

Licensing Committee

Wednesday, 31st January,
2024

at 2.30 pm

PLEASE NOTE TIME OF MEETING
Council Chamber - Civic Centre

This meeting is open to the public

Members

Councillor M Bunday (Chair)
Councillor Beaurain
Councillor Mrs Blatchford
Councillor Kenny
Councillor Noon
Councillor Powell-Vaughan
Councillor Whitbread
Councillor Windle
Councillor Moulton
Councillor Letts

Contacts

Democratic Support Officer
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PUBLIC INFORMATION

Role of this Committee

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

Public Representations

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

Southampton: Corporate Plan 2022-2030 sets out the four key goals:

- **Strong Foundations for Life.**- For people to access and maximise opportunities to truly thrive, Southampton will focus on ensuring residents of all ages and backgrounds have strong foundations for life.
- **A proud and resilient city** - Southampton's greatest assets are our people. Enriched lives lead to thriving communities, which in turn create places where people want to live, work and study.
- **A prosperous city** - Southampton will focus on growing our local economy and bringing investment into our city.
- **A successful, sustainable organisation** - The successful delivery of the outcomes in this plan will be rooted in the culture of our organisation and becoming an effective and efficient council.

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

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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.

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

Dates of Meetings: Municipal Year 2023/2024

Meetings of the Committee are held as and when required.

CONDUCT OF MEETING

TERMS OF REFERENCE

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

BUSINESS TO BE DISCUSSED

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

Rules of Procedure

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

Quorum

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

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PECUNIARY INTERESTS

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

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

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

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

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

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

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

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

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

Other Interests

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

Principles of Decision Making

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

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

In exercising discretion, the decision maker must:

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

AGENDA

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

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

2 **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.

3 **STATEMENT FROM THE CHAIR**

4 **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the meeting held on 14 June 2023 and to deal with any matters arising, attached.

5 **CUMULATIVE IMPACT ASSESSMENT** (Pages 5 - 62)

Report of Service Manager for Licensing seeking approval of the Cumulative Impact Assessment review.

Tuesday, 23 January 2024

Executive Director Communities, Culture & Homes

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SOUTHAMPTON CITY COUNCIL
LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON 14 JUNE 2023

Present: Councillors M Bunday (Chair), Mrs Blatchford, Kenny, Noon, Powell-Vaughan and A Frampton

Apologies: Councillors Beaurain, Whitbread and Windle

1. **ELECTION OF VICE-CHAIR**

RESOLVED that:

Councillor Blatchford be elected as Vice-Chair for the Municipal Year 2023/2024.

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

Resolved: that the minutes for the meeting on 29 November 2022 be approved and signed as a correct record.

Resolved: that the minutes for the meeting on 7 December 2022 be approved subject to correction of a spelling mistake and signed as a correct record.

3. **HACKNEY CARRIAGE UNMET DEMAND SURVEY**

The Committee considered the report of the Service Manager, Licensing seeking a decision on whether to retain, amend or abandon the cap on the number of hackney carriage licences.

In attendance were Phil Bates, Service Manager Licensing, Mr Hall and Mr Johnson who, with consent of the Chair, addressed the meeting.

RESOLVED:

To continue to restrict the number of licensed hackney carriages to 283.

The Committee noted that observations, surveys and public views had indicated there was no significant unmet demand. It noted some pressure as expected at peak times, such as when cruise ships were in Southampton, and that most existing licenced hackney carriages were on the road.

The Committee encouraged all licensed drivers to note the comments from the public contained in the survey.

The Committee received legal advice that issues concerning the livelihoods of existing licensed drivers could not be taken into account when making this decision.

4. **PRIVATE HIRE VEHICLE, PRIVATE HIRE DRIVER AND PRIVATE HIRE OPERATOR CONDITIONS**

The Committee considered the report of the Licensing Manager seeking amendments to the private hire conditions to licenses for private hire vehicles, private hire drivers and private hire operators to enable the removal of the requirements to display operator details.

In attendance were Phil Bates, Service Manager Licensing, Russell Hawkins, Senior Licensing Officer, Simon May, CEO Radio Taxis, Mr Rahman, Ali Haydor, GMB Representative, Ian Hall, Abdul Mohammad, Perry MacMillan and Clive Johnson and a member of the public who, with the consent of the Chair, addressed the meeting.

Resolved:

To adopt in their entirety the amended conditions as detailed in the report to the different private hire licences (Appendices 1 to 3).

The Committee noted the livery requirement had been instated due to public safety concerns with support from the trade and that the policy would be monitored and subject to review by licensing officers, the Taxi Forum, trade representatives and unions.

The Committee had last reviewed this matter in 2021 and noted the subsequent changes in practice of some drivers using an app which resulted in them being able to work for more than one operator at a time. Consultation demonstrated general, though not universal, support for the recommendation.

The Committee discussed the recommendation that the requirement to display the name of the operator on the vehicle door sticker should therefore be removed and that the safety of the public should be protected by adding a condition to drivers' licences that no bookings should be cancelled without reasonable cause and by adding a condition to operators' licences that unnecessary cancellations, complaints or safeguarding concerns should be recorded and shared with the licensing authority. Should vehicles display the name of an operator then the driver would not be able to take bookings from other operators in that vehicle.

The Committee noted that pursuant to the Local Government (Miscellaneous Provisions) Act 1976 operators were under an existing duty to ensure that any member of the public should be collected if a driver cancelled. Operators would be provided with suggestions for ways to mitigate cancellations.

The Committee noted that if a driver were in breach of their licence the Sub-Committee could consider whether that driver was a fit and proper person.

The Committee was advised that the method of communication between operators and licensing officers will be refined. It was noted that operators had experience that many drivers would not accept pre bookings for small fares and that operators would need to see whether allowing drivers to work for multiple operators at the same time might affect the ability to predict availability for bookings.

It was noted that the door stickers would have to be replaced when licences were being renewed. Drivers could choose to change the sticker earlier.

5. **REMOTE HEARING PROCEDURE**

The Committee considered the report of Executive Director of Place seeking adoption of a remote hearing procedure note for Licensing (Licensing and Gambling) Sub-Committee hearings.

In attendance were Phil Bates, Service Manager Licensing, who with the consent of the Chair addressed the meeting.

RESOLVED:

To adopt the procedure note.

The Committee noted the ability to hold meetings as hybrid meetings or in person meetings if they were complex or involved multiple witnesses at the discretion of the Chair and legal advisor.

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DECISION-MAKER:	LICENSING COMMITTEE
SUBJECT:	CUMULATIVE IMPACT ASSESSMENT REVIEW
DATE OF DECISION:	
REPORT OF:	SERVICE MANAGER FOR LICENSING

<u>CONTACT DETAILS</u>			
Executive Director	Title	Place	
	Name:	Adam Wilkinson	Tel: 023 8054 5853
	E-mail	Adam.wilkinson@southampton.gov.uk	
Author:	Title	Service Manager Licensing	
	Name:	Phil Bates	Tel: 023 8083 3523
	E-mail	Phil.bates@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

N/A

BRIEF SUMMARY

As Southampton City Council has included a Cumulative Impact Policy within its Statement of Licensing Policy it is necessary to conduct a Cumulative Impact Assessment within three years of it being implemented. This report details that assessment and subsequent recommendations which the Licensing Committee are asked to consider and adopt.

RECOMMENDATIONS:

- | | | |
|--|------|--|
| | (i) | To consider the contents of this report, appendices and any comments made at the meeting addressed to the committee. |
| | (ii) | To adopt the Cumulative Impact Assessment as detailed in the report at Appendix 1 and maps at appendix 2 and for them to replace the assessment in section 6 of the current statement of licensing policy. |

REASONS FOR REPORT RECOMMENDATIONS

- | | |
|----|---|
| 1. | The data, in particular the data provided by Hampshire Constabulary, identifies three areas suffering from high crime associated with licensed premises. These areas have a high density of licensed premises. They are London Road/Bedford Place, Above Bar Street and Oxford Street. |
| 2. | Although the police data supported the removal of the Bevois Valley stress area it did show that it was still suffering from high levels of crime and disorder and data from the Community Cohesion team showed the area was still a hotspot for Violence Against Women and Girls (VAWG), the recommendation therefore is to retain Bevois Valley as a Stress Area. |

3.	The consultation responses showed substantial support for the assessment and in particular the inclusion of Oxford Street as a stress area.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
4.	The removal of all stress areas was not considered appropriate due to the high levels of crime and disorder associated with the areas identified.
5.	To remove Bevois Valley as a stress area was considered but the VAWG data supported retaining it
6.	The inclusion of either or both of Shirley High Street and Portswood Broadway as stress areas was considered but the data provided did not show the levels of crime and disorder required to impose a stress area here.
DETAIL (Including consultation carried out)	
7.	Section 6 of the current Statement of Licensing Policy deals with the Cumulative Impact Policy and within Section 6 is the Cumulative Impact Assessment conducted at the time in 2020.
8.	That assessment identified the following three stress areas:- 1. London Road/Bedford place 2. Above Bar Street 3. Bevois Valley This was adopted by the Council at its meeting in November 2020.
9.	The effect of being within a Stress Area is any applicant has to be ready to demonstrate any application will not adversely impact any of the licensing objectives, as should a valid representation be received for an application for a new or varied premises licence, it will place the onus of proving that with the applicant, rather than with the person making a representation for applications outside of a Stress Area.
10.	In January 2023 officers started to gather information to conduct a review of the Cumulative Impact Policy and in particular the stress areas. Consultees were asked to specifically look at the three existing stress areas as well as Oxford Street, Shirley High Street and Portswood Broadway, plus any other area they considered appropriate.
11.	Hampshire Constabulary provided a detailed report on the levels of crime which is at Appendix 3 of this report. (This is part of the CIA as appx 1). The report recommended the retention of both the London Road/Bedford Place and Above Bar Street stress areas and the addition of Oxford Street as a stress area. It also recommended the removal of Bevois Valley as a stress area due to reduced incidents of crime and disorder. The report also found both Shirley High Street and Portswood Broadway did have high levels of crime and disorder but not to the extent that justifies declaring them as stress areas. (Fig 9 and commentary on page 11)
12.	The Community Cohesion Team provided a heat map showing incidents of VAWG. This is attached as appendix 4 to this report. This shows Bevois Valley as a hot spot for VAWG incidents, the police report does identify the areas still suffers from crime and disorder but not with the density of the other stress areas. Officers feel the levels of crime and disorder plus the VAWG incidents justify retaining Bevois Valley as a stress area.

13.	The police report also identified Charlotte place as having a high incidence of crime and it is recommended the Bevois Valley stress area is extended to include Charlotte Place.
14.	The Service Manager for Environmental Health reviewed the complaint history his team has recorded and considers this data does not present any particular enforcement issues for his team in any area of the city.
15.	On the basis of this information officers ran a consultation on the cumulative impact assessment which had four stress areas <ol style="list-style-type: none"> 1. Londo Road/Bedford Place 2. Above Bar Street 3. Bevois Valley 4. Oxford Street
16.	The consultation ran from 4th September 2023 to 29th October 2023 and attracted 54 responses. The responses were broadly, but not completely in agreement with the proposals. A summary of the responses has been prepared by the Data, Intelligence & Insight Team and is attached as appendix 5 of this report.
17.	Some respondents made comments and suggestions in their responses. Licensing officers have considered these responses and made comments with regards to them. These are attached to this report as appendix 6
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
18.	There is no direct impact on Council finances, however effective oversight and regulation of licensed premises does reduce the burden of services supplied by the council, such as Community Safety and well being.
<u>Property/Other</u>	
19.	N/A
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
20.	Section 5A Licensing Act 2003 as amended by The Policing and Crime Act 2017. This places a requirement for a Cumulative Impact Assessment to be carried out three years after implementation by the Licensing Authority.
<u>Other Legal Implications:</u>	
21.	Failure to carry out a cumulative impact assessment and adoption by the licensing committee renders the cumulative impact policy ineffective which in turn brings the onus to demonstrate to failure to support licensing objectives to any objector rather than the premises licence holder.
RISK MANAGEMENT IMPLICATIONS	
22.	The risk in approving this assessment is low. There is no financial impact for the council, it will not impact on service delivery and there is low stakeholder concern with adoption. Service delivery and reputational risks increase if the assessment is not adopted.
POLICY FRAMEWORK IMPLICATIONS	

23.	None
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KEY DECISION?	No
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WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Cumulative Impact Assessment
2.	Maps of proposed Stress areas
3.	Police report
4.	VAWG heat map
5.	Data, Intelligence & Insight Team report on consultation responses
6.	Officers responses to consultation comments

Documents In Members' Rooms

1.	Nil
2.	

Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
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Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
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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.	



Cumulative Impact Assessment 2024 to 2027 Licensing Act 2003

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Introduction

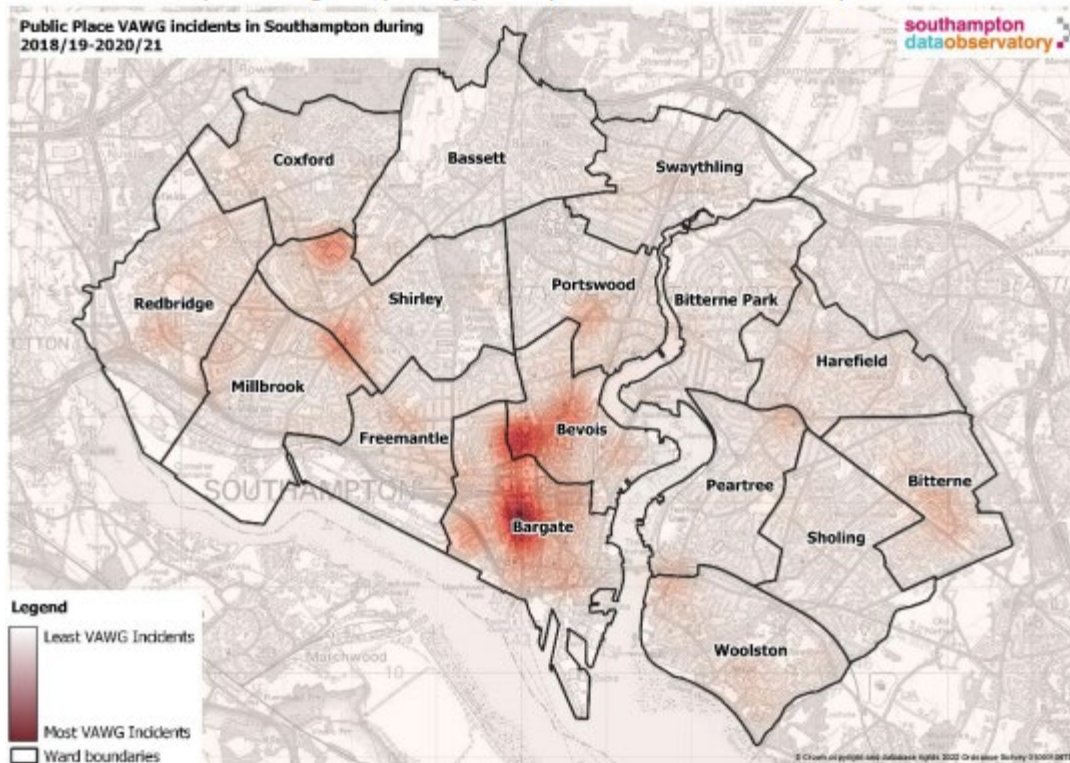
1. 'Cumulative impact assessments' (CIA) were introduced into the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area. This should not 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.
2. The last CIA was conducted alongside the adoption of the Statement of Licensing Policy adopted in 2021. The impact policy is detailed in Section 6 of that document.

Cumulative Impact Assessment

3. The assessment in 2021 supported the continuance of the previously established Stress Areas, namely London Road/Bedford Place, Above Bar Street and Bevois Valley.
4. The police and other partners were asked to review any data they had for the authority to consider in a review of the cumulative impact policy. Hampshire and Isle of Wight Constabulary produced a report based on data between 2020 and 2022.
5. The police report talks about 'zones'. These are numbered 1 to 5 and are different areas of night time economy activity in Southampton.
 - Zone 1 London Road/Bedford PI
 - Zone 2 Above Bar street
 - Zone 3 high Street/Oxford St
 - Zone 4 Bevois Valley
 - Zone 5 Leisure World
6. The report concludes Zones 1 and 2, which equate to the stress areas of the same names, still have high incidents of crime and disorder. It identifies Zone 4 has seen a reduction in such incidents and recommends it is removed as a stress area. Zone 3, in particular around Oxford Street has seen an increase and recommends Oxford

street becomes a stress area. The report adds there are clusters in both Charlotte Place and St Mary's Road and both of these should be incorporated into the stress areas. A copy of the police report is part of this assessment and is attached as Appendix 1.

7. The Community Cohesion Team provided a heat map of Violence Against Women and Girls incidents between 2018 and 2021. This shows high concentrations of incidents in the city centre including Above Bar Street and London Road/Bedford Pla areas. It also showed Bevois Valley to have a high concentration of incidents.



8. In light of this information Southampton City Council undertook a consultation exercise in accordance with the legislation that proposed retaining the London Road/Bedford Place and Above Bar Street stress areas unchanged. Retaining Bevois Valley stress area and extending it to include Charlotte Place and to create a new stress area in Oxford Street. Maps of the proposed areas form part of the assessment and are attached as appendix 2.
9. The consultation ran from 4th September until 29th October 2023 and received 54 responses. A report summarising the responses is part of the assessment and is attached as appendix 3.

10. The majority of responses are in support of the proposals. There are a number of comments supporting the inclusion of Oxford Street as a stress area. There are also a number of comments expressing dissatisfaction with previous decisions to grant licences within existing stress areas.

11. Responses from officers to the constructive responses are attached as appendix 4.

Conclusion

12. The Assessment has been carried out in accordance with the Section 5(a) of the Licensing Act 2003. This Assessment has been published because the Council considers that the number of relevant authorisations in respect of premises in one area described in the assessment is such that it is likely that it would be inconsistent with the Council's duty under the Act to grant any further relevant authorisations in respect of premises in that part.

13. With immediate effect the stress areas identified in section 6 of the Statement of Licensing Policy of Southampton City Council will be amended to be as identified in appendix 2 of this assessment. These cover 4 areas:-

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

Appendixes

1. Police report
2. Maps of stress areas
3. Report summarizing consultation responses
4. Officer responses to consultation comments

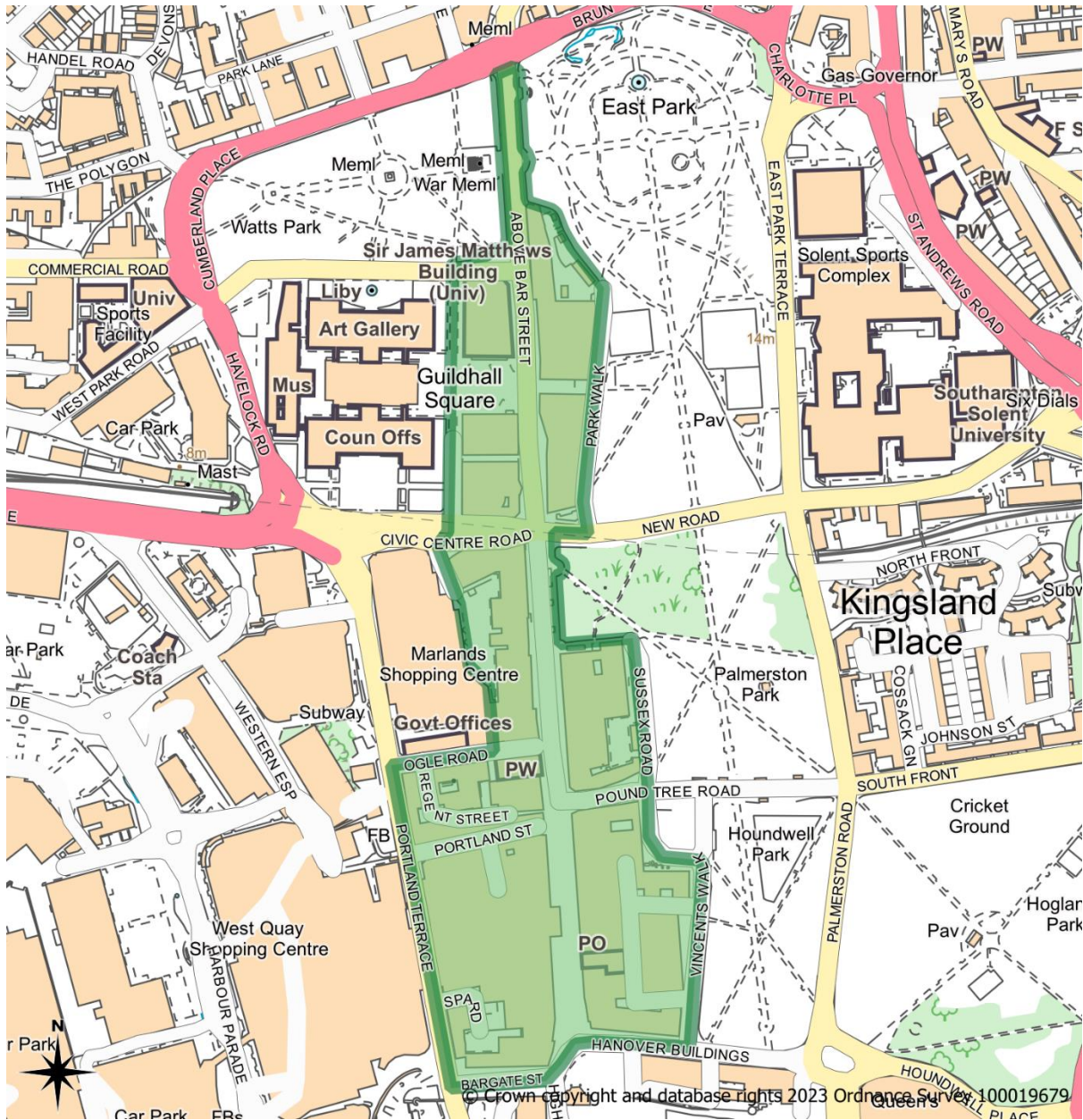
Overview map of Stress Areas



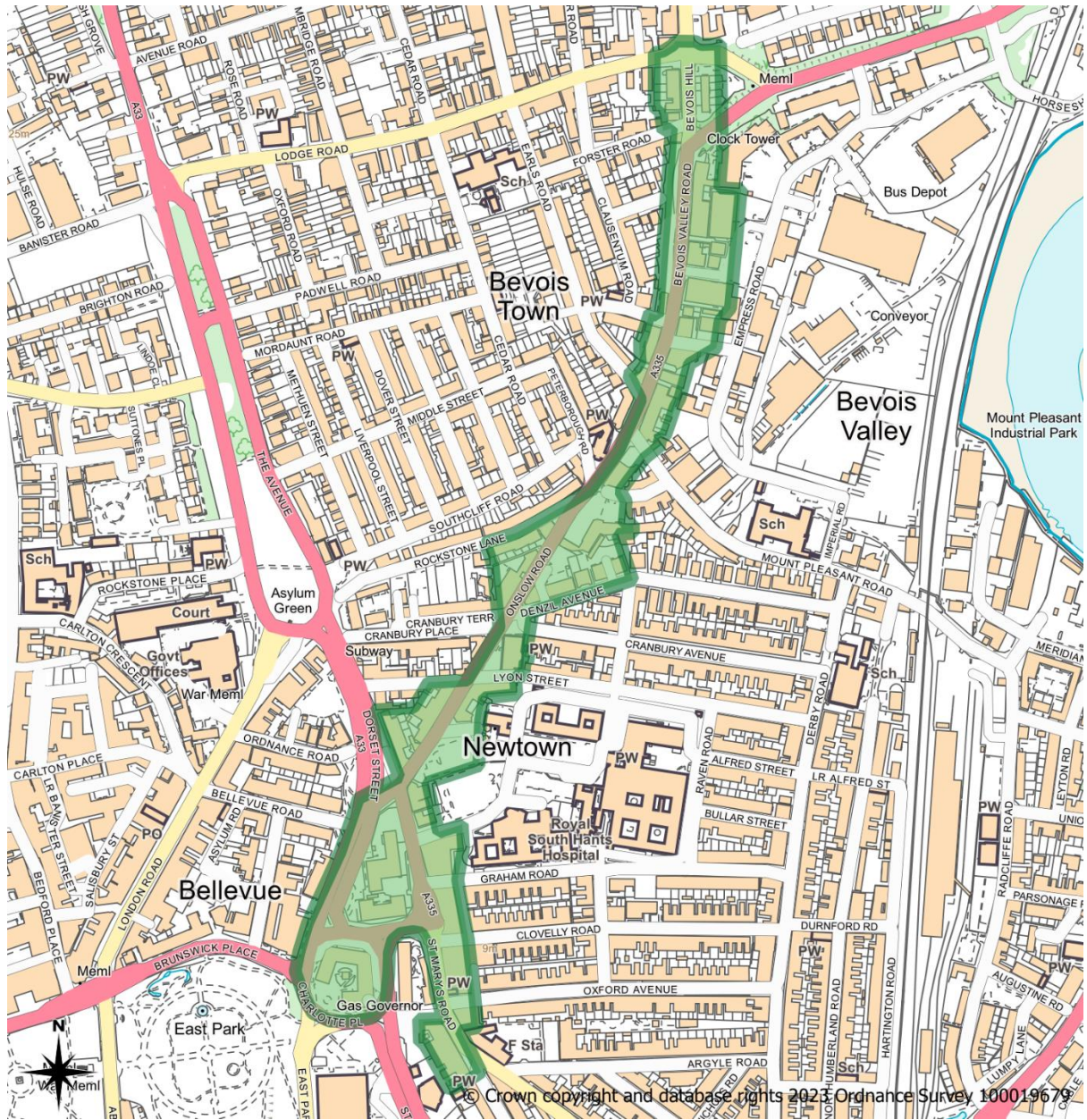
London Road/Bedford Place



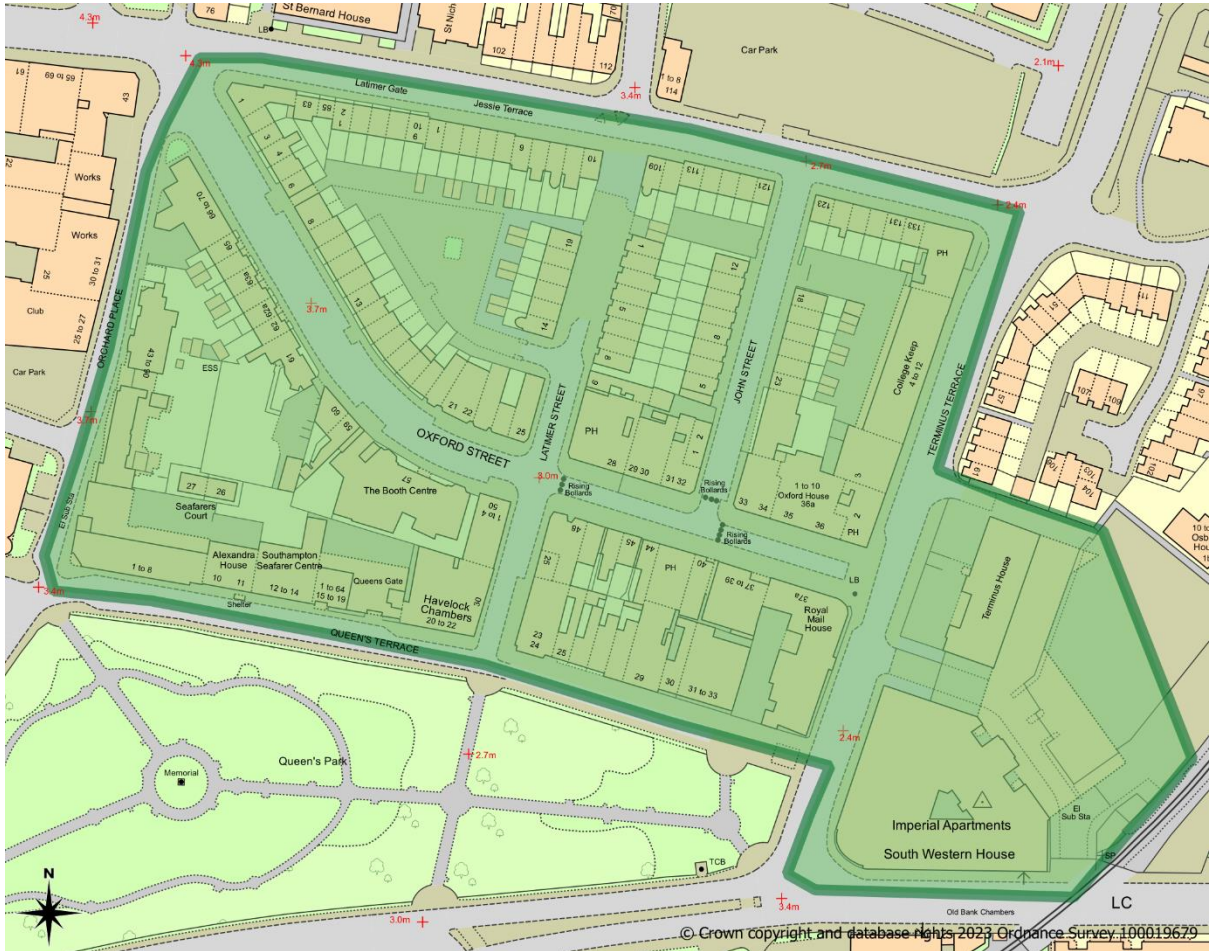
Above Bar Street



Bevois Valley



Oxford Street



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HAMPSHIRE & ISLE OF WIGHT

CONSTABULARY

Cumulative Impact Policy Zones – Southampton

01/01/2020 – 31/12/2022

Date: April 2023

Version Control: 2

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Introduction

In 2009, Southampton City Council introduced the Cumulative Impact Policy (CIP) zones within their Statement of Licensing. There is a requirement to review the licensing policy every five years and the CIP policy every three years and this report supports the most recent review of the CIP zones.

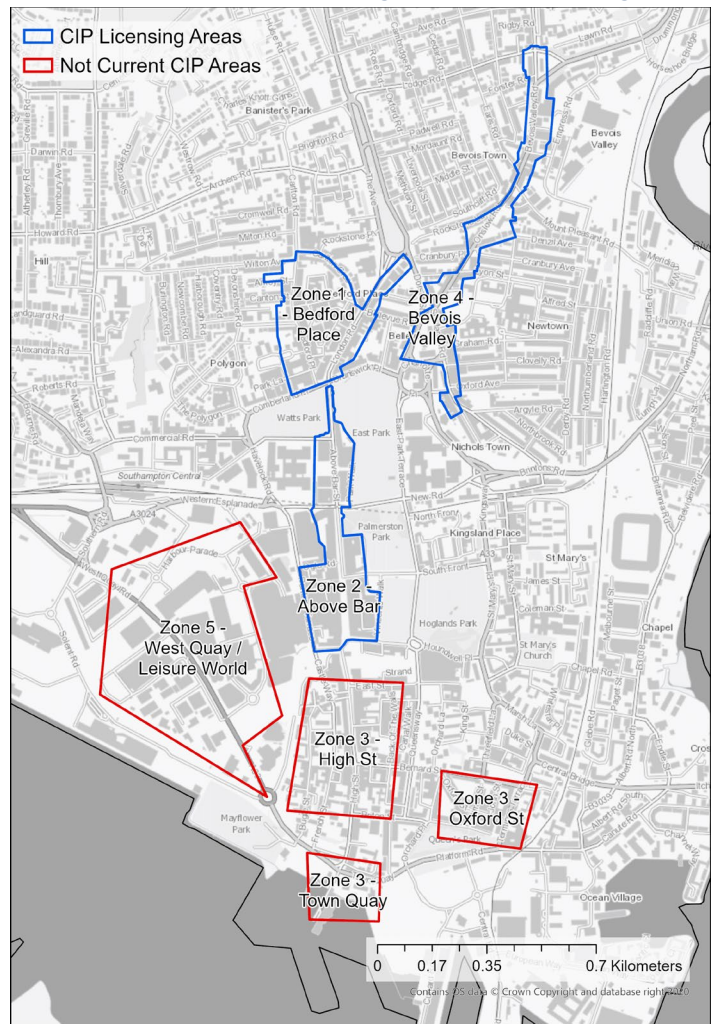
The Licensing Authority in the previous review (pre-pandemic) believed that three areas are suffering from Cumulative Impact and are designated as ‘Zone 1 – Bedford Place’, ‘Zone 2 – Above Bar’ and ‘Zone 4 – Bevois Valley’. Zone 3 and 5 are not currently stress areas.

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

The successful and vibrant Night Time Economy (NTE) in Southampton attracts tourists, local residents and students to the various licensed venues.

Policing the NTE places a heavy demand on limited resources. Hampshire & Isle of Wight Constabulary continue to work in partnership to reduce alcohol related crime and disorder and reduce the wider demand on policing and public health.

Figure 1: CIP Licensing Areas



Hypotheses

There has been an indication that the designated stress areas may need adjusting due to increases or decreases in offending. The following two hypotheses will be tested to determine if this should be the case.

Hypothesis 1: 'Zone 4 – Bevois Valley' has seen a reduction in NTE offences and is no longer required to be a CIP zone.

Hypothesis 2: 'Zone 3 – Oxford Street' has had an increase in NTE offences and so should become a designated zone.

Methodology and Data Gaps

The offences included for analysis have a start date from 1 January 2020 to 31 December 2022 to assess the volume of offences in each zone but also as a proportion of NTE offences for the district as a whole.

Crime Types

- Violence with Injury
- Violence without Injury
- Rape and Other Sexual Offences
- Possession of Drugs
- Possession of Weapons Offences
- Public Order Offences

Certain public order offences have been excluded as they only relate to breach of orders for example SHPOs, CBOs or notification orders, none of which had NTE flags on. The offence types included may differ slightly from the previous review report as it listed broad categories so a direct comparison of crime volumes between previous years cannot be made. However, a comparison between the proportions of offences occurring in the zones out of the district total allows stress areas to be highlighted.

Due to crime data integrity (CDI) issues, a manual review of addresses has been undertaken to improve the understanding of offences linked to the NTE. Venues such as pubs, bars, clubs etc. linked as the occurrence address have had a flag added if the offence took place between 18:00 and 05:59. Whilst there is still issues with data quality even with this method, it has highlighted further offences which should have had the NTE flag on RMS. All offences with the flag originally on the crime record have remained the same.

District Overview

Table 1: Southampton District Offences by Crime Type and Year

Table 1 provides a breakdown of offences across the three year period by crime type. Due to the impact of the pandemic it is difficult to analyse the differences between the years. However, Figure 2 shows the breakdown by month for 2021 and 2022 in order to show the differences between periods where there were no restrictions on social gathering or venues opening.

Crime Type	2020	2021	2022
Violence with Injury	3,661	3,884	4,189
Violence without Injury	7,697	9,271	9,459
Rape	330	353	377
Other Sexual Offences	503	655	708
Possession of Drugs	914	867	864
Possession of Weapons Offences	368	433	472
Public Order Offences	2,947	3,929	3,852
Total	16,420	19,392	19,921

Figure 2 shows a decrease in all months from July in 2022 when compared to 2021 apart from November which saw a 1.2% increase. The greatest decreases were seen in September (-13.4%), December (-12.6%) and October (-8.8%).

Figure 2: Total District Crime by Month (2021 and 2022)

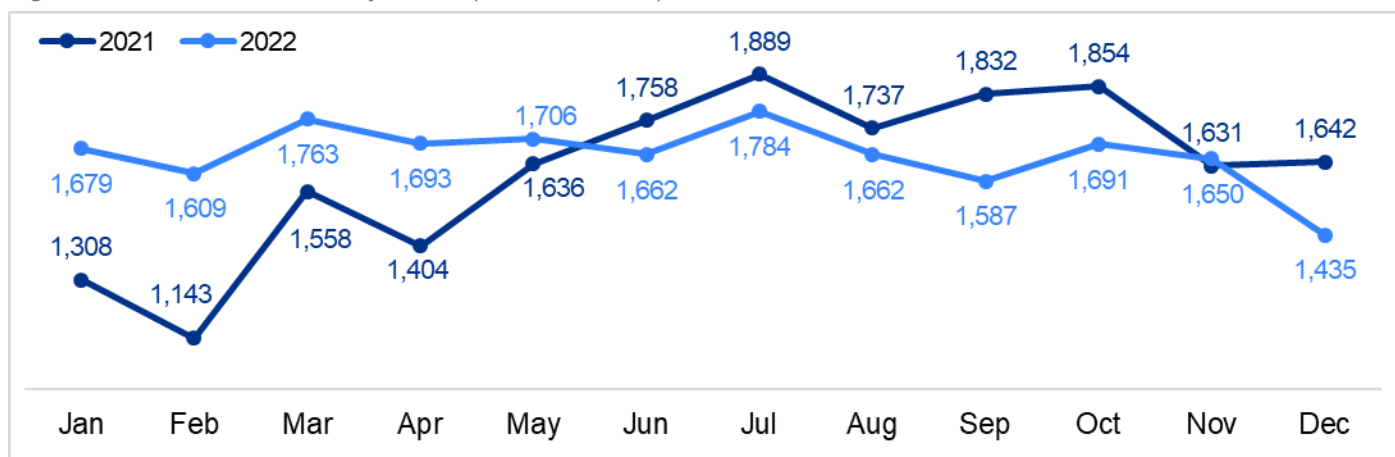


Table 2: Southampton District Offences by Crime Type and Sector in 2022

Table 2 shows all crimes within the district, broken down by sector. Central has the highest proportion of crime, followed by the West. Central also has the largest proportion of all crime types except violence without injury which is highest in the West.

Crime Type	Central	East	North	West
Violence with Injury	36%	19%	18%	28%
Violence without Injury	25%	23%	22%	30%
Rape	38%	19%	17%	26%
Other Sexual Offences	35%	18%	18%	29%
Possession of Drugs	43%	13%	16%	28%
Possession of Weapons Offences	39%	18%	18%	25%
Public Order Offences	31%	18%	21%	30%
Total	30%	20%	20%	29%

NTE Offence Overview

Table 3 shows the breakdown of NTE offences identified through the flag on RMS. There were 1,302 offences in 2022.

Violence with injury accounts for 40% of offences, followed by violence without injury at 30% and public order at 16%.

Table 3: Offences with a NTE Flag on RMS by Crime Type and Year

Crime Type	2020	2021	2022
Violence with Injury	197	398	521
Violence without Injury	118	269	394
Rape	10	24	19
Other Sexual Offences	27	57	96
Possession of Drugs	11	14	36
Possession of Weapons Offences	9	17	30
Public Order Offences	51	146	206
Total	423	925	1,302

Table 4: NTE Offences (Venue Review and RMS) by Crime Type and Year

Crime Type	2020	2021	2022
Violence with Injury	233	447	555
Violence without Injury	160	315	461
Rape	10	24	21
Other Sexual Offences	29	69	101
Possession of Drugs	14	17	41
Possession of Weapons Offences	11	17	31
Public Order Offences	66	170	221
Total	523	1,059	1,431

After the manual review of address details, the number of NTE offences increased to 1,431 in 2022. This is shown in Table 4.

NTE offences made up 7.2% of all district crime in 2022. This increases to 14.3% for other sexual offences and 13.2% for violence with injury.

Comparing 2021 and 2022, there were 35% more NTE offences in 2022, however, the impact of social restrictions due to the pandemic will account for this. When looking after restrictions were removed, in 2022 there were 28% more offences in July when compared to 2021 but all following months saw a decrease. The largest decreases were seen in August and December (both -33%) and also September (-30%).

Table 5: NTE Offences by Crime Type and Sector in 2022

Crime Type	Central	East	North	West
Violence with Injury	80%	5%	5%	10%
Violence without Injury	80%	3%	5%	11%
Rape	90%	0%	5%	5%
Other Sexual Offences	89%	2%	3%	6%
Possession of Drugs	83%	0%	2%	15%
Possession of Weapons Offences	90%	0%	0%	10%
Public Order Offences	63%	7%	10%	20%
Total	79%	4%	6%	12%

When looking at NTE offences only, Southampton Central sector has 79% of offences. This increases for certain offence types such as rape and weapons possession (90%) and decreases for public order (63%).

Table 6: Temporal Analysis of NTE Offences in 2022

Day/Time	17	18	19	20	21	22	23	00	01	02	03	04	05	Total
Monday-Tuesday	0	2	10	6	8	10	11	6	3	4	4	8	0	72
Tuesday-Wednesday	0	2	9	8	7	10	9	14	7	11	8	3	2	90
Wednesday-Thursday	3	1	9	6	9	10	17	11	21	11	7	0	3	108
Thursday-Friday	1	1	8	8	15	16	10	15	10	11	11	7	4	117
Friday-Saturday	1	8	12	11	27	27	56	57	64	59	41	16	8	387
Saturday-Sunday	4	10	14	18	32	54	79	68	71	90	50	22	13	525
Sunday-Monday	2	6	15	6	15	15	8	10	6	8	13	1	1	106
Total	11	30	77	63	113	142	190	181	182	194	134	57	31	1,405

Table 5 shows the temporal analysis of NTE offences in 2022 by day and time. The table shows offences peak between 02:00-02:59 on Sunday, followed by 23:00-23:59 on Saturday. The hour from 02:00 has the highest volume of NTE offences across the week, followed by 23:00. Offence volumes increase from 21:00 and then drop off significantly from 04:00. The majority of offences are concentrated around Friday and Saturday nights with the latter seeing the highest volume. There is a slight increase on Wednesday compared to other weekdays which may be linked to students as the universities often have social nights on this day.

CIP Zones

The CIP zones within the city centre represent 1.7% of the district area (0.87 km²) but in 2022, 10% of crime. The proportion increases for some crime types with 17% of other sexual offences for the district and 15% of drug possession within the zones in 2022. Violence without injury and rape have lower percentages within the zones with 8% and 7% respectively in 2022.

Table 7: Percentage of Crime within CIP Zones by Crime Type

Crime Type	2020	2021	2022
Violence with Injury	9%	13%	14%
Violence without Injury	5%	6%	8%
Rape	5%	5%	7%
Other Sexual Offences	10%	13%	17%
Possession of Drugs	6%	8%	15%
Possession of Weapons Offences	10%	9%	10%
Public Order Offences	9%	10%	11%
Total	7%	9%	10%

Table 8: Percentage of NTE Crime within CIP Zones by Crime Type

Crime Type	2020	2021	2022
Violence with Injury	52%	67%	65%
Violence without Injury	53%	61%	67%
Rape	20%	13%	48%
Other Sexual Offences	72%	75%	73%
Possession of Drugs	36%	65%	78%
Possession of Weapons Offences	64%	59%	58%
Public Order Offences	52%	49%	47%
Total	52%	61%	64%

The zones contain a much higher proportion of NTE crime within the district with 61% (650) in 2021 and 64% (911) in 2022. This increased to 75% of other sexual offences in 2021 and 78% of drugs possession in 2022. 13% of rape offences linked to the NTE were within the zones in 2021 and 48% in 2022.

Zone 1 – Bedford Place

This zone is located in the main NTE hub in the city and has the highest volume of offences out of all CIP areas. It represents 0.2% of the district area (0.11km²). Across the three years, the zone had the highest proportion of NTE offences in 2022 at 25% (15% in 2020 and 27% in 2021).

Excluding 2020, there were more sexual offences linked to the NTE in Zone 1 than there were in areas not within a stress area (39% in 2021 compared to 25% not in a zone; 30% in 2022 and 27% not in a zone).

In 2022, 32% of NTE weapons possession offences were in Zone 1 and 42% were not within any CIP area. There were also 37% of NTE drugs possession offences in the zone compared to 22% not within an area.

The proportion of each crime type linked to the NTE has decreased within this zone with violence with injury decreasing from 29% in 2021 to 26% in 2022. See Appendix 1 and 2 for more detail.

Saturday night had the highest volume of offences (152, 44%), followed by Friday (98, 28%). 58% (202) of offences occurred between 00:00-02:59.

Figure 3: Zone 1 - Bedford Place with NTE Heat Map

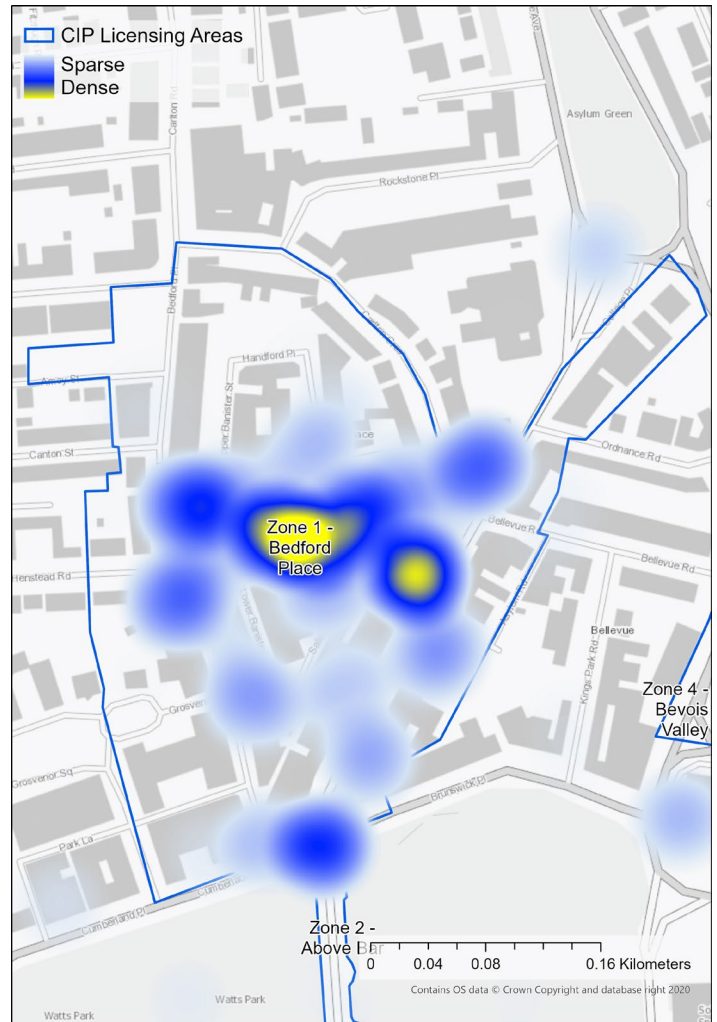


Table 9: Temporal Analysis of NTE Offences in Zone 1 in 2022

Day/Time	17	18	19	20	21	22	23	00	01	02	03	04	05	Total
Monday-Tuesday	0	0	2	0	0	2	2	4	0	2	0	0	0	12
Tuesday-Wednesday	0	0	0	0	1	1	4	10	3	7	2	1	0	29
Wednesday-Thursday	0	0	2	0	0	1	5	2	3	4	2	0	0	19
Thursday-Friday	0	0	0	1	3	1	2	1	6	2	4	1	0	21
Friday-Saturday	0	0	1	1	4	3	11	9	24	22	15	1	7	98
Saturday-Sunday	1	2	0	0	10	9	18	34	27	36	11	3	1	152
Sunday-Monday	0	0	2	0	0	1	2	0	2	4	6	1	0	18
Total	1	2	7	2	18	18	44	60	65	77	40	7	8	349

Zone 2 – Above Bar

This zone covers the main commercial street in the district but the northern end has NTE venues in the Guildhall Square area. The area is a very similar size to Zone 1, making up 0.2% of the district (0.11km²).

Zone 2 has the highest volume of offences after Zone 1 (Bedford Place). In 2020, 17% of NTE offences were within the zone, followed by 17% in 2021 and 21% in 2022.

In 2022, there were more drugs possession offences linked to the NTE in Zone 2 than in areas not within a zone in the district (27% compared to 22% not in a zone). In 2021, it had 29% of weapons possession offences compared to 6% in Zone 1.

The proportion of NTE offences within Zone 2 has increased from 2021 to 2022 (17% to 21%). Whereas, this decreased in Zone 1 (27% to 25%).

Weapons possession offences had a higher proportion in 2021 at 29% which reduced to 19% in 2022. Other sexual offences have also increased (14% in 2020, 23% in 2021 and 26% in 2022). See Appendix 1 and 2 for more detail.

Saturday night has the highest volume of offences (140, 48%), followed by Friday (82, 28%). Offences are more spread across the evening than in Zone 1 from 22:00 to 04:59 with peaks at 01:00 and 02:00.

Figure 4: Zone 2 - Above Bar with NTE Heat Map

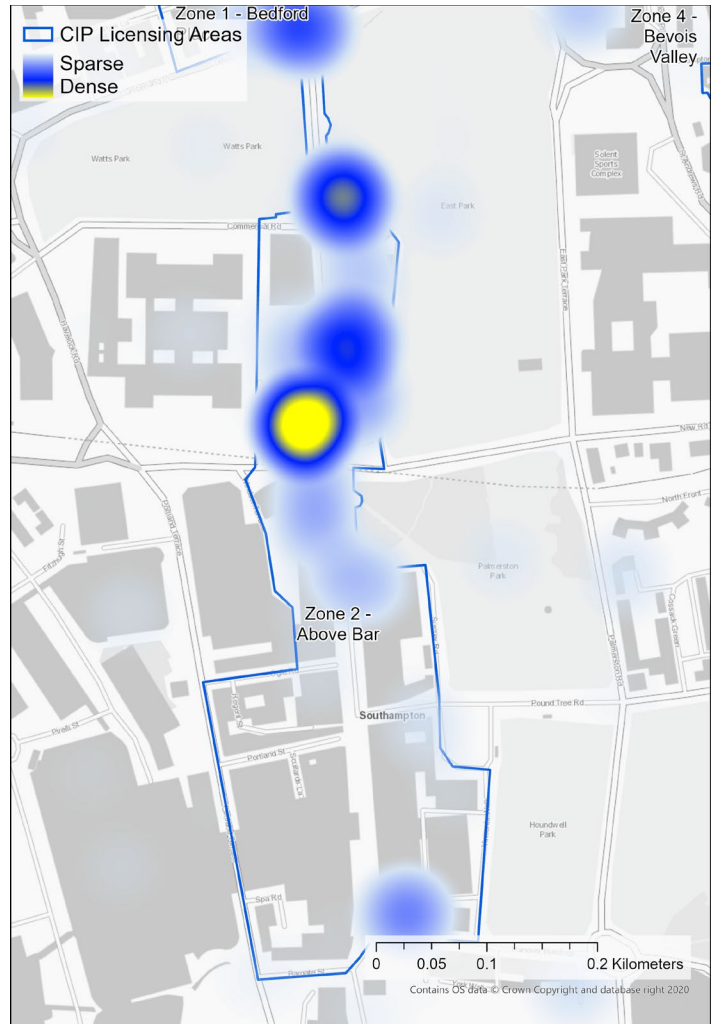


Table 10: Temporal Analysis of NTE Offences in Zone 2 in 2022

Day/Time	17	18	19	20	21	22	23	00	01	02	03	04	05	Total
Monday-Tuesday	0	2	0	0	1	2	1	0	1	0	3	5	0	15
Tuesday-Wednesday	0	0	1	1	0	1	2	1	0	0	3	0	1	10
Wednesday-Thursday	2	0	0	0	0	3	1	1	8	1	0	0	0	16
Thursday-Friday	0	0	2	1	2	1	1	2	1	3	1	1	0	15
Friday-Saturday	0	2	6	4	1	5	11	10	15	17	7	4	0	82
Saturday-Sunday	2	3	5	4	5	10	17	5	21	31	18	10	9	140
Sunday-Monday	0	0	0	0	2	2	2	2	3	1	3	0	0	15
Total	4	7	14	10	11	24	35	21	49	53	35	20	10	293

Zone 3 – High St / Oxford St / Town Quay

Zone 3 (Figure 5) is split into three different areas, the High Street, Oxford Street and Town Quay. These three areas have differing volumes of offences.

Oxford Street has the highest number of offences, equating to 5% of NTE offences in 2021 and 6% in 2022. In 2020, Oxford Street has much lower volumes with only 2% of NTE offences.

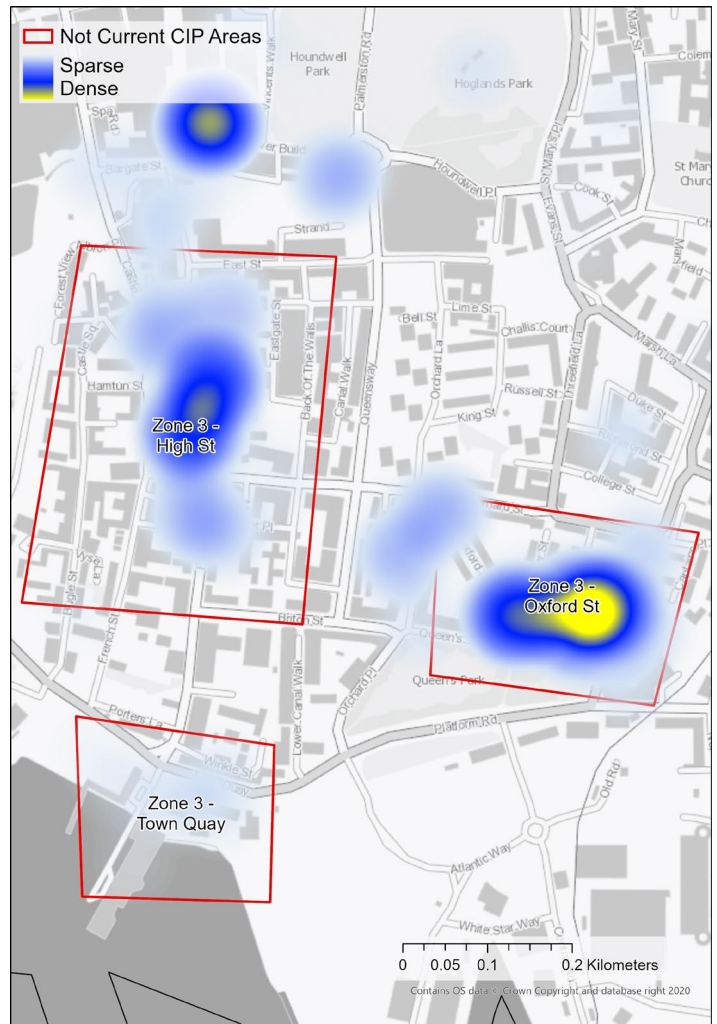
High Street had a higher proportion in 2020 (6%), but this has dropped off over the three year period to 4% in 2021 and 2% in 2022.

Town Quay has the lowest volume of offences with 1% in 2020, no NTE offences in 2021 and only 5 offences (0%) in 2022.

All three areas within Zone 3 had no weapons offences in 2022 and only 4 offences over the previous two years.

This zone makes up a larger proportion of violence without injury offences across all three years (10% in 2020, 11% in 2021 and 10% in 2022) compared to other offence types. See Appendix 1 and 2 for more detail.

Figure 5: Zone 3 with NTE Heat Map



Offences within zone three peak between 23:00-23:59 on Saturday with 22 out of the 24 offences occurring in the Oxford Street zone. There are several incidents with multiple offences linked to them due to multiple victims. The majority 58% were violence without injury offences. Saturday has the majority of offences (56%), followed by Friday (25%). 61% of offences occurred between 23:00-01:59.

Table 11: Temporal Analysis of NTE Offences in Zone 3 in 2022

Day/Time	17	18	19	20	21	22	23	00	01	02	03	04	05	Total
Monday-Tuesday	0	0	2	1	1	0	0	1	0	0	0	0	0	5
Tuesday-Wednesday	0	0	1	2	0	0	0	0	0	0	1	0	0	4
Wednesday-Thursday	0	0	0	0	0	1	0	1	0	0	0	0	0	2
Thursday-Friday	1	0	0	0	1	1	0	1	2	0	0	0	0	6
Friday-Saturday	0	0	0	0	1	2	7	9	5	1	3	2	0	30
Saturday-Sunday	0	2	1	1	2	7	24	7	13	8	2	0	0	67
Sunday-Monday	1	1	0	0	0	0	0	3	0	0	0	0	0	5
Total	2	3	4	4	5	11	31	22	20	9	6	2	0	119

Zone 4 – Bevois Valley

Figure 6 shows Zone 4 located in Bevois Valley. In the previous review, Zone 4 had comparable levels of violence to Zones 1 and 2.

It is a smaller zone than Zone 1 and 2 at 0.09km² (0.2% of the district). It had 6% of district NTE offences in 2020 and 2022 and 2% in 2021. In 2022, Zone 1 represented 25% of NTE crimes which is over four times more than in Zone 4.

The zone had 4% (7) of public order NTE offences in 2021 which is more than that in Zone 3 – Oxford Street but the volumes are low. In 2022, Zone 4 had 14% (3) of NTE rape offences and 11% (11) of other sexual offences but again, the volumes are very low.

In 2022, Zone 4 had more offences than Zone 3 – Oxford Street but less in 2021 (2% compared to 5%). However, the zone covers a larger area and the majority of offences in this zone are located in St Mary’s Road area (see Figure 6).

Friday has the most offences (35%) in Zone 4, followed by Saturday (29%). Friday between 00:00-00:59 has the most offences. Overall, volumes are low and there are no offences prior to 19:00.

Figure 6: Zone 4 - Bevois Valley with NTE Heat Map

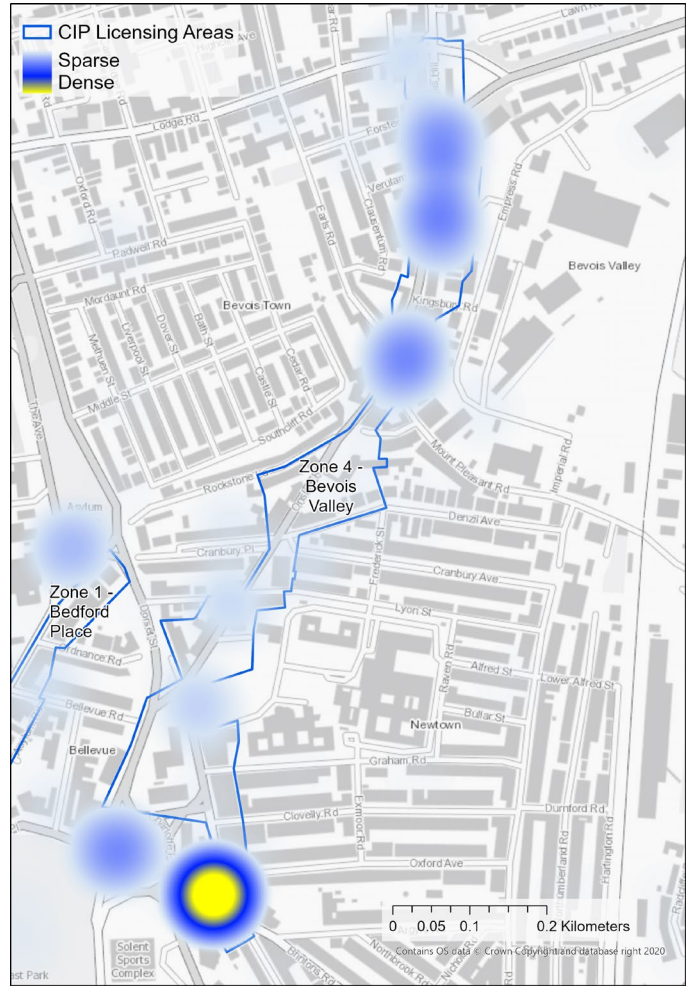


Table 12: Temporal Analysis of NTE Offences in Zone 4 in 2022

Day/Time	17	18	19	20	21	22	23	00	01	02	03	04	05	Total
Monday-Tuesday	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Tuesday-Wednesday	0	0	0	0	1	2	2	0	3	2	0	1	0	11
Wednesday-Thursday	1	0	0	0	1	0	2	3	3	1	3	0	0	14
Thursday-Friday	0	0	0	0	0	0	2	1	0	0	1	0	0	4
Friday-Saturday	0	0	0	0	0	1	0	5	9	5	6	4	1	31
Saturday-Sunday	0	0	1	4	0	0	4	0	2	5	6	3	1	26
Sunday-Monday	0	0	0	0	0	0	0	1	0	1	0	0	0	2
Total	1	0	1	5	2	3	10	10	17	14	16	8	2	89

Zone 5 – West Quay

Figure 7 shows offences in Zone 5 which has the lowest number of offences. It represents 0.6% of the district (0.32km²) and is the largest zone. It represented 6% of NTE offences in 2020 but has decreased with 2% in 2021 and 3% in 2022.

There are very few offences in this zone so temporal analysis is limited. All eight offences at 23:00 on Wednesday are linked to one incident. With that excluded, Saturday has the most offences and across all days, 02:00-02:59 has the most offences in an hour period.

In 2021, 12% (2) of NTE drug possession offences were in this zone but this reduced to 2% in 2022. There were less offences in this zone in both 2021 and 2022 than in Zone 4.

Figure 7: Zone 5 - West Quay with NTE Heat Map



Table 13: Temporal Analysis of NTE Offences in Zone 5 in 2022

Day/Time	17	18	19	20	21	22	23	00	01	02	03	04	05	Total
Monday-Tuesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tuesday-Wednesday	0	0	0	0	1	0	0	0	0	0	1	0	0	2
Wednesday-Thursday	0	0	0	0	1	2	8	0	0	1	0	0	0	12
Thursday-Friday	0	0	0	0	1	1	0	0	0	2	0	2	0	6
Friday-Saturday	0	0	0	0	0	1	0	2	0	2	2	0	0	7
Saturday-Sunday	0	0	0	1	0	0	2	1	0	3	3	2	0	12
Sunday-Monday	0	1	1	0	0	0	0	0	0	2	1	0	0	5
Total	0	1	1	1	3	4	10	3	0	10	7	4	0	44

Density Based Clustering

An alternative mapping method was used to identify clusters of offences based on density rather than mapping them to areas already identified. Figure 10 shows where these are located. This method created clusters using 2022 NTE offence data by highlighting areas with 36 or more offences where the offences are no more than 100m apart. The areas highlighted (Figure 8) are:

- Above Bar / Bedford – some of the offences in the fall outside of Zone 2 but the majority are within the CIP stress area.
- High Street – partly within Zone 2 also with some offences just outside the zone.
- Oxford Street – entirely within Zone 3.
- Charlotte Place / St Mary's Road – falls partly within Zone 4 but some offences remain outside of the area.

Figure 8: Density Based Clustering – 2022 NTE (n. 36)

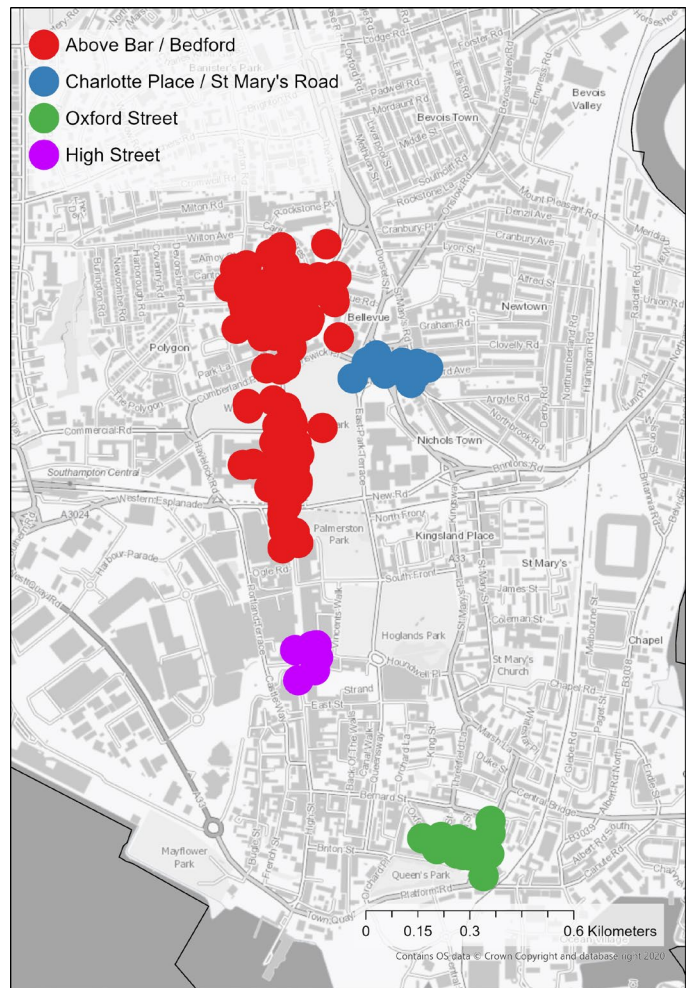
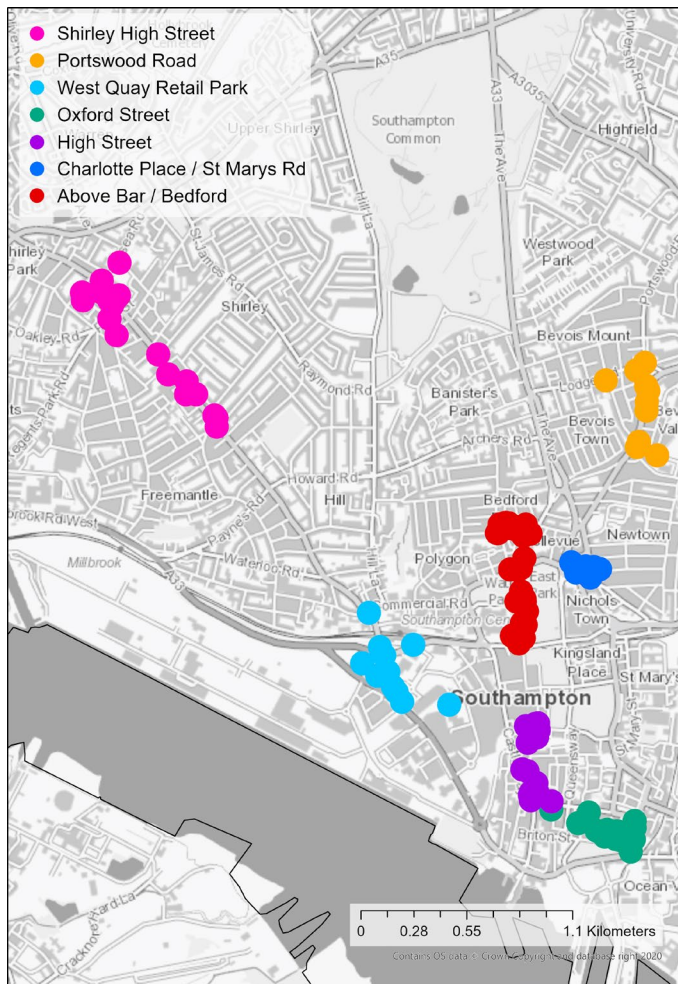


Figure 9: Density Based Clustering – 2022 NTE (n. 24)



Another map (Figure 9) was created which shows areas with 24 or more NTE offences in 2022 with no defined distance between the offences. This has highlighted some clusters around Shirley High Street, Portswold Road and West Quay as well as the areas highlighted in the previous map.

However, these clusters are much larger areas with fewer offences. The density of NTE venues is not as high as in the areas highlighted with 36 or more offences.

The Portswold Road cluster had 41 offences which are spread apart, whereas the Oxford Street cluster in Figure 9 has 81 offences. The Above Bar / Bedford cluster has 457 offences. Shirley High Street has 60 offences over a 1km stretch.

Key Findings and Recommendations

Looking at data from 2020 to 2022, Zone 1 and Zone 2 have seen a significant proportion of district NTE crime. For some crime types such as weapons offences, Zone 1 has seen more offences within the small geographical area than within the rest of the district as a whole.

Both hypotheses have been proven by looking at the NTE offences over the last three years:

- Zone 4 – Bevois Valley has seen a reduction in offences compared to the last review and it is recommended that it should no longer be a designated stress area in its entirety. The proportion of NTE offences for the district is very low.
- Zone 3 – Oxford Street has seen an increase in NTE offences over the three year period. Although the proportion of all NTE offences is still very low, the density based clustering has highlighted that there were 36 or more offences in 2022 within a small geographical area.

Density based clustering for 2022 data has also highlighted a concentration of offences around Charlotte Place and St Mary's Road that falls partly outside Zone 4. This small geographic area should be monitored for a further increase in offending and potentially creating a new CIP area. From the analysis and data within the report, it is recommended that the Cumulative Impact Policy areas should cover:

- Zone 1 – Bedford Place
- Zone 2 – Above Bar
- Zone 3 – Oxford Street
- Charlotte Place and St Mary's Road

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Appendices

Note: Larger images can be found as an attachment to this report (Appendix 3).

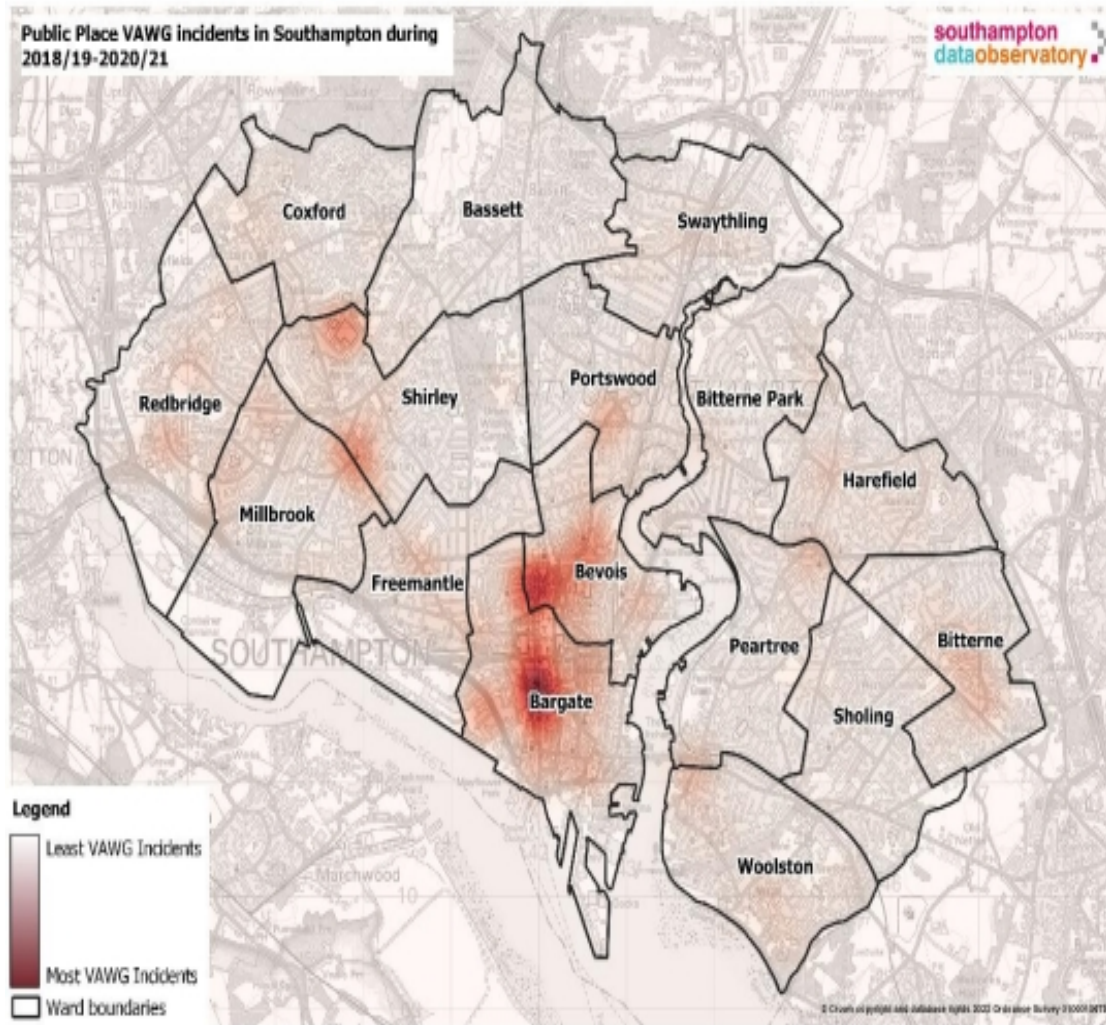
Appendix 1: NTE Offences by Zone and Crime Type in 2021

Crime Type	No Zone	Zone 1	Zone 2	Zone 3 - High St	Zone 3 - Oxford St	Zone 3 - Town Quay	Zone 4	Zone 5	Total
Violence with Injury	113 (48%)	34 (15%)	43 (18%)	7 (3%)	4 (2%)	3 (1%)	18 (8%)	11 (5%)	447
Violence without Injury	76 (48%)	28 (18%)	28 (18%)	13 (8%)	3 (2%)	1 (1%)	5 (3%)	6 (4%)	315
Rape	8 (80%)	0 (0%)	0 (0%)	1 (10%)	0 (0%)	0 (0%)	0 (0%)	1 (10%)	24
Other Sexual Offences	8 (28%)	4 (14%)	4 (14%)	4 (14%)	0 (0%)	1 (3%)	2 (7%)	6 (21%)	69
Possession of Drugs	9 (64%)	1 (7%)	1 (7%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	3 (21%)	17
Weapons Offences	4 (36%)	3 (27%)	0 (0%)	1 (9%)	0 (0%)	0 (0%)	1 (9%)	2 (18%)	17
Public Order	32 (48%)	7 (11%)	15 (23%)	5 (8%)	2 (3%)	1 (2%)	3 (5%)	1 (2%)	170
Total	250 (48%)	77 (15%)	91 (17%)	31 (6%)	9 (2%)	6 (1%)	29 (6%)	30 (6%)	1,059

Appendix 2: NTE Offences by Zone and Crime Type in 2022

Crime Type	No Zone	Zone 1	Zone 2	Zone 3 - High St	Zone 3 - Oxford St	Zone 3 - Town Quay	Zone 4	Zone 5	Total
Violence with Injury	192 (35%)	143 (26%)	119 (21%)	12 (2%)	34 (6%)	0 (0%)	37 (7%)	18 (3%)	555
Violence without Injury	151 (33%)	110 (24%)	111 (24%)	13 (3%)	34 (7%)	1 (0%)	27 (6%)	14 (3%)	461
Rape	11 (52%)	1 (5%)	3 (14%)	2 (10%)	0 (0%)	0 (0%)	3 (14%)	1 (5%)	21
Other Sexual Offences	27 (27%)	30 (30%)	26 (26%)	1 (1%)	3 (3%)	0 (0%)	11 (11%)	3 (3%)	101
Possession of Drugs	9 (22%)	15 (37%)	11 (27%)	0 (0%)	1 (2%)	0 (0%)	4 (10%)	1 (2%)	41
Weapons Offences	13 (42%)	10 (32%)	6 (19%)	0 (0%)	0 (0%)	0 (0%)	2 (6%)	0 (0%)	31
Public Order	117 (53%)	44 (20%)	22 (10%)	6 (3%)	11 (5%)	4 (2%)	8 (4%)	9 (4%)	221
Total	520 (36%)	353 (25%)	298 (21%)	34 (2%)	83 (6%)	5 (0%)	92 (6%)	46 (3%)	1,431

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Draft Cumulative Impact Policy Consultation

Full results summary

Data, Intelligence & Insight Team – November 2023



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



Introduction and Methodology



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

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



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

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



New Conversations 2.0
LGA guide to engagement



Rules: The Gunning Principles

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

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

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

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

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

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

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



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



Who were the respondents?

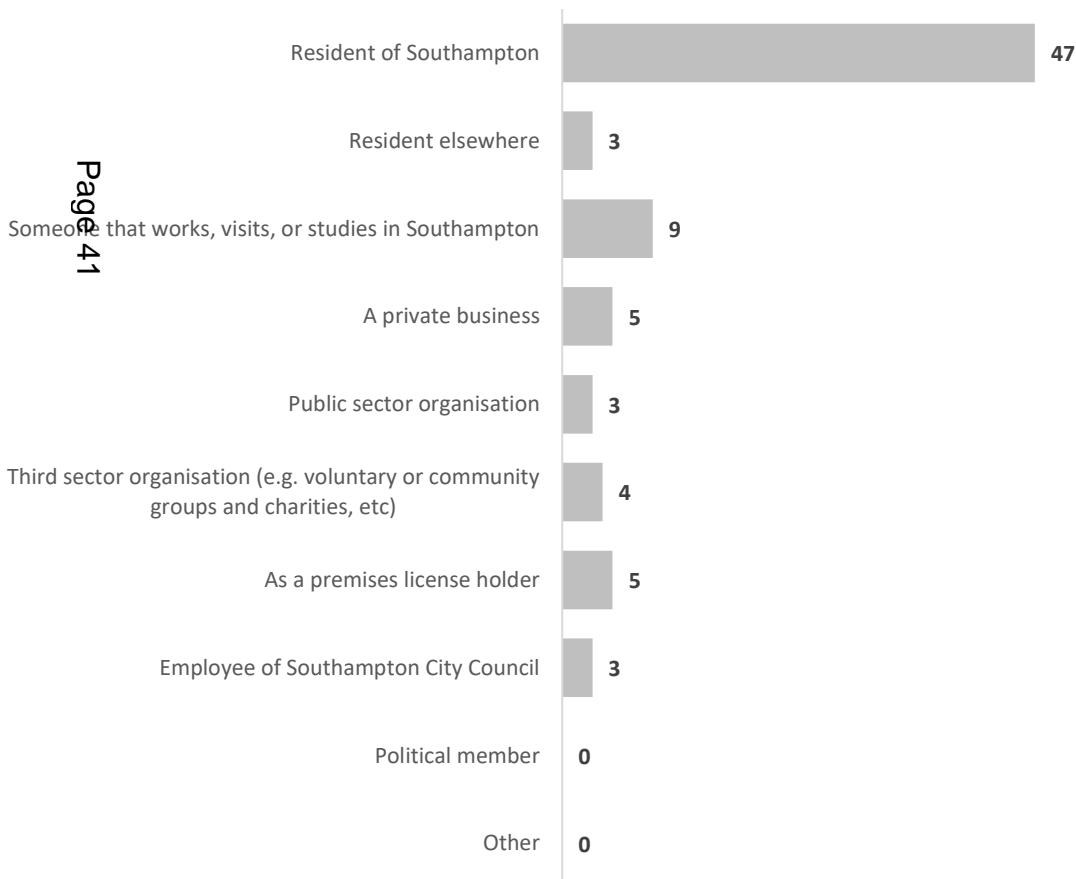
Total respondents:

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

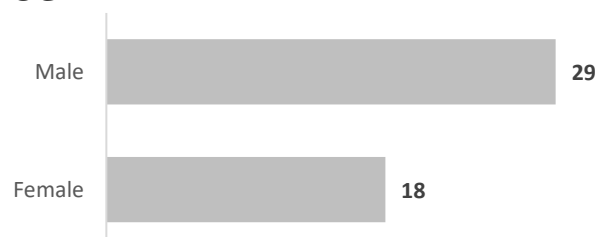
The following graphs are shown in respondent count.

Interest in the consultation:

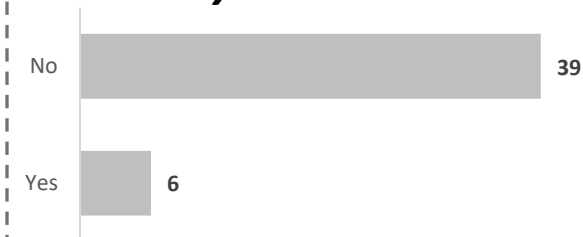
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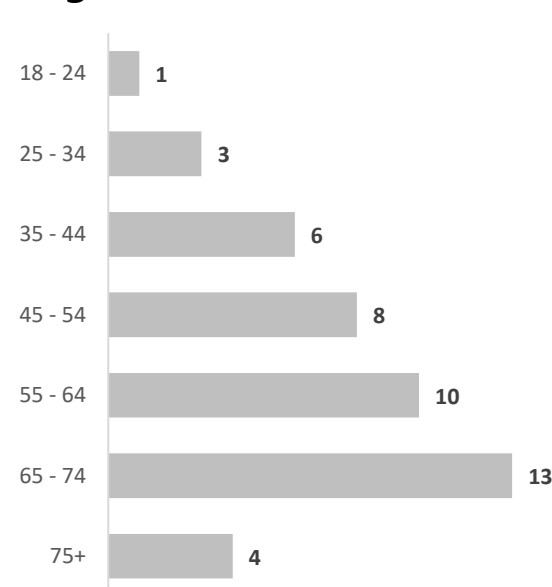
Sex:



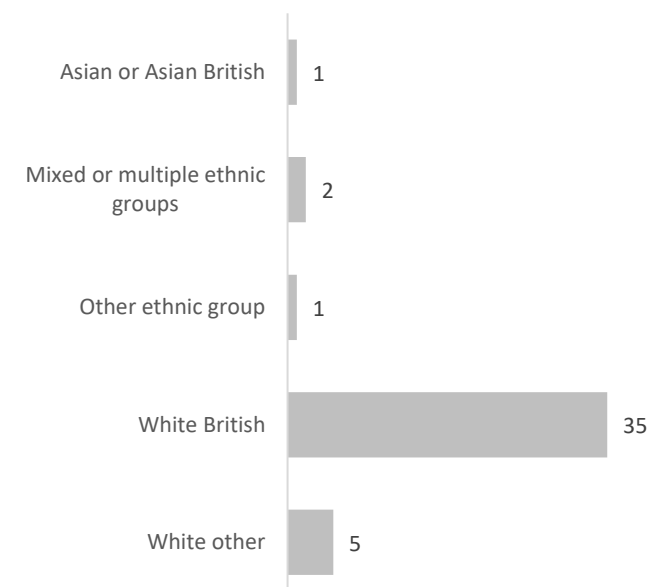
Disability:



Age:



Ethnicity:





Proposed changes



The questionnaire outlined the following background information:

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

Currently, we have three stress areas:

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

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

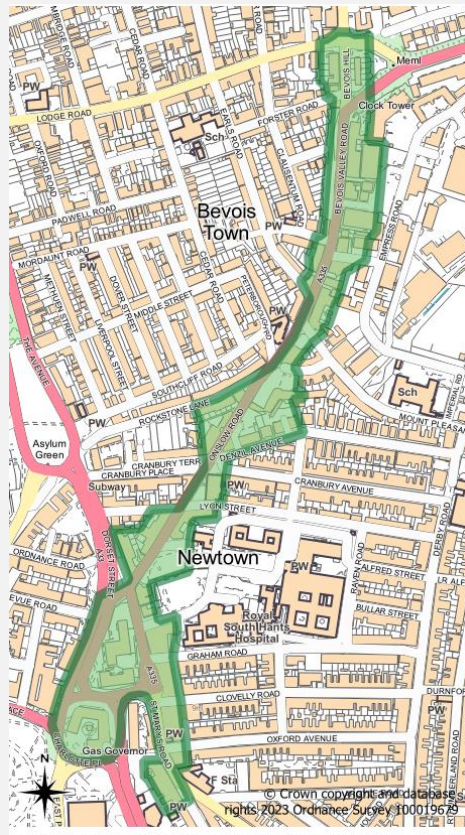
The data showed that Bevois Valley was not suffering from such high levels of crime and disorder, however the data from the Violence against women and girls profile showed that the area suffers from high levels of violence against women and girls.

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

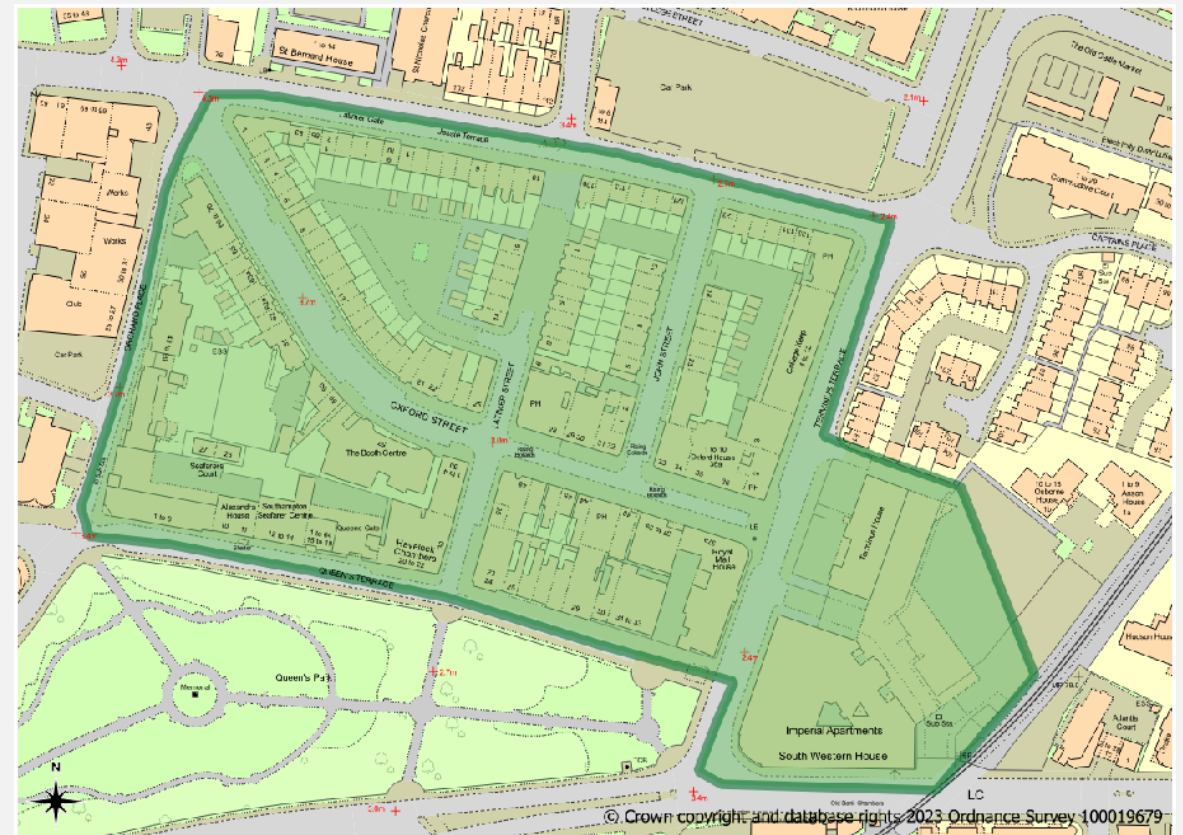


The questionnaire outlined the following proposals:

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



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

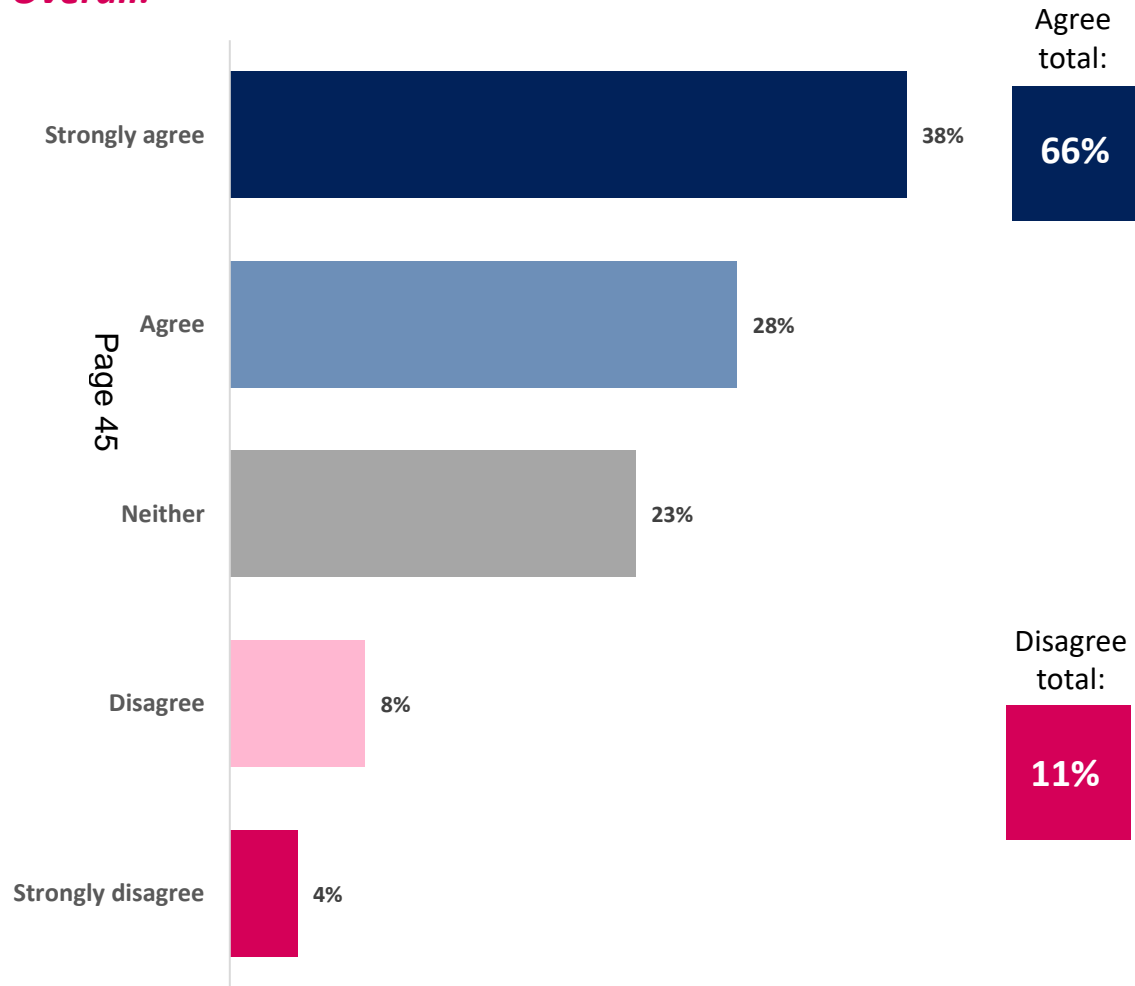




Agreement & Impact to extending Bevois Valley CIP stress area

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

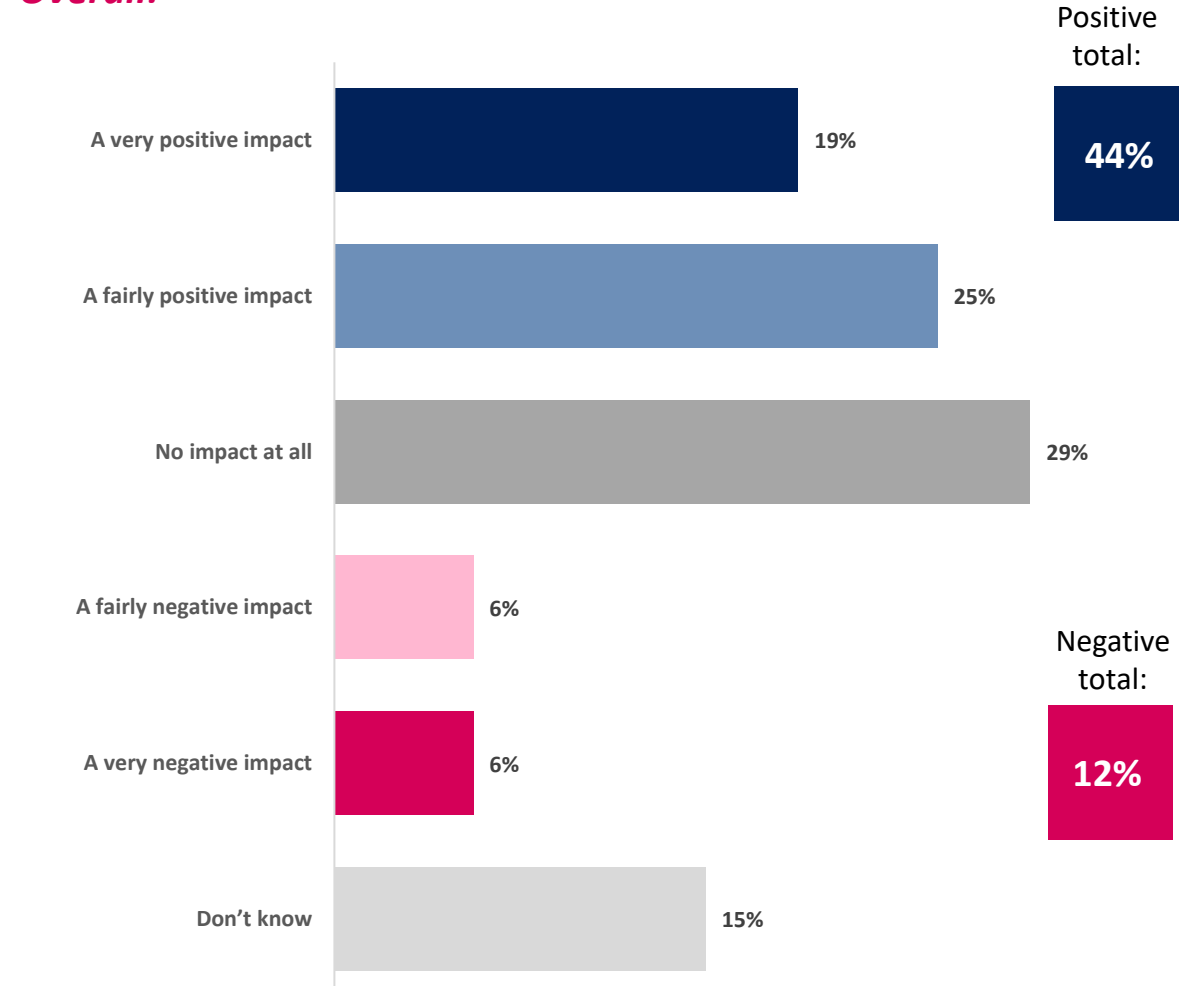
Overall:



Base respondents: 53

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

Overall:



Base respondents: 52



Free text comments on extending Bevois Valley CIP stress area

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

Comments | 8

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

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

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

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

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

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

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

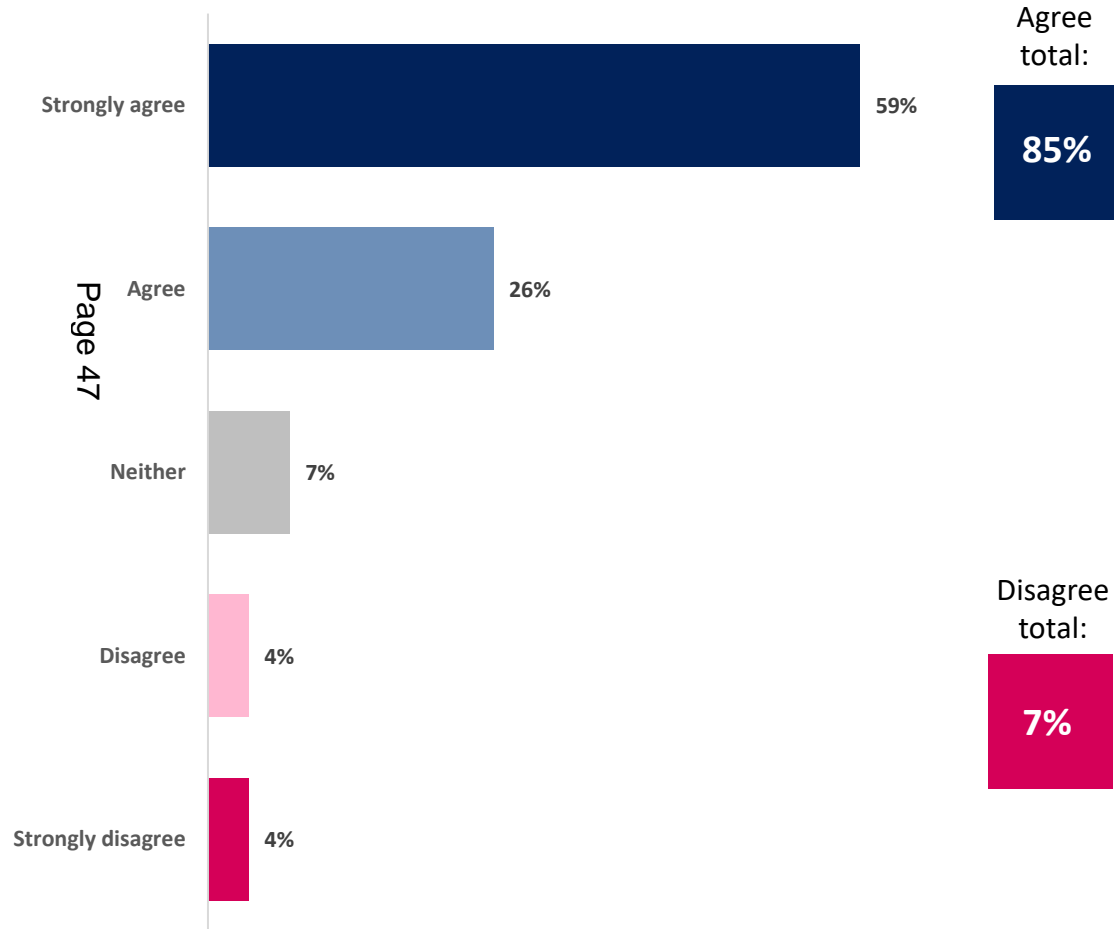
"Sack this stupid council."



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

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

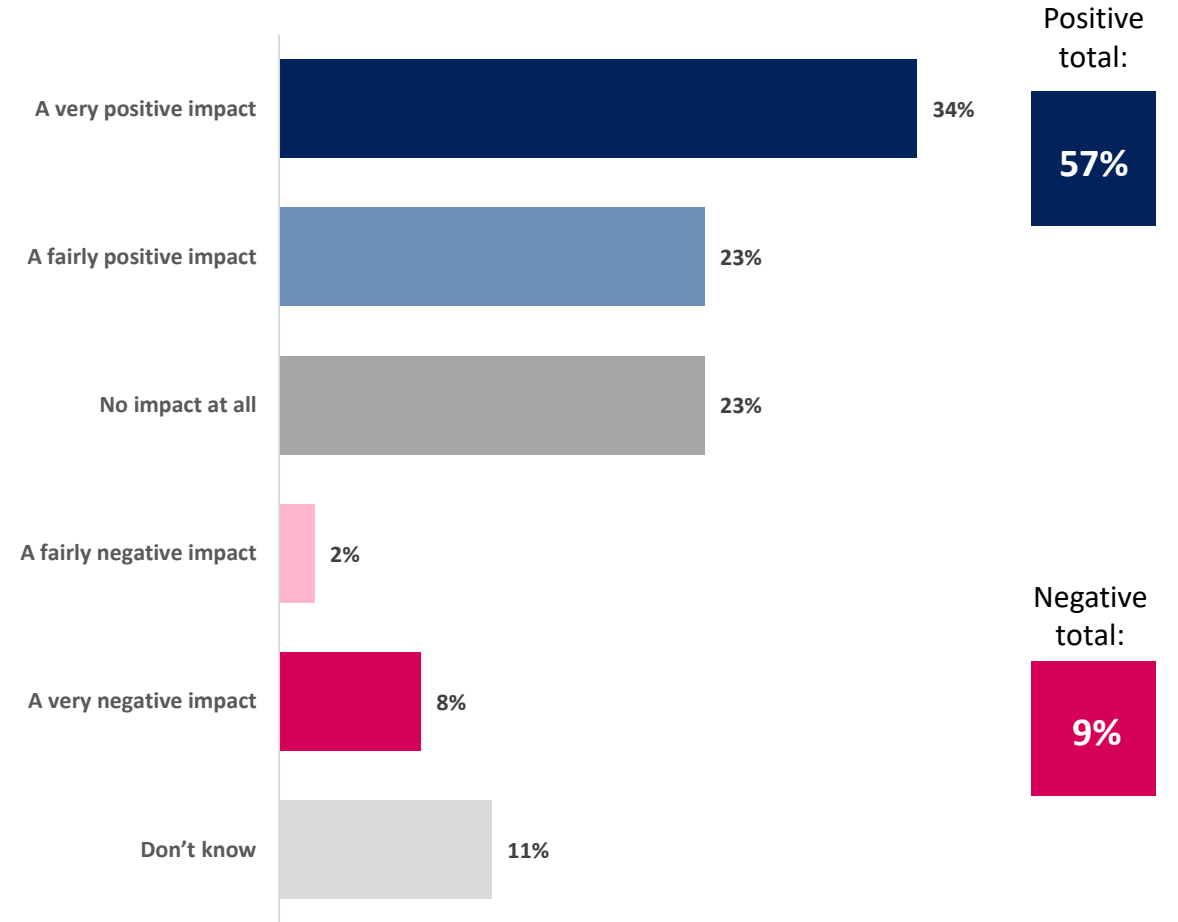
Overall:



Base respondents: 54

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

Overall:



Base respondents: 53



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

Comments | 21

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

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

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

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

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

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

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

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

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



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

Comments | 21

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

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

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

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

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

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

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

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

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

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

"A wim of this stupid incompetent council."

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



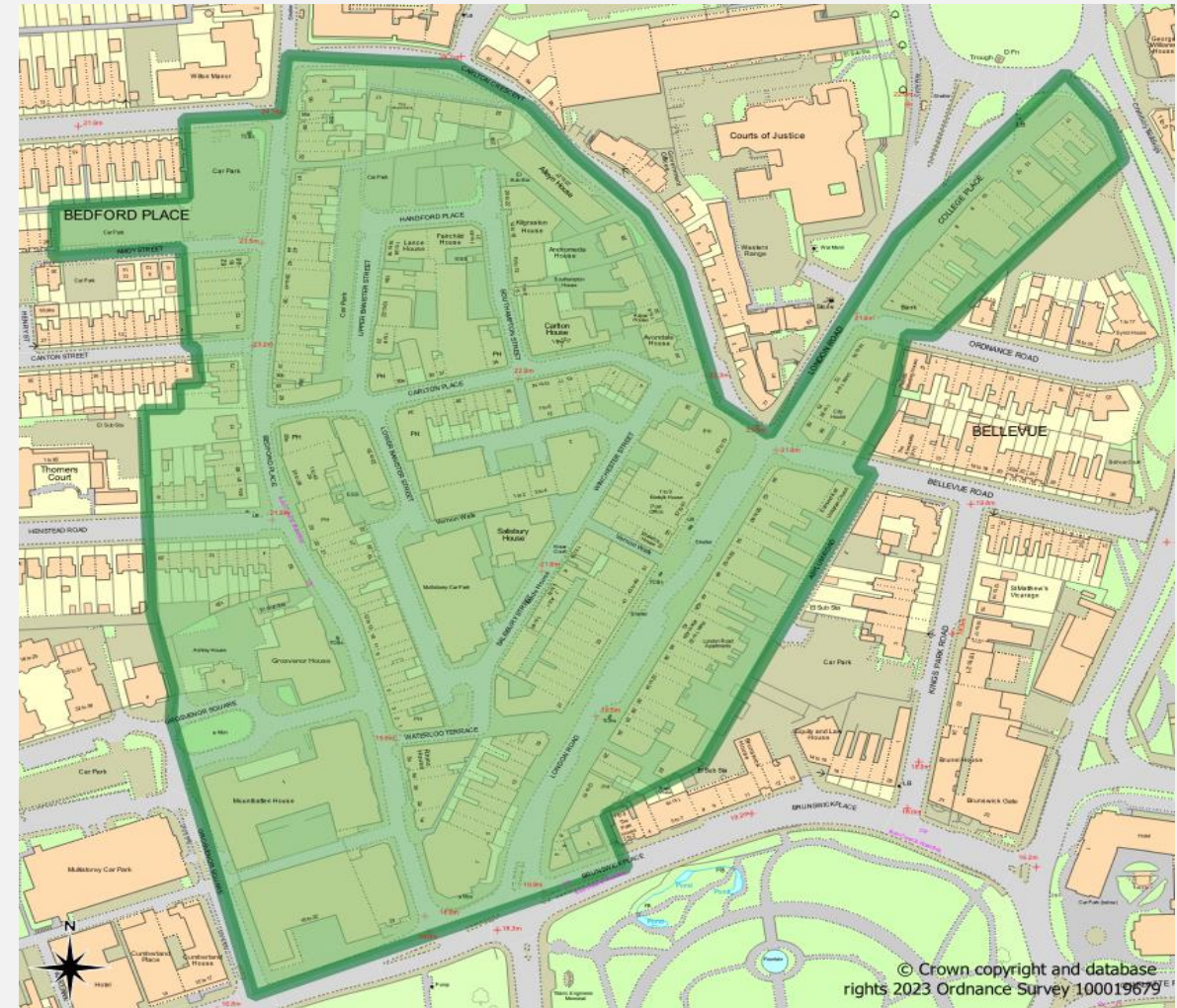
Section 6 Cumulative Impact Policy

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

This includes:

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

London Road / Bedford Place CIP Stress Area:

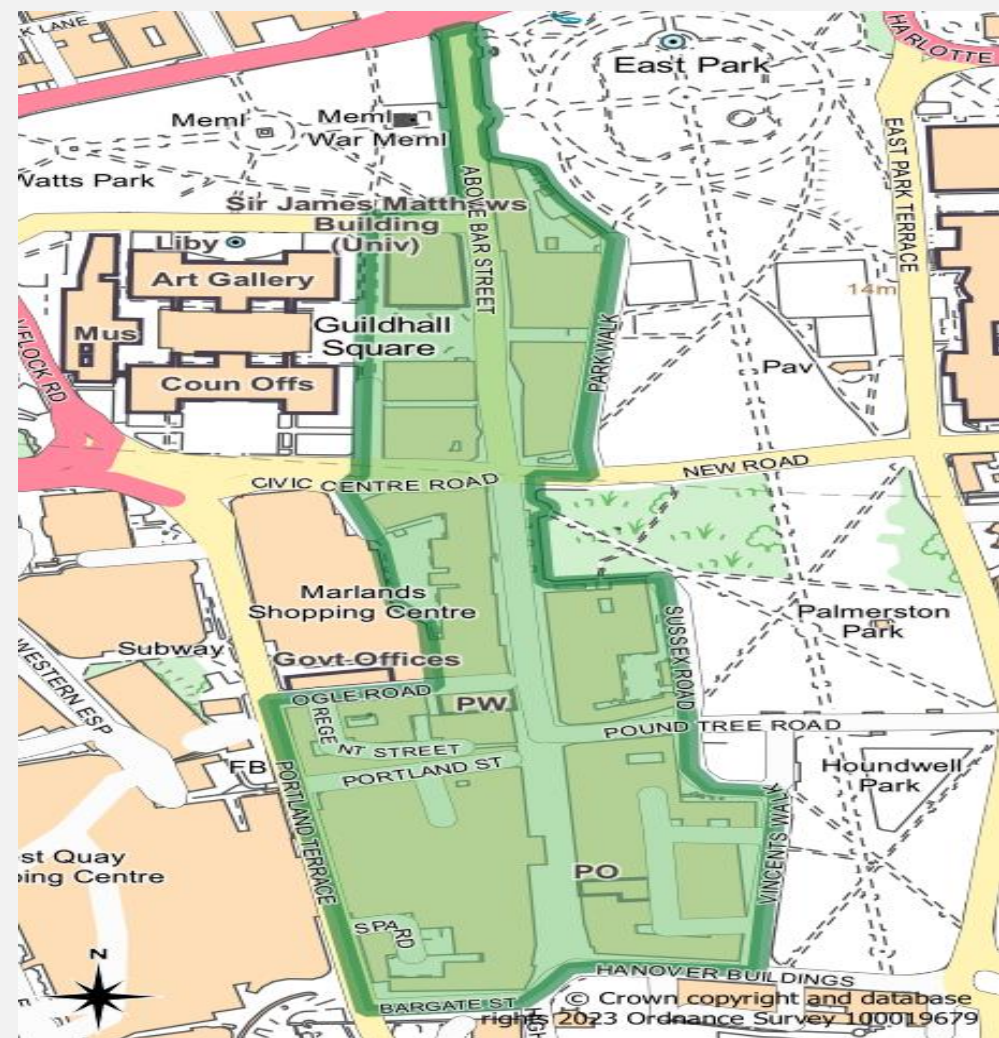




Section 6 Cumulative Impact Policy

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

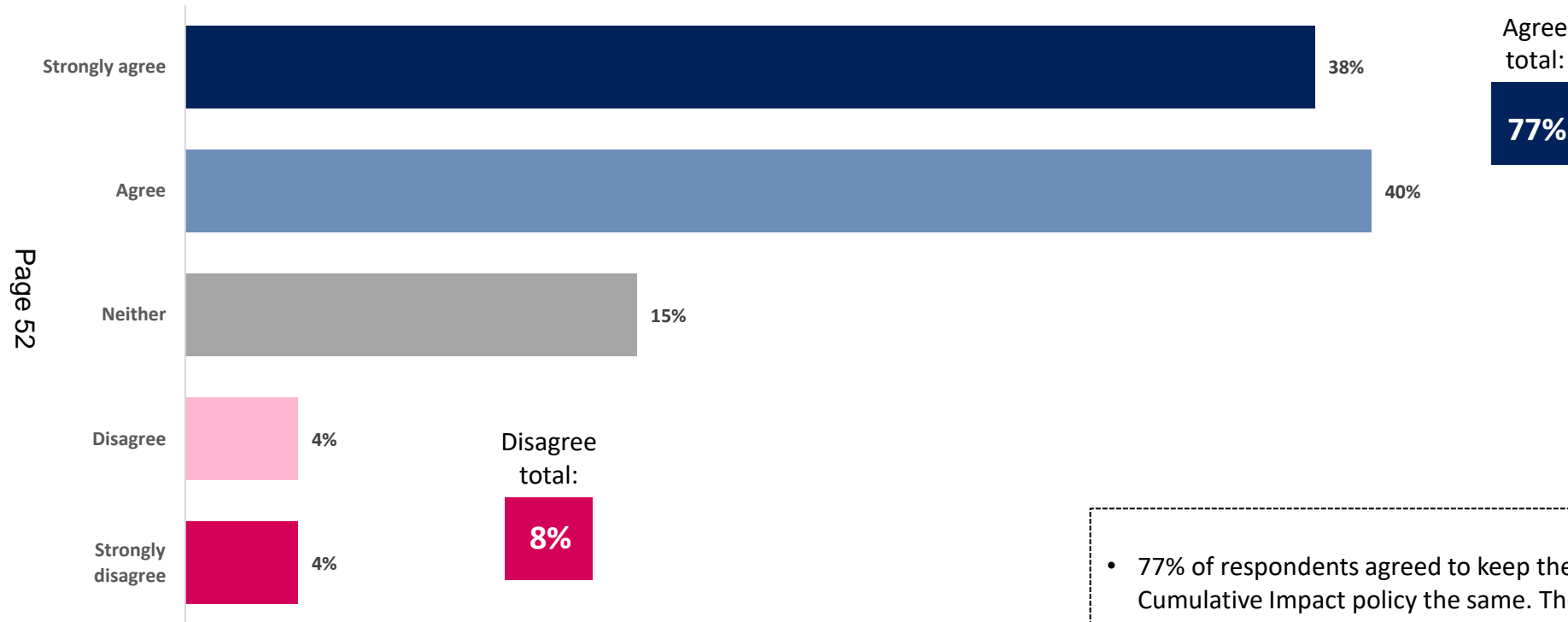
Above Bar Street CIP Stress Area:





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

Overall:



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



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

Comments | 9

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

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

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

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

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

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

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

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

"This council is bonkers."

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OFFICER RESPONSES TO CONSULTATION COMMENTS

Consultation comment	Officer response
<p>“I agree the Charlotte Place area should be covered but by extending the London Rd Stress area. I am not sure Bevois Valley requires a stress area any longer.”</p> <p>“I think the city should keep 3 stress areas, extending the London Rd one to include Charlotte place and surround and do away with Bevois Valley.”</p>	<p>As the proposal is to keep Bevois Valley as a stress area Charlotte place is better placed within that stress area, should Bevois Valley no longer exist as a stress area at that point Charlotte place can be included in the London Road Stress area.</p>
<p>“It has not been adequately explained what the effect of adding an area to CIP might be.”</p>	<p>The policy does explain the implications of the CIP. If there is an objection to an application the onus falls to the applicant to demonstrate the application will not adversely impact any of the licensing objectives. Normally it falls to the objector to demonstrate an adverse impact.</p>
<p>“The Bevois Valley CIP Stress area should be extended north into Portswood Road. There is regular late night noise, screaming and swearing, largely because of drunken students.”</p>	<p>The partners were asked to specifically include data for Portswood and Shirley High street in addition to the proposed stress areas. Although we accept these areas have some issues they are not to the same scale as the areas identified and it was felt there was insufficient evidence to include these areas as stress areas under the policy. This will continue to be reviewed.</p>
<p>“Yes, I can, the whole CIP policy has not made the streets safer, in fact it makes licences and extensions even easier to obtain as applicants deny that their customers add to the street numbers. No one takes any notice of what the objectors are saying, no one believes their evidence. At least the Council had sense enough many year ago, not to allow (at Planning) any more food and uses in the Valley, that is why there is less trouble in that area. Meanwhile in Bedford Place licences for 04.00 at regularly given out as objectors are over ruled”</p> <p>“The Licences will still be granted for new outlets and extensions and gradually objectors will give and flee the noise, crime and ASB, as has happened in Polygon where residents group have objected to licences for 50 year , to NO avail.”</p>	<p>The policy has been a major reason a number of venues have not applied for variations in the stress areas. Those that have applied have gone through the hearing process and each case determined on the merits of each case having considered the law and local policies.</p>
<p>“From my experience, as an objector to Licensed premises and takeaway hours extensions, the CIP in this area will be just as use less as it has been everywhere else. Objectors claims that more people at such places/ for longer times, will be Cumulative are dismissed as what could happen instead of</p>	<p>The policy has been a major reason a number of venues have not applied for variations in the stress areas. Those that have applied have gone through the hearing process and each case determined on the merits of each case having considered the law and local policies.</p>

OFFICER RESPONSES TO CONSULTATION COMMENTS

<p>what will happen. In over 25 years I have not seen even one refusal at any hearing I have spoken at or listened to. Objectors just give up and stop writing in. That suits the applicants nicely and the Council avoids expensive appeals. But it make life hell for residents, they have to go and live elsewhere. As has happened in Polygon.”</p>	
<p>“I believe the area should be extended to cover Brunswick Square due to the presence of a night club at The 1865 and Arrow Super market which is a convenience store selling alcohol until 2am on weekends which can lead to anti social behaviour. This is only 1 additional street vs the current proposals.”</p>	<p>There is little to no evidence of these venues contributing to the cumulative impact in Oxford Street.</p>
<p>“Why the focus on violence against women? Men are more than twice as likely to be the victims of violence as women. The focus should be on reducing all violence not just that against women.”</p> <p>“As I said before, why the focus on violence against women? Men are more than twice as likely to be the victims of violence as women. The focus should be on reducing all violence not just that against women.”</p>	<p>There is clear evidence that attitudes towards women need to be addressed, hence the focus on violence against women. This does not detract from work to reduce all violence.</p>
<p>“Increase the age limit . More younger people are migrating to Oxford Street and this is the problem.”</p>	<p>This is beyond our legal powers</p>
<p>“Where are funding and resources going to come from?.”</p>	<p>There is little funding or resource required for this, it falls within the day to day work of the licensing team and their partners.</p>
<p>“Even ignoring antisocial behaviour, the noise generated by the public eating or drinking outside at the many licensed premises in this area late at night (especially on Fridays and Saturdays) is a major problem for local residents . Licensing hours need to be reduced rather than extended in this</p>	<p>I suspect the author misunderstood the purpose of the stress area. The proposal is to place greater restrictions on the area.</p>
<p>This would have a very negative impact on the quality of the very nature of what Oxford Street is. People visit Oxford Street for the outdoor drinking experience and socialising culture that has been there for years. There is not a negative stigma around Oxford Street which has to be managed.”</p>	<p>The activities in Oxford Street need to be managed carefully as it lies very close to significant numbers of residential properties. The purpose of the stress area is to allow the current vibrancy of Oxford St to exist but allows it to be managed so as not to further adversely impact on local residents.</p>
<p>“It is very important to keep this and I would suggest it needs extending along Henstead Road to where it meets Devonshire Rd. Residents of Henstead Rd are subjected to nightly disturbances from around 8pm to</p>	<p>There are no licensed premises in Henstead Road and it is a residential road. Extending the stress area to here will have no impact.</p>

OFFICER RESPONSES TO CONSULTATION COMMENTS

<p>5am. The anti social behaviour is bad enough. But add into this the fights, drug dealing, street drinking and litter and the quality of sleep is effected . Also means that residents nearby do not want to go out during the evenings as the area feels unsafe if you are not a 'clubber'."</p>	
<p>"If you have clubs open until 5 or 6 am then other places should be able to have the same option to open until the same times . I t is not a fair marketplace if businesses are not allowed to have the same trading opportunities."</p>	<p>Maintaining the level playing field at the cost of public safety, crime and disorder cannot be justified.</p>

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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	LICENSING ACT 2003 CUMULATIVE IMPACT ASSESSMENT REVIEW
Brief Service Profile (including number of customers)	
<p>There are over 800 premises in the city licensed by the council under the Licensing Act 2003. The vast majority of these include either the sale or the provision of alcohol. Some are just for late night refreshment and a very small number are for regulated entertainment only.</p> <p>There are areas in or near the city centre that are densely populated with licensed premises. This density of premises creates problems for council and partner agency services.</p> <p>To manage this issue a Cumulative Impact Policy (CIP) was incorporated into the Statement of Licensing Policy. This created three stress areas suffering from cumulative impact. London Road/Bedford Place, Above Bar Street and Bevois Valley.</p> <p>The review of the policy and the data supporting it has identified a need to keep the policy, retain the three stress areas with a small adjustment to increase the boundary of Bevois Valley stress area and to include a 4th stress area in Oxford Street.</p>	
Summary of Impact and Issues	
<p>The CIP does not change the presumption of grant principle of the licensing act where there is no valid objection but it does reverse the onus of proof if a valid objection is made. Ordinarily it is for any objector to demonstrate what is being applied for will negatively impact at least one of the four licensing.</p>	

Objectives, whereas an application within a stress area the burden is then placed upon the applicant to demonstrate the application will have no adverse impact on any of the licensing objectives. Effectively making it much more difficult for new premises to obtain a licence or existing premises to amend their licence, such as increasing the hours or range of activities.

The four licensing objectives are:-

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

The CIP allows better management of issues associated licensed premises, in particular crime and disorder and public nuisance. It does then restrict the ability of a business to develop.

The minor change to the Bevois Valley stress area only involves the addition of a large hotel. Whereas the proposal for Oxford Street will involve approximately 30 premises licences.

Potential Positive Impacts

Better management of crime and disorder and public nuisance issues in the area. Oxford Street is close to residential premises and have a number of competing businesses within it. The police have reported an increase in crime and disorder in the area and have increased patrols to manage this. The inclusion of Oxford Street as a stress area make anyone intending to make an application to plan thoroughly and demonstrate they are able to not impact on any of the licensing objectives.

Responsible Service Manager	Phil Bates
Date	15 th December 2023
Approved by Senior Manager	
Date	

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	It is generally younger people who will be impacted by this as they tend to frequent the night time economy. They may want longer hours or more activities.	The proposal is there to protect the public. An area out of control will eventually lose trade.
Disability	No identified impacts	N/A
Gender Reassignment	No identified impacts	N/A
Marriage and Civil Partnership	No identified impacts	N/A

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
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	Proposal improves community safety	N/A
Poverty	This does restrict a business which might be the difference between survival or not.	The purpose of the policy is to restrict the negative impacts associated with licensable activities, by managing this effectively it is likely to increase the desirability of the area compared to an area out of control with higher levels of crime and disorder
Health & Wellbeing	The CIP is effective at limiting the hours businesses can operate which in turn is likely to reduce the amount of alcohol consumed and limit the hours of operation reducing impacts on the local population which will benefit health	N/A
Other Significant Impacts	No identified impacts	N/A

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