

Response in relation to the Consultation on the Statement of Licensing Policy

Introduction

The City of Durham Trust is a local civic society and registered charity. Its purpose is to celebrate, protect and enhance the heritage and landscape of the City of Durham. It recognises that the Statement of Licensing Policy for the County of Durham has a significant impact upon the City and the Trust was recently involved in objecting to the licensing application relating to the proposed Stack development in Silver Street, Durham City.

The Trust has been involved in the review of the Statement of Licensing Policy carried out by the City of Durham Parish Council for the purposes of the consultation by the licensing authority and supports fully the Parish Council's case for a specific Cumulative Impact Policy (CIP) in respect of new premises and a new Late Night Levy to fund additional policing and other measures arising from the City's night time economy.

Cumulative Impact

The Trust has observed with concern the increase of licensed premises in the City of Durham over the last five years. We believe that the City Parish now has over 230 active licensed premises. This is a trend which seems likely to continue with major additions planned such as Stack making the concept of cumulative impact of even more importance than may previously have been the case.

For this purpose, the definition of cumulative impact in Chapter 14 the Revised Guidance issued by the Home Office in December 2023 under section 182 of the Licensing Act 2003 (the Home Office Guidance) is adopted here being, "the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area".

The Trust accepts that there is a continuing commercial demand for licensed premises in the City of Durham but agrees that this should not be a relevant matter where licensing is considered and where achievement of the licensing objectives must be the paramount consideration.

Chapter 14 of the Home Office Guidance explains that the purpose of a CIP is to help limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. The Trust believes that a CIP would have a positive impact on the achievement of licensing objectives in the City Centre and would not preclude successful applications for licensed premises on a case by case basis such as for a small restaurant or café or theatre.

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During the consultation phase of the current Statement of Licensing Policy, requests were made for a CIP for the City. A Cumulative Impact Assessment was carried out or completed after the current Statement was approved and published and therefore could not influence its drafting and content. Although the assessment once concluded did not support any modifications to the existing licensing policy, we believe that changes to licensed leisure provision in the Centre mean that a new assessment is now needed. We accept that the need for a CIP needs to be supported by evidence of problems caused or exacerbated by the cumulative impact of licensed premises. We believe that a new assessment needs to be carried out before a revised Statement of Licensing Policy is drafted. It is an issue of fundamental importance to the content of the licensing policy and should not be considered as an afterthought.

Late Night Levy

The Trust has noted the success of the Late Night levy in Northumbria. We believe that it should be the responsibility of holders of premises or club premises licences in the City Centre to pay for the alleviation of some of the issues created by the activities and consequences of customers of such premises. These measures would include additional police hours, neighbourhood wardens, taxi marshals, first aid and street cleaning and initiatives relating to drink spiking and sexual harassment. It would help facilitate existing measures being extended and improved and provide an additional way of dealing with the cumulative impact of the increasing concentration of licensed premises in the City Centre.

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