

Public Document Pack

Overview and Scrutiny Management Committee

Thursday, 10th September,
2020
at 5.30 pm

VIRTUAL MEETING

This meeting is open to the public

Members

Councillor S Galton (Chair)
Councillor Fuller (Vice-Chair)
Councillor P Baillie
Councillor Bell
Councillor Bunday
Councillor Cooper
Councillor Harwood
Councillor Renyard
Councillor Whitbread

Appointed Members

Nicola Brown, Primary Parent Governor
Catherine Hobbs, Roman Catholic Church
Francis Otieno, Primary Parent Governor
Claire Rogers, Secondary Parent Governor
Rob Sanders, Church of England

Contacts

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PUBLIC INFORMATION

Overview and Scrutiny Management Committee

The Overview and Scrutiny Management Committee holds the Executive to account, exercises the call-in process, and sets and monitors standards for scrutiny. It formulates a programme of scrutiny inquiries and appoints Scrutiny Panels to undertake them. Members of the Executive cannot serve on this Committee.

Role of Overview and Scrutiny

Overview and Scrutiny includes the following three functions:

- Holding the Executive to account by questioning and evaluating the Executive's actions, both before and after decisions taken.
- Developing and reviewing Council policies, including the Policy Framework and Budget Strategy.
- Making reports and recommendations on any aspect of Council business and other matters that affect the City and its citizens.

Overview and Scrutiny can ask the Executive to reconsider a decision, but they do not have the power to change the decision themselves.

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.

Southampton: Corporate Plan 2020-2025 sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

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

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

Dates of Meetings: Municipal Year 2019/20

2020	2021
11 June	14 January
9 July	4 February
13 August	11 March
10 September	15 April
15 October	
12 November	
10 December	

CONDUCT OF MEETING

TERMS OF REFERENCE

The general role and terms of reference for the Overview and Scrutiny Management Committee, together with those for all Scrutiny Panels, are set out in Part 2 (Article 6) of the Council's Constitution, and their particular roles are set out in Part 4 (Overview and Scrutiny Procedure Rules – paragraph 5) of the Constitution.

RULES OF PROCEDURE

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

BUSINESS TO BE DISCUSSED

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

QUORUM

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

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PECUNIARY INTERESTS

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

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

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

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

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

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

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

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

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

Other Interests

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

Principles of Decision Making

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

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

In exercising discretion, the decision maker must:

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

AGENDA

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

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

2 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.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

3 DECLARATIONS OF SCRUTINY INTEREST

Members are invited to declare any prior participation in any decision taken by a Committee, Sub-Committee, or Panel of the Council on the agenda and being scrutinised at this meeting.

4 DECLARATION OF PARTY POLITICAL WHIP

Members are invited to declare the application of any party political whip on any matter on the agenda and being scrutinised at this meeting.

5 STATEMENT FROM THE CHAIR

6 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

(Pages 1 - 12)

To approve and sign as a correct record the Minutes of the meeting held on 13th August, 2020 and to deal with any matters arising, attached.

To approve and sign as a correct record the Minutes of the Scrutiny Inquiry Panel, Tackling Childhood Obesity in Southampton meetings held on 25th February and 21st July, 2020.

7 RENEWAL OF THE STATEMENT OF LICENSING POLICY – CONSULTATION

(Pages 13 - 58)

Report of the Cabinet Member for Stronger Communities detailing the consultation relating to the renewal of the Statement of Licensing Policy.

8 CARER FRIENDLY SOUTHAMPTON - SCRUTINY INQUIRY TERMS OF REFERENCE (Pages 59 - 62)

Report of the Director, Legal and Business Operations, recommending that the Committee consider and approve the draft terms of reference for the 2020/21 scrutiny inquiry.

9 MONITORING SCRUTINY RECOMMENDATIONS TO THE EXECUTIVE (Pages 63 - 66)

Report of the Director, Legal and Business Operations, enabling the Overview and Scrutiny Management Committee to monitor and track progress on recommendations made to the Executive at previous meetings.

Wednesday, 2 September 2020

Service Director – Legal and Business Operations

Agenda Item 6

Minutes of Overview and Scrutiny Management Committee meeting held on 13th August, 2020.

Minutes of Scrutiny Inquiry Panel – Tackling Childhood Obesity in Southampton meetings held on:

- 25 February, 2020
- 21 July, 2020

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SOUTHAMPTON CITY COUNCIL
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
MINUTES OF THE MEETING HELD ON 13 AUGUST 2020

Present: Councillors S Galton (Chair), Bell, Bunday, Harwood, Whitbread, Fitzhenry, Vaughan, Savage and Windle
Appointed Member Rob Sanders

Apologies: Councillors P Baillie, Cooper, Fuller and Renyard
Appointed Members: Catherine Hobbs, Nicola Brown, Francis Otieno and Claire Rogers

Also in attendance: Councillor Rayment – Cabinet Member for Customer and Organisation
Councillor Houghton – Vice-Chair, Scrutiny Inquiry – Tackling Childhood Obesity in Southampton
Councillor Fielker – Cabinet Member for Health and Adults

10. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

It was noted that following receipt of the temporary resignation of Councillors P. Baillie, Cooper, Fuller and Renyard from the Committee the Service Director – Legal and Business Operations, acting under delegated powers, had appointed Councillors Fitzhenry, Windle, Vaughan and Savage to replace them for the purposes of this meeting. The Committee also noted the apologies of Nicola Brown, Catherine Hobbs and Francis Otieno the Appointed Members.

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

RESOLVED that the minutes of the meetings held on the 9th July and 30th July, 2020 be approved and signed as a correct record.

12. **UPDATE ON THE PERFORMANCE AND TRANSITION OF SERVICES FROM CAPITA TO THE COUNCIL**

The Committee considered the report of the Cabinet Member for Customer and Organisation providing a final update on the transfer of services from Capita to the Council on 23rd July, 2019.

Councillor Rayment, the Cabinet Member for Customer and Organisation was present at the meeting and with the consent of the Chair addressed the meeting.

The Committee noted the work undertaken by officers in achieving the transfer of services, the cost and savings that were being realised by the Council, including in particular, Print Services and the results of a customer survey which demonstrated residents seeing an improvement in services being provided.

In addition the Committee discussed with the Cabinet Member the effect on services at the start of the pandemic, during the past five months and the expected resilience of these services over the coming months as the current situation continues. It was noted that lessons learnt were being utilised and were informing the development of the services. IT remained a key factor in the provision of effective services and the Committee noted that a report on IT funding and strategy would be submitted to full Council in the coming months.

RESOLVED that a breakdown of printing costs / savings post transfer were provided to the Committee.

13. **SCRUTINY INQUIRY PANEL - TACKLING CHILDHOOD OBESITY IN SOUTHAMPTON FINAL REPORT**

The Committee considered the final report of the Chair of the Scrutiny Inquiry Panel, Tackling Childhood Obesity in Southampton with an amendment to include youth services in the move to support early years providers, schools and colleges to champion healthy food choices and active ways of living (Recommendation 6).

Councillor Houghton, the Vice-Chair of the Scrutiny Inquiry Panel and Councillor Fielker, Cabinet Member for Health and Adults were present and with the consent of the Chair, addressed the meeting.

The Committee noted the importance of the Inquiry which was evidence based and would provide the basis for a City-wide strategy to be developed.

SCRUTINY INQUIRY PANEL - TACKLING CHILDHOOD OBESITY IN SOUTHAMPTON
MINUTES OF THE MEETING HELD ON 25 FEBRUARY 2020

Present: Councillors Houghton (Vice-Chair), Coombs, Harwood, Professor Margetts and T Thomas

Apologies: Councillors McEwing and Vaughan

COUNCILLOR HOUGHTON IN THE CHAIR

13. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The apologies of Councillors McEwing and Vaughan were noted.

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

RESOLVED that the minutes of the meeting held on 28 January 2020 be approved and signed as a correct record.

15. **TURNING THE TIDE ON CHILDHOOD OBESITY**

The Panel considered the report of the Director, Legal and Governance requesting that the Panel consider the comments made by the invited guests and use the information provided as evidence in the review.

Following discussion with invited representatives the following information was received:

Bristol's approach to reducing childhood obesity - Grace Davies, Principal Public Health Specialist, Public Health Team, Bristol City Council

- A presentation was delivered by Grace Davies detailing Bristol's approach to reducing childhood obesity.
- Key points raised in the presentation included the following:
 - Bristol had 22,000 children with an unhealthy weight and the inequality gap was widening.
 - Healthy weight, with an environment that made it easier for everyone to be active and eat affordable, healthy and sustainable food was a key priority for Bristol providing vision and a framework for collaboration.
 - The Mayor of Bristol was supportive and championing the approach.
 - Targets reflected a long term approach:
 - Halt the rise in levels of childhood overweight and obesity by 2026
 - Close the inequality gap in childhood overweight and obesity by 2029
 - A Whole Systems Approach to healthy weight embedded by 2033
 - Reflecting complexity, a systems analysis mapping exercise had been undertaken with number of key partners to develop understanding of causes and relationships of obesity in Bristol.
 - This analysis helped to identify where we could act to make the biggest impact.

- Significant amount of action was being undertaken across a number of themes. Need to involve people across the system to change outcomes. Evidence showed impact is greatest when changes made to environments where we lived and worked. Bristol was tailoring Whole Systems Approach to meet Bristol's needs.
- Healthy Food Environments – priority for action was improving food environment.
- Good Food & Catering Procurement Policy – Setting a standard for food Bristol CC had control over, including school meals, events and markets. This was beginning to have an impact on the food environment.
- Bristol Eating Better award – There were currently 200 food outlets holding an award. Aim was for 90% of food outlets to be engaged by 2030. Supporting changes to the food environment by, for example, reducing salt and sugar levels in dishes produced by food outlets.
- Bristol Healthy Schools Award – Achieving the Bristol Eating Better award was a requirement of the healthy school award.
- Local Authority Declaration on Healthy Weight – Set up by Food Active. This declaration, co-signed by Bristol's NHS partners, committed Bristol to 14 commitments to promote healthy weight. It was a positive long term statement that the city was going to change the food and active environment.
- Sustainable Food City – Bristol was going for gold in 2020. Citywide partnership where the Eating Better strand was a key part. Included food poverty and sustainability. A key initiative for Bristol led by Public Health & Sustainability.
- Bristol had children focused work streams to work out how children's settings could help to improve children's healthy weight.
- Bristol had a built and natural environment work stream to help ensure that health and healthy weight was a feature of planning policy and city design. Included a healthy weight Supplementary Planning Document and takeaway policy (400m rule for takeaways near schools.)
- Active environment – Sport & physical activity part of Public Health in Bristol. New strategy and targets on physical activity linked to increasing activity levels of children.
- Health and Wellbeing Board was lead strategic partnership.
- Engaging academics and health partners to explore research and opportunities to measure impacts. Understanding and research was vital.
- Working with food businesses had been challenging. Engaging with Licensing, Trading Standards and Environmental Health on the Eating Better Bristol awards had been a way to engage food premises. To understand communities, local food environments and to engage food premises a number of local councillors had gone out with Public Health speaking with food retailers, explaining and encouraging them to sign up to the awards scheme. This had been helpful, especially in diverse and deprived areas.
- Obesity mapping was helping Bristol to understand community needs and to target and prioritise initiatives at deprived communities. Otherwise it was often schools in the most affluent areas that would engage in these initiatives and this would exacerbate inequalities.

- Bristol was only really starting to tackle childhood obesity. There was a long way to go with no easy solution. Partnerships and influence were absolutely key.

A discussion with Leeds – Ravita Taheem, Senior Public Health Practitioner, SCC

- [A presentation](#) on Leeds City Council's approach to tackling childhood obesity was delivered by Ravita Taheem following her discussions with Senior Public Health officers at Leeds City Council.
- Key points raised in the presentation included the following:
 - Leeds had made headlines as the city that appeared to have bucked the trend in childhood obesity. Obesity levels (not overweight and obesity) had reduced for Year R children, with the reduction particularly evident for children from deprived communities.
 - Leeds had been actively engaged in initiatives to reduce levels of childhood obesity for a number of years. They had developed their own plans and strategies but had signed up to external frameworks to guide their journey.
 - Child Healthy Weight Plan – 'Leeds becomes an environment that is conducive to raising a child to be a healthy weight'. Included Whole School Food Policy; measuring the BMI of 2 year olds; and HENRY (Healthy Eating and Nutrition in the Really Young).
 - HENRY was a licenced programme that had been running over 10 years in Leeds. Based on healthy conversation skills. Leeds had been able to scale-up the intervention with 1400 practitioners trained across all early years, midwifery, health visitors and others and over 90 HENRY groups in the city. Promising results had brought partners together.
 - Public Health were looking to influence wider policy across Leeds through partnership working.
 - Signed up to Local Authority Declaration on Healthy Weight to support local government to exercise their responsibility in developing and implementing policies which promoted healthy weight. Adopted as an aspirational tool for the Council to improve practice over time.
 - Food environment activity was delivered through signing up to the sustainable food cities award. The Leeds Food Partnership set up to oversee work towards the 6 themes of the sustainable food award.
 - Governance through Health and Wellbeing Board and the Children and Young People's Trust Board.

The Year of the Child – Councillor Hammond, Leader of the Council, SCC

- Key points raised included the following:
 - 3 key goals of the Council were Greener, Fairer and Healthier. Childhood obesity cut across all of these.
 - Long term approach required to tackle childhood obesity and support from across the Council was essential.
 - 2020 was Southampton's Year of the Child. Celebrating the work of organisations in the city improved lives of young people and involved young people in the making of the city.
 - Range of policies and programme of events for the Year of the Child.
 - Feed the Future programme, run with Fair Share, had sought to address child hunger in the city. 3,000 children a day were now receiving fresh fruit and yoghurts at school. It had raised the issue of healthy eating in

schools. Seeing fruit at school had been a catalyst for some families to change eating habits.

- Demand was greater than capacity with children taking food home with them for their families. Looking to expand this initiative.
- Southampton was working to become a Child Friendly City.

The Testlands Way – Luke Newman, Chief Executive, Testlands

- [Written evidence](#) was provided by Luke Newman. Key points raised included the following:
 - Testlands would like to restructure the whole Physical Education, Physical Activity and School Sport (PEPASS) and Leisure industry across Southampton; make our children healthier and more active; and, create more opportunities for families to access leisure and sports facilities.
 - Schools, sports clubs and leisure centres should work in unison to engage, encourage and support their local communities to be active and healthy.
 - The Testlands Way had enabled the following:
 - Increased the level of participation in physical activity (within schools that Testlands works with) to significantly above national average
 - Affordable leisure facility hire for local community groups
 - Opportunity to scale up this model across the city to link primary schools with sports clubs and leisure facilities to increase levels of good quality physical activity by children in Southampton.
 - Opportunity to consider how leisure facilities could be utilised to maximise the health and wellbeing benefits they could have on the population.

Whole Systems Approach to obesity in Southampton – Debbie Chase, Interim Director of Public Health, SCC

- A [presentation](#) was delivered by Debbie Chase.
- Key points raised in the presentation included the following:
 - We needed to think about how we as a council could influence change to build a local infrastructure to make healthy choices easier.
 - Public Health England recommended councils took a whole systems approach to tackle obesity.
 - We know that the system was complicated and we needed to understand it better to know where to intervene and get the best chance of success.
 - Leeds Beckett University with PHE released their guidance on a whole systems approach last year. The approach recommended a 6 phase process.
 - We were in phase 1, we needed to secure senior level support and secure the necessary governance to implement the approach. For phase 2 the scrutiny process had been key to developing a compelling narrative.
 - For phase 3 we needed to develop a map of our local system (with leaders who could also help to change the system).
 - We were seeking support to take forward a whole systems approach in Southampton. We needed support from leaders and suitable governance structures in place. We needed to develop shared aspirations across council and partner organisations. Through this work and collectively we needed community and stakeholder engagement.

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SCRUTINY INQUIRY PANEL - TACKLING CHILDHOOD OBESITY IN SOUTHAMPTON

MINUTES OF THE MEETING HELD ON 21 JULY 2020

Present: Councillors Houghton (Vice-Chair), Coombs, Harwood, Professor Margetts and Vaughan

Apologies: Councillors McEwing and T Thomas

COUNCILLOR HOUGHTON IN THE CHAIR

16. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The apologies of Councillors McEwing and Thomas were noted.

17. **TACKLING CHILDHOOD OBESITY IN SOUTHAMPTON - DRAFT FINAL REPORT**

The Panel considered the report of the Director, Legal and Business Operations, requesting that the Panel discuss, amend and approve the final report of the Tackling Childhood Obesity in Southampton Scrutiny Inquiry.

Following discussion with officers the Panel noted that the report had not changed as a result of COVID-19, however the links that were emerging with obesity demonstrated the need for a strategy to be developed without delay.

The Panel discussed the following and agreed minor amendments to the recommendations:

- 3. Restrict the growth in hot food takeaways – to include the Chair of Planning and Rights of Way.
- 5. Seek to become a Sustainable Food Place – to include Fare Share outlets.
- 6. Community Hubs – to include green space sports premium.
- 14. Develop/clarify governance arrangements to oversee development in tackling childhood obesity in Southampton – to include leadership from young people.

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Agenda Item 7

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
SUBJECT:	STATEMENT OF LICENCING POLICY CONSULTATION
DATE OF DECISION:	10 SEPTEMBER 2020
REPORT OF:	CABINET MEMBER FOR STRONGER COMMUNITIES

<u>CONTACT DETAILS</u>			
Executive Director	Title	Executive Director, Communities, Culture & Homes	
	Name:	Mary D'Arcy	Tel: 023 8083 4611
	E-mail:	Mary.D'Arcy@southampton.gov.uk	
Author:	Title	Licencing Manager	
	Name:	Phil Bates	Tel: 023 8083 3523
	E-mail:	Phil.Bates@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

As a Licensing Authority, Southampton City Council (the council) has a duty to produce a Statement of Licensing Policy in line with the Licensing Act 2003 legislation. The Statement of Licensing Policy is fully reviewed every five years. Before adopting the policy the council has a duty to consult on any proposed changes to the policy.

This paper outlines the initial review of the policy which has been undertaken by officers of the council, working with colleagues in Hampshire Constabulary, and the proposed changes to the policy which are currently open to a public consultation.

The council is also consulting on the future of the Late Night Levy as this forms part of the Statement of Licensing Consultation and is being conducted as part of the same consultation. The Late Night Levy was introduced in 2015 and is an annual charge paid by licensed premises selling alcohol between 00:01 and 06:00 hours, as a contribution towards the cost of late-night policing, anti-social behaviour and street cleansing.

The council is now welcoming representations from local businesses, the public and other respondents on whether or not the Late Night Levy should continue as part of the city's Licensing Policy.

RECOMMENDATIONS:

- | | |
|-----|--|
| (i) | That the committee notes this report and considers its response to the consultation for the Statement of Licencing Policy. |
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REASONS FOR REPORT RECOMMENDATIONS

- | | |
|----|--|
| 1. | OSMC are invited to consider its response to the consultation for the Statement of Licencing Policy, noting changes that are being proposed. |
|----|--|

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2.	Do nothing – not an option as the council is required to update its Licencing Policy in line with statutory requirements and consult on changes which have been proposed.
DETAIL (Including consultation carried out)	
	Background
3.	The Licensing Act 2003 (the Act) 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 and the discretion of the Licensing Authority in relation to applications is only used if relevant representations are made.
4.	<p>The Policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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.
5.	<p>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:</p> <ol style="list-style-type: none"> 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.
6.	The current Southampton City Council Statement of Licensing Policy was adopted by Full Council in January 2016 and is due to expire in January 2021. Before

adopting a new policy the council has a duty to consult on any proposed changes to the policy. Consultation on the draft updated policy went live on 20th July and is due to close on 11th October.

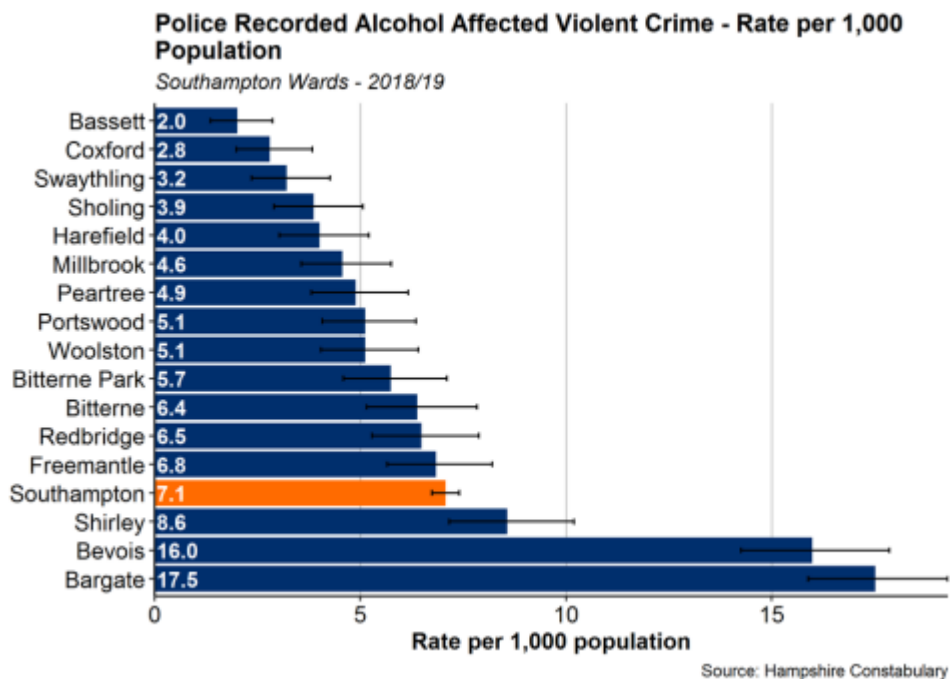
Context: Alcohol licensing in Southampton

7. Southampton is the south coast’s regional capital with a population of over 256,000 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. Southampton is home to 2 universities and approximately 43,000 students with a bustling night time economy.

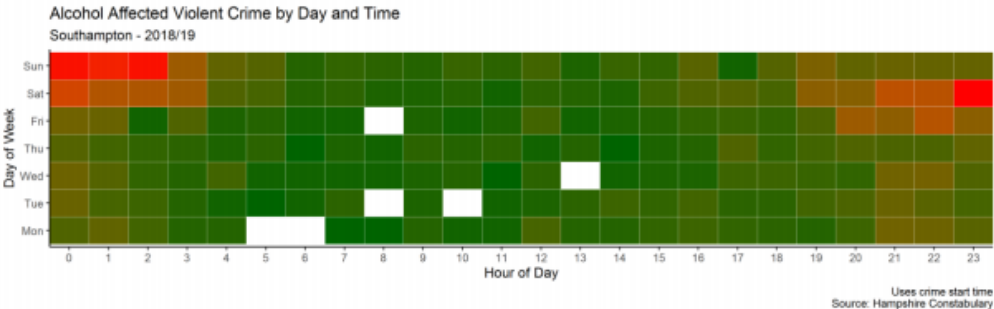
8. Most people who drink alcohol do so in moderation. Any associated harms can be minimised by drinking within governmental lower risk guidelines. Drinking more than the guidelines poses a threat to the health and wellbeing of not only the consumer but also to their friends, family, communities and wider society through problems such as crime, anti-social behaviour and loss of productivity.

9. The consumption of alcohol is related to criminal activity because its effects on the mind and body are more likely to induce antisocial behaviour, leading to criminal acts. It reduces self-control, which leads to an increased likelihood of committing a violent crime, and is addictive, which may lead offenders to commit acquisitive crimes in order to fund their addiction. Each year alcohol is associated with one million crimes in the UK.

10. In 2018/19, police recorded rates of violent crime affected by alcohol were significantly higher in the central wards of Bargate and Bevois (figures 6.3.6 and 6.3.7). This is likely to be because these wards are strongly associated with the city’s night time economy:

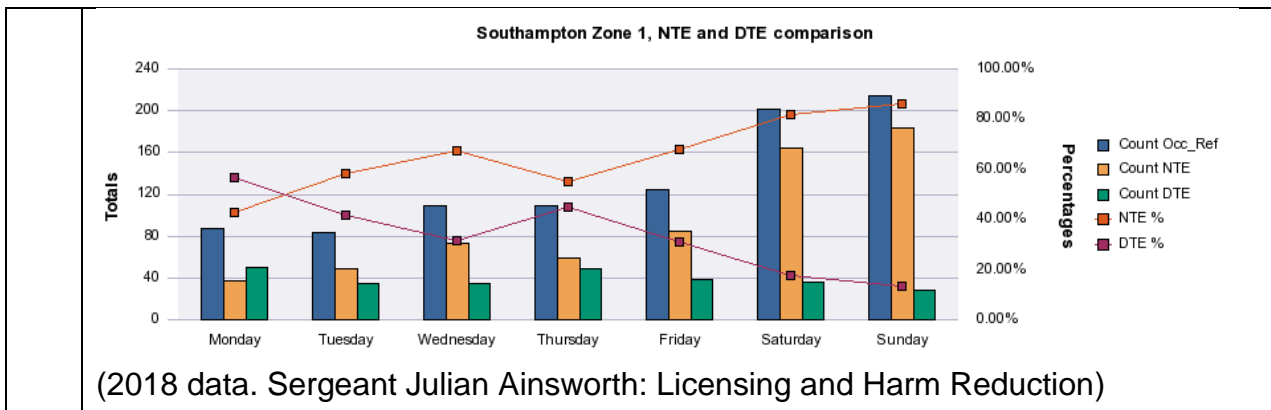


11. The night time economy has many positives for Southampton. It also remains a priority for the city due to continued offending within the city centre that is linked to alcohol consumption and can have significant police resource implications. The night time economy policing response is flexible depending on the assessed level of risk. In general the majority of alcohol affected violent crime offences take place between Friday evening and the early hours of Sunday, although the number of

	<p>offences will vary from week to week.</p>  <p>Alcohol Affected Violent Crime by Day and Time Southampton - 2018/19</p> <p>Crimes</p> <p>60 50 40 30 20 10</p> <p>Uses crime start time Source: Hampshire Constabulary</p>
12.	<p>COVID-19 has inevitably had a significant impact on the night time economy in Southampton and nationally. From the end of March 2020 to the beginning of July 2020 hospitality premises could not operate, and whilst some venues adopted a takeaway model, many could not operate at all and almost all hospitality businesses will have lost impact.</p>
13.	<p>To support businesses such as pubs, bars and restaurants, who have been hit hard by COVID-19, to continue to accommodate their customers, temporary provisions to the Business and Planning Act 2020 temporarily modify the Licensing Act 2003 to provide an automatic extension to the terms of most premises licences which only permit the sale of alcohol for consumption on the premises to allow the sale of alcohol for consumption off the premises. This made it easier for licensed premises to sell alcohol to customers for consumption off the premises in England and Wales, which allowed businesses to trade and maintain social distancing.</p>
14.	<p>Licensed premises have continued to gradually reopen from 4 July and are seeking to offer an alternative experience to customers through table service and outdoor seating arrangements. Night clubs are still unable to reopen and initial indications from the trade is that a number of premises may cease to operate.</p>
15.	<p>Prior to COVID-19, alcohol related crime in Southampton was up from the previous year, with 2,647 crimes in 2018/19 which were recorded as affected by alcohol in Southampton (including offences affected by both alcohol and drugs), an increase of 6.2% from 2017/18 and a rate of 10.5 offences per thousand population. The Southampton Community Safety Survey, which was carried out in July 2019, recorded views on safety in Southampton. After dark 44% of respondents reported feeling unsafe in 2019, similar to 47% in 2017 but higher than 34% in 2015. When asked “if you feel unsafe, what makes you feel unsafe”, 16.8% felt public drinking/drunkenness made them feel unsafe.</p>
16.	<p>Although there are still high crime figures linked to the night time economy, Southampton is in a far healthier position when compared to 2008 when it was identified as having the third highest violent crime figures in England. Data from the I.C.E. bus showed a steady decline in attendance that ultimately resulted in the service being stopped. The police now frequently have no officers specifically allocated to patrol the night time economy whereas previously it has been an operation involving up to 30 officers.</p>
17.	<p>Between 2005, when the Licensing Act came into effect, and the end of 2009 only one premises was taken to review for crime and disorder. In 2010 eight premises were taken to review for crime and disorder issues and a similar number the following year. There has been a steady decline since then as premises have become better managed and this has resulted in the police seeing a reduction in the need to patrol the night time economy.</p>

18.	Police and licensing officers are currently reviewing the need for taxi marshals. In 2008, 6 marshals were used both Friday and Saturday night for a period of 6 hours each. Currently, only 2 officers are being deployed each night for 4 hours at London Road, but this is no longer as busy as it used to be.																				
Changes to the Policy																					
19.	After careful review of the Statement of Licensing Policy, officers found that the current policy is accurate and fit for purpose. Although there have been some changes to the landscape of the city, the majority of policy adopted in 2016 remains relevant to the needs of the city.																				
20.	Therefore, the proposed amendments to the existing policy are predominately minor technical amendments and clarifications on process and legislation.																				
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Cumulative Impact Assessment Policies																					
21.	Some areas in the city 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 crime, disorder, noise and other nuisance. In these areas the council imposes stricter controls to reflect the cumulative impacts which the area may experience because of a licensing decision. These controls are address in the Cumulative Impact Policies (CIPs).																				
22.	The Licensing Authority wishes to support businesses to create a vibrant social economy and need to balance this with its other responsibilities to support the licensing objectives. Each case is determined on its own merits and any application able to demonstrate it will not adversely impact the licensing objectives should have its application granted.																				

23.	<p>The Cumulative Impact Policies deal with the following matters:</p> <ul style="list-style-type: none"> • Identified stress areas • The basic operation of the policy • How hearings will deal with applications within stress areas • How evidence of Cumulative Impact is dealt with outside of a stress area • How hearings will apply the CIP to applications from within or out of a stress area. 																																			
24.	<p>The areas in which these policies have been reviewed in consultation with Hampshire Constabulary and the proposal is that these should remain, as in the 2016 policy, the three areas designated as the “Bedford Place Stress Area”, the “Above Bar Street Stress Area” and the “Bevois Valley Stress Area”.</p>																																			
25.	<p>The successful and vibrant night time economy in Southampton attracts tourists, local residents and students to the various licensed venues. Whilst these venues are spread across the city centre and district centres, as well as being interspersed in residential areas, there are clear clusters of venues in the three identified areas. These clusters of venues have impacts both on crime and policing, as well as on the residents and business operating in that areas, in relation to noise and street cleanliness.</p>																																			
26.	<p>In operational policing terms, Southampton is divided into four areas (Central, East, North and West). The night time economy is predominately situated in Southampton Central. A greater percentage of crime types which can be linked to alcohol and the night time economy takes place in the central area:</p> <table border="1" data-bbox="256 1064 1369 1713"> <thead> <tr> <th></th> <th>Central</th> <th>East</th> <th>North</th> <th>West</th> </tr> </thead> <tbody> <tr> <td>Violence with injury</td> <td>35%</td> <td>20%</td> <td>18%</td> <td>27%</td> </tr> <tr> <td>Violence without injury</td> <td>29%</td> <td>21%</td> <td>19%</td> <td>31%</td> </tr> <tr> <td>Rape</td> <td>36%</td> <td>16%</td> <td>20%</td> <td>28%</td> </tr> <tr> <td>Sexual assault</td> <td>35%</td> <td>18%</td> <td>21%</td> <td>26%</td> </tr> <tr> <td>Drug possession</td> <td>38%</td> <td>17%</td> <td>16%</td> <td>29%</td> </tr> <tr> <td>Public Order</td> <td>34%</td> <td>18%</td> <td>18%</td> <td>30%</td> </tr> </tbody> </table> <p>(2018 data. Sergeant Julian Ainsworth: Licensing and Harm Reduction)</p>		Central	East	North	West	Violence with injury	35%	20%	18%	27%	Violence without injury	29%	21%	19%	31%	Rape	36%	16%	20%	28%	Sexual assault	35%	18%	21%	26%	Drug possession	38%	17%	16%	29%	Public Order	34%	18%	18%	30%
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27.	<p>The peak days for demand are Friday, Saturday and Sunday, with night time economy incidents accounting for the majority of all incidents reported, as demonstrated in the graph below representing crime in the Bedford Place area:</p>																																			



(2018 data. Sergeant Julian Ainsworth: Licensing and Harm Reduction)

28. Hampshire Constabulary experience peaks in crime, including violence and public order, in the early hours of the morning over the weekend period, linked to the licensed venues operating in the city centre beyond midnight and also linked to the night time economy zones. Current CIP stress zones (shown in red) have the highest level of flags added to crimes linking them to the night time economy:

	2016	2017	2018
London Road/Bedford Place	556	631	657
Above Bar/Vincent's Walk	562	623	624
High St / Oxford St / Town Quay	491	599	579
Bevois Valley / St Marys	595	650	580
Zone 5 - West Quay Road and Leisure World	320	371	333

(Sergeant Julian Ainsworth: Licensing and Harm Reduction)

29. The night time economy continues to draw Police resources into the city centre to deal with violence and public order incidents. London Road and Bedford Place (Zone 1), Above Bar and Vincent's Walk (Zone 2) and Bevois Valley and St Mary's (Zone 4) continue to be the area of high demand and the recommendation is therefore to continue the CIP policies in the three stress areas in the existing Licensing Policy.

Late Night Levy Options

30. The council introduced the Late Night Levy in April 2015. The Late Night Levy is an annual charge paid by licensed premises selling alcohol between 00:01 and 06:00 hours, as a contribution towards the cost of late-night policing, anti-social behaviour and street cleansing.

31.	<p>The average annual income from the Levy is £120,000. The funds raised through the Levy are used to support services and projects in consultation with the trade to provide support services for the different agencies operating in the night time economy after midnight. The net amount collected in 2018/19 plus the carry forward from the previous year totalled £129,331 which has been spent as follows in 2019/20:</p> <table border="1" data-bbox="260 421 1396 745"> <tr> <td>Street Pastors</td> <td>£25,000</td> </tr> <tr> <td>Street Cleaning</td> <td>£25,000</td> </tr> <tr> <td>CCTV</td> <td>£25,000</td> </tr> <tr> <td>Community Warden Patrols</td> <td>£5,150</td> </tr> <tr> <td>Taxi Marshals</td> <td>£11,000</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total: £91,150</td> </tr> </table> <p>This left £38,181 to carry forward this year.</p>	Street Pastors	£25,000	Street Cleaning	£25,000	CCTV	£25,000	Community Warden Patrols	£5,150	Taxi Marshals	£11,000	Total: £91,150	
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32.	<p>The levy collected £119,234 in the year 2019/20. The expenses were £2,459 leaving a net amount of £116,775 plus the £38,181 carry forward making a total of £154,956.</p>												
33.	<p>The levy board have agreed to spend as follows:</p> <table border="1" data-bbox="260 965 1406 1223"> <tr> <td>Street Pastors</td> <td>£10,000 (with another £15,000 held to assess the impact of Covid on their service)</td> </tr> <tr> <td>Street Cleaning</td> <td>£25,000</td> </tr> <tr> <td>CCTV</td> <td>£25,000</td> </tr> <tr> <td>Taxi Marshals</td> <td>Up to £15,000</td> </tr> </table> <p>Taxi marshals will be deployed as and when necessary after consultation with the trade, Street Pastors, police, community safety and licensing. It is hoped the full allocation will not be used and will add to the carry forward next year.</p>	Street Pastors	£10,000 (with another £15,000 held to assess the impact of Covid on their service)	Street Cleaning	£25,000	CCTV	£25,000	Taxi Marshals	Up to £15,000				
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34.	<p>Approval has just been given to grant Go! Southampton £32,730 from the levy for the purchase of 60 handheld radios for premises and services operating in the night time economy. This is vital equipment to keep premises in contact with each other, CCTV and support services such as the police and Street Pastors.</p>												
35.	<p>This leaves £31,226 still to be allocated. There is no time limit on when this needs to be allocated, so can be retained to assist with services in following years.</p>												
36.	<p>The night time economy has changed dramatically over the last few years with visitors seeking alternative experiences to conventional licensed bars and restaurants. This has resulted in venues facing increasing financial challenges. COVID-19 continues to place significant pressures on the hospitality industry, with a cumulative impact of a significant period of closure, ongoing social distancing measures limiting customer numbers and continued changing consumer behaviours post-lockdown.</p>												
37.	<p>In 2017 Southampton introduced a Business Improvement District (BID). Similar to the Late Night Levy, the BID is funded through a levy which is collected from businesses within a defined area and in return the BID delivers additional services and makes improvements to the city centre. There are approximately 600+ businesses in Southampton who hold an associate membership with the BID and 49 business in the city centre are charged both for the Late Night Levy and contribute to the BID.</p>												

38.	<p>In response to feedback from local businesses and recognising the combined financial impacts of COVID-19 and the requirement for some businesses to pay both the Late Night Levy and the BID continuation, the council is reviewing options for the future of the Late Night Levy. The options being considered are:</p> <ul style="list-style-type: none"> A. Keep the Late Night Levy in place B. Exempt premises paying into the BID from the Levy C. Cease the Late Night Levy
39.	<p>A. Keep the Late Night Levy in Place</p> <ul style="list-style-type: none"> • At present, there are over 100 premises in Southampton who pay the Late Night Levy. This generates funds of around £120,000 per year. • These funds support a range of services and agencies which respond to the impacts of the night time economy, including Taxi Marshals, Southampton Street Pastors, Street Cleaning, CCTV, Community Warden patrols. • Of the 100, around 49 premises are required to pay the Late Night Levy and BID contributions. • Some business may find this a significant financial pressure, especially following a period of closure and the wider impacts of COVID-19 on the hospitality sector.
40.	<p>B. Exempt premises paying into the BID from the Levy</p> <ul style="list-style-type: none"> • At present 49 premises pay the Late Night Levy and contributions to the BID. This is around half of all business contributing to the Levy. • Exempting those business paying both sets of contributions may reduce the financial impact on some businesses. • It would also reduce the funding available to services and agencies funded by the Levy. These funds can only be used to support the reduction or prevention of crime and disorder, the promotion of public safety, the reduction or prevention of public nuisance or the cleaning of any relevant area. • Services are aligned to areas of most need, which is predominantly the city centre. Therefore, excluding city centre businesses from the Levy could mean that those continuing to contribute do not see a proportionate impact from the contributions to services in their immediate locality.
41.	<p>C. Cease the Late Night Levy</p> <ul style="list-style-type: none"> • Ceasing the Levy would have a direct impact on funding available. The Levy raises funds of around £120,000 per year. • These funds support a range of services and agencies which respond to the impacts of the night time economy, including Taxi Marshals, Southampton Street Pastors, Street Cleaning, CCTV, Community Warden patrols. • There are no proposals to cease these services, but reduced funding would create pressure on Budgets which could mean that services are reviewed in future (subject to public consultation). The carry forward can assist in easing some of the budget pressure and provide more time to source alternative funding. • Ceasing the Levy may reduce financial pressures on local businesses.
42.	<p>The consultation closes on 11 October 2020. After this date, all feedback will be analysed to inform a policy proposal in relation to the future of the Late Night</p>

	Levy. The updated Statement of Licensing Policy will be presented to Full Council for consideration.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
43.	There are no direct financial implications of the proposals in this paper, which focus on informing a response to the consultation on the Statement of Licensing Policy.
44.	The outcome of the consultation will inform proposals relating to the future of the Late Night Levy which has a financial implication. The Levy generates income of around £120,000 per annum, which could cease if the option to cease the Late Night Levy is identified as the preferred option.
45.	If the Late Night Levy were to cease there is currently a fund of £31,226 still to be allocated. Go! Southampton have indicated they may look at supporting funding of CCTV if the levy stops. Street cleaning will continue based on the need. The Street Pastors will continue but will look for alternative funding to make up any short fall. The demand for taxi marshals has been reducing in recent years, other areas, such as Portsmouth have a scheme where local premises to manage the taxi ranks in the area.
<u>Property/Other</u>	
46.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
47.	<p>The policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:</p> <ul style="list-style-type: none"> • Retail sale of alcohol; • Supply of alcohol to club members; • The supply of hot food and/or drink from any premises between 11 pm and 5 am; • Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as: <ul style="list-style-type: none"> ○ 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; and ○ Provision of facilities for dancing. <p>The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities.</p>
<u>Other Legal Implications:</u>	
48.	None
RISK MANAGEMENT IMPLICATIONS	
49.	None

POLICY FRAMEWORK IMPLICATIONS	
50.	None

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	Bargate, Bevois
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Statement of Licensing Policy
2.	ESIA

Documents In Members' Rooms

1.	
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	
2.	

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Southampton City Council Statement of Licensing Policy 2021 - 2026



Southampton City Council

Statement of Licensing Policy

2021 - 2026

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	Click here to enter text.		Click here to enter a date.
	Click here to enter text.		Click here to enter a date.

DRAFT

1. Background

VISION STATEMENT

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.

INTRODUCTION

- 1.1 The Licensing Act 2003 (the Act) 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.
- 1.2 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 pm and 5 am;
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 - 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; and
 - Provision of facilities for dancing.
- 1.3 The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities.
- 1.4 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
- 1.5 The council must have regard to this Statement of Licensing Policy and any statutory guidance issued by the Secretary of State. The council retains the right to act outside the provisions of this policy and to depart from it if, having properly taken it into account, the council has good reason to do so and where it is appropriate to do so to promote one or more of the licensing objectives.
- 1.6 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

1.7 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; and
- Persons/bodies representative of local holders of personal licences.

In addition the council consulted with:

- 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
- Licensing Authorities across Hampshire and the Isle of Wight
- Public Health
- Trading Standards
- Environmental Health
- Home office immigration enforcement

2. City Profile

2.1 Southampton is the south coast's regional capital with a population of over 256,000 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.

Facts and figures



THE IMPACTS OF ALCOHOL ON SOUTHAMPTON

- 2.2 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 2018/19.
- 2.3 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.
- 2.4 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 Southampton 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.
- 2.5 Figures are standardised per 100,000 population. All comparators have been selected by PHE because they are in the same deprivation decile as Southampton (Fourth most deprived).

Figures in italics represent the worst figure of the comparators for that indicator. Figures in bold are the worst figure in England.

Indicator	England Average	Southampton	Gateshead	County Durham	Sefton	Plymouth	Wirral	Bristol	Leeds	Portsmouth	Wakefield	Enfield	Sheffield	Greenwich	Luton	Brent
5.01 Alcohol Specific Admission - Under 18 Year Olds	31.6	39.7	<u>62.8</u>	54.7	52.9	47.7	43.3	42.6	34.1	34	27.9	15.8	15.7	14.7	11.7	8.6
6.01 - Alcohol Specific Hospital Admission	626	2074	954	732	1200	575	1281	1045	687	967	589	414	556	484	630	646
6.01 - Alcohol Specific Hospital Admission (Male)	869	3087	1234	971	1653	783	1784	1399	953	1309	764	620	766	741	901	1052
6.01 - Alcohol Specific Hospital Admission (Female)	397	1121	688	507	796	376	830	710	437	650	423	231	354	238	362	261
7.01 - Persons admitted to hospital due to alcohol related conditions (Broad)	2367	4022	3053	2496	2962	2172	3162	2998	2105	2410	2511	2550	2234	2446	3039	3080
7.01 - Persons admitted to hospital due to alcohol related conditions (Broad), Male	3246	5723	4104	3323	4144	2961	4370	3985	2961	3299	3320	3586	3015	3325	3992	4348
7.01 - Persons admitted to hospital due to alcohol related conditions (Broad), Female	1608	2520	2137	1778	1986	1473	2137	2137	1380	1639	1814	1708	1559	1697	2201	1968
8.01 - Persons admitted to hospital due to alcohol related conditions (Narrow)	664	857	<u>1045</u>	758	912	636	895	856	649	640	882	567	736	566	772	646
8.01 - Persons admitted to hospital due to alcohol related conditions (Narrow), Male	851	1119	<u>1292</u>	939	1226	825	1224	1022	896	805	1074	681	907	715	968	835
8.01 - Persons admitted to hospital due to alcohol related conditions (Narrow), Female	494	611	<u>820</u>	594	640	458	603	707	427	492	708	470	581	430	590	471
Years of Life Lost Due to Alcohol Related Conditions (Persons)	637	755	<u>1015</u>	864	727	823	811	797	853	708	755	350	740	538	460	498
Years of Life Lost Due to Alcohol Related Conditions (Male)	926	1188	<u>1487</u>	1190	1022	1244	1124	1136	1253	787	1120	520	1000	772	689	782
Years of Life Lost Due to Alcohol Related Conditions (Female)	353	302	545	550	450	403	516	452	462	<u>630</u>	395	188	478	299	225	206

- 2.6 Most people who drink alcohol do so in moderation. Any associated harms can be minimised by drinking within governmental lower risk guidelines. Drinking more than the guidelines poses a threat to the health and wellbeing of not only the consumer but also to their friends, family, communities and wider society through problems such as crime, anti-social behaviour and loss of productivity. Alcohol consumption is also directly linked to a range of health issues such as high blood pressure, mental ill-health, accidental injury, violence, liver disease and sexually transmitted infection.
- 2.7 The consumption of alcohol is related to criminal activity because its effects on the mind and body are more likely to induce antisocial behaviour, leading to criminal acts. It reduces self-control, which leads to an increased likelihood of committing a violent crime, and is addictive, which may lead offenders to commit acquisitive crimes in order to fund their addiction. Each year alcohol is associated with one million crimes in the UK.
- 2.8 In April 2017 it became mandatory for police to record whether a crime was affected by alcohol, that is, where the effects of alcohol consumption on the offender or victim were perceived by any person to be an aggravating factor. In 2018/19 there were 2,647 crimes which were recorded as affected by alcohol in Southampton (including offences affected by both alcohol and drugs), an increase of 6.2% from 2017/18 and a rate of 10.5 offences per thousand population.

3. Licensing Process

- 3.1 Applicants are strongly encouraged to seek guidance at the earliest possible stage from the Licensing Authority and other responsible authorities before making an application. Applicants will need to comply with the statutory requirements or risk their application being invalid.
- 3.2 Individuals applying for either personal licence or a premises licence for the sale of alcohol or late night refreshment must be entitled to work in the UK. Licensing authorities must be satisfied that an individual who applies for a premises licence is entitled to work in the UK. This includes applications made by more than one individual applicant. An application made by an individual without the entitlement to work in the UK must be rejected.
- 3.3 This applies to applications which include the sale of alcohol and the provisions of late night refreshment but does not include applications which apply to regulated entertainment only. For example, a person applying for a licence for a music venue who does not intend to sell alcohol or late night refreshment is not prohibited from applying for a licence on grounds of immigration status. However, they will commit a criminal offence if they work illegally.
- 3.4 If an applicant has restrictions on the length of time they may work in the UK, a premises licence or personal licence may still be issued, but the licence will cease to have effect when the right to work lapses.
- 3.5 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.
- 3.6 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. Having a licence to undertake an activity does not override other legal requirements such as planning, for example a licence allowing the sale of alcohol by

retail and regulated entertainment until 2am does not override a planning requirement to cease such activity by midnight.

- 3.7 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.
- 3.8 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. A number of public spaces are already licensed in the name of Southampton City Council. These are managed by the events team at Southampton City Council.
- 3.9 When determining applications and there have been no valid representations the Licensing Authority must grant the application, subject only to conditions that are consistent with the operating schedule in addition to the relevant mandatory conditions:
- Conditions attached to a licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as 'must', 'shall' and 'will' is encouraged. Licence conditions:
 - must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
 - should not replicate offences set out in the 2003 Act or other legislation
 - should be proportionate, justifiable and be capable of being met; and
 - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - should be written in a prescriptive format.
- 3.10 Additionally, regard will be had to any Crime Prevention Strategies (Southampton Safe City Strategy), any cultural strategies such as those that are aimed at monitoring the impact of licensing on the provision of regulated entertainment and any relevant health strategies.
- 3.11 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

- 3.12 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.
- 3.13 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.

3.14 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

3.15 The Licensing Authority has provided a number of documents to assist with the process; these are available at: <http://www.southampton.gov.uk/business-licensing/licensing/licensing-act-2003/>

REPRESENTATIONS

3.16 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**

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

3.18 Representations must address at least one of the four licensing objectives.

DECISION MAKING PROCESS

3.19 It is 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.

3.20 In accordance with relevant guidance, the Licensing Authority has delegated licensing functions to the Licensing (Licensing and Gambling) sub-committee 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

Matter to be dealt with	Sub Committee	Officers
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection to a temporary event notice	All cases	
Determination of application to vary premises licence at a community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

- 3.21 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.
- 3.22 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; and
 - to refuse to specify a person in the licence as the premise's supervisor;
 - reject the application.
- 3.23 The need for a hearing can be avoided with the agreement of the Licensing Authority, where the applicant and all of the persons who made relevant representations have given notice to the authority that they consider a hearing will be unnecessary. The authority will give notice to the parties the hearing is dispensed with. However if the authority believes it is still necessary to have a hearing the authority shall provide reasons in writing to the parties for the need to have the hearing.

APPLICATIONS FOR LARGE EVENTS

- 3.24 Events that the council believe may require a co-ordinated approach to manage may be subject to partnership discussion through relevant groups. This will be at the discretion of the Council. Applicants will need to demonstrate to relevant partners that they are supporting the licensing objectives.

4. Southampton Policies Affecting Licensing

PUBLIC SPACES PROTECTION ORDERS (PSPOs)

- 4.1 There are currently 5 locations within the city with PSPOs. These are all in place to assist in reducing anti-social behaviour associated with street drinking. It provides the police with a power to require alcohol to be surrendered. With the exception of Shirley they are the commercial areas:
- City centre
 - Bitterne
 - Portswood
 - Shirley (Extends West from Hill Lane to Millbrook Road)
 - Woolston
- 4.2 The Licensing Authority 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.
- 4.3 The PSPOs were reviewed in April 2019 and extended for a further 3 years, they expire in April 2022 and will be reviewed at that point.
-

4.6 – 4.13: Section under consultation

LATE NIGHT LEVY

- 4.4 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.
- 4.5 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
- 4.6 No reductions have been allowed.
- 4.7 The Council is required 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.
- 4.8 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.

4.9 Various schemes support the Night Time Economy in Southampton:

- Taxi marshals
- Southampton Street Pastors
- Street cleaning
- Security patrols
- CCTV

4.10 These schemes have received funding from the Late Night Levy.

4.11 On 1st April 2017 GO! Southampton came into being as a Business Improvement District covering an area that extends from Town Quay north to Wilton Avenue. This encompasses the main city shopping areas and a significant number of premises that operate in the night time economy.

SHOPS SELLING ALCOHOL (OFF LICENCES)

- 4.12 Drinkaware report that in 2017 31% of all alcohol was sold in the 'on trade', this has decreased from 47% in 2000 (www.drinkaware.co.uk/research/data/consumption-uk). Studies by CGA early in the Covid 19 emergency suggests peoples drinking habits change during lockdown with an increase in on line purchases of alcohol. It is not known what the long term impact of this will have on the nations drinking habits, however this is a clear move to the majority of consumption being undertaken away from regulated premises. This change in habit has the potential to negatively impact on the licensing objectives. 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.
- 4.13 To address this, applicants, existing premises and the authority can consider a number of strategies to mitigate these challenges. 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.
- 4.14 Premises providing an on-line service will need to satisfy the authority they have measures in place to ensure no underage sales are undertaken, the sale is not a proxy sale to facilitate underage consumption and the sale will not contribute to crime, disorder public nuisance such as a disruptive house party.

PROMOTION OF ALCOHOL

- 4.15 The Licensing Act relaxed the restrictive hours of the previous regime with a desire to promote a café culture. Although providing opportunities to local licensed premises, it also resulted in adverse media coverage of binge drinking and drunken violent behaviour nationally.
- 4.16 To compliment planning and health policies and promote the licensing objectives the Licensing Authority will expect any premises operating that is likely to attract customers attending late night venues, including those supplying off sales, to not solely rely on the consumption or promotion of alcohol as the purpose to attract custom. Further, the council encourage operators to be innovative to provide a diverse range of activities and attractions where alcohol is ancillary to such activity.

- 4.17 To compliment the mandatory drinks promotion condition the Licensing Authority in partnership with other responsible authorities will monitor alcohol promotions. Premises with a history of offers such as significantly reduced priced drinks or unlimited drinks for a fixed price submitting applications or notices should demonstrate how these promote the licensing objectives.

TEMPORARY EVENT NOTICES (TENS)

- 4.18 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.
- 4.19 Guidance on giving Notice can be found in the Home Office Fact Sheet.
<https://www.gov.uk/government/publications/temporary-events-notices-factsheet>
- 4.20 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.
- 4.21 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 given 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.
- 4.22 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.

5. Management of Premises

DESIGNATED PREMISES SUPERVISOR

- 5.1 Any premises where alcohol is sold under a premises licence must have a designated premise 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).
- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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

5.6 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

5.7 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

5.8 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.

5.9 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

5.10 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

- 5.11 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).
- 5.12 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.
- 5.13 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.
- 5.14 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

- 5.15 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.
- 5.16 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.
- 5.17 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.
- 5.18 As there is a PSPO in place across the city the DPS needs to carefully consider policies on allowing alcohol outside of the premises.

6. Cumulative Impact Policy

- 6.1 'Cumulative impact assessments' (CIA) were introduced into the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area. 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.
- 6.2 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 6.3 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery as well as predatory behaviours preying on the vulnerable. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

STRESS AREAS

- 6.4 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 crime, disorder, noise and other nuisance.
- 6.5 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.
- 6.6 The Licensing Authority wishes to support businesses to create a vibrant social economy and need to balance this with its other responsibilities to support the licensing objectives. Each case is determined on its own merits and any application able to demonstrate it will not adversely impact the licensing objectives should have its application granted.
- 6.7 The five CIPs, generally, deal with the following matters:
1. Identified stress 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 - Stress areas

- 6.8 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. **(Subject to consultation).**

6.9 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 - The basic operation of the policy

- 6.10 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. This policy applies to applications of the types listed below:
- 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
 - This includes applications for sale of alcohol by retail either on, or off or both types of sales and Late Night Refreshment
- 6.11 Reason: To ensure that those applications which will add to the cumulative impact already being experienced are refused
- 6.12 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 premise for a Temporary Event Notice is within a designated Stress Area when applying the relevant statutory test.
- 6.13 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.
- 6.14 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.
- 6.15 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).

- 6.16 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.**
- 6.17 After publishing a CIA the Licensing Authority must, within three years, consider whether it remains of the opinion set out in the assessment. In order to decide whether it remains of this opinion it must again consult the persons listed in section 5(3) of the Licensing Act 2003. If having consulted with the statutory list of persons the Licensing Authority decides that it is no longer of the opinion set out in the CIA, it must publish a statement to that effect. The statement must make clear that any reference to the CIA in its licensing policy statement no longer applies. The Licensing Authority should remove any reference to the CIA within its licensing policy statement at the earliest opportunity.
- 6.18 If having consulted the Licensing Authority decides that it remains of the opinion set out in the assessment, it must revise the CIA to include a statement to that effect and set out the evidence as to why it remains of that opinion. The Licensing Authority must also at this stage publish any other material change to the assessment.
- 6.19 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 premise (or proposed premises) is not situated within a designated Stress Area.

EXEMPTIONS

- 6.20 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 opposite Guildhall Square, existing buildings, and the improved and expanded Guildhall Square all of which fall within the area of Above Bar partly covered by the above Stress Area as shown edged with a broken line on the attached plan at Appendix B.
- 6.21 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.
- 6.22 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 - How hearings will deal with applications within stress areas

- 6.23 The CIA does not change the fundamental way that licensing decisions are made. It is therefore open to the Licensing Authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that on the balance of probabilities they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and the Licensing Authority decides to grant an

application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

6.24 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 - How evidence of Cumulative Impact is dealt with outside of a stress area

6.25 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.

6.26 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

6.27 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.

6.28 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:

6.29 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 - How hearings will apply the CIP to applications from within or out of a stress area

6.30 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

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

6.32 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

6.33 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.

7. Children

7.1 A child is anyone under the age of 18 years unless otherwise stated.

7.2 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.

7.3 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.

- 7.4 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
- 7.5 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
- 7.6 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.
- 7.7 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.
- 7.8 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.
- 7.9 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.
- 7.10 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.
- 7.11 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.

- 7.12 Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club.
- 7.13 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.
- 7.14 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.
- 7.15 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.**

8. Enforcement

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 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
- 8.5 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 communicated to the licence holder who will have responsibility to resolve the problem. Failure to effectively address or respond to problems or isolated serious failures will normally result in a review application.

Appendix A: CIP 'stress areas'

Above Bar



Bedford Place



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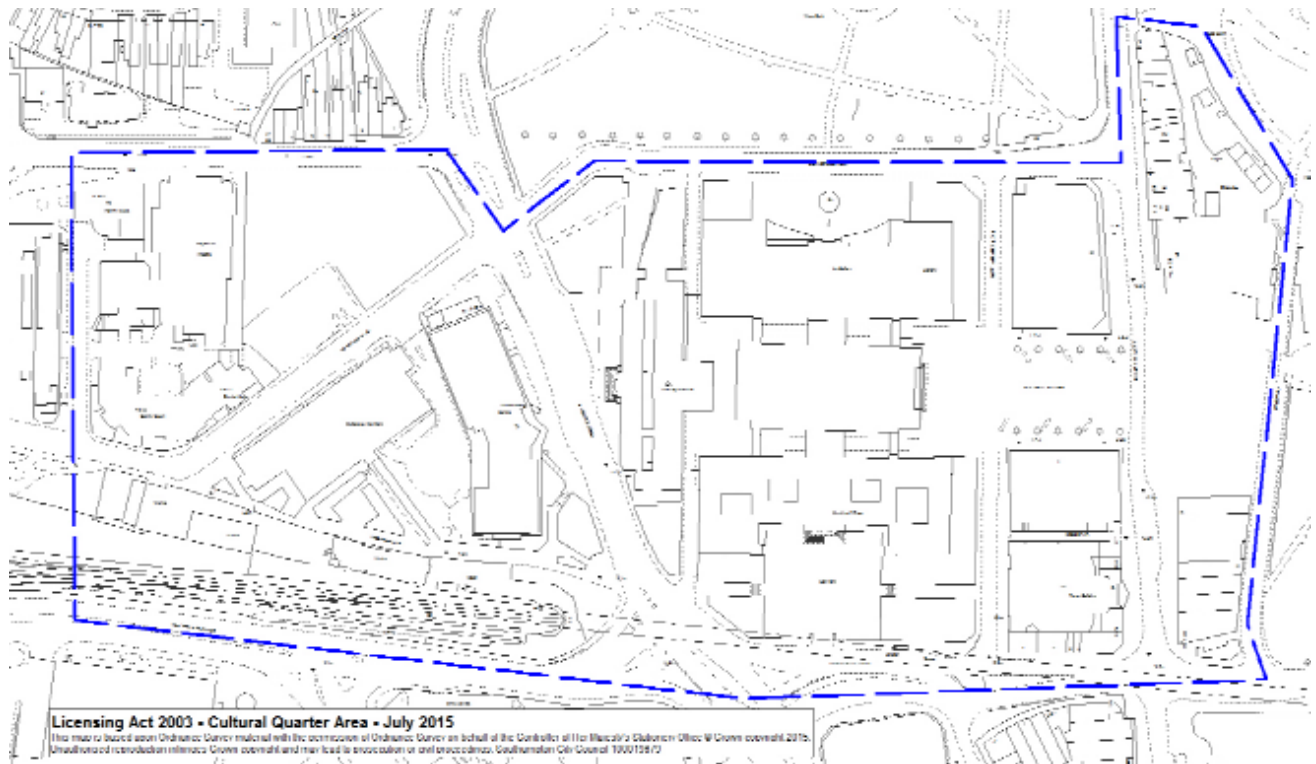
Bevois Valley North



Bevois Valley South



Appendix B: Cultural Quarter



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[ENDS]



Equality and Safety Impact Assessment

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

Name or Brief Description of Proposal	Statement of Licencing Policy (including review of the Late Night Levy)
Brief Service Profile (including number of customers)	
<p>As a Licensing Authority, Southampton City Council has a duty to produce a Statement of Licensing Policy in line with the Licensing Act 2003 legislation. The Statement of Licensing Policy is fully reviewed every five years.</p> <p>Southampton is a vibrant city with a thriving entertainment and hospitality culture (albeit impacted by COVID-19 in 2020). In April 2020 Southampton reported 842 licensed premises and over 4,000 personal licences issued by Southampton City Council.</p> <p>The Licensing Authority (Southampton City Council) has a duty under the Act to carry out its functions with a view to promoting the four licensing objectives, which are:</p> <ul style="list-style-type: none"> • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm <p>The Policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ A performance of a play; ○ An exhibition of a film; ○ An indoor sporting event; ○ Boxing or wrestling entertainment; 	

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

The policy sets out the licensing process, Southampton policies affecting licensing and instructions for the management of premises.

The policy includes specific information relating to Cumulative Impact Assessments in 'stress areas' and includes provision for a Late Night Levy which a contribution paid by late opening premises supplying alcohol.

Summary of Impact and Issues

The aims of the policy are:

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.

The policy itself is therefore intended to have an overall positive impact on the city and its residents, supporting the safe operation of licensed premises in the city.

Cumulative Impact Policies

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 crime, disorder, noise and other nuisance. In areas that suffer from cumulative impact it is considered appropriate, proportionate and necessary for special policies to address that issue.

The 'stress areas' have been identified in consultation with Hampshire Constabulary (see attached report). These are the 'Bedford Place Stress Area', the 'Above Bar Street Stress Area', and the 'Bevois Valley Stress Area'. These proposed areas are the same as in previous years.

This impact assessment has been undertaken to reflect the impacts if the stress area boundaries are adopted as proposed.

Late Night Levy

Southampton City Council introduced the Late Night Levy in April 2015. It has generated an income of around £120,000 each year since then. The Levy is used to provide services to support the businesses that operate late at night. These include contributions to Southampton Street Pastors, CCTV, Street Cleaning, Taxi Marshals and Community Safety.

In 2017 a Business Improvement District (BID) was established in Southampton. GO! Southampton is led and funded by local business and aims to realise Southampton's untapped potential. The BID covers the city centre area and 49 premises are subject to both the Late Night Levy and paying contributions the BID.

In reviewing the policy, Southampton City Council is reviewing options with regards to the continuation of the Late Night Levy. This impact assessment has been undertaken to reflect the impacts if the Late Night Levy were removed (the option with the likely greatest impact).

Potential Positive Impacts

In adopting the policy, Southampton City Council will ensure a safe and consistent system to monitor the operation of licensed premises, including steps which must be taken to reduce risk to residents linked to the consumption of alcohol, and enforcement where necessary. This will support the council's principles of being a fairer and healthier city and the Safe City partnership priorities to reduce crime and antisocial behaviour and reduce the harm caused by drugs and alcohol.

Responsible Service Manager	Phil Bates, Licensing Manager
Date	17 July 2020
Approved by Senior Manager	Mary D'Arcy, Executive Director Communities, Culture & Homes
Date	17 July 2020

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<p>The policy includes specific provisions to protect children and young people.</p> <p>7.4 "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."</p>	<p>The policy includes conditions which may be attached to any licence to protect children and young people (section 7.5)</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Disability	No identified impacts.	N/A
Gender Reassignment	No identified impacts.	N/A
Marriage and Civil Partnership	No identified impacts.	N/A
Pregnancy and Maternity	No identified impacts.	N/A
Race	No identified impacts.	N/A
Religion or Belief	No identified impacts.	N/A
Sex	No identified impacts.	N/A
Sexual Orientation	No identified impacts.	N/A
Community Safety	<p>The 'stress areas' have been identified in consultation with Hampshire Constabulary, to respond to areas which higher levels of licensed premises activity, which can create exceptional problems of crime. In these areas "it is considered it is appropriate, proportionate and necessary for special policies to address that issue" (s6.8).</p> <p>The removal of the Late Night Levy would have a direct impact on funding available. The Levy raises funds of around £120,000 per year. These funds support a range of services and agencies which respond to the impacts of the Night Time Economy, including Taxi Marshals, Southampton Street Pastors, Street Cleaning, CCTV, Community Warden patrols.</p>	<p>The policy will ensure that the operation of a premises in these areas will not exacerbate any community safety risks:</p> <p>6.13 "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."</p> <p>An underspend of funding for Taxi Marshals has been identified which would allow continued provision of the service (subject to review) in 2021/2022. Additional funding to support wider services will be sought, working with relevant stakeholders to minimise the impact of reduced</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	There are no proposals to cease these services, but reduced funding would create pressure on Budgets which could mean that services are reviewed in future (subject to public consultation).	funding.
Poverty	No identified impacts.	
Health & Wellbeing	No identified impacts	N/A
Other Significant Impacts	No identified impacts.	N/A

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DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	CARER FRIENDLY SOUTHAMPTON - SCRUTINY INQUIRY TERMS OF REFERENCE		
DATE OF DECISION:	10 SEPTEMBER 2020		
REPORT OF:	DIRECTOR - LEGAL AND BUSINESS OPERATIONS		
<u>CONTACT DETAILS</u>			
Executive Director	Title	Deputy Chief Executive	
	Name:	Mike Harris	Tel: 023 8083 2882
	E-mail	Mike.harris@southampton.gov.uk	
Author:	Title	Scrutiny Manager	
	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail	Mark.pirnie@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
It is the role of the Overview and Scrutiny Management Committee (OSMC) to determine the scrutiny inquiry programme. This report requests that the OSMC agrees the terms of reference for a scrutiny inquiry focussing on improving the lives of carers in Southampton. The draft outline terms of reference for the proposed inquiry are still being developed and will be presented to the Committee at the meeting.			
RECOMMENDATIONS:			
	(i)	That the Committee consider and approve the draft terms of reference for the scrutiny inquiry.	
	(ii)	That authority is delegated to the Director - Legal and Business Operations, in consultation with the Chair of the Scrutiny Inquiry Panel, to finalise the inquiry plan.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	To enable the Scrutiny Inquiry Panel to commence the scrutiny inquiry.		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	None.		
DETAIL (Including consultation carried out)			
3.	The Care Act 2014 defines a carer as ‘someone who helps another person, usually a relative or friend, in their day-to-day life. This is not the same as someone who provides care professionally, or through a voluntary organisation.’		
4.	According to Carers UK, 6.5 million people are carers, supporting a loved one who is older, disabled or seriously ill across the UK. Within our lifetime, there will be 9 million carers.		

5.	Whether round-the-clock or for a few hours a week, caring can have a huge effect on carers. Across the UK carers are holding families together, enabling loved ones to get the most out of life, making an enormous contribution to society and saving the economy billions of pounds. Yet many carers are struggling to juggle care with work and family life, or even suffering with poor health themselves.
6.	Carers UK have identified that many carers don't know how or where to get help and that being a carer can be frightening and very lonely.
7.	By extrapolating national figures there are estimated to be over 32,000 unpaid carers in Southampton.
8.	The 2011 Census has identified that in Southampton, most carers provide between 1 and 19 hours of care per week; however, almost one quarter of Southampton's carers provide over 50 hours per week of care and support.
9.	In 2016 a strategy that aimed to identify what is needed to improve the lives of carers now and in the future in Southampton, and to change services to meet those needs was produced. The Southampton Strategy for Unpaid Carers and Young Carers is due for renewal in January 2021.
10.	Across the UK, there are examples of local approaches that are improving the lives of carers. Therefore, in recognition of the importance and scale of the issue in Southampton, the necessity to update the carers strategy, and the opportunity to learn from other areas, the Council's Executive Management Team, following consultation with the Chair of the OSMC and Group Leaders, have recommended a review focussing on improving the lives of carers in Southampton as an appropriate subject for a scrutiny inquiry.
11.	Draft terms of reference for the inquiry are currently being developed by the Scrutiny Manager, in consultation with the Chair and relevant officers. The draft terms of reference will be circulated to the Committee at the meeting. Members are invited to comment on the document and suggest amendments.
12.	The outline inquiry plan is still in development and will be subject to the availability of consultees and needs to be flexible to enable the inquiry to respond to developments. It is therefore recommended that authority is delegated to the Director – Legal and Business Operations, in consultation with the Chair of the Scrutiny Inquiry Panel, to finalise the inquiry plan.
13.	The final report and recommendations of the Scrutiny Inquiry Panel will be considered by the OSMC prior to Cabinet to ensure that the review has met the agreed outline terms of reference set by this Committee.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
14.	There are no additional financial implications arising from the approval of the recommendations.
<u>Property/Other</u>	
15.	None.
LEGAL IMPLICATIONS	

<u>Statutory power to undertake proposals in the report:</u>	
16.	The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.
<u>Other Legal Implications:</u>	
17.	None
RISK MANAGEMENT IMPLICATIONS	
18.	None.
POLICY FRAMEWORK IMPLICATIONS	
19.	<p>The Health and Wellbeing Strategy 2017-2025 has, as an objective: ‘People in Southampton live active, safe and independent lives and manage their own health and wellbeing’.</p> <p>A specific action relating to this within the Health & Wellbeing Strategy is: ‘Encourage and promote healthy relationships and wellbeing of individuals of all ages, carers and families, particularly for those at risk of harm and the most vulnerable groups through increasing early help and support.’</p> <p>This proposed inquiry will seek to further the delivery of this objective.</p>
KEY DECISION	No
WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	None
Documents In Members’ Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessments (ESIA) to be carried out?	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	No
Other Background Documents	
Equality Impact Assessment and Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None

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DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	MONITORING SCRUTINY RECOMMENDATIONS TO THE EXECUTIVE		
DATE OF DECISION:	10 SEPTEMBER 2020		
REPORT OF:	DIRECTOR - LEGAL AND BUSINESS OPERATIONS		
<u>CONTACT DETAILS</u>			
Executive Director	Title	Deputy Chief Executive	
	Name:	Mike Harris	Tel: 023 8083 2882
	E-mail	Mike.harris@southampton.gov.uk	
Author:	Title	Scrutiny Manager	
	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail	Mark.pirnie@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
This item enables the Overview and Scrutiny Management Committee to monitor and track progress on recommendations made to the Executive at previous meetings.			
RECOMMENDATIONS:			
	(i)	That the Committee considers the responses from Cabinet Members to recommendations from previous meetings and provides feedback.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	To assist the Committee in assessing the impact and consequence of recommendations made at previous meetings.		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	None.		
DETAIL (Including consultation carried out)			
3.	Appendix 1 of the report sets out the recommendations made to Cabinet Members at previous meetings of the Overview and Scrutiny Management Committee (OSMC). It also contains summaries of any action taken by Cabinet Members in response to the recommendations.		
4.	The progress status for each recommendation is indicated and if the OSMC confirms acceptance of the items marked as completed they will be removed from the list. In cases where action on the recommendation is outstanding or the Committee does not accept the matter has been adequately completed, it will be kept on the list and reported back to the next meeting. It will remain on the list until such time as the Committee accepts the recommendation as completed. Rejected recommendations will only be removed from the list after being reported to the OSMC.		

RESOURCE IMPLICATIONS		
<u>Capital/Revenue</u>		
5.	None.	
<u>Property/Other</u>		
6.	None.	
LEGAL IMPLICATIONS		
<u>Statutory power to undertake proposals in the report:</u>		
7.	The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.	
<u>Other Legal Implications:</u>		
8.	None	
RISK MANAGEMENT IMPLICATIONS		
9.	None.	
POLICY FRAMEWORK IMPLICATIONS		
10.	None	
KEY DECISION		No
WARDS/COMMUNITIES AFFECTED:		None directly as a result of this report
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Monitoring Scrutiny Recommendations – 10 September 2020	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessments (ESIA) to be carried out?		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?		No
Other Background Documents		
Equality Impact Assessment and Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None	

Overview and Scrutiny Management Committee: Holding the Executive to Account

Scrutiny Monitoring – 10 September 2020

Date	Portfolio	Title	Action proposed	Action Taken	Progress Status
13/08/20	Customer and Organisation	Update on the performance and transition of services from Capita to Council	1) That a breakdown of printing costs / savings post transfer are provided to the Committee.	In terms of the Print savings post transfer, actual Print costs were £115k in 19/20 as against £213k in 18/19.	Complete

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