

### Briefing Note: Cumulative Impact Assessment (CIA) and Special Saturation Policy (SSP)

As members of the Licensing Committee, you have a statutory duty to promote the four licensing objectives under the Licensing Act 2003:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

These four objectives are the legal foundation for all licensing decisions. While economic and cultural factors—like supporting live music venues—are important, they cannot take priority over these legal duties.

#### What is a Cumulative Impact Assessment?

A Cumulative Impact Assessment (CIA) provides evidence to assist the Council to decide if the number of licensed venues in one area is causing problems (such as noise, crime, or safety issues), and if so, the Council can introduce a Special Saturation Policy (SSP) to help manage this.

Oxford City Council has previously adopted SSPs for Central Oxford and East Oxford, based on evidence of cumulative impact in those areas.

#### How the SSP Affects Licensing Applications

Even in areas covered by an SSP, every licence application must be looked at individually. The SSP doesn't mean automatic refusal, it means applicants must show how their venue won't make existing problems worse. This is a key principle set out in paragraph 14.45 of the Section 182 Guidance:

*“The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications... will normally be refused... unless the applicant can demonstrate that their application will not add to the cumulative impact. However, this does not relieve the licensing authority of its duty to consider each application properly and on its own merits.”*

#### This means that:

- Applicants are not automatically refused a licence in an SSP area.
- They must, however, proactively demonstrate how their proposal will not exacerbate existing issues in the area.
- Licensing authorities must still weigh the evidence, consider any proposed conditions, and assess whether the application upholds the licensing objectives.

## Benefits of the SSP in Oxford

In Oxford, the SSP has had a positive influence on applicant behaviour. It has encouraged:

- Early engagement with the Licensing Authority and Thames Valley Police.
- Higher-quality applications, with applicants proposing robust conditions from the outset to address local concerns.
- A more collaborative approach to licensing, where applicants are aware of the area's sensitivities and tailor their operations accordingly.

## Why the SSP Matters for Licensing Control

There are no other legal tools that work in the same way as the Special Saturation Policy (SSP). Without it, the Council's ability to uphold the licensing objectives is reduced, and there is greater reliance on reacting to problems after they occur, rather than preventing them in the first place.

### **Without an SSP:**

- There is no presumption of refusal, even in areas with high levels of crime, nuisance, or public safety concerns.
- Licensing authorities have less scope to require applicants to address pre-existing issues in the area.
- Applicants are only expected to mitigate the direct impact of their own premises, not the cumulative impact of many premises in close proximity.

### **With an SSP:**

- Applicants must mitigate against the broader context, even if they are new to the area and did not contribute to existing problems.
- This allows the Licensing Authority to impose more tailored conditions or refuse applications that do not sufficiently address the cumulative impact.
- It strengthens the authority's ability to protect residents, manage the night-time economy, and uphold the licensing objectives in high-pressure areas.

## What We're Asking You to Do

We are currently preparing a revised report for committee consideration. To ensure it addresses all relevant factors:

- Please review the previous report and this briefing.
- If there are specific questions, concerns, or areas you feel need further exploration, let us know.
- Submit your feedback to [jcurnow@oxford.gov.uk](mailto:jcurnow@oxford.gov.uk) or [kthorp@oxford.gov.uk](mailto:kthorp@oxford.gov.uk) or [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk) by **11<sup>th</sup> August 2025**.

This will help us ensure the final report to the Committee presents viable options and supports informed decision-making.

If you have any questions or would like further clarification, please don't hesitate to get in touch.

## **Key Guidance and Resources**

### **- Previous CIA Report (2025)**

The full report previously presented to committee.

<https://mycouncil.oxford.gov.uk/documents/s84618/CUMULATIVE%20IMPACT%20ASSESSMENT%20FULL%20REPORT.pdf>

### **- Oxford City Council Statement of Licensing Policy**

Sets out how the Council applies licensing law locally, including CIA and SSP policies.

<https://www.oxford.gov.uk/downloads/file/1115/statement-of-licensing-policy>

### **- Section 182 Guidance (Home Office)**

Statutory guidance on how to apply the Licensing Act 2003, including cumulative impact policies.

[https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_-\\_October+2024+\\_1\\_.pdf](https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_October+2024+_1_.pdf)

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