



Policing and Crime Act 2017

2017 CHAPTER 3

PART 7

ALCOHOL AND LATE NIGHT REFRESHMENT

Licensing

141 Cumulative impact assessments

- (1) The Licensing Act 2003 is amended as follows.
- (2) In section 5 (statement of licensing policy), after subsection (6C) insert—
 - “(6D) In determining or revising its policy, a licensing authority must have regard to any cumulative impact assessments published by it under section 5A.
 - (6E) A licensing statement must—
 - (a) summarise any cumulative impact assessments published by the licensing authority under section 5A, and
 - (b) explain how the licensing authority has discharged its duty under subsection (6D).”
- (3) After section 5 insert—

“5A Cumulative impact assessments

- (1) A licensing authority may publish a document (“a cumulative impact assessment”) stating that the licensing authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority’s duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts.
- (2) A cumulative impact assessment must set out the evidence for the authority’s opinion as set out in the assessment in accordance with subsection (1).

Status: This is the original version (as it was originally enacted).

- (3) For the purposes of this section, “relevant authorisations” means—
 - (a) premises licences;
 - (b) club premises certificates.
- (4) A cumulative impact assessment may relate to all relevant authorisations or only to relevant authorisations of a kind described in the assessment.
- (5) Before publishing a cumulative impact assessment, the licensing authority must consult the persons mentioned in section 5(3).
- (6) For the purposes of the consultation, the licensing authority must provide the persons mentioned in section 5(3) with the following information—
 - (a) the reasons why it is considering publishing a cumulative impact assessment;
 - (b) a general indication of the part or parts of its area which it is considering describing in the assessment;
 - (c) whether it considers that the assessment will relate to all relevant authorisations or only to relevant authorisations of a particular kind.
- (7) Where a licensing authority publishes a cumulative impact assessment, it must, before the end of each relevant period, consider whether it remains of the opinion stated in the assessment.
- (8) Before deciding whether it remains of that opinion, the licensing authority must consult the persons mentioned in section 5(3).
- (9) If the licensing authority is no longer of that opinion—
 - (a) it must publish a statement to that effect, and
 - (b) the duties in section 5(6D) and (6E) and subsection (7) of this section cease to apply in relation to the assessment.
- (10) If the licensing authority remains of that opinion, it must revise the cumulative impact assessment so that it—
 - (a) includes a statement to that effect, and
 - (b) sets out the evidence as to why the authority remains of that opinion.
- (11) A licensing authority must publish any revision of a cumulative impact assessment.
- (12) In subsection (7), “relevant period” means the period of three years beginning with the publication of the cumulative impact assessment or a revision of the cumulative impact assessment.”