

Southampton City Council Statement of Licensing Policy 2026 - 2031



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Statement of Licensing Policy

2026 - 2031

Contents

1. Background.....	4
VISION STATEMENT.....	4
INTRODUCTION	4
CONSULTATION.....	5
2. City Profile.....	6
THE IMPACTS OF ALCOHOL ON SOUTHAMPTON.....	7
3. Licensing Process	9
OPERATING SCHEDULES	11
GUIDANCE DOCUMENTS	11
REPRESENTATIONS.....	11
DECISION MAKING PROCESS	11
APPLICATIONS FOR LARGE EVENTS.....	14
4. Southampton Policies Affecting Licensing	14
PUBLIC SPACES PROTECTION ORDERS (PSPOs).....	14
SHOPS SELLING ALCOHOL (OFF LICENCES)	15
PROMOTION OF ALCOHOL.....	15
TEMPORARY EVENT NOTICES (TENS).....	16
5. Management of Premises.....	17
COUNCIL EXPECTATIONS	17
DESIGNATED PREMISES SUPERVISOR	18
DOOR SUPERVISORS.....	19
DISPERSAL POLICIES	19
RISK ASSESSMENT	19
PROMOTERS	20
TAKEAWAY PREMISES AND PREMISES PROVIDING LATE NIGHT REFRESHMENT	20
EXTERNAL AREAS	20
6. Cumulative Impact Policy	21
POLICY CIP 1 - The basic operation of the policy.....	Error! Bookmark not defined.0
POLICY CIP 2 - How hearings will deal with applications within stress areas ..	Error! Bookmark not defined.1

POLICY CIP 3 - How evidence of Cumulative Impact is dealt with outside of a stress area**Error! Bookmark not defined.**

POLICY CIP 4 - How hearings will apply the CIP to applications from within or out of a stress
.....**Error! Bookmark not defined.**

STRESS AREAS AND CUMUALTIVE IMPACT ASSESSMENT ... **Error! Bookmark not defined.**

7. Children.....	26
8. Enforcement.....	27
Appendix A: Supplementary Guidance	27

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1. Background

VISION STATEMENT

To ensure Southampton is a safe, healthy and vibrant city to live, work and visit. To create an environment that attracts a diverse range of well managed premises, offering a range of entertainment to satisfy the needs of the city.

INTRODUCTION

- 1.1 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
- 1.2 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.
- 1.3 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;
 - Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as:
 - A performance of a play;
 - An exhibition of a film;
 - An indoor sporting event;
 - Boxing or wrestling entertainment;
 - A performance of live music;
 - Any playing of recorded music;
 - A performance of dance;
 - Provision of facilities for making music; and
 - Provision of facilities for dancing.
- 1.4 The Live Music Act 2012, Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities. See [Entertainment Licensing - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/topics/entertainment-licensing).
- 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 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. Physical and mental health and wellbeing are cornerstones for a good quality of life and a thriving city. They impact on people's life chances, education and employment opportunities. We will protect and promote the physical and mental health and wellbeing of everyone who lives, works and learns in Southampton.

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 and Isle of Wight Constabulary)
 - Hampshire and Isle of Wight Fire and Rescue Service
 - Local Health Board
 - Local Public Health
 - 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.
 - Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

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
- Trading Standards
- Environmental Health
- Home office immigration enforcement

2. City Profile

- 2.1 Southampton is one of the largest cities in the South of the UK and the 18th largest built-up area in England and Wales. Its population of 250,000 (2021) grew by 5% between 2011 and 2021, and is forecast to grow by 8% between 2022-2029. In the city centre, the significant growth in recent years has been driven by working-age people. With two universities in the city, there is also a large student population (35,000).
- 2.2 Southampton is an energetic, cosmopolitan city with a rich maritime heritage that reflects its ocean-spanning global connections. The City benefits from acres of green spaces, many heritage assets like the medieval town walls and Bargate, two world leading universities, museums, galleries, theatres, retail and music venues along with a longstanding League football club. The city is well connected regionally and nationally by road and rail services and also an international airport.
- 2.3 Notwithstanding this, Southampton has fallen behind its peer Cities and towns in many accepted measures of economic success. To address this, the Council established a Southampton Renaissance Board in 2023, whose membership is made up of key Partners and landowners in the City to inspire and deliver change through regeneration and place making, making our city a melting pot

Southampton is the highest performing city in the South East, according to PwC-Demo's Good Growth for Cities Index.	#1	We are one of the greenest cities in the country . 18% of the city centre contains open space, with an estimated 287,000 trees .	18%
Our civic art collection contains 5,000 pieces spanning eight centuries.	5,000	It takes only 8 minutes to get from Southampton Central to check in at Southampton International Airport offering connections to Europe and the wider world.	8MIN
Southampton Football Club —the Saints—have their home in the St Mary's District of the City Centre and have a long history in the top-flight of English football.		Our two Universities attract a student population of more than 35,000. The University of Southampton is a founding member of the Russell Group of research-intensive universities.	>35,000
We have a diverse range of visitor attractions such as SeaCity Museum, preserved medieval walls, buildings and historic parks, and major events, including the Southampton Boat Show, which attracts over 90,000 visitors per year.		Solent University offers innovative courses from computer and video games design, comedy writing and performance and yacht and power craft design.	
Our city is home to almost 250,000 people. Over 114,000 people are employed in the city in a range of industries.	114,000	We are home to a diverse population of with nearly 160 languages spoken, and our city is a melting pot of culture	160

- 2.4 The Licensing Authority is proud of the partnership working with Responsible Authorities, the hospitality trade and services that support the evening and nighttime industry such as Southampton Street Pastors and Go! Southampton (Business Improvement District). This partnership has established trust amongst both regulators and those they regulate.

THE IMPACTS OF ALCOHOL ON SOUTHAMPTON

- 2.5 Southampton is a socially responsible city that recognises the potential harms associated with alcohol use. The harms to health are widely documented including the part it can play in fuelling aggression, violence or assault. An estimated 5,923 adults who live in Southampton are alcohol-dependent, more than twice the England average (29.4 per 1,000 adults in Southampton compared to 13.8 per 1,000 adults in England, OHID 2020). Some of our higher rate can be explained by the good practice of the hospital, recognised nationally for assessing all inpatients for alcohol issues so they can provide good care, but a stark difference remains. Alcohol specific mortality rates for Southampton are amongst the highest in England. For more information on how Southampton uses and is impacted by alcohol, please see the Southampton Data Observatory's page: [Alcohol](#).
- 2.6 International evidence shows that in the case of alcohol the hours and days of sale is related to the harm that can be caused by excessive and risky consumption of alcohol. Evidence also indicates that certain hours of sale impact on certain types of alcohol related harm. For more information please see Public Health England's report on the burden of alcohol, available here: [Alcohol public health burden evidence review 2016](#)
- 2.7 Most people who drink alcohol do so in moderation. For most people, any associated harms can be minimised, although not removed entirely, by drinking within governmental lower risk guidelines.

The Chief Medical Officers' guideline for both men and women is that:

- To keep health risks from alcohol to a low level it is safest not to drink more than 14 units a week on a regular basis.
- If you regularly drink as much as 14 units per week, it is best to spread your drinking evenly over 3 or more days. If you have one or two heavy drinking episodes a week, you increase your risks of death from long term illness and from accidents and injuries.
- The risk of developing a range of health problems (including cancers of the mouth, throat and breast) increases the more you drink on a regular basis.
- If you wish to cut down the amount you drink, a good way to help achieve this is to have several drink-free days each week."

Explained: low risk drinking guidelines

To keep health risks from alcohol to a low level, men and women should not regularly drink more than **14 units** a week, spreading them evenly over three or more days.

What do 14 units look like?

6 pints of beer
a week



or

6 medium
glasses of wine
a week



drinkaware

<https://www.drinkaware.co.uk>

More information is at <https://www.nhs.uk/live-well/alcohol-support/calculating-alcohol-units/>.

2.8 Single Occasion Drinking Episodes

'Short term' risks are the immediate risks of harm, injury and accident (sometimes fatal) linked to drinking a large amount of alcohol on one occasion, which often leads to drunkenness. They include:

- head injuries
- fractures
- facial injuries
- scarring and
- alcohol poisoning.

- 2.9 The risks of injury to a person who has been drinking recently have been found to rise between two and five times when 5-7 units are drunk in a 3-6 hour period. For more information please see the Chief Medical Officer's Guidelines on Alcohol, available here: [UK Chief Medical Officers' Low Risk Drinking Guidelines](#).

Impact on health services

- 2.10 Figures from Institute of Alcohol Studies further state that in England:

- 37% of ambulance time is estimated to be spent on alcohol related incidents
- 27% of ambulance staff said that more than half of their overall workload comes (directly or indirectly) from alcohol.
- 96% of ambulance staff have been threatened or verbally abused by drunken members of the public
- 50% have been injured in the field
- 54% feel unsafe in their own ambulances.
- 25% of all Emergency Department caseloads in the UK are alcohol-related.
- 90% of doctors believe alcohol has a large impact on assaults, domestic violence, overdose and self-harm
- 43% of consultants reported suffering an injury from drunken members of the public.
- 53% of consultants work in a department with an alcohol nurse specialist.

Those presenting with alcohol-related symptoms (unconsciousness, slurred speech, poor vision) could be signs of a head injury, so require scans to assess damage. More information can be found here: [Alcohols impact on emergency services full report.pdf \(ias.org.uk\)](https://www.ias.org.uk/Alcohols_impact_on_emergency_services_full_report.pdf)

- 2.11 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.
- 2.12 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.
- 2.13 In The police recorded 1,784 incidents of alcohol related violent crime in Southampton over the course of 2018/19, a 2.6% decrease from 2017/18. In 2018/19, police recorded rates of violent crime affected by alcohol were significantly higher in the central wards of Bargate and Bevois. This is likely to be because these wards are strongly associated with the city's night time economy.
- 2.14 Pre-loading the consumption of alcohol, often spirits, at home prior to or whilst walking to a night out at licensed premises, is difficult to quantify, but is acknowledged by the licensed businesses and the regulatory authorities as a significant contributor to the risks faced by individuals engaging with the night time economy.
- 2.15 The night time economy is also linked to the risks and harm associated with illegal drug use. The Police recorded 719 drug offences in Southampton in 2018/19, a rise of 8.3% compared to the previous year. This represents a rate of nearly three offences per 1,000 resident population; significantly higher than the England rate but third lowest among Southampton's group of comparator Community Safe Partnerships.

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. The Responsible Authorities are:-
 - Chief Officer of Police;
 - The Fire Authority
 - The Health and Safety Authority (Environmental Health)
 - Environmental Health
 - Planning
 - Children Services
 - Trading Standards
 - Public Health

- Home Office (Immigration services)
- Maritime and Coastguard Agency (for vessels only)

RIGHT TO WORK

- 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.

GENERAL

- 3.5 The Licensing Authority will expect individual applicants to address the licensing objectives by proposing licence conditions in their operating schedule at Part 3 of the application form, 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. Section 5 below details the expectations of the licensing authority and is to be considered when completing the application form.
- 3.6 When determining applications the Licensing Authority will have regard to any guidance issued by the Government. In particular, account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority's consideration of those representations will be balanced against the wider benefits to the community. 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.
- 3.7 When determining applications where no valid representations are made 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.
- 3.8 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

3.9 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.

3.10 The Licensing Authority acknowledges that the views of vocal minorities should not be allowed to predominate over the general interests of the community.

PLANNING

3.11 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.

3.12 This statement of licensing policy aims to provide clear indications of how the council will secure the proper integration of its licensing policy with local crime prevention, planning, transport, tourism, equality schemes, cultural strategies and any other plans introduced for the management of town centres and the night-time economy. These strategies impact the promotion of the licensing objectives. Co-ordination and integration of such policies, strategies and initiatives is crucial to achieve the council's aims for a safe and vibrant economy. This Licensing Policy aims to work with and alongside other, shared Council priorities and plans including:

- Southampton City Strategy
- Safe City Strategy
- Economic and Green Growth Strategy
- Southampton Cultural Strategy
- SCC Corporate Plan and Updates
- Health and Wellbeing Strategy
- Violence Against Women and Girls Strategy
- Tobacco, Alcohol and Drugs Strategy
- Children and Young People's Strategy Mental Health and Wellbeing Strategy
- Festival and Event Strategy .

COUNTER TERRORISM AND PUBLIC SAFETY

3.13 The Licensing Authority will give due consideration to appropriate counter terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff.

- 3.14 The licensing authority will consider health care provision in this regard and apply conditions when appropriate and proportionate.

PUBLIC HEALTH

- 3.15 There is not a specific licensing objective related directly to health within the current legislation. When making a representation, the Director of Public Health is most likely to relate such representations to the objectives on public safety and protecting children from harm. This is likely to include the prevention of accidents, injuries and other immediate harms that can result from alcohol consumption, such as unconsciousness or alcohol poisoning. This will promote the health and wellbeing of communities through reducing the harm caused by alcohol.

OPERATING SCHEDULES

- 3.16 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.
- 3.17 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.
- 3.18 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

- 3.19 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

- 3.20 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**
- 3.21 “Relevant representations” can include positive, supportive representations as well as objections.
- 3.22 Representations must address at least one of the four licensing objectives.

DECISION MAKING PROCESS

- 3.23 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.
- 3.24 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 valid objection made	If no objection made
Application for personal licence with unspent convictions	If valid objection made	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.		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

- 3.25 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.
- 3.26 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 designated premises supervisor;
 - reject the application.
- 3.27 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.
- 3.28 In agreeing a hearing is not required, the parties may agree to amendments to the application that, if applied, address their concerns. All parties need to confirm in writing to the Licensing Authority of any such agreement. Unless the Licensing Authority still considers a hearing is necessary it can then grant the licence with the agreed amendments to the application.

APPLICATIONS FOR LARGE EVENTS

- 3.29 Applicants intending to organise large events should do so through the events team. [Information For Event Organisers | Visit Southampton](#). This team will advise if there is a conflict with other events and provide general guidance.
- 3.30 To properly assess applications an Event Management Plan, appropriate risk assessments, proof of public liability insurance and traffic management plans need to be submitted in advance in agreement with officers.
- 3.31 Events that the council believe may require a co-ordinated approach to manage may be subject to partnership discussion through relevant groups, i.e The Safety Advisory Group. 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 2025 and extended for a further 3 years, they expire in April 2028 and will be reviewed at that point.

SHOPS SELLING ALCOHOL (OFF LICENCES)

4.4 An IWSR survey in 2022 revealed that in the UK, [around 30% of alcohol by volume is consumed at on-trade venues](#). This is a significant recovery from around 16% during the COVID pandemic in 2020, though it still falls below the 2019 peak of 39%. This move away from consumption in a regulated venue has the potential to have a negative impact on the licensing objectives.

4.5 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. We recommend that off licences consider the Guidance from Association of Convenience Stores on their obligations in relation to underage sales. This guidance can be found on the ACS website (search 'ACS preventing underage sales' within a search engine)

4.6 Businesses and other alcohol delivery parties should ensure that age verification takes place both at the point of sale and when the alcohol is delivered. Alcohol should only be delivered to a home or business address. It should not be delivered to a public place.

PROMOTION OF ALCOHOL

4.7 The Licensing Act 2003 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.

4.8 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.

- 4.9 To compliment the mandatory drinks promotion condition the Licensing Authority in partnership with other responsible authorities will monitor alcohol promotions. Premises are encouraged to consider the licensing objectives and avoid promotional activities that may pose a risk to public safety, including activities that promote excessive drink consumption. This includes irresponsible drink promotions such as free or discounted alcohol as a prize to encourage or reward the consumption of alcohol over a period of time, any game or activity which requires or encourages drink consumption (drinking games) and promotion of 'bottomless drinks'.
- 4.10 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 and how any risks to the consider and wider public are being mitigated.
- 4.11 Premises should also consider the licensing objectives and who is likely to see their media when undertaking activity to promote events, such as leafleting, posters and fly-posting. Premises should comply with relevant laws regarding fly-posting and are encouraged to have regard for the Southampton Green City Charter commitment to protect and enhance the natural environment.
- 4.12 Licensed Premises are considered responsible for their own promotion, even when that is undertaken through a third party or paid promoter and off the business premises.
- 4.13 The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the naming, packaging and promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. A link to the Portman Group Code of Practice can be found here: <https://1kp8gk3a0fdl3gf9kb2wo9ei-wpengine.netdna-ssl.com/wp-content/uploads/2019/09/Code-of-Practice-on-the-Naming-Packaging-and-Promotion-of-Alcoholic-Drinks-Sixth-Edition.pdf>

TEMPORARY EVENT NOTICES (TENS)

- 4.14 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.
- 4.15 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.
- 4.16 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.

- 4.17 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.
- 4.18 Only the Police or Environmental Health may object to a TEN. If an objection is received for a late notice a counter notice will be issued. If it relates to a standard TEN the Licensing Authority will consider the matter.
- 4.19 Late TENs are at risk of failure if not properly supported with reasons for not applying a standard TEN and measures to support all four licensing objectives.

5. Management of Premises

COUNCIL EXPECTATIONS

- 5.1 The Statement of Licensing Policy sets out the Authority's expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their operating schedules, they may find that responsible authorities and other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the licensee is not found to sufficiently promote the licensing objectives and meet this policy.
- 5.2 The licensing authority encourages licence holders and operators of licensed premises:
 - To adhere to all relevant national legislation regarding the sale of alcohol, including ensuring that sales are not made to underage persons and alcohol is not knowingly sold to a person who is drunk;
 - Take all reasonable steps to prevent the entry of people with drugs into licensed premises, to take appropriate steps to prevent drugs changing hands within the premises and to take practical measures to prevent drug use.
 - To have regard for relevant Hampshire and Isle of Wight Constabulary policies relating to drugs.
 - Consider wider local concerns in the city as a whole, including drink spiking, violence against women and girls (VAWG) sexual abuse, alcohol-related violence, alcohol-related road traffic incidents and other alcohol related harm;
 - To not only consider VAWG, but to implement the Safety of Women at Night Toolkit so all staff are confident in how to handle sexual harassment and abuse, whilst making sure the venue is designed for safety [womens night safety toolkit 2021.pdf \(southampton.gov.uk\)](#)
 - To register as a member of Southampton's Safe Places Network [Safe Places - Information for Businesses - GO! Southampton \(gosouthampton.co.uk\)](#)
 - Late night venues to take up ASK FOR ANGELA training to support the VAWG safety initiatives in the city and support the introduction of other schemes such [Shout up!](#) And [White Ribbon](#).
 - Ensure alcohol delivery businesses complete ID checks at the point of sale and at the point of delivery;

- Where appropriate, provide leaflets or posters for alcohol treatment services from agreed commissioned alcohol services;
- Encourage and promote the reduction of street litter and other forms of waste associated with licenced premises in line with the Southampton Green City Charter;
- To understand that the sexual exploitation of a child is sexual abuse and a crime ensure that staff are aware of the signs of child sexual exploitation and trafficking, and;
- To provide intelligence to relevant authorities on any identified criminal activity witness on or linked to the premises.
- To adopt measures to reduce anti-social street drinking

- 5.3 Applicants and licence holders are expected to be able to articulate the area around their premises and the matters that affect it, both positive and negative. The business should be aware of those other organisations and structures working in the area, such as Street Pastors, CCTV, Police and Security patrols and Public Space Protection Orders.
- 5.4 The policy is only engaged where the licensing authority has a discretion following the receipt of objections. In such cases, the policy will guide the licensing authority to make its determination. The licensing authority will always have regard to the merits of each case on its own merits with a view to promoting the licensing objectives.

PUB WATCH/LICENSING LINK

- 5.5 Membership of any Pub Watch scheme is encouraged. The city centre has a scheme called Licensing Link. The administration for this scheme is facilitated by Go! Southampton the city centre Business Improvement District (BID).
- 5.6 The scheme manages exclusions from venues on behalf of members. Members are expected to report to Go! Southampton individuals who commit offences at or near to their venues for consideration of exclusion.

DESIGNATED PREMISES SUPERVISOR

- 5.7 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).
- 5.8 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.
- 5.9 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 a minimum of 4 days of a seven-day week and more for premises identified as higher risk whether by reason of performance or the type and location of the venue, premises operating beyond 11pm tend to pose a higher risk to crime and disorder. Each case will be determined on its own merits.
- 5.10 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.

- 5.11 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

- 5.12 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

- 5.13 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

- 5.14 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.
- 5.15 For new premises or the refurbishment of existing premises, preventative measures should be factored in during the design stage. Consideration should be given to the design and layout of the premise to minimise the potential for crime and disorder. Useful information can be found in documents such as [‘Secured by Design Licensed Premises’](#).
- 5.16 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

- Whether the venue is close to schools or dependency support offices and the impact the business may have on those attending such places.

PROMOTERS

- 5.17 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

- 5.18 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).
- 5.19 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.
- 5.20 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.
- 5.21 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

- 5.22 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.

- 5.23 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, such as prompt clearance of tables to avoid or lessen the likelihood of broken glass in these areas.
- 5.24 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.
- 5.25 As there is a PSPO in place across parts of the city the DPS needs to carefully consider policies on allowing alcohol outside of the premises in those areas. See [Public Spaces Protection Orders](#)

6. Cumulative Impact Policy (CIP)

- 6.1 Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.
- 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, crime 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.
- 6.4 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.
- 6.5 There are around 1000 licenced premises in Southampton. A map showing all of the licenced premises across Southampton can be found on the council website:
<https://www.southampton.gov.uk/business-licensing/licensing/map-licensed-premises.aspx>
- 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 CIP deals with the following matters:
1. The basic operation of the policy

2. How hearings will deal with applications within stress areas
3. How evidence of Cumulative Impact is dealt with outside of a stress area
4. How hearings will apply the CIP to applications from within or out of a stress area.

POLICY CIP 1 - The basic operation of the policy

- 6.8 Where representations are received in respect of applications for either new premises or variations to existing premises in a Stress Area identified in the current Cumulative Impact Assessment (CIA) 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/or Late Night Refreshment
- 6.9 Reason: To ensure that those applications which will add to the cumulative impact already being experienced are refused
- 6.10 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.
- 6.11 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.
- 6.12 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.
- 6.13 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).

- 6.14 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.
- 6.15 Responsible Authorities and other persons may make representations on specific applications concerning cumulative impact even though those applications are not for premises in designated Stress Areas identified in the current CIA (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 CIP 1 (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.

POLICY CIP 2 - How hearings will deal with applications within stress areas

- 6.16 The CIP 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 CIP 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.
- 6.17 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

REPRESENTATIONS IN RESPECT OF APPLICATIONS IN STRESS AREAS

- 6.18 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 4 will apply.
- 6.19 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:

- 6.20 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 3 - How evidence of Cumulative Impact is dealt with outside of a stress area

6.21 In cases where Responsible Authorities or other persons seek to establish that an application, other than within a stress area as identified in the current CIA, 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 3 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.

6.22 Reason: To ensure that representations are neither frivolous nor vexatious and that there is an evidential basis for the Committee to reach a decision.

POLICY CIP 4 - How hearings will apply the CIP to applications from within or out of a stress area

6.23 In considering applications and representations relating to cumulative impact the Authority may, in addition to the matters listed in policy CIP 2 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

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

6.25 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

6.26 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.

STRESS AREAS AND CUMULATIVE IMPACT ASSESSMENT

6.27 Cumulative impact Assessments were introduced into the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018.

6.28 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.

6.29 The CIA identifies the Stress Areas for the purposes of this policy and in particular policy CIP 1 above.

6.30 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.

6.31 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.

6.32 The current CIA can be found at [cumulative-impact-assessment-2024-to-2027-licensing-act-2003.pdf](#)

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 It is recommended that persons employed on premises providing entertainment for children and young people attend training programmes in basic child protection and safety and safeguarding, and if appropriate have the necessary Disclosure and Barring Service checks.
- 7.4 Businesses should additionally consider having training plans in place for frontline staff on the topics of Vulnerable People, Child Sex Exploitation, Trafficking & Modern Slavery, Safeguarding, Drug Use and Incidents and should make themselves familiar with organisations like National Business Crime Centre who have resources on Safeguarding.
- 7.5 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.
- 7.6 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, the operating times and proximity to venues attracting vulnerable people, such as schools and alcohol or drug dependency offices 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
- 7.7 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
- 7.8 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.
- 7.9 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.

- 7.10 Except as in 7.4 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.
- 7.11 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.
- 7.12 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.
- 7.13 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.
- 7.14 Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club.
- 7.15 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. The Licensing Authority expects premises to demonstrate they have appropriate measures in place to prevent underage or proxy sales take place.
- 7.16 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.
- 7.17 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 The Licensing Authority will adopt the 4 Es approach of Engage, Explain, Encourage and Enforce. This does not prevent officers using the enforcement option at the outset when circumstances are serious enough to merit such an approach. Licence holders are ultimately responsible for the management of their business, following the guidance offered by an responsible authority may not be sufficient to prevent a review of a licence.

- 8.2 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.
- 8.3 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.
- 8.4 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.
- 8.5 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
- 8.6 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: Supplementary Guidance

Southampton City Council Cumulative Impact Assessment
[cumulative-impact-assessment-2024-to-2027-licensing-act-2003.pdf](#)

Chief Medical Officer's report, 2016.
<https://www.gov.uk/government/publications/alcohol-consumption-advice-on-low-risk-drinking>

NHS information and advice.
<https://www.nhs.uk/live-well/alcohol-support/>

Also at <https://www.nhs.uk/better-health/>

National health data related to alcohol, comparing local authorities.
<https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Local advice and support for anyone concerned by their drinking
<http://www.southampton.gov.uk/health-social-care/health/drug-alcohol-action/>

[ENDS]

Consultation copy