

Licensing Act 2003 (The Act) Cumulative Impact Assessment

2025-2028

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Introduction

The Licensing Act 2003 regulates the sale of alcohol, provision of regulated entertainment and provision of late-night refreshment (sale of hot food or drink after 11pm).

Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate.

In April 2018 the Police and Crime Act 2017 introduced a new provision within the Licensing Act 2003, Section 5A. This provision provides that a licensing authority may, in appropriate circumstances, publish a Cumulative Impact Assessment ('the Assessment'), placing Assessments on a statutory footing.

Cumulative Impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

The Assessment must set out the evidence to support the authority's opinion, it must be consulted upon before it is published, it must be reviewed every three (3) years, with any review having to be consulted upon and any revisions published along with the evidence.

In publishing a Cumulative Impact Assessment, the Council is setting down a strong statement of intent about the approach to considering the grant or variation of premises licence in the areas described where they are applying for or applying to vary a premises licence with off-sales only. The Council must have regard to the assessment when determining or revising its statement of licensing policy and must have regard to the policy and the statutory guidance issued under Section 182 of the Licensing Act 2003 when making determinations. The Assessment does not change the fundamental way that a licensing decision is made, as each application will be considered on its own merits; and it is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact.

An applicant wishing to obtain a new licence or vary a licence for premises, within a cumulative impact area, will be expected to demonstrate through their operating schedule, the steps they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.

The onus is on the applicant to demonstrate how their proposal will not add to the cumulative impact.

As described in the 2012 judgement (*BrewDog Bars Limited v Leeds City Council*), a cumulative impact assessment does not lead to an automatic blanket ban on the grant of a licence and all applications are considered on their own merits and on a case-by-case basis.

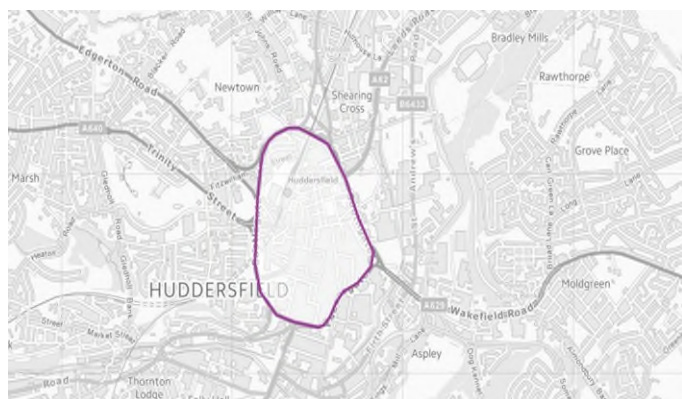
A cumulative impact assessment does not relieve responsible authorities, residents or any interested parties of the need to make representations if deemed necessary. The Council can only consider using a cumulative impact assessment to refuse an application if relevant representations are received. Where no representations are submitted to an application the Council must grant the licence.

Anyone making a representation can base it on the information provided in this assessment, and on the fact that an assessment has been published. It remains the responsibility of anyone making a representation to ensure that it demonstrates how the application shall impact on one or more of the licensing objectives, and it can withstand the scrutiny to which it will be subject to at a hearing and any subsequent appeal.

Cumulative Impact Areas

The Cumulative Impact Areas relate to both Huddersfield and Dewsbury Town Centres, specifically in relation to alcohol licensed premises with off-sales only.

Huddersfield Town Centre Map



Map 1 Huddersfield Town Centre

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Dewsbury Town Centre Map



Map 2 Dewsbury Town Centre

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Evidence to Support Cumulative Impact Assessment

Police Statistics

Data provided by West Yorkshire Police shows that there is evidence to suggest that offences with links to alcohol are an issue in both Dewsbury Town Centre and Huddersfield Town Centre.

The information below is based on data collected between 2018 and 2023

Huddersfield Town Centre Statistics

Key

E01011236 Top of ring road - Trinity Street across to St John's Road

E01011107 Majority of town centre and out Leeds Road

E01011229 Bottom of centre - Queensgate to Lockwood Road

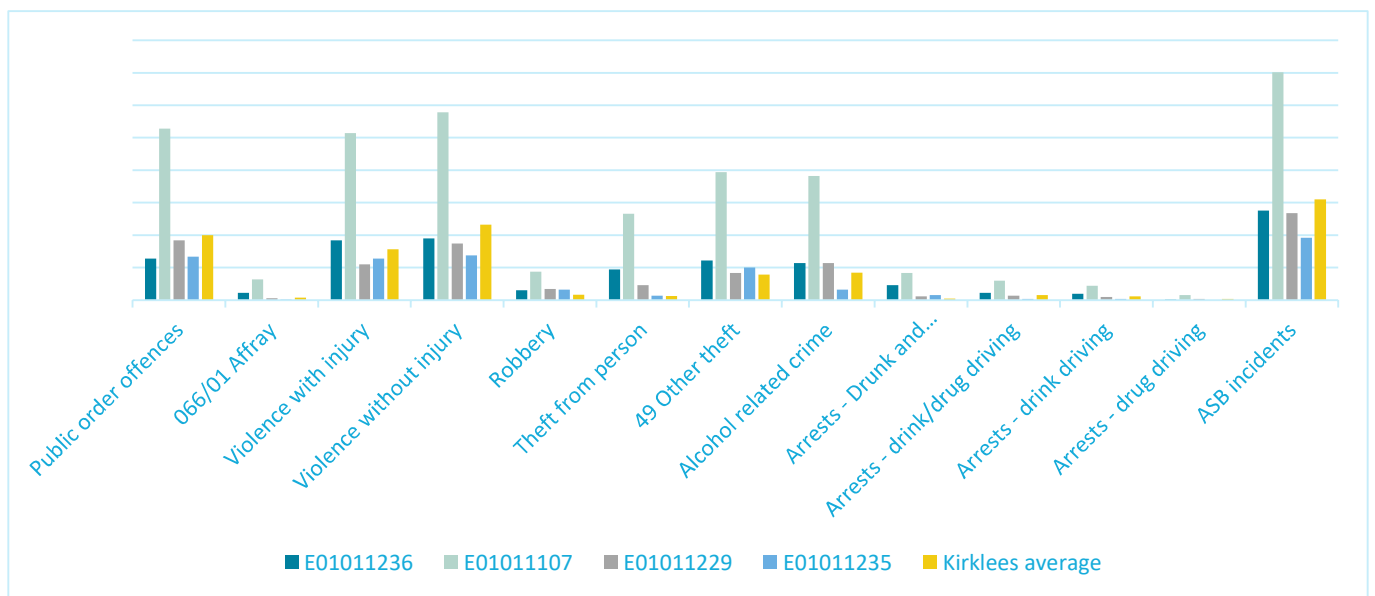
E01011235 Leisure centre, bus station over to Manchester Road

Value less than 50

Lower-layer Super Output Area Level (LSOA)

Offence	E01011236	E01011107	E01011229	E01011235	Kirklees Average
Public order offences	64	264	92	67	100
066/01 Affray					
Violence with injury	92	257	55	64	78
Violence without injury	95	289	87	69	116
Robbery					
Theft from person		133			
49 Other theft	61	197		50	
Alcohol related crime	57	191	57		
Arrests - Drunk and disorderly in a public place					
Arrests - drink/drug driving					
Arrests - drink driving					

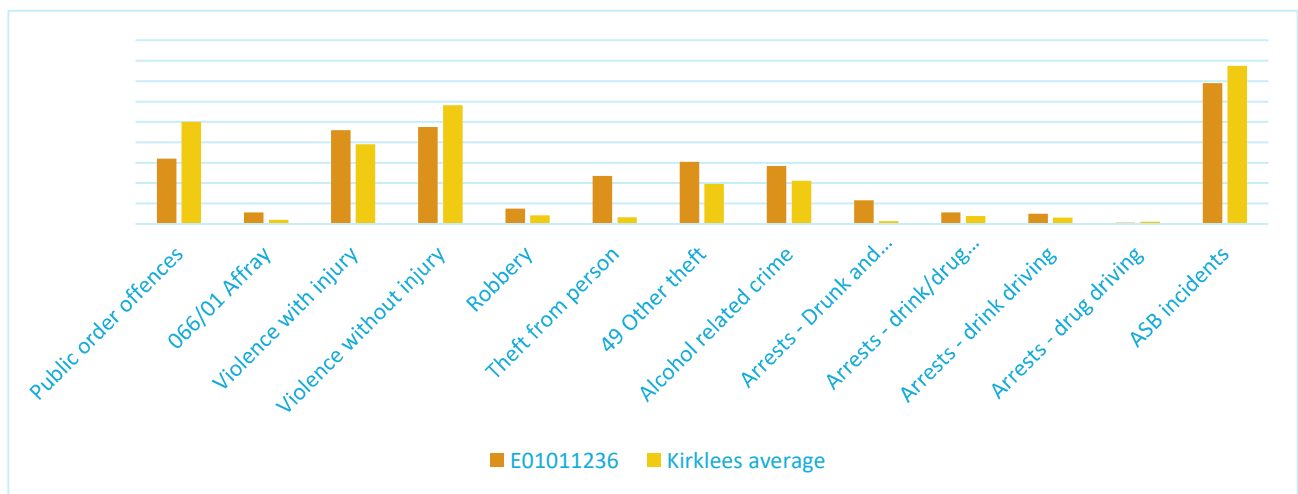
Offence	E01011236	E01011107	E01011229	E01011235	Kirklees Average
Arrests - drug driving					
ASB incidents	138	351	134	96	155
Total crime	563	2301	850	483	810



Dewsbury Town Centre Statistics

Offence	E01011236	Kirklees average
Public order offences	64	100
066/01 Affray		
Violence with injury	92	78
Violence without injury	95	116

Offence	E01011236	Kirklees average
Robbery		
Theft from person		
49 Other theft	61	
Alcohol related crime	57	
Arrests - Drunk and disorderly in a public place		
Arrests - drink/drug driving		
Arrests - drink driving		
Arrests - drug driving		
ASB incidents	138	155
Total crime	563	810



Even with the pandemic in 2020/2021; alcohol related crime was and is causing issues within the two town centres. In the case of Huddersfield town centre, in particular LSOA E0101107 (majority of the town centre out to Leeds Road) the levels of alcohol related crime are significantly above the Kirklees average.

Consultation

Public consultation is a statutory requirement of the Licensing Act 2003, the consultation was carried out between 18th July 2024 and 11th September 2024.

Those consulted were as follows:

- All Elected Members
- All Local MPs
- Parish and Town Councils
- All licence holders
- All Responsible Authorities:
 - o West Yorkshire Police
 - o West Yorkshire Fire Service
 - o Environmental Health and Health and Safety at Work
 - o Planning
 - o Public Health
 - o West Yorkshire Joint Services (Trading Standards)
 - o Secretary of State (Immigration Enforcement)
 - o Kirklees Safeguarding Children Partnership
- The Council's Climate Team
- Community Safety Partnership
- Chamber of Commerce
- Huddersfield BID
- Huddersfield University
- Huddersfield NHS
- Members of the Public and local businesses via Council Comms
- Letters hand delivered to local businesses in both Huddersfield and Dewsbury Town Centre.

In total 135 respondents completed the questionnaire (please note that the below is 146 but people may have fallen into more than one category); those responses were received from: -

- 92 Residents of Kirklees living outside the boundary of both Town Centres
- 26 Residents of Huddersfield Town Centre
- 9 Residents of Dewsbury Town Centre
- 7 Representatives for personal licence holders
- 3 Representatives for the licensed trade
- 3 representatives for a local business in Dewsbury Town Centre
- 1 Representative for a local business in Huddersfield Town Centre
- 1 Ward Councillor
- 1 West Yorkshire Police

- 0 West Yorkshire Fire and Rescue
- 0 Local Health Board
- 3 Other (1 Lives in Kirklees & works for NHS, 1 Kirklees Resident, 1 Parish Council)

Huddersfield Town Centre Consultation Responses

Question 1

To what extent do you agree with the following statement:

There are too many licensed premises selling alcohol (with off-sales only) in Huddersfield Town Centre.

- Agree – 82 (64%)
- Disagree – 27 (21%)
- Not sure / Don't know – 19 (15%)

Question 2

To what extent do you agree with the following statement:

There needs to be a Cumulative Impact Assessment in Huddersfield Town Centre relating to licensed premises selling alcohol (with off-sales) only.

- Agree – 86 (68%)
- Disagree – 23 (18%)
- Not sure / Don't know – 17 (14%)

Comment and responses

Table 1 Huddersfield Town Centre Consultation: Comment and responses

Comments	Council Response
I would like to see more premises open	Comment noted
Far too many street drinkers with access to cheap alcohol.	Comment noted
Way too many people displaying inappropriate behaviour in Huddersfield town centre. Its bad enough at night time. During the day should feel safe for shoppers and workers.	Comment noted
It's not so much the amount of shops selling alcohol it's the low price of the high % alcohol that's the issue, you can get drunk on a couple of £	Comment noted
Most of these so called off licences are obvious fronts for proceeds of crime large gangs often congregate outside there needs tighter controls on these shops everyone knows where the cheap cigs are if needed but no one seems to care	Comment noted - Issues around illegal activity in licensed premises is taken seriously and the licensing service work closely with the Police and Trading Standards. Any evidence of illegal activity should be report to the licensing service via email to licensing@kirklees.gov.uk or West Yorkshire Police
Too many off licence not needed.	Comment noted
The overall feel of the town centre would benefit from general improvements and whilst the blue print project is ongoing something needs to be done to address poor quality shop fronts selling tat and also those that sell cheap food and alcohol. If Huddersfield is to attract the right clientele, then the offer available needs to be reviewed as a priority	The powers to introduce a Cumulative Impact Assessment do not extend to addressing issues relating to shop frontages.

Comments	Council Response
Encourages those with an alcohol problem. Gather in town centre as alcohol easily available	Comment noted
It's not only licensed premises but also under the counter vape shops	The Licensing Act 2003 does not extend to controlling the sale of vapes.
Surely something can be done about the extremely suspicious shops they have been popping up (which all look the same - black plastic sign with blue, white or red lettering and many people assume are money laundering fronts). No issue with genuine retailers but these shops are everywhere and given that very few people are seen going into them seems very odd.	Comment noted - Issues around illegal activity in licensed premises is taken seriously and the licensing service work closely with the Police and Trading Standards. Any evidence of illegal activity should be report to the licensing service via email to licensing@kirklees.gov.uk or West Yorkshire Police
Alcohol is available in a multitude of outlets. Closing the off-license shops will have little impact. From what I'm hearing it would seem that certain groups object to Alcohol being sold anywhere. I have not heard of other towns considering this. Please be honest.	Comment noted
Too many people sitting about drunk and then all the cans and bottles are discarded or left without being put in bins. Just makes the town look even more run down than it already is becoming	Comment noted
Too many drunks round in the day round the town centre	Comment noted
Stop granting licenses if you guys are worried, and when you do, put restrictions regarding the tacky neon shops	The purpose of the survey is to ascertain whether there is evidence and need to introduce a cumulative impact assessment which will result in new applicants for premises licences for off sales only having to evidence they can uphold the licensing objectives. The only way a licensing authority can refuse an application is for the

Comments	Council Response
	matter to go to a hearing for a decision currently is due to representations being received when applications are submitted.
They are too many in the town centre and its where the local drunks will go to and then sit around and leave rubbish everywhere, fight, swear in front of young kids and just cause havoc in the town centre	Comment noted.
There are far too many, in most they are renowned for selling other stuff illegal or otherwise they tend to attract gatherings around their shops. Drinkers etc congregating in town centre parks etc. It then attracts shoplifters, drug users and young people.	Comment noted
too many drunks about ruining the town	Comment noted
The sooner the council gets rid of them the better	Comment noted
If you consider the number of off licences in the town centre and also in the immediate area to the town centre , places like Fartown, Marsh, Aspley, Lockwood.. You have to ask the question, how is it possible for all these to function and make a profit legally.??.....they all seem to be able to achieve profit margins even though there are far cheaper option in the immediate area to them.... Seem a little	Comment noted
The evidence is visible enough as you travel through the town centre	Comment noted
It's actually quite limited due to the minority shops We need more restaurants as we only really have Nando's if a pizza express could	Comment noted

Comments	Council Response
join that would be a real boost. Not everyone likes to deal with Wetherspoons/Lloyds	
Don't mind premises selling alcohol it's the state of the frontage of these shops that's needs sorting.	The powers to introduce a Cumulative Impact Assessment do not extend to addressing issues relating to shop frontages.
Sort out the frontage of these shops. No problem with selling alcohol.	The powers to introduce a Cumulative Impact Assessment do not extend to addressing issues relating to shop frontages.
Shop keepers. Need to show the same responsibility as landlords and bar owners, stop the selling of very small bottles of liqueur. Stop shops selling glass bottles as this can be a form of antisocial behaviour by smashing bottles. Stop shops having cheap tacky signage and don't allow posters showing alcohol and remove all pictures from shop windows promoting the selling of alcoholic drinks.	Comment noted.
Too many sell to anyone. Whether they are clearly intoxicated already or underage	Comment noted.
The issue is not the number of premises selling alcohol, it's the fact that the police do nothing to combat antisocial behaviour of any kind in Huddersfield and Kirklees. The priority should be to have a robust and effective policing system and response to any form of antisocial behaviour and not blame and punish the shop keepers for trying to make a living and driving cash into the economy!!!	Comment noted – Comment noted - Issues around illegal activity in licensed premises is taken seriously and the licensing service work closely with the Police and Trading Standards. Any evidence of illegal activity should be report to the licensing service via email to licensing@kirklees.gov.uk or West Yorkshire Police
Well it depends on the times???	Comment noted.

Comments	Council Response
Huddersfield town centre after 6pm is rowdy and behaviour frequently uncouth and slightly (and sometimes) threatening. I strongly suspect the behaviour to be alcohol-fuelled. So I stay away after 5pm. I have been to 2 concerts at the Town Hall, and got out of town as soon as the concerts finished. Alcohol sellers are only supplying a demand but the consumers have so little self-control etc	Comment noted.
Far too many seedy booze shops and selling cheap alcohol and snide tobacco	Comment noted.
Increases anti-social behaviour	Comment noted.
I have seen children who are obviously still at school walking round the town centre drunk. The supermarkets are very hot on verifying underage attempts to buy alcohol and I suspect that they are obtaining alcohol from the independent small shops.	Comment noted - Issues regarding shops selling alcohol to underage persons are taken seriously, and the licensing service work closely with the Police and Trading Standards. Members of the public should report their concerns to licensing via email to licensing@kirklees.gov.uk Or West Yorkshire Police
Stop selling alcohol to under 18s	Issues regarding shops selling alcohol to underage persons are taken seriously, and the licensing service work closely with the Police and Trading Standards. Members of the public should report their concerns to licensing via email to licensing@kirklees.gov.uk Or West Yorkshire Police
The selling of underaged customer and intoxicated persons is not challenged	Issues regarding shops selling alcohol to underage persons are taken seriously, and the licensing service work closely with the Police and Trading Standards. Members of the public should report their concerns to

Comments	Council Response
	licensing via email to licensing@kirklees.gov.uk Or West Yorkshire Police
I agree with proposals. I also think u should look at the amount of poor takeaways in the town centre. Vape shops also. Not much more than vape shops chicken shops and poor Asian shops that aren't run properly. Alcohol related crime should b looked at too	Comment noted – The Licensing Authority can only regulate those premises which hold a premises licence.
They can't all be running at a profit unless income is coming from another source	Comment noted.
Many new ones have opened but vape shops are the worst has many sell to under 16yo girls over boys, we only need to look at the ring near NatWest to see how many are drunk at 8am	Issues regarding shops selling alcohol to underage persons are taken seriously, and the licensing service work closely with the Police and Trading Standards. Members of the public should report their concerns to licensing via email to licensing@kirklees.gov.uk Or West Yorkshire Police
People visibly drunk makes Huddersfield town centre feel threatening and it puts us off going into town for shopping and leisure	Comment noted.
There has been at least 4 off licences opened in the vicinity of market place... where all the drunks hang out. Why was this allowed	When applications for premises licences are received, they are granted unless representations are received, which are relevant, at which time the application would be taken to a licensing hearing for a decision to be made about whether an application is refused or granted. There is no facility in law to just refuse an application.

Comments	Council Response
Far too many off-licence premises selling Cheap alcohol to the Town Centre drinkers.	Comment noted.
Far too many little shops popping up selling alcohol along side newspapers sweets and heaps of other spurious products including drugs paraphernalia	Comment noted.
There is no published definition on the content/structure/measurements of a CIA other than vague 'council-speak' phrases	The survey is to gain evidence / comments from stakeholders to establish whether there is a need for a CIA to be introduced in relation to premises with off sales only in both Huddersfield and Dewsbury Town Centres. There is no definitive definition of what evidence is required to implement a CIA, however, the police statistics and the responses to this survey will provide the authority with the evidence it feels is required to make a decision about whether a CIA is required or not.

Dewsbury Town Centre Consultation Responses

Question 1

To what extent do you agree with the following statement:

There are too many licensed premises selling alcohol (with off-sales only) in Dewsbury Town Centre.

- Agree – 52 (42%)
- Disagree – 14 (11%)
- Not sure / Don't know – 57 (46%)

Question 2

To what extent do you agree with the following statement:

There needs to be a Cumulative Impact Assessment in Dewsbury Town Centre relating to licensed premises selling alcohol (with off-sales) only.

- Agree – 56 (45%)
- Disagree – 14 (11%)
- Not sure / Don't know – 54 (44%)

Comment and responses

Table 2 Dewsbury Town Centre Consultation: Comment and responses

Comments	Council Response
Too easy to buy. Son lives in Belfast & large areas you cannot buy it, especially in family areas	Comment noted
Too many in the area, the people sat drinking day/night in certain areas of the town makes the town a no-go area. The shops selling are eastern European shops who sell to anyone at any time.	Comment noted
Why especially in Dewsbury town centre do we need approximately 5 off licences selling alcohol it's just not needed shouldn't be any more than 1	Comment noted
The sale of alcohol in Dewsbury Town Centre is causing the problem with street drinking during the day. I think that If alcohol was not so readily available, there would not be as many drinkers and people would feel safe to shop in the town.	Comment noted

Comments	Council Response
Again, under the counter shops	Comment noted
Criminality, asb fear to use town.	Comment noted
Sorry I cannot comment here fairly as I have not been to the town centre in Dewsbury for many years - but have been to Huddersfield centre weekly	Comment noted
Dewsbury town has died not a safe place day or night	Comment noted
Not familiar with the area	Comment noted
It attracts congregation, other illegal activities, young people. It puts off people going around shopping, day to day business, it puts people off makes you feel unsafe.	Comment noted
Worse than Huddersfield. Needs to be a serious shake up as they are too many licence premises selling alcohol and creating these groups of drunks who have no place in society	Comment noted
Can't comment on Dewsbury	Comment noted
I don't live in Dewsbury but have not noticed lots of alcohol selling shops.	Comment noted
Stop the shops promoting the selling of alcohol, stop shops selling small bottles of liqueur and selling beer in glass bottles. Scrutinising shop keepers with the same rules as landlords and bar owners. Don't	Comment noted – regulation of licensed premises is carried out in accordance with the law, the licensing service cannot place additional conditions onto premises unless representations are received to applications

Comments	Council Response
allow posters and signage that promotes alcohol.	which results in the matter being heard at a Licensing Hearing.
Far too many in the Town Centre. Kirklees seem to licenses to anyone	Comment noted – Licences are issued to those to apply and when there are no representations received from responsible authorities or interested parties stating that the application would undermine one or more of the licensing objectives.
There are not too many premises in either area they are just not policed well enough in terms of underage drinking and there is little to no police presence for anti social behaviour whilst drinking. Also Kirklees consists of more than just Dewsbury and Huddersfield would be good to gain feedback on other areas too	Comment noted.
The trouble in the town centres caused by alcohol is nothing to do with number of premises selling it. It's cultural. The town centres are dying on their feet. The last thing we need is small businesses who rely on alcohol sales from responsible residents being unable to operate their businesses, whilst alcohol sales then move to the multinational monopolies that are Tesco's and Sainsburys!!	Comment noted.
not drinking and hanging about in groups is the bigger issue in Dewsbury, the shops need to be enforcing the don't sell to people under the influence of alcohol and turning away trade, sadly as Kirklees have killed off Dewsbury the shopkeepers left have no choice but to sell to anyone to make some money	Comment noted.
The issue is not the number of premises selling alcohol, it's the fact that the police do nothing to combat antisocial behaviour	Comment noted.

Comments	Council Response
of any kind in Dewsbury and Kirklees. The priority should be to have a robust and effective policing system and response to any form of antisocial behaviour and not blame and punish the shop keepers for trying to make a living and driving cash into the economy!!!	
There is constantly groups of people in the town centre drinking causing anti-social behaviour people arguing fighting urinating defecating and been sick in turn this causes people to be scared to walk around town or even just visit for that matter I don't think the amount of shops selling alcohol is the problem in a whole it's more that there isn't enough police in town to move them on	Comment noted.
The purchasing of alcohol isn't the problem. Its always going to be available. The problem in Dewsbury is a lack of policing.	Comment noted.
Myself and many others have stopped entering the town due to the number of people found drinking on the streets. Many social issues have arisen due to this. More needs to be done to support these vulnerable individuals.	Comment noted.
I'm disappointed that there is no more reflection on the hours... times etc of course these matter???? If alcohol is not available late night/early morning.... I'd expect less offences....but so few questions in this survey.... With so few answers.... I feel I've missed a few buttons?????	Comment noted – The consultation does not relate to specific times licensed premises are open, when each premises applies for a licence, it is at this point they apply for the hours for which they wish to trade and if no representations against those applications are received the application is granted as applied for.
Some of the councillors in Leeds have limited the number of gambling shops and	Comment noted – there is no legal way for the Council to cancel all licensed premises in an

Comments	Council Response
off-licences due to the social challenges that were occurring. Unfortunately the same has happened in Dewsbury. We all do not want younger generations to do the same. A lot of addiction related mental health issues are on the rise. We all demand you to cancel all the licensed premises selling alcohol in Dewsbury.	area. This consultation is about whether there is a need for a Cumulative Impact Assessment due to there being a significant number of licensed premises concentrated in one area.
Groups of men are standing or sitting just outside these licensed shops and drinking resulting in an intimidating atmosphere for shoppers. The police are rarely seen.	Comment noted – the Council has no control over policing.
I own a shop in Dewsbury and I am losing customers due to them being put off by street drinkers they see in town on a daily basis. Particularly on marketplace and bottom of Daisy hill	Comment noted.
To many shops in Dewsbury sell alcohol already leading to anti-social behaviour	Comment noted.
Increases anti-social behaviour	Comment noted.
I suspect that there are the same issues in Dewsbury being caused by independent hops selling alcohol to people under the age of 18.	Comment noted – Issues regarding shops selling alcohol to underage persons are taken seriously, and the licensing service work closely with the Police and Trading Standards. Members of the public should report their concerns to licensing via email to licensing@kirklees.gov.uk Or West Yorkshire Police
Stop selling to under 18s	Comment noted – Issues regarding shops selling alcohol to underage persons are taken seriously, and the licensing service work closely with the Police and Trading Standards. Members of the public should report their

Comments	Council Response
	concerns to licensing via email to licensing@kirklees.gov.uk Or West Yorkshire Police
Refer to the Huddersfield comment - also I anecdotally don't believe there are that many off-premise shops in Dewsbury centre	Comment noted.
Too many people drinking Alcohol on the streets and making it unsafe for those visiting the town.	Comment noted.

Conclusion

This cumulative impact assessment has been carried out in accordance with Section 5A of the Licensing Act 2003. This cumulative impact assessment is published because it considers that the number of premises with off-sales only within Huddersfield and Town Centre and Dewsbury Town Centre are impacting on the promotion of the licensing objectives.

This assessment is formed due to analysis of the crime statistics provided by West Yorkshire Police between the period 2018 to 2023. In addition, following consideration of the comments received following the requisite statutory consultation that has been carried out, which by large support the decision for the introduction of the assessment. It confirms that it would be inconsistent with the Council's duty to promote the licensing objectives to grant new and variation applications for premises licences with off-sales in both Huddersfield and Dewsbury Town Centres.

The assessment is designed as a guide for the Licensing Authority, the Police Licensing Team and Environmental Health when making representations to applications within the areas of both Huddersfield and Dewsbury Town Centres as shown on the maps within this assessment.

It acts as a guide for applicants who wish to apply for a new or vary an existing premises licence within the defined areas for them to clearly outline within their operating schedule how they will uphold the licensing objectives.

Finally, it will assist the Licensing Authority in its decision-making process when representations are received for new and variation applications for premises with off-sales only.