

The background of the slide is a photograph of a fountain at night. The fountain is illuminated with warm, golden light, creating a dramatic contrast against the dark sky. The water jets are captured in motion, appearing as a series of bright, blurred lines. The fountain is set against a dark, textured wall, possibly made of stone or brick. The overall mood is serene and elegant.

Draft Cumulative Impact Policy Consultation

Full results summary

Data, Intelligence & Insight Team – November 2023



- [Introduction and Methodology](#)
- [Respondents](#)
- [Proposed changes](#)



Introduction and Methodology



Southampton City Council undertook public consultation on the proposed Draft Cumulative Impact Policy Consultation.

- The consultation took place between **04/09/2023 – 29/10/2023**.
- The aim of this consultation was to:
 - Hear thoughts on the proposals and any impacts or alternative suggestions to consider surrounding the update of the Section 6 – Cumulative Impact Policy (CIP), within the Statement of Licensing Policy.
- This report summarises the aims, principles, methodology and results of the public consultation. It provides a summary of the consultation responses both for the consideration of decision makers and any interested individuals and stakeholders.
- It is important to be mindful that a consultation is not a vote, it is an opportunity for stakeholders to express their views, concerns and alternatives to a proposal. This report outlines in detail the representations made during the consultation period so that decision makers can consider what has been said alongside other information.



Southampton City Council is committed to consultations of the highest standard, which are meaningful and comply with *The Gunning Principles (considered to be the legal standard for consultations)*:

1. Proposals are still at a formative stage (a final decision has not yet been made)
2. There is sufficient information put forward in the proposals to allow 'intelligent consideration'
3. There is adequate time for consideration and response
4. Conscientious consideration must be given to the consultation responses before a decision is made



New Conversations 2.0
LGA guide to engagement



Rules: The Gunning Principles

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

- 1. proposals are still at a formative stage**
A final decision has not yet been made, or predetermined, by the decision makers
- 2. there is sufficient information to give 'intelligent consideration'**
The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response
- 3. there is adequate time for consideration and response**
There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,¹ despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
- 4. 'conscientious consideration' must be given to the consultation responses before a decision is made**
Decision-makers should be able to provide evidence that they took consultation responses into account

These principles were reinforced in 2001 in the 'Coughlan Case (R v North and East Devon Health Authority ex parte Coughlan²)', which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (R ex parte Moseley v LB Haringey³), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.⁴

¹ In some local authorities, their local voluntary Compact agreement with the third sector may specify the length of time they are required to consult for. However, in many cases, the Compact is either inactive or has been cancelled so the consultation timeframe is open to debate

² BAILII, [England and Wales Court of Appeal \(Civil Decision\) Decisions](#), Accessed: 13 December 2016.

³ BAILII, [United Kingdom Supreme Court](#), Accessed: 13 December 2016

⁴ The information used to produce this document has been taken from the Law of Consultation training course provided by The Consultation Institute



- The agreed approach for this consultation was to use an online questionnaire as the main route for feedback. Questionnaires enable an appropriate amount of explanatory and supporting information to be included in a structured questionnaire, helping to ensure respondents are aware of the background and detail of the proposals.
- Respondents could also write letters or emails to provide feedback on the proposals. Emails or letters from stakeholders that contained consultation feedback were collated and analysed as a part of the overall consultation.
- The consultation was promoted in the following ways by:
 - Emails and letters will be sent out to the key stakeholders.
 - Wider City Residents – Website and SCC comms.
- All questionnaire results have been analysed and presented in graphs within this report. Respondents were given opportunities throughout the questionnaire to provide written feedback on the proposals. In addition anyone could provide feedback in letters and emails. All written responses and questionnaire comments have been read and then assigned to categories based upon similar sentiment or theme.



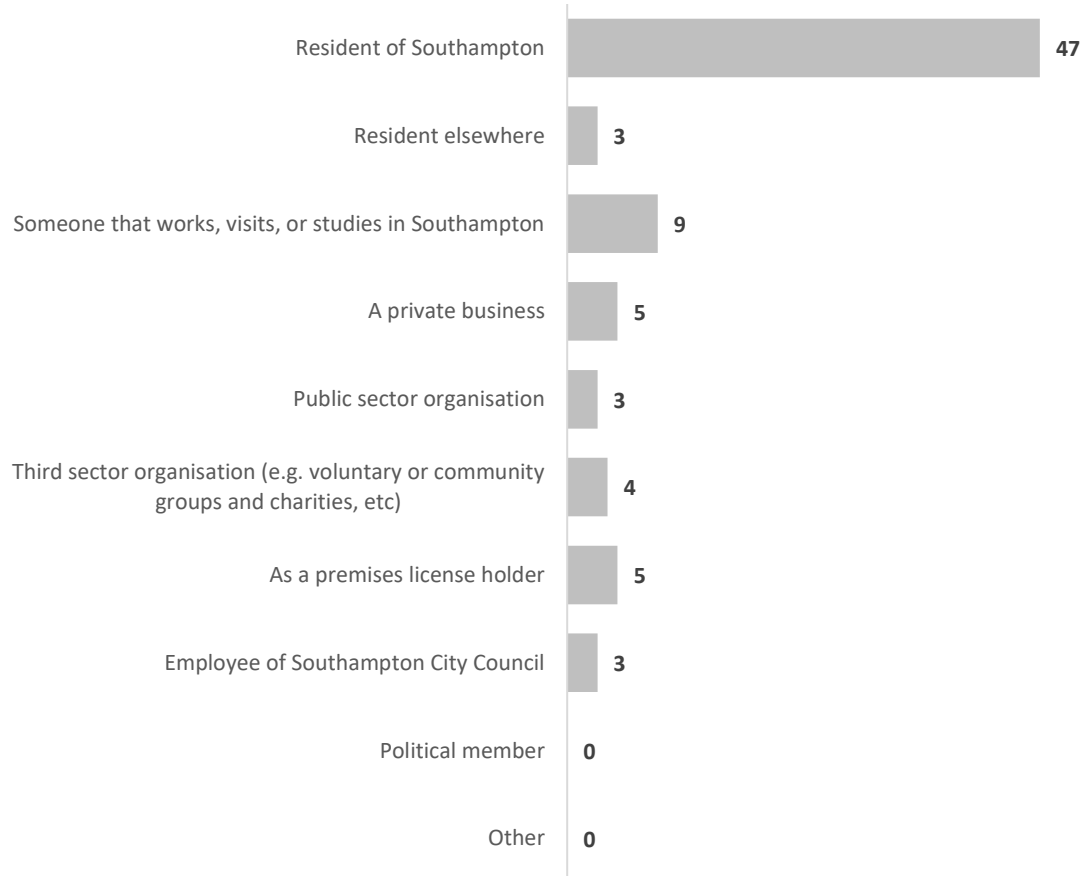
Who were the respondents?

Total respondents:

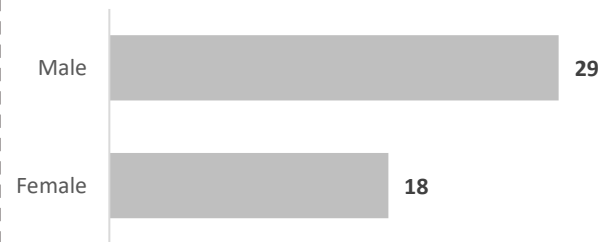
	Total number of responses
Questionnaire	54
Emails / letters	0
Total	54

The following graphs are shown in respondent count.

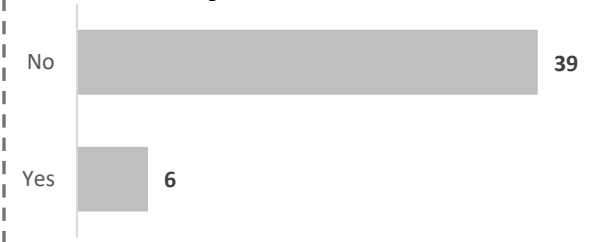
Interest in the consultation:



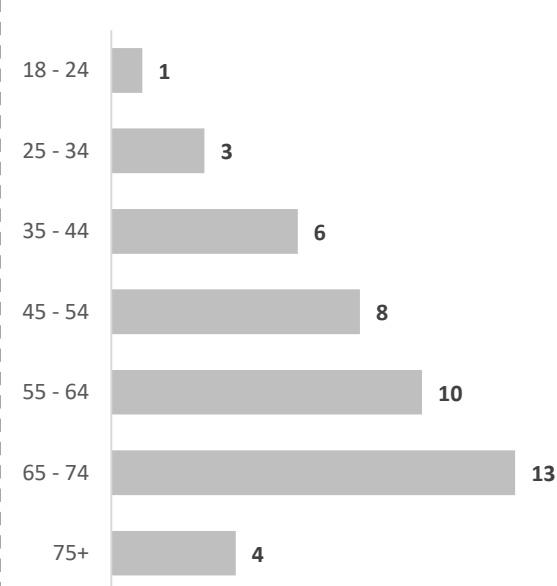
Sex:



Disability:



Age:



Ethnicity:





Proposed changes



The questionnaire outlined the following background information:

Within the Statement of Licensing Policy at Section 6 is the Cumulative Impact Policy (CIP). A CIP identifies stress areas where the density of either specific types of licensed premises or licensed premises as a whole, are causing problems.

Currently, we have three stress areas:

- London Road / Bedford Place
- Above Bar Street
- Bevois Valley

We are required to review the cumulative impact assessment every three years. The most recent data obtained from the police identified both London Road / Bedford Place and Above Bar Street still suffer from high levels of crime linked to the night-time economy. More information can be found on our website.

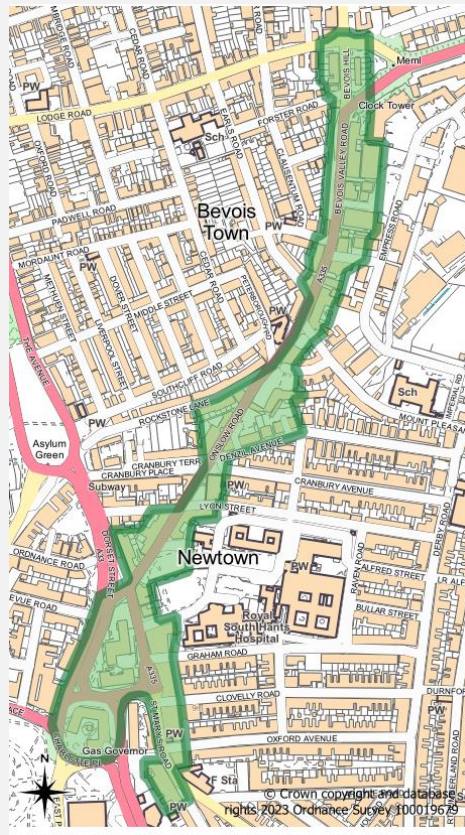
The data showed that Bevois Valley was not suffering from such high levels of crime and disorder, however the data from the Violence against women and girls profile showed that the area suffers from high levels of violence against women and girls.

The police data also identified Charlotte Place and Oxford Street as areas of concern to the extent it is felt these areas need to be included as stress areas.

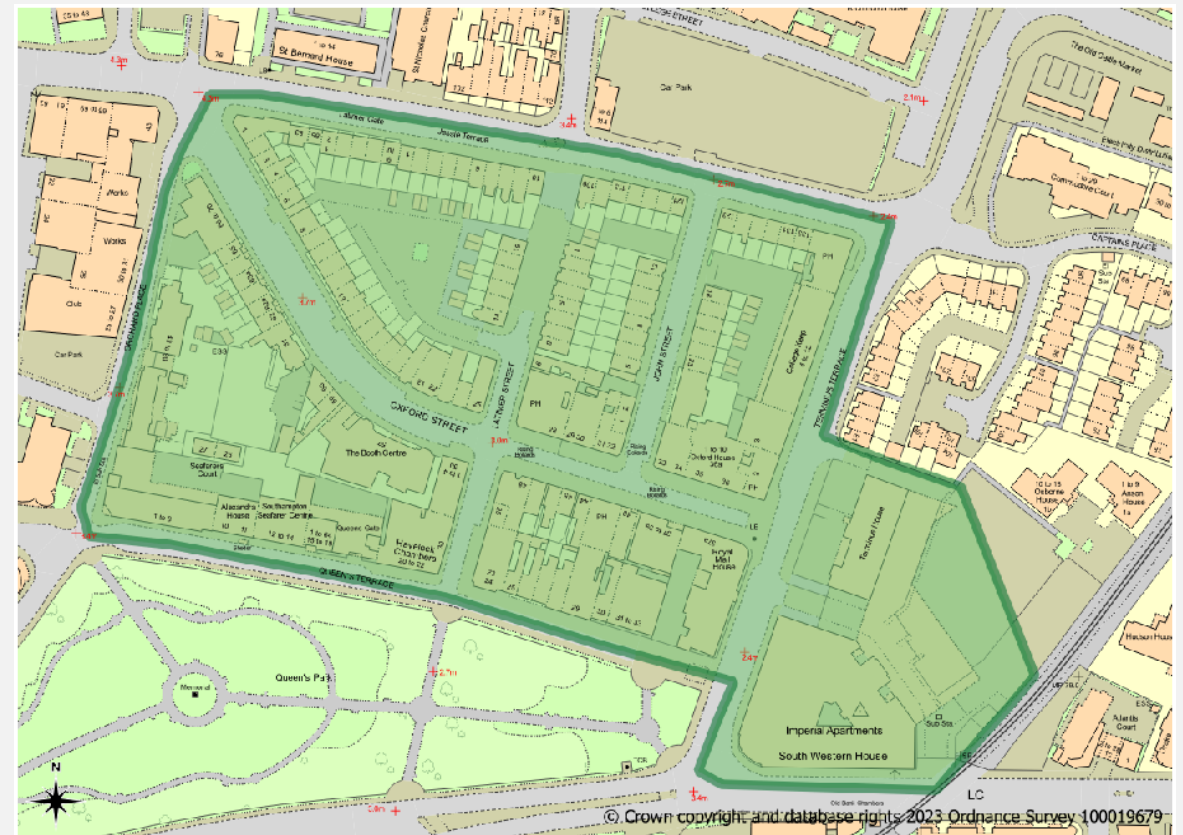


The questionnaire outlined the following proposals:

- As a result, we are proposing to extend the Bevois Valley CIP Stress Area to include Charlotte Place, which can be seen within the map below.



- We are also proposing to add Oxford Street as a 4th CIP Stress Area, which can be seen within the map below.

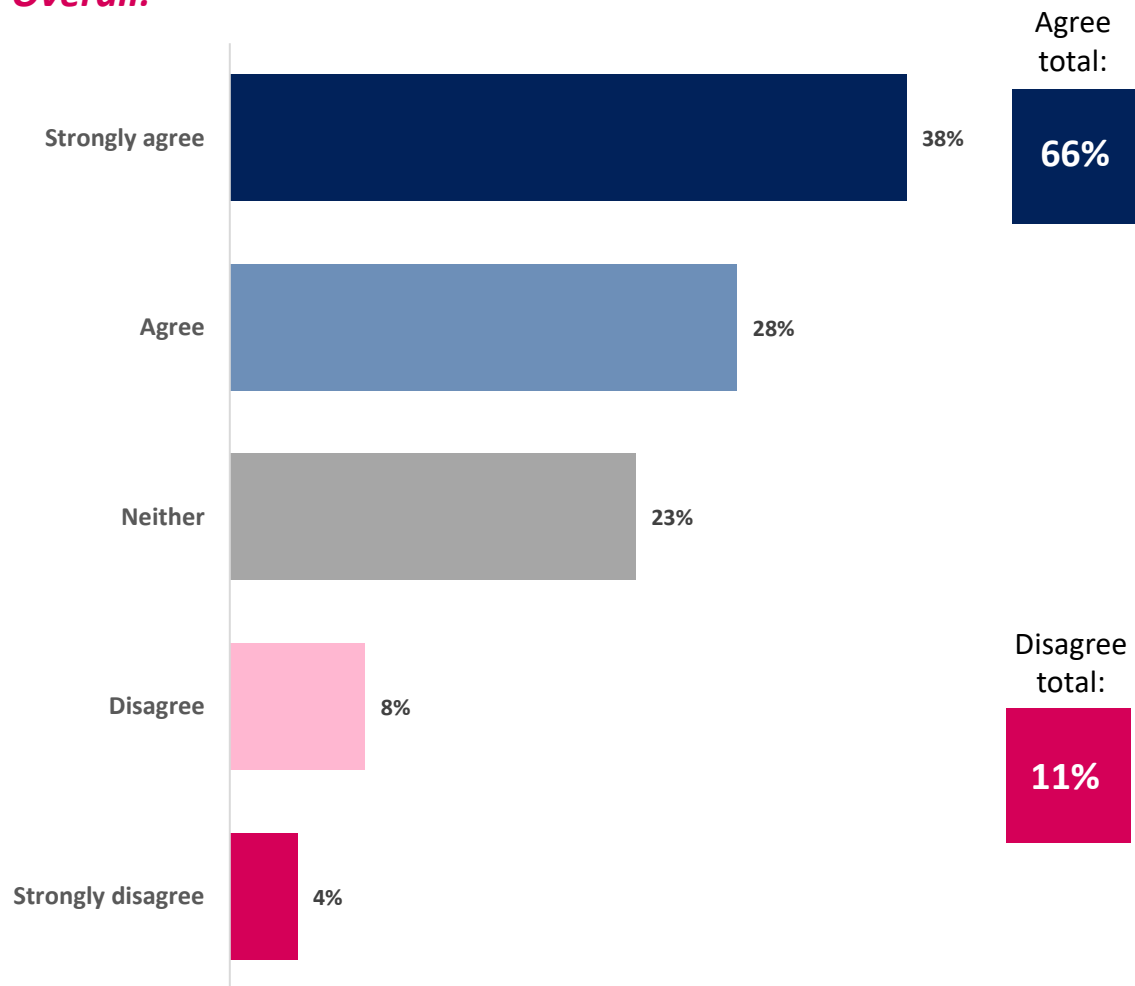




Agreement & Impact to extending Bevois Valley CIP stress area

Question: To what extent do you agree or disagree with extending the Bevois Valley CIP Stress area to include Charlotte Place?

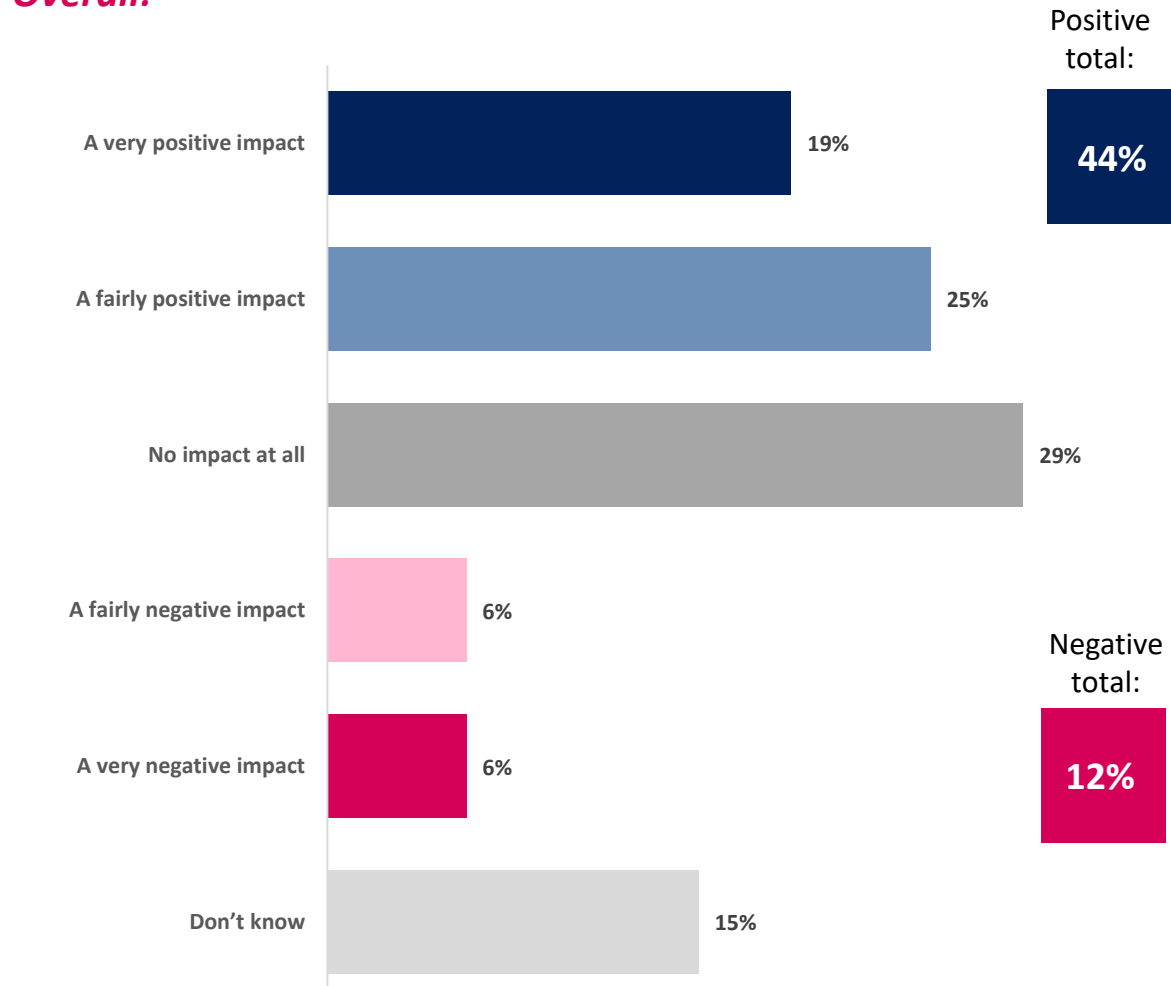
Overall:



Base respondents: 53

Question: What impact do you feel that extending the Bevois Valley CIP Stress area may have on you, your business or the wider community?

Overall:



Base respondents: 52



Free text comments on extending Bevois Valley CIP stress area

Question: If you disagree, or have any comments, impacts, suggestions or alternatives you feel we should consider, please provide details:

Comments | 8

"I agree the Charlotte Place area should be covered but by extending the London Rd Stress area. I am not sure Bevois Valley requires a stress area any longer."

"It has not been adequately explained what the effect of adding an area to CIP might be."

"The Bevois Valley CIP Stress area should be extended north into Portswood Road. There is regular late night noise, screaming and swearing, largely because of drunken students."

"Yes, I can, the whole CIP policy has not made the streets safer, in fact it makes licences and extensions even easier to obtain as applicants deny that their customers add to the street numbers. No one takes any notice of what the objectors are saying, no one believes their evidence. At least the Council had sense enough many year ago, not to allow (at Planning) any more food and uses in the Valley ,that is why there is less trouble in that area. Meanwhile in Bedford Place licences for 04.00 at regularly given out as objectors are over ruled."

"Delighted to see preventative measures expanding in the city."

"From my experience, as an objector to Licensed premises and takeaway hours extensions, the CIP in this area will be just as useless as it has been everywhere else. Objectors claims that more people at such places/ for longer times, will be Cumulative are dismissed as - what could happen- instead of - what will happen. In over 25 years I have not seen even one refusal at any hearing I have spoken at or listened to. Objectors just give up and stop writing in. That suits the applicants nicely and the Council avoids expensive appeals. But it make life hell for residents, they have to go and live elsewhere. As has happened in Polygon."

"Little experience of this area of Southampton late in the evening."

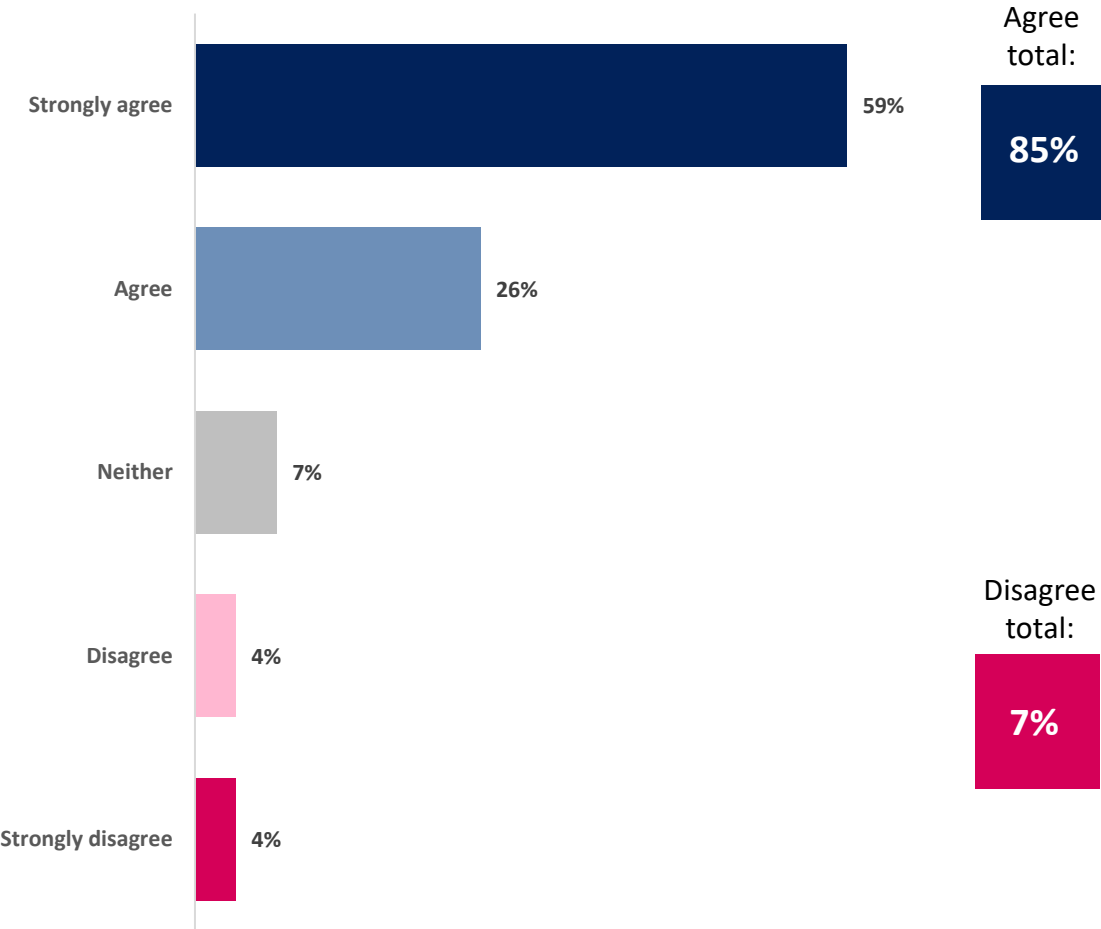
"Sack this stupid council."



Agreement & Impact with adding Oxford street as a fourth CIP stress area

Question: To what extent do you agree or disagree with adding Oxford Street as a fourth CIP Stress Area?

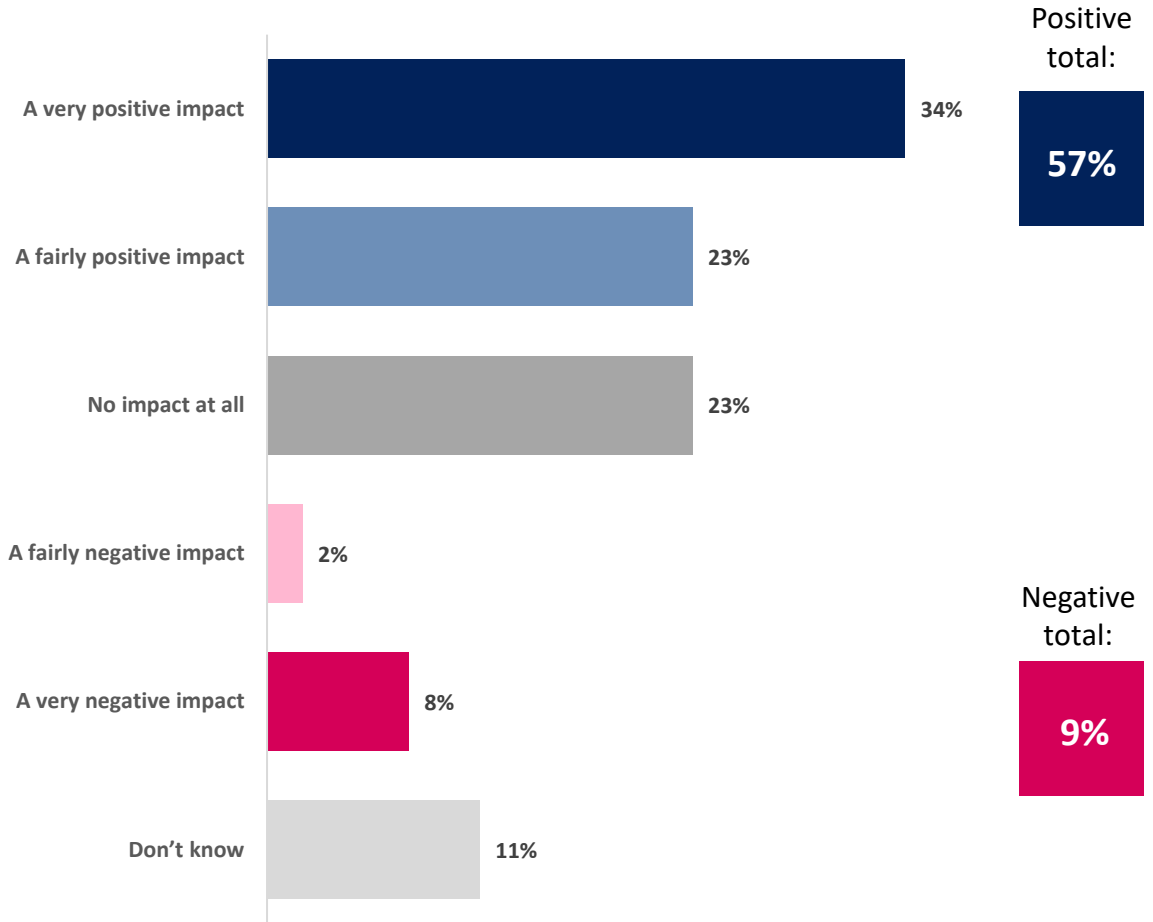
Overall:



Base respondents: 54

Question: What impact do you feel that adding Oxford Street as a fourth CIP Stress Area may have on you, your business or the wider community?

Overall:



Base respondents: 53



Question: If you disagree, or have any comments, impacts, suggestions or alternatives you feel we should consider, please provide details:

Comments | 21

"I have noticed a marked increase in noise especially at weekends. We are routinely woken between 02:00 and 02:30 on Friday and Saturday when late licence premises close. Frequent violent and aggressive arguments wake me and upset my family even through closed windows."

"We would like to put forward our views as residents living in Oxford Street While we love the vibrancy that most of the business's bring to the area, we have identified at least 2 businesses which have extended licensing hours and indiscriminate selling of alcohol until the early hours fuelling antisocial behaviour and disturbance of the peace. We have since had to object against 2 other premises extending their licensing hours (also for the playing of loud music) as we felt this would escalate the situation We have also contacted environmental health about a premises at No 1 Oxford Street who started playing loud music at midnight against their license We have lived here for 2 years and have officially contacted the police twice on particularly bad incidents but there have been many more, as the police are aware Another impact on our environment in Southampton is littering There is a late night off license in Bernard Street and the amount of rubbish that people throw on the floor is phenomenal We often spend Sunday morning clearing this up Could the shop be made to do something about this also Having more control over the environmental impact of some of the less ethical businesses would definitely curtail some of the disorder and crime that will occur as a result."

"I am a resident and home owner of Oxford Street and have first hand knowledge of the problems faced here on a daily basis. The main problem is the late licenses that some of the bars have and the seemingly reckless way they go about their business. Being able to stay open serving alcohol and playing loud music in a residential area till two in the morning, it is hard to fathom how they were given these licenses in the first place. After the bars have closed you then get the fighting, swearing, littering and damage to property for around another 40 minutes, by which time it's a quarter to three in the morning. The bars themselves do absolutely nothing to prevent this and pay lip service to supposedly being mindful of the area and it's permanent residents. Even on a Sunday night, one of these bars/nightclubs, stays open till midnight, meaning their clientele haven't dispersed the area till around twenty to one on Monday morning. Some of us have to work on Mondays!"

"Especially with the addition of the new druggie bar Ava's, the area needs to be monitored better (sister bar to Rio's in Shirley which we all know is run by drug dealers and is laundering proceeds through these bars)."

"Oxford Street has changed somewhat over recent years and is moving away from dining more and more. This will control this to a degree and restrict the area from being flooded with bars."

"I believe the area should be extended to cover Brunswick Square due to the presence of a night club at The 1865 and Arrow Supermarket which is a convenience store selling alcohol until 2am on weekends which can lead to anti-social behaviour. This is only 1 additional street vs the current proposals."

"It has not been adequately explained what effect adding an area to CIP might have."

"Why the focus on violence against women? Men are more than twice as likely to be the victims of violence as women. The focus should be on reducing all violence not just that against women."

"The Licences will still be granted for new outlets and extensions and gradually objectors will give and flee the noise, crime and ASB, as has happened in Polygon where residents group have objected to licences for 50 year, to NO avail."



Question: If you disagree, or have any comments, impacts, suggestions or alternatives you feel we should consider, please provide details:

Comments | 21

"The Oxford Street area has been challenging for a long time now, I welcome any additional measures to curb its problems."

"It should prove a useful tool in helping to give this conservation area the protection it deserves and to improve quality of life for residents, revellers and visitors."

"As a resident I am concerned that a cohesive plan for Oxford Street needs to be developed and that putting the area into a Stressed criteria would be an essential element of any wider plan."

"I feel that making Oxford Street a stress area will help in making residents lives more tolerable."

"Increase the age limit . More younger people are migrating to Oxford Street and this is the problem."

"Where are funding and resources going to come from?"

"By reducing alcohol intake plus hours of consumption crime will greatly reduce."

"Yes , I can verify that the Oxford Street area is under night time economy stress as on the evening of October 4th residents were invited to go out with the police on foot patrol- to areas where we may not or do not feel safe at night. The police offered take us to Oxford Street or London Road/ Bedford Place. I chose the latter two places as I know them well. The reason that Oxford Street residents do more objecting, or more of them do it, is because the long term residents there have not fled, as it did not become a 75 per cent student ghetto, as did Polygon. So more more night time economy clubbers and take way users, night time mayhem and noise in Polygon."

"Even ignoring anti-social behaviour, the noise generated by the public eating or drinking outside at the many licensed premises in this area late at night (especially on Fridays and Saturdays) is a major problem for local residents. Licensing hours need to be reduced rather than extended in this area."

"This would have a very negative impact on the quality of the very nature of what Oxford Street is. People visit Oxford Street for the outdoor drinking experience and socialising culture that has been there for years. There is not a negative stigma around Oxford Street which has to be managed."

"A wim of this stupid incompetent council."

"As a resident in the area I have no problems with the nighttime economy and the venues in Oxford Street. It might make some of the people using these venues more aware of those residents in the area. I have seen people urinating in the street, making loud noises and parking with little respect of the parking regulations. As I say happy with the venues and making the area vibrant it would just be nice for people to be more neighbourly."



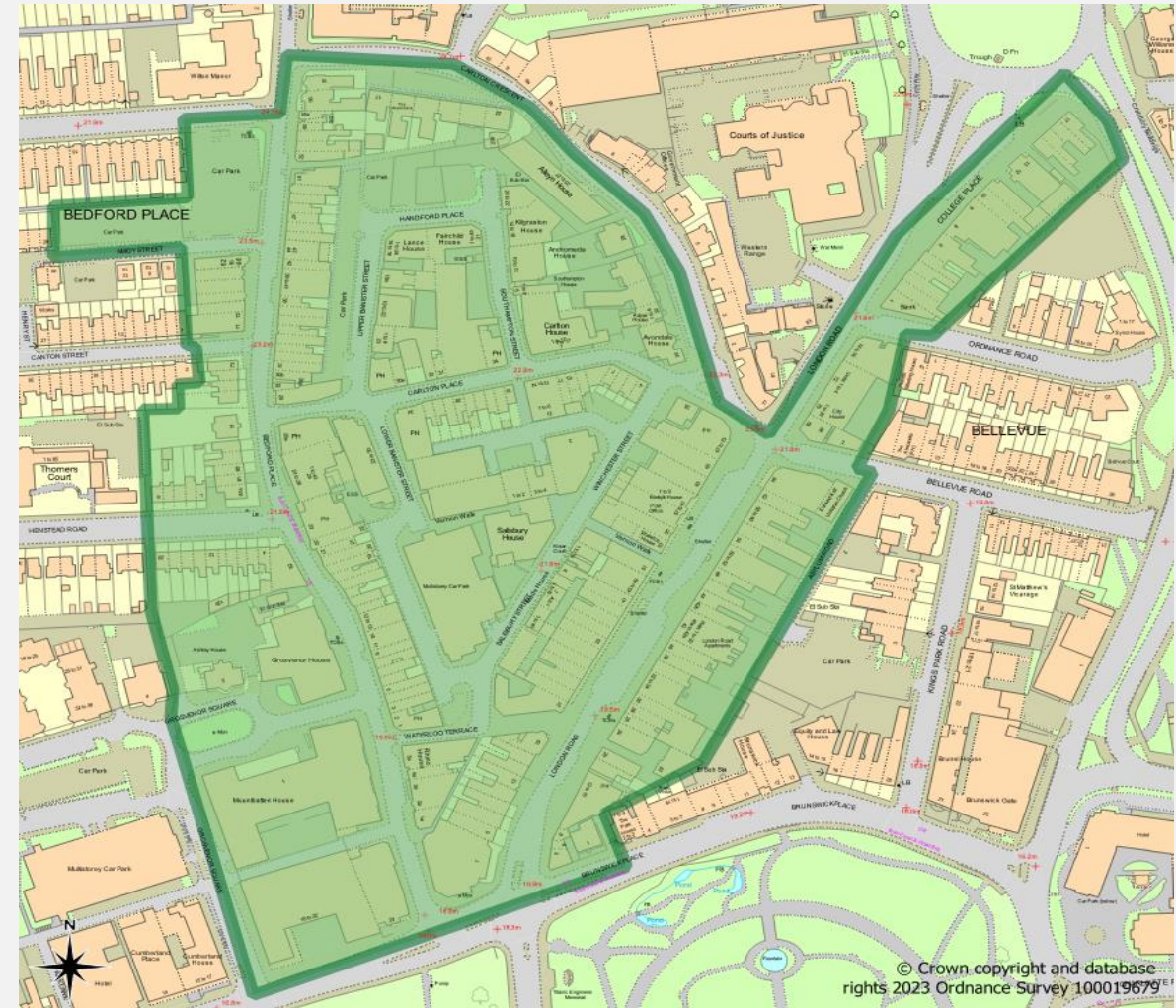
Section 6 Cumulative Impact Policy

We are proposing to keep the remainder of the Section 6 Cumulative Impact Policy the same.

This includes:

- Keeping the London Road / Bedford place CIP Stress Area the same;
- Keeping the Above Bar Street CIP Stress Area the same;
- The basic operation of the policy;
- How hearings will deal with applications within stress areas;
- How evidence of Cumulative Impact is dealt with outside of a stress area;
- How hearings will apply the CIP to applications from within or out of a stress area.

London Road / Bedford Place CIP Stress Area:

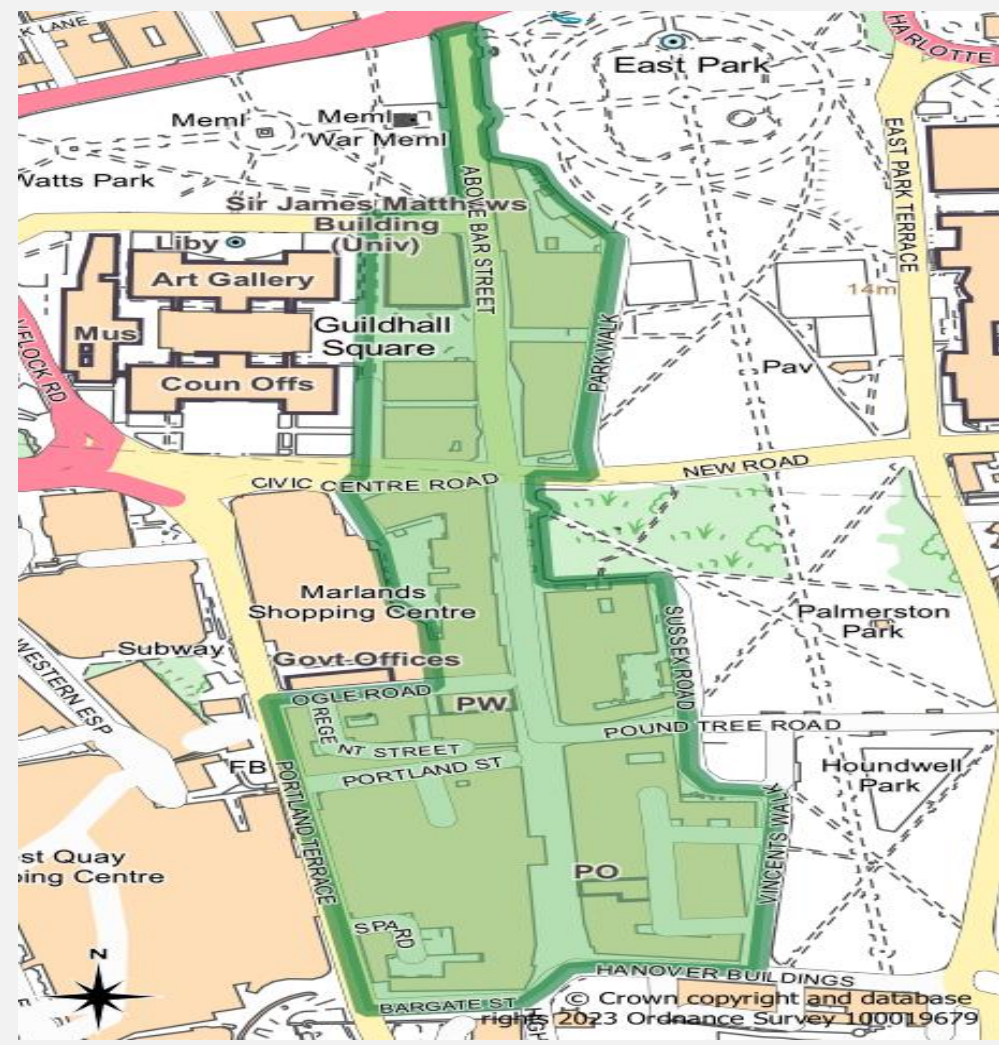




Section 6 Cumulative Impact Policy

We are proposing to keep the remainder of the Section 6 Cumulative Impact Policy the same.

Above Bar Street CIP Stress Area:

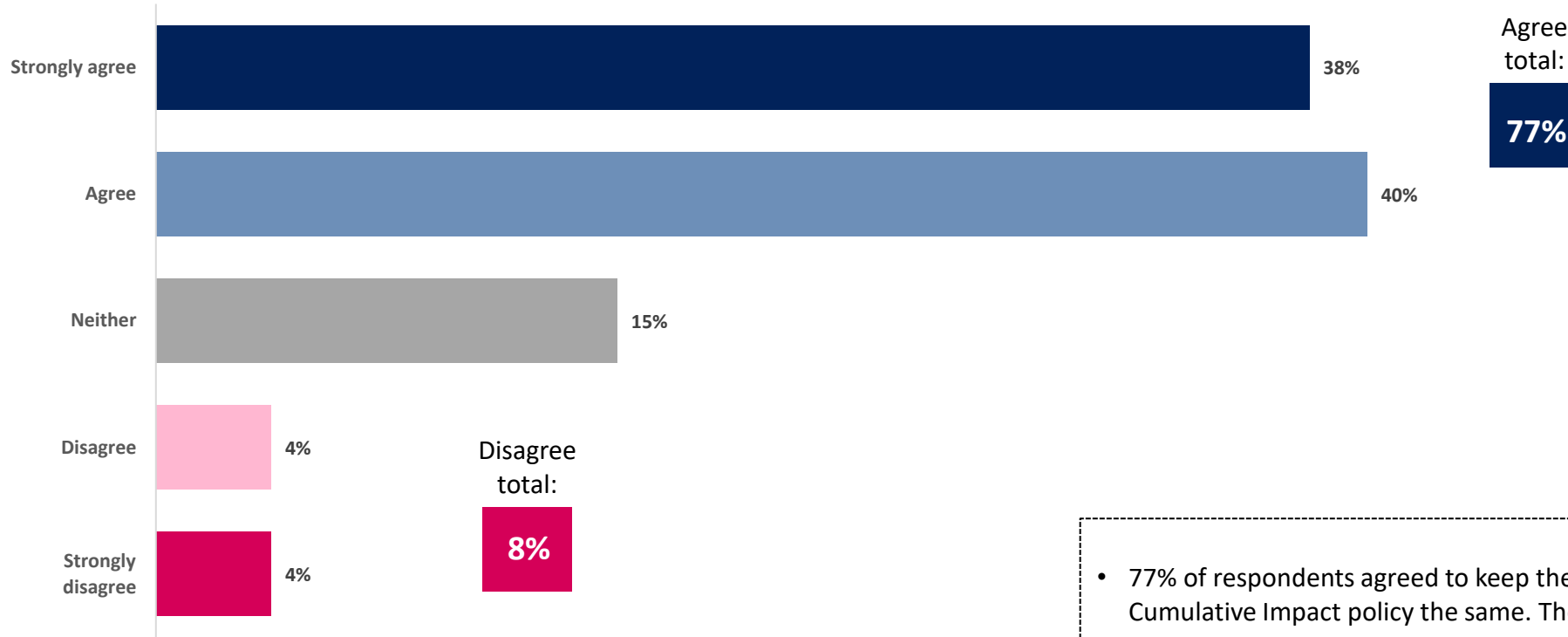


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Question: To what extent do you agree or disagree with keeping the remainder of the Section 6 Cumulative Impact Policy the same?

Overall:



- 77% of respondents agreed to keep the remainder of the Section 6 Cumulative Impact policy the same. The majority responded 'agree' (40%).
- While 8% disagreed with keeping the remainder of the Section 6 Cumulative Impact Policy the same.

Base respondents: 53



Question: If you disagree, or have any comments, impacts, suggestions or alternatives you feel we should consider, please provide details:

Comments | 9

"I think the city should keep 3 stress areas, extending the London Rd one to include Charlotte place and surround and do away with Bevois Valley."

"As I said before, why the focus on violence against women? Men are more than twice as likely to be the victims of violence as women. The focus should be on reducing all violence not just that against women."

"It is very important to keep this and I would suggest it needs extending along Henstead Road to where it meets Devonshire Rd. Residents of Henstead Rd are subjected to nightly disturbances from around 8pm to 5am. The anti social behaviour is bad enough. But add into this the fights, drug dealing, street drinking and litter and the quality of sleep is effected. Also means that residents nearby do not want to go out during the evenings as the area feels unsafe if you are not a 'clubber'."

"Useless as it has been, do keep it in place. Any alternative would be of equal value (NONE) as Council dare not refuse applicants, dread cost of an appeal."

"The Above Bar area particularly is a nightmare for residents on a Friday/Weekend night. I've been asked numerous times by female friends and colleagues to walk them to the buses because they don't like the crowds, the public drunkenness and the general air of danger, and the outdoor drinking since COVID has made it far worse. Bedford Place is also strongly recommended to be avoided at any time there is drinking going on. I understand that you need to have something in the High Street, but it looks like carnage and it scares those who are not partaking. Any measure to limit, control, or generally make it safer would be applauded."

"This areaxespecially Bedford Place is an area of high density clubs bars etc. Drinking is rife. Crime abounds whether just scuffles and street fights or more serious crimes of harrassment. Due to alcohol. Dangerous substance. Hours of consumption should NOT go over 0100hrs."

"I do support, but the CIP will remain as useless as it has always been for stopping the issue of new licences and extended hours. Objectors know that they stand little or no chance of success."

"If you have clubs open until 5 or 6 am then other places should be able to have the same option to open until the same times. It is not a fair marketplace if businesses are not allowed to have the same trading opportunities."

"This council is bonkers."