

CIP Consultation Responses

**1. Response from Richard Baker, Wed 29/10/2008 21:25, by e-mail
Proposed Cumulative Impact Policy - Consultation response**

To whom it may concern

We were invited to make representations with regard to Southampton City Councils proposal to adopt a Cumulative Impact Policy as per the letter addressed to us dated 7th October 2008.

We have the following grave concerns with regard to the paucity and incompleteness of the police evidence that prompted the action taken by the council:

The evidence infers the problems are a recent phenomenon and only interrogates data a few months old and does not look at the longer view to understand whether problems experienced now are any worse or better than 3, 5 or even 10 years ago.

No evidence has been provided in any detail, hour by hour, of alcohol related offences or indeed the specific road names where the offences were committed (particularly between 18.00 hours and 06.00 hours daily - the night time economy). The only hourly evidence presented is relating to violent crime and that has not been established as predominantly alcohol fueled.

No evidence has been provided of steps taken to date, the success and/or failure of these measures and the reasons why they did not work at all or well enough within the 3 stress areas.

No evidence has been provided regarding why the safeguards within the 2003 licensing Act have failed, like for instance - the results of any recent reviews of existing premises with a later hours licence where alcohol has been sold to drunken customers who have then gone on to commit alcohol related offences shortly afterwards.

There appears to be no proposal to limit the CIP to premises where alcohol is consumed on the premises. Premises where a licence is only permitted for alcohol to be consumed off the premises are also to be targeted when in fact the vast majority of licensed shops, forecourts and supermarkets will have ceased trading for the day prior to the night time economy starting in earnest and therefore cannot be responsible for any perceived problems occurring hours later.

This policy will effectively prevent responsible new businesses from entering the market place within the CIP and competing with existing establishments who appear to have some operating difficulties should the police evidence be taken at face value.

It is also difficult to see how restricting new premises from entering the marketplace is going to solve the problems the police appear to have at the moment when we have no information on current enforcement success or its lack.

If we can assist further please do not hesitate to contact Richard Baker on the numbers below.

Many Thanks

Richard W R Baker - Retail Services Manager, Lockett & Co

Lockett & Co is a subsidiary of Corrigan Lockett Ltd, registered in England, number 2728479, registered address Lockett House, 13 Church Street, Kidderminster, Worcs, DY10 2AH.

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**2. Response from Lorraine Barter, Fri, 31 Oct 2008 12:57:42, by e-mail
Cumulative Impact Policy Consultation**

The residents of the Polygon area of Southampton support the police view that there should be no more licences granted for drinking establishments and off licences.

During the past eleven years I have been witness to night time criminal acts, anti-social behaviour and noise in the streets directly linked to the use of bars and clubs in the Bedford Place, London Road area.

Up until 2003 I used to object to licence renewals, go out from midnight to 4 a.m. once month and make video film of disturbances as people came out of licensed premises and made their way home into the Polygon streets.

The films would be presented to the Licensing Panel at objection hearings but they rarely refused consent to renewal or hours extensions, or if they did the verdict would be overturned at a Magistrates hearing.

As more long term residents fled the Polygon due to night time nuisance there were fewer people to object to licence renewals.

After 2003 this problem was solved by the Government ruling on vicinity that resulted in all known objections from Polygon residents being rejected as "out of the vicinity" (which as far as I know has never been set) or "irrelevant" or sometimes both.

Citizens and traders are particularly angry that we have not been allowed to object to two recent off licences in Bedford Place (there were no Planning applications for these as it was Retail to Retail) and now there are even more cans and bottles (many smashed) in the streets around London Road, Bedford Place and all the roads in Polygon.

The Council should have brought in stricter Planning Policies on A3 use (now A4 Use) to prevent the number of outlets but despite residents warnings in the Local Plan Review Consultation (which included a three hour film from Residents Action of alcohol related nuisance) the situation has been allowed to become worse and worse.

Therefore the introduction of a CIP is the only way get some control of the disgraceful situation which has driven so many Polygon residents to flee the area, a wasteland of damaged cars and gardens, walls and fences, vandalised phone boxes and posts, and streets awash with litter, bottles, cans and vomit.

Lorraine Barter
42 Harborough Road
Polygon
Southampton
SO15 2FY

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**3. Response from Sue Sefton, Mon 10/11/2008 10:03, by e-mail
Proposed Impact Policy**

The City of Southampton Society Executive Committee has considered your letter of 7 October 2008 and wishes to state that the Society is in full support of your proposal to adopt a CIP in the three mentioned areas.

Sue Sefton - Hon. Sec. to the City of Southampton Society

**4. Response from Mitch Sanders, Tue 02/12/2008 13:48, by e-mail
Proposed Cumulative Impact Policy**

I refer to your letter dated 7 October 2008 inviting comments on a proposed Cumulative Impact Policy for Southampton City Centre.

I would support any policy that might improve the balance between maintaining a vibrant night time economy whilst protecting residents from excessive noise and disturbance.

However as far as Environmental Health are concerned there is insufficient evidence of noise nuisance arising from licensed premises within the city centre to support on its own the introduction of such a policy. Existing remedies such as action under the Environmental Protection Act and the Licensing Act are considered sufficient to deal with noise nuisance arising from these businesses.

It is accepted that noise, general disturbance and anti social behaviour associated with customers leaving areas where there are concentrations of licensed premises is a more difficult problem to deal with which often falls to the police. This I suggest would be the determining factor in any decision to introduce a cumulative impact policy.

MITCH SANDERS

Trading Standards & Environmental Health (Food & Port Health) Manager
Southampton City Council

**5. Response from J L Beaulieu, Thu 04/12/2008 09:30, by e-mail
Fw: Cumulative Impact Policy**

To whom it may concern

As a local resident, and a committee member on the Residents' Action Group, Polygon, I wholeheartedly endorse the introduction of the Cumulative Impact Policy to prevent yet more alcohol outlet venues in, and around, the vicinity of Bedford Place, London Road and Abvoe Bar, Southampton. Furthermore, I would expect my concerns to be registered and carefully considered by the Licensing Policy team and SCC personnel involved in making erroneous decisions, as have been made in the past.

Yours faithfully

J L Beaulieu

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**6. Response received from Lorraine Barter, Thu 04/12/2008 21:15, by e-mail
CUMULATIVE IMPACT POLICY CONSULTATION**

As a Polygon resident, and a member of the local Action group, I support the police initiative to bring about changes in the Licensing policy to prevent more bars and clubs from opening or extending their hours in the Bedford Place and London Road area.

The introduction of the Cumulative Impact Policy to prevent yet more alcohol outlet premises is sorely needed to remedy the mistakes of the city council in granting licences despite the objections of the Residents Action Group and other citizens in the area, in the vicinity of Bedford Place, London Road and Above Bar, Southampton.

At residents meetings the eye witness accounts of night time drunken behaviour seen from Polygon residents windows brings shame upon this city, the Council and the Universities.

Stewart Morris
42 Harborough Road
Polygon
SO15 2FY
Southampton

**7. Response received from Sheila Hawkins, Sat 06/12/2008 11:23, by e-mail
CUMULATIVE IMPACT POLICY CONSULTATION**

As a Polygon resident, and a member of the local Action group, I support the police initiative to bring about changes in the Licensing policy to prevent more bars and clubs from opening or extending their hours in the Bedford Place and London Road area.

The introduction of the Cumulative Impact Policy to prevent yet more alcohol outlet premises is sorely needed to remedy the mistakes of the city council in granting licences despite the objections of the Residents Action Group and other citizens in the area, in the vicinity of Bedford Place, London Road and Above Bar, Southampton.

At residents meetings the eye witness accounts of night time drunken behaviour seen from Polygon residents windows brings shame upon this city, the Council and the Universities. I myself have had my fence damaged on three occasions, food thrown at smeared on my windows even put through my letter box (only to be met with a hurl of abuse when taking the person to task over it) and kept awake by noise!!

Sheila Hawkins (Mrs)
Owner/Occupier
30 Henstead Road
SO15 2DD

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**8. Response received from Hazel Bingham, Sun 21/12/2008 00:27, by e-mail
Cumulative Impact Policy**

I would like to support the Cumulative Impact Policy proposed by the Police.

I have lived in the Polygon for 6 years, and in that time I have seen a steady deterioration of housing as more and more properties fall to HMOs; an increase in mess and litter; and an increase in noise, disorder, vandalism and violence in the early hours.

The root cause of these problems is student drunkenness. As more and more outlets for alcohol open or extend their hours, so the quality of the neighbourhood declines, and the quality of life for residents declines also. A fine, well kept residential area, which was an asset to the city and which the Council should have valued and protected, has become a slummified student ghetto full of rampant drunken disorder.

I have written countless letters to the licensing team objecting to openings and extensions of hours for various bars and clubs and every one has been rejected out of hand. Meanwhile the level of binge drinking and alcohol abuse has soared. Whereas there used to be disorder and vandalism as people returned from pubs and clubs, now we have the same around midnight as well as revellers go out already drunk to be served for the next several hours.

Licensing policy has not caused a european culture of measured drinking. I don't think anybody ever believed it would. It has caused a culture of binge drinking which is destructive in every way. In addition to the destruction of our community and neighbourhood, it has fuelled violent crime, and puts at risk the safety and wellbeing even of the young people enticed into it.

The licence given to alcohol abuse has put an impossible burden on the police, and we all suffer as a result.

Although restriction of bars and clubs would have been more sensible years ago, it is better late than never. The problems are not caused by individual outlets acting or not acting responsibly. They are caused by alcohol itself and it being too readily available. In Bedford Place there are too many bars and clubs, they are too densely packed together, and they are allowed to open for far too long. Lets have an end to this madness please.

Hazel Bingham
12 Henstead Court
Devonshire Road
Southampton
SO15 2GJ

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**9. Response received from Hannah Williams, Tue 23/12/2008 14:12, by e-mail
Licensing Act 2003 - Proposed Cumulative Impact Policy**

To whom it may concern:

Please find attached the response of Punch Taverns to the Statement of Licensing Policy Review including Consultation regarding the Cumulative Impact Policy.

I trust you will find the above in order, but please do not hesitate to contact my office on the above number if I can assist you further.

Many Thanks

Hannah Williams

Compliance Analyst

The company sending this e-mail is a member of the Punch Taverns group of companies, the ultimate parent of which is Punch Taverns plc (company number 3752645). Punch Taverns plc, along with the group's principal subsidiaries listed below, is registered in England and Wales and has its registered office at Jubilee House, Second Avenue, Burton-upon-Trent, Staffordshire DE14 2WF

**Consultation Response of Punch Taverns PLC to the Licensing Act 2003 Statement of
Licensing Policy of the City of Southampton Council (Cumulative Impact Policy)****Introduction**

Punch Taverns PLC is a Pub Operator with a portfolio of 8,300 premises within the United Kingdom. Punch Taverns PLC currently have 1 premise that falls within the proposed Cumulative Impact Policy areas adopted by the council, with three further premise just outside that area. A modest increase in the designed saturation area could bring these within the policy.

Response to consultation on Cumulative Impact Policy**Policy: CIP2**

The City of Southampton Council states at paragraph 16.5:

Where representations are received in respect of applications for either new premises or variations 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:-

- New premises licences
 - New club premises licences
 - Provisional statements, including those for material variations to existing premises
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- licences or club premises certificates
- Substantial variations to existing premises or club premises licences. Whether a variation is “substantial” for the purposes of this policy shall be determined by the Licensing Authority in any instance of doubt.

Punch Taverns’ response is based on the assumption that the cumulative impact policy will be implemented and would submit as follows:

1. It is accepted and agreed that there should be a rebuttable presumption that applications for new Premises Licences or Club Certificates within the cumulative impact policy area should be refused if relevant representations are received.
2. Material variations should be deemed to exclude the following

Applications which seek to vary the hours which existing premises within the special policy area can undertake licensable activities. In this regard it is submitted that the avoidance of fixed and artificially early closing times assist in preventing rapid binge drinking and the possibility of disorder and disturbance when large numbers of customers are required to leave premises simultaneously.

The Department of Culture, Media and Sport state in the guidance issued under Section 182 of the Licensing Act 2003 (paragraph 6.6) that “Above all, Licensing Authorities should not fix pre-determined closing times for particular areas”

3. Material variations should be deemed to include the following:
 - 3.1 Applications which seek to increase the licensed area of a premises (be this an increase to the licensed area indoors or outdoors) by say 10% or more (to allow for modest variations to premises due to refurbishments, etc.).

PUNCH TAVERNS
23 December 2008
