

APPENDIX 2

Draft special licensing policy for Fulham Town Centre Area

1. The Council has decided to introduce a special policy relating to cumulative impact as provided by the Secretary of State in the Guidance issued under section 182 of the Licensing Act 2003 (paragraphs 13.24 to 13.39) and the Council's own Statement of Licensing policy dated November 2007 at paragraph 4.3 to the Fulham Town Centre Area (being the shaded area and all premises which have a principal form of access onto the shaded area as shown on the plan in Appendix 1)

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

3. The Fulham Town Centre Area has been identified as being adversely affected in terms of the licensing objectives because of the cumulative impact of the concentration of drink led premises. There is evidence that the cumulative impact includes serious problems of crime, disorder and public nuisance. Having regard to the evidence, the Licensing Authority has been satisfied that it is appropriate and necessary to include an approach to cumulative impact. The evidence for this special policy may be viewed on request at the Council Offices.

4. Applications for new premises licences, club premises certificates or any variations within the Fulham Town Centre Area that are likely to add to the existing cumulative impact will normally be refused where a relevant representation has been made, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives. Accordingly, the presumption of refusal in this policy is not absolute and the circumstances of each application will be considered where a relevant representation has been made.

5. The presumption of refusal does not relieve responsible authorities or interested parties of the need to make a relevant representation. Applicants will need to address the special policy issues in their operating schedules. If there are no representations the licensing authority must grant the application in terms consistent with the operating schedule submitted.

6. The cumulative impact policy will be kept under review by the Licensing Authority.