

# Licensing Committee

**DATE** 05/02/2024  
**REPORT** Carolina Borgstrom  
Director of Economy, Environment & Infrastructure

**SUBJECT** Review of North East Lincolnshire Council's  
Statement of Licensing Policy & Cumulative Impact  
Areas

**STATUS** Open

## CONTRIBUTION TO OUR AIM

### Stronger Community:

- Create a safer and more secure area by working with the police, other responsible authorities and partners to promote the objectives of the Licensing Act.
- Improve health and well-being by working with the responsible authorities and other partners in relation to issues such as alcohol harm, noise control, public and child safety.

### Stronger Economy:

- Strengthen the local economy by providing an environment in which licensed premises can operate effectively.

## EXECUTIVE SUMMARY

This report outlines proposed amendments to North East Lincolnshire Council's Statement of Licensing Policy following a review. The amendments are designed to ensure this statutory document, which sets out the licensing authority's approach to the sale and supply of alcohol and the provision of regulated entertainment and late-night refreshment, is fit for purpose.

As part of the review of this policy, the Licensing Section considered the special policies or Cumulative Impact Areas (CIAs) in place to deal with the cumulative impact of licensed premises in three specific areas of North East Lincolnshire. In a designated CIA the Licensing Authority is satisfied that the number, type and concentration of licensed premises in the areas concerned, have a cumulative impact on the licensing objectives, particularly the prevention of crime and disorder, over and above the impact of the individual licensed premises situated in the area. Following this review and based on the available data the proposal is to remove the Zone 2 CIA (Freeman Street and East Marsh) as it is not supported by the data. In addition, it is proposed to extend the current Zone 3 CIA to cover a wider area of Cleethorpes due to the developments in that area and the supporting data.

This report seeks Committee approval for the policy to be sent out for consultation.

before it is referred to Full Council later in the year.

## **RECOMMENDATIONS**

- That Committee approves the proposal to specify the 2 Cumulative Impact Zones set out in Appendix A to this report.
- That Committee approves the Draft Statement of Licensing Policy to be sent out for consultation.

## **REASONS FOR DECISION**

- Section 5 of The Licensing Act 2003 (the “Act”) requires a licensing authority to prepare and publish a statement of its licensing policy. This should be reviewed every 5 years.
- A Statement of Licensing Policy is essential for the effective administration and enforcement of the Licensing Act.

## **1. BACKGROUND AND ISSUES**

- 1.1 Legislation requires that the licensing authority publishes a statement of its Licensing Policy every five years that sets out the approach the licensing authority will generally apply to promote the licensing objectives when carrying out its functions under the Act.
- 1.1 The 2003 Act requires the licensing authority to carry out its various licensing functions so as to promote the four licensing objectives. The four objectives are the only matters that can be taken into account when determining applications. The licensing objectives are:
  - The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm
- 1.2 The licensing objectives are considered to be of equal importance. In determining applications consideration can only be given to matters which impact on one or more of these objectives.
- 1.3 The Policy Statement is provided to assist applicants to understand what the licensing authority is seeking to achieve through the promotion of the licensing objectives, the factors that influence the licensing objectives and the control measures that could be implemented by applicants to enable them to achieve the licensing objectives. It is also used as a reference for all decisions made by the licensing authority
- 1.4 The full current statement is available here - [Statement of Licensing Policy \(Interim Version\) 2022](#)

- 1.5 The Policy does not undermine the right of any individual to apply under the terms of the Act for a variety of permissions and all applications will be considered on their individual merits. Furthermore, the Policy will not override the right of any person to make relevant representations on an application or to seek to review a licence or certificate where provision has been made for them to do so in the Act.
- 1.6 The Policy has been reviewed in accordance with the provisions of the 2003 Act and having regard to the guidance issued by the Secretary of State under Section 182 of the Act.
- 1.7 The Act requires that the statement of licensing policy is approved by Full Council.
- 1.8 The Act also requires consultation with various stakeholders. Previous details are set out in Section 4.0 and Appendix 2 of the current policy. Consultation is planned for an 8 week period commencing in April 2025 using emails linked to the website with paper copies provided on request. Responses will be considered by Officers and reported back to this Committee prior to referral to Full Council later in the year. Any costs will be minimised and covered by existing budgets.
- 1.9 An interim review of the policy was undertaken during 2022 to ensure it was fit for purpose pending this full review and consultation.
- 1.10 The proposed changes to the policy are set out in Appendix A and these are summarised below:
- A new Safeguarding Section has been added in relation to children and vulnerable persons.
  - A new Modern Day Slavery Section has been added.
  - A new Counter Terrorism Section has been added.
  - The Public Safety Section has been updated to include various new initiatives and current guidance, including reference to drink spiking.
  - The Protection of Children from Harm section has been updated with new contact details.
  - The Cumulative Impact Section has been updated in line with legislative changes and includes the proposed removal of one area (Zone 2 in the current policy) that no longer fulfils the required criteria, and the proposed extension of another area (Zone 3 in the current policy).
  - In addition to the above, the appendices will be updated following consultation.
- 1.11 In order to provide a basis for the CIA proposals, 3 years of Humberside Police Crime Logs were analysed for the areas where there was a potential for a special policy based on number, type and concentration of licensed premises present. Over that period an average of 25% of all alcohol related crime reports

came in the area covered by the proposed extended Cleethorpes Area and 24% from the current Grimsby Area. In the same period 4% were reported in the current Zone 2 (Freeman Street / West Marsh)

- 1.12 In CIA's, there is a presumption that the licensing authority will refuse or impose limitations on relevant applications which are likely to add to the cumulative impact unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives. To be clear this does not mean applications cannot be made or will automatically be refused. Further details are set out in Appendix A.

## **2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES**

**Crime and Disorder** – The policy is required to assist decision making designed to promote the licensing objectives. The prevention of Crime and Disorder is one of the licensing objectives.

**Human Rights/ Equality and Diversity** - The Human Rights of all relevant parties have been considered in the drafting of the policy and the implementation of all procedures in place to administer and enforce the requirements of the Act

**Value for Money** – The drafting of and consultation plans for the Policy has been and will be carried out with due regard to value for money principles.

**The Impact on the Social, Economic and Environmental well-being of the Borough** – Failure to publish a suitable policy could have an adverse effect on the social and economic well-being of the Borough because the licensing objectives could not be properly promoted, and administration of the licensing system could be challenged. It is not believed that the statement itself will have a significant effect on local businesses, as it only sets out general policies. It is only likely to affect businesses and individuals where problems are identified

**Economic Risk** – See above

**Economic Opportunity** – An effective licensing policy that is referred to and followed should help the profitable operation of licensed premises in North East Lincolnshire

## **3. OTHER OPTIONS CONSIDERED**

Charges could be made to the proposed draft policy which will be sent out for consultation

## **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

There are potential positive reputational implications in relation to this decision. An action plan will be agreed with the Council's communications service covering information requirements and communication channels to be utilised

## **5. FINANCIAL CONSIDERATIONS**

There are no direct financial considerations as a result of this report.

## **6. CHILDREN & YOUNG PEOPLE IMPLICATIONS**

The Protection of Children from Harm is one of the licensing objectives and details are contained within the relevant sections of the policy

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

No direct implications

## **8. FINANCIAL IMPLICATIONS**

There are no direct financial implications as a result of this report.

## **9. LEGAL IMPLICATIONS**

9.1 The Local Authority is required to prepare and publish a statement of its licensing policy every five years. The statement is essential for effective administration and enforcement of the Licensing Act 2003, including promotion of the licensing objectives.

9.2 The Policy has been reviewed in accordance with provisions of the Licensing Act and having regard to guidance issued by the Secretary of State under s182 of the Act.

9.3 The Licensing Act 2003 requires consultation with the various stakeholders and requires the Statement of Licensing Policy to be approved by Full Council.

## **10. HUMAN RESOURCES IMPLICATIONS**

. No direct implications.

## **11. WARD IMPLICATIONS**

All Wards

## **12. BACKGROUND PAPERS**

Appendix A: Proposed NELC Licensing Policy Amendments 2025

## **13. CONTACT OFFICER(S)**

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