate. Police have reviewed with success the Premises Licenses for Friargate News, Baltikum and Abbey News.

Without the policy currently in place these premises and others would have Premises Licenses issued without any form of control. They would further saturate the City Centre and add to the existing issues being experienced through alcohol off sales.

There is evidence to suggest that an increase in licensed venues across a relatively small geographical area increases the level of crime and disorder and anti-social behaviour. This in turn also has a direct impact of the feelings of safety within a community.

As part of this submission, attached is analytical data recorded around incidents of Crime and Disorder and Anti-Social Behaviour within the area covered by the current Cumulative Impact Zone.

The data concerns all; a) Crime and Disorder b) Anti-Social Behaviour c) Alcohol Related Crime by financial year starting in 2007/08. It must be pointed out that many of the markers for things such as "alcohol" were not embedded into the system as search criteria until after this date.

The hours that were used in the search criteria ranged from 23:00hrs through to 06:00hrs these times are typically regarded as Derby Cities Night Time Economy (NTE).

The report shows that there has been a decrease in NTE crime between 2009/10 and 2014/15 with a reduction of 23.2%, a total of 310 offences.

There was also a significant reduction of 26.5%, a total of 270 incidents in NTE Antisocial Behaviour and also noted was a small reduction in NTE alcohol related crime. This statistic however is reliant on the relevant "alcohol" marker being applied to the initial record/report.

Also considered in the renewal of the Cumulative Impact Zone is the Cardiff Data supplied by the Public Health, Derby City Council. This is the national data sharing strategy for violent crime prevention whereby the Health Service, via Royal Derby Hospital Emergency Department share information related to alcohol related harm attendances with Public Health who in turn enable the police to assess risk and target resources. This is anonymised information taken from patients and includes time, date, location of assault and the weapon used.

In 2010, at the commencement of the Cumulative Impact Zone, Derby was the 2nd worse area in the East Midlands for alcohol related hospital admissions. Between 2009 – 2010 there was a 184% increase in the number of persons receiving alcohol treatment however following the introduction of the Cumulative Impact Zone between 2012 -2013 the number of

alcohol admissions reduced from 2125 to 1375, a 14% decrease. Also alcohol related crime has reduced from 2710 in 2008/09 to 765 in 2012/13.

Whilst data has shown a reduction in alcohol related crime and admissions over the period the Cumulative Impact Zone has been in place, the most recent Cardiff update (attached) which provides data from February 2015 to April 2015 goes some way to show the necessity for the policy to remain. There have been 40 recorded alcohol related incidents during this latest period. 19 of these incidents have taken place within the city centre over a Friday or Saturday night between 2000 hours to 0500 hours. 60% of all the recordable offences have also taken place on the road or pavement outside licensed premises with 18% taking place inside either a bar, pub or club. The majority concentrated around the city centre area.

Derby City Public Health acting as a Responsible Authority support the request by Derbyshire Constabulary for the Licensing Authority to retain the existing special policy in its current statement of licensing policy.

The statistics support the theory that the CIZ is having a positive effect in helping to reduce crime and disorder within the City Centre. At the very least it would demonstrate that it has been effective in helping to prevent an escalation in incidents that would no doubt have occurred should applications not be required to undertake the scrutiny outlined in the policy.

As the area has developed over the past few years the CIZ has helped to increase its offer of diverse entertainment and has benefited in the mix and variety of people being attracted to the area to work and socialise.

The police strongly endorse the Council's stance on incorporating the CIZ within the Licensing policy. We would however request consideration be given to amend the wording. Having dealt with numerous legal teams defending their client's applications, it has become apparent that the wording of the policy may not be strong enough to divert scrutiny. The police would therefore suggest there be a presumption to refuse any application unless there are exceptional circumstances. The policy at this time does not go that far. We also ask that the policy makes it clear that well run or managed premises are not considered exceptional for this purpose.

Wording to be considered at 2 "The effects of the policy"

"Whilst the policy will not be applied inflexibly the circumstances in which the Authority may be prepared to depart from it will need to be genuinely exceptional and directly related to the reasons why the policy was adopted initially. An application is not likely to be classed as exceptional merely on the grounds that the premises have been or will be operated within

the terms of its licence or that they are or will be well managed. This is to be expected of any application. An example of the type of application which might be granted could be where premises are being re-located or act as a direct replacement for others which have or will surrender their licence and where the impact is likely to be similar to the original location."

Analytical Data

- **Data Summary Table**

All Crime and Disorder

ASB

Alcohol Related Crime

Pre/Post CIZ data by year for Alcohol Related Crime & ASB

- **Graph - All Crime in NTE By Year and Day (DN03)**
- **Graph - Alcohol Related Crime – During NTE (DN03)**
- **Graph - ASB Related Issues during NTE (DN03)**
- **Table- Summary of Incident Count by week pre/post CIZ**
- **Cardiff Data Update February 2015 – April 2015**

Derby City (DN03)

2300hrs to 0600hrs	2010/11	2011/12	2012/13	2013/14	2014/15	Average
All Crime and Disorder	1514	1307	1192	1106	1029	1229.6
Anti-Social Behaviour	1019	1033	880	860	750	908.4
Alcohol Related Crime	553	499	500	513	450	503

2300hrs to 0600hrs	2007/08	2008/09	2009/10	Average
All Crime and Disorder	1610	1231	1339	1393.3
Anti-Social Behaviour	1067	1011	1020	1032.7
Alcohol Related Crime	185	448	457	363.3

ALL Crime by Day
(see Graph 1)

Derby City (DN03)

pre
initiative

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	Percentage reduction (2014/15 to 2009/10)
2300hrs to 0600hrs									
Monday	131	90	94	99	68	87	85	86	-8.5%
Tuesday	152	90	79	105	80	82	70	49	-38.0%
Wednesday	69	55	63	72	72	50	68	63	0.0%
Thursday	146	100	110	156	132	96	107	107	-2.7%
Friday	198	159	156	135	120	90	102	88	-43.6%
Saturday	423	366	402	452	359	350	305	267	-33.6%
Sunday	491	371	435	495	476	437	369	369	-15.2%
			1339					1029	-23.2%

Alcohol Related Crime

pre
initiative

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	Percentage reduction (2014/15 to 2009/10)
2300hrs to 0600hrs									
Monday	12	23	27	34	15	29	31	31	14.8%
Tuesday	21	29	18	39	26	23	23	15	-16.7%
Wednesday	5	7	14	12	25	11	28	19	35.7%
Thursday	13	40	28	50	47	42	51	49	75.0%
Friday	18	64	39	37	43	30	45	31	-20.5%
Saturday	57	137	145	172	136	162	153	114	-21.4%
Sunday	59	148	186	209	207	203	182	191	2.7%
								450	-1.5%

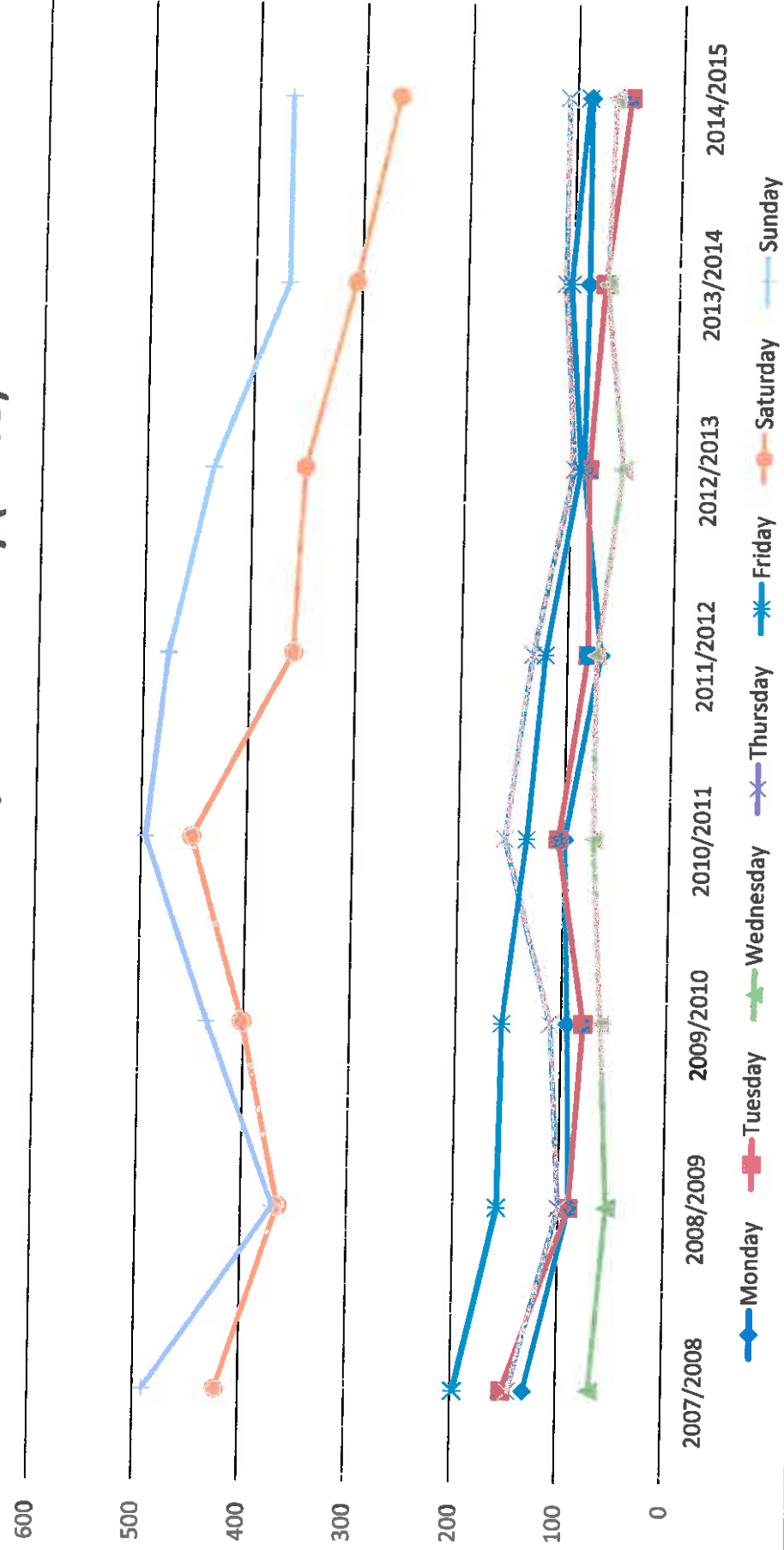
ASB

pre
initiative

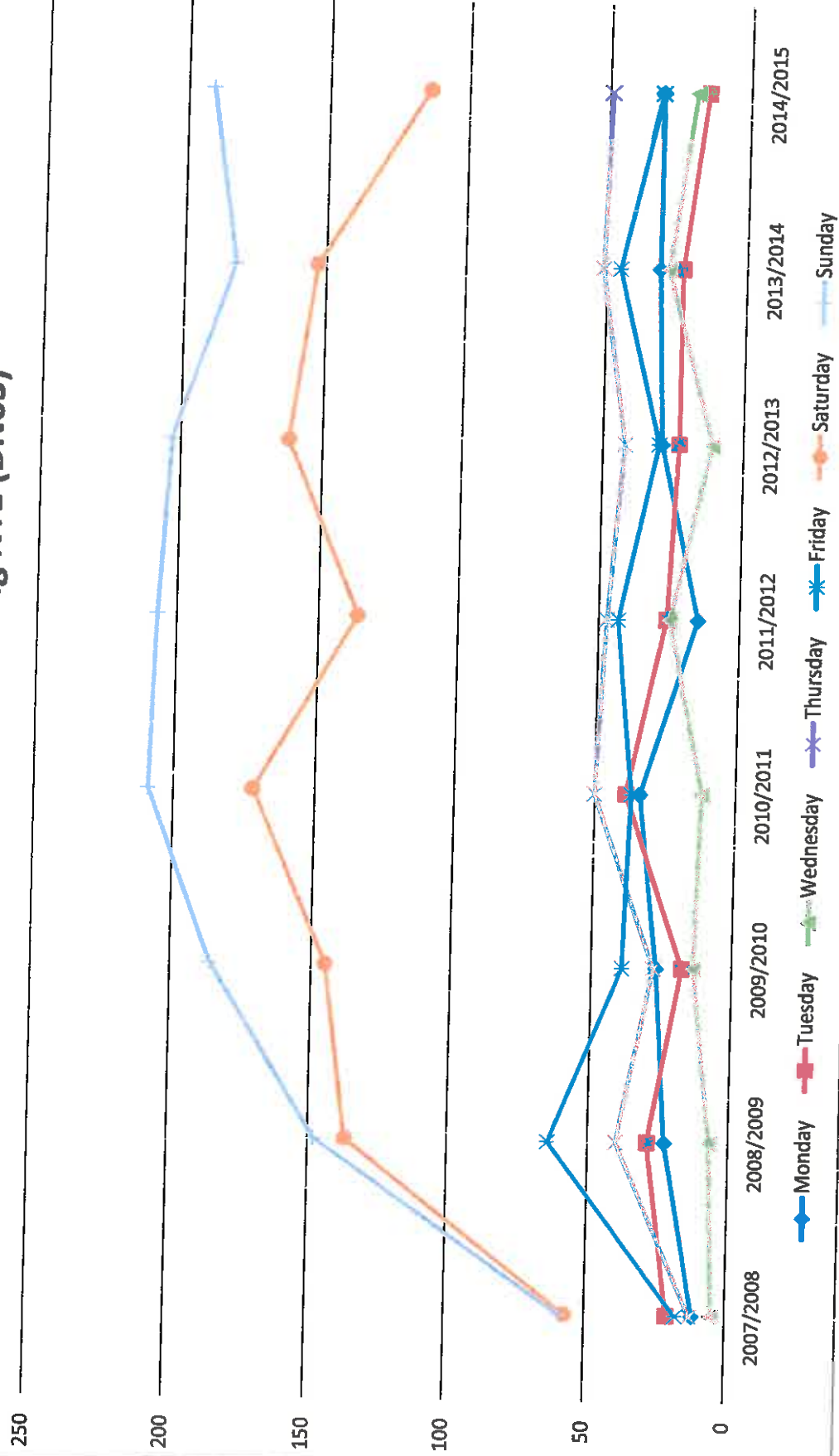
	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	Percentage reduction (2014/15 to 2009/10)
2300hrs to 0600hrs									
Monday	92	60	67	88	84	76	59	57	-14.9%
Tuesday	90	81	67	78	100	77	74	53	-20.9%
Wednesday	58	63	56	57	62	60	58	53	-5.4%
Thursday	90	107	117	118	109	95	90	91	-22.2%
Friday	139	134	136	111	103	84	82	67	-50.7%
Saturday	268	269	278	270	285	223	233	182	-34.5%
Sunday	330	297	299	297	290	265	264	247	-17.4%
								750	-26.5%

1020

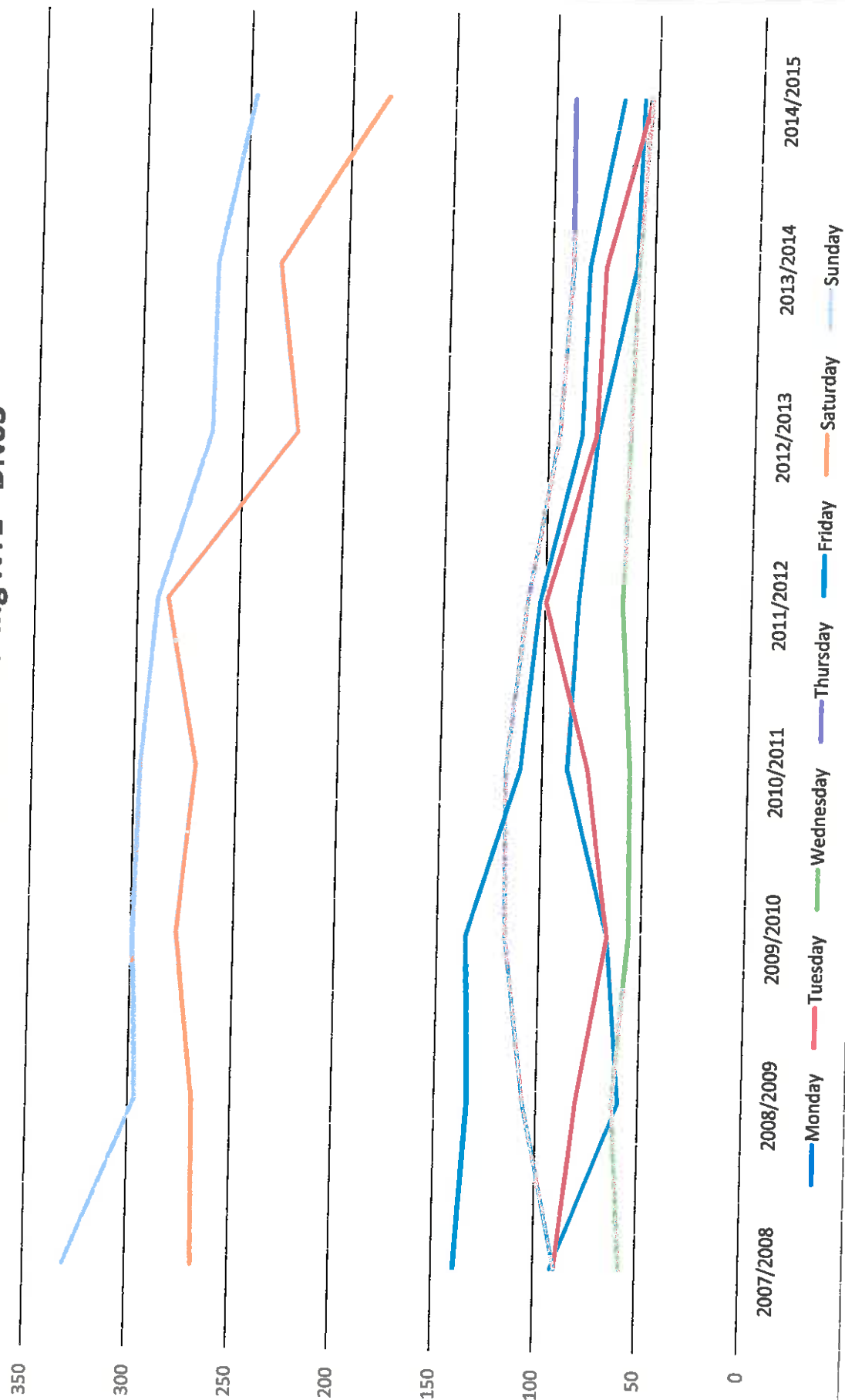
All Crime in NTE By Year and Day (DN03)



Alcohol Related Crime - During NTE (DN03)



ASB - related issues during NTE - DN03



Sum of Incident Count		Column Labels								
Row Labels	2007/08	2008/09 2009/10 2010/11 2011/12 2012/13 2013/14 2014/15 Grand Total								
MONDAY	92	60	67	88	84	76	59	57	583	
TUESDAY	90	81	67	78	100	77	74	53	620	
WEDNESDAY	58	63	56	57	62	60	58	53	467	
THURSDAY	90	107	117	118	109	95	90	91	817	
FRIDAY	139	134	136	111	103	84	82	67	856	
SATURDAY	268	269	278	270	285	223	233	182	2008	
SUNDAY	330	297	299	297	290	265	264	247	2289	
Grand Total	1067	1011	1020	1019	1033	880	860	750	7640	

Briefing Paper: Cardiff Data Update; February '15 – April '15

May 2015

1 Summary

In Derby there were 40 recorded alcohol-related incidents between February 2015 and April 2015. This paper provides a high-level summary of the intelligence that has been gathered to date. The data has also been analysed in the context of the City's 'Purple Flag' metric; defined as incidents taking place within the city centre over a Friday or Saturday night between 8pm and 5am. There were 19 purple flag incidents recorded between February and April 2015.

2 Premises

Table 1: Location type of all incidents

Location Type	Number of Incidents
Road/Pavement	24
Bar/Pub/Club	7
Home	4
Care Establishment	2
Petrol Station	1
Indoor Sporting Facility	1
Hotel	1
Grand Total	40

Table 2: Location type of purple flag incidents

Location Type	Number of Incidents
Road/Pavement	3
Bar/Pub/Club	6
Home	1
Petrol Station	1
Indoor Sporting Facility	1
Hotel	1
Grand Total	19

60% of all recorded offences have taken place on the road/pavement, outside of licenced premises. The second most common location type is inside a bar/ pub/ club (18%). In contrast this location accounts for 32% (n=6) of purple flag incidents.

Table 3: Locations of all incidents

Location name	Number of Incidents
30 Colles Close, Derby	2
The Walkabout Inn, Derby	2
Market Place, Derby	2
14 Poole Street, Derby	1
The Oak and Acorn, Derby	1
Royal Derby Hospital	1
175 Victoria Avenue, Derby	1
Uncle Tom's Cabin, Derby	1
9-11 Market Place, Derby	1
Nottingham Road, Derby	1
Agard Street, Derby	1
The Coronation Hotel, Derby	1
Bishops Drive, Derby	1
18 Sinfon Avenue, Derby	1
Church Street, Derby	1
Wardwick, Derby (area)	1
Mansfield Road, Derby	1
19 Abbey Street, Derby	1
Midland Road, Derby	1
Commarket, Derby	1
Nottingham Road, Chaddesden, Derby	1
Crewton Way, Derby	1
Peel Street, Derby	1
Derby Canal Path, London Road, Derby	1
Temple Street, Derby	1
Grange Road, Derby	1
The Jorrocks, Derby	1
Jet Petrol Station, 475 Burton Road, Derby	1
The Strand, Derby	1
Kipling Drive, Derby	1
Trocadero Court, Normanton Road, Derby	1
Lola LO Nightclub, Derby	1
Wardwick Tavern, Derby	1
London Road Community Hospital	1
Willow Row, Derby	1
Lyndhurst Bar, 264 Normanton Road, Derby	1
Macklin Street, Derby	1
Grand Total	40

Table 4: Location of purple flag incidents

Location name	Number of Incidents
The Walkabout Inn, Derby	2
The Coronation Hotel, Derby	1
Macklin Street, Derby	1
178 Victoria Avenue, Derby	1
The Oak and Acorn, Derby	1
9-11 Market Place, Derby	1
Wardwick, Derby (area)	1
Agard Street, Derby	1
Mansfield Road, Derby	1
Commarket, Derby	1
The Jorrocks, Derby	1
Crewton Way, Derby	1
The Strand, Derby	1
Jet Petrol Station, 475 Burton Road, Derby	1
Wardwick Tavern, Derby	1
Kipling Drive, Derby	1
14 Poole Street, Derby	1
Lola LO Nightclub, Derby	1
Grand Total	19

Overall, there was no single common location for alcohol-related assaults for this period. The Walkabout Inn was the most common location for purple flag incidents, although this location exceeded the others by one episode.

3 Method of Assault

Table 5: Method of assault overall

Method of Assault	Number of Incidents
Fist	16
Other weapon	5
Not known/refuses to say	4
Bottle	3
Knife	2
Combination of body parts	2
Feet	2
Teeth	2
Pushed	1
Trip/fall	1
Any blunt object	1
Head	1
Grand Total	40

Table 6: Method of assault for purple flag incidents

Method of Assault	Number of Incidents
Fist	7
Other weapon	2
Not known/refuses to say	2
Bottle	2
Knife	2
Teeth	1
Pushed	1
Head	1
Feet	1
Grand Total	19

Tables 5 and 6 reveal that the most common method of assault was using fists for both purple flag incidents and alcohol-related assaults overall.

4 Temporal Patterns

Chart 1: Month of Incidents

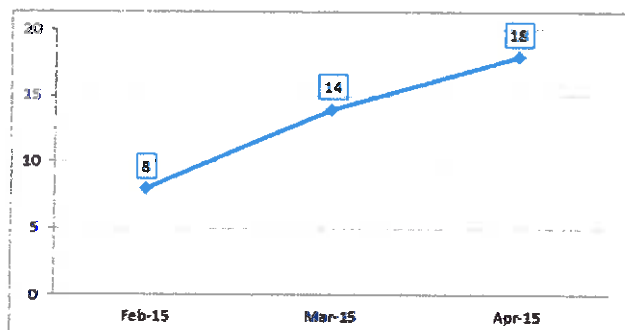


Chart 2: Day of Incidents

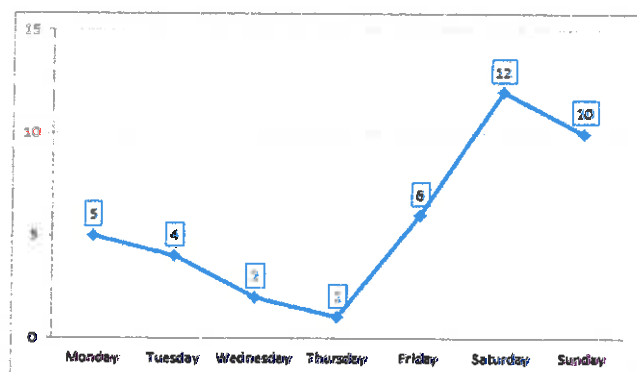
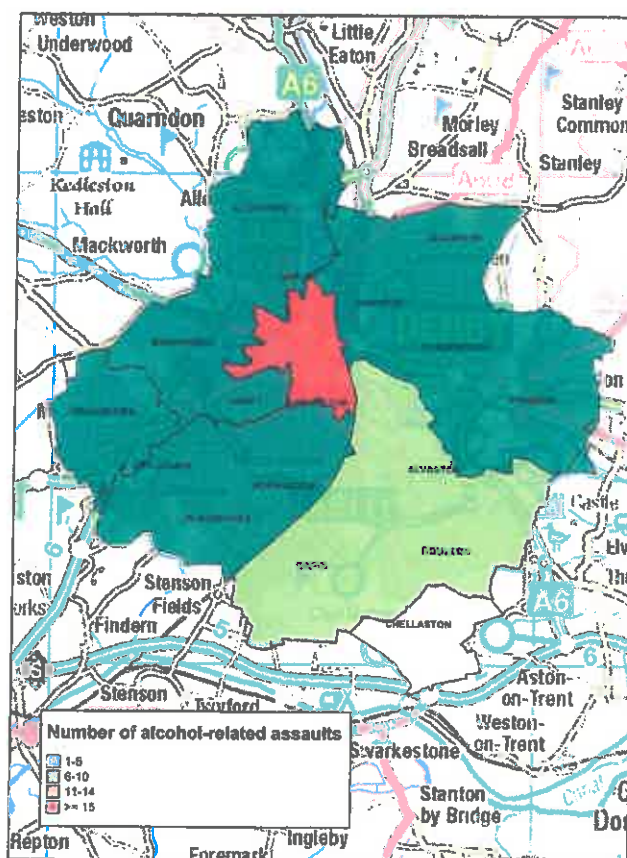


Chart 1 highlights a gradual increase in the number of incidents from February-April. This may be explained by the warmer temperatures over the spring period. Chart 2 demonstrates a peak in the number of offences on a Saturday, which is expected.

5 Mapping of Assaults

Figure 1: Assaults by postcode sector



The map below demonstrates that when grouped by 4-digit postcode sector, the majority of assaults arose within the central areas of Derby as expected. These are particularly concentrated within the DE1 area of Arboretum.

