

Public Health representation to the licence application, submitted to the City of Wolverhampton Council, by Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY

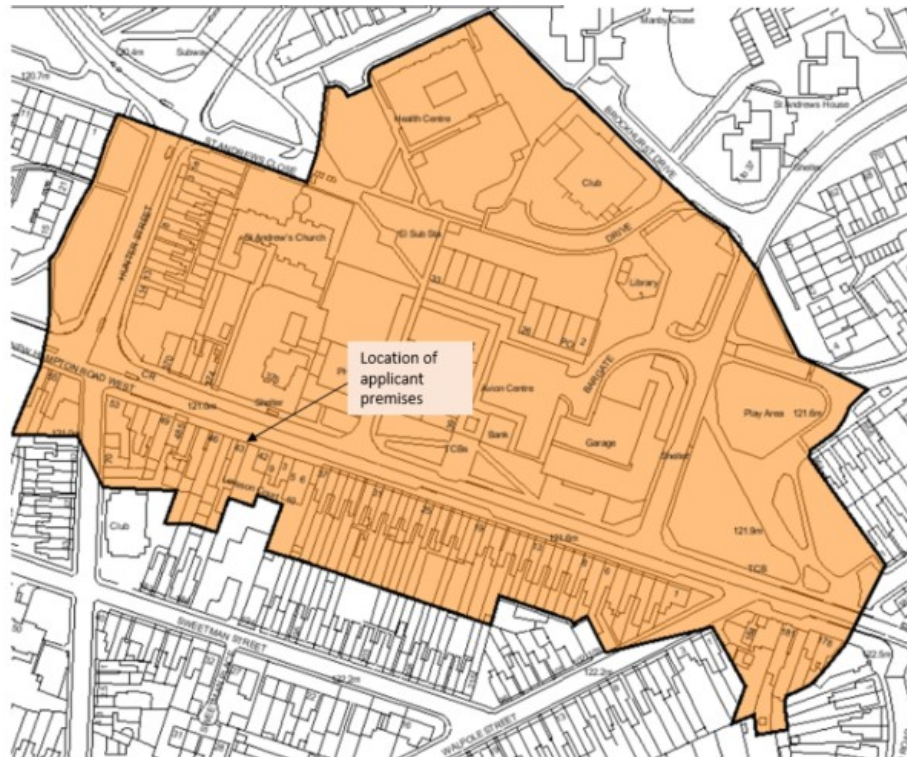
1.0 Public Health is one of the Responsible Authorities as stipulated in the Licensing Act 2003. Section 182 guidance at paragraph 9.22 states ‘health bodies are encouraged to make representations in respect of any of the four licensing objectives’.

1.1 Public Health object against the licence application made by Fresh Food & Drink Ltd, 43 Newhampton Road West, Wolverhampton, WV6 0RY, on the basis it falls within a Cumulative Impact Zone and undermines the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. In the opinion of Public Health, the applicant has not provided evidence which rebuts the presumption of refusal.

2.0 Cumulative Impact Zone

The premises in question falls under a Cumulative Impact Zone (CIZ). Figure 1 provides an outline of the said CIZ and the location of the proposed premises.

Fig 1: Avion CIZ



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2.1 Wolverhampton's Statement of Licensing Policy¹ section 13 outlines the process for designating an CIZ. This process being:

- Identification of serious and chronic concern from a Responsible Authority or representatives of residents about nuisance or disorder
- Assessment of causes
- Where it can be demonstrated that disorder and nuisance is arising as a result of customers of licensed premises, identifying the area from which problems are arising and the boundaries of that area
- Adopting a policy about future licence applications from that area

This process demonstrates the robustness of designating an CIZ. Paragraphs 13.10 and 13.11 of this policy states:

*13.10 The effect of the Cumulative Impact Policy is to create a **rebuttable** presumption that applications in respect the licensable activities detailed below for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity) where the premises are situated in one of the Cumulative Impact Zones will be refused.*

13.11 To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting new licences in the Cumulative Impact Zones.

2.2 The Avion CIZ was agreed by the Statutory Licencing Committee on 25 March 2015². This policy was further revised on 06 June 2018³. The Statutory Licensing Committee agreed the CIZ policy remains an important part of reducing alcohol related harm and issues identified in the CIZ during inception are still of concern and relevant.

2.3 Public Health, in conjunction with Licensing, has recently launched an interactive tool⁴ which plots various data onto a spatial map. When considering an application that falls within a CIZ it is useful to view the density of outlets currently in operation within the CIZ boundary. Figure 2 provides a view of current outlets within the Avion CIZ.

¹ <https://www.wolverhampton.gov.uk/licences/alcohol-licences/licensing-act-2003>

² <http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=153&MIId=4131&Ver=4>

³ <http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=153&MIId=9100&Ver=4>

⁴ <https://www.wolverhampton.gov.uk/licences/gambling-and-gaming/gambling-premises-licence>

Fig 2: Outlets within Avion CIZ



3.0 Considering the application falls within the CIZ, and the applicant does not in the view of Public Health rebut the presumption of refusal, it is the view of Public Health that granting another licence within the area will exacerbate the concerning issues already identified.

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