

## Public Document Pack

# Licensing Committee

Thursday, 16th July 2015

at 6.00 pm

**PLEASE NOTE TIME OF MEETING**

**Conference Room 3 - Civic Centre**

This meeting is open to the public

### **Members**

Councillor Tucker (Chair)

Councillor Furnell

Councillor Galton

Councillor Lloyd

Councillor Painton

Councillor Parnell

Councillor Spicer

Councillor Thomas

Councillor Vassiliou

Councillor Whitbread

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## **PUBLIC INFORMATION**

### **Role of this Committee**

The Committee publishes and implements a statement of licensing policy. It appoints Sub-Committees to deal with individual licensing applications and associated matters for which the Council as Licensing Authority is responsible.

### **Public Representations**

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

### **Southampton City Council's Priorities:**

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

**Smoking policy** – The Council operates a no-smoking policy in all civic buildings.

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**Fire Procedure** – Should the fire alarm sound during the meeting leave the building by the nearest available exit and assemble in the Civic Centre forecourt car park.

**Access** – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

### **Dates of Meetings: Municipal Year 2015/16:**

Meetings of the Committee are held as and when required.

## CONDUCT OF MEETING

### TERMS OF REFERENCE

The terms of reference of the Licensing Committee are contained in Part 3 (Schedule 2) of the Council's Constitution.

### BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

### Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

### Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 4.

## DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.



## AGENDA

Agendas and papers are available via the Council's website

### **1 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

To note any changes in membership of the Committee made in accordance with Council Procedure Rule 4.3.

### **2 ELECTION OF VICE-CHAIR**

To elect the Vice Chair for the Municipal Year 2015/16.

### **3 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

### **4 STATEMENT FROM THE CHAIR**

### **5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

(Pages 1 - 8)

To approve and sign as a correct record the Minutes of the meeting held on 30th April 2015 and to deal with any matters arising, attached.

### **6 STATEMENT OF LICENSING POLICY**

(Pages 9 - 100)

Report of the Head of Legal and Democratic Services seeking approval of the Statement of Licensing Policy to run from 7th January 2016 to 6th January 2021, attached.

Wednesday, 8 July 2015

HEAD OF LEGAL AND DEMOCRATIC SERVICES

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SOUTHAMPTON CITY COUNCIL  
LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 30 APRIL 2015

Present: Councillors Tucker (Chair), Galton, Hammond, Painton, Parnell, Vassiliou and Whitbread

23. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Committee noted that apologies had been received from Councillors Lewzey, Pope, Spicer and Lloyd.

It was noted that following receipt of the temporary resignation of Councillor Lloyd from the Committee, the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Hammond to replace her for the purposes of this meeting.

24. **DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

Members stated that the interests declared at the meeting of 16 December 2014 (and 9<sup>th</sup> April 2015) remained unchanged and thus reaffirmed the following and remained in the meeting during the consideration of the matter:

“Councillors Galton, Hammond, Whitbread, Vassiliou, Spicer and Painton declared personal interests, in view of Councillor Galton’s respective status as being a member of Mint Casino (now Genting) and having visited the Genting Casino approximately sixteen months ago and being a member of Grosvenor Leisureworld, Councillor Hammond’s respective status of visiting Gala Bournemouth about five and a half years ago and Grosvenor Brighton about two and a half years ago and a casino in Southend about 10 and a half years ago, Councillor Whitbread’s respective status as holding membership of Grosvenor Leisureworld and visiting in the last eight months, Councillor Vassiliou’s respective status as being a member of Grosvenor Leisureworld and Genting Casino, Councillor Spicer’s respective status as holding membership of Grosvenor Leisureworld and visiting recently and Councillor Painton’s respective status as holding membership of Genting Casino.”

In addition Councillor Tucker declared a personal interest as having attended the recent launch of Watermark Westquay event held by Hammerson

25. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED** that the minutes of the meeting held on 9<sup>th</sup> April 2015 be approved and signed as a correct record.

26. **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that the parties to the hearing, press and public be excluded at a predetermined point in accordance with Section 100A (4) Local Government Act 1972 whilst the Committee reaches its decision.

27. **GAMBLING ACT 2005 - LARGE CASINO LICENCE: DETERMINATION OF DATE OF CLOSURE OF STAGE 2**

The Committee considered the report of the Head of Legal and Democratic Services requesting the Committee consider and resolve whether to alter its decision to extend the closing date of Stage 2 of the casino licensing competition.

Mr Herd (Global Gaming Ventures Ltd), Mr Hagan (Aspers), Mr Walsh (Kymeira), and Mr Clifton (on behalf of the developer, Royal Pier Waterfront) were present and with the consent of the Chair, addressed the meeting.

The Committee considered the decision in confidential session in accordance with the Local Government Act 1972 Section 100A(4).

**RESOLVED** that the following decision be approved and notified, as agreed at the meeting, to all applicants in writing after the meeting. A brief summary of the decision was read out at the meeting.

## **DECISION**

### **Introduction**

The issue before the Licensing Committee is whether submissions to Stage 2 of the competition should be made by 10<sup>th</sup> July 2015 as it determined on 9<sup>th</sup> April, or 14<sup>th</sup> May as suggested by Global Gaming Ventures (Southampton) Limited (“GGV”) or some other and if so what date. The Committee does not consider itself to be bound by its earlier decision but approaches the matter afresh and with an open mind, and in the light of all the written and oral submissions which it has heard.

### **Written submissions**

The Committee briefly summarises the written submissions as follows.

In GGV’s letter dated 16<sup>th</sup> April 2015 it submitted that the requirement of fairness takes precedence over all other considerations, and that to grant a further three months to prepare to parties who are not ready to make their submission in accordance with a previously set timetable gives rise to unfairness which is not outweighed by the prospect, actual or imagined, of some future benefit. It submits that the Committee did not ask itself whether its ruling was consistent with the fair conduct of the competition. Other procedural points are made, but of course these are removed from the equation in the light of this fresh hearing. It also reminds the Committee that it is not to permit or appear to permit any pre-existing policy, preference or relationship influence its decision, a matter of which the Committee is very well aware.

Despite GGV’s submission that it would be unfair for an extension to be granted to 10<sup>th</sup> July, it does not oppose an extension to 5 pm on 14<sup>th</sup> May. Therefore, its complaint is not about the fact of the extension but its amount.

Grosvenor Casinos Limited (“Grosvenor”) wrote through its solicitors on 20<sup>th</sup> April 2015, stating its belief that a submission date of 10<sup>th</sup> July is necessary, taking into account the suggestion by RPW, only very recently advanced in its letter of 31<sup>st</sup> March 2015, of a basement location for the casino, and the subsequent decision of the Committee on 10<sup>th</sup> April 2015, as to the permitted footprint of the casino. It considers the submission date of 10<sup>th</sup> July to be a sensible, pragmatic decision which is likely to bring about the greatest benefit for the people of Southampton. It also submits that the management of the casino timetable is a matter for the Committee, which the Committee takes to mean that the Committee has a wide discretion on the matter, subject only to the requirement of fairness.

RPW Southampton Limited (“RPW”) also wrote through its solicitors, on 21<sup>st</sup> April 2015. The letter amounts to a detailed account of why it was that some parties at least were

not in a position to submit their Stage 2 bids on 16<sup>th</sup> April 2015. The Committee does not consider it necessary to set out the contents of the letter, because whether RPW's previous delay was culpable or not, the important point was and is that it does not consider that the applicants are to blame for it.

The letter also complains that at the hearing on 9<sup>th</sup> April, GGV were permitted to make unfounded remarks regarding viability, which were immaterial to the issues then before the Committee. It will be appreciated that, even though no party sought to prevent GGV from making its remarks, the Committee did not and does not take those remarks into account in exercising its discretion regarding the timetable.

The letter goes on to set out a timetable for steps towards the submission of the Stage 2 bid, culminating in a submission date of 10<sup>th</sup> July 2015. It states that it is not practicable to compress that timetable any further in the light of the work to be undertaken, to provide applicants with sufficient time to request alterations to the proposals, and for it to give such requests proper consideration.

The Committee would observe that no party challenged the correctness of that timetable.

Aspers Universal Limited ("Aspers") made written submissions by Counsel dated 22<sup>nd</sup> April 2015 to the effect that there was no procedural unfairness at the hearing of 9<sup>th</sup> April 2015. As the Committee has observed above, it does not need to go into that submission since any unfairness is cured by the holding of this further hearing.

Aspers generally supports the previous decision of the Committee which, it states, reflected a careful analysis of its consequences. There was no unfairness and nor could there be any perception of unfairness. The simple fact that GGV does not agree with the decision provides no proper basis for review or reversal of the fair and reasoned exercise of the Committee's discretion for the benefit of the local community.

Kymeira Casinos Limited, in a letter dated 30<sup>th</sup> April 2015, similarly submits that the procedure adopted at the hearing of 9<sup>th</sup> April was fair, and agrees with the decision which was made. It also submits that it requires the full time allotted by the Committee to make its Stage 2 submission.

Genting Casinos Limited replied through its solicitors to state that it had nothing to add in respect of this issue.

### **Oral submissions**

Attending the Committee were representatives of GGV, Kymeira, RPW and Aspers, all of whom wished to speak.

For GGV Mr. Herd stated that GGV accepts that it is unnecessary to go through what happened on the last occasion since this is a fresh hearing, save to say that last time much time was spent discussing delay in the context of a late Stage 1 application, which would have necessitated delay in Stage 2. He considered that that is different from the question of whether Stage 2 should be delayed in isolation. It should have been on the agenda and debated in that context. It was therefore a surprise to GGV that Stage 2 was extended for 3 months, and it looked as though with no applicant asking for it, it was granted as an ex gratia gift to an applicant which would otherwise struggle.

As Mr. Herd accepted, however, his point is now academic given that this is a fresh hearing.

Mr. Herd referred to paragraph 28 of the previous decision, and the Committee's reference to that being a powerful suite of arguments. It was powerful, he said, because it was based on fairness.

Mr. Herd then referred to paragraph 29 of the decision and said that whether the Committee might take account of the benefits of Royal Pier is an irrelevant matter. It

cannot give a helping hand to one applicant. The legal reason is that the DCMS Code of Practice requires that the process be fair, and that applicants be treated fairly without favour or discrimination. The rules must not be changed to favour a particular scheme. Mr. Herd referred to RPW's letter at page 33 of the Agenda papers, which appears to indicate that the original timetable was set to assist the RPW development. To make further changes to accommodate one applicant verges on being unfair and has the appearance of unfairness.

The Committee would stress that it had no knowledge of whether the original timetable was set to assist the RPW development and is uninfluenced by any such consideration. Mr. Herd said that the Southampton competition rules are based on assessment of merits, and it is not open to the Council to say that the rules should be changed because one scheme is not deliverable. If the situation were reversed, GGV would not be permitted to have an extension if it had not been ready to deliver on the Watermark West Quay site.

The DCMS Code also says that pre-existing relationships must not be permitted to influence or appear to influence decisions, and in this case the proposed extension either is or appears to be unfair. Nothing has changed, he said, to justify a further three months.

He reminded the Committee that GGV wants to develop a good casino.

He stated that on 9<sup>th</sup> April, the Licensing Committee lost sight of the requirement of fairness. It changed the rules to support a preferred scheme, even though the extension created unfairness.

Mr. Herd reiterated that 14<sup>th</sup> May should be selected, and this was to accommodate the time for people to prepare and submit their bid, carry out the necessary printing etc. He stated that this was a pragmatic view on GGV's part. But accepting a July deadline means that parties are given the opportunity to improve their application. Mr. Herd stated that the Committee should act based on what is fair and right, and not based on who it thinks ought to win.

The Chairman asked whether Mr. Herd was stating that the Committee might not take into account the potential benefits of the Royal Pier site.

Mr. Herd stated that it is the job of the Committee to prefer the scheme which produces the greatest benefit. But the competition must be conducted fairly, so the assessment of the public benefit can only take place at the end. To make an interim determination of benefit is not fair.

Mr. Herd was asked repeatedly whether the potential benefit of the Royal Pier is a material consideration. He said that the Committee cannot manipulate the process. He said that in setting a fair process, there must be fairness, and taking account of potential benefits must not disturb that central fairness.

Mr. Herd was asked whether there is any reason why the Council could not depart from the previously set timetable. He said that it could be changed because of unavoidable and unforeseen circumstances. He did not explain why only such circumstances were sufficient to justify a change, or indeed how this cohered with GGV's suggested date of 14<sup>th</sup> May.

Mr. Herd accepted that the Committee is in a position to cure any alleged procedural defects on 9<sup>th</sup> April and can do so by making a fresh decision so long as it is in accordance with the DCMS Code.

For Aspers Mr. Hagan said that the decision reached was fair and reasoned, and that Aspers does not want to submit a sketchy Stage 2 application. On the previous occasion, GGV had put in a 17 page submission which was largely concerned with questions of fairness and delay, so that this hearing provokes a feeling of déjà vu.

As to fairness, he said that this is about ensuring a competitive tension to the competition. If GGV had sought an extension, it may have been granted one, but that is a hypothetical matter.

Mr. Hagan reiterated that it was no fault of Aspers that it did not have the specific information it needed to make a Stage 2 bid, and that was why a delay was sought. It wanted to comply with the deadline and had a track record of compliance. Aspers has continued to engage with the developer and has every intention and expectation of submitting Stage 2 bid on or before 10<sup>th</sup> July, but it needs every day of that extension to make the submission. He stated that Grosvenor agrees with Aspers in that submission, and RPW has itself set out all the steps which need to be taken. Aspers' instructions are that there has been engagement that it was not seeing before, and is confident that the developer "got it" and was going to do what it had to do, and that this was an ultimate deadline which it had to work with Aspers to meet.

What would be unfair, according to Mr. Hagan, would be for the Committee to reverse or alter its previous decision with no change of circumstances since the 9<sup>th</sup> April meeting. There is no proper basis for review or reversal of that decision.

The only unfairness to GGV of an extension would be that GGV would have competition which it would otherwise avoid.

For Kymeira, Mr. Walsh QC said he adopted what Mr. Hagan said. The sole reason the Committee is here again is that GGV says that the issue of delay of Stage 2 was not on agenda and was not discussed. Mr. Walsh said that it was to all present perfectly obvious that the question of delay was to be discussed, that all parties were given free rein to say what they wanted to say and GGV went last having heard what everyone else had to say. The issue of delay was exhaustively considered. The benefit of the decision that the Stage 2 casino position had to be on all fours with the Stage 1 position was that it clarified the matter, and was robust, but was balanced by the need to get a full and detailed Stage 2 application before the Committee. The notion that Stage 2 bids could be sketchy and then supplemented later is not a proper way to proceed.

Mr. Walsh said that there are components to the fairness issue other than whether any party will be disadvantaged. Fairness involves striking a balance. It is inevitable in striking a balance that not everyone is happy. Some will gain and some will lose. And one has to find the fairest position. The fact that someone may be disadvantaged does not mean that it is unfair unless it is out of kilter. Nor has the Committee to put out of its mind the potential benefits of the Royal Pier site or the fact that five applicants want to participate in a development there. The fact that a decision might exclude five applicants is a relevant consideration, although its weight is a matter for the Committee.

Mr. Clifton for RPW reiterated that there had been a previous legal uncertainty regarding where the red line could appropriately be drawn, and the question was not finally resolved until 9<sup>th</sup> April. He considered that the decision reached in relation to an extension of Stage 2 was and is fair. The timetable in RPW's letter had been properly considered, and was submitted in time for other parties to comment on it as appropriate. The previous decision provided the certainty RPW needed, and RPW would ensure that the deadline is adhered to. But to bring any of the dates in the letter forward would not be possible given the process of drawing up the masterplan with the knock-on consequences for other stages in the process.

Mr. Herd was given an opportunity to reply to the submissions of other parties. He reminded the Committee that an extension was originally granted in September 2014, so there is a history of repeated applications for extension. He stated that the core issue was whether a disbenefit to one applicant is unfair. He accepted that a disbenefit is not necessarily unfair. The question is whether the decision is motivated by favouritism or discrimination or its appearance. If a decision looks like it has been made

out of favouritism or discrimination, it is unfair. The pattern of extensions here, taken in the round, looks unfair.

### **Conclusion**

The Committee is grateful to all the parties for their submissions, whether written or oral.

It wishes to reiterate that it comes to this issue independently and objectively and without reference to any view it may have about the merits of the Royal Pier development. It has also come to the decision afresh.

The Committee agrees with GGV that it must arrive at a fair determination, holding the balance between all applicants. GGV has accepted that the potential benefits of certain applications are a material consideration. It does however say that this should not be allowed to disturb the inherent fairness of the process. The Committee considers that that is a submission which goes to the weight of the consideration and not its relevance. The Committee does not come to the decision in a vacuum, and considers itself able to recall the essential point of the competition, to realise benefits for the people of Southampton. However, it agrees that it must hold a fair balance between all the applicants.

Contrary to GGV's submissions the Committee has not made an assessment of the benefits of the Royal Pier site. As it has previously stated, it is not prepared to choke off any potential benefits by refusing a sufficient extension of the Stage 2 deadline. The case for an extension would not be stronger or weaker if the Royal Pier scheme were a good or bad one. The question is simply whether the Royal Pier applicants should be given an extension in the light of their submission that they need an extension to enable them to submit a competent Stage 2 bid.

The Committee takes as its guiding principle the Code of Practice, which makes it clear that the procedure has to be fair, and that any pre-existing contract, arrangement or other relationship the Council may have with any person does not affect the procedure so as to make it unfair, or appear unfair, to any applicant. The Committee again reiterates that it is not influenced in any way by the merits of the Royal Pier scheme, or any pre-existing contract, arrangement or relationship with any person. It is simply concerned to achieve fairness to all parties, five of whom have made applications for the Royal Pier site, having regard to the fact that the purpose of the competition is to maximise the benefits to the people of Southampton. It is inherent in any balancing exercise that one party may be disadvantaged: this does not make it unfair. In this respect it agrees with the submissions of Mr. Walsh, a proposition with which Mr. Herd did not disagree.

GGV submit that paragraph 28 of the Committee's previous decision contain weighty considerations, including that a further delay will enable rival parties to improve their bids. The Committee agrees. However, the Committee, considering the matter afresh, remains of the view that the counter-arguments set out in paragraph 29 are also weighty, for the reasons there given. It cannot be the case that the Committee must ignore the potential deficit to Southampton by cutting off five applicants from participating properly in the competition, and in the final resort it does not seem that Mr. Herd was going so far as to say that it must do so.

As to the contents of paragraph 30 of the previous decision, there is no evidence, reason or basis for the Committee to alter its previous view that responsibility for the delay does not lie with the applicants. Nor does it consider realistic GGV's suggestion that applicants should put in sketchy Stage 2 bids, which would not benefit the Council in its determination process or, by extension, the people of Southampton. The fact that



the applicants are not culpable for the delay is, in the estimation of the Committee, a powerful consideration.

Further, the Committee accepts that RPW is now co-operating with the process and that there is a real will to meet a deadline of 10<sup>th</sup> July. It accepts that proper bids will not be submitted if the date is pulled back to an earlier date.

The Committee can understand why GGV does not wish there to be a long extension, but does not consider it fair to shut out five of the applicants. In reference to Mr. Herd's final submissions, it does not consider that there is any element of favouritism or discrimination, by reason of the history or otherwise. It is simply to accede to the need of five parties for an extension to enable them to stay in the competition, which is designed to benefit the people of Southampton. Nor, in the view of the Committee is there any appearance of favouritism or discrimination: the objective observer, knowing of the factors taken into account by the Committee, would conclude that the Committee had done what it has done – to try to find a fair balance between the need of all parties, rather than excluding five out of seven applications by default.

For those reasons, the Committee, while coming to this matter afresh, reaches the same view that it reached on the previous occasion. It is a question of balance, trying to do justice to all applicants. It is not a perfect science but a balancing exercise, which the Committee has anxiously attempted to perform.

There is a further consideration, which serves to supplement and not alter the conclusion just reached. GGV does not oppose any extension. It accepts that there can be an extension. However it wishes the extension to be only to 14<sup>th</sup> May. The Committee does not criticise GGV for conceding the principle: rather it commends it. However, once that principle is conceded, the question of the extended date must be a matter for the Committee. The reason for the extension sought is to enable proper bids to be submitted. Following that logic, the Committee has selected the extended date to enable a proper application to be submitted by the applicants. The fact that this may benefit those applicants does not make it unfair: rather it is the reason for the extension. Any decision it makes in an attempt to hold the balance is likely to benefit or disbenefit at least one party to some extent. In this case, in its attempt to be fair to those seeking a longer extension than GGV concedes should be granted, the Committee does not consider that it is being unfair to GGV. Rather, it has tried to find a fair balance.

It would also observe that, in the same way that the Royal Pier applicants will have the opportunity to improve their bids, so GGV will have the opportunity to improve its bid in the course of the coming months. It realises of course that GGV was already ready to submit in April, but there is still likely to be some degree of benefit in being able to review and improve the content of the bid.

In summary, it is inherent in this exercise that any delay sought by one party and opposed by the other is likely to benefit one party and potentially disadvantage another. So if disadvantage were to be equated with unfairness no extension could ever be granted. Rather, the requirement of fairness is that the Committee must hold a reasonable balance between the need of all parties. It considers that it has done so. Therefore, the Committee has determined that the deadline for submission of bids at Stage 2 shall be noon on 10<sup>th</sup> July 2015, and strongly reiterates that a further extension application is highly unlikely to be viewed with sympathy.

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# Agenda Item 6

<b>DECISION-MAKER:</b>	<b>LICENSING COMMITTEE</b>		
<b>SUBJECT:</b>	CONSULTATION DRAFT - STATEMENT OF LICENSING POLICY 2016 TO 2021 – LICENSING ACT 2003		
<b>DATE OF DECISION:</b>	16 JULY 2015		
<b>REPORT OF:</b>	HEAD OF LEGAL AND DEMOCRATIC SERVICES		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>	
None	
<b>BRIEF SUMMARY</b>	
<p>In accordance with Section 5 Licensing Act 2003, the Council, as Licensing Authority, is required to adopt a Statement of Licensing Policy by January every five years. The Council's current Statement of Licensing Policy was adopted in November 2010 and requires fresh adoption prior to 7th January 2016. This report seeks approval of the statement to be submitted for consultation prior to consideration of adoption of the Statement of Licensing Policy.</p>	
<b>RECOMMENDATIONS:</b>	
	<p>(i) That the committee considers the proposed Statement of Licensing Policy and the associated reports and approve it for the purpose of consultation.</p>
	<p>(ii) That the committee agree to review the amended draft Statement of Licensing Policy at the end of the consultation period with the intention to recommend the adoption of it by the Full Council on 18<sup>th</sup> November 2015.</p>
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	<p>The core of the current Statement of Licensing Policy has been in place since 2005 and has remained broadly unchanged during this period.</p> <p>The only significant addition was that of a Cumulative Impact Policy (CIP) as an addendum to the main policy in May 2009. The Policy is an outline of the approach that the Council must adopt in consideration of any application or review. In the view of officers and the Responsible Authorities, the Policy has worked well. Accordingly, there is no cogent reason why significant changes should be made to the Policy at this point in time. However the legislation has been updated and this new policy takes these changes into consideration. One of the most notable changes being the introduction of the Late night Levy.</p>

2.	It is necessary to consult widely on this matter to ensure the Policy is appropriate and fit for purpose prior to adoption.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
3.	No alternative options have been considered as the Council has, by law, to adopt a Statement of Licensing Policy every five years.
<b>DETAIL (Including consultation carried out)</b>	
4.	As previously indicated, the Statement of Licensing Policy has been in place since January 2005. The Authority had regard to the Licensing Policy during this period of time and it is officers and Responsible Authorities' views that the Policy is robust, reasonable and appropriate for the City at the current time. Should the situation change, the Authority has the ability to revisit the Policy and bring it to Full Council for reconsideration, as it did when considering the city centre CIP areas in May 2009.
5.	The emergence of the Cultural Quarter resulted in a revised policy with regards to Cumulative Impact in 2009. This provided exceptions to the CIP for certain premises meaning that ordinarily they would be treated as appropriate.
6.	To assist in drafting this document enquiries were made of the Environmental Health Team, Public Health, Planning and Hampshire Police. They will all be included in the consultation.
7.	Since the last Statement of Policy was adopted there have been numerous changes to the Licensing Act 2003, especially concerning the definition of regulated entertainment. The document takes account of these changes but it does not fundamentally change the document.
8.	The Police Reform and Social Responsibility Act 2011 gave councils the opportunity to adopt the Late Night Levy and this Authority did that in September 2014. The new document includes this significant change.
9.	The document leaves the number of CIP areas at 3 and the areas are identical with the exception of the Bevois Valley area where it has extended its boundary south along St Marys Road to opposite the Fire Station.
10.	By way of background, it is the duty of the Council as licensing authority to carry out their functions under the Act with a view to promoting four licensing objectives which are: <ul style="list-style-type: none"> <li>• Prevention of crime and disorder;</li> <li>• Public safety;</li> <li>• Prevention of public nuisance; and</li> <li>• Protection of children from harm.</li> </ul>
11.	In addition, in determining this Policy, the licensing authority must have regard to the Guidance provided by the Home Office.
12.	Whilst the Policy must set out a general approach to the making of licensing decisions, it cannot be ignorant or inconsistent with the provisions of the Act. For example, the Policy must not undermine or exclude the right of an individual to apply under the terms of the Act for a variety of permissions and to any have such applications considered on its individual merit.

13.	<p>The Policy should also make it clear that licensing is about regulating the carrying on of licensable activities on licensed premises by qualifying clubs and temporary events, and that conditions attached to various authorisations can only be focussed on matters which are within the control of individual licensees and others granted relevant authorisations. Accordingly, these matters will focus on the premises and places being used for licensable activities and the vicinity of those premises and places. Anti-social behaviour in the vicinity of licensed premises is a broad issue that can be, and is, referred to in the Policy. However, whether or not incidents can be regarded as “in the vicinity” of licensed premises or places is a question of fact and will depend on the particular circumstances of each case under consideration. However, the Council will encourage, as far as it is possible, that licence holders have regard to the impact of their business or activity on the neighbourhood and wider community. In cases of dispute, the question will ultimately be decided by the courts. The current Policy makes it clear that in addressing this matter the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working and engaging in normal activity in the area concerned. The Policy also makes it clear that the licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and, therefore, beyond the direct control of the individual club or business holding the licence certificate for the organisation concerned.</p>
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**RESOURCE IMPLICATIONS**

**Capital/Revenue**

14. None.

**Property/Other**

15. None.

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

16. Section 5 of the Licensing Act 2003.

**Other Legal Implications:**

17. None.

**POLICY FRAMEWORK IMPLICATIONS**

18. It is a statutory obligation to produce a Statement of Licensing Policy by references specifically made in the Policy to the need integrate with other strategies such as the local tourist economy, Council Strategy for the City, Night-time Economy, Crime and Disorder Strategy, Anti-Social Behaviour Strategy and other relevant corporate policies.

<b>KEY DECISION?</b>	N/A
<b>WARDS/COMMUNITIES AFFECTED:</b>	All

<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Redacted Hampshire Police Report to support the proposed Statement of Licensing Policy
2.	Annexe 1 to Hants Police Report - Late Night Levy Consultation Report
3.	Annexe 2 to Hants Police Report – NTE Zone Maps
4.	Annexe 3 to Hants Police Report – Crime Data
5.	Annexe 4 to Hants Police Report – Screen shot of violent crime data
6.	Annexe 5 to Hants Police Report – NTE Southampton District 2014 /15
7.	Annexe 6 to Hants Police Report – NTE Southampton District 2013/14
8.	Annexe 7 to Hants Police Report – All violence Graphs
9.	Annexe 8 to Hants Police Report – Screen shot of all Hants Police area violence
10.	Proposed revised Statement of Licensing Policy
11.	Annexe A of revised Statement of LP – Map of Bevois Valley CIP
12.	Annexe C of revised Statement of Licensing Policy – Map of Cultural Quarter
<b>Documents In Members’ Rooms</b>	
1.	Present copy of the Statement of Licensing Policy <a href="http://www.southampton.gov.uk/policies/Licensing%20Policy%20Statement%202011-2014.pdf">http://www.southampton.gov.uk/policies/Licensing%20Policy%20Statement%202011-2014.pdf</a>
<b>Equality Impact Assessment</b>	
Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out..	No
<b>Other Background Documents</b>	
<b>Equality Impact Assessment and Other Background documents available for inspection at:</b>	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None



The introduction of the 3 CIP areas Bedford Place (Zone 1), Above Bar Street (Zone 2) and Bevois Valley (Zone 4) has had a significant impact reducing crime and disorder, helping to promote the licensing objectives within licensed premises captured within these areas

The key signal crime types are assaults, sexual offences, robberies and alcohol related ASB

**[A] Crime Data**

**[1] Geographical data (Southampton district)**

**(a) RMS & business objects**

The level of crime and disorder within the Southampton, particularly its NTE zones has reduced year on year since 2008, this has mirrored local and national crime trends. There are a number of contributory factors particularly; smarter partnership approach around alcohol harm reduction, regulatory enforcement (including the CIP) and the economy down recession world wide

In the period since 2008 the Hampshire Constabulary has adapted to the crime recording and classification changes introduced by the Home Office, this makes comparative interpretation of police crime data throughout this period more difficult (Annexe 3 - Key guidance on crime data integrity)

**Comparison of violence data (2014/15)**

	Homicide	Violence(with injury)	Violence	Total Violence	% of Soton district 'Total Violence'
Hampshire				28323	
<b>Southampton district</b>	4	2686	2907	5597	
Southampton Central Sector	2	1033	913	1948	<b>34.80%</b> (1948 / 5597)
Southampton North Sector	0	482	581	1063	<b>18.99%</b> (1063 / 5597)
Southampton East Sector	0	521	585	1106	<b>19.76%</b> (1106 / 5597)
Southampton West Sector	2	650	828	1480	<b>26.44%</b> (1480 / 5597)
Note : Above figures includes the below NTE figures (absorbed within the soton district total)					
NTE related (whole soton)	0	480	745	1225	<b>21.88% total</b> (1225 / 5597)

Figures from Hampshire Constabulary RMS business objects 01/04/2014-31/03/2015

(Annexe 4 – Screen shots from RMS Business objects ref violence data)

The 'Total Violence' figures include Domestic Assaults, Youth on Youth, Drug related and other types (not just NTE related)





The Southampton district accounts for 19.76% of the whole Hampshire Constabulary 'Total Violence' for the performance year period of 01/04/14 to 31/03/15 [19.76% (5597 / 28323)]

The Southampton Central sector accounts for 34.80% of the 'Total Violence' for the whole Southampton District. This is high in comparison to the other sectors; Southampton North (18.99%), Southampton East (19.76%) and Southampton West (26.44%)

The NTE accounts for 21.88% of the 'Total Violence' absorbed within the whole Southampton district total. Southampton Central sector contains ALL of 5 NTE zones, so a HIGH proportion 62.88% (1225/1948) of its 'Total Violence' is likely to be attributable to the NTE 'Total Violence'

A further analysis of Southampton Central sector shows its' two beat areas demonstrates how the NTE impacts disproportionately on its 'Total Violence'

The Bargate beat area now covers the NTE zones of 'Above Bar Street' (Zone 2), Oxford Street (Zone 3) and ██████████ West Quay (Zone 5)

The Bevois beat areas now cover the NTE zones of 'Bedford Place' (Zone 1) and Bevois Valley (Zone 4)

The Bargate beat area accounts for 54.97% (1071/1948) of the 'Total Violence' for the Southampton Central sector, this also represents 19.13% (1071/5597) for the whole Southampton District which is on a par with the 'Total Violence' figures for both Southampton North and East sectors

The Bevois beat area accounts for 43.58% (849/1948) of the 'Total Violence' for the Southampton Central sector, this represents 15.16% (849/5597) for the whole Southampton District which is fast approaching the 'Total Violence' figures for both Southampton North and East sectors

**Comparison of violence within Southampton Central Sector (2014/15)**

	Homicide	Violence (with injury)	Violence	Total Violence	% of Soton Central Sector 'Total Violence'
Hampshire				28323	
Southampton District	4	2686	2907	5597	
Southampton Central Sector	2	1033	913	1948	100%
Bargate Beat	0	573	496	1071	54.97%
Beavois beat	0	449	400	849	43.58%
SC admin "bucket code"	0	0	28	28	0.01%
Note : Above figures includes the below NTE figures					
NTE related (whole soton)		480	745	1225	62.88% total (1225 / 1948)



Figures from Hampshire Constabulary RMS business objects 01/04/2014-31/03/2015

(b) Research & Analysts 2014/15 document

(Annexe 5 – Research & Analysts 2014/15 document)

Also refer to annexe 2 on how this document was prepared and the reports limitations, which will not give a 100% accurate account of all crime and ASB linked to the NTE

The figures in (a) from RMS / Business objects are more accurate, the reports explore aspects around aggravating factors such as weapons used and what proportion were alcohol related.

The key trends around geographical locations are mirrored in this report identified specifically;

- 1940 occurrences (*not just violence offences*) between 01/04/14 and 31/03/15 linked to the NTE bus/org (*whole Southampton district*) occurring between 1900 and 0700hrs
- 739 (38%) relate to violent crimes which occurred during NTE hours. 634 of these occurrences occurred in a public place
- Southampton Central sector records the highest number of violent crime offences, 605 (82%) of all incidents within Southampton.
- Half of the NTE violent crime (368) occurred in the Bargate beat. 205 (56%) of these incidents occurred on a Saturday and Sunday; the majority of offences taking place between the hours of 0000 and 0500hrs. In this beat, the zones that experienced the highest number of violent crime were West Quay Road/ Leisure World (zone 5) and Above Bar/ Vincents Walk (zone 2).
- Bevois beat experienced the second highest number of violent crime offences during this period, with 233 occurrences. 174 (47%) of these occurrences took place between Friday and Sunday, with a peak timeframe between 2200 and 0500 hours. Within this beat zone 1 (London Road/Bedford Place) experienced the highest number of violent crime
- 17 incidents (2%) were flagged as serious violence, with 9 being linked to a license premises
- Bevois beat had the highest number of incidents involving serious violence (11), with 3 occurring at [REDACTED] in Zone 1 [REDACTED] London Road/Bedford Place

(c) Sexual Offences & Robbery within the NTE

- Sexual offences and robbery offences during NTE hours in 2014/15 account for 3% (58) of all occurrences
  - **Sexual** offences: 30 of the 58 incidents are sexual offences
  - 11 sexual offences are linked to license premises - 3 at [REDACTED] and 2 at [REDACTED]
  - 13 sexual offences occurred in Bargate beat, primarily around Above Bar/Vincents Walk (zone 2)
  - 8 are linked to Bevois beat; 3 in Bevois Valley/St Marys and 2 in London Road/Bedford Place

- **Robbery**; The remaining 28 occurrences relate to personal robbery
- Incidents occurred at a range of locations including shops, a park, nightclubs and a petrol station
- Both Bevois and Bargate beat are linked to 11 incidents each. Bevois Valley/St Marys (zone 4) experienced the highest number of robberies

**[2] Temporal data (Southampton district)**

**(a) Research & Analysts documents**

(Refer again to Annexe 5)

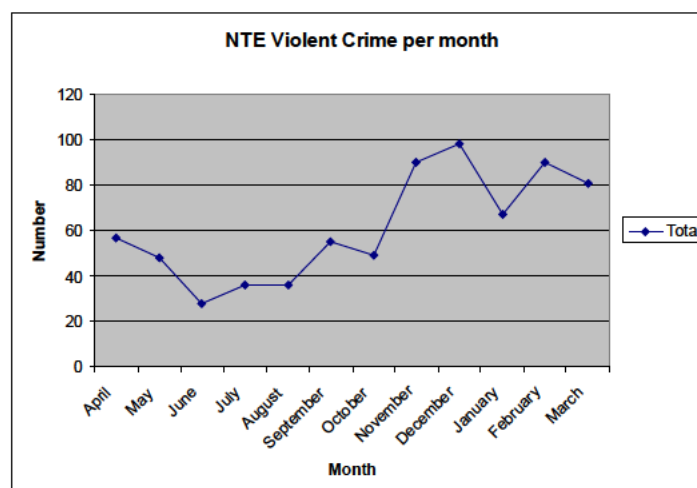
(Annexe 6 – NTE S district 010413-310114 v2)

As stated earlier the scope of these reports for Southampton district NTE is limited beyond its raw statistical analysis of trends and patterns from temporal and geographical data

The 2013/14 report covers the first 9 months of the performance year only, it was produced early to assist and inform the Late Night Levy consultation and subsequent implementation

The 2014/15 report covers the full performance year, however, the ASB figures contained are not fully representative of the NTE related ASB (so will be an under representation)

**(i) Seasonal / Monthly**



Line graph of NTE violent crime by month

- Violent crime offences increased in September 2014, remaining higher until a dip in January. This trend coincides with start of academic year (40,000 + students)

(ii) Day / Hour

**Southampton District NTE violent crimes overnight by day and hour**

2013/14

	19 00 - 19 59	20:00 - 20:59	21 00 - 21 59	22:00 - 22:59	23 00 to 23 59	00:00 - 00:59	01:00 - 01:59	02 00 - 02 59	03:00 - 03:59	04:00 - 04:59	TOTALS
Mon into Tue	27	22	13	11	12	26	8	8	8	3	138
Tue into Wed	29	14	16	11	11	23	25	31	16	8	184
Wed into Thu	16	15	20	6	9	12	4	6	8	3	99
Thu into Fri	15	23	23	10	8	34	13	13	14	6	159
Fri into Sat	13	29	23	34	19	50	40	48	34	22	312
Sat into Sun	14	11	22	36	47	69	54	51	44	10	358
Sun into Mon	18	19	17	20	20	31	11	9	5	2	152
											1402

2014/15

	19 00 - 19 59	20:00 - 20:59	21 00 - 21 59	22:00 - 22:59	23 00 to 23 59	00:00 - 00:59	01:00 - 01:59	02 00 - 02 59	03:00 - 03:59	04:00 - 04:59	TOTALS
Mon into Tue	4	3	3	1	1	2	6	5	3	7	35
Tue into Wed	3	5	10	3	3	13	13	13	9	14	86
Wed into Thu	0	1	4	4	3	8	8	10	4	2	44
Thu into Fri	1	1	2	5	3	13	11	13	14	4	67
Fri into Sat	2	5	6	5	18	34	29	37	43	12	189
Sat into Sun	10	9	8	16	23	29	45	25	27	30	222
Sun into Mon	7	4	4	7	2	3	4	4	3	3	41
											684

2013/14

- 48% of Violence data relates to purely Fridays and Saturdays.
- Friday data (312) represents 22% of total occurring between 1900 to 0500 hrs
- Saturday data (358) represents 26% of total occurring between 1900 to 0500 hrs
- Tuesday data (184) represents 13% of total occurring between 1900 to 0500 hrs
- Sunday data (152) represents 10.5% of total occurring between 1900 to 0500 hrs

2014/15

- 59% of Violence data relates to purely Fridays and Saturdays.
- Friday data (189) represents 27% of total occurring between 1900 to 0500 hrs
- Saturday data (222) represents 32% of total occurring between 1900 to 0500 hrs
- Tuesday data (86) represents 13% of total occurring between 1900 to 0500 hrs
- Sunday data (41) represents 6% of total occurring between 1900 to 0500 hrs



### Trends

- **14.93% decrease** in NTE related violence in 2014/15 compared to previous year [*Total figures from both reports 1440 (2013/4) down to 1225 (2014/15)*]
- 2015 shows proportion occurring on weekend nights risen from 48% to 59%, however, actual commission figures show 24% drop on those weekend nights (*542 down to 411*)

2015 violence figures 24 hr breakdown

(Annexe 7 – 2014to2015 all VIOLENCE on different graphs (MASTER))

The report (read in conjunction with the analyst reports) highlights peak times;

- Friday mornings between midnight and 0400hrs.
- Friday evenings into Saturday morning from 2300 until 0400hrs.
- Saturday evenings into Sunday morning from 2200 until 0500hrs.
- Tuesday nights from 2100 until 0500hrs on a Wednesday.
- The majority of incidents were linked to West Quay Road [REDACTED]

### [3] Zones, venues & locations (Southampton district)

- There are a number of premises that recorded more than 10 incidents:
  - Zone 5: [REDACTED] is top with 67 violent incidents reported; with a further 24 linked to [REDACTED] and 15 at [REDACTED], taking the total to 106 incidents
  - Zone 1: The clubs around Vernon walk, [REDACTED] account for 38 incidents collectively
  - Zone 2: [REDACTED] accounts for 23 incidents and [REDACTED] a further 16
  - Zone 4: [REDACTED] with 15 incidents
- The majority of incidents that occurred between Friday and Sunday took place in the following locations:
  - West Quay Road (zone 5) with 71 incidents. 63 of these occurred at [REDACTED].
  - Above Bar Street (zone 2) with 64 occurrences; 17 linked to [REDACTED] and 15 at [REDACTED]
  - London Road/Bedford Place (zone 1) is linked to 48 incidents. 8 of these occurred at [REDACTED]
- West Quay Road also experienced the highest number of incidents on a Wednesday, with the majority occurring in [REDACTED]



**[B] ASB Data**

**[1] Geographical data (Southampton district)**

**(a) RMS & business objects**

*(Annexe 8 –screen shots of asb)*

The level of ASB within the Southampton, particularly its NTE zones has reduced year on year since 2008, as stated in [1](a) this has mirrored local and national crime trends

**Comparison of ASB data (2014/15)**

	ASB	% of Soton district 'ASB'
Hampshire	58537	
<b>Southampton district</b>	12449	21.26% (12449/58537)
Southampton Central Sector	3393	27.14% (3393/12449)
Southampton North Sector	2496	20.04% (2496/12449)
Southampton East Sector	2571	20.65% (2571/12449)
Southampton West Sector	4039	32.44% (4039/12449)
Note : Above figures includes the below NTE figures		
NTE related (whole soton)	328	0.02% total (328/12449)

*Figures from Hampshire Constabulary RMS business objects 01/04/2014-31/03/2015*

The Southampton district accounts for 21.26% of the whole Hampshire Constabulary ASB for the performance year period of 01/04/14 to 31/03/15 [21.26% (12449/58537)]

The Southampton Central sector accounts for 27.14% of the ASB for the whole Southampton District. This is lower in comparison to Southampton West (32.44%) which crucially does NOT have any NTE zones within its geography.

The figure is higher in comparison to the other sectors; Southampton North (20.04%) and Southampton East (20.65%)

The Bargate beat area now covers the NTE zones of 'Above Bar Street' (Zone 2), Oxford Street (Zone 3) and Oceana & West Quay (Zone 5).

The Bevois beat areas now cover the NTE zones of 'Bedford Place' (Zone 1) and Bevois Valley (Zone 4)



The Bargate beat area accounts for 58.97% (1995/3393) of the ASB for the Southampton Central sector, this also represents 16.02% (1995/12449) for the **whole** Southampton District which is just below the levels for both Southampton North and East sectors. The Beavois beat area accounts for 40.05% (1359/3393) of the ASB for the Southampton Central sector, this represents 10.91% (1359/12449) for the **whole** Southampton District

**Comparison of ASB within Southampton Central Sector (2014/15)**

	ASB	% of Soton Central sector 'ASB'
Hampshire	58537	
Southampton District	12449	
Southampton Central Sector	3393	
Bargate Beat	1995	58.97%
Beavois beat	1359	40.05%
SC admin "bucket code"	39	0.01%
Note : Above figures includes the below NTE figures		
NTE related (whole soton)	328	0.02% total (328/12449)

Figures from Hampshire Constabulary RMS business objects 01/04/2014-31/03/2015

**(b) Research & Analysts**

(Refer again to Annexe 5)

ASB makes up 17% of all NTE occurrences linked to the NTE business organisation

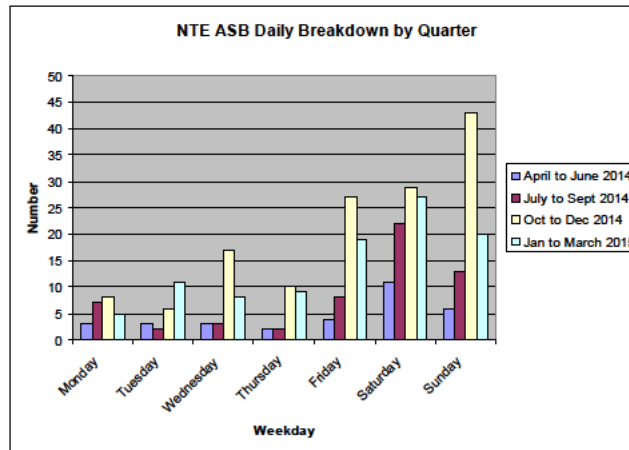
- 15 (5%) NTE ASB reports resulted in a Dispersal Notice.
- The data is NOT fully representative of the "pure" NTE related ASB, the changes in the home office classifications made any manual linking to the NTE business organisation extremely difficult

**[2] Temporal data (Southampton district)**

(Refer again to Annexe 5)

**(a) Research & Analysts**

**(i) Seasonal / Monthly**



Bar Chart NTE violent crime daily breakdown by quarter

A breakdown of NTE ASB by quarter (see table above) shows:

- October to December experienced the highest number of offences (140), followed by January to March (99).
- Saturdays and Sundays are the peak days for offences in each quarter

(ii) Day / Hour

- There are 328 ASB incidents linked to the NTE bus/org that between 01/04/14 and 31/03/15 and between the hours of 1900 and 0700hrs
- A review (328 incidents) for peak times shows the reports per hour varies from 4 to 53

The table below shows the peak days/times to be:

- Saturdays and Sundays, with Fridays also experiencing a high number.
- Friday night into Saturday morning (until 5am) and Saturday evening from 2300 through to 0400hrs on Sunday morning remain peak times for ASB incidents.
- There's also a slight increase in reports between 0200 and 0300hrs on a Friday morning.
- A small peak occurred between 2300hrs on a Tuesday until 0200hrs on a Wednesday.

Occurrence Start Day of Week	Occurrence Start Hour											
	19:00-19:59	20:00-20:59	21:00-21:59	22:00-22:59	23:00-23:59	00:00-00:59	01:00-01:59	02:00-02:59	03:00-03:59	04:00-04:59	05:00-05:59	06:00-06:59
Monday	1	4	2	2	2	3	3	1	2	2		1
Tuesday		3	2	2	6	5		2	1		1	
Wednesday		2	4	3	2	8	5	2	3	2		
Thursday	4		1		4	4	4	1	2	2	1	
Friday	1	6	7	6	14	2	5	10	3	2	1	1
Saturday	1	6	6	7	14	14	19	7	8	4	1	2
Sunday	3	3	4	5	3	12	17	11	12	6	6	

All ASB incidents by day and hour between 1900 – 0700hrs

[3] Zones, venues & locations (Southampton district)





- 239 (73%) ASB incidents occurred within the Southampton Central sector – 142 in Bargate and 97 in Bevois beat.
  - When the types of ASB reported in Southampton Central are reviewed, 183 (77%) relate to Rowdy & Inconsiderate behaviour.
  - The majority of reports in Bargate beat are linked to Above Bar Street and West Quay Road.
  - In Bevois beat, reports are concentrated around London Road/Bedford Place/Lower Banister Street and Vernon Walk. St Mary's Road, primarily around [REDACTED] is also a problem location for ASB

## **[D] Conclusion**

### **[1] Existing CIP areas**

The presence of a vibrant NTE, in Southampton district, places a disproportionate burden on police and partnership resources

The body of this report demonstrates that the analytical data demonstrates the peak impact times for demand on the Night Time Economy of Southampton, the statistics clearly show that there are definite peaks in crime and ASB at these times linked to the licensed venues operating in the city centre beyond midnight **and also linked to NTE zones**

This is evidenced within the geographical, temporal and location trends. These show that Southampton central sector, which contains ALL five of the NTE zones, has the highest 'total violence' levels and its' component beat areas also suffer 'total violence' levels to same extent as other **sectors** within the Southampton district

The NTE continues to draw Police resources into the city centre to deal with violence and anti-social behaviour. London Road/Bedford Place (zone 1), West Quay Road/Leisure World (zone 5) and Above Bar/ Vincents Walk (zone 2) have been identified as the most problematic areas.

The parameters of Zone 5 are primarily upon a large venue complex [REDACTED] and its component parts. This venue works proactively with police and partners to support the licensing objectives, it has a 3000 person capacity and has recently introduced 100% scanning as a condition of entry to enhance its operating practices

While the NTE continues to exist, there will remain a need for police to resource the crime and ASB that results, the introduction and imminent implementation stage of the Late Night Levy within Southampton will help sustain the existing partnership resources that underpin the NTE infrastructure

**Recommend:** This is persuasive argument to justify the existing 3 CIP areas being maintained



[2] Extending Bevois Valley CIP area

The body of this report demonstrates that the Bevois Valley CIP needs to be extended to cover St Mary's, the analysis shows increases within the Bevois beat around 'total violence', St Mary's has also experienced the highest number of robberies of any beat within Southampton NTE zones with violence offences occurring inside or near the [REDACTED]

**Recommend:** This is persuasive argument to justify the extension of the Bevois valley CIP to include St Marys

[3] Oxford Street

The body of this report demonstrates that Oxford Street (Zone 3) does not experience NTE crime or ASB to the extent of other zones, this zone has a higher number of restaurants and attracts a different demography and age range of footfall compared to the other zones

This zone doesn't receive the same level of police and partnership presence, however, funds have been secured to introduce enhanced CCTV coverage within this zone

**Recommend:** This is persuasive argument to justify NOT creating a CIP for Oxford Street

[4] New Cultural Quarter

The impact of the new cultural quarter on the NTE cannot be assessed at present, it is located at the heart of zone 2. There is early consultation on whether to relocate a taxi rank to this area due to the increased footfall levels (post opening of [REDACTED] nightclub)

**Recommend:** Analyse impact of new Cultural Quarter on the NTE in next 12-18 months

[5] Shirley High Street

There has been a community priority within the Southampton West sector around Shirley High Street and its surrounding vicinity, this was also escalated to the Southampton Safe City Partnership (SCP). Concerns were focussed on the crime and ASB, linked to street drinkers and availability of cheap alcohol from the high concentration of its off licences.

The levels of crime and ASB in this area has not reached the levels of the existing NTE zones, however, the Southampton West sector does experience the highest level of ASB within the district (32.44%)

**Recommend:** Set up more bespoke search criteria to assess the impact of Shirely High Street and its surrounding vicinity, comparing its crime and ASB levels to existing CIP zones

Submitted for your consideration



Inspector 2841 Justin Roberts,  
Force Licensing & Alcohol Harm Reduction Team, Hampshire Constabulary

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## Hampshire Constabulary

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Station : **Southampton Central**

Area : **Western**

Department : **Licensing**

Date : **26 February 2014**

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Subject : **Late Night Levy consultation matters relating to the Southampton City NTE policing operation**

**FAO: Chief Superintendent Thomas**

Sir

As requested I have set out the crime statistics and policing costs in the format set out within the Newcastle consultation process;

### **Cost of policing in connection with late-night supply of alcohol**

Hampshire Police have calculated that it costs £1.6 million per annum to police the NTE (Night Time Economy) area between midnight and 6am within Southampton City centre.

The costs relate to officers deployed for the whole NTE operation and include an element of custody, investigation and a small element of vehicle/transport costs. These ancillary costs have been adjusted downwards to reflect absorbed costs for other policing functions by those officers in those time periods.

The core hours between midnight and 6am costs £588,829 alone in officer costs for high visibility patrols in the Southampton NTE alone.

In addition there will be costs in relation to areas outside of the City Centre but it has not been possible to identify the element associated with the NTE.

The Home Office has said:

*“Alcohol-related crime and disorder causes a large cost to the police. According to the British Crime Survey, 16% of violent crime occurs between midnight and 6am (British Crime Survey, 2010-2013). In addition to the direct effects, the police are, for example, required to carry out follow-up activities such as investigations and arranging custody. Furthermore, in 44% of all violent incidents, the victim believed the offender to be under the influence of alcohol. When 38 police authorities were asked about overtime arrangements, 22 said that the NTE was a major cause of their overtime payments.”*

[**Source:** Impact Assessment – 9/5/12 – “Dealing with the problem of late night drinking – implementation of secondary legislation.”]



**Extent of crime and disorder in connection with the late-night supply of alcohol**

In order to put the costs into context and explain the need for them, Hampshire Police have provided statistics showing recorded crimes and ASB incidents for the **last 9 months** within Southampton City centre.

These are those linked to a licensed premise or have occurred in a public place covering the 5 **zones** relating to the NTE between 01/04/13 and 31/01/14 and between the hours of **1900** and **0700** hours.

- There are 1440 Violence Against the Person incidents linked to a licensed premise or have occurred in a public place between 01/04/13 and 31/01/14 and between the hours of 1900 and 0700 hours (53% or 772 occur between midnight and 6am)
- There are 5398 ASB incidents *reported* between 01/04/13 and 31/01/14, that were reported between 1900 & 0700 hours; these will not all be linked to the NTE. There are 1452 incidents that have occurred in the main Southampton Central safer neighbourhood area (44% or 648 occur between midnight and 6am)

**Alcohol related**

- 438 (30%) of the 1440 Violence Against the Person crimes are linked as having an offender in drink at the time of the incident. The number of offenders in drink is likely to be higher than recorded, particularly if no offender is identified, so this assessment cannot be made. There is no figure for victims in drink available due to limitations of the recording

**Southampton City Centre (Midnight to 6am)**

These have been split by day and hour and shown in the following tables;

**1. All Violence against Person crimes by day and hour (based on time from)**

Violence Against Person	Reported Hour						Grand Total
	Midnight	1am	2am	3am	4am	5am	
Occurrence Start Day of Week							
Monday	31	11	9	5	2		58
Tuesday	26	8	8	8	3	2	55
Wednesday	23	25	31	16	8	1	104
Thursday	12	4	6	8	3		33
Friday	34	13	13	14	6	2	82
Saturday	50	40	48	34	22	11	205
Sunday	69	54	51	44	10	7	235
<b>Total</b>	<b>245</b>	<b>155</b>	<b>166</b>	<b>129</b>	<b>54</b>	<b>23</b>	<b>772</b>

**2. All ASB Incidents by day and hour (based on time from)**



ASB	Reported Hour						Grand Total
	Midnight	1am	2am	3am	4am	5am	
Occurrence Start Day of Week							
Monday	16	10	7	5	5	2	45
Tuesday	13	13	16	6	3	6	57
Wednesday	19	19	10	18	16	8	90
Thursday	14	11	6	7	5	1	44
Friday	23	19	12	10	14	4	82
Saturday	33	33	19	21	23	7	136
Sunday	41	49	36	25	27	16	194
<b>Total</b>	<b>159</b>	<b>154</b>	<b>106</b>	<b>92</b>	<b>93</b>	<b>44</b>	<b>648</b>

There is also a clear spike in reported Violence Against the Person and ASB on Tuesday evenings into Wednesday, this is attributable to a vibrant student population where venues cater for that market on each Tuesday. There are 3 officers assigned to do VCS high visibility patrols throughout the academic year.

An important point to also note is that the above figures are unlikely to be a fully accurate reflection of violence within the NTE, several crime types and incidents that occur outside of licensed premises but within the **Night Time Economy Zones** will not be included in the analytical review.

There are also likely to be other crime types and incidents occurring in a public place during this time period that is not related to alcohol consumption or the NTE, but due to data quality it is not possible to exclude all these offences at this time.

Although these figures are not precise, it is nevertheless clear that both the police **and** Southampton City Council incur substantial costs in relation to the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6am.

There is a clear spike in reported Violence Against the Person and ASB on Tuesday evenings into Wednesday, this is attributable to a vibrant “student Tuesday” such that 3 officers are assigned to do VCS high visibility patrols.

This has to be weighed against the economic benefits that the NTE provides to the City.

**Justin Roberts**  
**Community Safety and Licensing Inspector, Western Area**

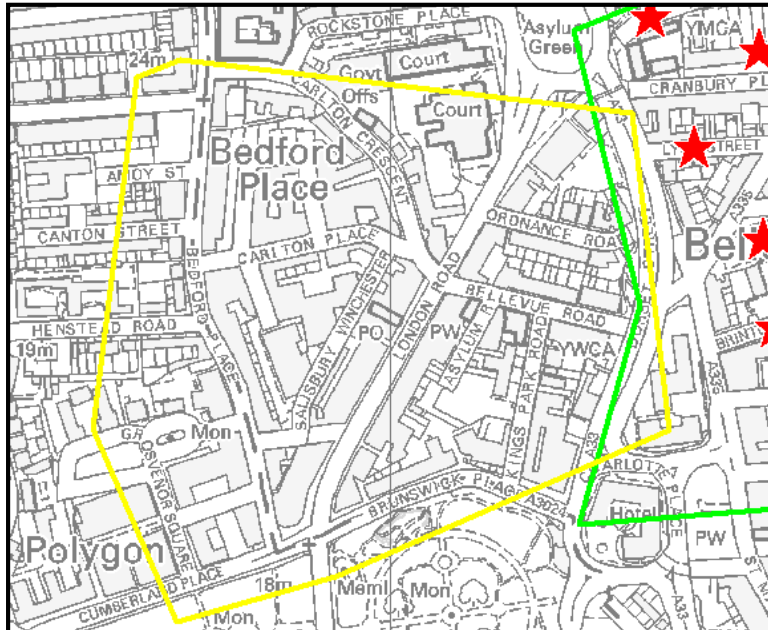
Attached:  
 \*Annex 1 - NTE S district 010413-310114 v2)

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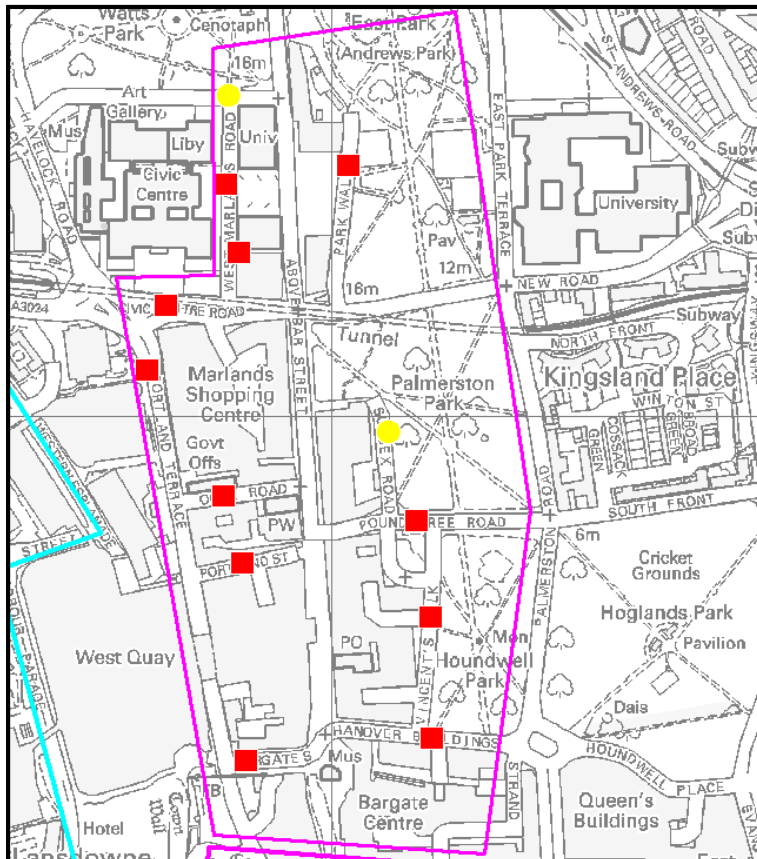


### Appendix A: Maps of NTE zones

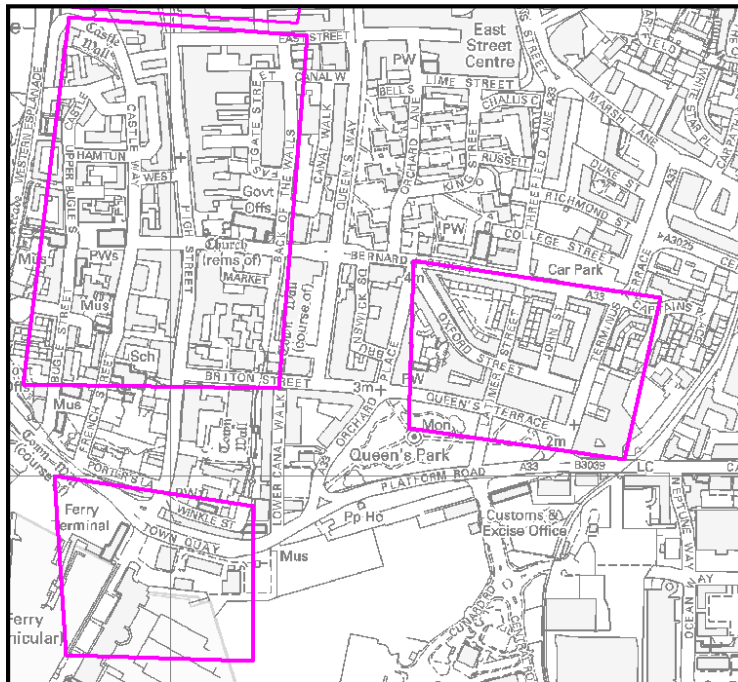
#### Zone 1 - London Road/Bedford Place



#### Zone 2 - Above Bar/Vincents Walk



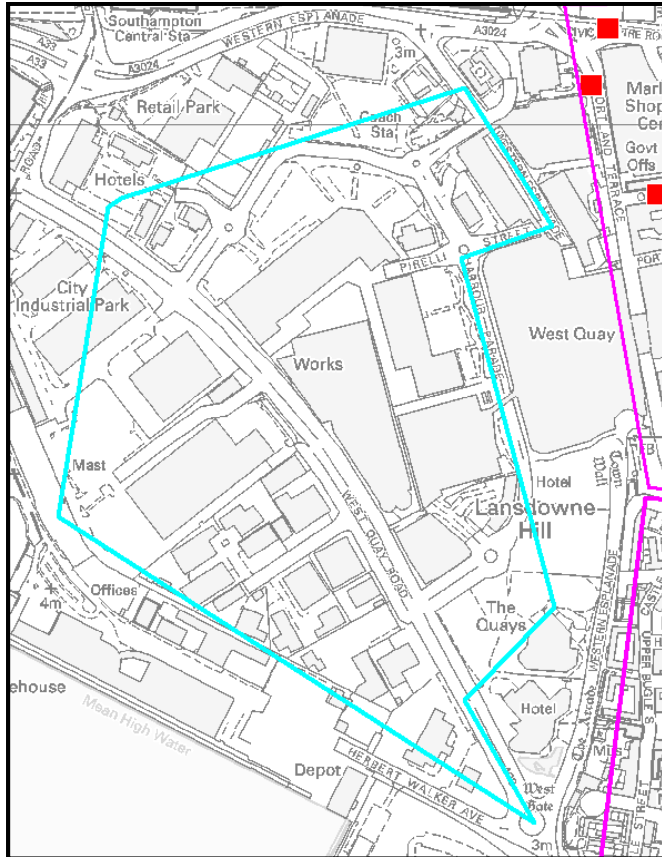
Zone 3 - High St/ Oxford St/ Town Quay



Zone 4 - Bevois Valley / St Marys



Zone 5 - West Quay Road/Leisure World





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### Crime and Disorder (police data)

#### Key aspects

- The police system used to record occurrences is called RMS (Record Management System) which was introduced to Hampshire Constabulary in 2005. Crimes and non-crime occurrences are recorded, all results can be filtered to allow for temporal and location analysis
- “Business Objects” search criteria is a facility used for the retrieval and analysis of data from a range of Hampshire Constabulary source systems, primarily RMS
- The Home Office crime classifications changed in 2014. All recorded Violence against the Person crimes are presented at HMIC Crime Tree level [*Homicide, Violence with Injury (offences of ABH and above) and Violence without Injury*] Due to these changes, it is not possible to accurately compare violent crime figures from April 2014 onwards with those from previous years
- In April 2011 new national definitions for Anti-Social Behaviour were introduced, In June 2011, Hampshire introduced a combined definition reviewing risk and behaviour. The ASB data from April 2011 is set in terms of both the risk (Personal, Nuisance, Environmental) and the behaviour (based on Hampshire categories, developed using the previous National Category Incident List (NICL))
- Hampshire Constabulary went through an “Operational Change Process” (OCP) on lead up to April 2015. This meant all geographical boundaries were changed or merged to co-align to local authority districts, Due to these changes, it is not possible to compare location figures from April 2014 onwards with those from previous years (for all Crime and ASB)
- The reports published by the ‘Research and Analysis’ department (Hampshire Police) are produced from raw data extracted from RMS, they are completed by members of police staff with NO licensing background so the scope of the report is limited beyond its raw statistical analysis of trends and patterns from temporal and geographical data
- The reports published by the ‘Research and Analysis’ department are focussed purely on violence offences and ASB (note: there is reference to SOA and robbery offences). The level of assaults and ASB in the NTE are the two key concerns of local residents.
- The reports attempt to draw patterns and trends from temporal and geographical data, the NTE zones cut across different beats so a precise analysis of purely NTE crime and ASB can never be 100% accurate
- I introduced a process in April 2014 to more accurately capture Night Time Economy and licensing related occurrences (Crime, ASB and non crime occurrences) for the **whole Southampton district**. This system is called a “business organisation” whereby overnight searches of RMS are conducted by licensing staff, any NTE occurrences are manually to this organisation. Although not 100% reliable, it is more accurate than previous analysis which was limited to geographical boundaries that have been subject to further changes. [**Note: Further work is ongoing to refine process to allow for NTE and licensing data to be extracted relating specifically to each of the 5 NTE zones (within soton)**]
- Crime classification is now conducted by the attending officer, it is then verified by that officers line manager. Crime data integrity training was introduced after the OCP within Hampshire Constabulary, pre change a dedicated unit of police staff completed this task
- The new crime data integrity drive across force means we are actually more rigorous reporting crime compared to previous years the crime figures across whole force (and crime types) have shown an increase
- The **2013/14** report is for **9 month** period only recording **1440** violence related crimes (produced early for the late night levy consultation). This compares to a **full year 2014/15** which records **1225** violence related crimes
- The ASB figures for 2014/15 are considerably lower. The report for 2013/14 was erroneously covered alcohol related ASB for the whole of the Southampton district, whereas the 2014/15 report captures alcohol related ASB linked to occurrences within NTE zones or within licensed premises across Southampton district. Pre 2015

- figures would have erroneously captured alcohol related occurrences, for example within local authority housing residences by tenants (NOT NTE related)
- Stats provided relate to **reported** occurrences in the, there will be “hidden violence” or other offences not reported by individuals for a myriad of reasons
  - Data collation anomalies could also account for the figures being adjusted downwards, these could include;
    - (a) Occurrences reported the following day after an incident by victims or
    - (b) Occurrences where the offence location is outside the NTE, however, the offence is still related to drunkenness / intoxication from the NTE (eg serious sexual offences, victims of robbery followed from the NTE zones)
  - The returns provided are adjusted downwards, this to centre on assault and ASB in the NTE zones of Southampton
  - The views of local residents and any fear of crime, in terms of public confidence is naturally difficult to fully quantify
  - The negative effects of a vibrant NTE can be represented by the adverse impact it has on the “quality of life” issues suffered through ASB (damage, noise, graffiti and other ASB)
  - A successful and vibrant NTE in Southampton attracts tourists, local residents and students into the licensed venues.
  - The levels of crime and disorder linked to taxis and fast food establishments is **significantly lower** than those linked to licensed premises, closer analysis of those figures would undoubtedly show that a significantly high proportion would be linked to individuals being intoxicated / leaving licensed premises

#### **CONCLUSION**

- The crime and ASB commission figures demonstrate that this time period specified is the peak impact times for demand on the Night Time Economy of Southampton, the statistics clearly show that there are definite peaks in crime and ASB at these times linked to the licensed venues operating in the city centre beyond midnight **also linked to NTE zones**

Inspector 2841 Justin Roberts  
Force Licensing & Alcohol Harm Reduction Team



# Agenda Item 6

## Appendix 5

Soton 2014-2015

Note:

All recorded Violence against the Person crimes and outcomes, within a user specified date range. Presented at HMIC Crime Tree level, Homicide, Violence with Injury (offences of ABH and above) and Violence without Injury

All Violence against the Person offences, presented at HMIC Crime Tree level, greater granularity for each Violence grouping can be obtained by clicking on the underlined HMIC Crime Tree Grouping, e.g. Violence with Injury

FORCE

The screenshot shows a web intelligence report titled 'Violence against the Person'. The report displays data for various districts across Hampshire Constabulary. The data is presented in two tables: one for 'Crimes' and one for 'Total'.

District	HART	HAVANT	ISLE OF WIGHT	NEW FOREST	PORTSMOUTH	RUSHMOOR	SOUTHAMPTON	TEST VALLEY	WINCHESTER	Crimes
1	1	0	0	1	4	0	4	0	1	17
53	329	890	1,066	811	2,293	753	2,686	622	528	13,192
51	392	1,174	1,103	973	2,578	810	2,907	657	642	15,114
<b>415</b>	<b>722</b>	<b>2,064</b>	<b>2,169</b>	<b>1,785</b>	<b>4,875</b>	<b>1,563</b>	<b>5,597</b>	<b>1,279</b>	<b>1,171</b>	<b>28,323</b>

District	HART	HAVANT	ISLE OF WIGHT	NEW FOREST	PORTSMOUTH	RUSHMOOR	SOUTHAMPTON	TEST VALLEY	WINCHESTER	Total
0	1	0	0	0	0	1	1	0	0	5
91	302	808	979	738	2,079	671	2,440	556	467	11,928
14	344	1,082	986	886	2,378	725	2,696	602	591	13,774
<b>305</b>	<b>647</b>	<b>1,890</b>	<b>1,965</b>	<b>1,624</b>	<b>4,457</b>	<b>1,397</b>	<b>5,137</b>	<b>1,158</b>	<b>1,058</b>	<b>25,707</b>

The report also includes a 'Discussions' section and a 'Refresh Date' of 14 June 2015 12:52:10 GMT+01:00.

**Violence against the Person**  
 DataMart Refresh 11/06/2015  
 For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	SOUTHAMPTON CENTRAL	SOUTHAMPTON EAST	SOUTHAMPTON NORTH	SOUTHAMPTON WEST	Crimes
1a Homicide	2	0	0	2	4
1b Violence with injury	1,033	521	482	650	2,686
1c Violence without injury	913	595	591	828	2,907
<b>Total</b>	<b>1,948</b>	<b>1,106</b>	<b>1,063</b>	<b>1,480</b>	<b>5,597</b>

Outcomes	SOUTHAMPTON	Total
1a Homicide	1	1
1b Violence with injury	2,440	2,440
1c Violence without injury	2,696	2,696
<b>Total</b>	<b>5,137</b>	<b>5,137</b>

Soton Central (Beavois & Bargate beats)

SAP BusinessObjects InfoView - Windows Internet Explorer provided by Hampshire Constabulary

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Web Intelligence - Violence against the Person

Div: Serious Violence (All values) | Hate Crime Flag (All values) | Latest Outcome Groups (All values) | Substance Used (All values) | SOUTHAMPTON | SOUTHAMPTON CENTRAL

**Violence against the Person**

DataMart Refresh 11/06/2015

For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	BARGATE	BEVOIS	SOUTHAMPTON CENTRAL	Crimes
1a Homicide	2	0	0	2
1b Violence with injury	573	449	11	1,033
1c Violence without injun	496	400	17	913
<b>Total</b>	<b>1,071</b>	<b>849</b>	<b>28</b>	<b>1,948</b>

Outcomes	SOUTHAMPTON	Total
1a Homicide	1	1
1b Violence with injury	953	953
1c Violence without injun	847	847
<b>Total</b>	<b>1,801</b>	<b>1,801</b>

Notes Page | District summary | Crime occurrence numbers | Solved crime occ numbers

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Beavois

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Web Intelligence - Violence against the Person

Div: Serious Violence (All values) | Hate Crime Flag (All values) | Latest Outcome Groups (All values) | Substance Used (All values) | SOUTHAMPTON | SOUTHAMPTON CENTRAL

BARGATE

**Violence against the Person**

DataMart Refresh 11/06/2015

For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	BARGATE	Crimes
1a Homicide	2	2
1b Violence with injury	573	573
1c Violence without injury	496	496
<b>Total</b>	<b>1,071</b>	<b>1,071</b>

Outcomes	SOUTHAMPTON	Total
1a Homicide	1	1
1b Violence with injury	538	538
1c Violence without injury	467	467
<b>Total</b>	<b>1,006</b>	<b>1,006</b>

Notes Page | District summary | Crime occurrence numbers | Solved crime occ numbers

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Bargate

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Web Intelligence - Violence against the Person

Div: Serious Violence (All values) | Hate Crime Flag (All values) | Latest Outcome Groups (All values) | Substance Used (All values) | SOUTHAMPTON | SOUTHAMPTON CENTRAL

BEVOIS

**Violence against the Person**

DataMart Refresh 11/06/2015

For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	BEVOIS	Crimes
1b Violence with Injury	449	449
1c Violence without Injury	400	400
<b>Total</b>	<b>849</b>	<b>849</b>

Outcomes	SOUTHAMPTON	Total
1b Violence with Injury	407	407
1c Violence without Injury	363	363
<b>Total</b>	<b>770</b>	<b>770</b>

Notes Page | District summary | Crime occurrence numbers | Solved crime occ numbers

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Soton Central beat

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Web Intelligence - Violence against the Person

Div Serious Violence (All values) | Hate Crime Flag (All values) | Latest Outcome Groups (All values) | Substance Used (All values) | SOUTHAMPTON | SOUTHAMPTON CENTRAL

SOUTHAMPTON CENTRAL

**Violence against the Person**

DataMart Refresh 11/06/2015

For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	SOUTHAMPTON CENTRAL BUCKET CODE	Crimes
1b Violence with injury	11	11
1c Violence without injury	17	17
<b>Total</b>	<b>28</b>	<b>28</b>

Outcomes	SOUTHAMPTON	Total
1b Violence with injury	8	8
1c Violence without injury	17	17
<b>Total</b>	<b>25</b>	<b>25</b>

Notes Page | District summary | Crime occurrence numbers | Solved crime occ numbers

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Discussions

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Soton North sector

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Web Intelligence - Violence against the Person

Div Serious Violence (All values) | Hate Crime Flag (All values) | Latest Outcome Groups (All values) | Substance Used (All values) | SOUTHAMPTON | SOUTHAMPTON NORTH

SOUTHAMPTON NORTH

**Violence against the Person**

DataMart Refresh 11/06/2015

For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	BITTERNE NORTH	PORTSWOOD	SOUTHAMPTON NORTH	Crimes
1b Violence with injury	198	284	0	482
1c Violence without injury	236	344	1	581
<b>Total</b>	<b>434</b>	<b>628</b>	<b>1</b>	<b>1,063</b>

Outcomes	SOUTHAMPTON	Total
1b Violence with injury	428	428
1c Violence without injury	535	535
<b>Total</b>	<b>963</b>	<b>963</b>

Notes Page | District summary | Crime occurrence numbers | Solved crime occ numbers

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Discussions

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# Portswood beat

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Web Intelligence - Violence against the Person

Doc: Serious Violence (All values) | Hate Crime Flag (All values) | Latest Outcome Groups (All values) | Substance Used (All values) | SOUTHAMPTON | SOUTHAMPTON NORTH

PORTSWOOD

**Violence against the Person**

DataMart Refresh 11/06/2015

For the date range 01/04/2014 00:00:00 - 31/03/2015 23:59:59

Crimes	BASSETT	PORTSWOOD	SWAYTHLING	Crimes
1b Violence with injury	57	116	111	284
1c Violence without injury	72	138	134	344
<b>Total</b>	<b>129</b>	<b>254</b>	<b>245</b>	<b>628</b>

Outcomes	SOUTHAMPTON	Total
1b Violence with injury	245	245
1c Violence without injury	306	306
<b>Total</b>	<b>551</b>	<b>551</b>

Notes Page | District summary | Crime occurrence numbers | Solved crime occ numbers

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Discussions

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# Research and Analysis

## PROBLEM SUMMARY – NTE Southampton District

Produced by: 15662 Cradock  
 Produced for: Insp 2841 Roberts

Date produced: 01/05/15  
 Last updated: 01/05/15

## BRIEF SUMMARY OF ISSUE(S): What is the problem and how is it occurring?

The Night Time Economy (NTE) remains a priority for Southampton due to continued offending within the city centre that is linked to alcohol consumption. It is clear from the figures that this issue is within the city centre where licensed premises are highly concentrated.

The majority of these offences take place between the early hours of Friday morning and the early hours of Sunday. The early hours of Wednesday also experiences a peak in offences which is likely to link to an event at [REDACTED] on a Tuesday night where drinks are from £1.00.

London Road/Bedford Place (zone 1), West Quay Road/Leisure World (zone 5) and Above Bar/Vincents Walk (zone 2) are highlighted as the most problematic areas for NTE offending.

In order to produce this report data has been obtained from the Western Area NTE 2014 bus/org on RMS<sup>1</sup>. This method of recording information relies on Police Officers and Staff manually linking records to the bus/org occurrence. As a result, the figures outlined in this report may not provide a true representation of crime and ASB linked to the NTE.

This report reviews both Violence and Anti Social Behaviour (ASB) within the hours of 1900 and 0700 to establish what impact the NTE has on these issues.

## Violence

- 1940 occurrences linked to the NTE bus/org between 01/04/14 and 31/03/15 occurred between the hours of 1900 and 0700hrs.
- 739 (38%) relate to violent crimes<sup>2</sup> which occurred during NTE hours. 634 of these occurrences occurred in a public place.

Violent Crime	Total
Violence Against the Person	623
Public Order Offences	108
Possession of Weapons Offences	8
<b>Total</b>	<b>739</b>

Table 1: Violent Crime by PRT Class of Offence

- 304 public place violent crimes are linked to a license premises.
- 20 (3%) violent crime occurrences resulted in a Dispersal Notice.
- [REDACTED]<sup>3</sup> in Bargate beat is the most frequently linked licensed premise, with 14% of all NTE violent crime occurring at this location. However, it is possible that the premises linked as the occurrence address for the violent

<sup>1</sup> ID#: 2360500

<sup>2</sup> Includes Possession of Weapons Offences; Violence Against the Person; Public Order Offences

<sup>3</sup> Includes occurrences linked to [REDACTED]

incident does not accurately reflect the true location of the incident – it may be the best landmark to link to reflect the occurrence location rather than the persons involved in the incident actually having frequented that establishment.

- 49 (7%) violent crimes are linked as having a weapon used;
  - 22 incidents are linked to having a “Glass” used as a weapon
  - 17 incidents involving a non-bladed implement
  - 9 involved a bladed implement
  - 1 incident involved the use of a firearm<sup>4</sup>
- 378 (51%) violent crimes are linked as having an offender in drink at the time of the incident. 25 (4%) affected by drink and drugs and less than 1% affected just by drugs. It is likely the number of offenders under the influence of drink or drugs is higher than recorded, particularly if no offender is identified, this assessment cannot be made. There is no figure for victims in drink available.
- Half of the NTE violent crime (368) occurred in the Bargate beat. 205 (56%) of these incidents occurred on a Saturday and Sunday; the majority of offences taking place between the hours of 0000 and 0500hrs. In this beat, the zones that experienced the highest number of violent crime were West Quay Road/Leisure World (zone 5) and Above Bar/Vincent's Walk (zone 2).
- Bevois beat experienced the second highest number of violent crime offences during this period, with 233 occurrences. 174 (47%) of these occurrences took place between Friday and Sunday, with a peak timeframe between 2200 and 0500 hours. Within this beat zone 1 (London Road/Bedford Place) experienced the highest number of violent crime.

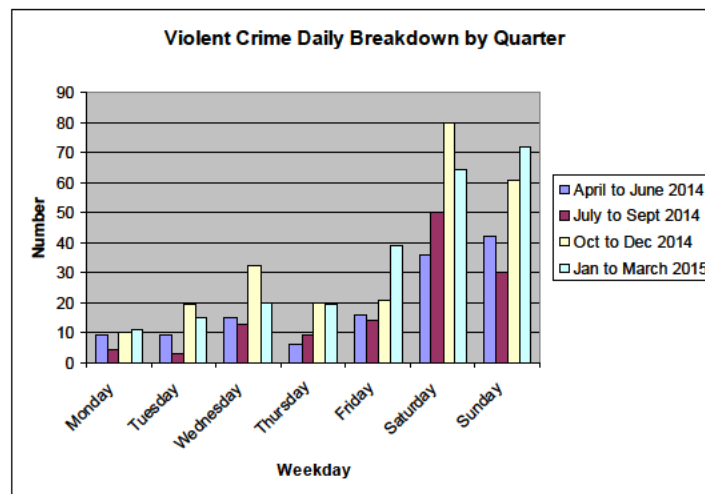


Figure 1: Bar Chart NTE violent crime daily breakdown by quarter

A breakdown of violent crime by quarter shows:

- October to December experienced the highest number of offences (243), followed by January to March (240).
- Saturdays and Sundays were the peak days for offences in each quarter.

### Violent Crime by Type

The table below shows the top 5 violent crimes.

Violence Category	Total
ABH	358
Common Assault	191
Section 5 Public Order	39
Malicious Wounding: wounding or inflicting GBH	29
Section 4 Public Order	24

Table 2: Violent Crime by HO Description

<sup>4</sup> Victim reports being tasered outside venue. Injuries were consistent with a taser injury. Victim would not support police action.

- The majority of incidents (48%) are classified as ABH. 173 (48%) of all ABH incidents are linked to a licensed premise or have occurred in a public place.
- 17 incidents (2%) were flagged as serious violence, with 9 being linked to a license premises.
- Bevois beat had the highest number of incidents involving serious violence (11), with 3 occurring at [REDACTED] in Zone 1 (London Road/Bedford Place).

### Seasonal Issues

- Violent crime offences increased in September 2014, remaining higher for the rest of the year until a dip in January.
- A peak in incidents in December is likely to be linked to Christmas celebrations and an increased number of people out in the NTE.
- It's likely that the reduction in offences in January is due to people having less money to spend in this month.

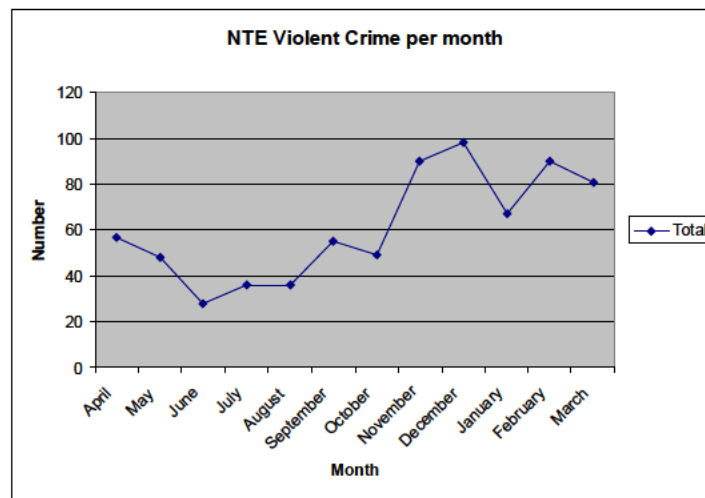


Figure 2: Line graph of NTE violent crime by month

- Of note, sexual offences and robbery offences during NTE hours account for 3% (58) of all occurrences.
  - 30 of the 58 incidents are sexual offences.
  - 11 sexual offences are linked to license premises - 3 at [REDACTED] and 2 at [REDACTED].
  - 13 sexual offences occurred in Bargate beat, primarily around Above Bar/Vincent's Walk (zone 2).
  - 8 are linked to Bevois beat; 3 in Bevois Valley/St Marys and 2 in London Road/Bedford Place.
  - The remaining 28 occurrences relate to personal robbery.
  - Incidents occurred at a range of locations including shops, a park, nightclubs and a petrol station.
  - Both Bevois and Bargate beat are linked to 11 incidents each. Bevois Valley/St Marys (zone 4) experienced the highest number of robberies.

### TEMPORAL ANALYSIS

- The largest volume of incidents occurred on Saturdays and Sundays, but Fridays and Wednesdays also experienced a high number.

The table below shows the peak times to be:

- Friday mornings between midnight and 0400hrs.
- Friday evenings into Saturday morning from 2300 until 0400hrs.

- Saturday evenings into Sunday morning from 2200 until 0500hrs.
- Tuesday nights from 2100 until 0500hrs on a Wednesday. The majority of incidents were linked to West Quay Road (██████████/Leisure World). It's likely that this increase is linked to the "Drinks from £1.00" night at ██████████ on a Tuesday from 2100 until 0300 hours.

Occurrence Start Day of Week	Occurrence Start Hour									
	19:00 - 19:59	20:00 - 20:59	21:00 - 21:59	22:00 - 22:59	23:00 to 23:59	00:00 - 00:59	01:00 - 01:59	02:00 - 02:59	03:00 - 03:59	04:00 - 04:59
Monday	4	3	3	1	1	3	4	4	3	3
Tuesday	3	5	10	3	3	2	6	5	3	7
Wednesday	0	1	4	4	3	13	13	13	9	14
Thursday	1	1	2	5	3	8	8	10	4	2
Friday	2	5	6	5	18	13	11	13	14	4
Saturday	10	9	8	16	23	34	29	37	43	12
Sunday	7	4	4	7	2	29	45	25	27	30
<b>Total</b>	<b>27</b>	<b>28</b>	<b>37</b>	<b>41</b>	<b>53</b>	<b>102</b>	<b>116</b>	<b>107</b>	<b>103</b>	<b>72</b>

Table 3: All violent crime incidents by day and hour from 1900 – 0700hrs

- The majority of incidents that occurred between Friday and Sunday took place in the following locations:
  - West Quay Road (zone 5) with 71 incidents. 63 of these occurred at ██████████.
  - Above Bar Street (zone 2) with 64 occurrences; 17 linked to ██████████ and 15 at ██████████.
  - London Road/Bedford Place (zone 1) is linked to 48 incidents. 8 of these occurred at ██████████ bar.
- West Quay Road also experienced the highest number of incidents on a Wednesday, with the majority occurring in ██████████.

**PROBLEM LOCATION(S): Licensed Premises**

- Southampton Central sector records the highest number of violent crime offences, 605 (82%) of all incidents within Southampton.
- There are a number of premises that recorded more than 10 incidents:
  - Zone 5: ██████████ is top with 67 violent incidents reported; with a further 24 linked to ██████████ and 15 at ██████████, taking the total to 106 incidents.
  - Zone 1: The clubs around Vernon walk, ██████████ account for 38 incidents collectively.
  - Zone 2: ██████████ accounts for 23 incidents and ██████████ a further 16
  - Zone 4: ██████████ with 15 incidents

Both ██████████ have been engaging with the Police licensing team and encouraged to report incidents to Police. This may have contributed to the number of occurrences linked to these premises. Positive engagement with the establishments should be encouraged and therefore the high numbers are not always a negative, but should continue to be monitored.

██████████ The capacity of this venue is around ██████████ people, so the footfall within this premise is frequently higher than that of the other licensed premises in Southampton. Therefore, it may be expected that the number of violent crime incidents linked to this premises are higher. This premises also recorded the highest amount of sex offences linked to a NTE premise, with 3 incidents linked as occurring in the premise<sup>5</sup>.



- There are 328 ASB incidents linked to the NTE bus/org that between 01/04/14 and 31/03/15 and between the hours of 1900 and 0700hrs.
- ASB makes up 17% of all NTE occurrences linked to the bus/org.
- 15 (5%) NTE ASB reports resulted in a Dispersal Notice.
- 239 (73%) ASB incidents occurred within the Southampton Central sector – 142 in Bargate and 97 in Bevois beat.
  - When the types of ASB reported in Southampton Central are reviewed, 183 (77%) relate to Rowdy & Inconsiderate behaviour.
  - The majority of reports in Bargate beat are linked to Above Bar Street and West Quay Road.
  - In Bevois beat, reports are concentrated around London Road/Bedford Place/Lower Banister Street and Vernon Walk. St Mary's Road, primarily around [REDACTED] is also a problem location for ASB.
- A review of the 328 incidents for peak times shows the number of reports per hour varies from 4 to 53.

The table below shows the peak days/times to be:

- Saturdays and Sundays, with Fridays also experiencing a high number.
- Friday night into Saturday morning (until 5am) and Saturday evening from 2300 through to 0400hrs on Sunday morning remain peak times for ASB incidents.
- There's also a slight increase in reports between 0200 and 0300hrs on a Friday morning.
- Another small peak in reports occurred between 2300hrs on a Tuesday until 0200hrs on a Wednesday.

Occurrence Start Day of Week	Occurrence Start Hour											
	19:00-19:59	20:00-20:59	21:00-21:59	22:00-22:59	23:00-23:59	00:00-00:59	01:00-01:59	02:00-02:59	03:00-03:59	04:00-04:59	05:00-05:59	06:00-06:59
Monday	1	4	2	2	2	3	3	1	2	2		1
Tuesday		3	2	2	6	5		2	1		1	
Wednesday		2	4	3	2	8	5	2	3	2		
Thursday	4		1		4	4	4	1	2	2	1	
Friday	1	6	7	6	14	2	5	10	3	2	1	1
Saturday	1	6	6	7	14	14	19	7	8	4	1	2
Sunday	3	3	4	5	3	12	17	11	12	6	6	

Table 4: All ASB incidents by day and hour between 1900 – 0700hrs

A breakdown of NTE ASB by quarter (see table below) shows:

- October to December experienced the highest number of offences (140), followed by January to March (99).
- Saturdays and Sundays are the peak days for offences in each quarter.

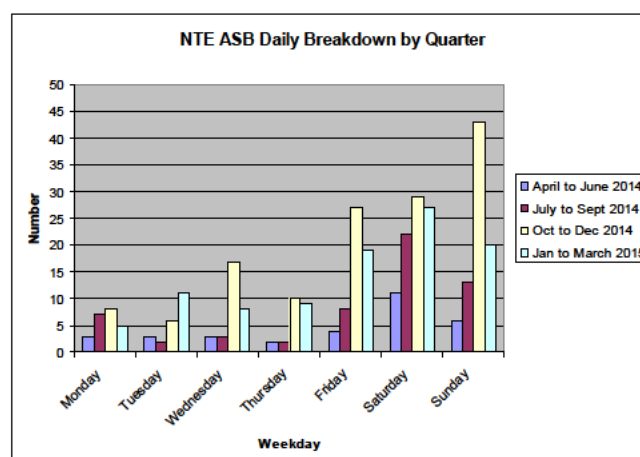


Figure 3: Bar Chart NTE violent crime daily breakdown by quarter

## Top repeat premises linked to ASB incidents:

Premises	No of ASB incidents linked
[REDACTED]	9
[REDACTED]	8
[REDACTED]	6
[REDACTED]	5
[REDACTED]	5
[REDACTED]	5
[REDACTED]	5
[REDACTED]	4
[REDACTED]	4
[REDACTED]	4
[REDACTED]	4
[REDACTED]	4

Table 5: Top repeat premises linked to ASB incidents between 1900 – 0700hrs

- [REDACTED] have the most ASB incidents linked to it with the majority of reports linked to drunk persons. All but one incident occurred between the hours of 0100 and 0500. Most offences occur in the early hours of Thursday, Saturday and Sunday. Reports in the early hours of Thursday are likely to be linked to the Student night on a Wednesday night between 2230 – 0400hrs.
- [REDACTED] in Lower Banister Street reports the highest number of ASB occurrences. All reports were made between 2300hrs and 0400hrs, with most reports being made in the early hours of Saturday and Sunday. The majority of these are linked to disputes between groups or drunk persons from the NTE. 1 report relates to a noise complaint.
- 5 of the 6 ASB reports linked to [REDACTED] in Terminus Terrace occurred between 2300 and 0500hrs with reports over the weekend and during the week. All reports relate to persons refusing to leave the [REDACTED] area and verbal altercations.

## DISPERSAL NOTICES

Of the 1940 occurrences linked to the NTE bus/org, 92 (5%) incidents resulted in a Dispersal Notice being issued.

The table below provides a breakdown of the number of Dispersal Notices per zone; this shows:

- The majority of Dispersal Notices (33) have been issued within the London Road/Bedford Place area of Bevois beat between the hours of 2300 and 0300hours.
- This is closely followed by West Quay Road/Leisure World (23) in Bargate beat where the highest number of notices between 0100 and 0400hours.

Zone	Breakdown by Quarter				Total
	April to June 2014	July to Sept 2014	Oct to Dec 2014	Jan to March 2015	
London Road / Bedford Place	4	12	9	8	33
Above Bar / Vincents Walk	8	5	3		16
High St/ Oxford St/ Town Quay	1	5	2	1	9
Bevois Valley / St Marys	0	3	0	0	3
West Quay Rd/Leisure World	10	11	1	1	23
<b>Total</b>	<b>23</b>	<b>36</b>	<b>15</b>	<b>10</b>	<b>84</b>

Table 6: NTE Dispersal Notices issued per zone in each quarter

- July to September experiences the highest number of Dispersal Notices.
- Saturdays and Sundays are the peak days for Dispersal Notices in each quarter.

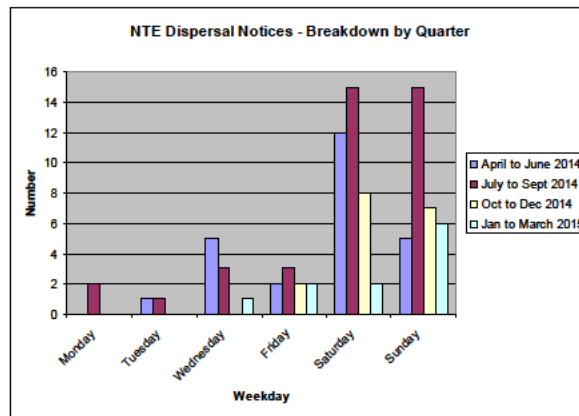


Figure 4: Bar Chart NTE Dispersal Notices daily breakdown by quarter

## CONCLUSIONS & RECOMMENDATIONS

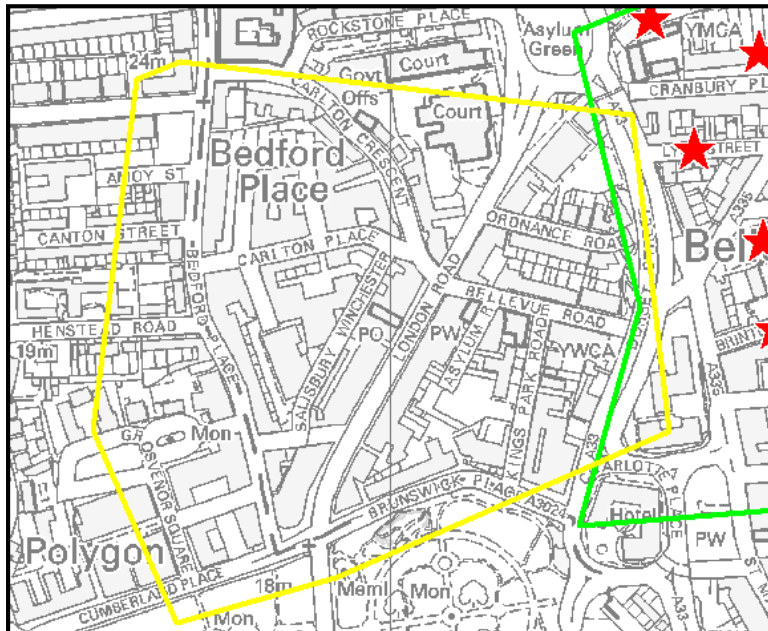
The NTE continues to draw Police resources into the city centre to deal with violence and anti-social behaviour. London Road/Bedford Place (zone 1), West Quay Road/Leisure World (zone 5) and Above Bar/Vincent's Walk (zone 2) have been identified as the most problematic areas.

A breakdown by quarter shows October to December to be the busiest period during this review. This is likely to coincide with the return of students to the City in October and Christmas celebrations during the month of December. The weekend remains particularly busy, especially on the weekend and a Wednesday in the early hours.

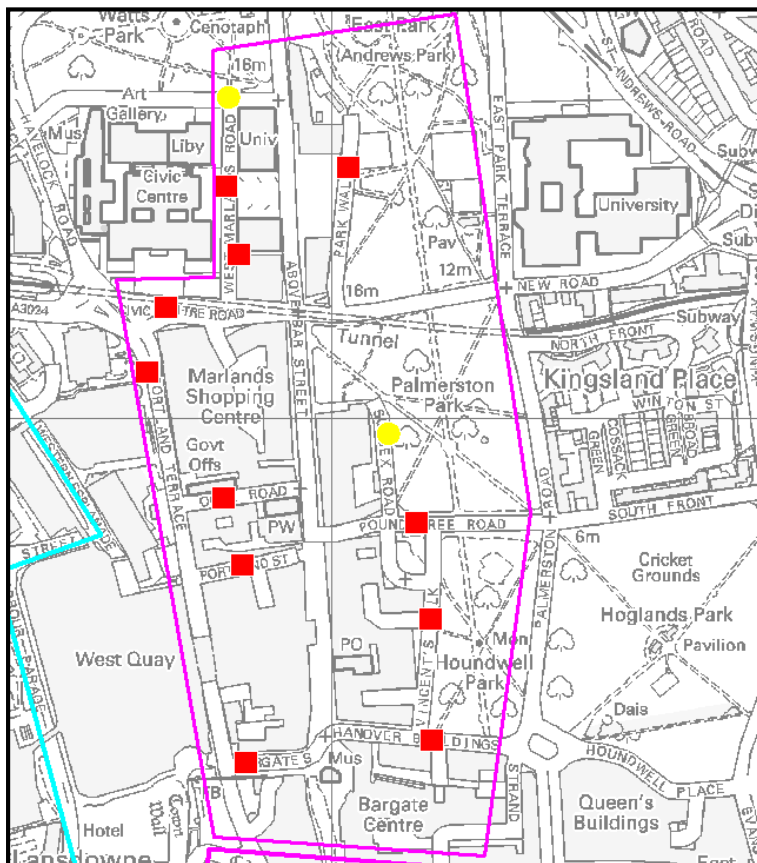
While the NTE continues to exist, there will remain a need for police to resource the crime that results from this.

Appendix A: Maps of NTE zones

Zone 1 - London Road/Bedford Place

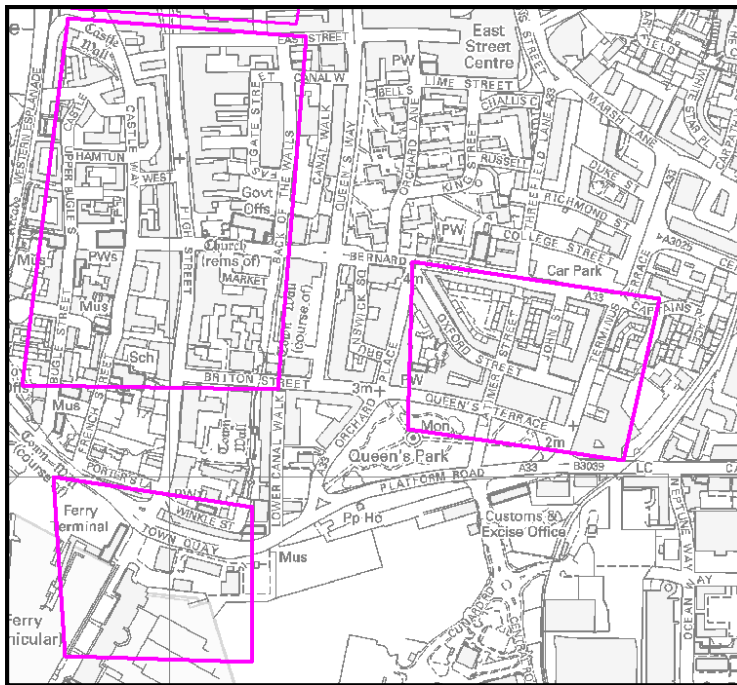


Zone 2 - Above Bar/Vincents Walk



Zone 3 - High St/ Oxford St/ Town Quay

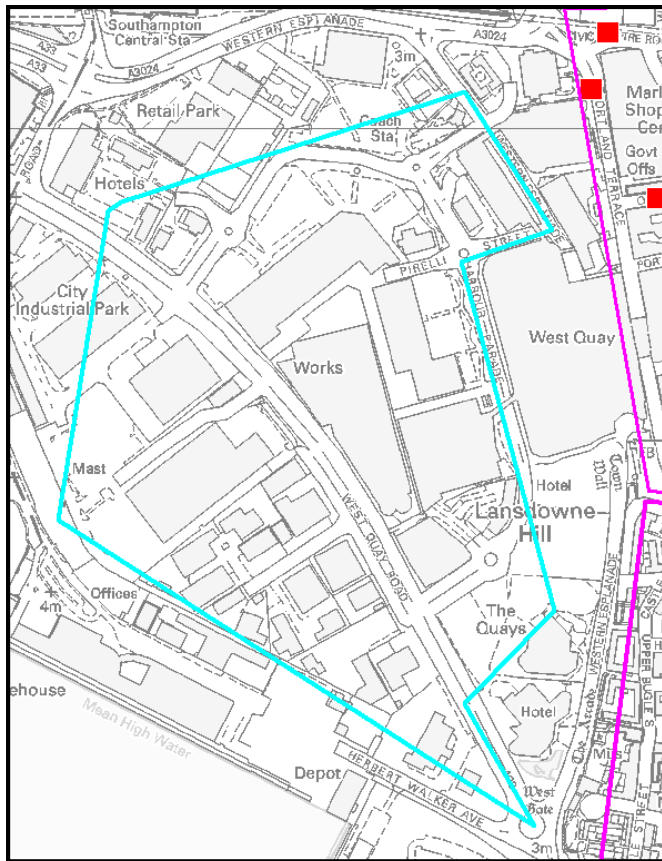




Zone 4 - Bevois Valley / St Marys

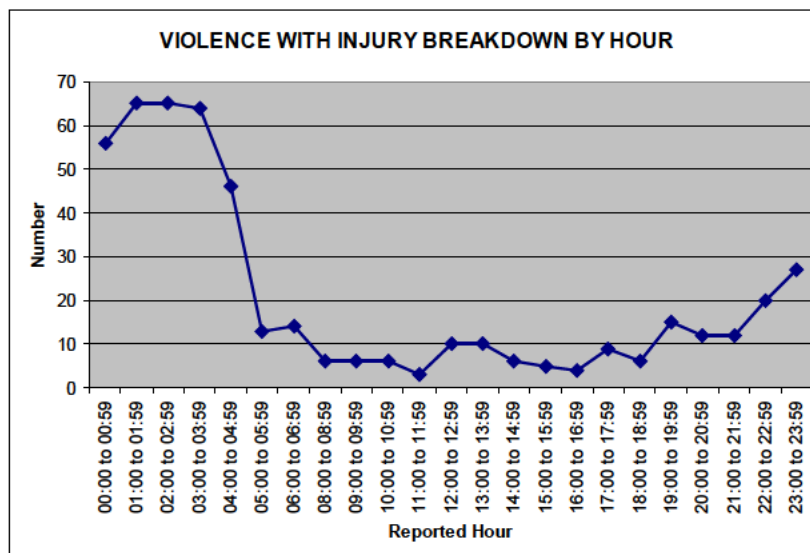
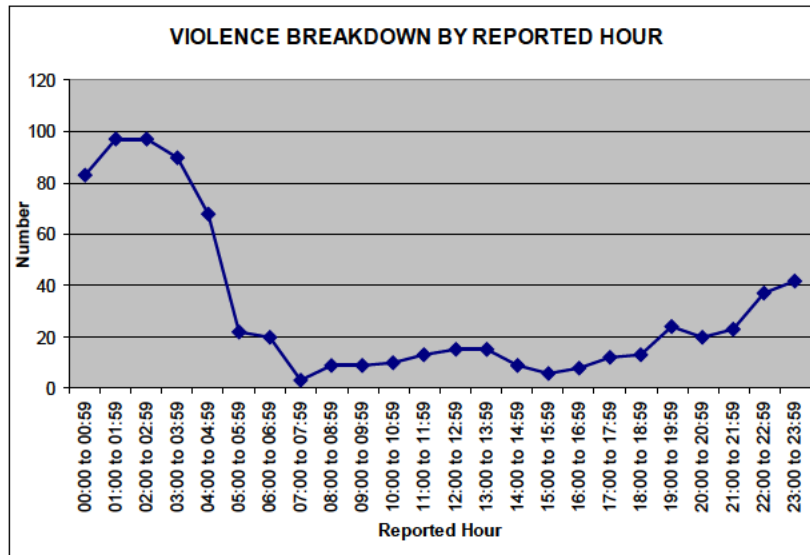
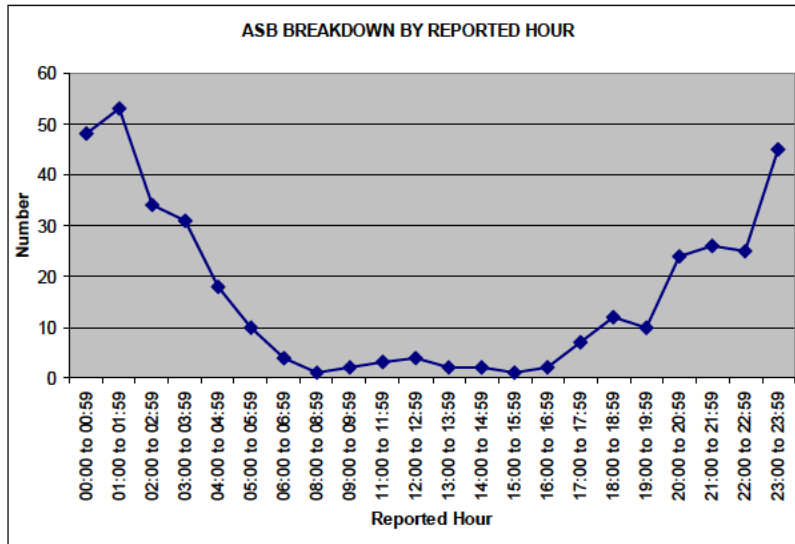


Zone 5 - West Quay Road/Leisure World



**ANNEXE 2**

**GRAPHS FOR ASB, VIOLENCE AND VIOLENCE WITH INJURY BY REPORTED HOUR**



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# Research and Analysis

## PROBLEM SUMMARY – NTE S District

Produced by: 11930 JERRAM  
Produced for: Insp Roberts

Date produced: 11/02/14  
Last updated:

## BRIEF SUMMARY OF ISSUE(S): What is the problem and how is it occurring?

The NTE remains a priority for Southampton due to continued offending within the city centre that is linked to alcohol consumption. It is clear from the figures that this issue is within the city centre where licensed premises are highly concentrated.

The majority of these offences occur over the weekend (Saturday and Sunday) and also on a Wednesday in the early hours (linked to Tuesday Student nights).

A recent Sexual Offences report found that offences linked to the NTE had increased in 2013/14, particularly between October and December 2013. 16% overall occurred within a Licensed premise<sup>1</sup>.

This report reviews both Violence Against the Person (VAP) and Anti Social Behaviour (ASB) within the hours of 1900 and 0700 to establish what impact the NTE has on these issues.

## VAP INCIDENTS

- 1440 VAP incidents are linked to a licensed premise or have occurred in a public place between 01/04/13 and 31/01/14 and between the hours of 1900 and 0700hrs.
- This is a reduction on the figures for the same period the year before of 206 incidents, or 12%, however, less incidents are linked to licensed premises, 379 (23%) than in the current period.
- Just under a third of 2013/14 public place VAP incidents, 444 (31%), are linked to a licensed premises. This increase is likely to be due to better recording.
- 55 incidents of most serious violence recorded overall, 14 (25%) linked to a licensed premises.
- [REDACTED] is the most frequently linked licensed premise - 7% of all VAP
- Overall, 7% (111) VAP occurrences are linked as having a weapon used;
  - 25 incidents are linked as having a "Glass" used as a weapon.
  - 34 incidents involved a bladed implement
  - 51 involved a non-bladed implement
- 438 (30%) incidents are linked as having an offender in drink at the time of the incident. It is likely the number of offenders in drink is higher than recorded, particularly if no offender is identified, this assessment cannot be made. There is no figure for victims in drink available.

It should be noted that this is unlikely to be an accurate reflection of violence within the NTE as several incidents that occur outside of licensed premises but within the Cumulative Impact Areas (CIA) will not be included in this review. There are also likely to be incidents of public place violence during this time period that is not related

<sup>1</sup> Western Area NTE serious sexual offences profile April –Dec Author Vicky QUICK Date: 20/01/14

to alcohol consumption or the NTE, but due to data quality it is not possible to exclude all these offences at this time.

The possibility that premises linked to the violence incidents do not accurately reflect where the incident has occurred is also very real – it may be the best landmark to link to reflect the occurrence location rather than the persons involved in the incident actually having frequented that establishment.

It is suggested that a business/organisation be created in RMS to enable the linking of NTE related incidents in order to gain a better understanding of the issues within this environment.

### Seasonal Issues

- Offences linked to licensed premises increased in September 2013, remaining higher for the rest of the year until a dip in January. This differs from the year before when there was an actual reduction in offences in September that continued until a spike in November.
- The December increase in incidents occurs in both years and is likely to be linked to Christmas celebrations increasing the number of people out in the NTE.
- The reduction in January occurs in both years, as may be expected as people have less money to spend in this month.
- The increase in offences linked to licensed premises in 2013/14 may be due to continued engagement the licensing teams have with these establishments to encourage them to report incidents on their premises, as well as the team correcting occurrence locations on RMS when they become aware of errors. Therefore, a more accurate picture is represented.

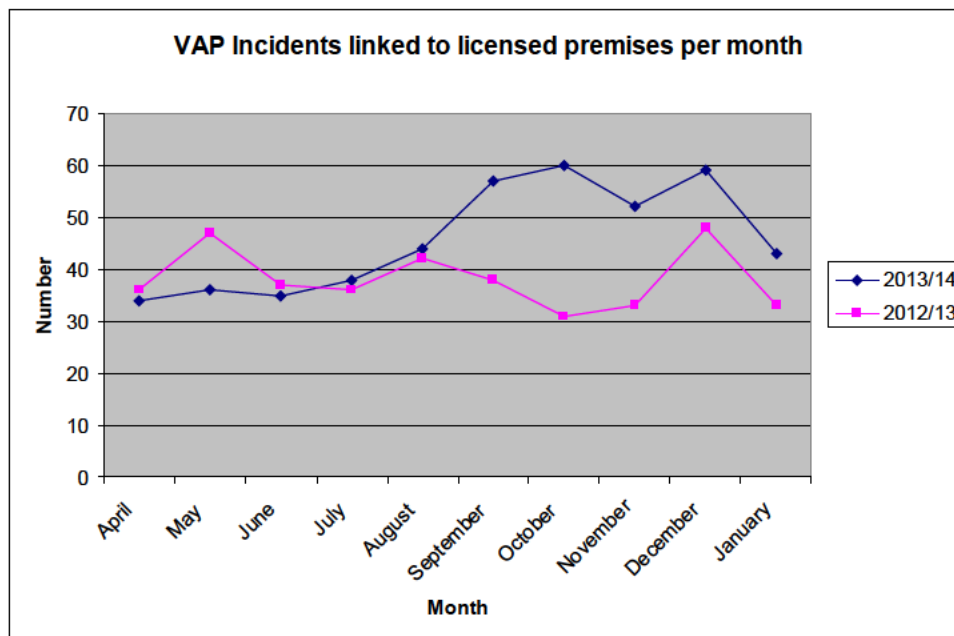


Figure 1: Line graph of VAP incidents linked to a licensed premises on RMS by month

### Violent Crime by Type

Violence Category	Total
1 Common assault	360
2 Harassment	235
3 Serious	743
4a On police	50
6 Sex offence	52

- The majority of incidents are ABH or above (743, 52%)
- 55 (4%) incidents are MSV
- When all offences linked to a licensed premise are reviewed, the number of incidents of ABH or above is slightly higher at 60%, or 275 offences.

VAP by category

Produced by:  
Produced for:  
Date produced:



- 14 incidents of MSV are linked to a licensed premises, a quarter (25%) of all MSV occurring during the review period, and 3% of all VAP that is linked to these establishments.

**TEMPORAL SUMMARY: When is the problem occurring? Peak times/days?**

- The largest volume of incidents occurrence on Saturdays and Sundays but Wednesday mornings are also higher.
- Wednesday mornings between 0100-0400hrs
- Saturday mornings between midnight and 0300hrs
- Saturday evenings into Sunday morning from 2300 until 0400hrs
- Mondays appear to have a number of incidents at [REDACTED] (5) and [REDACTED] (6)
- Wednesdays
  - there have been 7 reports at [REDACTED]
  - 9 at [REDACTED]
  - 22 at [REDACTED]
- Thursday; 5 at [REDACTED]
- Weekends: [REDACTED]

Occurrence Start Day of Week	Occurrence Start Hour							
	11pm	Midnight	1am	2am	3am	4am	5am	6am
Monday	12	31	11	9	5	2		1
Tuesday	11	26	8	8	8	3	2	2
Wednesday	9	23	25	31	16	8	1	1
Thursday	8	12	4	6	8	3		1
Friday	19	34	13	13	14	6	2	1
Saturday	47	50	40	48	34	22	11	4
Sunday	20	69	54	51	44	10	7	1
Grand Total	126	245	155	166	129	54	23	11

Table 2: All VAP incidents by day and hour from 2300hrs

This table shows the peak times to be:

- Early hours of Saturday and Sunday morning from midnight to 4am, with Saturdays around 11pm also a peak time.
- Early hours of Wednesday morning and to a lesser extent Monday & Friday mornings.

When this the occurrences times are reviewed for incidents linked to a licensed premises only, a similar pattern is recorded, with Sunday mornings recording the most incidents between midnight and 4am, closely followed by Saturdays between midnight and 3m.

Wednesday mornings also remain busy with peak times between 1am and 3am.

Occurrence Start Day of Week	Occurrence Start Hour							
	11pm	Midnight	1am	2am	3am	4am	5am	6am
Monday	1	11	6	7	3			
Tuesday	3	3	2		4			
Wednesday	3	9	17	21	12	1		
Thursday	2	2	2	2	3	3		
Friday	6	10	6	3	7	2	1	
Saturday	16	20	28	25	12	5	1	1
Sunday	6	35	24	22	22	3	1	
Grand Total	37	90	85	80	63	14	3	1

Table 3: All VAP incidents linked to a licensed premises as occurrence address by day and hour from 2300hrs

**PROBLEM LOCATION(S): Licensed Premises**

- SW sector records the highest number of offences, 578, 40% of all incidents within Southampton.
- There are a number of premises that record more than 10 incidents since April:
  - [REDACTED] is top with 56 VAP incidents reported; with a further 35 linked to [REDACTED] and 9 at [REDACTED], taking the total to 100 incidents, almost a quarter of all licensed premises linked VAP.
  - [REDACTED] accounts for 25 incidents

Produced by:  
Produced for:  
Date produced:

- [REDACTED] a further 21, with [REDACTED] another 20
- [REDACTED], also in the Bedford Place/London Road area had 15 incidents linked
- The clubs around Vernon walk, [REDACTED] account for 19 incidents collectively

Both [REDACTED] have been engaging with the Police licensing team and encouraged to report incidents to Police. This may have contributed to the number of occurrences linked to these premises. Positive engagement with the establishments should be encouraged and therefore the high numbers are not always a negative, but should continue to be monitored.

The capacity of this venue is around [REDACTED] people, so the footfall within this premise is frequently higher than that of the other licensed premises in Southampton. Therefore, it may be expected that the number of VAP incidents linked to this premises are higher.

This premises also recorded the highest amount of sex offences linked to a NTE premise, with 9 incidents linked as either occurring in the premise or the victim and offender meeting at the location<sup>2</sup>.

## ASB

- There are 5398 ASB incidents *reported* between 01/04/13 and 31/01/14, that were reported between 1900 & 0700 hours; these will not all be linked to the NTE.
- There are 1452 incidents that have occurred in SC, the main NTE area, 27% of ASB during this time period.
- For the purposes of this review, only SC incidents have been further reviewed.
- When the types of ASB reported are reviewed, just over half of all incidents in SC (808, or 56%) are Rowdy & inconsiderate behaviour calls.
- Neighbour nuisance is next with 265 calls, or 18%
- When the 1452 incidents are reviewed for peak times, incidents vary in number per hour from 1 to 35.
- There are higher volumes across the whole week between 7pm and 2am.
- Friday night into Saturday morning (til 2am) and Saturday evening from 7pm through to Sunday morning 5am remain peak times for ASB incidents in the SC area.
- Incidents are also slightly increased Friday evening until 1am.
- The highest concentration of incidents is recorded on a Sunday morning between midnight and 3am, but higher volumes of occurrences continue until 6am on this day.

Occurrence Start Day of Week	Reported Hour						
	Midnight	1am	2am	3am	4am	5am	6am
Monday	16	10	7	5	5	2	2
Tuesday	13	13	16	6	3	6	2
Wednesday	19	19	10	18	16	8	
Thursday	14	11	6	7	5	1	
Friday	23	19	12	10	14	4	3
Saturday	33	33	19	21	23	7	3
Sunday	41	49	36	25	27	16	8

### Repeat premises linked to ASB incidents:

<sup>2</sup> Western Area NTE serious sexual offences profile April –Dec Author Vicky QUICK Date: 20/01/14



Premises	No of ASB incidents linked
[REDACTED]	34
[REDACTED]	25
[REDACTED]	23
[REDACTED]	17
[REDACTED]	14
[REDACTED]	14
[REDACTED]	14
[REDACTED]	12
[REDACTED]	11
[REDACTED]	10
[REDACTED]	10
[REDACTED]	8

Table 4: All ASB incidents by day and hour from 2300hrs

- Both [REDACTED] in the CIA around Bedford Place/London Road report high numbers of ASB occurrences. The majority of these are linked to vagrants, however, although there are a number of incidents linked to drunk persons from the NTE as well.
- Again, [REDACTED] has the most ASB incidents linked to it for any licensed bar or club. 18 of the 25 incidents occurred between 1am and 5am
- [REDACTED] and [REDACTED] also feature highly in relation to VAP offences.
- All the incidents linked to [REDACTED] are reported after midnight, up until 5.34hrs. The majority, 15, occur between 2am and 5am. Most of these incidents are reports of issues with the door staff or the door staff reporting incidents of customers causing problems.
- [REDACTED] does feature in the top 12 but more VAP incidents are linked to the premise. 6 of these occur between 1am and 3.30am
- Of the 17 incidents at [REDACTED], 11 of them were actually reported between 2am and 6am, suggesting this is an area for persons to congregate when leaving the NTE, most likely [REDACTED], the nearest late opening Club. Several of the reports have come from the near by hotels reporting excess noise.

## CONCLUSIONS & RECOMMENDATIONS

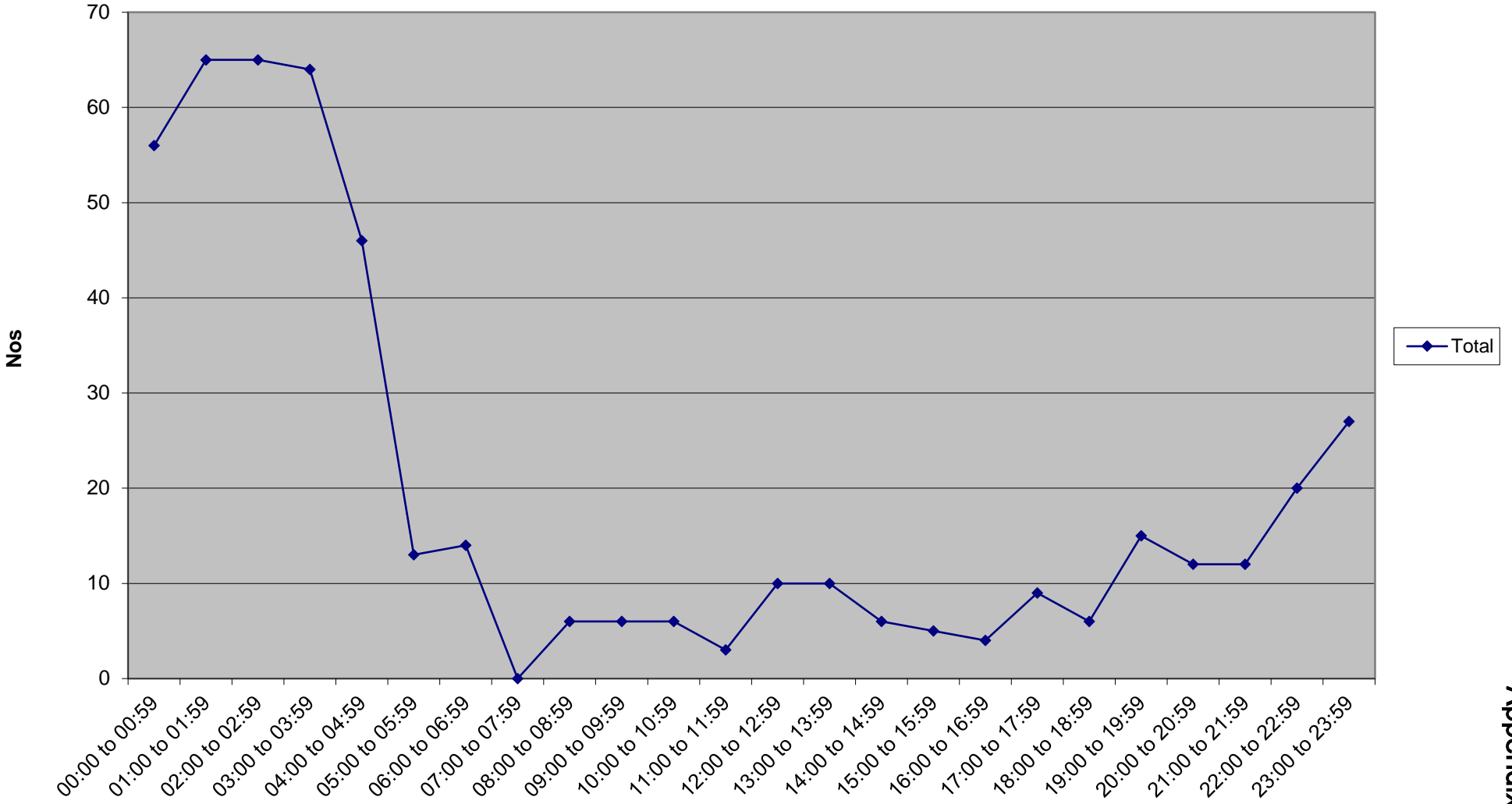
The NTE continues to draw Police resources into the city centre to deal with violence and anti-social behaviour. The weekend remains particularly busy, especially the early hours of Friday and Saturday mornings.

Despite reports of lower footfall in these pubs and clubs, they are still linked to nearly a third of all VAP reported in the whole of Southampton between 1900 & 0700 hours. The number of VAP incidents linked to alcohol consumption is likely to be a lot higher than currently recorded due to issues discussed above. While the NTE continues to exist, there will remain a need for police to resource the crime that results from this.

There is currently no accurate recording of crime and ASB linked to the NTE; a bus/org on RMS may assist providing a better picture of the issue and where resources are most needed.

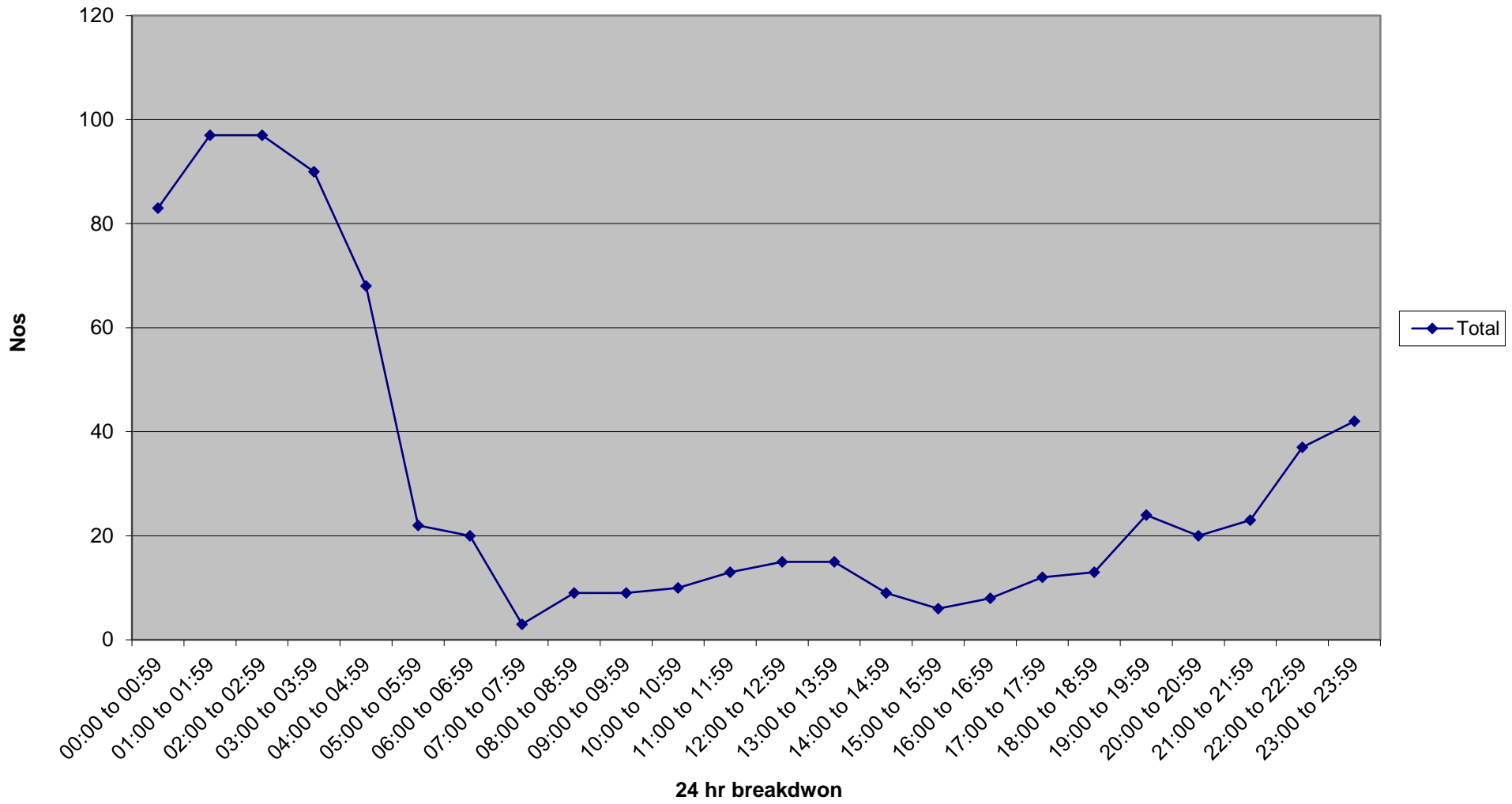
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### Violence with injury 2014/15

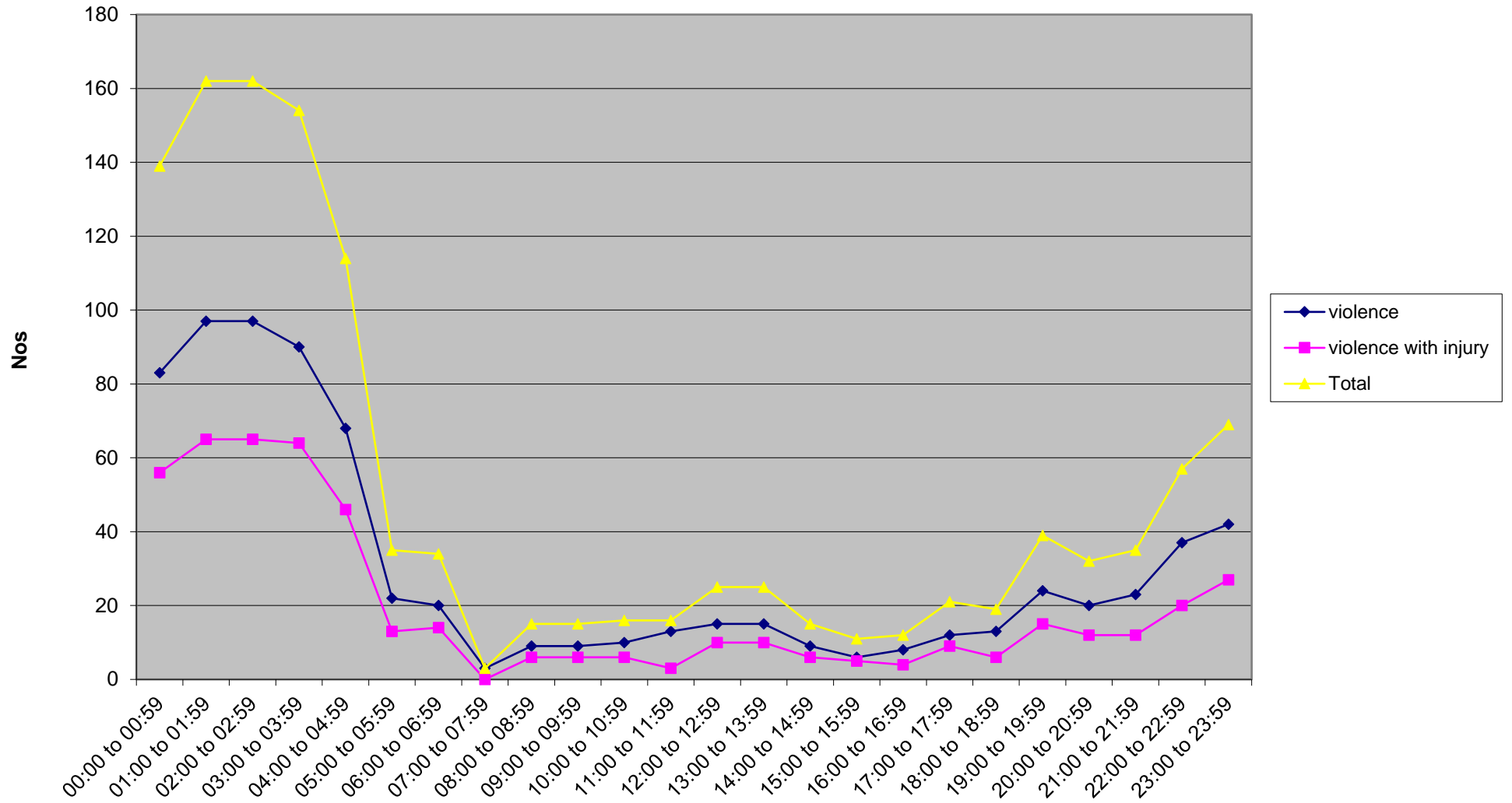


### Violence 2014/15

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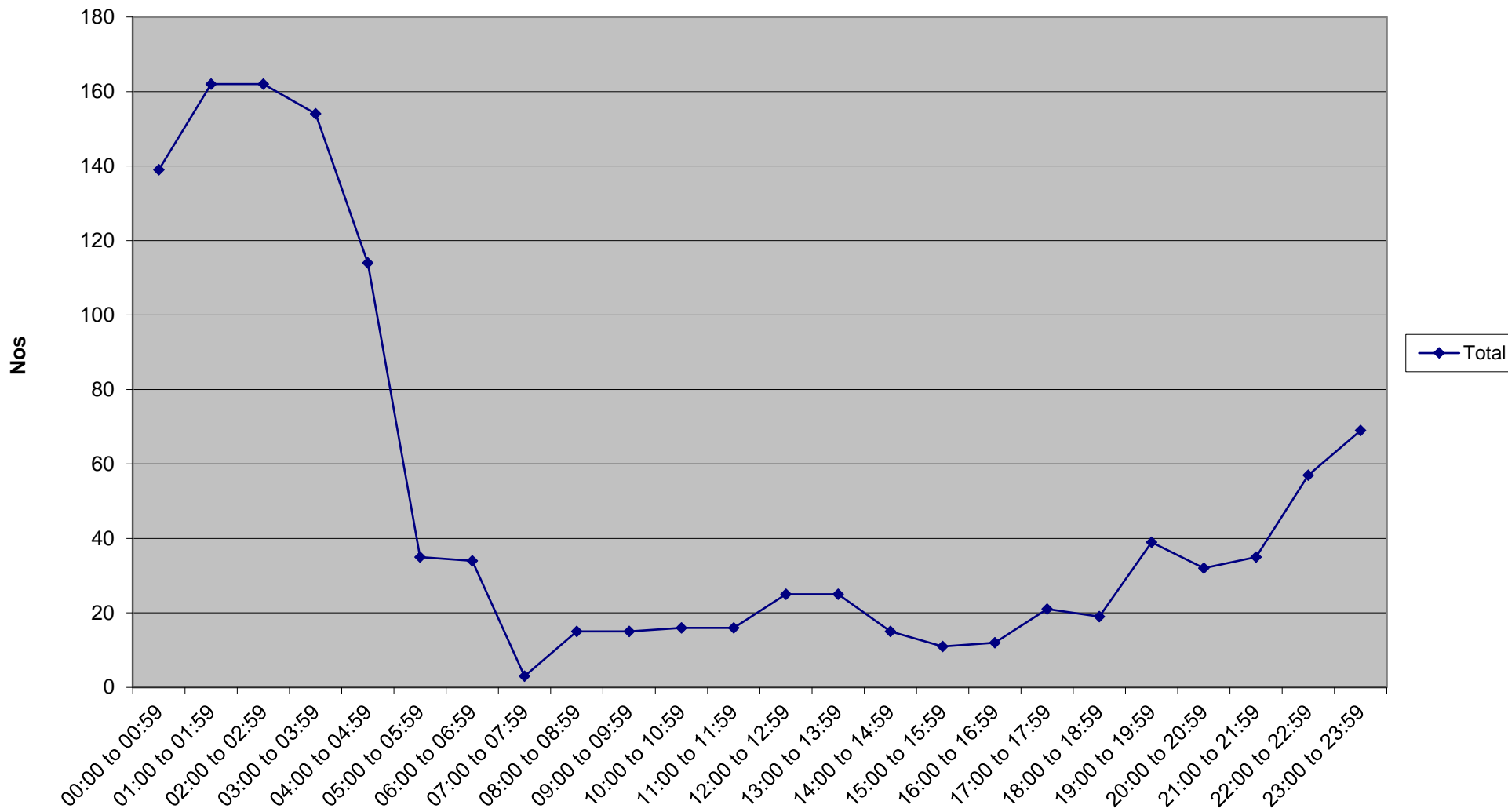


### Combined 2014/15 (violence & violence with injury)



### Cumulative totals only 2014/15 (violence & violence with injury)

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Violence 2014/15

Reported H	Total
00:00 to 00	83
01:00 to 01	97
02:00 to 02	97
03:00 to 03	90
04:00 to 04	68
05:00 to 05	22
06:00 to 06	20
07:00 to 07	3
08:00 to 08	9
09:00 to 09	9
10:00 to 10	10
11:00 to 11	13
12:00 to 12	15
13:00 to 13	15
14:00 to 14	9
15:00 to 15	6
16:00 to 16	8
17:00 to 17	12
18:00 to 18	13
19:00 to 19	24
20:00 to 20	20
21:00 to 21	23
22:00 to 22	37
23:00 to 23	42

Violence with injury 2014/15

Reported H	Total
00:00 to 00	56
01:00 to 01	65
02:00 to 02	65
03:00 to 03	64
04:00 to 04	46
05:00 to 05	13
06:00 to 06	14
07:00 to 07	0
08:00 to 08	6
09:00 to 09	6
10:00 to 10	6
11:00 to 11	3
12:00 to 12	10
13:00 to 13	10
14:00 to 14	6
15:00 to 15	5
16:00 to 16	4
17:00 to 17	9
18:00 to 18	6
19:00 to 19	15
20:00 to 20	12
21:00 to 21	12
22:00 to 22	20
23:00 to 23	27

Combined 2014/15 (violence & violence with injury )

Cumulative totals only 2014/15 (violence & vic

Reported H	violence	violence w	Total
00:00 to 00	83	56	139
01:00 to 01	97	65	162
02:00 to 02	97	65	162
03:00 to 03	90	64	154
04:00 to 04	68	46	114
05:00 to 05	22	13	35
06:00 to 06	20	14	34
07:00 to 07	3	0	3
08:00 to 08	9	6	15
09:00 to 09	9	6	15
10:00 to 10	10	6	16
11:00 to 11	13	3	16
12:00 to 12	15	10	25
13:00 to 13	15	10	25
14:00 to 14	9	6	15
15:00 to 15	6	5	11
16:00 to 16	8	4	12
17:00 to 17	12	9	21
18:00 to 18	13	6	19
19:00 to 19	24	15	39
20:00 to 20	20	12	32
21:00 to 21	23	12	35
22:00 to 22	37	20	57
23:00 to 23	42	27	69

Reported H	Total
00:00 to 00	139
01:00 to 01	162
02:00 to 02	162
03:00 to 03	154
04:00 to 04	114
05:00 to 05	35
06:00 to 06	34
07:00 to 07	3
08:00 to 08	15
09:00 to 09	15
10:00 to 10	16
11:00 to 11	16
12:00 to 12	25
13:00 to 13	25
14:00 to 14	15
15:00 to 15	11
16:00 to 16	12
17:00 to 17	21
18:00 to 18	19
19:00 to 19	39
20:00 to 20	32
21:00 to 21	35
22:00 to 22	57
23:00 to 23	69



silence with injury)

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# Agenda Item 6

## Appendix 9

SAP BusinessObjects InfoView - Windows Internet Explorer provided by Hampshire Constabulary

http://forcereporting/InfoViewApp/Listing/main.do?appKind=InfoView?service=%2FInfoViewApp%2Fcommon%2FappService.do?locmen

Home | Document List | Open | Send To | Dashboards | Help | Preferences | About | Log Out

Web Intelligence - Anti-Social Behaviour (ASB) Report - Apr 2011 onwards

District Name (All values) | Sector Name (All values) | Neighbourhood Team Name (All values) | Occ Risk Type (All values) | Occ Behaviour Type (All values)

GOSPORT	HART	HAVANT	ISLE OF WIGHT	NEW FOREST	PORTSMOUTH	RUSHMOOR	SOUTHAMPTON	TEST VALLEY	WINCHESTER	Total
426	269	461	661	651	1,289	426	1,867	473	469	8,952
1,722	902	2,281	2,342	1,822	5,380	1,627	7,210	1,512	1,598	32,858
928	463	1,206	1,232	1,148	2,338	853	3,423	869	719	16,727
3,076	1,634	3,948	4,235	3,621	9,007	2,906	12,500	2,854	2,786	58,537

GOSPORT	HART	HAVANT	ISLE OF WIGHT	NEW FOREST	PORTSMOUTH	RUSHMOOR	SOUTHAMPTON	TEST VALLEY	WINCHESTER	Total
41	62	57	74	82	122	65	218	68	75	1,146
206	93	269	303	297	1,163	188	1,084	212	285	5,000
795	303	962	888	726	1,750	626	2,567	617	552	12,448
191	81	192	199	219	440	210	589	116	207	3,058
252	154	371	413	428	684	249	965	252	240	5,099
1,214	654	1,509	1,768	1,285	3,874	1,175	5,310	1,100	910	23,311
32	17	60	179	43	235	68	280	31	156	1,262
60	43	52	65	76	140	49	158	69	71	1,059

Notes Page | Summary | Detail | Current vs previous | Graphs

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SOUTHAMPTON CITY COUNCIL

LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

### INDEX

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7. CUMULATIVE IMPACT POLICY
8. CHILDREN
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#### 1. VISION STATEMENT

1.1 To create an environment that attracts a diverse range of well managed premises, able to flourish and grow, offering a range of entertainment to satisfy the needs of the city. To ensure Southampton is a safe and pleasant city to live, work and visit.

#### 2. INTRODUCTION

2.1 The Licensing Act 2003 requires licensing authorities to publish a "statement of licensing policy" every five years, which sets out how they intend to exercise their functions. The policy sets out a general approach to making licensing decisions. Each application will be considered on its own individual merits. The discretion of the licensing authority in relation to applications is only used if relevant representations are made.

2.2 The Policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely

- Retail sale of alcohol;
- Supply of alcohol to club members;
- The supply of hot food and/or drink from any premises between 11 p.m. and 5 a.m.;
- Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as:
  - A performance of a play;
  - An exhibition of a film;
  - An indoor sporting event;

- Boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Provision of facilities for making music;
- Provision of facilities for dancing.

The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities.

2.3 The licensing authority has a duty under the Act to carry out its functions with a view to promoting the four licensing objectives, which are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

2.4 We must also have regard to this Statement of Licensing Policy and any statutory guidance issued by the Secretary of State. That does not mean that we have to follow the policy and guidance slavishly. We can depart from it if, having properly taken it into account, we have good reason to do so and where it is appropriate to do so to promote one or more of the licensing objectives.

2.5 In promoting the licensing objectives the licensing authority has a number of key aims and purposes which should be principal aims for everyone involved in licensing work and are therefore integral to the Policy. They include:

1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and supporting responsible premises;
4. Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

## 2.6 CONSULTATION

2.6.1 In accordance with section 5 of the Act and prior to the publication of this Policy the Licensing Authority consulted with

- Chief Officer of Police for the area (Hampshire Police)
- Hampshire Fire and Rescue Authority

- Persons/bodies representative of local holders of premises licences;
- Persons/bodies representative of local holders of club premises certificates;
- Persons/bodies representative of local holders of personal licences;

In addition we consulted with:

List to be produced

2.6.2 This Policy will come into effect on 7<sup>th</sup> January 2016 and remain in force for a period of 5 years. During this time the policy will be subject to regular review.

### 3. CITY PROFILE

3.1 Southampton is the south coast's regional capital with a population of over 242,100 in an area of 50 square km. The dynamic and vibrant city is forward-looking, balancing steady growth as a prosperous commercial centre with a high quality of life for its citizens.

3.2 Southampton is home to a number of the country's largest companies including Carnival, HSBC and Old Mutual Wealth. Commercially, Southampton's success is also notable. The renowned West Quay shopping centre opened in 2000 and is currently being extended and IKEA opened its first UK city centre store in 2009.

3.3 The Port of Southampton is Europe's most productive port and the second largest container terminal in the UK. It is the cruise capital of northern Europe contributing to 7 million day visits to Southampton per annum.

3.4 Southampton is the largest city in southeast England outside London. Southampton's city centre is undergoing a significant and ambitious transformation. The council's 2012 city Centre Master Plan will see £3 billion of investment into the city by 2030. It will improve the city for residents, businesses and visitors, creating a vibrant and eclectic city centre. The aim to bring over 24,000 new jobs and 5,000 new homes to Southampton is yielding success, with over £1.6 billion of investment already committed.

3.5 The £40m+ new arts complex currently being constructed in Guildhall Square will be a stunning visitor attraction at the heart of the Cultural Quarter. Incorporating two auditoria and dedicated art gallery space, presenting world-class art exhibitions, inspirational performances, outstanding resources for film-makers, media artists and creative events. It will provide a new home for prominent local arts establishments including the University of Southampton, John Hansard Gallery and City Eye. With 38 exclusive city centre apartments on the border of the city's unique park complex, the scheme offers everything for those aspiring to city centre living. The retail offer will include up to 7 new restaurants and cafes.

3.6 Figures that show it is the second highest ranking city in England for 'good growth' and 4th in the UK, based on the "Good Growth Index 2013" (produced by PwC and think tank Demos).

3.7 Confirmation of its position as top of the marine and maritime sectors, with gross value added (GVA) of 18%; 10% higher than the national average, demonstrating that Southampton is at the forefront of the marine sector in the UK. Since the launch of the master plan in 2012 five of the seven 'Very Important Projects' (VIP Projects) have started on site:

- The Arts Complex complete the Cultural Quarter
- WestQuay Watermark
- Station Quarter public realm improvements
- New homes are being built at the former Fruit and Vegetable market site
- Solent University campus extension is underway

3.8 The remaining two (the largest and most complex) are moving forward; a master plan for Itchen Riverside is being prepared and a Development Agreement has been signed for Royal Pier Waterfront

3.9 Southampton is a major hub of creativity and innovation with two outstanding universities, working closely with the business community and over 36,500 students. The University of Southampton is a member of the Russell Group and ranked 20th in the UK. The Southampton Marine and Maritime Institute (SMMI) will be an internationally recognised, state-of-the-art research institute, a centre for innovation, business and education. The new Global Technology Centre for research and development opening in August 2014. The £120 million investment from Southampton University and Lloyd's Register is the largest such business-focused endeavour in any UK university.

3.10 Southampton is accessed by multiple modes of transport. Just outside of the city limits is Southampton International Airport. From the airports website in 2014 there were 35,713 air transport movements involving 1.83 million passengers through 21 airline and tour operators.

3.11 There are a number of train stations in the city limits but the main station is Southampton Central that has around 6 million passenger movements each year.

3.12 There are close links to both the M3 and the M27 providing excellent road links to the rest of the country.

3.13 Apart from being Europe's leading turnaround cruise port, it is the UK's number one car handling port and the UK's most productive container port.

3.14 Southampton is in the top 10 of "happiest" cities in the UK and is the gateway to a wide range of world-class features from the Solent with its maritime opportunities, over 400 sailing events in the Solent annually to the New Forest.

3.15 Three and a half million people live within one hour's drive of the city.

### 3.12 THE IMPACT OF ALCOHOL ON SOUTHAMPTON

3.12.1 Figures from Public Health England show Southampton is significantly higher than the England average in all the groups measured in the Local Alcohol profile. The table below are their figures for the year 2013/14.



3.12.2 Public Health England state “Alcohol consumption is a contributing factor to hospital admissions and deaths from a diverse range of conditions. Alcohol misuse is estimated to cost the NHS about £3.5 billion per year and society as a whole £21 billion annually.”

The following table compares Southampton to the England average on key indicators on alcohol admissions. In each area Southampton is above the average for England.

<b><u>Indicator</u></b>	<b><u>England Average</u></b>	<b><u>Southampton</u></b>
5.01 - Alcohol-specific hospital admission – under 18 year olds	40.1	87.1
6.01 - Alcohol-specific hospital admission	374	534
6.01 - Alcohol-specific hospital admission Male	515	764
6.01 - Alcohol-specific hospital admission Female	241	311
7.01 - Persons admitted to hospital due to alcohol-related conditions (Broad),	1253	1375
7.01 - Persons admitted to hospital due to alcohol-related conditions (Broad), Male	1715	1906
7.01 - Persons admitted to hospital due to alcohol-related conditions (Broad), Female	859	908
8.01 - Persons admitted to hospital due to alcohol-related conditions (Narrow),	444	542
8.01 - Persons admitted to hospital due to alcohol-related conditions (Narrow), Male	594	725
8.01 - Persons admitted to hospital due to alcohol-related conditions (Narrow), Female	310	373
9.01 - Hospital admissions for alcohol-related conditions (Broad),	2111	2303
9.01 - Hospital admissions for alcohol-related conditions (Broad), Male	2917	3296
9.01 - Hospital admissions for alcohol-related conditions (Broad), Female	1426	1429
10.01 - Hospital admissions for alcohol-related conditions (Narrow),	645	733
10.01 - Hospital admissions for alcohol-related conditions (Narrow), Male	835	991
10.01 - Hospital admissions for alcohol-related conditions (Narrow), Female	475	492

#### 4. LICENSING PROCESS

4.1 Applicants are strongly encouraged to seek advice at the earliest possible stage from the licensing authority and other responsible authorities before making an application.

4.2 Applicants will need to comply with the statutory requirements or risk their application being invalid.

4.3 The licensing authority will expect individual applicants to address the licensing objectives in their operating schedule, having regard to the type of premises (which includes a vessel i.e. ship or boat), the licensable activities to be provided, the operational procedures, the nature of the location and needs of the local community.

4.4 It is recommended that applicants obtain planning permission and building regulation approval along with all other necessary permissions and licences for the premises prior to an application being submitted.

4.5 When formulating their operating schedule applicants will be expected to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account where appropriate

4.6 When determining applications the licensing authority will have regard to any guidance issued by the Government. In particular, account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the licensing authority's consideration of those representations will be balanced against the wider benefits to the community. As and when appropriate the licensing authority will consider establishing a policy of seeking to licence public spaces within the community in the name of Southampton City Council.

4.7 When determining applications the only conditions which should be imposed on a premises licence or club premises licence are those that are appropriate and proportionate for the promotion of the licensing objectives. In particular, regard will be had to any Crime Prevention Strategies i.e. the Local Crime and Disorder Reduction Partnership and any Cultural Strategies such as those that are aimed at monitoring the impact of licensing on the provision of regulated entertainment.

4.8 The licensing authority acknowledges that the views of vocal minorities should not be allowed to predominate over the general interests of the community.

#### 4.9 OPERATING SCHEDULES

4.9.1 The operating schedule must form part of the completed application form for a premises licence. It should include information, which is necessary to enable a responsible authority or other person to assess whether and what steps have been taken or are proposed in order to promote the licensing objectives.

4.9.2 As and when appropriate the applicant should provide in the operating schedule such further relevant additional information/evidence where there is an apparent departure from the promotion of the licensing objectives

4.9.3 It is strongly recommended that applicants and/or their legal advisors discuss with Council officers and representatives of responsible authorities the draft operating schedule before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise for concern. This may avoid the necessity for a hearing if the application otherwise passes without representation.

#### 4.10 GUIDANCE DOCUMENTS

4.10.1 The Licensing Authority has provided a number of documents to assist with the process; these are available at [www.southampton.gov.uk/la03](http://www.southampton.gov.uk/la03)

#### 4.11 REPRESENTATIONS

4.11.1 There is a prescribed period during which the Licensing Authority can receive a written representation to an application. This is usually 28 days from the date the Licensing

Authority receives the application but varies depending on the type of application under consideration

“Relevant representations” can include positive, supportive representations as well as objections.

#### 4.12 DECISION MAKING PROCESS

4.12.1 It will be the Licensing Authority’s policy to provide an efficient and cost effective service to all parties involved in the licensing process. With the exception of the approval and review of this Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation.

In accordance with DCMS Guidance the licensing authority has delegated licensing functions to sub-committees or in appropriate cases, to officials supporting the licensing authority as follows:

<b>Matter to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence	If a police objection	If no objection made
Application for person licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection to a temporary event notice	All cases	

Determination of application to vary premises licence at a community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

4.12.2 If no relevant representations are received then the authorisation will be issued automatically with, in the case of a premises licence or club premises certificate, such conditions attached as are mandatory or are consistent with the operating schedule accompanying the application. The Licensing Authority will have no discretion to refuse the application. The operating schedule will be translated into conditions attached to the licence.

4.12.3 Where relevant representations are made and not withdrawn, the Licensing Authority must hold a hearing before the Licensing Committee or, more usually, a sub-committee of the Licensing Committee who will take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are:

- grant the licence subject to the operating schedule modified to such extent as the (Sub-)Committee considers appropriate for the promotion of the licensing objectives, and subject to the relevant mandatory conditions;
- exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;
- reject the application.

#### 4.13 APPLICATIONS FOR LARGE EVENTS

4.13.1 Events that the Council believe may require a co-ordinated approach to manage may be subject to a Safety Advisory Group (SAG) process. This will be at the discretion of the Council. Applicants will need to demonstrate to the members of the SAG they are supporting the licensing objectives.

### 5. SOUTHAMPTON POLICIES AFFECTING LICENSING

#### 5.1 PUBLIC SPACES PROTECTION ORDERS (PSPO)

5.1.1 These were formerly known as Drinking in Public Spaces Orders (DPPO) and the Anti-Social Behaviour, Crime and Policing Act 2014 made provision for the existing DPPO to continue for up to one year.

5.1.2 Southampton City Council recognises the effectiveness of this tool in preventing crime and disorder and tackling anti-social behaviour. Premises are expected to have measures in place to prevent their customers contributing to anti-social behaviour.

5.1.3 A DPPO was set for the entire city and this continues in the new guise of a PSPO.

#### 5.2 CULTURAL QUARTER

5.2.1 The Cultural Quarter is a key development in the heart of the city the final phase of which is nearing completion as this policy is developed. The intention is to provide a mix of use in the area including a new theatre, Mayflower Theatre, Guildhall Square, O2 Guildhall Concert venue, a number of licensed cafes and bars and prime residential property.

5.2.2 Although the latest phase is within the boundaries of one of the CIPs there is an exemption for premises in the Cultural Quarter.

5.2.3 The Background to the Night Time Economy produced to support the City Centre Action Plan mentions as a Core Strategy to create a Cultural Quarter in the northern part of Above Bar Street. (See 5.4)

### 5.3 LATE NIGHT LEVY

5.3.1 The Late Night Levy was introduced by Southampton City Council on 1<sup>st</sup> April 2015. The levy is a contribution paid by late opening premises supplying alcohol. The money raised is used to pay for policing the night time economy. Imposing the levy is a local power which Southampton City Council has decided to adopt. The Council can choose which exemptions (from those set out in regulations) it will allow in relation to payment of the charge.

Presently the following exemptions are applied:

- Premises providing overnight accommodation
- Theatres
- Cinemas
- Bingo halls
- Registered community amateur sports clubs
- Certain community premises
- New Year's Day

5.3.2 No reductions have been allowed but the Council wish to work with the trade to allow a business led Best Practice Scheme. This scheme will need to fulfil the requirements agreed between the Head of Legal and Democratic Services, The Chief Officer of Police and the Hampshire Police and Crime Commissioner.

5.3.3 Apart from the reduction for a business led Best Practice Scheme any proposed changes to the Late Night Levy will be independently consulted upon. The Council has agreed to pass 70% of the net amount to the Police and Crime Commissioner who has agreed to apply the money to purposes within the city in accordance with the arrangements as specified in the LNL legislation.

5.3.4 The arrangements, as specified in the Act, are for:

- (a) the reduction or prevention of crime and disorder;
- (b) the promotion of public safety;
- (c) the reduction or prevention of public nuisance;
- (d) the cleaning of any highway maintainable at the public expense or land in the Council's area;

5.3.5 Various schemes support the Night Time Economy in Southampton.

- Taxi Marshals

- Southampton Street Pastors
- I.C.E. bus (In Case of Emergency)

The costs of the Taxi Marshals and I.C.E. bus have predominantly been provided by the City Council and it also makes a considerable contribution to the Southampton Street Pastors. The I.C.E. bus and the Southampton Street Pastors have been identified as excellent schemes by national bodies. It is anticipated these schemes will figure high on the list to receive funding from the Levy as all three are recognised as making a significant contribution to keeping people safe within the Night Time Economy. Street cleaning is another area that will feature on the list of funding from the levy.

#### 5.4 CITY CENTRE ACTION PLAN

5.4.1 In 2013 Planning developed a background paper on the Night Time Economy 2 Core Strategies are mentioned.

- City Centre approach to include leisure/cultural/hotel development including the creation of a Cultural Quarter in Northern Above Bar
- Major Development Quarter to include Leisure/hotel/cultural or tourist uses.

The policy creates hubs and zones with recommended opening times for planning purposes. These do not completely reflect the reality of operating hours within the Night Time Economy but do seem to act as a limit to new applications.

#### 5.5 SHOPS SELLING ALCOHOL (OFF LICENCES)

5.5.1 In 2013 the British Beer and Pub Association estimated that twice as much alcohol is bought in off-licensed premises as from pubs or other licensed premises. This was after years of seeing a steady increase in the amount of alcohol sold in off licences. Pre-loading with alcohol before a night out is much more frequent. This change in habit has the potential to negatively impact on the licensing objectives with on-licensed premises most at risk of the consequences. There are additional increased potential risks such as easier access to alcohol by children (given that consumption is not monitored / regulated), theft, increased street drinking and an increase in crime and disorder.

5.5.2 To address this applicants, existing premises and the authority can consider a number of strategies to mitigate the problems. To address pre-loading the consideration of an earlier terminal hour for off-licences near to or on a well-used route to established late night premises will be considered. To address theft and access by children to alcohol the layout of premises, CCTV, where alcohol will be displayed and what steps will be undertaken to support the licensing objectives will be considered. In areas where it is identified street drinking is an issue consideration should be given to not selling single cans of high strength drinks or even whether single cans of high strength alcohol are to be sold at all.

#### 5.6 TEMPORARY EVENT NOTICES (TENS)

5.6.1 The Licensing Act 2003 enables certain organised events for less than 500 people to take place following notification to the Licensing Authority, the Police and Environmental Health.

5.6.2 Guidance on giving Notice can be found in the Home Office Fact Sheet.  
<https://www.gov.uk/government/publications/temporary-events-notices-factsheet>

5.6.3 Although the statutory legal minimum time required for the notification of a temporary event to the Licensing Authority, Police and Environmental Health is 10 working days, or 5 working days for a late temporary event, it is essential that proper consideration of the proposed event is given. Statutory guidance allows the Licensing Authority to publicise its preferred timescale for notification.

5.6.4 The Licensing Authority will encourage bona fide community events. Applications for TENS at existing licensed premises will not be encouraged where the proposal is simply to extend the existing hours of operation. Applications made in cumulative impact areas will be subject to increased scrutiny due to the potential impact upon an area already identified as suffering from increased crime and disorder. Objections should not rely solely on this policy but should be based on one or more of the licensing objectives.

5.6.5 The Licensing Authority expects those who have given notice of a temporary event to have identified any particular issues having regard to their type of premises and/or activities, and to have in place written policies for addressing issues such as drunkenness, crime/disorder and drugs on their premises and for ensuring staff are trained on these policies.

## 6. MANAGEMENT OF PREMISES

### 6.1 DESIGNATED PREMISES SUPERVISOR

6.1.1 Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be Made or authorised by the management committee in the case of community premises).

6.1.2 The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.

6.1.3 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a 7-day week.

6.1.4 The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

6.1.5 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence.

### 6.2 DOOR SUPERVISORS

6.2.1 The premises licence holder and DPS should ensure that their premises do not increase the fear of crime as well as actual crime in their locality. To this end they should ensure, so far as is possible, that customers do not cause nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place. Door supervisors have an important role in managing customers, not only on the doors but also in the immediate area of premises.

### 6.3 DISPERSAL POLICIES

6.3.1 The Licensing Authority accepts that licensed premises can have a diffuse impact. People can cause disturbance when returning to residential areas from later opening premises elsewhere and people who use off-licences may locate to a remote spot to drink. These problems may not be within the direct control of any particular licensed premises. However, premises licence holders are generally expected to take measures to encourage people to leave their premises quietly and considerately. The Licensing Authority would encourage premises to adopt a dispersal policy where appropriate.

### 6.4 RISK ASSESSMENT

6.4.1 The Licensing Authority will expect that appropriate and satisfactory general and technical risk assessments, management procedures and documentation have been made available to the relevant responsible authorities and to the Licensing Authority, that demonstrate that the public will be safe within and in the vicinity of the premises.

6.4.2 As a minimum the following matters must be taken into consideration:

- Whether the premises already have a licence which specifies the maximum number of people that can be present and, whether a risk assessment has been undertaken as to the maximum number of people who can be present in various parts of the premises, so that they can be operated safely and can be evacuated safely in the event of an emergency.
- Whether there are procedures in place to record and limit the number of people on the premises with opportunities for “pass outs” and readmission.
- Whether patrons can arrive at and depart from the premises safely.
- Whether there may be overcrowding in particular parts of the premises;
- Whether music and dance venues and performance venues will use equipment or special effects that may affect public safety (e.g. moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines).
- Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services.

### 6.5 PROMOTERS

6.5.1 The premises licence holder, DPS and personal licence holders remain responsible for activities taking place on premises when promotions take place. In addition the Licensing Authority will expect premises licence holders to have in place written agreements to ensure that when hiring out venues to promoters, the responsibility for the management of the premises is clear. The Promoter and its employees or agents, shall comply in all respects with all conditions, requirements and regulations of the local authority, Licensing Authority, police authority and fire authority and have regard to the “Good Practice for Licensed Premises”.



## 6.6 TAKEAWAY PREMISES (LATE NIGHT REFRESHMENT HOUSES)

6.6.1 The Licensing Authority considers that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).

6.6.2 It is recognised that takeaway premises open late at night can be associated with disorder as persons under the influence of alcohol having left, or in some cases being ejected from, late night venues congregate there. Applicants are recommended to have clear written policies for dealing with disorder and nuisance.

6.6.3 Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption elsewhere than on the premises are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.

6.6.4 Where the Licensing Authority considers it appropriate, it may impose conditions on a premises licence to require the operator of premises serving customers with hot food or drink to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter from its customers. It may require the proprietor to service those litter bins as part of their own waste management arrangements.

## 6.7 EXTERNAL AREAS

6.7.1 The introduction of the “smoke free public places” law has led to an increase in the number of people outside licensed premises. The provision of tables and chairs outside premises can enhance the attractiveness of a venue, but regard should be had to the need to ensure that the use of such areas will not cause nuisance to the occupiers of other premises in the vicinity. In particular, those with authorisations are expected to manage persons smoking in the vicinity of premises so they do not impede access to the premises and do not cause disturbance. In addition they are expected to provide secure ash trays or wall mounted cigarette bins for patrons so as to minimise litter.

6.7.2 Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should therefore be given to the use of toughened or ‘plastic’ drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.

6.7.3 The Licensing Authority has a number of concerns with respect to the development of external areas to licensed premises, and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective.

6.7.4 As there is a PSPO in place across the city the DPS needs to carefully consider policies on allowing alcohol outside of the premises.

## 7. CUMULATIVE IMPACT POLICY

7.1 In some areas concentrated “pockets” of licensed premises / activities can exist which lead to serious problems of nuisance and disorder arising in the area, and even some

distance away from the premises / activity. In such circumstances the impact of those premises / activities when taken as a whole can be far greater than that arising from individual premises / activities. It may not be possible to distinguish individual premises / activities as being the sole cause, or even a major contributing factor, of a particular problem. It is the cumulative combined impact of all of the premises / activities, which causes problems for a wider area and potentially undermines the Licensing Objectives.

7.2 The potential impact on the promotion of the Licensing Objectives by a significant number of licensed premises concentrated in one area is often referred to as “cumulative impact”. This should not be confused with the issue of “need” which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications.

7.3 The Council has had a Cumulative Impact Policy (“CIP”) since May 2009 when three defined areas were identified. The CIP areas were reviewed and amended in line with the review of the Statement of Licensing policy in 2011. Consultation responses have continued to show the CIP is still required to deal with outstanding issues of crime and disorder within identified locations in the city (“Stress Areas”).

#### 7.4 STRESS AREAS

7.4.1 In some circumstances an area may have such numbers of licensed premises / activities that it becomes a focal point for large groups of people to congregate and eventually leave. This can create exceptional problems of disorder, noise and other nuisance.

Stricter controls will generally be expected and may be imposed, if appropriate and proportionate, with regard to noise controls in areas which have denser residential accommodation.

The 5 CIPs, generally, deal with the following matters:

1. Identifies the areas
2. The basic operation of the policy
3. How hearings will deal with applications within stress areas
4. How evidence of Cumulative Impact is dealt with outside of a stress area
5. How hearings will apply the CIP to applications from within or out of a stress area.

#### POLICY CIP 1

The Licensing Authority believes that three areas identified in Appendix A are suffering from Cumulative Impact and are designated as the “Bedford Place Stress Area”, the “Above Bar Street Stress Area”, and the “Bevois Valley Stress Area”. These areas are the same as in previous years with the exception of Bevois Valley that extends the boundary further south along St Marys Road. The police report and appendices supporting this is attached as appendix B. The redacted material contains information that is premises specific and not appropriate to be made public.

- Reason: Evidence indicates that these areas already suffer from cumulative impact and that it is appropriate, proportionate and necessary for special policies to address that issue.

#### POLICY CIP 2

Where representations are received in respect of applications for either new premises or variations to existing premises in the three Stress Areas a rebuttable presumption will apply

that such applications shall be refused. However, this policy only applies to applications of the types listed below namely:

- o New premises licences
- o New club premises certificates
- o Provisional statements, including those for material variations to existing premises licences or club premises certificates (i.e. where the modifications are directly relevant to the issue of cumulative impact (e.g. those which significantly increase the capacity of the premises))
- o Substantial variations to existing premises or club premises licences (e.g. length of opening hours or increase in period licensable activities may take place). Whether a variation is “substantial” for the purposes of this policy shall be determined by the Licensing Authority in any instance of doubt.

Reason: To ensure that those applications which will add to the cumulative impact already being experienced are refused

This policy creates a rebuttable presumption that certain types of applications will normally be refused. Because of the short life of activities covered by a Temporary Event Notice these will not be taken into account when considering cumulative impact other than in relation to the crime and disorder objective. However, that does not prevent the reverse – i.e. the consideration of cumulative impact or the fact that a proposed premises for a Temporary Event Notice is within a designated Stress Area when applying the relevant statutory test.

The onus shall be upon applicants to demonstrate through their Operating Schedule and, where appropriate, supporting evidence such as risk assessments, that the operation of the premises will not add to the cumulative impact already being experienced. The standard of proof for the consideration by the Licensing Committee of any application or matter relating to cumulative impact shall be on the balance of probabilities. This policy, however, does not relieve Responsible Authorities or Interested Parties of the need to make representations raising cumulative impact as an issue before such applications are considered in light of the policy. If no representations are received then the application must be granted in terms consistent with the submitted Operating Schedule.

Applications for Provisional Statements may be made where new premises are proposed but have not yet been built or where a substantial variation is proposed to existing premises. Potential licensees may make such an application in order to have a degree of assurance that a licence would be granted before committing themselves to the necessary investment. Where a Provisional Statement has been issued by the Authority to the effect that an application would be granted and the schedule of works accompanying the application for the Provisional Statement is completed satisfactorily then any subsequent application for a premises licence must be granted and any objection raised at that stage which could have been raised at the Provisional Statement stage must be disregarded (unless there has been a material change in circumstances). It is important therefore that if there is potential for new or altered premises to contribute to or cause cumulative impact in any given area that the issue is addressed as soon as possible in the licensing process and that Responsible Authorities recognise the continuing requirement to make representations based on cumulative impact if appropriate. For this reason the Provisional Statement procedure is included in the policy.

The Authority may choose to review this Statement of Policy in the future with a view to designating other Stress Areas to which policy CIP2 or a similar policy may be applied. In such circumstances the Authority will consult widely to ensure that such a designation and the application of such a policy would be justified. The application of policy CIP2 and any similar policy will be the subject of regular review to assess its impact.

Responsible Authorities and other persons may make representations on specific applications concerning cumulative impact even though those applications are not for premises in designated Stress Areas (and therefore not covered by this policy). In such circumstances the application may be refused (though there will be no presumption that this will be the case) and the Authority may then choose to review this policy statement and consult as to whether the particular area should be formally designated as a Stress Area to which policy CIP2 (or one similar) should apply. To be clear, nothing within this policy shall prevent the consideration of cumulative impact issues simply because a premises (or proposed premises) is not situated within a designated Stress Area.

### EXEMPTIONS

The creation of a “Cultural Quarter” has been fulfilled with a wide variety of activities both within new buildings such as the Sea City Museum and new Arts Complex in Guildhall Square, existing buildings, and the improved and expanded Guildhall Square all of which fall within the area of Above Bar partly covered by the above Stress Area as shown edged with a broken line on the attached plan at Appendix C.

The policy is to encourage venues within the Cultural Quarter which promote well run family friendly sit down eating and drinking, complement the City’s cultural offer and may include al fresco dining, subject to appropriate licensing restrictions. These may include theatres, other performing arts venues, galleries and restaurants.

The Licensing Authority will ordinarily treat applications in relation to any licensing use in the Guildhall Square, or within or directly related to any building primarily used for an arts or cultural purpose as an exception to the CIP but each matter will be judged on its merits.

### POLICY CIP 3

Should a relevant representation in turn lead to a hearing to determine an application for a premises located within a designated Stress Area applicants should note that the onus is on the applicant to establish that the proposed licensable activities will not, on the balance of probabilities, lead to an increase in or add to the cumulative impact already experienced within the designated area. It should be stressed that when considering the application the Licensing Committee will consider the effect of the proposals upon the licensing objectives in light of the underlying reasons for the designation of the area as being one for which the special Stress Area policies should apply.

Whilst making any decision the Committee shall not ordinarily consider the following as an exception to the policies applying to Stress Areas or as justification for departure from those policies:

- o The quality of management of the premises
- o The character or experience of the applicant
- o That the capacity, size, hours or any increase therein applied for, is not substantial
- o That the applicant has a good understanding of how to reduce the potential for crime on the premises.

## POLICY CIP 4

In cases where Responsible Authorities or other persons seek to establish that an application, other than within a stress area, should be refused on the grounds that it would result in or further contribute to a cumulative impact which would undermine one or more of the Licensing Objectives they shall be expected to:

- i. Identify the boundaries of the area from which it is alleged problems are arising
- ii. Identify the Licensing Objective(s) which it is alleged will be undermined;
- iii. Provide full details and evidence with specific regard to the matters listed in Policy CIP1 to 4 to show the manner and extent to which it is alleged that the Licensing Objective(s) are being, or are at risk of being, undermined in the area;
- iv. Provide evidence to show that the undermining of the objective(s) is caused by the patrons of licensed premises in the area.

Reason: To ensure that representations are neither frivolous nor vexatious and that there is an evidential basis for the Committee to reach a decision.

## REPRESENTATIONS IN RESPECT OF APPLICATIONS IN STRESS AREAS

Where a representation seeks to establish that the grant or variation of a premises licence within an existing designated Stress Areas would undermine one or more of the Licensing Objectives and add to the Cumulative Impact the following paragraph and CIP policy 5 will apply.

In cases where those making representations seek to establish that an application should be refused on the grounds that it would result in (or further contribute to) a Cumulative Impact, which would undermine one or more of the Licensing Objectives, the person or body making the representation shall be expected to:

Identify the Licensing Objective(s) which it is alleged will be undermined with specific regard to:

- o the nature of the licensed activity to be carried on at the premises; and
- o its patrons

## POLICY CIP 5

In considering applications and representations relating to cumulative impact the Authority may, in addition to the matters listed in policy CIP3 above, have regard to matters that appear to be relevant including (but not limited to):

- o The proximity of the proposed premises to others in the area concerned which are licensed or subject to a Provisional Statement for similar activities;
- o The estimated occupancy figures of existing licensed premises and those subject to a Provisional Statement, in the area concerned and the timings of those activities;
- o The operational hours of existing licensed premises and those subject to a Provisional Statement, in the area;
- o The nature of licensed activities in the area and those to be carried on at the proposed premises;

- o Whether, if the grant of the application would result in or further contribute to a cumulative impact, conditions would be effective in addressing the issue;
- o the proposed hours of operation of the licensed activities;
- o transport provision for the area.

Reason: To ensure that regard is had to all relevant considerations relating to the area

The Council will seek to identify mechanisms outside of the licensing regime that are available for addressing the impact of anti-social behaviour and nuisance once patrons leave the vicinity of licensed premises or in respect of the management or operation of licensed premises, and that may lead to the declaration / removal of an area. Regard will be had to the statutory guidance in this respect and the following mechanisms which may be, or have been already, employed:

- o Planning controls - positive measures to create a safe and clean city centre environment in partnership with local businesses, transport operators and other departments of the local authority.
- o Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly.
- o Police enforcement of the normal law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
- o The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
- o The confiscation of alcohol from adults and children in designated areas.
- o Police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises.
- o The power of the police, other responsible authorities or other persons to seek a review of the licence or certificate in question.
- o Early Morning Alcohol Restriction Orders.
- o Raising a contribution to policing the late night economy through the late night levy.
- o Any other local initiatives that similarly address these problems

The fact that particular premises are in a Stress Area cannot be used as a justification for removing an existing licence. If a representation is received that an existing licensed premises / activity is having an impact that undermines the Licensing Objectives, then Responsible Authorities and Interested Parties may request a review of that specific licence. Action may be considered by the Council under other parts of the policy.

## 8. CHILDREN

- 8.1 A child is anyone under the age of 18 years unless otherwise stated.
- 8.2 This statement of licensing policy does not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm.
- 8.3 The licensing authority will have regard to any representations made by the Southampton Local Safeguarding Children Board or through the Southampton City Council

appropriate Directorate acting on its behalf, or any other appropriate body when considering applications for premises licences.

8.4 When considering applications for premises licences, the licensing authority will take into account the history of a particular premises and the nature of the activities proposed to be provided when considering any options appropriate to prevent harm to children. The relevant matters include premises:

- o where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- o with a known association with drug taking or dealing;
- o where there is a strong element of gambling on the premises;
- o where entertainment of an adult or sexual nature is commonly provided;
- o where the supply of alcohol is the exclusive or primary purpose of the service at the premises.

In these circumstances, conditions may be attached to any licence to:

- o limit the hours when children may be present;
- o restrict the age of persons on premises;
- o exclude children from all or part of the premises when certain activities may take place;
- o require an adult to accompany a child;
- o set out a requirement for the presence of adult staff according to a set adult/child ratio where children are attending regulated entertainment;
- o exclude people under 18 from the premises when any licensable activities are taking place.

8.5 Where no licensing restriction is considered necessary, however, it is at the discretion of the premises licence holder or club to decide whether or not to admit children; however the Licensing Authority strongly supports the use of Challenge 25 policies, the recording of all refusals and training on all age restricted activity.

8.6 Where premises give film exhibitions, licensees must ensure that children are prevented from viewing age-restricted films classified according to the British Board of Film Classification.

8.7 Except as in 8.4 above the authority will not impose conditions restricting the admission of children to any premises believing this should remain a matter of discretion of the licence holder. The licensing authority encourages family friendly policies. It will take strong measures to protect children where any licence holder is convicted of serving alcohol to children, where premises have or acquire a known association with drug taking or dealing, where gambling takes place on the premises or where entertainment of an adult or sexual nature is commonly provided. In such circumstances while it may sometimes be necessary to impose a complete ban on the admission of children this would be rarely imposed, it would be more likely to require conditions as referred to above.

8.8 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the

presence of an appropriate number of adult staff to ensure public safety and their protection from harm including control of access and egress and consideration may be given to include conditions concerning child/adult ratios

8.9 The licensing authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered appropriate to do so in order to protect them from harm

8.10 In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in a specific case where there are very good local reasons a certificate given to the film by the licensing authority itself.

8.11 Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club.

8.12 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment.

8.13 The licensing authority will consult with the Southampton Local Safeguarding Children Board acting on the City Council's behalf, or any successor body performing the same or a similar function and any other appropriate body, on any application that indicates there may be concerns over access for children

8.14 The Act details a number of offences designed to protect children in licensed premises and the licensing authority will work closely with the police and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

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## 9 ENFORCEMENT

9.1 It is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the approved operating schedule, the specific requirements of the 2003 Act and any licence conditions imposed. The licensing authority, in partnership with the responsible authorities, will make arrangements to monitor premises.

9.2 The licensing authority will work closely with the police, trading Standards and the other responsible authorities, liaising on a regular basis to establish enforcement protocols and concordats to ensure an efficient deployment of resources engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that resources are targeted at problem and high-risk premises.

9.3 The Act details a number of offences designed to protect children in licensed premises and the licensing authority will work closely with the police, Trading Standards and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol and tobacco products to children.

9.4 The premises licence holder is responsible to ensure the four licensing objectives are upheld:

- Prevention of crime and disorder



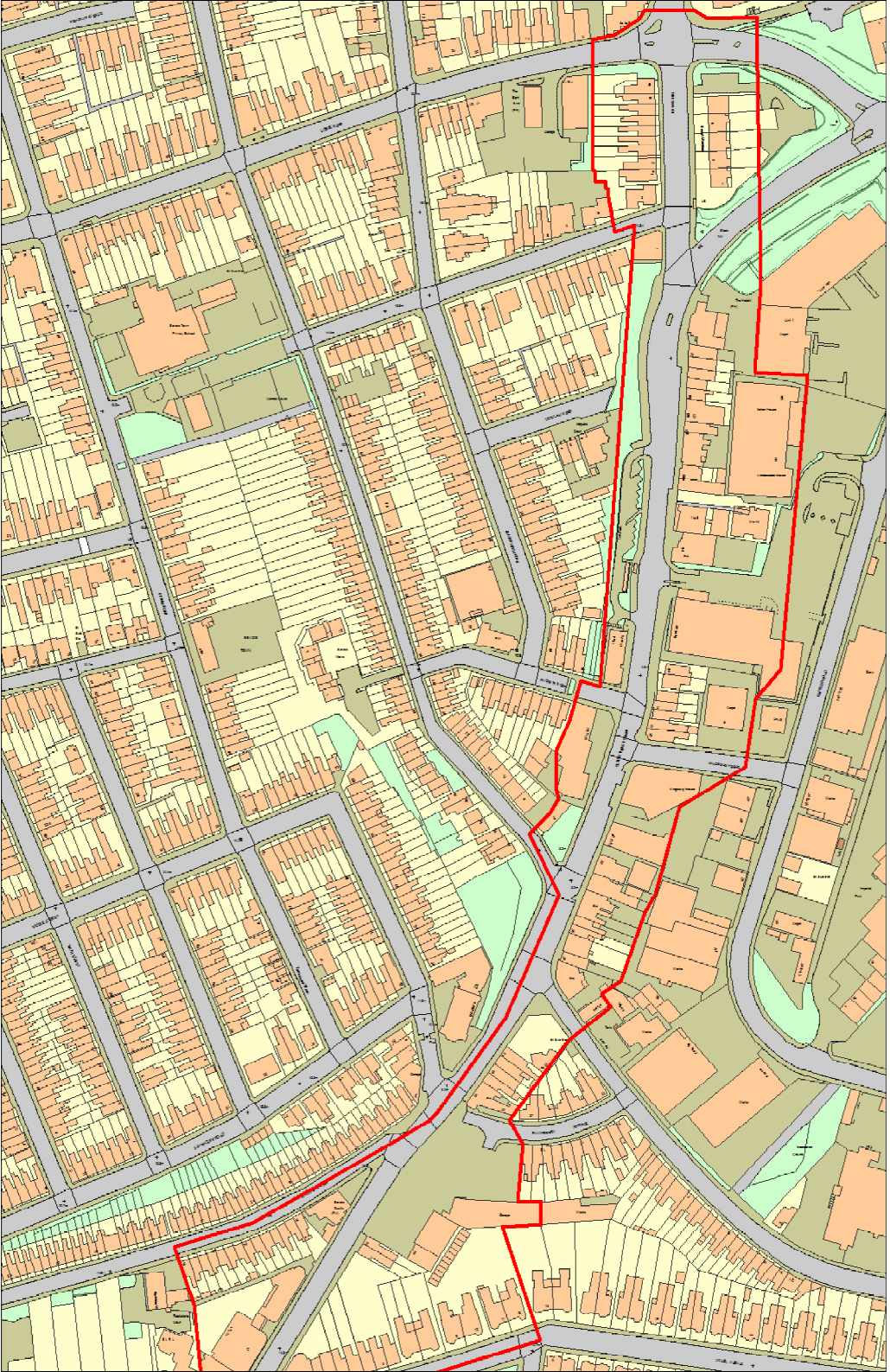
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

9.5 Where there is evidence to suggest the licensing objectives are being undermined, enforcement action will be taken in accordance with the principles of better regulation and the Regulator's Compliance Code. The aim is to have well run premises operating in our city. Problems at premises will be identified by the relevant authorities and the licence holder will have responsibility to resolve the problem. Failure to address or respond to problems or isolated serious failures will normally result in a review application.

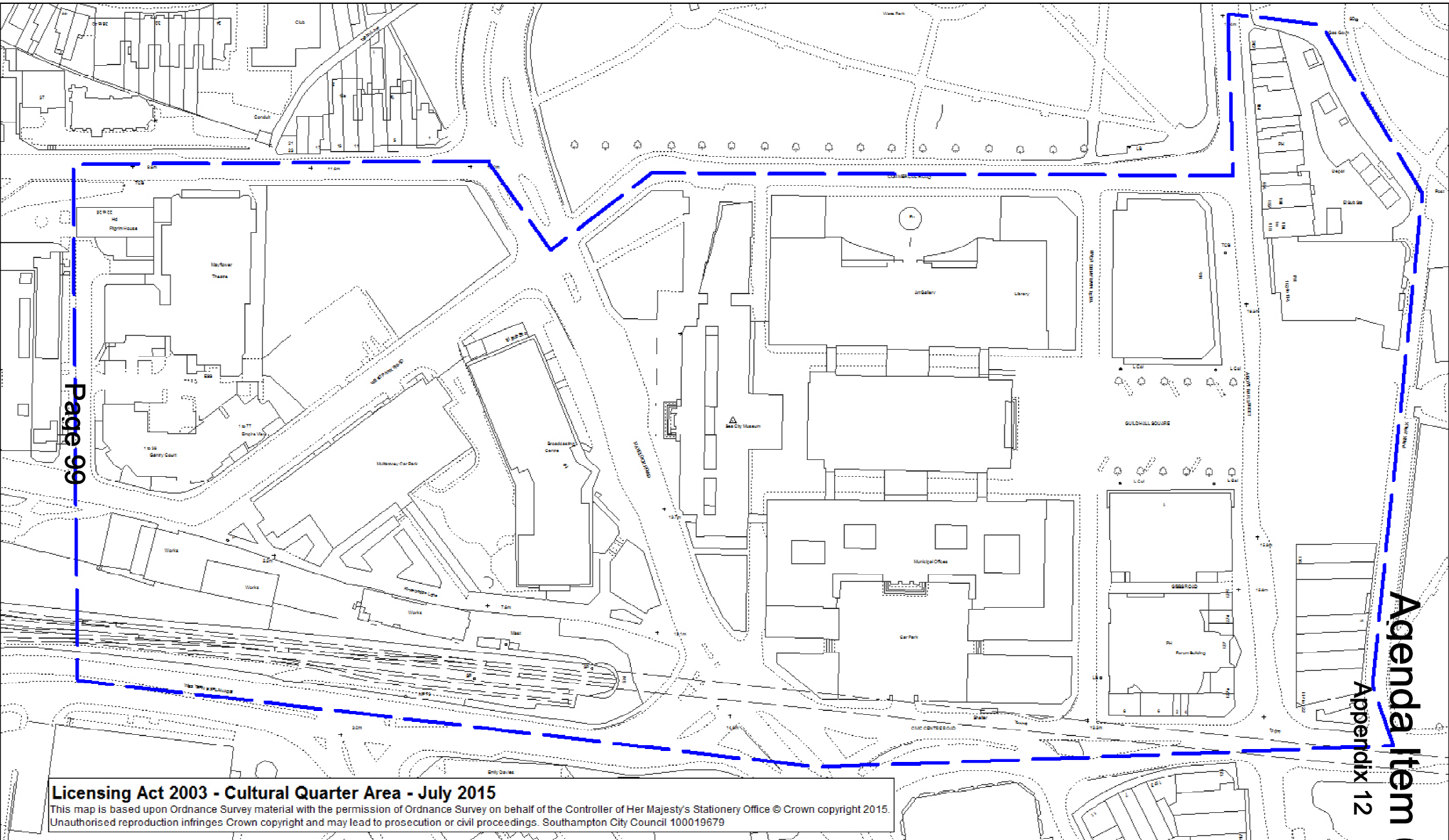
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# Agenda Item 6

Appendix 11



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**Licensing Act 2003 - Cultural Quarter Area - July 2015**  
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