

PLANNING COMMITTEE – 14 OCTOBER 2026**REPORT FOR DECISION****LICENSING ACT 2003 – CUMULATIVE IMPACT POLICY FOR PENZANCE**

Culture	Money & Decision Making	Places & Resilience	People & Wellbeing	Facilities & Open Spaces
				
		✓	✓	

Recommendation:

Consideration be given to the proposed Cumulative Impact Policy for Penzance and, if necessary, comments be agreed and included within a response to the consultation.

Background:

Cornwall Council as Licensing Authority is required to consult on its proposal to re-adopt a Cumulative Impact Policy in Penzance. There was Cumulative Impact Policy in Penzance previously but this has since lapsed.

Cumulative impact refers to a concentration of licensed premises which is having a serious detrimental impact on one or more of the licensing objectives. The four licensing objectives under the Licensing Act 2003 are:-

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

A cumulative impact assessment has now been carried out, which considered the following:-

- Crime data from the Police
- Alcohol related health evidence from Public Health

Further details, including the evidence considered, is available at: [Licensing Act Committee - 3 September, 2026](#).

The assessment indicates that there is sufficient evidence to reinstate a Cumulative Impact Policy in Penzance and it is therefore proposed by Cornwall Council officers that the cumulative impact statement and map, as set out at Appendix 1 to this report, be incorporated into the Council's Statement of Licensing Policy.

The proposed Cumulative Impact Policies would apply to applications for new Premises Licences and Club Premises Certificates, variations to existing authorisations, and applications relating to late-night refreshment where these authorise the sale of alcohol for consumption on and/or off the premises.

Applications for new licences, certificates or variations that are likely to add to the cumulative impact within the identified areas may be refused. This is because the Licensing Authority considers that granting such applications could undermine the promotion of the licensing objectives.

It is therefore recommended that this Committee give consideration to the proposed policy and, if necessary, provide a consultation response to Cornwall Council.

This report has an effect on the Council's Strategic Aims listed above as Cornwall Council's Licensing Objectives have an impact upon each.

Appendix 1 – Proposed Cumulative Impact Assessment Statement

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Democratic Services and Governance Manager

Cumulative Impact Assessment – Penzance

- 3.13 The concept of cumulative impact has been described in the Home Office Statutory Guidance since the commencement of the Licensing Act 2003. However, the Policing and Crime Act 2017 amended the Licensing Act in 2018 so that cumulative impact is on a statutory footing. In accordance with the Policing and Crime Act, cumulative impact policies can be adopted if a Cumulative Impact Assessment (CIA) has been carried out and indicates the need for a special policy.
- 3.14 Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.
- 3.15 In some areas where the number, type, and density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems may occur because of a large concentration of people queuing, gathering, or leaving licensed premises at the same time, including late-night takeaways.
- 3.16 Queuing in itself may lead to conflict, disorder, and anti-social behaviour. Large concentrations of people may attract criminal activities. Local services such as public transport, public toilets and street cleaning may not be able to meet the demand posed by such concentrations of people who cannot be effectively dispersed quickly, leading to issues such as street fouling, littering, traffic, and public nuisance.
- 3.17 The Licensing Authority has published this CIA to help limit the number and types of licence applications granted in areas where evidence has shown 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.
- 3.18 The Licensing Authority considers that the number of premises licences and club premises certificates in the areas specified is such that it is likely that granting further licences would be inconsistent with the Licensing Authority's duty to promote the licensing objectives.
- 3.19 The reasons for this are the nature of the problems identified and the evidence for such problems which are being caused by the cumulative impact of the licensed premises in the areas specified. In reaching this conclusion, the Licensing Authority has considered the following evidence:-
- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
 - statistics on local anti-social behaviour offences;
 - health-related statistics such as alcohol-related emergency attendances and hospital admissions;
 - environmental health complaints, particularly in relation to noise;

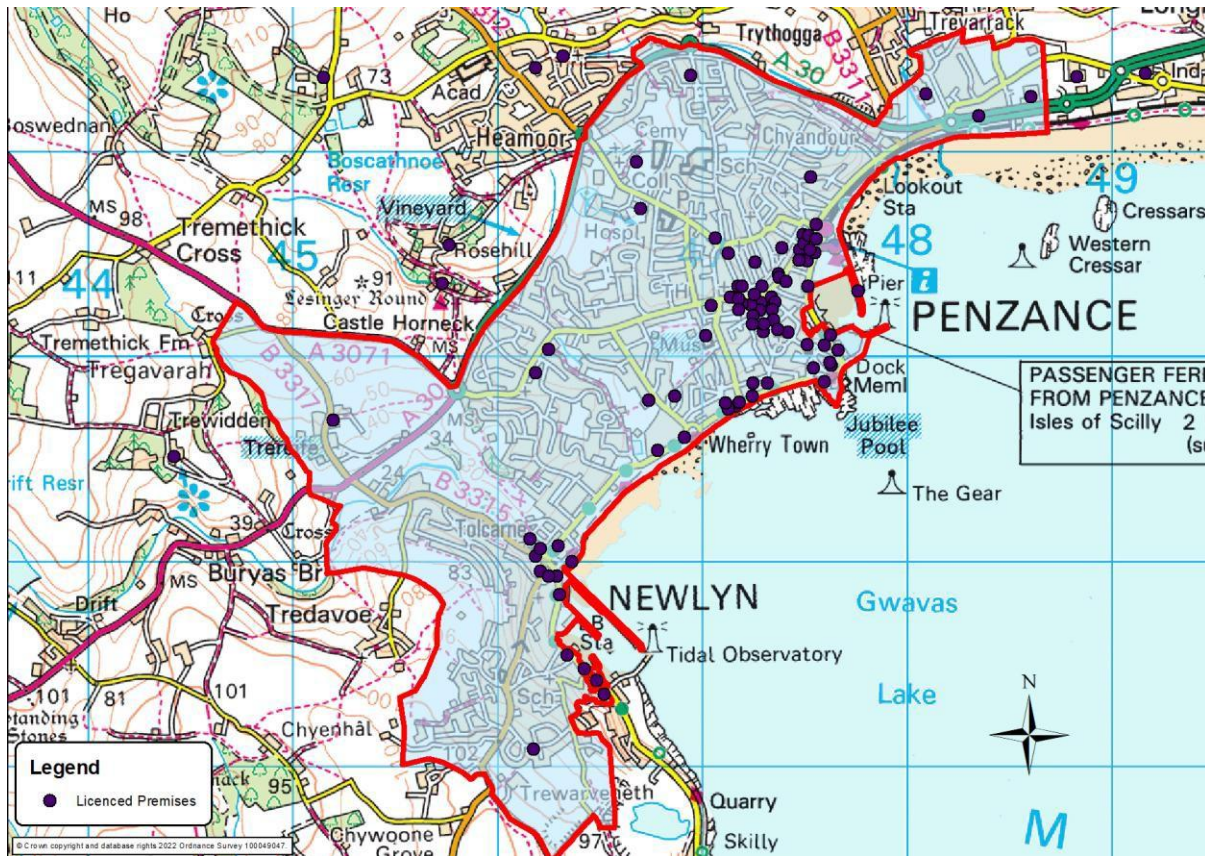
- evidence obtained through local consultation.
- 3.20 The areas to which this CIA relate are Newquay, Truro, Penzance and Falmouth and the geographic extent of the areas covered are shown on the maps within this policy.
 - 3.21 The Licensing Authority is of the opinion that the number of licensed premises in Newquay, Truro, Penzance and Falmouth are such that it is likely that granting further licences or variations to licences would be inconsistent with the Licensing Authority's duty to promote the licensing objectives.
 - 3.22 This opinion has been reached after careful consideration of evidence and data from the Police, Public Health, Environmental Health and Other Persons, which show high levels of crime and disorder, anti-social behaviour and public nuisance within these areas. Therefore, it is appropriate and necessary to control the cumulative impact in these areas.
 - 3.23 The evidential basis for the decision to publish this CIA is available on the Council's website: [Licensing Act Committee - 3 September 2026](#)
 - 3.24 The types of premises the CIA apply to are premises licences and club premises certificates and specifically relate to premises selling alcohol for consumption 'on' and/or 'off' the premises and late-night refreshment providers.
 - 3.25 The types of applications for which it would be inconsistent with the Licensing Authority's duty to promote the licensing objectives to grant are new and variation applications in the specified areas which are likely to add to the cumulative impact.
 - 3.26 Publishing this CIA gives a strong statement of intent about the Licensing Authority's approach to considering applications for the grant or variation of premises licences and club premises certificates in the areas specified

However, a CIA is never absolute, and each decision in an area subject to a CIA will still be made on a case-by-case basis with a view as to what is appropriate for the promotion of the licensing objectives. The Licensing Authority will consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case, for example, the impact will be different depending on the styles and characteristics of the premises. Applications which are unlikely to add to the cumulative impact or where the applicant can demonstrate in their operating schedule that they would not be adding to the cumulative impact, can be granted.

- 3.27 If the Licensing Authority decides that an application should be refused, it will show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

- 3.28 The presumption that an application will be refused because the premises is the subject of a CIA does not relieve Responsible Authorities or Other Persons from the need to make a relevant representation and anyone making a representation may base it on the evidence published in the CIA or the fact that a CIA has been published. If there are no representations the Licensing Authority must grant the application in the terms sought.
- 3.29 The absence of a CIA does not prevent any Responsible Authority or Other Person making representations on an application for the grant or variation on the grounds that the premises will give rise to a negative cumulative impact on the licensing objectives.
- 3.30 CIAs do not apply to Temporary Event Notice (TENs). However, the Police or Environmental Health can refer to evidence published within a CIA when objecting to a TEN.
- 3.31 This CIA will be reviewed at least every 3 years to determine whether the areas should be maintained, amended, or removed.
- 3.32 As part of this policy the Licensing Authority will not consider whether or not there is a *need* for any particular type of premises (as this is a matter for the local planning authority).

PENZANCE Cumulative Impact area



- E01018994 Penzance Alverton
- E01018995 Penzance St Clare and Town
- E01018996 Penzance Chyandor and Eastern Green
- E01018997 Penzance Treneere
- E01018998 Penzance Battlefields
- E01018999 Penzance Wharfside and Town
- E01019000 Penzance Wherrytown
- E01019001 Penzance Promenade
- E01019003 Newlyn West
- E01019004 Newlyn Harbour and Gwavas