

12.0 Cumulative Impact Zone/Special Policy.

12.1 Cumulative Impact Zone.

12.1.1 "Cumulative impact" means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

12.1.2 The Council recognises where the number, type and density of premises selling alcohol for consumption on the premises are unusual in a particular area, serious problems of nuisance and disorder may arise or begin to arise outside or some distance from the licensed premises. In such circumstances the impact of those premises when taken as a whole may be greater than that arising from individual premises. It may not be possible to distinguish individual premises as being the sole cause, or even a major contributing factor, of a particular problem. It is the combined effect of all of the premises, which causes problems for a wider area and potentially undermines the licensing objectives. In such circumstances the Council may consider it both necessary and appropriate to adopt a *Special Policy* to address cumulative impact.

12.1.3 A *Special Policy* would not prevent the Council considering further applications for premises licences, as these would need to be assessed on their individual merits taking into account the foreseeable impact on the relevant area. It would be incumbent on the applicant to provide the proportionate level of detail to address these special circumstances.

12.1.4 Applicants would need to address the *Special Policy* issues in their operating schedule/club operating schedule in order to rebut such a presumption. However, it must be stressed that this presumption does not relieve responsible authorities or interested parties of the need to make a relevant representation before the council may lawfully consider giving effect to its *Special Policy*. If no representation is received, it would remain the case that any application must be granted in terms that are consistent with the operating schedule/club operating schedule submitted.

12.1.5 The Council has adopted a Special Policy (a Cumulative Impact Policy) with effect from 1 January 2012 in relation to part of Chesterfield town centre which is covered by the following roads: Cavendish Street, Church Walk, Church Way, Corporation Street, Elder Way, Holywell Street, Knifemithgate, part of Saltergate, St. Mary's Gate and Stephenson Place. This is referred to as "the designated area".

12.1.6 The Cumulative Impact Policy creates a rebuttable presumption that a new application relating to premises in the designated area will be refused if objections are received from Responsible Authorities and/or Interested Parties. Applicants for licences or certificates will need to demonstrate that they will not add to the problem in the designated area. If no objections are received to an application for premises within the designated area, the application must be granted even though the policy exists. The Cumulative Impact Policy will not apply to existing licensed premises or club premises in the designated area unless an application is made to vary the licence or certificate and the effect of the variation is likely to add to the existing cumulative impact. A map showing the designated area is appended to the Licensing Policy."

13.0 The Designated Public Place Order.

13.2.1 The Designated Public Place Order (DPPO) will be replaced by the Public Spaces Protection Order (PSPO) in the Anti-social Behaviour Crime and Policing Act 2014.

13.2.2 PSPOs can be used to restrict the drinking of alcohol in a public space where this has or is likely to have a detrimental effect on the quality of life on those in the locality, be persistent or continuing in nature, and unreasonable.

13.2.3 A DPPO can continue for three years from the adoption of the Act, during which time the council can consider replacing it with a PSPO.