Appendix B - Summary of consultation feedback and Licensing Authority responses

Consultation Comment	Licensing Authority Response
Why is 2022 data being used, 2023 data might be different?	We used 2022 data instead of a three year period to avoid including lockdown years. We used data from the most recent period available when the CIA was being developed.
The ASB and noise data provided will be only a very small proportion of the issues which actually exist because of underreporting.	We are aware of the issue of underreporting. We encourage residents, businesses and partners to report any issues they experience so that policy and decisions can be based on the most robust evidence.
Recorded crime is not a direct measure of actual crime or associated harm, being capable of influence by unreasonable reports which the police nevertheless have to record or by variations in recording practice.	Recorded crime from the London Metropolitan Police, the British Transport Police and the London Ambulance Service were the best sources available. The inclusion of the Cambridge Crime Harm Index sought to consider the associated harm of the various undesirable behaviours which were analysed.
Observational data would be a helpful addition.	Unfortunately this was not possible with this revision on the CIA but is an ambition for future versions. This version of the CIA includes more qualitive input from sources such as the City Survey to provide a richer view of how cumulative impact affects people's lives.
We are concerned that the way the data is presented on maps with hexagons may lead to a temptation to assume that licences can be granted in a particular hexagon or street because there is a low level of reported issues in that small area, even if it is within a CIZ. The data needs to be clearly regarded as indicative and impacts as 'global and cumulative' i.e. the policies need to apply equally wherever in the CIZ the premises is located.	This will be considered when the Statement of Licensing Policy is reviewed following the completion of the Westminster After Dark programme.
Whilst the CIA gives volumes of recorded crimes or antisocial behaviour, there is no overlay of the number of people in areas (particularly the identified CIAs) at any given time.	Unfortunately at the time of developing the CIA footfall data was not available at a low enough geography to provide detailed analysis. A footfall data map has been included based on the data that is currently available to the council. Future versions of the CIA will have more granular data.

The findings of the CIA could be improved by reflecting on street-based populations. Westminster is the borough with the most people recorded sleeping rough, with 2,050 people known to outreach workers in 2022/23.	The CIA focuses on Licensing venue based activities, and we examine the different types of ASB. The data available does not differentiate between who is causing ASB or crime.
Important context should also be provided in an updated CIA on levels of resourcing. We are acutely aware of reduced police numbers in the West End, and this not serving as a deterrent to crime and anti-social behaviour. The lack of a visible policing presence in the night-time economy in the West End is having a significant impact.	This is an important point that will be considered when developing future Licensing Policy and through Westminster After Dark, but will be dependent upon the availability of data from our Policing partners.
Perhaps the most significant issue with the draft CIA is that the connection between some recorded crimes or anti-social behaviour and the quantum of licensed premises is entirely unproven.	Regression Analysis has sought to provide probabilistic connections between licensed premises and various types of undesirable behaviours.
The graphs on page 62 of the CIA, which show the majority of premises in WEZ 1 closing by midnight, but the level of crime at that point still remains high for another three hours. In fact, it is often because there are a limited number of licensed premises to visit that these large gatherings occur. A wider variety of venues, which are open later, at peak times, and across the borough, would see people more spread out, rather than congregating in a concentrated area.	This approach to reducing cumulative impact will be considered as part of future policy developments.
Why is night-time defined as 6pm-6am? We would suggest that the focus of an updated CIA is on revised hours, potentially starting from 8pm or 9pm as times when people are more likely to be in Westminster using some of the licensed premises.	The CIA looks at the evening as well as night-time. 6pm – 6am is a commonly used definition of the evening and night-time, including the Mayor of London's Night-time Strategy. Using a different time-period would remove the ability for comparisons with previous CIAs, but is something which will be considered at the outset of the next CIA review.
We are concerned with the CIA and its focus on recording crime and anti-social behaviour taking place near licensed premises. We understand that the MPS records crime based upon the nearest premises, and as a result the data potentially penalises responsible premises which are well-run, many of whom have been encouraged to actively report crimes or anti-social behaviour which have been taking place on the street or in the immediate vicinity of their premises.	The CIA examines data in venues as well as associated geography or relevant locations. The CIA doesn't seek to suggest to penalise specific premises, rather the associated geography of the reported incident. The 20,000m^2 hexagon analysis approach seeks to balance this reporting reality with the need for geographical analysis.

The presence of gangs in some areas or on some streets, who again may be operating in the public realm, has also not been taken into account in developing the CIA.	For the council to determine any gang involvement it would require highly sensitive information that we do not have access to. In addition to the above, data on 'gangs' is softer and less easy to incorporate into volume data, let alone clear geography details.
We are concerned about the data and datasets that have been used to inform the draft CIA. Some of the data which has been used is only available to WCC and / or relevant agencies, meaning it is not possible to scrutinise the data being used to draw the conclusions set out in the CIA.	The data within the CIA has been sourced from multiple agencies and is properly referenced throughout. Where those agencies have been able to provide the council with more detailed data we have used that to produce a better assessment, however we may not be able to share that data with others.
Some of the data, including from the City Survey, draw conclusions have low sample sizes.	The City Survey quotes are used to provide an example of how people who live in Westminster are affected by Cumulative Impact, data from the City Survey has not been used to draw any conclusions in the CIA.
The CIA focuses almost exclusively on the negative impact of the evening and night-time economy. It fails to provide a counterbalance in terms of the upsides.	The wider policy considerations around the Evening and Night-time, including the economic, cultural and social benefits, will be considered as part of the wider Westminster After Dark programme.
We are concerned that the CIA and associated licensing policy is a restricting factor in relation to inward investment and investor confidence.	Attracting investments in the Evening and Night-time Economy will be considered as part of the wider Westminster After Dark programme.
What causal connection exists to justify the removal of restaurants as an exception?	The regression analysis within the CIA shows that restaurants add to cumulative impact, as was the case in the 2020 CIA. No decision on changing the current policy approach to restaurants will be made until the Licensing Policy is reviewed following the Westminster After Dark Programme.
It is not enough to prove a correlation between crime/ASB and high numbers of licensed premises. A correlation might occur for lots of reasons, for example the simple volume of people who gather in a particular locality.	The CIA is a detailed examination of cumulative impact, the different factors that have been considered and the analysis that has been undertaken means that the Licensing Authority is confident that the conclusions drawn are well-founded.
Data limitations are mentioned but it is not obvious to what extent these skew the data, for example, sampling numbers (only 2,250 matches geographically of the 4,045 licensed premises in Westminster); accuracy of data (the location at which undesirable behaviour occurs may not be the same as the location recorded in the reporting. This	A full list of acknowledged limitations are listed in Appendix 2 (Licensing & Noise Complaints methodology limitations) and Appendix 4 (Regression Analysis methodology limitations). The range of data used and analytic methods employed and the council's holistic approach to

potentially leads to missed or erroneous correlations); and the 'Odds Model by premises type' was considered too broad to allow for confidence and therefore only the "all premises type" figures have been used for the Odds Model for each undesirable behaviour issue. What effect have these limitations had on the data?	the CIA means that means is confident in the conclusions that the CIA has drawn. The 2,250 matches refers to only to the number of licensed premises which were matched to a Google Places ID, the unique ID used to return a premises' opening hours from the Google Places API. In all other aspects the full 4,045 licensed premises have been used in analysis.
If the evidential and causative basis for the inclusion or exclusion of certain types of premises is not clearly set out in a CIA then how can any future applicant for a material variation or a new licence hope to understand how to either be treated as an exception or indeed to overcome the Policy?	The CIA details the types of negative behaviour that are linked with certain premises types and areas of interest to the CIA. Applications for these types of premises should use the CIA to identify the issues in their local areas that they should address in applications. Whether or not certain types of venue need to prove to be an exception to policy will depend on the future policy direction.
Include women's night safety audit	Unfortunately the Women's Night Safety Audit was not available during the development of the CIA, however it will be considered as part of Westminster After Dark.
The CIA does not seem to highlight the number of crimes or incidents relative to the number of licensed premises in a 'hexagon'.	This is an approach we will look to include in future versions of the CIA.
An assessment of cumulative and other problems needs to consider crimes or incidents reported in neighbouring boroughs.	Considering the size of this data exercise it would be very challenging to get hold of neighbouring borough data to complete this but we do endeavour to work closely with neighbouring boroughs on enforcement and intelligence sharing.
We are concerned that a tighter approach in the West End (which may be much-needed) could lead to rapidly increasing pressure on Knightsbridge and resultant problems.	This is a consideration for future policy development.
Define relevant authorisations	Relevant authorisations is defined in s5A(3) Licensing Act 2003 as: (a)premises licences; (b)club premises certificates.
Concerned CIA does not include capacity of premises	It has not been possible to source this dataset for analysis/inclusion in the CIA review.

There are a number of references to Romilly Street being a street with a high concentration of licensed premises. We would suggest Romilly Street is incorrect and should be replaced by Old Compton Street.	Both Romilly Street and Old Compton Street are included in the Output Area with the most licensed premises in the borough.
It does not appear that there has been any investigation into the qualitative difference between premises within crude umbrella categories (such as a "pub/wine bar" or "restaurant") in terms of their potential for any incremental contribution to cumulative impact.	This has been acknowledged in the Licensing and Noise Complaints methodology limitations in Appendix 2. The approach to different types of premises within the same umbrella will be considered in future policy development.
We note that theft accounts for the largest proportion of crimes that have a recorded venue of interest to the licensing and night-time economy. It would be useful to have additional information about the location of the crime and if it was in the venue or on the street of that venue.	The CIA analyses theft in a geographical location as well as linked to a specific location/venue.
The conclusion seems to be at odds with the overwhelming evidence that the West End (Zones 1 & 2) experiences unsustainable cumulative impact.	The Licensing Authority statement is clear that it is the view of the Licensing Authority that the number of relevant authorisations in respect of premises in the West End is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) Licensing Act 2003 to grant any further relevant authorisations or variations in respect of premises in the West End.
Report should differentiate between crime caused by the ENTE and organised crime	This would not be possible to discern with the limitations of the crime data available.
I do not believe the report has a grasp on how dangerous and problematic Edgware Road and its surrounding areas have become.	The inclusion of the Cambridge Crime Harm Index seeks to factor in severity and impact of different crimes into the geographical analysis.
It is clear that, compared to parts of Soho, other areas of Westminster do not have the same level of problem. It would be interesting however to compare areas like Mayfair with other parts of the country, if that is possible.	The CIA analyses areas outside of the west end, by excluding west end data in order to make sire that issues in these areas are not drowned out by west end data.
It's noted that you don't identify stats on tourist as victims of crime in the West End data.	This isn't a categorisation field within the datasets we receive from our partner organisations (Metropolitan Police Service, British Transport Police, London Ambulance Service, London Fire Bridge), as such we're not able to segment tourists in our analysis.
Policy presumptions to refuse aren't the best way to reduce impact.	This will be considered as part of Westminster after Dark and any future licensing policy revision.

Do CIAs relate to Temporary Event Notices (TENs?)	CIAs do not relate to TENs as they only look at the impact of relevant authorisations (premises licences and club premises certificates).
While we welcome the detailed analysis of crime and disorder, anti-social behaviour, and noise we would recommend that the CIA considers the cumulative impact has on more vulnerable residents, workers and visitors.	This will be considered as part of Westminster After Dark and future CIAs.
For people with a learning disability it would be helpful to consider the proximity of sheltered housing accommodation in the borough in relation to licensed premises.	This might be considered as part of Westminster after Dark. A future CIA will consider if there are issues that can be considered from a licensing perspective.
We welcome the inclusion of data analysis by age in the CIA, however would recommend that as this cohort is specifically identified in one of the licensing objectives that special consideration is given to this age group.	Demographic information such as 'age' was not captured or accessible in most data sets observed, meaning insights into harms against children could not be considered to the fullest extent in this assessment
We believe it would be helpful to include reference to particular drugs which are likely to have a particular link with licensed premises such as Club Drugs and nitrous oxide.	We may investigate the links between these substances and licensed venues in future CIAs.
We would strongly advise reviewing the language/profiling of victims in these sections with the VAWG Strategic Lead and Community Safety colleagues. Language on the profiling of the victims should be reviewed and profiling of perpetrators should also be included.	We have sought the feedback of the VAWG Strategic Lead and incorporated their comments.
Night-time economy/shift workers. The needs of night-time economy or shift workers, such as the impact of crime and disorder/anti-social behaviour, the impact of noise at work on physical and mental health, and access to healthy food could also be considered in the CIA.	These will be considered as part of Westminster After Dark and may be considered in future CIA revisions.
Shisha venues also should be considered as part of the licensing policy.	Shisha is not a licensable activity.
In addition to the ambulance call out data included in the CIA we would recommend that that hospital and emergency admissions data be considered for inclusion.	This data is unfortunately unavailable below the borough level. If this is released at a more granular level, specifically with geography attached (ward or LSOA) we would be happy to include this in the next CIA.
The CIA should consider a broader range of holistic data sets	The CIA takes into account a broad range of holistic data sets to ensure a well rounded picture of impact is presented. Some data sets were not available to the team at the time the CIA was produced and the suggestions made in the consultation submissions will be considered when the CIA is revised in the future.

	The data sets will also be considered as part of the Westminster After Dark programme. This will include data sets that are not relevant to the specific product that is the CIA.
Reported overall crime levels in Westminster in key incident categories has fallen compared to 2019, but this is not acknowledged or taken into account – including in the context of the analysis of West End Zones 1 and 2.	The CIA references the average rate for the years that the 2020 CIA examined (2019-19) and compares them to 2022. Where the 2022 rate is higher than the average but lower than the 2019 comparator we will make that clear as well as explaining this in the introduction to the crime section. The 2020 CIA took a three year average which would have been our preference with the 2023 CIA, however the impact of Covid-19 and the associated restrictions means that this was not possible. The licensing authority does not believe these affects the conclusions drawn in the CIA given the upward trajectory of crime rates and the impact of the Covid-19 that was still being felt in 2022.
Crime at licensed premises (including theft) is a very small proportion of overall crime. This is not acknowledged or factored into the analysis.	The CIA is clear about the limitations and scope of the data used. The Licensing Authority does not believe that 15% is a very small proportion of overall crime. Nevertheless, producing the CIA is a statutory duty and must focus on crime associated with licensed premises. The council is not seeking to link all or the majority of crime across Westminster to licensed venues and we recognise that cumulative impact does not mean that individual premises are poorly run, but that the concentration of venues in a specific are can negatively affect the licensing objectives.
The inclusion of certain areas in the scope of the cumulative impact statement is not supported by the data.	The whole of the City of Westminster has been considered when developing the CIA. The scope of any Cumulative Impact Zone will be determined as part of the development of a revised Statement of Licensing Policy. Where possible the CIA has utilised more granular data which means a more localised approach to licensing policy is a possibility in the future.
The data on noise complaints does not support the conclusions on cumulative impact.	Regression Analysis demonstrates the relationship with cumulative licensing. Noise complaints are more distributed throughout the borough, but the clusters of high hexagons do still appear to be

	concentrated within the West End Zones. The limitations of this data are acknowledged in the CIA.
The regression analysis is given undue weight, and does not take proper account of its stated limitations, including that it does not control for footfall. The results do not demonstrate a relationship of cause and effect between licensed premises and crime / noise complaints - but are seemingly interpreted as if they do.	We unfortunately do not have footfall at a granular level that would be consistent with our other datasets for it to be included in the regression analysis. For the regression, the number of licensed premises and crime numbers were grouped in a 20,000 sqm hexes across the whole of Westminster. The granularity of footfall data did not allow for the same process as it is only available at MSOA for 2022. The footfall data would have to be broken down into 20,000 sqm hexes for the whole of Westminster to be consistent with the other variables in the analysis