

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 28th August, 2019
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Council Chamber - Civic Centre

This meeting is open to the public

Members

Three Members drawn from the Licensing Committee

Contacts

Democratic Support Officer
Pat Wood

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Service Director - Transactions & Universal Services

Mitch Sanders

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PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors Mrs Blatchford, G Galton, B Harris, Kataria, McEwing, Noon, Prior, Renyard, Spicer, and Streets.

Terms of Reference

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act 2003 and Gambling Act 2005, including:-

- Determination of applications for review of premises licences and club premises certificates;
- Determination of representations to applications for premises licences and club premises certificates, variations and various permits;
- Determination of police objections to applications for:
 - Variation of designated premises supervisors
 - Transfer of premises licences
 - Personal licences for the sale of alcohol
- Determination of objections to temporary event notices.

Relevant Representations

Those who have made relevant representations may address the meeting about the matter in which they have an interest. New matters, not raised within a written representation, can not be relied upon at the hearing.

When dealing with Licensing Act matters the Sub-Committee must only take into account the following statutory Licensing Objectives:-

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

Likewise, when dealing with Gambling Act matters the Sub Committee must only take into account the statutory Licensing Objectives below:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

Fire Procedure:- In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

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

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

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Dates of Potential Meetings Municipal Year 2019/20

Meetings are scheduled on a weekly basis usually at 6pm on a Wednesday evening.

CONDUCT OF MEETING

Terms of Reference

The terms of reference are contained in 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 Licensing Act 2003 (Hearings) Regulations 2005 and the Council Procedure Rules as set out in Part 4 of the Constitution, so far as it is applicable.

Quorum 3

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

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

1 **ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

2 **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

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 7 August 2019 and 14 August 2019 and to deal with any matters arising.

6 **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

7 **APPLICATION FOR A VARIATION OF PREMISES LICENCE - BLACK DIAMOND, BASEMENT, 35 LONDON ROAD, SOUTHAMPTON SO15 2AD** (Pages 9 - 164)

Application for a variation of premises licence - Black Diamond, Basement, 35 London Road, Southampton SO15 2AD.

Monday, 19 August 2019

Service Director - Transactions and Universal
Services

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Agenda Item 5

Minutes of Licensing (Licensing and Gambling) Sub-Committee meetings:

- 7 August 2019
- 14 August 2019

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 7 AUGUST 2019

Present: Councillors Mrs Blatchford, McEwing and Prior

9. **ELECTION OF CHAIR**

RESOLVED that Councillor Blatchford be elected as Chair for the purposes of this meeting.

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

RESOLVED that the minutes of the meeting held on 22 July 2019 be approved and signed as a correct record.

11. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

RESOLVED that the Sub-Committee move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

12. **APPLICATION FOR A NEW PREMISES LICENCE - YATES, 113-117 ABOVE BAR, SOUTHAMPTON SO14 7FH**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a new premises licence in respect of Yates, 113-117 Above Bar, Southampton SO14 7FH

James Beaumont – Area Manager, Stonegate Pub Company; Jake Bradley, Designated Premises Supervisor; Andy Grimsey – Partner, Poppleston Allen Solicitors; Councillor Bogle and Phil Bates, Licensing Manager, Southampton City Council were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act (Hearings) Regulations 2005.

RESOLVED that the premises licence be granted subject to the conditions (as amended by agreement at the hearing) set out within the operating schedule.

After private deliberation the Sub-Committee reconvened and the Chair read out the following decision:-

All parties will receive formal written confirmation of the decision and reasons.

The Sub-Committee has considered very carefully the application for a premises licence for Yates, 113-117 Above Bar, Southampton SO14 7FH

It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy, and in particular the relevant Cumulative Impact Policy

The Sub-Committee considered the report, and additional information submitted in advance of the hearing detailing an application for a premises licence in respect of Yates, 113-117 Above Bar, Southampton SO14 7FH. The Sub-Committee considered the representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

It was noted that one representation had been received objecting to the application from Southampton City Councillor. There were no representations from any of the responsible authorities.

The applicant had agreed conditions with the police as set out within the report, relating to a number of matters including CCTV, the use of SIA door staff, the use of body worn video, ID scanning, training and details of records to be kept on the premises.

At the commencement of the hearing the Licensing Manager, and the applicant's solicitor, clarified and agreed the wording of conditions B5, B6, B9, and B11 to reflect that they applied at times when the venue is operating under its premises license as in condition B4, which details when SIA staff are required to be operating at the premises.

Having considered all the above evidence and after having heard from those present, the Sub-Committee determined to grant the Premises Licence as applied for, subject to the conditions (as varied above by agreement) set out within the operating schedule

Reasons

The Sub-Committee carefully considered the representation received, objecting to the application on the ground of the potential increase in public disorder and cumulative impact on limited police resources linked to the night time economy.

The premises was located within an area identified as suffering from high levels of antisocial behaviour, crime and disorder and, as a result, the Licensing Authority's Licensing Policy relating to Cumulative Impact, creates a rebuttable presumption that applications of this nature will ordinarily be refused. The impact of the policy means that applicants must demonstrate that their application would not lead to an increase in those issues.

The Applicant in evidence asserted that pre consultation on its application had taken place with Hampshire Constabulary, Environmental Health and Licensing Officers prior to submission and their comments had been taken into account in the preparation and submission of the Application. Further, that it had also reviewed the proposed conditions set out in its operating schedule with the Police in detail prior to submission. It asserted that it was confident that the significant changes to the operating schedule will ensure that the premises can better promote the licensing objectives.

The Applicant relied upon the fact that Hampshire Constabulary in particular, together with all the Responsible Authorities have not objected to the application.

In considering whether the grant of the proposed application would result in or further contribute to a cumulative impact, the Sub-Committee considered whether the proposed conditions would be effective in addressing that issue.

The Sub-Committee considered the significant additional set of conditions presented in the Application, including:

SIA registered door staff in defined numbers on specified days, with numbers determined by risk assessment and upon consideration of police advice on all other days,

body worn cameras by at least two of the SIA door staff when present ,

ID Scanning of patrons at particular times/days,

that dispersal policies will be robust

and that sufficient numbers of door staff will be provided and will remain for at least 15 minutes after closure of the premises to assist with dispersal from the area.

The Sub-Committee considered that it was very significant that Hampshire Constabulary, whose resources linked to the night time economy formed part of the sole objector's concerns, had not made any representation on the Application.

The Sub-Committee considered the interested party's evidence very carefully as well as the Cumulative Impact Policy in particular but felt that on the balance of probabilities it was appropriate to grant the licence subject to the conditions which it was advised by the Applicant had been agreed with the police.

Should the premises fail to operate in the way described and this leads to issues impacting upon the licensing objectives, a review may be initiated by residents as well as responsible authorities. This may result in appropriate steps being taken to address the issues of concern at that stage.

There is a right of appeal for all parties to the Magistrates' Court. Formal notification of the decision will set out that right in full.

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 14 AUGUST 2019

Present: Councillors Mrs Blatchford, B Harris and Renyard

13. **ELECTION OF CHAIR**

RESOLVED that Councillor Blatchford be elected as Chair for the purposes of this meeting.

14. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

RESOLVED that the Sub-Committee move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

15. **APPLICATION FOR GRANT OF A PREMISES LICENCE - PORTER'S, UNIT 1 HAVELOCK CHAMBERS, 20-22 QUEENS TERRACE, SOUTHAMPTON SO14 3BQ**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a new premises licence in respect of Porter's, Unit 1 Havelock Chambers, 20-22 Queens Terrace, Southampton SO14 3BQ.

Chris Lawbuary (Applicant) was present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act (Hearings) Regulations 2005.

RESOLVED that the premises licence be granted subject to the applicant's revised conditions (as further amended by agreement at the hearing) set out within the report.

After private deliberation the Sub-Committee reconvened and the Chair read out the following decision:-

All parties will receive formal written confirmation of the decision and reasons.

The Sub-Committee has considered very carefully the application for a premises licence at Porter's, Unit 1 Havelock Chambers, 20-22 Queens Terrace, Southampton SO14 3BQ. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered the representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

The Sub-Committee was made aware that the application had been amended so that revised conditions had been submitted to the satisfaction of the Licensing Authority. On that basis there were no representations from any of the responsible authorities.

Residential representations had been received leading to the hearing. The Sub-Committee accepted legal advice provided during the course of the hearing that those parts of the representation relating to planning issues and/or breaches of the planning consent cannot be taken into consideration when making the decision relating to the premises licence. The Sub-Committee therefore had to concentrate its mind upon the four licensing objectives.

The applicant, Chris Lawbuary, attended and addressed the Sub-Committee. No objectors attended. The applicant agreed to further amend the revised conditions as set out below. Although no objectors attended, the Sub-Committee gave full consideration to the written representations made.

Having considered all the above evidence, the Sub-Committee determined to grant the application subject to the revised conditions as further amended at the hearing as follows:

- Condition 1 – the word “drinks” to be replaced by “alcohol”.
- Conditions 8 and 9 – the word “statutory” to be inserted in front of the word “nuisance”.

Full details of these conditions will be set out in the Decision letter.

Reasons

The Sub-Committee heard that the intention of the applicant is to run a premises for a specific clientele. He seeks to attract an older customer who appreciates a drink, ancillary to food, and does not aim to get drunk.

Whilst the Sub-Committee acknowledged the concerns raised by the objectors, these related to historic issues at a different premises. There was no evidence to support the concerns raised in their representations.

Should the premises fail to operate in the way described and this leads to issues impacting upon the licensing objectives, a review may be initiated by residents as well as responsible authorities. This may result in appropriate steps being taken to address the issues of concern at that stage.

There is a right of appeal for all parties to the Magistrates’ Court. Formal notification of the decision will set out that right in full.

Agenda Item 7

**DECISION-
MAKER****LICENSING (LICENSING & GAMBLING) SUB COMMITTEE****SUBJECT**HEARING TO CONSIDER AN APPLICATION FOR VARIATION OF A
PREMISES LICENCE -

Black Diamond, Basement 35 London Road Southampton SO15 2AD

**DATE OF
HEARING
REPORT OF****WEDNESDAY 28TH AUGUST 2019 at 18:00 hrs**

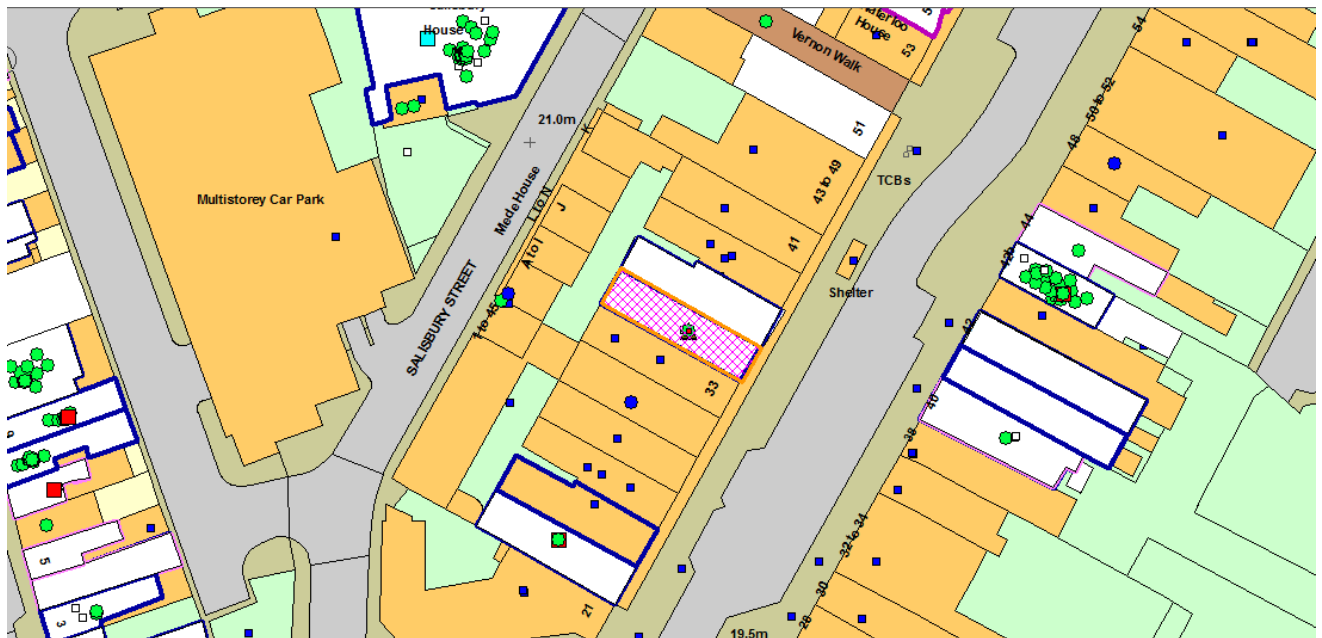
SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

E-mail**licensing@southampton.gov.uk**

Application Date : 27th June 2019

Application Received 27th June 2019

Application Valid : 27th June 2019

Reference : **2019/03677/01SPRV**

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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Safeguarding Children	Yes
Fire Service	No Response Received
Environmental Health - Licensing	Yes
Home Office	No Response Received
Building Control	No Response Received
Public Health Manager	No Response Received

Police - Licensing	Objection	
Trading Standards	No Response Received	
<i>Other Representations</i>		
Name	Address	Contributor Type
Mr. Mark Hatch	19 Dale Road, Hythe, Southampton SO45 5DS	Resident
Mr. Stewart Morris	42 Harborough Road, Southampton SO15 2FY	Resident
Lorraine Barter	42 Harborough Road, Southampton SO15 2FY	Resident
Mrs. T Barratt	8 Morris Road Polygon, Southampton SO15 2BT	Resident
Miss Leils Barratt	8 Morris Road Polygon, Southampton SO15 2BT	Resident
Mr. Peter Barratt	8 Morris Road Polygon, Southampton SO15 2BT	Resident
Mrs. J Gara	92 Milton Road, Southampton SO15 2HW	Resident
Mr. Daniel Gray	7 Chichester Road, Southampton SO18 6BE	Resident
Mr. J Bamforth and Mr.M Stantiford	14 Westgate Street, Old Town, Southampton SO14 2AY	Resident
Mr D Bundy	Flat 4 65A London Road Southampton SO15 2AB	Resident

Legal Implications

- 1 The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - its own statement of licensing policy
 - the Statutory Guidance
- 2 An application may be refused in part and thereby only permit some of the licensable activities sought.
- 3 An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.

- 4 In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied upon at the hearing.

- 5 The sub-committee must also have regard to:

- *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
- *The Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Summary of application

Applicant	Southampton Clubs Ltd.
Agent for licence Holder:	Poppleston Allen
DPS	Mr Andrew David Simpson

This is a full variation application to allow the following:

- 1) To extend the terminal hour for the sale of alcohol until 05:00 the following day Monday to Sunday.
- 2) To extend the terminal hour for recorded music, performance of dance and entertainment of a like kind until 06:00 the following day Monday to Sunday.
- 3) To extend the start time for sale of alcohol, recorded music, performance of dance and entertainment of a like kind to commence 10:00 Monday to Sunday.
- 4) To add Late Night Refreshment 23:00 to 06:00 Monday to Sunday.
- 5) To extend the opening hours to allow the premises to open from 10:00 and close at 06:30 the following day Monday to Sunday.
- 6) To add additional non-standard timings for British Summer time and New Year's Eve/Day as detailed in the application.
- 7) To vary the layout of the premises in accordance with plans supplied by the applicant.
- 8) To add permission for live music from 10:00 until 06:00 the following day Monday to Sunday.

A copy of the current licence is attached to this report.

The premises is located in the Cumulative Impact Policy Area (CIP).

On 28th June 2019 we also received an application for the grant of a Sex Establishment Licence from the applicant for this premises.

On the 31st July 2019 we received an e-mail from the agent stating that the police will be maintaining their representation, but they have agreed the following conditions to be added to the licence. (Please note that condition 4 will replace the current condition 6 of the premises licence.)

1. *From 22:00 hours at least one member of SIA staff who shall be positioned at the main entrance of the venue shall wear a body worn video camera.*
2. *Another member of SIA staff operating within the venue shall also wear a body worn video camera. The equipment shall be maintained and the images will be made available as soon as practicable, but at least within 48 hours to the Police on request so long as the request is lawful with regards to the Data Protection Legislation. The equipment shall record high definition colour images and be able to capture sound, specifically conversation. The equipment shall be able to operate in all levels of illumination, images shall be time and date stamped.*

Where the equipment fails the Police Licensing Department responsible for the area shall be notified immediately in writing or by email as soon as practicable and the defect remedied within 14 days of the failure.

3. *Data obtained on the body worn video camera shall be downloaded as soon as practicable and be retained at the venue for at least 28 days.*

4. *From 22:00 hours until the closing time of the venue, a ratio of two front line door supervisor SIA-registered security staff shall be employed at the venue for the first 100 persons and then 1:100 thereafter, e.g. 1-100 two door/security staff, 101-200 three door/security staff, 201-300 four door/security staff and so on. This number is to include only front line door supervisor SIA staff employed solely on the door supervisor/security duties, i.e. safety and security at the venue.*

The application has received a representation from Hampshire Constabulary and 10 representations from local residents.

Application form - Pages 6-20

Current Premises Licence – Pages 21-28

Hampshire Constabulary Representation – Pages 29-32

Representations from Local Residents – Page 33-70

Licensing Policy Statement (see CIP section) – Pages 71-151

Hearing Procedure Notes – Pages 152-155

Southampton City Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Southampton Clubs Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 2019/03012/01sprt

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Kelly's Bar (to be known as Black Diamond) 35 London Road			
Post town	Southampton	Post code	SO15 2AD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£26,250.00

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current residential address if different from premises address	36 Alie Street		
Post Town	London	Postcode	E1 8DA

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

☐ Yes☒ No

Please describe briefly the nature of the proposed variation (Please read guidance note 2)

1. To extend the terminal hour for the sale of alcohol until 05:00 the following day Monday to Sunday.
2. To extend the terminal hour for recorded music, performance of dance and entertainment of a like kind until 06:00 the following day Monday to Sunday.
3. To extend the start time for sale of alcohol, recorded music, performance of dance and entertainment of a like kind to commence 10:00 Monday to Sunday.
4. To add Late Night Refreshment 23:00 to 06:00 Monday to Sunday.
5. To extend the opening hours to allow the premises to open from 10:00 and close at 06:30 the following day Monday to Sunday.
6. To add additional non-standard timings for British Summer Time and New Year's Eve/Day as detailed in the application.
7. To vary the layout of the premises in accordance with plans supplied by the applicant such variation to have effect upon the completion of the works as notified to the Licensing Authority in writing.
8. To change the name of the premises to Black Diamond.
9. To add permission for live music from 10:00 until 06:00 the following day Monday to Sunday.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please read guidance note 3)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)

☐
☐
☐
☐

- e) live music (if ticking yes, fill in box E) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☒
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) ☒

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Sale by retail of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	
Tue				
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Music may be artist singing, karaoke, DJ and other of a similar nature.		
Mon	10:00	06:00			
Tue	10:00	06:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	10:00	06:00			
Thur	10:00	06:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	10:00	06:00			
Sat	10:00	06:00	An additional hour to the standard and non-standard times on the day when British Summer Time commences. New Year's Eve – from the end of permitted hours and New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	10:00	06:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	NO CHANGE		
Mon	10:00	06:00	<u>Please give further details here</u> (please read guidance note 5) NO CHANGE		
Tue	10:00	06:00			
Wed	10:00	06:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	06:00			
Fri	10:00	06:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	06:00			
Sun	10:00	06:00	An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input checked="" type="checkbox"/>
			NO CHANGE		Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon	10:00	06:00	NO CHANGE			
Tue	10:00	06:00				
Wed	10:00	06:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Thur	10:00	06:00				
Fri	10:00	06:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sat	10:00	06:00	An additional hour to the standard and non-standard times on the day when British Summertime commences.			
Sun	10:00	06:00	New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			<u>Please give a description of the type of entertainment you will be providing</u>		
			NO CHANGE		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	06:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	06:00	<u>Please give further details here</u> (please read guidance note 5)		
			NO CHANGE		
Wed	10:00	06:00			
			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Thur	10:00	06:00			
Fri	10:00	06:00			
Sat	10:00	06:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left,</u>		
Sun	10:00	06:00			

			<p><u>please list</u> (please read guidance note 7) An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day</p>
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I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	NO CHANGE		
Mon	23:00	06:00	<u>Please give further details here</u> (please read guidance note 5) Hot food and hot drinks.		
Tue	23:00	06:00			
Wed	23:00	06:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	06:00			
Fri	23:00	06:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sat	23:00	06:00			
Sun	23:00	06:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption (Please tick box)</u> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10:00	05:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Tue	10:00	05:00			
Wed	10:00	05:00			
Thur	10:00	05:00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Fri	10:00	05:00			
Sat	10:00	05:00			
Sun	10:00	05:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

The Applicant intends to apply for a sexual entertainment venue licence in order to operate the premises as a lap dancing club. Admission will therefore be restricted to persons over the age of 18 years.

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
Mon	10:00	06:30	
Tue	10:00	06:30	
Wed	10:00	06:30	
Thur	10:00	06:30	
Fri	10:00	06:30	
Sat	10:00	06:30	
Sun	10:00	06:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

To delete condition 2 and 5 under Annex 2 of the premises and replace with amended conditions regarding incident books and training as detailed below.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

The Applicant is aware that the premises are located in a cumulative impact area but believes the change in style of the operation will assist in the promotion of the licensing objectives. Lap dancing clubs do not tend to have the same impact as nightclubs and late bars as people do not arrive nor leave en masse. Alcohol also tends to be ancillary to the entertainment. The Applicant has discussed the proposed operation with the Police and the conditions offered below are specifically designed to address the location of the premises being in a cumulative impact area.

b) The prevention of crime and disorder

1. Permitted hours for licensable activities beyond 02:00 hours (00.30 on Sundays) shall only be permissible when the premises are operating as a Sexual Entertainment Venue .
2. Last entry at 04:00 hours save for customers permitted temporarily to leave to smoke.
- 3.[Proposed condition to be added to the existing CCTV condition at Annex 2, 1(1)] The Premises Licence Holder will ensure that the CCTV system is fully compliant with the Guidance contained in the information Commissioner's Officer (ICO Guidance Document) regarding installation of the CCTV.
4. [Proposed condition to be added to the existing door supervisors condition at Annex 2, 6] All SIA registered door staff who are positioned outside of the premises will wear high visibility jackets / tabards;
5. All front door refusals are to be recorded promptly including the reason.
6. Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18 together with the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept for such training which must be signed and dated by the member of staff who has received that training. All staff to receive refresher training every six months as a minimum and records are to be kept of this refresher training which will be signed and dated by the member of staff who received that training. Records to be kept for a minimum of 12 months. Training records will be kept on the licensed premises to which they relate. All training records to be made available for inspection by Hampshire Constabulary and any Responsible Authority upon reasonable request. Details of staff training to be retained for 12 months.
7. Any incidents that include physical altercation or disorder, physical ejection, injury, ID seizure or drugs misuse will be recorded in the Incident Log / Book. It will remain on the premises at all times and will be made available to the Police for inspection upon reasonable request. Details of staff training to be retained for 12 months. The entry is to include an account of the incident and the identity of all persons involved (or descriptions of those involved if the identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author. If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter-signed by the person who wrote the entry. The Incident Book will be checked by the manager on duty and entries will be reviewed and signed off. If incidents have occurred, a duty manager will debrief the door staff prior to the next working day's duties. The record of incidents will be retained for 12 months.

c) Public safety

We understand our obligations under existing legislation and take our responsibilities seriously.

8.A system to be implemented to check and monitor the number of people within the venue to ensure compliance with capacity figure provided in the Fire Risk Assessment.

d) The prevention of public nuisance

9.The licence holder shall enter into an agreement with a Hackney carriage and/or private hire firm to provide transport for customers with contact numbers to be made readily available to customers who will be encouraged to use such services.

e) The protection of children from harm

10. No under 18s will be permitted on the premises when the premises are in use as a sexual entertainment venue. Children must not be able to view any aspect of the entertainment from the public highway.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	27/8/19
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

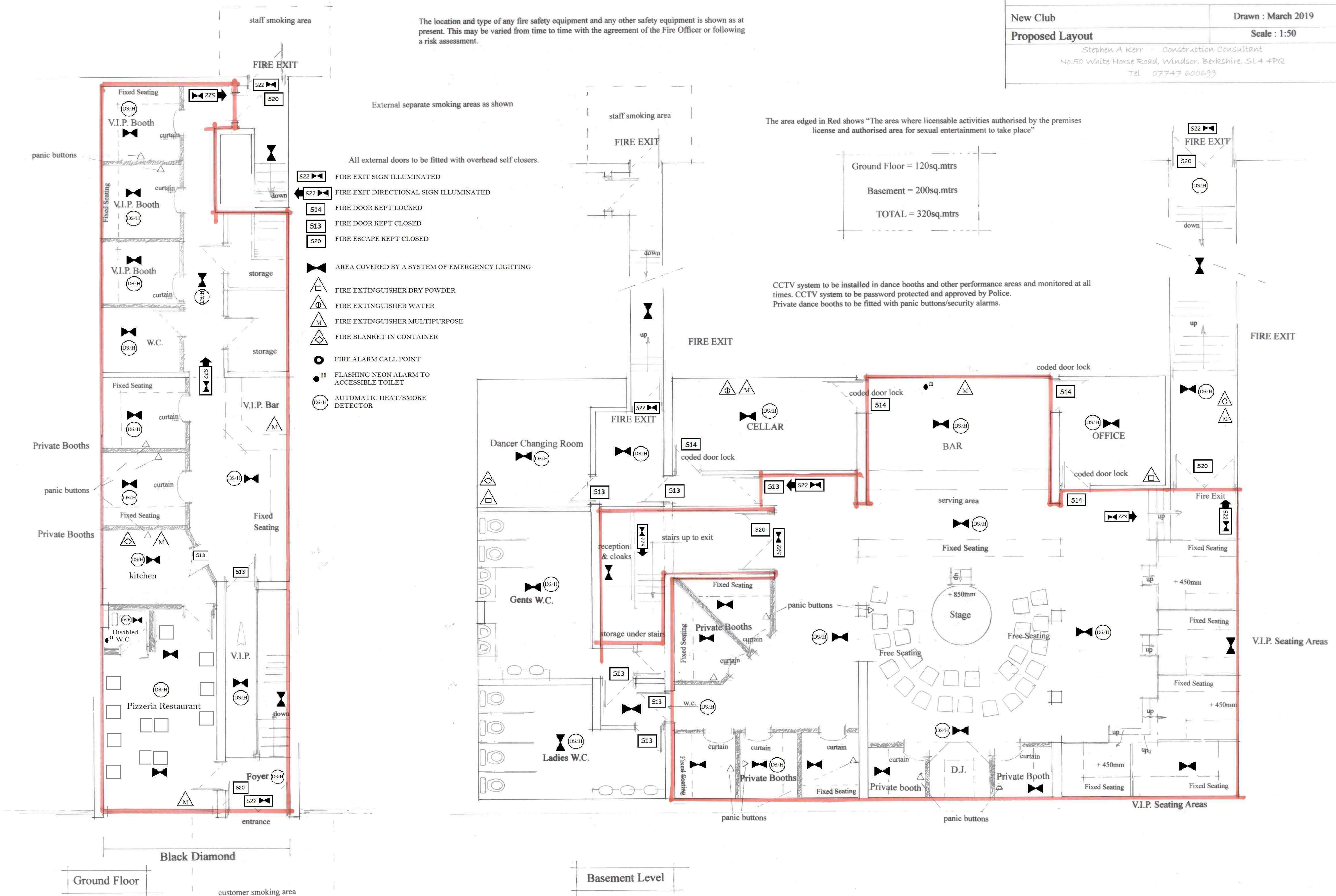
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate.
Indoors may include a tent.
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Black Diamond, 35 London Road, Southampton. SO15 2AD	
New Club	Drawn : March 2019
Proposed Layout	Scale : 1:50
Stephen A Kerr - Construction Consultant No.50 White Horse Road, Windsor, Berkshire, SL4 4PQ Tel 07747 600699	





Schedule 12
Part A
Premises Licence

Regulation 33,34

Premises licence number 2019/03012/01SPRT

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description,

Black Diamond

35 - 41 London Road
Southampton
SO15 2AD

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Recorded music

Performances of dance

Anything similar to live music, recorded music or performances of dance

Supply by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Recorded music

Monday 19:00 - 02:00

Tuesday 19:00 - 02:00

Wednesday 19:00 - 02:00

Thursday 19:00 - 02:00

Friday 19:00 - 02:00

Saturday 19:00 - 02:00

Sunday 19:00 - 00:30

Performances of dance

Monday 19:00 - 02:00

Tuesday 19:00 - 02:00

Wednesday 19:00 - 02:00

Thursday 19:00 - 02:00

Friday 19:00 - 02:00

Saturday 19:00 - 02:00

Sunday 19:00 - 00:30

Anything similar to live music, recorded music or performances of dance

Monday 19:00 - 02:00

Tuesday 19:00 - 02:00

Wednesday 19:00 - 02:00

Thursday 19:00 - 02:00

Friday 19:00 - 02:00

Saturday 19:00 - 02:00

Sunday 19:00 - 00:30

Supply by retail of alcohol

Monday	11:00 - 02:00
Tuesday	11:00 - 02:00
Wednesday	11:00 - 02:00
Thursday	11:00 - 02:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	12:00 - 00:30

The opening hours of the premises

Monday	11:00 - 02:00
Tuesday	11:00 - 02:00
Wednesday	11:00 - 02:00
Thursday	11:00 - 02:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	12:00 - 00:30



Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption both on and off the premises

Part 2

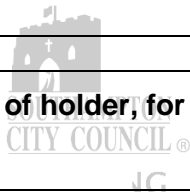
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Southampton Clubs Ltd.
36 Alie Street
London
E1 8DA



Registered number of holder, for example company number, charity number (where applicable)

11868376



Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Andrew David Simpson



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: 2006/00267/02SPEN

Licensing Authority: Southampton City Council

This premises licence is issued by Southampton City Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Dated this 17th day of May 2019;



Licensing Manager

Southampton & Eastleigh Licensing Partnership

PO Box 1767

Southampton

SO18 9LA



Annex 1 – Mandatory Conditions

1 No supply of alcohol shall be made under the premises licence:

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor for the premises does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

6 The responsible person must ensure that

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7 1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2 For the purposes of the condition set out in paragraph 1 —

(a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) 'permitted price' is the price found by applying the formula —

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

8 Where any condition of this licence requires that, at specified times, one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority, unless the Private Security Industry Act 2001 does not require them to be so licensed.

Annex 2 – Conditions consistent with the operating Schedule

1 1) CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

2) Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

3) Refusal log

A written log shall be kept of all refusals including refusals to sell alcohol. This can be included as part of the incident book. The designated premises supervisor shall ensure that the refusals log is checked, signed and dated on a weekly basis.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

4) Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) Training

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

6) SIA door supervisors

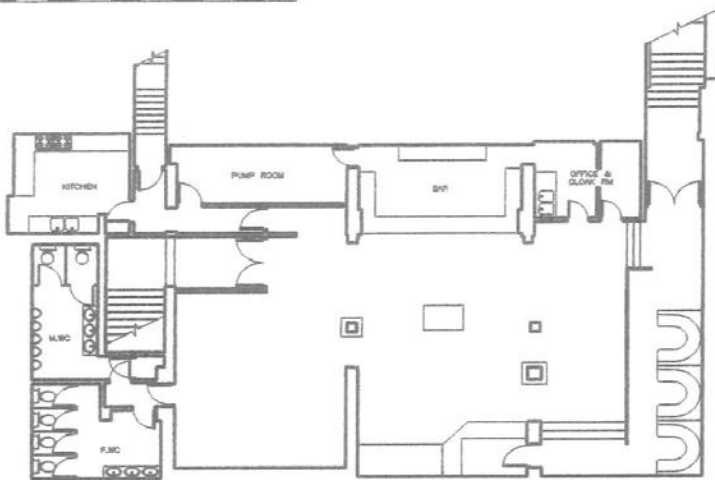
When licensable activities occur at the premises, from 22:00hrs until close, a minimum of 2 SIA registered door supervisors will be on duty.

Annex 3 – Conditions attached after a hearing by the licensing authority

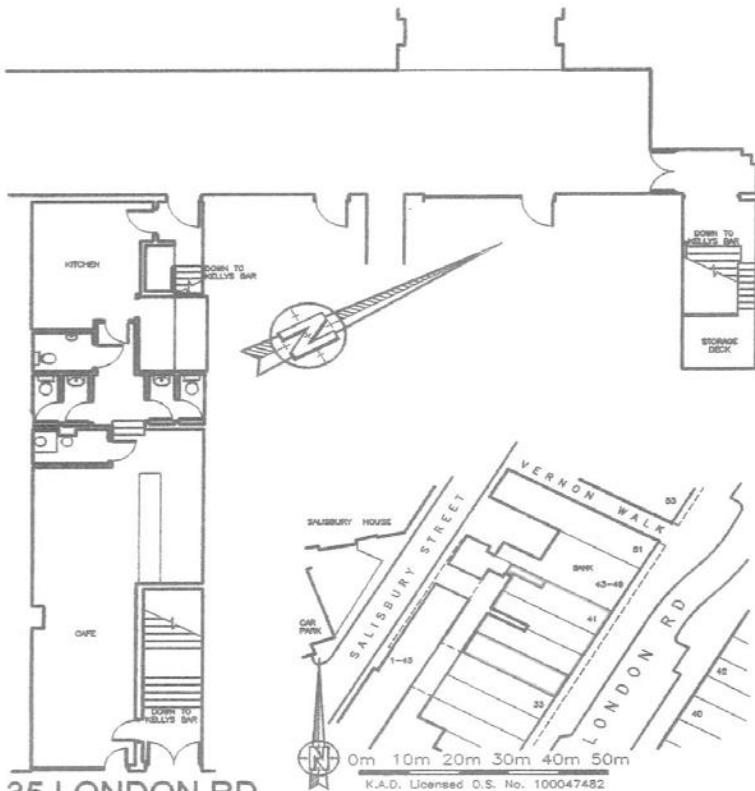
1 None

Annex 4 – Plans

0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m



BASEMENT 35-46 (KELLYS BAR)



**35 LONDON RD
(BAHINIS CAFE)**

1:1250 LOCATION PLAN

Rev	Revision	By	Date

**K NIGHT
ARCHITECTURAL
AD DESIGN**

K.A.D.
181 Kathleen Road
Sholing
Southampton
SO19 8GX
m: 07801 34 64 79
t: 023 80 420 938
e: lan@k-a-d.co.uk

Client

**GLENMORE PROPERTIES
HOLDINGS / SUMMER
LEISURE LTD**

Project

**35 (BAHINIS CAFE) & BASEMENT
35-46 (KELLYS BAR)
LONDON ROAD
SOUTHAMPTON SO15 2AD**

Drawing

HMLR

Scale

1:200 & 1:250 @ A4

Date

APRIL 2011

Project no.

Sequential

Bldg/Floor

Detail

Rev

KAD

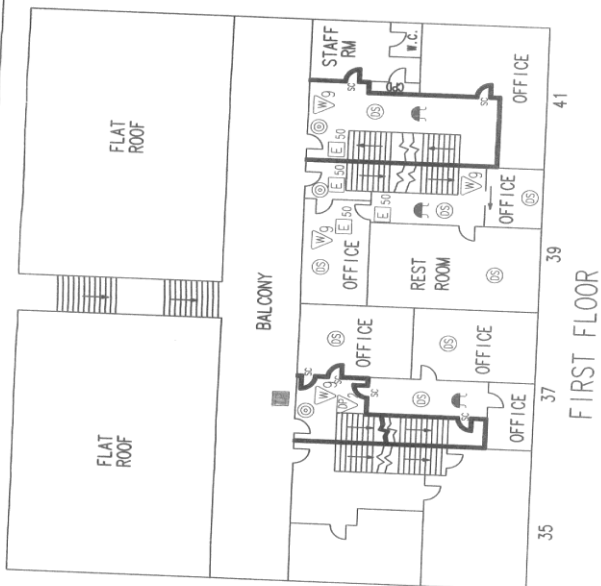
01

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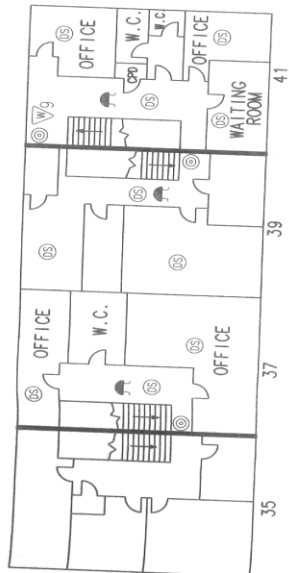
HMLR

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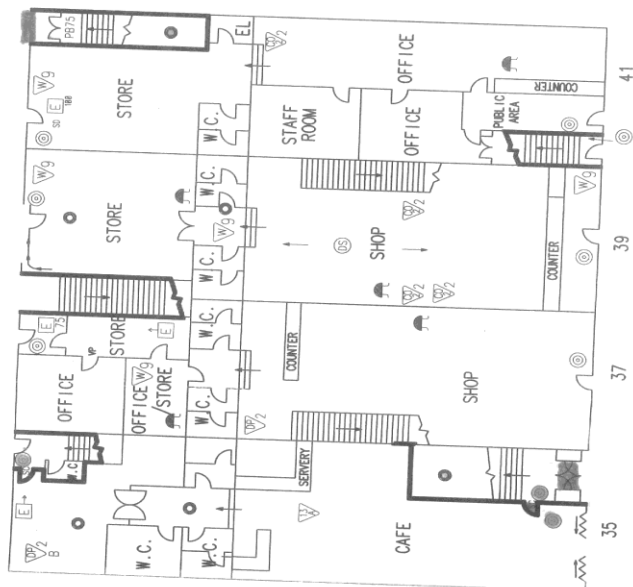
EXTINGUISHER CONFORMING TO
BRITISH STANDARD EN3:PARTS 1-6: 1996



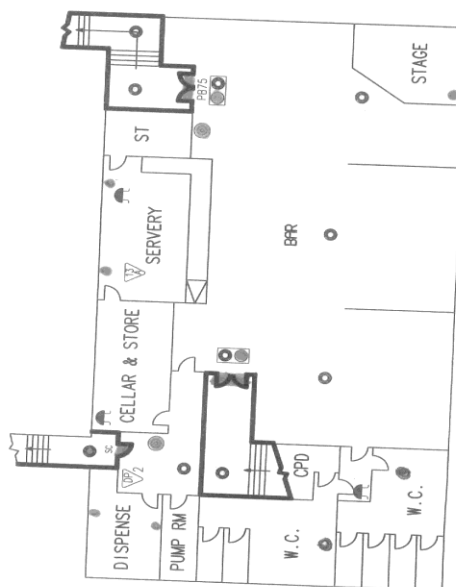
FIRST FLOOR



SECOND FLOOR



GROUND FLOOR



BASEMENT

FIRE PRECAUTIONS ACT 1971		ADDRESS MULTI-OCCUPANCY		DRAWN BY		FILE NO	
CERTIFICATE NO 77635		35-41, LONDON ROAD, SOUTHAMPTON		E.J.H		DATE	
						12.2.98	
						NOT TO SCALE	
						V77/77635.CER	

Plan not reproduced to scale.

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a -representation- under the Licensing Act 2003, regarding the:

<input type="checkbox"/>	1: New Premises licence/club prem certificate	Representation within 28 days
<input checked="" type="checkbox"/>	2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input type="checkbox"/>	4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	5: Transfer of premises licence	Object within 14 days
<input type="checkbox"/>	6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	11: Interim authority notice	Object within 2 working days

Name of Applicant:	Southampton Clubs Limited
Name of Proposed DPS:	N/A

Details of relevant conviction (Personal Licence Applications ONLY)

Postal address of premises:	Kellys Bar (TBKA Black Diamond) 35 London Road Southampton
Postcode:	SO15 2AD

Details of responsible authority applicant

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	PC
Surname: Swallow		First Names:		Brian	
Current postal address :		Neighbourhood Police Office Southampton City Council Civic Centre Southampton			
Postcode:		SO14 7LY			
Daytime telephone number:					
E-mail address: (optional)		b			

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

This application to object relates to the following licensing objective(s)

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

☒
☐
☐
☐

*Please select
one or more
boxes*

Please state the ground(s) for -representation-:

The application to which this representation relates, is to vary an existing premises licence (Kellys Bar - 2014/02673/01SPRD) which currently is best described as a small nightclub with licensable and opening hours from 11:00 - 02:00 6 days a week and 12:00 - 00:30 on a Sunday, to a sexual entertainment venue (SEV) and late night club with hours open to the public being 10:00 - 06:30 with entertainment timings being 10:00 - 06:00 daily. In addition to the supply of alcohol from 10:00 - 05:00 and seasonal variations for New Year's Eve and the change to BST.

This venue sits within one of Southampton's three cumulative impact areas (CIA)

It is the increase in opening times and the additional hours for the supply of alcohol that give the Chief Officer of Police cause for serious concern.

This application was anticipated as pre application consultation was initiated back in May 2019 (as suggested in the 182 licensing guidance). However an agreement for conditions to support this application could not be agreed upon during the statutory application consultation period.

It is also worth noting that in the pre application consultation stage, I also received an application from the "landlord" of the site for a ghost premises licence for Kelly's Bar. During this consultation process, I agreed with the applicant that as this was a new premises licence application within a CIA, more robust conditions should be attached to the licence to support its style of operation, by that of a night club. The existing licence had not been amended save for DPS variations since its inception and was outdated.

This licence was granted in May 2019 - 2019/02541/01SPRN and runs alongside 2014/02673/01SPRD with the May 2019 licence only being utilised if the 2014 licences lapses.

As mentioned, the venue sits within a CIA. There are several other licensed premises in the immediate area including restaurants, fast food outlets, off licences, pubs, bars and night clubs.

The police record all occurrences and have many tools to examine and interrogate the data. One of these tools is to attribute incidents that firstly occur between the hours of 19:00 and 07:00 and are then associated with at least two of the following criteria:

Relevant crime or ASB incident

Drugs and or alcohol involved (Any party involved in incident affected by alcohol and or drugs.)

Linked to a licensed premises (Can be for supply of alcohol both on & off and /or late night refreshment (LNR))

Known night time economy location (Streets manually inputted in 2017 for each area)

If an occurrence qualifies, it is then designated a night time economy incident.

From researching this data over a 12 month period (24/7/18 - 24/7/19), the Postcode in which the venue sits (SO15 2AD) has 20 NTE incidents recorded against it. These are broken down as follows:

ASB - 1

Criminal damage - 1

Sex incident - 1

Theft - 4

Assaults - 13 (65%)

Total - 20

Widening the search slightly to SO15 2D produces the following results:

ASB - 1

Criminal Damage - 1

Sex Incident - 1

Public Order - 1

Suspicious incidents - 3

Theft - 11

Assaults 25 (58%)

Total - 43

To cover the area that is predominantly covered by the CIA, I conducted a search using the partial postcode of SO15 2. It produced the below number of incidents:

Rape - 2

Robbery - 3

Suspicious Incident - 4

Domestic Incident - 4

Sex Incident - 5

Public Order - 8

Criminal Damage - 8

Anti-Social Behaviour - 12

Theft - 46

Assault - 131 (59%)

Total - 223

The applicant suggests that a change of use from a bar / nightclub to a sex entertainment venue / club is their main argument to evidence that an increase in licensable hours will not have a detrimental impact on the licensing objectives and the CIA.

The applicant is however correct when they state in their application, that patrons to SEV's do not arrive and leave en masse.

However... SEV's are predominantly the latest opening venues (apart from casinos) This is to capture those persons (predominantly men) who have already ventured into the cities night time economy and consumed alcohol and who want to continue drinking and partake in some adult entertainment.

The later a licensed premises operates, the more anti-social behaviour and crime and disorder occurs. More alcohol is consumed, inhibitions are lowered, and bravado is increased. Judgement is impaired.

Southampton's NTE currently has 2 late night SEV's within it, Wiggle and For Your Eyes Only. Both of which suffer from alcohol related crime and disorder at or near their terminal hours. As neither of these venues are under scrutiny, it would be unfair of me to disclose the actual crime data in a public

document. I am however aware that a Freedom of Information request may have been submitted by the applicants legal team.

The applicant has proposed that the premises will only conduct licensable operations past 02:00 when it is operating as an SEV. I cannot see how this is to be policed. I would suggest that as long as a "dancer" is on the premises it could be classed as an SEV. It would then operate until 06:00 and supply alcohol until 05:00 and trade as a night club.

It is with this in mind, suspecting we could in fact actually be discussing a nightclub that consideration would need to be made for conditions to support such a venue including, but not exhaustive body worn video (BWV) and ID scanning.

With such an increase in opening hours, the times that alcohol would potentially be available for supply, the Chief Officer of Police is satisfied that the granting of this application, the licensing objective of the prevention of crime and disorder cannot be upheld.

The Chief Officer of Police is also satisfied that the applicant has not demonstrate how the granting of this application will not adversely affect the cumulative impact in this area.

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)

Refuse Application

Signature of Officer Completing

Name	Brian Swallow	Collar Number:	2903
Signature:	B Swallow	Date:	24/7/19

Signature of Authorising Officer

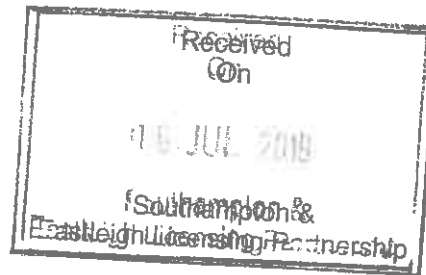
Name	Peter- James Vincent	Collar Number:	21451
Signature:	PJ Vincent	Date:	24/7/19

Mark Hatch
19 Dale Road
Hythe
Southampton
SO45 5DS

The Licencing Team
Southampton City Council
PO Box 1767
Southampton
SO18 9LA

15th July 2019

Dear licencing Team



I would like to object to the premises licence application and the subsequent SEVL application, both made by Southampton Clubs limited, through Poppleston Allen LLP and to be known as a trading of Black Diamond.

I object on the following grounds

As per the 4 licencing objectives,

- The prevention of Crime and Disorder
- Public safety
- The Prevention of Public Nuisance
- The protection of Children from Harm

I feel this is the wrong location for this style of operation and this area is trying to bring licencing down to a 12-midnight operation, this is to protect the local residents that live in this area and by doing this it protects all of the licencing objectives as above.

As per the process of the SEVL application, Current Planning use must be demonstrated to help protect the 4 licencing objectives and the current government use category for a new Sexual Entertainment Venue premises is a **Sui Generis** use and I believe this current premise does not have this use, I believe it has the old planning A3 use as it used to be a wine bar, therefore I would respectfully ask the committee to reject this application due to the incorrect planning use

Also, the current premises has a planning condition that it is shut by 2am (this condition is in place to protect the 4 licencing objectives), therefore I cannot see how the application can be granted for a 6am.

If the committee is minded to grant a premises licence and a sev1 on these premises then I would respectfully ask the committee not to grant past 2am and have a last entry of 12 midnight so it is looking after the 4 licencing objectives and in keeping with what the area is trying to achieve.

Also, there is no indication of what the outside will look like and as this is a very busy shopping area there must be a discrete shop front to protect the 4th licencing objective.

I am not against this type of operation but they have to be in the correct place/area and be licenced correctly with the correct Planning granted and the licencing hours should complement the planning conditions imposed for that site and planning permission.

Yours Sincerely,

(
NICK JATCH

From:
To: [Licensing](#)
Subject: Black Diamond, 35-41 London Road, 2019/03677/01SPTV
Date: 16 July 2019 09:55:30

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to Black Diamond, 35-41 London Road, 2019/03677/01SPTV

It is my strong opinion that the unreasonable opening hours, 20 hours of drinking time particularly until 06.00 on all days would be contrary to the Licensing Objectives, Prevention of Crime and Disorder and Public Nuisance and compromise Public Safety. One reason is that homeless people sleep along that parade and in Vernon Walk, when people come out of Black Diamond sleepers could be urinated on, kicked and abused, as well as being denied any sleep by the entry and exit and noise from the bar. Both London Road and Bedford Place where I do shopping are designated by the police as crime Hot Spots. For instance the Medical Centre specially for alcoholics and drug addicts opposite at 52 London Road already has two smashed windows.

The Cumulative Impact of such hours would be detrimental to the objectives and residential amenities for those living in London Road, it is all flats above the shops on that side, as well as more proposed flats above the closed down Nat West Bank.

Having suffered the consequences of the night time economy use since the 80s/90s, the drunken behaviour and criminal damage, noise nuisance etc I state that the extra hours of trading at Black Diamond would cause patrons to become more drunk than if they were outed earlier, unable to control their behaviour or bladders, for instance there have been puddles of urine and vomit on all Polygon roads, criminal damage to cars and garden fences and walls, phone boxes and night time street noise.

At least in recent years there have been no drunken ,shouting home goers after 03.00 and that was a welcome relief, although since I moved here in 1985 most families have fled the area due to drunken behaviour.

The location of the bar, beneath and opposite residential properties, make it unsuitable for the proposed 06.00 closing hour and add to Cumulative Impact as people would be walking home from earlier closing clubs and would mix with ones from Black Diamond as they come out.

It is not just the residents around London Road that need to be considered, arriving home after 20 hours or all night drinking the customersd could be bad tempered and cause rows or violence in the home, putting children at risk.(The Prevention of Children from Harm)

As the building has been closed up for some time, the Panel can hardly ask for previous

crime and ASB connected to the premises to be presented and when it was open as Kellys there could have been fewer flats above the shops.

Stewart Morris
42 Harborough Road
Polygon
Southampton
SO15 2FY

From:
To: [Licensing](#)
Subject: Black Diamond 35-41 London Road Objection to Hours
Date: 19 July 2019 17:12:15

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to Black Diamond, 35-41 London Road, 2019/03677/01SPTV

It is my considered opinion the excessive opening hours, 20 hours of drinking time , until 06.00 would be contrary to the Licensing Objectives, Prevention of Crime and Disorder and Public Nuisance and compromise Public Safety.

One valid reason is that homeless people sleep along that row and in Vernon Walk, when people come out of Black Diamond sleepers could be abused, as well as being denied any night time sleep by the entry and exit of patrons and noise from the venue.

Both London Road and Bedford Place where I go to do shopping have been designated as crime hot spots and Echo articles say the same.

For instance there is smashed window at the Medical Centre specially for alcoholics and drug addicts opposite at 50/ 52 London Road and one alongside. A few years ago windows were smashed at Morris Dibben, the Post office and coffee shop in an early morning attack.

The Cumulative Impact of such hours would be detrimental to the objectives and residential amenities for those living in London Road, it is all flats above the shops on that side, as well as more proposed flats above the closed down Nat West Bank. Also flats opposite.

Having suffered the horrors of the night time economy , the drunken behaviour and criminal damage, night noise nuisance I state that the extra hours of trading at Black Diamond would cause patrons to become more drunk than if they were outed earlier, unable to control their behaviour ,for instance there have been puddles of urine and vomit on all Polygon roads, criminal damage to cars , garden fences and walls, phone boxes and night time street noise.

The Polygon has become known as a student ghetto but in recent years , as families have fled, many houses are occupied by young singles, mainly men and these would be more attracted to Black Diamond than women.

Therefore users would be coming home talking loudly, banging doors after 5- 6 a.m.

Is the applicant an Equal Opportunities employer ?

Much is made of the importance of key workers, police, ambulance, firemen, carers , hospital doctors, nurses. All these people need to sleep at odd hours and need quiet at all times.

As the building has been closed up for some time, the Panel can hardly ask for previous crime and ASB connected to the premises to be presented as evidence and when it was open as Kellys there could have been fewer flats above the shops.

After drinking for long hours owners cars must not be driven home, all must call taxis. How can this be checked and monitored ?

What are the police numbers on street at 05.00- 06.30 to see the customers are safe at the frontage ?.

It is not just the residents around London Road that need to be considered, taxis taking people home to suburbs will disturb sleepers and coming home after 20 hours or all night drinking the customers could be bad tempered and cause rows or violence in the home, putting children at risk.

(The Prevention of Children from Harm)

I may add more as thoughts occur to me before the end of the consultation period.

Lorraine Barter

42 Harborough Road

Polygon

Southampton

SO15 2FY

Head, Karen

From:
Sent: 28 July 2019 11:40
To: Licensing
Subject: Objection to Black Diamond 35-41 London Road Alcohol licence variation.
Attachments: Fire escape doors for 41 and 39.JPG; Fire escape doors for 37 and 35.JPG; No turnable handle maybe.JPG; Back alley from higher numbers.JPG; Alley from lower numbers.JPG

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to Black Diamond

The further addition of flats with frontage on London Road at 43-49 application 19/0113/REM, and 2 studios 19/01034, at 62 London Road 19/01198 will increase the night time footfall and add to the Cumulative Impact of people out on street.

As the patrons of Diamond could leave at any time after the closing of Junk/Rebel (04.00) the previously enjoyed "Sleep gap" would be no longer available.

PUBLIC SAFETY : The staff smokers area, is this indoors or outdoors ?

If it is the latter it appears to be in a dingy alley with poor lighting and where is the customers outdoor smoking area ?

If the staff or customers talk, shout and smoke at the back of 35-41 in the alley then their voices will disturb the flats above and Mede House in Salisbury Street. (Public Nuisance) Smokers could be mugged or assaulted . (Crime)

Although there are several different notices about CCTV in the alley , where exactly are the cameras and who watches the screens, keeps the videos ?

How safe is the construction of the four basement rooms (now all one room) ? There was no planning permission applied for to use the basement as a club ,therefore no building control or safety check on removing any supporting walls ?

At this time of writing no Lawful Development Certificate has been issued to allow the basement use as a club or any other use..

It seems that it has operated for a least ten years with no Planning Enforcement Action taken.

PUBIC SAFETY : Fire Escapes : I have added some photos of the doors into the alley, and presume that smokers will have to come out of these doors to smoke and then close them. One door with the barrels outside does not appear to have a turnable handle but that one may not be a fire escape door ?.

It is not easy to line up the doors with the numbers at frontage, therefore I am willing to be corrected.

The Internal Layout :

Is it a good idea to have the gents toilet next to the dancers changing room ? What is the sound proofing between the walls ? Could the gents hear remarks about them made by the dancers and the dancers hear the men talking about them ?

Such could lead to bad feeling/anger and compromise the safety of the said persons.

If the Sex Establishment use starts at 16.00, does the layout and position of chairs and booths seem suitable for the earlier day time use as a bar ?

How will staff leave the premises safely and at what time after 6 a.m. ?

Banging of car and taxi doors all night and into morning could anger flat dwellers and lead to physical altercations (Crime)

See that the last entry is at 04.00, meaning that patrons leaving Junk/Rebel /other city clubs could go to Diamond for one or two hours drinking, even with last drinks served at 05.00 customers could buy two or three and make them last until 06.00 ?

More people staying on street means Cumulative Impact.

As the Sex Entertainment starts at 16.00, after that time is it Members Only with entry price ?

I read that Late Night Refreshment and Alcohol will be served on and of the premises until 06.00 ?

Does this mean the Pizzeria will be an all night take away and how /where will the drinks be served ?

I presume not at pavement tables ?

Puzzled by the wording from applicant --- Permitted hours for licensable activities beyond 02.00 (00.30 Sundays) shall only be

permissible where the premises are operating as a Sex Establishment/ Entertainment Venue--- unquote.

Does this mean that this licence application can only be granted if the Sex Establishment /Entertainment one is passed ?

I shall obviously need to ask questions to clarify these and other matters.

I add five photos of fire escape doors/ condition of the back alley.

First is of doors at 41/39, second is of 37/35, third is of I presume 35 with barrels, not sure if this door handle is turnable from the outside, fourth is of alley taken from by the higher numbers and fifth is taken from by the lower numbers.

Lorraine Barter
42 Harborough Road
Polygon
Southampton
SO15 2FY



















From:
To: [Licensing](#)
Subject: Objection to Alcohol Licence Variation Hours Extension at Kellys 35-41 London Road
Date: 30 July 2019 11:07:52

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Objection to Alcohol Licence Variation Hours Extension at Kellys 35-41 London Road

I am not satisfied that the applicant offers equal opportunities employment, promotes sex equality, avoids sex discrimination and can guarantee the safety of both customers and staff in a location that is a crime hotspot, both London Road and Bedford Place have been described in that way by police and the local press. (Crime and Disorder, Public Nuisance)

In fact yesterday's Daily Echo reported two men charged with injury to another during night in Vernon Walk, which runs beside 51 London Road.

It is not that one is saying the patrons will be causing ASB but that they could become crime victims in this area.

Their exit on to street at any time will add to Cumulative Impact in this location, densely packed with licensed premises, bars and clubs, in fact possibly about 40 ?

There does not seem to be any checking by the authorities re fire escapes, the width of stairs and doors and fire drill details. With the installation of padded seats, benches, curtains, even fire proofed this needs to be checked out.

What is the seating and standing capacity of the club ?

With no planning consent to use the basement what checks were made by building control on the alterations and removal of inner walls ? (Public Safety)

With regard to crime I quote figures from Police website : 2019

Recorded crime incidents for June: Bedford Place 36 London Road 44

May	92 in total between both roads
April	32 45
March	35 42
February	65 in total between both roads
January	21 25

I may add more statistics if I have time to do more research later to-day.

Lorraine Barter

42 Harborough Road

Polygon

Southampton

SO15 2FY

From:
To: [Licensing](#)
Subject: FW: Objection to Alcohol Licence extension at Kellys 35 -41 London Road
Date: 30 July 2019 14:46:48

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Lorraine Barter 42 Harborough Road Polygon Southampton SO15 2FY

The location is unsuitable due to the high level of crime in London Road and Bedford Place.
The multi storey car park used by visitors to the area is situated between those two roads.

2018

Bedford Place and London Road Crime Incidents from police website.

Dec 90, Nov 90, Oct 85, Sept 69, Aug 77, July 80, June 90, May 65, April 77, March 78,
Feb 94, Jan 88.

Lorraine Barter
42 Harborough Road
Polygon
Southampton
SO15 2FY

My own local crime diary is below.

2016

January

2 Report of all night loud music HMO Milton
11 Smashed bottle Kenilworth

13 Smashed glass Kenilworth
 15 8 bins knocked over by men from Harborough HMO at 01.10, also 5 over Kenilworth and some Wilton
 16 Damaged street sign Kenilworth
 18 Smashed bottle Kenilworth
 20 Smashed glass Kenilworth
 23 Two injured in fight by Junk and stabbed man in Carlton Place
 24 Car wing mirror damaged Kenilworth
 26 Smashed glass Kenilworth
 27 Smashed glass Kenilworth and Harborough
 28 Smashed glass Harborough
 30 Damaged car wing mirror Wilton
 31 Party at 32 Harborough 23.00- 04.30
 February
 3 Smashed glass Harborough Kenilworth
 13 Loud night music from HMO 14 Newcombe
 14 Loud night music from 14 Newcombe
 16 Smashed glass Kenilworth
 17 Smashed bottles Kenilworth and Henstead
 18 Smashed glass Devonshire
 19. 02.30 Man shouting Harborough
 20 Smashed window at Locksmiths London Road
 21 Shouting Harborough at 03.30, wing mirror damaged.
 25 Three bottles Newcombe and Handel Road
 28 04.00 Loud music from car Harborough
 29 04.00 Shouts and bins over Newcombe
 March
 2 Reported burglaries Wilton, Milton, Cromwell and Harborough
 5 Bottle Handel Terrace
 9 Bottles Harborough ,Devonshire
 13 Wall damaged Kenilworth, Urine stains in Henstead, Kenilworth , Bedford Place.
 15 Urine stains in Harborough, Henstead, Carlton Place, Vernon Walk
 17 Urine stains Henstead, Kenilworth,Devonshire, Vernon Walk
 18 Urine stains in Wilton, Lower Banister Street
 19 Bottle Devonshire, Urine Devonshire
 20 Smashed bottle Kenilworth
 21 Smashed bottles Harborough, Kenilworth, Devonshire, Coventry
 23 Urine Henstead and Devonshire
 24 Urine Henstead and Carlton Place. middle of night shouting from Newcombe
 25 Bottle Kenilworth
 26 Litter Wilton blown from bins in street
 29 Smashed drinking glass Handel Road
 31 Girl shouting and banging on front door of HMO 19 Morris 02.00- 10.15 a.m.
 April
 1 Smashed bottle Fitzhugh alley
 2 Smashed bottles Harborough,Devonshire, bottle in Newcombe

4 Smashed bottle Harborough
 5 Noisy party at HMO 38 Harborough 02.40 to 04.30 and all night loud live music at HMO 94 Milton.
 9 Bottles Devonshire Kenilworth
 10 Bottle Harborough and bins knocked over at 04.10 in Holt Road
 13 03.20 Visitor banging on front door of HMO 31 Harborough
 14 Five beer cans Henstead and smashed bottle Kenilworth
 16 Smashed bottles Handel Road and Rockstone Place
 17 04.30 Men shouting Newcombe.
 18 Wing mirror off and a case off in Henstead
 19 Wing mirror damaged Henstead and bottle Devonshire
 20 Woman sexually assaulted in Southcoiff Road at 02.00 .Bottle Harboorough
 21 Car wing mirror casing missing Harborough
 24 Urine stains in Henstead and Vernon Walk Bottle Devonshire
 Drug dealer from Morris Road jailed for three years.
 26 Cracked car mirror Henstead
 27 Missing mirror casing Harborough.
 28 Mirror casings off in Henstead and Kenilworth
 29 Same in Henstead and Sandhurst, two in Wilton plus take away meal on car.
 It must be made clear that that car damage may not have occurred the night before it is seen /reported

for diary as we do not out along the same roads every day. All cars have residents parking permits.

Cannot report them to police as we are not the owners /do not know who the owners are.
 May

1 Two men attacked Watts park at 02.00
 3 Smashed bottle Devonshire
 4 Bottles Henstead Carlton Place Handel Road
 5 Bottle Sandhurst, smashed bottle Kenilworth, bins knocked over Harborough at 21.30
 6 Bin over Harborough
 7 Two bottles in Sandhurst, one in Harborough
 9 Smashed bottles Kenilworth and Harborough
 Car wing mirror cracked Kenilworth
 Noisy party in garden at HMO 32 Harborough 23.00 to 05.45
 15 Front door knocking by visitors to HMO 31 Harborough at 04.20,04.25, 04.45 and 04.50
 16 Smashed bottle Kenilworth
 17 Three lots of urine Henstead and smashed car mirror.
 18 Damage to top of wall at 52 Wilton
 19 All night noisy garden party at HMO 47 Newcombe
 25 Smashed bottle Kenilworth
 27 Smashed bottle in Wilton.
 30 Smashed glass Kenilworth
 31 Several urine stand and some vomit stains in Henstead.

June

2 Wing mirror damaged Harborough

3 Tub of bottles thrown around in Morris Road, over 30 smashed on pavement
3 Bins over in Sandhurst, vomit in Morris, bottle , Handel Terrace.
5 Loud music from HMO Harborough 17.30 Saturday and at 18.00 on Sunday.
Loud music from HMO Harborough all afternoon to 17.00
6 Car mirror damaged and car window smashed Kenilworth, urine in Henstead
8 Three lots of urine in Henstead, 5 lots in Carlton Place. Wing mirror casing gone
Kenilworth
10 Stabbing at a Milton Road house in the evening.
13 Car broken into in Coventry
17 All night party 23.00 - 05.00 at HMO Newcombe
Strong smell of urine in door of Junk Vernon Walk.
19 Car wing mirror smashed Harborough, bottle in Morris
20 Bottle in Morris
21 Damaged car mirrors Kenilworth and Devonshire
24 Party at HMO Harborough until 09.00 next day and music again in the afternoon

July

1 Car wing mirror damaged Harborough
2 Noise and abuse at 23.30 from HMO Harborough, smashed glass Kenilworth.
9 Bottle and drinking glass Henstead
16 Smashed bottle Kenilworth
18 Smashed bottles Sandhurst
22 Smashed bottle Kenilworth
23 Burglaries in The Dell, Burlington and Newcombe this week.
30 Smashed window in London Road at Vertitas Photographers.

August

2 Smashed window at Fox's London Road
5 Loud music from 16.00 - 21.20 at HMO Newcombe, I went there at 19.15.
6 Wing mirror pulled out, smashed bottle Wilton
7 Bins over Harborough at 23.20
9 Smashed bottles Devonshire and Henstead
13 Urine in Henstead
27 01.30 - 01.45 Girl attacked in Carlton Road area.

September

7 Smashed glass by 90 Degrees, Lower Banister Street
9 Bins over Harborough 01.30 Man climbing in window at HMO Newcombe at 03.30 and
04.30
11 Smashed bottles in Devonshire and smashed wing mirror Kenilworth
12 Urine stains and smashed bottles Henstead
14 At 02.10 I went to HMO Harborough about shouting and loud music.
15 Smashed bottles Wilton Devonshire Burlington
17 Burglary in Milton Road and Burlington
18 Smashed bottles in Fitzhugh cut and smashed wing mirror Wilton
22 Violent male burglars at The Dell, 22.30

23 Smashed bottles Wilton and gas cover Kenilworth
26 Burglary at HMO Harborough in evening
27 Forensics van at Harborough in evening
28 String smell of urine in Vernon Walk by Junk
30 Car wing mirror missing Sandhurst.

October

4 Singing and shouting Harborough 23.30
5 Shouting in Wilton at 03.30
8 All night party at HMO Cromwell Road
9 All night party Cromwell Road HMO
Also loud music from another HMO all afternoon.
10 Smashed bottle in Southampton Street
11 Garden gazebo taken from Henstead during night and put in middle of Harborough.
13 Police vans in Kenilworth
14 Vomit in Carlton Place
15 Heavy armchair dumped and blocking pavement in Milton
17 Smashed drinking glass Carlton Place
Loud music afternoon from HMO Harborough
18 Same.
19 Car wing mirror damaged Kenilworth
21 Smashed glass Harborough
22 Car had two wings mirror casings gone Harborough
Urine stains in Henstead
23 5 loose bottles and 2 smashed, vomit and bin over in Wilton
24 Report of burglary and smashed front doors at Smoke and Mirrors Vernon Walk
26 Police at Kenilworth 15.30
28 All night party at Cromwell (police) noisy party at HMO Harborough (fireworks) after 02.00 from another garden.
29 Bins over and smashed bottles, in Harboorough, vomit Kenilworth and Henstead.
30 3 Bins over and car wing mirror off in Newcombe.
Very noisy night party at HMO Newcombe. Girl attacked during night by Watts Park.
31 3 bins over in Harborough.

November

9 6 bins over in Wilton
14 Smashed glass in Henstead and Devonshire
19 2 lots vomit in Junk doorway
20 Smashed bottles Wilton
Music and loud shouting at HMO Harborough at 22.30
Vomit on van in Henstead
13.00 approx Male crack cocaine addict attacked and robbed an injured elderly female resident at her home in Harborough Road. Police and paramedics attended.
27 Burglary in 20 Kenilworth
Noisy people shouting in back garden HMO Harborough at 00.00.
Report of another burglary in Kenilworth

December

6 Smashed front window at house in Newcombe

17 Noisy night party at HMO Harborough

19 Car windows smashed in Wilton.

26 Car back window smashed in Sandhurst.

30 Break in and 3 inner doors smashed and damaged at HMO Harborough

December 30 2016 Intruders break down 3 doors and cause damage at HMO in Harborough

2017

Jan

17 Awoken twice in night by bins over in Harborough and Newcombe.

19 Wing Mirror damaged in Henstead.

25 Bins over in Morris ,Newcombe. Front door boarded over at house in road The Polygon.

26 Bins over and sign thrown down outside 23 Harborough.

29 04.40 Awoken by 3 men banging on door of HMO in Harborough, lost keys.

Feb

1 Night intruder in our garden in Harborough, also one in Wilton and The Polygon.

2 Smashed window at shop Hooch and Candy Bedford Place.

3 Bins over in Devonshire, Morris, bottle in Kenilworth.

9 Six bins over in Newcombe. Smashed bottles in Rockstone Place.

14 At 03.30 and 04.00 Kicking of door and banging at HMO in Harborough.

16 Smashed bottles Rockstone Place.

18 Police car in Newcombe at noon.

22 Man stabbed at **London Road Carlton Place junction.**

March

2 Daytime Burglary in Newcombe.

6 Smashed bottle in Morris

9 Wing Mirror damaged in Wilton

10 2 police cars at Bedford- Henstead junction

11 Police car in Harborough at 08.15

12 3 bins over in Harborough

13 Wing mirror casing on pavement Henstead

16 Smashed glass in Harborough

20 Smashed car window glass in Morris

27 Police van in Harborough.

27 Vomit in Newcombe

30 Stabbing in Watts Park , arrests in Henstead, London Road, police at Bedford Place, door smashed at Giddy Bridge.

April

1 Bin over outside Harborough HMO, a lot of night street noise in Henstead.

2 More night noise in Henstead.

3 Bins over in Henstead

4 Smashed bottles in Fitzhugh cut and Harborough
6 Bins over Salisbury Street and road barrier at HMO in Harborough.
8 All night party 18.30 -06.00 at HMO in Morris Road, abuse to neighbours. Party in Harborough until 02.00
10 Week-end break in at hair salon London Road.
15 Smashed bottles and bin over Kenilworth

May

4 Customs and Excise raid at HMOs in Kenilworth.
6 After midnight, man attacked in **Vernon Walk alley way**.
Phone smashed at box Henstead.
9 Police at house in Kenilworth. Report of pot plant stolen in Devonshire.
12 Report that man attacked in Vernon Walk has died
15 a lot of litter and smashed bottles Wilton.
16 Smashed bottle Harborough.
22 Wall damaged at Henstead/ Bedford corner
26 Smashed glass in Harborough
27 Police in Newcombe and 2 cars in Wilton

June

Police at 3 Newcombe, smashed front window, man into police car on Morris Road hill.
12 Man shoplifting in London Road Tesco, two men/car Audi searched by police in Wilton.
14 Woman sexually assaulted by two Asian males, London Road.
18 Echo report of knife robbery at cashpoint Bedford Place
22 Police and forensics at HMO corner of industrial estate and in the units in Harborough/Sandhurst roads.

JULY

1 Wilton Ave Men stole computers from students arriving at their HMO. Men live in Shirley, had wiped data so police said "no evidence."
6 04.30 Went to HMO in Harborough re shouting in the garden area.
7 21.45 Went to HMO in Harborough, re guitar and drums in back garden.
8 15.30 Spoke about live band in back garden at HMO in Harborough since 13.30
04.20 Men shouting and very loud music at music in house and garden at HMO, man said was abusive
Garden party music at HMO in Harborough, went to HMO in Newcombe about day/ night shouting in back garden.
10 Daily Echo- Resident of Newcombe fined £100, plus Costs surcharge £115 for threatening and abusive behaviour.
23.50 Shouted at girls playing guitar on flat roof at HMO in Newcombe.
12 Reported that student HMO in Morris Road had 6 police visits in one year period.
14 23.30 Spoke to HMO in Harborough re music and voices in garden, they went quiet.
03.00 Went to HMO in Kenilworth re loud music/ party and shouting crown and front garden and road. Noise Abatement notice issued.
16 19.15 Went to HMO in Harborough re loud music and man screaming in upper front room.
22 Man attacked outside Encore pub in Commercial Road between 23.30 and 01.00 Head and severe neck injuries

24 02.35 Shouted at HMO in Harborough re shouting in garden, then at 03.30 man in upper middle room playing TV game with window open.

Report of two lots of house noise at HMO in Henstead.

28 Approx 13.00 Police cars and vans at estate Park Central.

30 Woman claimed sexual assault in a taxi or bogus taxi from Bedford Place.

31 Daily Echo - Resident of Burlington Road, in court for cannabis, robbery, trespass.

August

1 Police at two HMOs in Newcombe at 11.00

3 01.45 Shouted from back window for HMO in Harborough to be quiet.

4 Smashed bottle Harborough

6 Burglary in Burlington

8 23.45 Went to with man from house to HMO in Harborough re loud music noise.

8-9 Man broke into Harborough family home, stole computer and Audi keys and car.

10 08.10 Burglar stole property in Harborough. Smashed bottle Harborough.

23.00 Burglary in Newcombe.

12 05.00 Burglary in Newcombe. 12.30 Burglary in Newcombe.

13 Daily Echo - Hill Lane Man injured in night near Languard Road

17 01.50 - 02.50 Noise at HMO in Harborough

Police at houses in Newcombe

21 Man suffered head injury near Buddha Lounge approx 02.00

26 Bicycle stolen in Wilton Ave.

27 A lot of night time street noise in Henstead

28 Last night burglar at HMO in Harborough

31 Smashed wing mirror and bottle in Wilton.

September

2 23.45 Man arrested in Milton, 3 police cars and dog, wall and gate post knocked down at house 78.

8 Three suspected dealers picked up by Milton cutway.

9 Daily Echo - Drug dealing by guests at Guest House, The Polygon.

03.00- 04.00 Man attacked outside Cafe Parfait

Burglary in road The Polygon

12 Smashed glass in Wilton

17 00.08 Man suffered serious head injury at Buddha Lounge

22 22.00 Woman attacked and injured by bag snatcher at bus stop in park opposite library

26 Smashed bottles in Henstead

28 Wing mirror casing off in Milton, near The Dell.

30 22.3 - 19.00 Burglary in Harborough

October

3 Smashed bottle Harborough

4 02.20 - 2.40 Crime incident in Wilton

11 Assault in Rollesbrooke Valley

23.50 00.10 Intruder in Newcombe garden

14 All night noisy parties until 04.30 in 2 HMOs in Harboough.

Wall damaged at 55 Wilton. Smashed glass in Fitzhugh alley, Wilton and Harborough.

Bins over in Newcombe.

20 Attempted burglary in Wilton last night

25 Smashed bottles in Harborough.

November

2 Car mirror cover gone in Kenilworth

7 Man in back gardens in Devonshire at 23.00

8 Burglary in Newcombe

15 Notice in Dell about recent sexual assault during night

20 Wall seen kicked down at 44 Wilton

22 Agents post at HMO in knocked over, damaged wall at house next door

23 Afternoon and evening loud music from HMO in Harborough, banged on door at 19.35

December

8 Midnight Four bins knocked over by men going into HMO in Harborough, very loud music at 00.15, went on for 3 hours.

10 Daily Echo - Woman sexually assaulted in Cafe Parfait.

24

Police appeal :

We are looking to identify the man in this CCTV image after a 20-year-old woman was seriously assaulted on Sunday 24 December on London Road.

The incident happened around 2am on Sunday 24 December outside Junk on London Road.

We were called just before 2am to a report of a group of men fighting in the street.

During the melee, a young woman was assaulted and suffered a fractured jaw as a result.



Head, Karen

From: |
Sent: 22 July 2019 19:08
To: Licensing
Subject: Reference Black Diamond

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Further to the application to extension of hours for above application I have to object.

Why?

Too many clubs and bars ,especially such a venue open later than normal will surely lead to fighting and mayhem in the early hours of the morning.

Disturbance to locals and residents, alike is not conducive to health.

Thank you

Mrs T. BARRATT
8 MORRIS ROAD
POLYGON
SOURHAMPTON

0 1 2 3 4 5 6 7 8 9 10 11

Head, Karen

From:
Sent: 22 July 2019 19:12
To: Licensing
Subject: 019/03677/01SPRV

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Having just made objection to extebded opening hours here is the reference above.

I object.

To these premises being given an extension.

Cordially
Mrs T. BARRATT
8 MORRIS ROAD
POLYGON
SO152BT

Head, Karen

From:
Sent: 26 July 2019 14:27
To: Licensing
Subject: Black Diamond 35/41

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Reference above

I am afriad I will have to contest this application for extension of opening hours.

Late night venues where alcohol and carousing occur are a recipe for anti social noise disturbance

Thank you

Miss Leils Barratt
8 Morris Road
So152bt

Head, Karen

From:
Sent: 26 July 2019 18:02
To: Licensing
Subject: Black Diamond 35/41 London Road

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Referring to the above application.

I object to this application.

There are too many late night clubs and bars in this area already and such venues disrupt and disturb residents and others with late night rowdiness and noise disturbance

Mr Peter Barratt
8 Morris Road

;

Head, Karen

From: k>
Sent: 27 July 2019 08:08
To: Licensing
Subject: Black Diamond 35/41 London Road

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Reference the above application for extension of opening hours I object.
Such venues cause anti social disturbance which affect residents and others alike.
We do not have sufficient police to deploy in order to monitor any flash points caused by late night drinkers

Thank you

Mr Peter Barratt
8 Morris Road
Polygon

Head, Karen

From:
Sent: 29 July 2019 13:53
To: Licensing
Subject: Re BLACK DIAMOND 35 TO 41 LONDON ROAD

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Stating reference the above application for an extension of hours with an addition of a lap dancing dancing and drinking establishment.

I would like to object to this for the following reasons
there are so many late night venues which cannot be policed this causes disturbance and annoyance to neighbours because at late throwing out times there is a lot of noise and drunken revelry.

In essence I have no reason to complain about such a club however the late-night opening hours is something I object to absolutely

Thank you very much

Look forward to receiving acknowledgement to my email this being a third injection I have submitted and have not yet seen it on the web page nor have I received acknowledgement

Peter
Barratt
8 Morris Road

Licensing Team
Southampton And Eastleigh Lic. Partnership
SCC
PO Box 1767
Soton
SO18 9LA

92 Milton Rd
Southampton
SO15 2HW

22 July 2019

Dear Licensing Team

REF: 2019/03677/01SPRV Black Diamond 35-41 London Road

I wish to object to the proposed opening hours at this establishment, until 6 am.

I have been a resident of the area for many years and have suffered with noise nuisance and vandalism to both properties and cars by people going home full of drink.

Wheely bins are overturned and pavements in Bedford Place and London Rd regularly have vomit and urine over them. Also home and shop doorways have been used as 'toilets' and in the alleyways too behind Polygon homes.

When these bars turn out they cause disturbance in the streets that leads to fights and assaults. Of course I can't say which bars these customers have come from but the cumulative impact of all of them cause nuisance and have made Polygon residents have sleep disturbed for years. Of course the Police can provide statistics on incidents in the London Rd/Bedford Place area.

There are currently broken windows in premises on London Rd

To open until this time is totally unacceptable with no thought for its neighbours, local residents or the potential for trouble at turning out time.

From Mrs J Gara, ~



Mr Daniel Gray,
7 Chichester Road,
Southampton
So18 6BE.

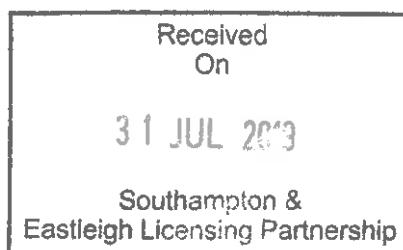
Licensing application Kelly's Bar,35 London Road,Southampton.SO15 2AD

Dear Sir/Madam,

I write to you today to request the refusal of the above application, quite simply this is the wrong area to grant a license with the hours requested and a quick look at the area's in town where crime and disorder occur and the hours that they occur will back up my point as it is no surprise that the two area's where the highest number of dispersal notices are issued are London Road/Bedford Place And Leisure World/West Quay, unsurprisingly the area's with the highest number of Licensed premise and those with the latest licences and I suspect the highest footfall.

Yours Sincerely,

Dan



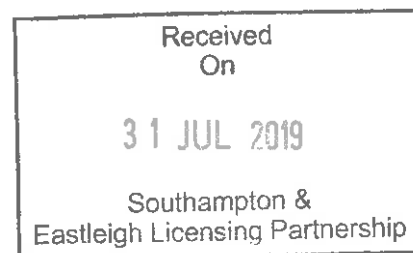
Mr J Bamforth and Mr M Stantiford
14 Westgate Street
Old Town.
Southampton
SO14 2AY

The licensing Team,

We are writing to yourselves as residents in Southampton City Centre and specifically in connection with an application for a SEVL AND PREMISES LICENCE AT KELLY'S BAR , LONDON ROAD, SOUTHAMPTON. We have as residents long been concerned as to the effect alcohol has on crime within our city centre and also concerned as to the number of premises being granted later and later licences within the city centre. With this in mind we have long been interested in the stance the committee take and have read the Southampton city council licensing Policy statement .It came as no surprise to us that certain area's within the town had much higher recordings of crime within this statement and 1 of those area's although not the worse was Zone 1 Bedford Place/ London Road .It is with this in mind that we ask the committee to reject the application for the above premises on the basis that the granting of this license in that area and until the time requested will go against the basic licensing principles that Southampton City Council operate namely The Prevention of Crime and disorder, Public Safety and The prevention of public Nuisance, the reasons that we feel this is that from the report we have read Zone 1 is a problem area and the report also states that spike hours occur between 11pm and 4AM exactly the times this new premises will trade in fact later which just does not seem a sensible decision. We appreciate the need for a wide and diverse type of establishment within the town and feel that Southampton is well represented in many area's and the granting of this licence as such is not needed and would only place further resource requirements of the police during the time it's open and from what we understand and read these resources are already at breaking point,

Yours Faithfully,

Mr J Bamforth & Mr M Stantiford
14 Westgate St,
Southampton.



McGuinness, Ian

From: >
Sent: 30 July 2019 17:15
To: Licensing
Subject: Kellys Bar 35-41 London Road

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Denis Bundy

Flat 4

65A London Road

Southampton

SO15 2AB

Premises Licence variation Re 2019/03677/01SPRV

Dear Sirs

I am the Manager of Conroy Court 65A London Road and I am in receipt of a notification that Kellys Bar, 35-41 London Road wants to stay open until 6.00am every day!

Frankly, I am amazed at such a request as are the tenants of Conroy Court.

We firmly believe that this would lead to increased disorder which is already happening in London Road.

There is also great potential for a public nuisance as a result of such opening hours.

The residents of London Road and in particular of Conroy Court have campaigned vigorously in the past against the late opening hours of bars and clubs that surround us, in particular Junk (now Rebel) and Buddha Lounge.

We have continuous disturbance especially on Friday and Saturday plus any special nights of which there are several during the year.

I have personally experienced people using the steps to our lovely flats as a toilet in the early hours when arriving home from work and I have been the recipient of some verbal abuse by mainly young people who are seriously drunk at 3am let alone 6am!

Bothy myself and the other residents of Flats 1-5 in Conroy Court, 65A London Road that I represent, object to the granting of a 6am license to Kellys Bar in the strongest possible terms.

Yours faithfully

Denis

Denis Bundy

Conroy Court Manager

LICENSING ACT 2003



STATEMENT OF LICENSING POLICY

**from
7 January 2016
to
7 January 2021**

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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.
- 2.3 The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities.
- 2.4 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
- 2.5 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.

- 2.6 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.

CONSULTATION

- 2.7 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:

- **Premises licence holders in the area added to the Bevois Valley CIP Stress Area**
- **Health and Safety Executive**
- **Southampton Marine Office**
- **Head of Regulatory Services, SCC**
- **Planning and Development Manager SCC**
- **Children's Social Services, SCC**
- **Hampshire Chamber of Commerce**
- **Licensing Solicitors used by applicants to SCC**
- **Residents Associations**

This Policy will come into effect on 7 January 2016 and remain in force for a period of five 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, and Old Mutual Wealth. Commercially, Southampton's success is also notable. The renowned West Quay shopping centre opened in 2000 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 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. **As such it will contain a number of licensed premises.** 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 Fruit and Vegetable market
 - Solent University campus 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 42,500 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, according to The Office of Rail Regulation 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.

THE IMPACT OF ALCOHOL ON SOUTHAMPTON

- 3.16 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.
- 3.17 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.
- 3.18 The following table compares Southampton to the England average and other cities on key indicators on alcohol admissions. **In each area Southampton is above the average for England, the highest for under 18 and male admissions and there is no area where we record the lowest number. Consideration has to be given that each of the cities in the comparison have their own unique demographics but they do provide a guide and demonstrate cities are the areas with alcohol issues.**

Indicator	England Average	Southampton	Brighton	Plymouth	Bournemouth	Nottingham	Sunderland	Coventry
5.01 - Alcohol-specific hospital admission – under 18 year olds	40.1	87.1	63.1	57.5	69.3	34.9	86.6	45.5
6.01 - Alcohol-specific hospital admission	374	534	532	418	456	548	525	531
6.01 - Alcohol-specific hospital admission Male	515	764	701	592	614	762	722	753

6.01 - Alcohol-specific hospital admission Female	241	311	368	255	296	336	341	317
7.01 - Persons admitted to hospital due to alcohol-related conditions (Broad),	1253	1375	1257	1405	1265	1459	1453	1483
7.01 - Persons admitted to hospital due to alcohol-related conditions (Broad), Male	1715	1906	1702	1919	1745	1981	2011	2021
7.01 - Persons admitted to hospital due to alcohol-related conditions (Broad), Female	859	908	862	959	833	998	990	1016
8.01 - Persons admitted to hospital due to alcohol-related conditions (Narrow),	444	542	497	480	447	607	540	522
8.01 - Persons admitted to hospital due to alcohol-related conditions (Narrow), Male	594	725	648	644	601	830	750	700
8.01 - Persons admitted to hospital due to alcohol-related conditions (Narrow), Female	310	373	356	332	301	399	355	359
9.01 - Hospital admissions for alcohol-related conditions (Broad),	2111	2303	1938	2890	2461	2605	2523	2686
9.01 - Hospital admissions for alcohol-related conditions (Broad), Male	2917	3296	2681	3100	3471	3568	3530	3647
9.01 - Hospital admissions for alcohol-related conditions (Broad), Female	1426	1429	1276	1590	1564	1754	1684	1854
10.01 - Hospital admissions for alcohol-related conditions (Narrow),	645	733	645	665	671	954	967	810
10.01 - Hospital admissions for alcohol-related conditions (Narrow), Male	835	991	844	835	851	1278	1293	1031
10.01 - Hospital admissions for alcohol-related conditions (Narrow), Female	475	492	457	510	498	647	677	605

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.

OPERATING SCHEDULES

- 4.9 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.
- 4.10 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
- 4.11 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.

GUIDANCE DOCUMENTS

4.12 The Licensing Authority has provided a number of documents to assist with the process; these are available at www.southampton.gov.uk/la03

REPRESENTATIONS

4.13 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. **Current guidance can be found by visiting www.southampton.gov.uk/licensing**

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

DECISION MAKING PROCESS

4.15 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.

4.16 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:

Matter to be dealt with	Sub Committee	Officers
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

Matter to be dealt with	Sub Committee	Officers
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

4.17 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.

4.18 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.

APPLICATIONS FOR LARGE EVENTS

4.19 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

PUBLIC SPACES PROTECTION ORDERS (PSPO)

- 5.1 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.
- 5.2 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.
- 5.3 A DPPO was set for the entire city and this continues in the new guise of a PSPO.

CULTURAL QUARTER

- 5.4 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.
- 5.5 Although the latest phase is within the boundaries of one of the CIPs there is an exemption for premises in the Cultural Quarter.
- 5.6 The “Background to the Night Time Economy” report 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 City Centre Action, below).

LATE NIGHT LEVY

- 5.7 The Late Night Levy was introduced by Southampton City Council on 1 April 2015. The late night 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.
- 5.8 Currently, 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
- 5.9 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.
- 5.10 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 late night levy legislation.

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

1. the reduction or prevention of crime and disorder;
2. the promotion of public safety;
3. the reduction or prevention of public nuisance;
4. the cleaning of any highway maintainable at the public expense or land in the Council's area.

5.12 Various schemes support the Night Time Economy in Southampton.

- Taxi marshals
- Southampton Street Pastors
- I.C.E. bus (in case of emergency)

5.13 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.

CITY CENTRE ACTION PLAN

5.14 In 2013 Planning developed a background paper on the Night Time Economy - two 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.

5.15 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.

SHOPS SELLING ALCOHOL (OFF LICENCES)

5.16 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.

5.17 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.

TEMPORARY EVENT NOTICES (TENS)

- 5.18 The Licensing Act 2003 enables certain organised events for fewer than 500 people to take place following notification to the Licensing Authority, the Police and Environmental Health.
- 5.19 Guidance on giving Notice can be found in the Home Office Fact Sheet.
www.gov.uk/government/publications/temporary-events-notices-factsheet
- 5.20 Although the statutory legal minimum time required for the notification of a temporary event to the Licensing Authority, Police and Environmental Health is ten working days, or five 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.
- 5.21 The Licensing Authority will encourage bona fide community events. Giving TENS for existing licensed premises will not be encouraged where the proposal is simply to extend the existing hours of operation. TENS give for premises 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.
- 5.22 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

DESIGNATED PREMISES SUPERVISOR

- 6.1 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).
- 6.2 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.
- 6.3 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 seven-day week.
- 6.4 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.

- 6.5 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.

DOOR SUPERVISORS

- 6.6 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.

DISPERSAL POLICIES

- 6.7 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.

RISK ASSESSMENT

- 6.8 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.
- 6.9 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.

PROMOTERS

- 6.10 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 good practice for licensed premises.

TAKEAWAY PREMISES AND PREMISES PROVIDING LATE NIGHT REFRESHMENT

- 6.11 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).
- 6.12 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.
- 6.13 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.
- 6.14 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.

EXTERNAL AREAS

- 6.15 The introduction of the requirement for smoke free public places under the Health Act 2006 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.
- 6.16 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.
- 6.17 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.

- 6.18 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 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”).

STRESS AREAS

- 7.4 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.
- 7.5 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.
- 7.6 The five Cumulative Impact Policies (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

- 7.7 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. Mary's 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.

- 7.8 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

- 7.9 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:
- New premises licences
 - New club premises certificates
 - 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)
 - 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.
- 7.10 Reason: To ensure that those applications which will add to the cumulative impact already being experienced are refused
- 7.11 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.
- 7.12 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.
- 7.13 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 and accordingly the rebuttable presumption will apply when considering applications for provisional statements**

- 7.14 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 or removal of a stress area** 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.
- 7.15 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

- 7.16 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 on the former Tyrrell and Green’s site, 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.
- 7.17 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.
- 7.18 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

- 7.19 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.

7.20 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:

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

POLICY CIP 4

7.21 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:

1. Identify the boundaries of the area from which it is alleged problems are arising
2. Identify the Licensing Objective(s) which it is alleged will be undermined;
3. 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;
4. Provide evidence to show that the undermining of the objective(s) is caused by the patrons of licensed premises in the area.

7.22 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

7.23 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.

7.24 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:

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

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

POLICY CIP 5

7.26 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):

- The proximity of the proposed premises to others in the area concerned which are licensed or subject to a Provisional Statement for similar activities;
- 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;
- The operational hours of existing licensed premises and those subject to a Provisional Statement, in the area;
- The nature of licensed activities in the area and those to be carried on at the proposed premises;
- 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;
- The proposed hours of operation of the licensed activities;
- Transport provision for the area.

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

7.28 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 given to the statutory guidance in this respect and the following mechanisms which may be, or have been already, employed:

- 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.
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly.
- Police enforcement of the normal law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
- The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
- The confiscation of alcohol from adults and children in designated areas.
- 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.
- The power of the police, other responsible authorities or other persons to seek a review of the licence or certificate in question.
- Early Morning Alcohol Restriction Orders.
- Raising a contribution to policing the late night economy through the late night levy.
- Any other local initiatives that similarly address these problems

7.29 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 **Children's Services at Southampton City Council** or through the appropriate Southampton City Council 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:
- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises;
 - where entertainment of an adult or sexual nature is commonly provided;
 - 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:
 - limit the hours when children may be present;
 - restrict the age of persons on premises;
 - exclude children from all or part of the premises when certain activities may take place;
 - require an adult to accompany a child;
 - set out a requirement for the presence of adult staff according to a set adult/child ratio where children are attending regulated entertainment;
 - 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. **These measures will include the test purchasing of prohibited goods at licensed premises.**

9 ENFORCEMENT

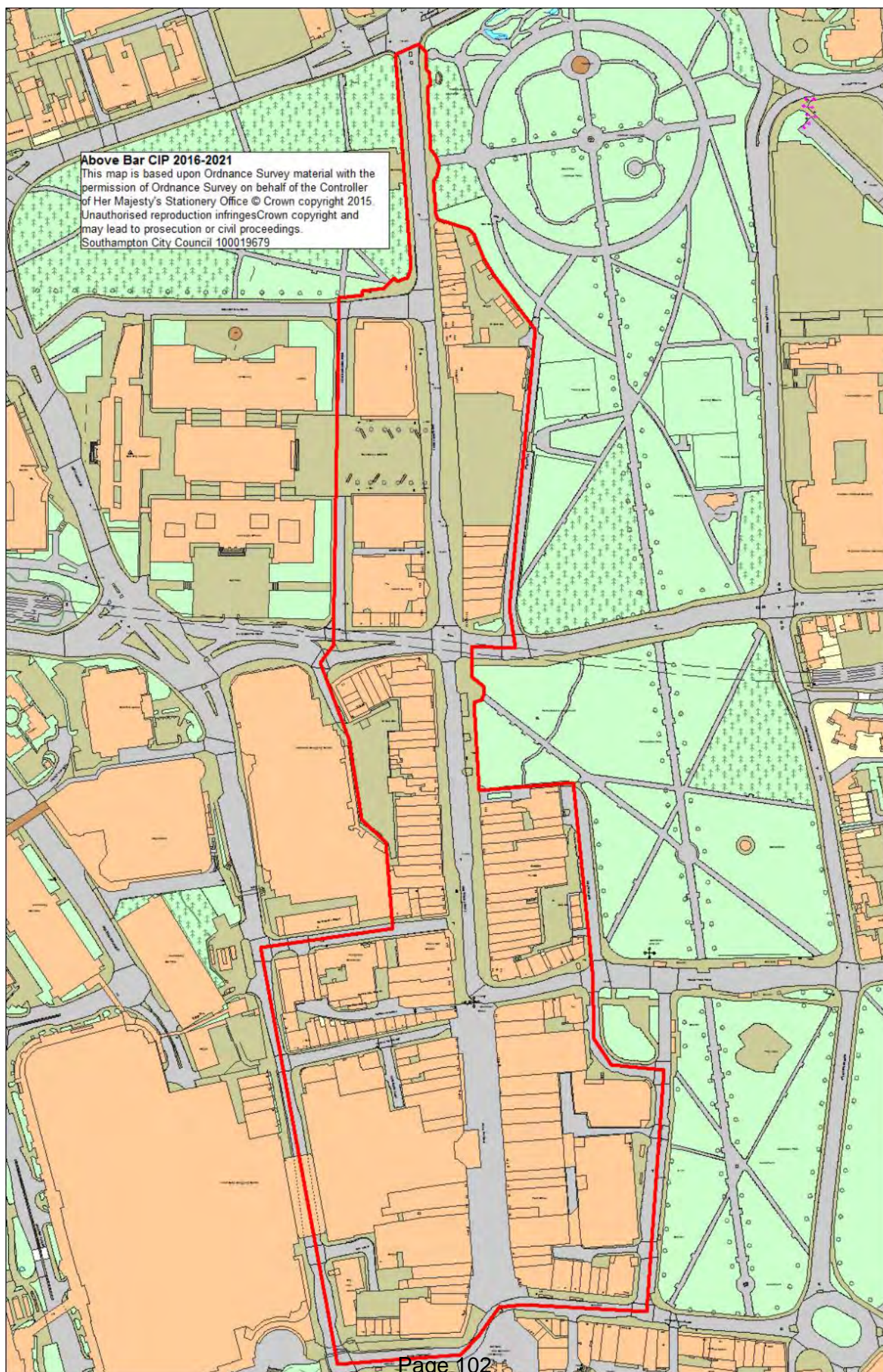
- 9.1 It is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the approved operating schedule, the specific requirements of the 2003 Act and any licence conditions imposed. The licensing authority, in partnership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

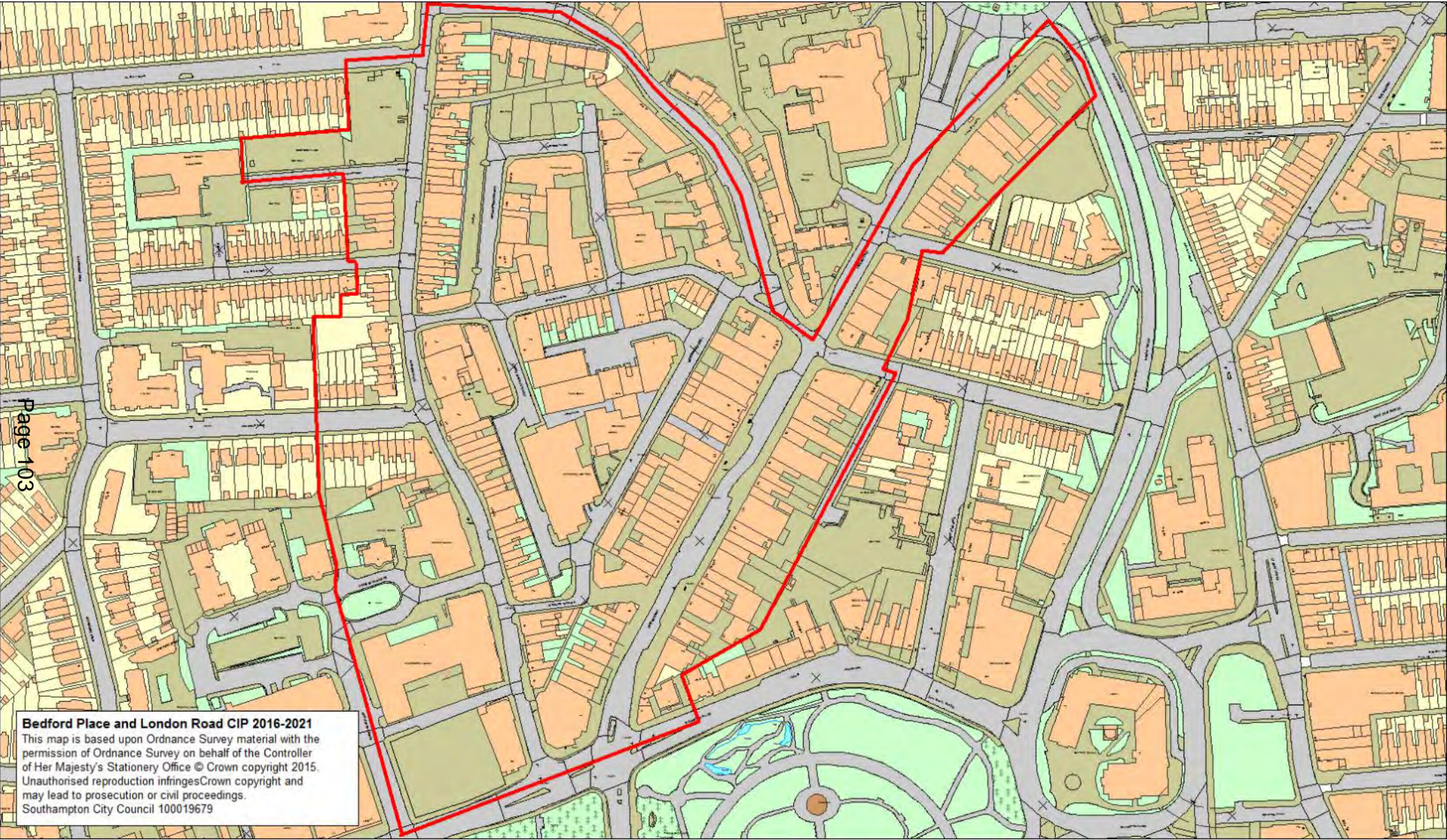
Standards and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol and tobacco products to children.

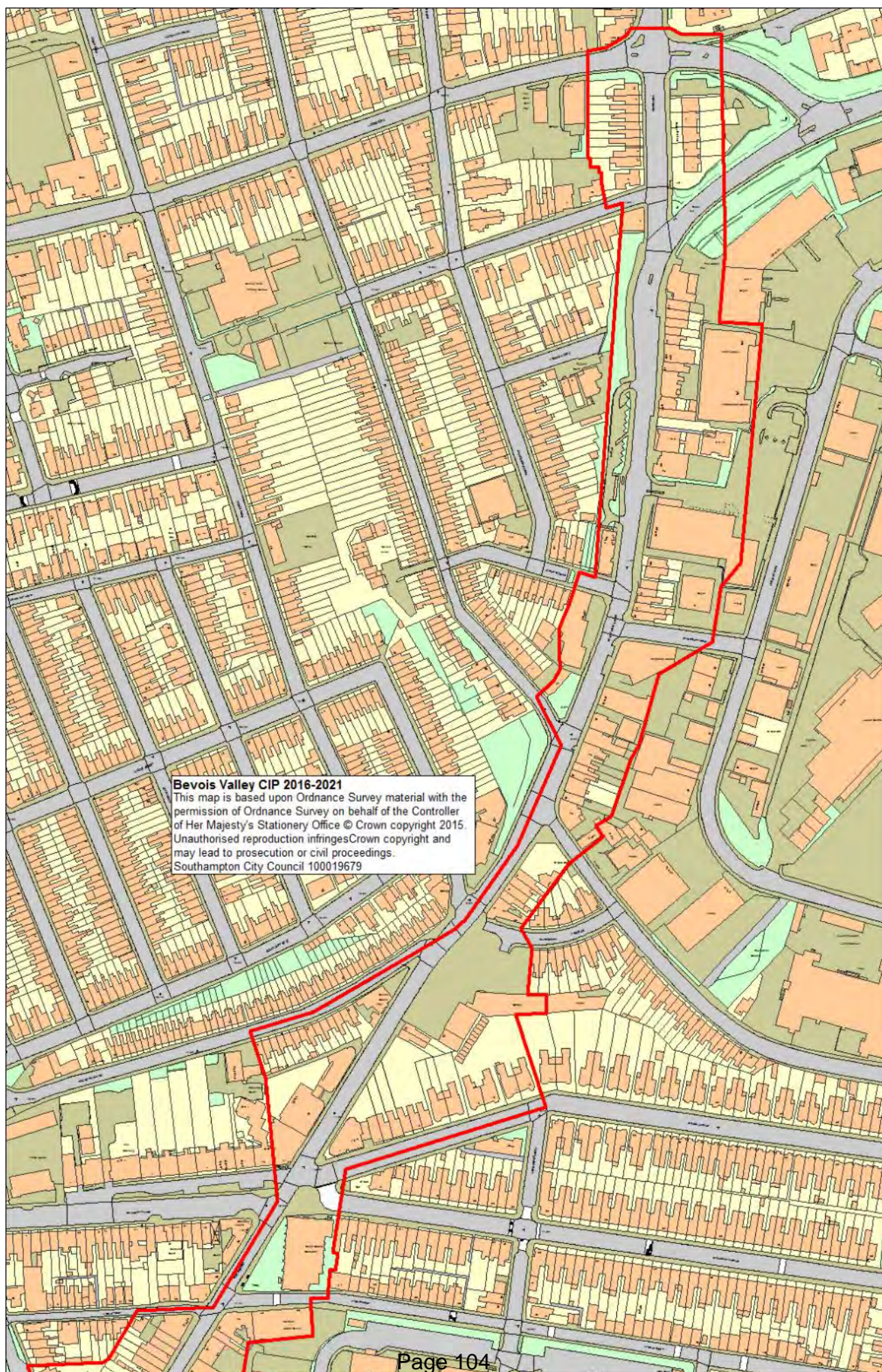
9.4 The premises licence holder is responsible to ensure the four licensing objectives are upheld:

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

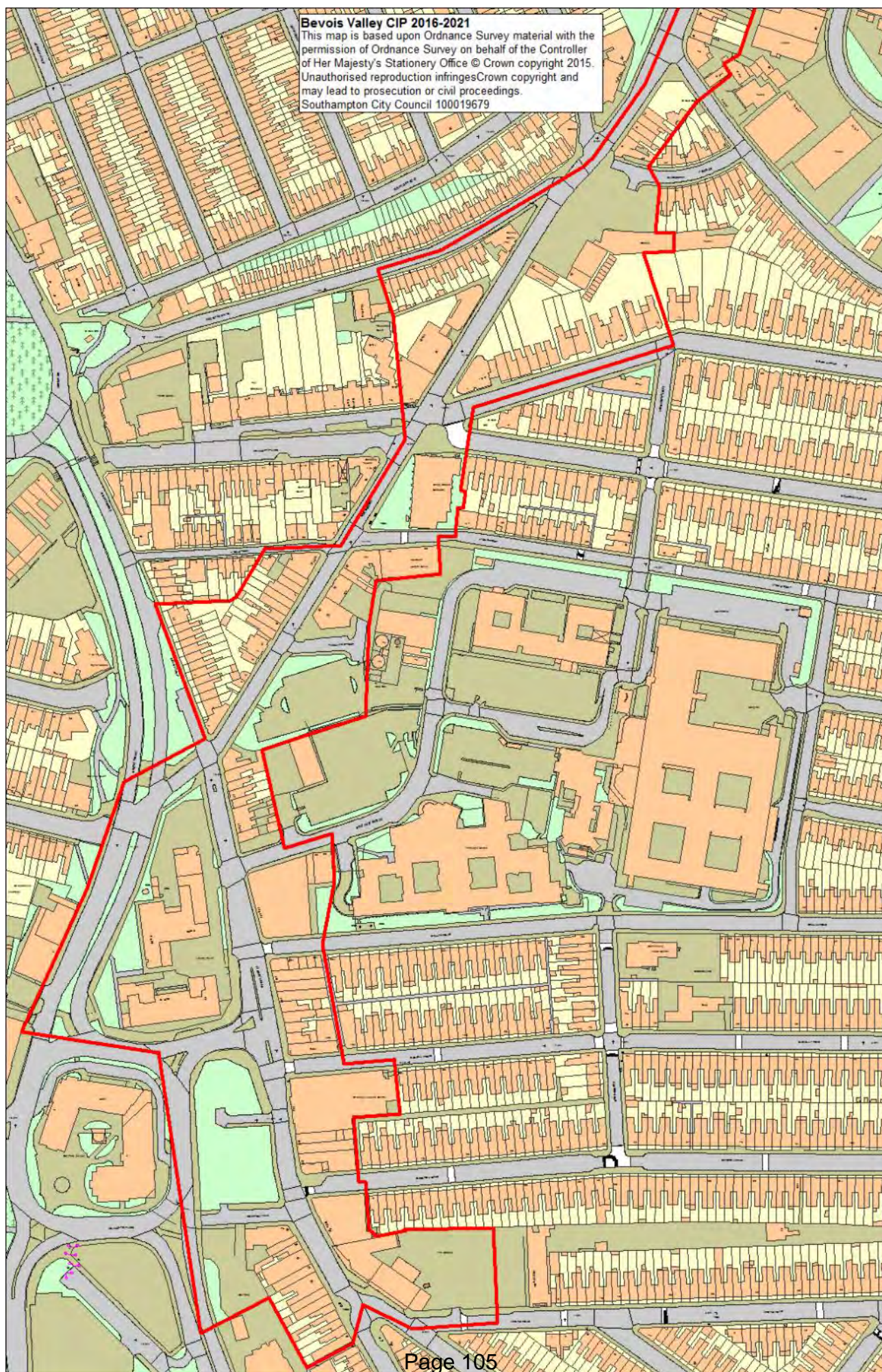
9.5 Where there is evidence to suggest the licensing objectives are being undermined, enforcement action will be taken in accordance with the principles of better regulation and the Regulator's Compliance Code. The aim is to have well run premises operating in our city. Problems at premises will be identified 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.

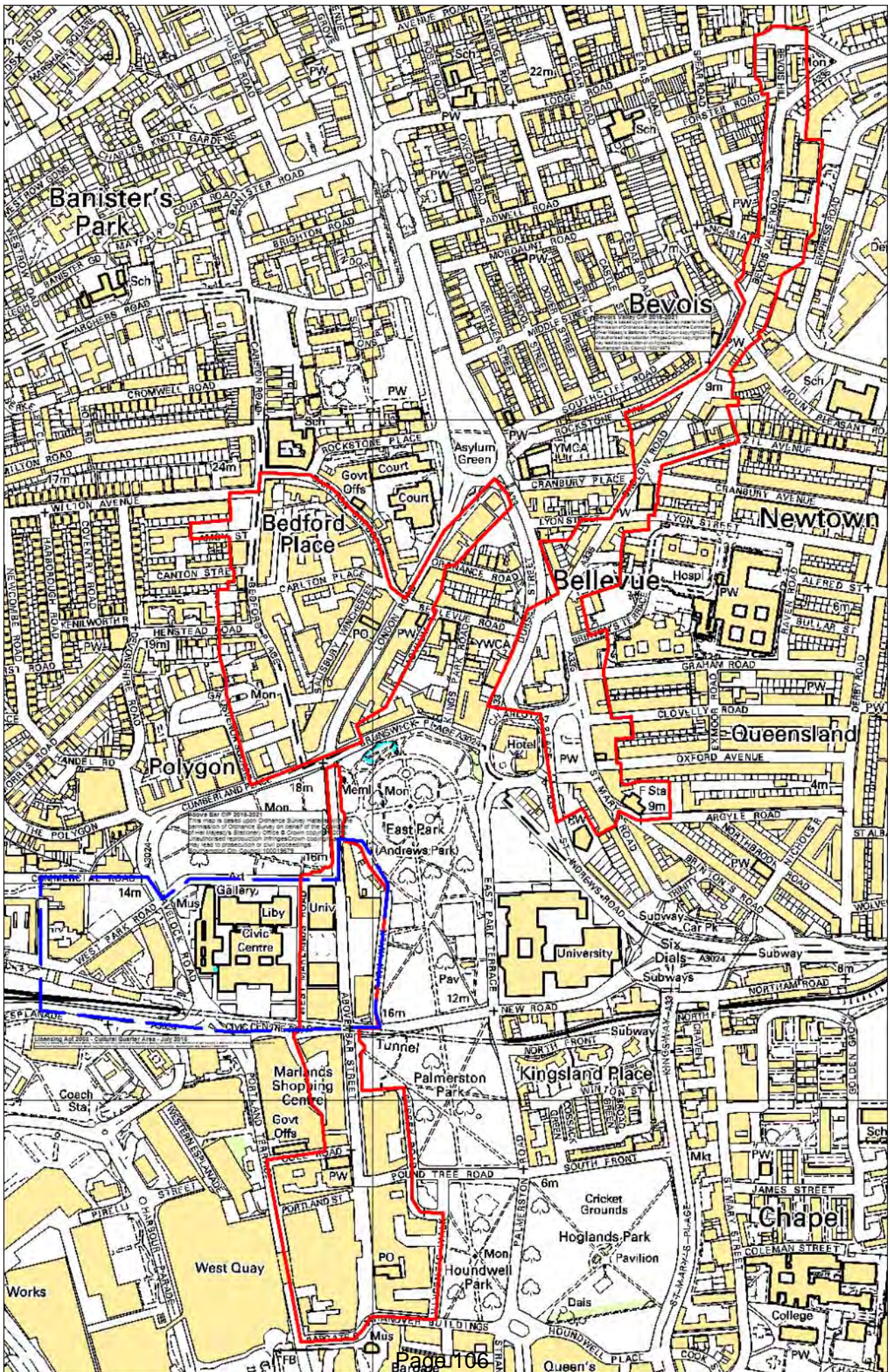






Bevois Valley cumulative impact policy area (south)





Station : **Southampton** Area : **P&N
(Strategic Partnerships)**
Department : **Force Licensing** Date : **2015(June)**

Subject : **Hampshire Constabulary evidence to SCC consultation stages of the Statement of Licensing Policy (Cumulative Impact Policy)**

FAO:
Phil Bates (Manager, SCC Licensing Dept)
Supt James Fulton (Hampshire Police, force strategic licensing lead)

To all

Background

Southampton district has a 24 hour, mixed use city centre surrounded by a vast geographical spread of residential areas. Operationally this imposes significant demands upon emergency services and the wider partnership

The demands of policing the Night Time Economy (NTE) within Southampton place a heavy demand on the police and Southampton City Council (SCC). This in terms of resources to minimise the effects of drink related crime and disorder and ensure public safety, conservative estimates placed the financial burden of policing the NTE alone at £1.6 million per annum (*Annexe 1 – LNL report 2013*)

Operation Erwood is an ongoing police campaign to cut alcohol fuelled crime and disorder in Southampton and reduce the burden on public health, it is supported by Southampton Safe City Partnership (SCP) covering a wide spectrum of partners, stakeholders and voluntary services

There are a significant number of persons who live outside the city, visiting attractions such as the theatre, restaurants and shopping complexes beyond the NTE in Southampton

The successful and vibrant NTE in Southampton attracts tourists, local residents and students into the licensed venues. There are 5 distinct Night Time Economy (NTE) zones, (*Annexe 2 – Basic maps of NTE zones*)

The impact of the NTE has historically has imposed a disproportionately negative impact on crime and disorder levels within the Southampton district and those 5 NTE zones. Post 2008 a vast investment from police and partners in resources has significantly reduced these levels, including the introduction of the Cumulative Impact Policy (CIP) zones within the SCC Statement of Licensing policy

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	
Southampton district	4	2686	2907	5597	
Southampton Central Sector	2	1033	913	1948	34.80% (1948 / 5597)
Southampton North Sector	0	482	581	1063	18.99% (1063 / 5597)
Southampton East Sector	0	521	585	1106	19.76% (1106 / 5597)
Southampton West Sector	2	650	828	1480	26.44% (1480 / 5597)
Note : Above figures includes the below NTE figures (absorbed within the soton district total)					
NTE related (whole soton)	0	480	745	1225	21.88% total (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 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 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)

(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 90 Degrees in Zone 1 (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 Oceana/Ice House and 2 at Kelly's bar
 - 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)

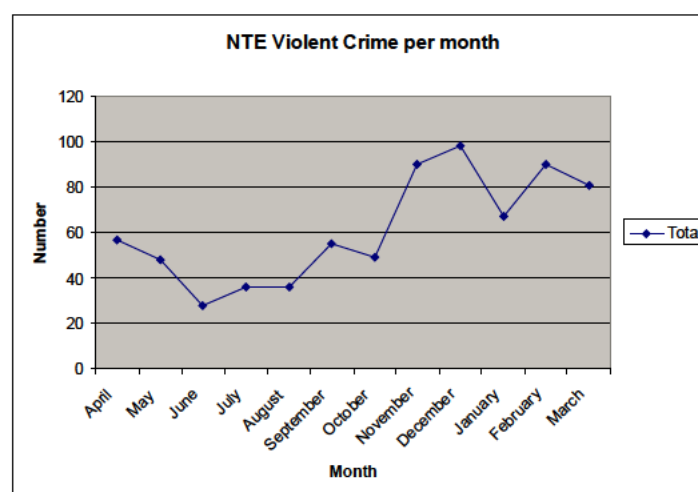
(Annexe 6 – NTE S district 010413-310114 v2)

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 (Ocean/Leisure World)

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

- There are a number of premises that recorded more than 10 incidents:
 - Zone 5: Oceana is top with 67 violent incidents reported; with a further 24 linked to Leisure World and 15 at Ice House, taking the total to 106 incidents
 - Zone 1: The clubs around Vernon walk, 90 Degrees, Orange Rooms, Tokyo & Milan, Buddha Lounge and Popworld account for 38 incidents collectively
 - Zone 2: Café Parfait accounts for 23 incidents and Switch a further 16
 - Zone 4: The Edge Nightclub 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 Oceana/Leisure World/Ice House.
 - Above Bar Street (zone 2) with 64 occurrences; 17 linked to Café Parfait and 15 at Switch
 - London Road/Bedford Place (zone 1) is linked to 48 incidents. 8 of these occurred at Kelly's bar
- West Quay Road also experienced the highest number of incidents on a Wednesday, with the majority occurring in Oceana/Leisure World

[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	
Southampton district	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

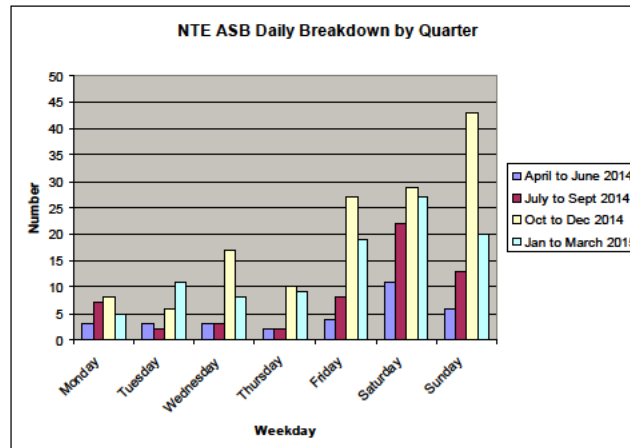
- 15 (5%) NTE ASB reports resulted in a Dispersal Notice.
- The data is NOT fully representative of the "pure" NTE related ASB, the changes in the home office classifications made any manual linking to the NTE business organisation extremely difficult

[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 The Edge Nightclub 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 Oceana 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 EDGE nightclub

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 Switch 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 Shirley High Street and its surrounding vicinity, comparing its crime and ASB levels to existing CIP zones

Submitted for your consideration

A handwritten signature in black ink, appearing to be 'D. [unclear] 28/4/1'.

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

Station : **Southampton Central**

Area : **Western**

Department : **Licensing**

Date : **26 February 2014**

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

FAO: Chief Superintendant 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
Occurrence Start Day of Week	Midnight	1am	2am	3am	4am	5am	
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
Total	245	155	166	129	54	23	772

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

ASB	Reported Hour						
Occurrence Start Day of Week	Midnight	1am	2am	3am	4am	5am	Grand Total
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
Total	159	154	106	92	93	44	648

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.

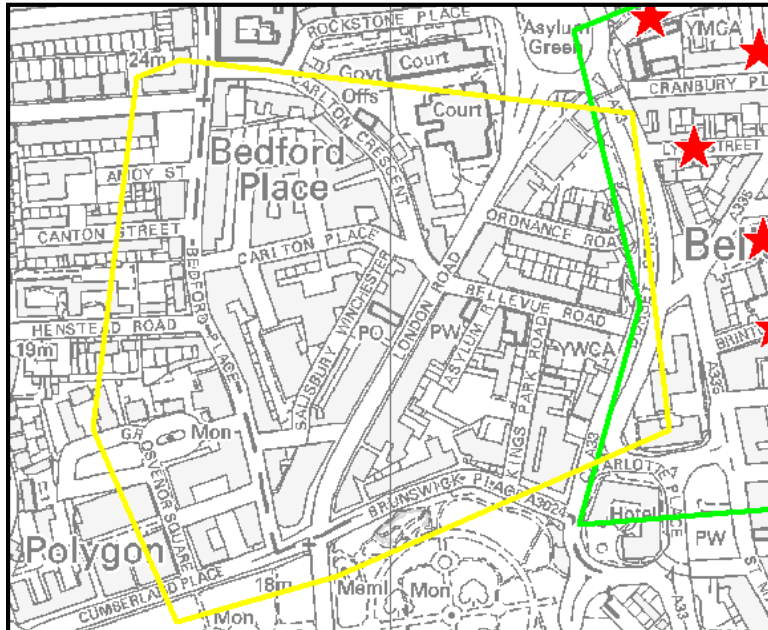
Justin Roberts
Community Safety and Licensing Inspector, Western Area

Attached:

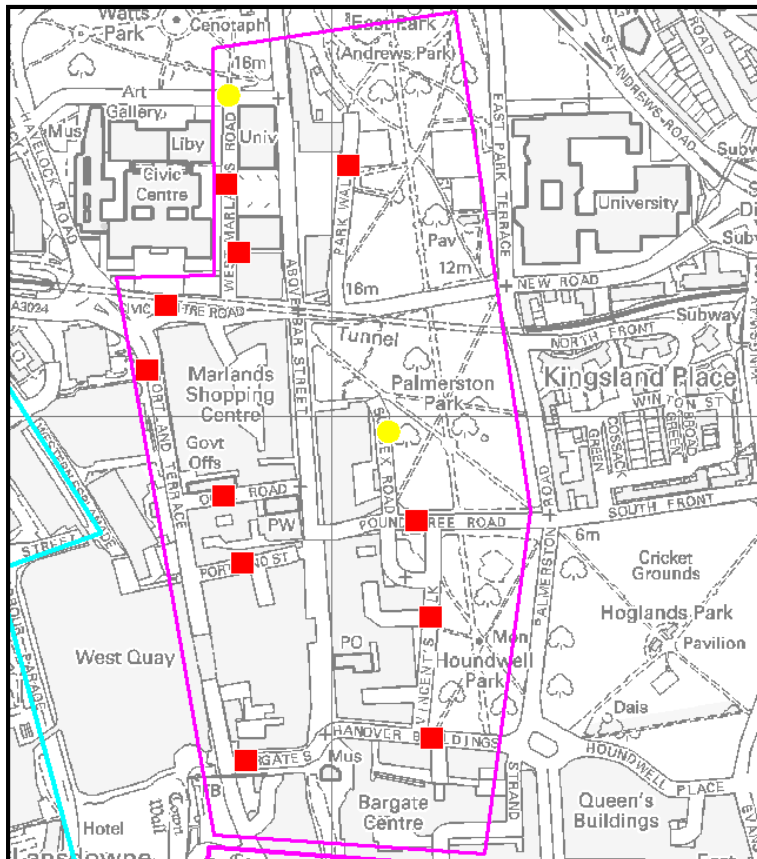
*Annex 1 - NTE S district 010413-310114 v2)

Appendix A: Maps of NTE zones

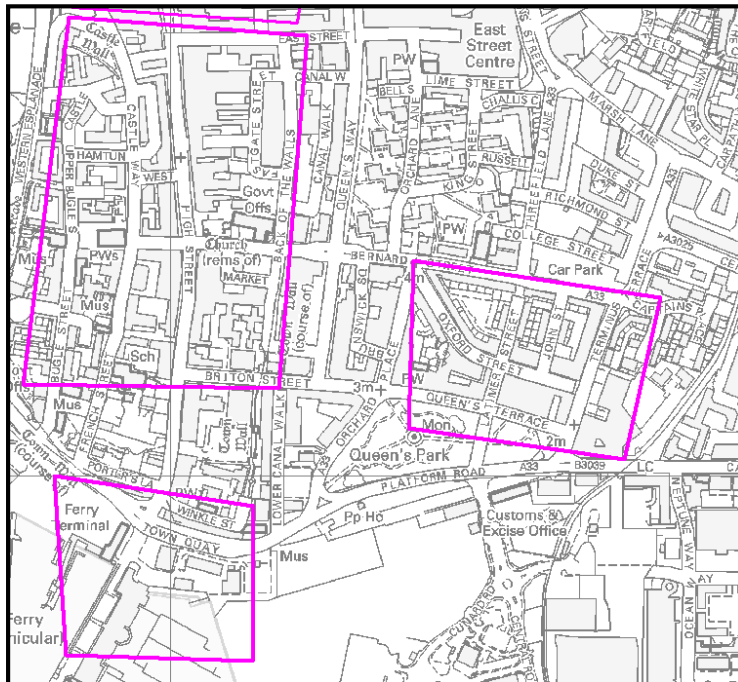
Zone 1 - London Road/Bedford Place



Zone 2 - Above Bar/Vincent's Walk



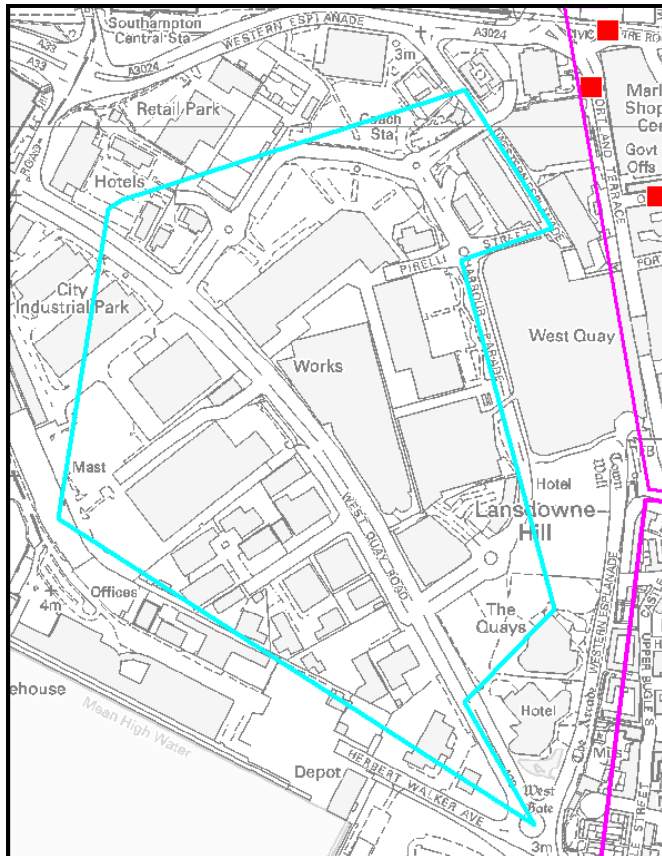
Zone 3 - High St/ Oxford St/ Town Quay



Zone 4 - Bevois Valley / St Marys



Zone 5 - West Quay Road/Leisure World



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

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 displays the SAP BusinessObjects InfoView interface in a Windows Internet Explorer browser. The browser's address bar shows the URL: <http://forcereporting.infocentral.co.uk/infocentral.do?appkind=infocentral&service=infocentral&common%2Fcommon%2Fappservice.do?docname=>. The browser's title bar reads "SAP BusinessObjects InfoView - Windows Internet Explorer provided by Hampshire Constabulary".

The main content area of the browser displays a table titled "Web Intelligence - Violence against the Person". The table has a header row with the following columns: "PORT", "HART", "HAVANT", "ISLE OF WIGHT", "NEW FOREST", "PORTSMOUTH", "RUSHMOOR", "SOUTHAMPTON", "TEST VALLEY", "WINCHESTER", and "Crimes". The table contains data for the years 2014 and 2015, with a total row for each year. The data is as follows:

	PORT	HART	HAVANT	ISLE OF WIGHT	NEW FOREST	PORTSMOUTH	RUSHMOOR	SOUTHAMPTON	TEST VALLEY	WINCHESTER	Crimes
2014	1	1	0	0	1	4	0	4	0	1	17
2015	53	329	890	1,066	811	2,293	753	2,686	622	528	13,192
Total	54	330	890	1,066	812	2,297	753	2,690	622	529	13,209

The table is displayed in a grid format with alternating yellow and white rows. The "Crimes" column is highlighted in yellow. The table is part of a larger report, as indicated by the "Document" and "View" tabs at the top of the browser window. The browser's status bar at the bottom shows the refresh date: "Refresh Date: 14 June 2015 12:52:10 GMT+01:00".

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Web Intelligence - Violence against the Person

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

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	585	581	828	2,907
Total	1,948	1,106	1,063	1,480	5,597

Outcomes	SOUTHAMPTON	Total
1a Homicide	1	1
1b Violence with Injury	2,440	2,440
1c Violence without Injury	2,696	2,696
Total	5,137	5,137

Notes Page District summary Crime occurrence numbers Solved crime occ numbers

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Discussions

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Soton Central (Beavois & Bargate beats)

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Web Intelligence - Violence against the Person

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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 Injury	496	400	17	913
Total	1,071	849	28	1,948

Outcomes	SOUTHAMPTON	Total
1a Homicide	1	1
1b Violence with Injury	953	953
1c Violence without Injury	847	847
Total	1,801	1,801

Notes Page District summary Crime occurrence numbers Solved crime occ numbers

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Discussions

Done

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Beavois

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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
Total	1,071	1,071

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

Notes Page District summary Crime occurrence numbers Solved crime occ numbers

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Discussions

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Bargate

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Web Intelligence - Violence against the Person

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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
Total	849	849

Outcomes	SOUTHAMPTON	Total
1b Violence with injury	407	407
1c Violence without injury	363	363
Total	770	770

Notes Page District summary Crime occurrence numbers Solved crime occ numbers

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Discussions

Done

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Soton Central beat

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Web Intelligence - Violence against the Person

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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	SOUTHAMPTON CENTRAL BUCKET CODE	Crimes
1b Violence with Injury	11	11
1c Violence without Injury	17	17
Total	28	28

Outcomes	SOUTHAMPTON	Total
1b Violence with Injury	8	8
1c Violence without Injury	17	17
Total	25	25

Notes Page District summary Crime occurrence numbers Solved crime occ numbers

Refresh Date: 13 June 2015 12:44:31 GMT+01:00

Discussions

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Soton North sector

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Web Intelligence - Violence against the Person

Document View 100% 1/1

Div Serious Violence (All values) Hate Crime Flag (All values) Latest Outcome Groups (All values) Substance Used (All values) SOUTHAMPTON 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
Total	434	628	1	1,063

Outcomes	SOUTHAMPTON	Total
1b Violence with Injury	428	428
1c Violence without Injury	535	535
Total	963	963

Notes Page District summary Crime occurrence numbers Solved crime occ numbers

Refresh Date: 13 June 2015 12:44:31 GMT+01:00

Discussions

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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
Total	129	254	245	628

Outcomes	SOUTHAMPTON	Total
1b Violence with Injury	245	245
1c Violence without Injury	306	306
Total	551	551



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 RMS¹. 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 crimes² 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
Total	739

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]³ 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

¹ ID#: 2360500

² Includes Possession of Weapons Offences; Violence Against the Person; Public Order Offences

³ 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 firearm⁴
- 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/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.

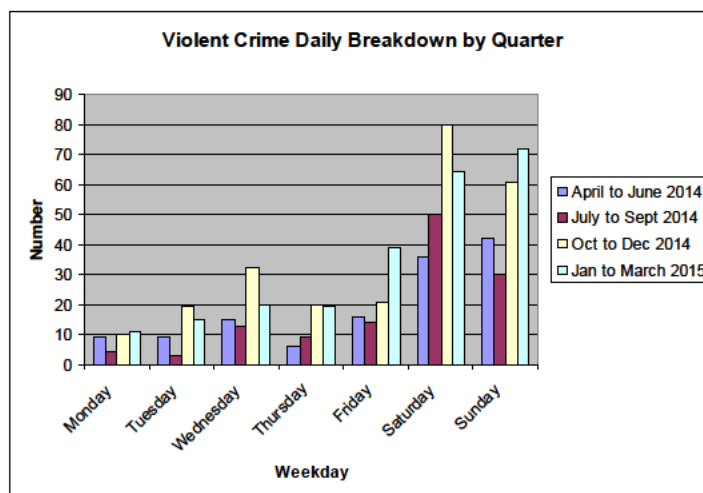


Figure 1: Bar Chart NTE violent crime daily breakdown by quarter

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

⁴ 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.

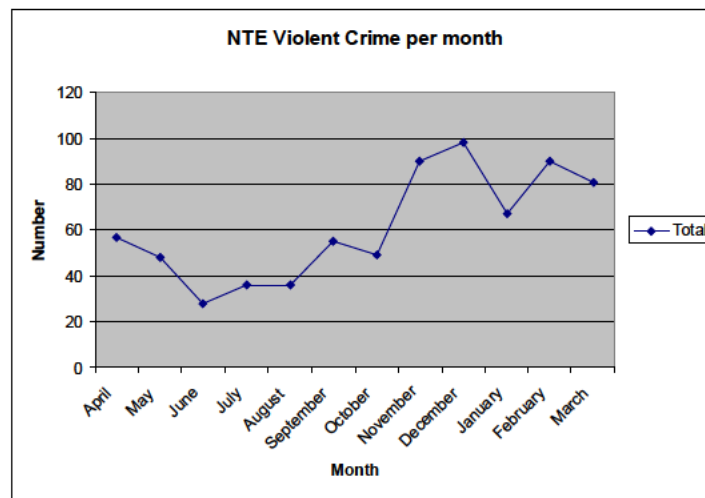


Figure 2: Line graph of NTE violent crime by month

- 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/Vincents 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 Barget 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
Total	27	28	37	41	53	102	116	107	103	72

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 premise⁵.

- 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	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.

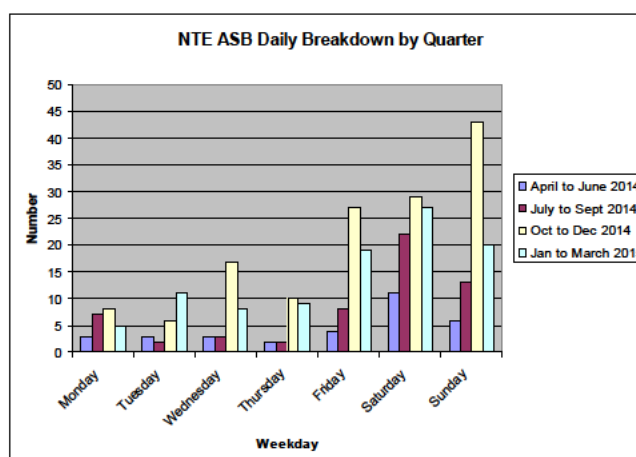


Figure 3: Bar Chart NTE violent crime daily breakdown by quarter

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
Total	23	36	15	10	84

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.

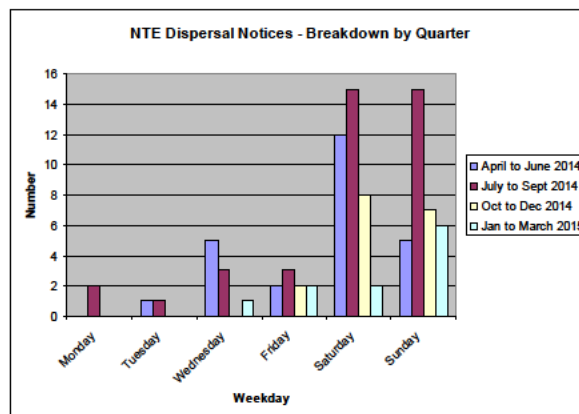


Figure 4: Bar Chart NTE Dispersal Notices daily breakdown by quarter

CONCLUSIONS & RECOMMENDATIONS

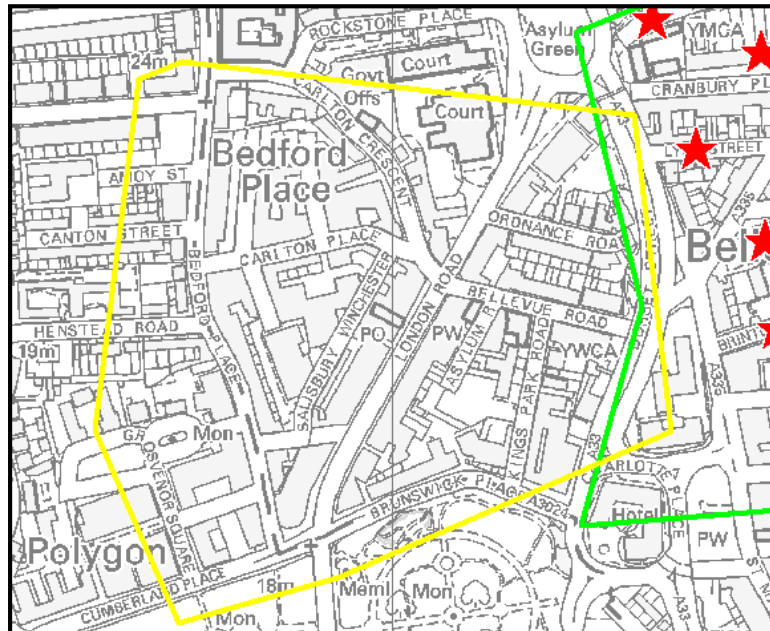
The NTE continues to draw Police resources into the city centre to deal with violence and anti-social behaviour. London Road/Bedford Place (zone 1), West Quay Road/Leisure World (zone 5) and Above Bar/Vincent's Walk (zone 2) have been identified as the most problematic areas.

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.

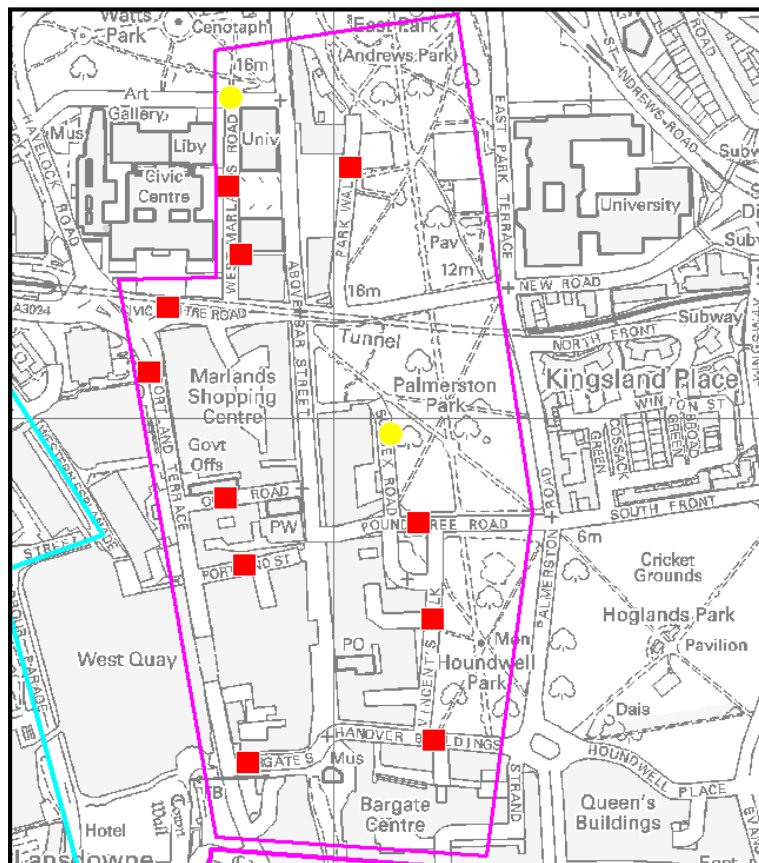
While the NTE continues to exist, there will remain a need for police to resource the crime that results from this.

Appendix A: Maps of NTE zones

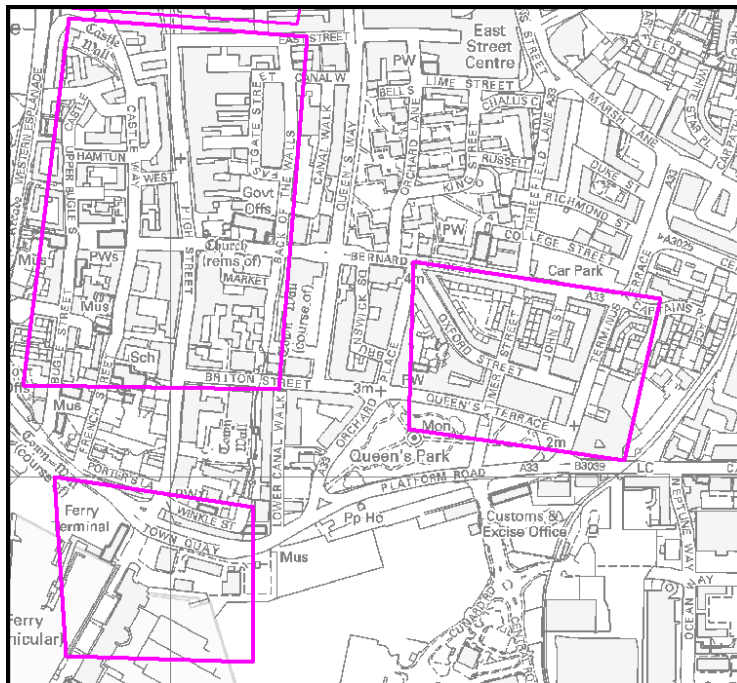
Zone 1 - London Road/Bedford Place



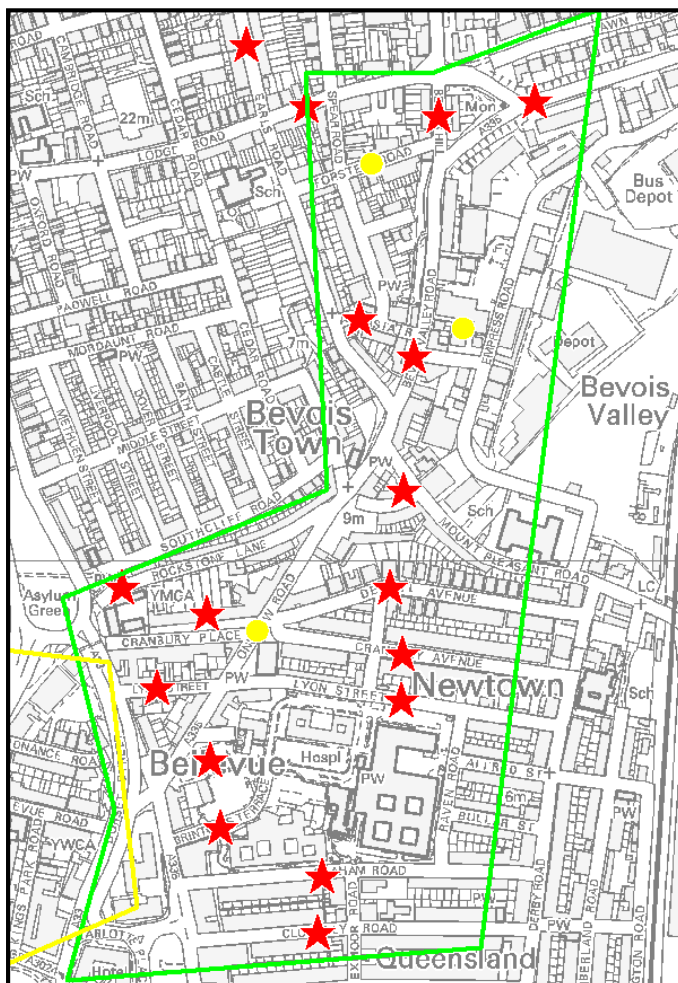
Zone 2 - Above Bar/Vincents Walk



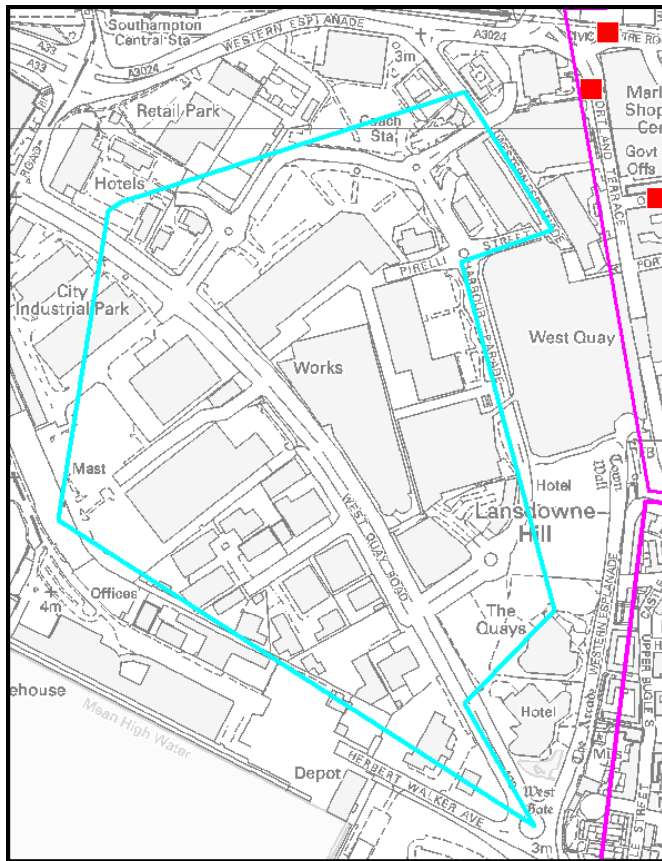
Zone 3 - High St/ Oxford St/ Town Quay



Zone 4 - Bevois Valley / St Marys

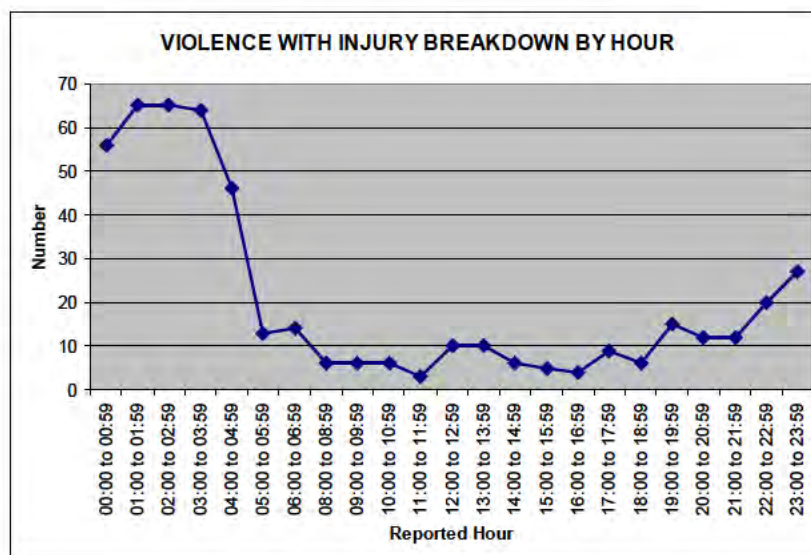
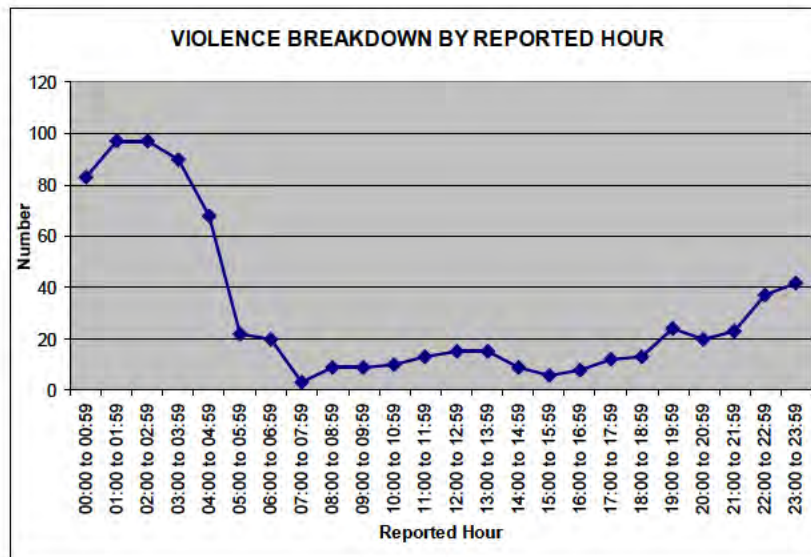
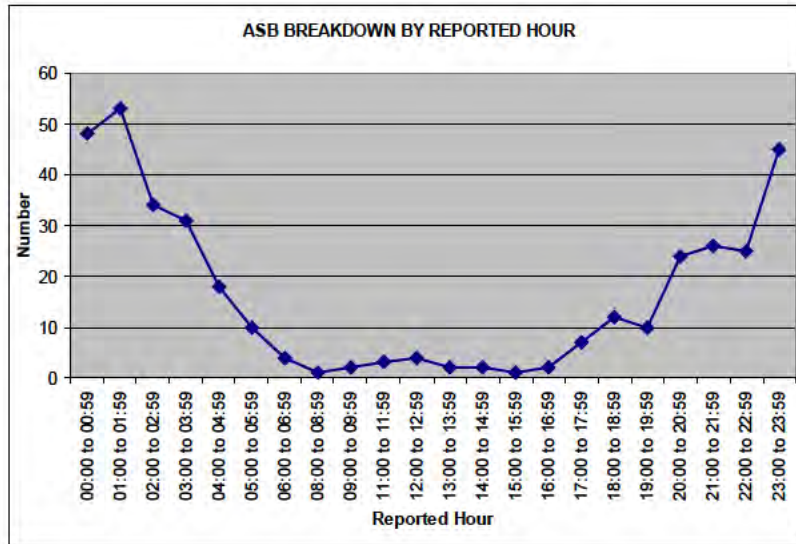


Zone 5 - West Quay Road/Leisure World



ANNEXE 2

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





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 premise¹.

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

¹ 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.

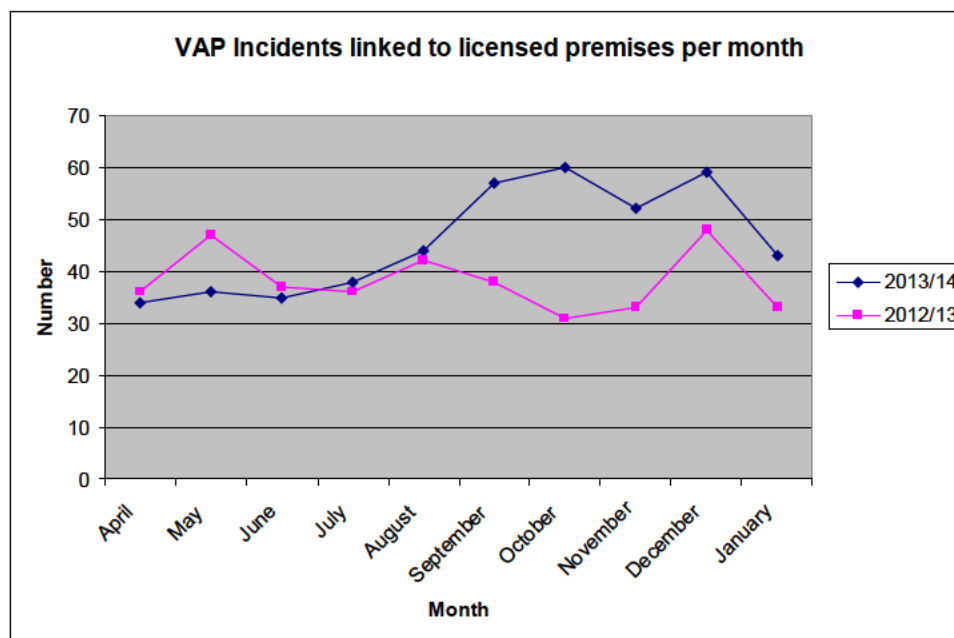


Figure 1: Line graph of VAP incidents linked to a licensed premises on RMS by month

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 location².

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:

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

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

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

- Both [REDACTED] and [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.

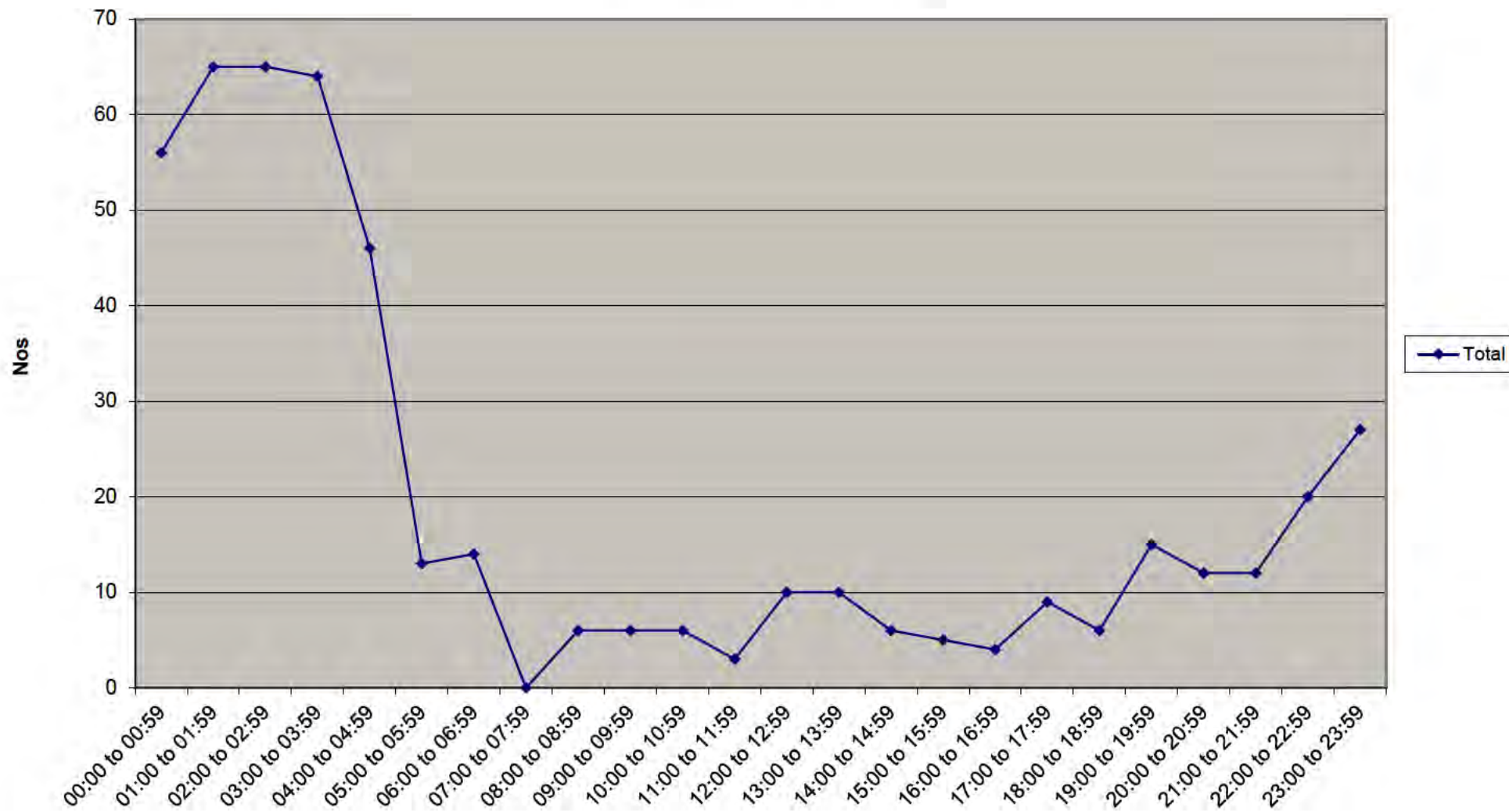
CONCLUSIONS & RECOMMENDATIONS

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.

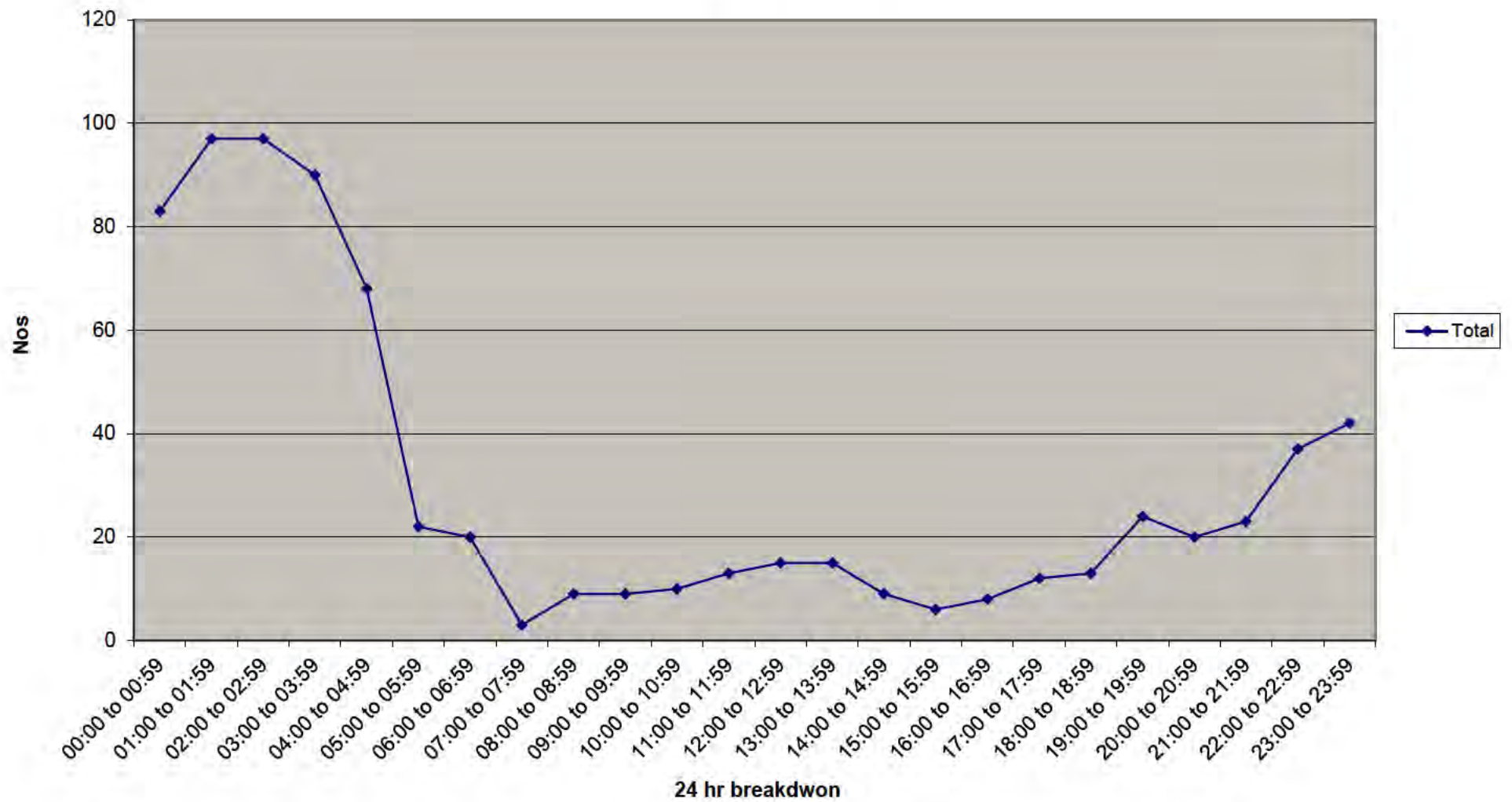
Despite reports of lower footfall in these pubs and clubs, they are still linked to nearly a third of all VAP reported in the whole of Southampton between 1900 & 0700 hours. The number of VAP incidents linked to alcohol consumption is likely to be a lot higher than currently recorded due to issues discussed 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.

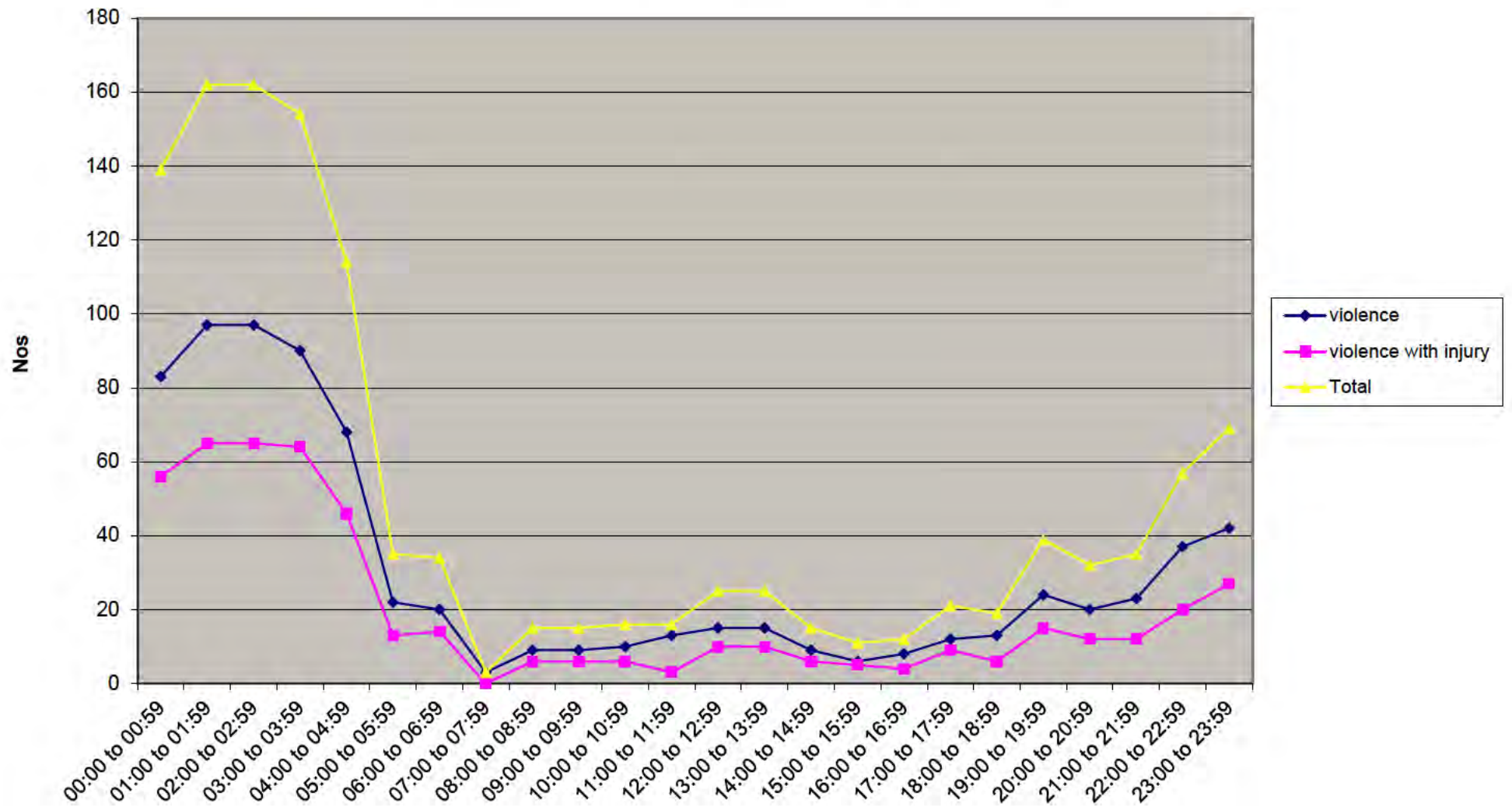
Violence with injury 2014/15



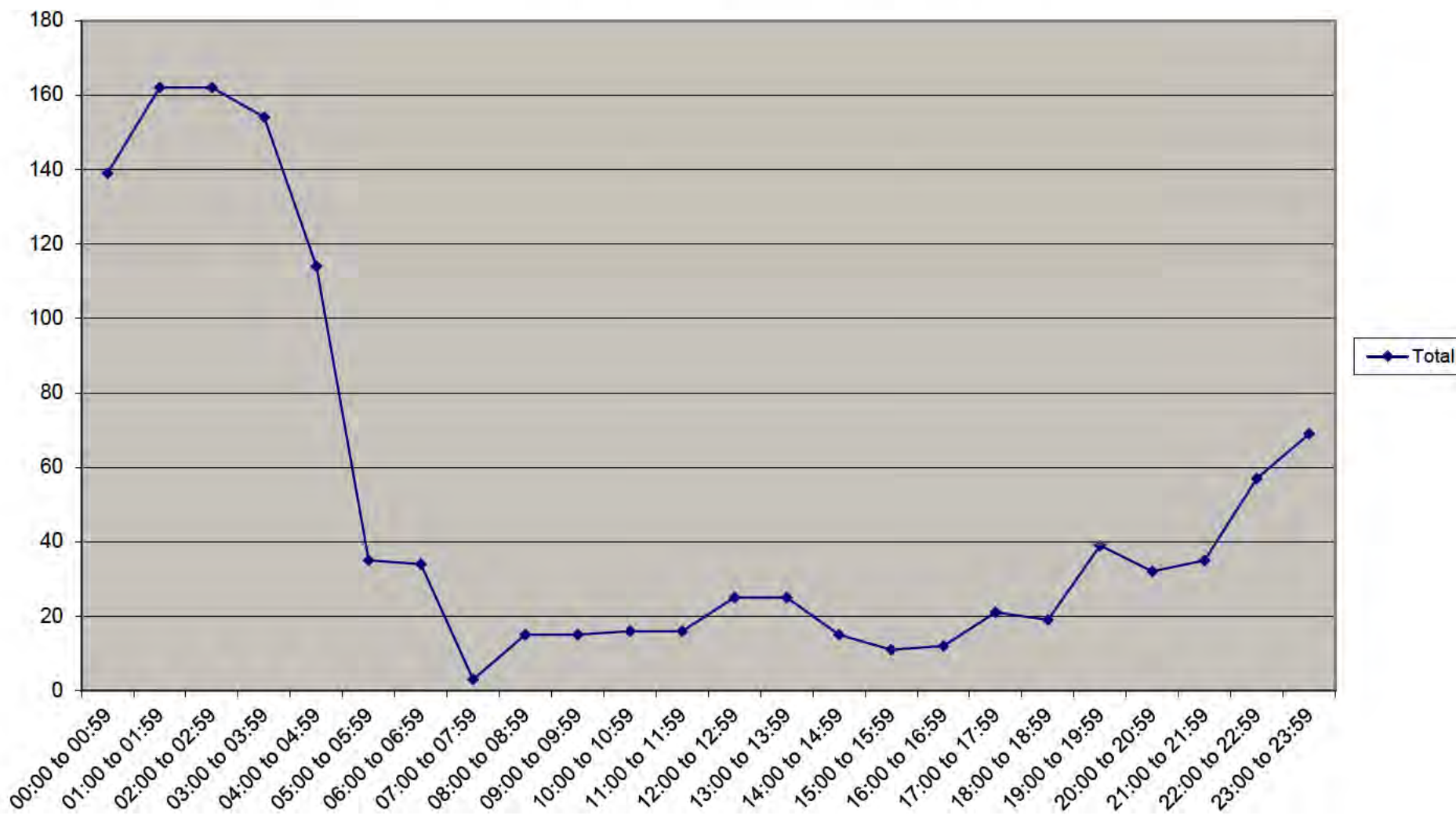
Violence 2014/15



Combined 2014/15 (violence & violence with injury)



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



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)

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

Cumulative totals only 2014/15 (violence & vic

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

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

Document View 100% 1/1

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	1,622	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	189	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
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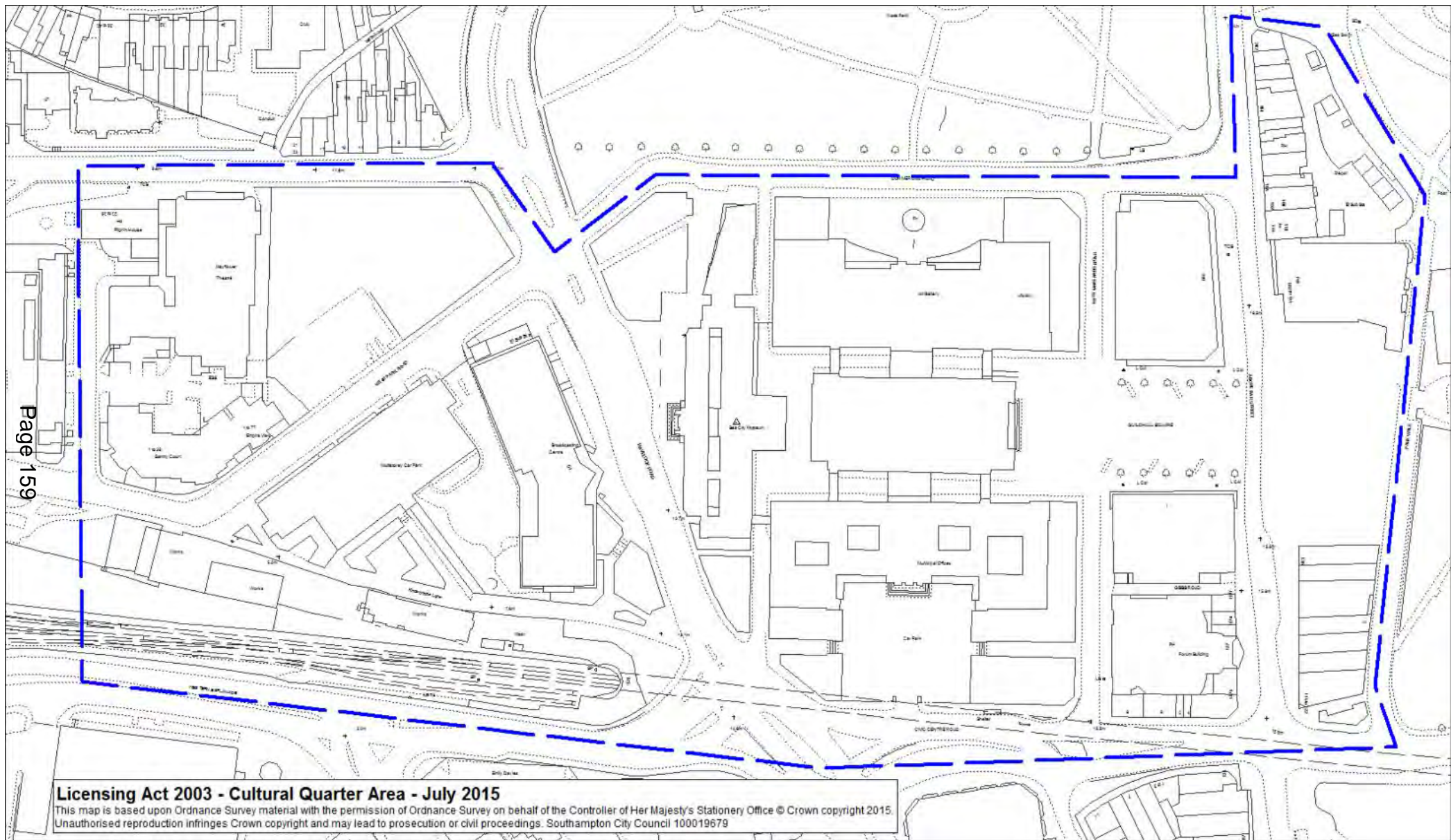
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Discussions

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Procedure – Applications etc. under the Licensing Act 2003 or Gambling Act 2005

1. A hearing will be held to decide applications, etc., under the Licensing Act 2003, where there have been relevant representations from one or more of the responsible authorities or other persons. The parties to the hearing will have the chance to be heard. They are also entitled to be helped or represented by another person if due written notice is given in advance.
2. Hearings will take place before a Sub-Committee comprising three members of the Licensing Committee. One of these members will be elected Chair of the Sub-Committee for that hearing.
3. Please note that for day time hearings the Sub-Committee will normally adjourn for lunch at 1:00 p.m. and that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting.

Preliminary matters

4. The Chair will introduce those present.
5. The Chair will check whether any of the Sub-Committee members has a “disclosable pecuniary”, “personal” or “pecuniary” interest.
6. The Chair will check whether all the parties are present at the hearing, and if any are not, whether they have told the Council that they do not wish to attend or be represented. If any party who was expected to attend has not done so, the Sub-Committee will decide whether to hold the hearing in that party’s absence, or to adjourn it to another date. Hearings will be adjourned if the Sub-Committee considers this necessary in the public interest, if that is possible. If the Sub-Committee decides to hold the hearing in a party’s absence, they will still consider any written information received.
7. In the case of an application for variation or a new licence, the Sub-Committee’s legal advisor will ask the applicant or their advisor for confirmation that the required public notices have been displayed where they can conveniently be read from the exterior of the premises and that notice was given in a local newspaper within eleven working days of the day on which the application was received by the licensing authority.
8. Normally, hearings will be open to the public. However, the Sub-Committee may exclude the public from the hearing (or part of it) if they think the public interest in doing so outweighs the public interest in having the hearing in public. If the public are excluded, any of the parties to the hearing, and/or anyone helping or representing them, may also be excluded.
9. The Chair will propose a motion that the public and the press be excluded from the hearing while the Sub-Committee considers the matter. Ordinarily the legal advisor and democratic support officer will remain (see paragraph 30 (b) below).
10. The Openness of Local Government Bodies Regulations 2014 provide an entitlement for the public to film, photograph and audibly record (“record”) public meetings. However, by virtue of Schedule 6, paragraph 58 of the Licensing Act 2003 and section 101 (15) of the Local Government Act 1972, Licensing Act 2003 hearings are not covered by the entitlement to film as of right. The Council’s general approach is to encourage openness and transparency in all its dealings and the general presumption is that filming or recording of hearings shall generally be permitted where due notice has been provided in advance of the hearing. Nonetheless the following shall apply:

- i) Filming / recording / photographing hearings shall only be permitted with the express permission of the Chair. Such permission may include restrictions to protect children, vulnerable persons or others that object to being filmed / photographed / recorded.
 - ii) Requests to film / record / photograph should be made with sufficient notice in advance of the hearing. Late requests may not be granted if there shall be a delay to proceedings as a result.
 - iii) Every party to the hearing and any witnesses shall have the opportunity to object and those representations shall be considered by the Sub-Committee.
 - iv) No filming, photography or sound recording shall be permitted of any person under 18 years of age.
 - v) No person shall be put under any pressure to consent to such and no payment for such consent shall be given.
 - vi) The Chair shall have the final say as to whether any filming, photography or recording is allowed (including the extent to which permission is granted e.g. the parts of the meeting, the individuals concerned or the arrangement of the recording equipment).
 - vii) All directions given by the Chair shall be fully complied with and the Chair shall have the absolute discretion to withdraw permission to film, photograph or record in the event the same causes an obstruction or interferes with the general conduct of the hearing, including the impeding of the giving of proper evidence.
11. A party may have asked for someone else to appear at the hearing to make a point or points that may help the Sub-Committee reach a decision. It is up to the Sub-Committee to decide whether that person should be heard, although permission will not be refused unreasonably. Such a person is referred to as a “witness” in this procedure.
12. Where application has been made, in advance of the hearing, that it should be conducted in private (e.g. by the Police in review or summary review proceedings) reports shall be prepared and presented as confidential so that the Committee can make a meaningful determination in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 to exclude the press and public. It is important to note that reports presenting Licensing Act 2003 matters are not required to be published in advance. However, certain limited information must be published in accordance with the Licensing Act 2003 (Licensing Authority’s Register) (Other Information) Regulations 2005 and section 8 of the Licensing Act 2003.
13. The Chair will then explain the procedure that will follow.

General information on the conduct of the hearing

14. Each party is entitled to:
- (a) Give further information in response to any point that the Council told them before the hearing they would like clarified;
 - (b) With the permission of the Chair, seek clarification on any point by any other party;
 - (c) Address the Sub-Committee.
15. Members of the Sub-Committee may also seek clarification of any party or witness.
16. At the Chair’s discretion, the Sub-Committee’s legal advisor may ask any questions he or she thinks are relevant.

17. Unless the Council has requested in advance that a particular point be clarified, new documentary or other evidence may not be submitted for the first time at the hearing, unless all the other parties agree.
18. Members of the Sub-Committee will have read all the papers included in the agenda for the hearing before the hearing starts. The parties are requested not to spend unnecessary time repeating evidence which is already in the papers and which is not disputed.
19. Evidence that is not relevant to the case, or to the promotion of the four licensing objectives, will be disregarded.

Hearing Procedure

20. If any party has asked permission for a witness or witnesses to appear, the Sub-Committee will decide whether they should be heard (see paragraph 10 above).
21. All parties will be allowed a similar (and maximum) amount of time to put their case, and ask questions of other parties, subject to the Chair's discretion to not hear repetitive matters or questions.

The applicant

22. The applicant for the licence (or their representative) or the applicant in review proceedings, may present their case.
23. If the Sub-Committee permits, the applicant may call those witnesses whose names have been provided in advance to support their application.
24. Where a group of witnesses wish to speak in support of the application for similar reasons, one person should, where possible, act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.
25. The Chair will invite those making representations to seek clarification on any point made by the applicant. The Chair will decide in which order those making representations will be invited to put their questions.
26. Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may also seek clarification of the applicant or any of their witnesses.

The representations

27. Where there is more than one person making a representation, the Chair will decide the order in which they may put their case. If there is a representation from one or more of the responsible authorities, their representatives will normally be invited to put their case first.
28. The following procedure will apply to each person making a representation in turn:-
 - (a) The person making a representation (or their representative) may present their case.
 - (b) If the Sub-Committee permits, the person making a representation may call those witnesses whose names have been provided in advance to support their objection.
 - (c) Where a group of witnesses wish to speak in support of the objection for similar reasons, where possible, one person should act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.

(d) The Chair will invite the applicant to seek clarification on any points made by those making representations.

(e) Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may seek clarification of those making representations or any witnesses.

Summing up

29. The Chair will invite each person making a representation to make a final statement or sum up their case.

30. The Chair will invite the applicant to make a final statement or sum up their case.

Sub-Committee's decision

31.

(a) At the end of the hearing the Sub-Committee will move to private session whilst it considers the matter.

(b) The Sub-Committee's legal advisor will remain to provide legal advice and the democratic services officer will remain to record the decision. Details of any legal advice will be recorded and referenced in the decision and reasons.

(c) The parties will be invited to wait to be informed of the outcome.

(d) As soon as the decision is reached, the public and press will be invited to return to the room in which the hearing took place, and the Chair will announce the decision and the reasons for it.

(e) If a room is available, the Committee may retire to deliberate and make its decision

(f) All parties will be formally notified in writing of the decision and reasons as soon as possible.

In most cases the Sub-Committee will announce the decision at the conclusion of the hearing. In certain cases where this is not possible due to time constraints (and the Hearings Regulations permit – Regulation 26 (1) sets out those hearings where delay is not possible) the decision shall be made within 5 working days beginning with the day of the hearing or the last day of the hearing.

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