

Licensing Act 2003

Section 5 - FINAL Statement of Licensing Policy - 2025/2030

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1.0 The Licensing Objectives

- 1.1 Portsmouth City Council is the Licensing Authority for the [Licensing Act 2003](#) ("the 2003 Act") for the administrative area of Portsmouth as shown on the map at **Appendix A**. Any references to "the Licensing Authority" in this document refers to the Portsmouth Licensing Authority.
- 1.2 When carrying out its functions under the 2003 Act, the Licensing Authority will promote and have regard to the licensing objectives set out in the 2003 Act. These are:
- **The prevention of crime and disorder;**
 - **Public safety;**
 - **The prevention of public nuisance; and**
 - **The protection of children from harm.**
- 1.3 Each objective is of equal importance.

2.0 Relevant information about Portsmouth¹

- 2.1 The City of Portsmouth is situated in the ceremonial county of Hampshire and is at the heart of Britain's southern coastline with long established direct road and rail links to London, the Midlands and Wales and is home to the Portsmouth International Port with ferry links to mainland Europe. Portsmouth is located 70 miles from London and 30 minutes from the nearest airport. The ambitious South East Hampshire Rapid Transit scheme aims to make it easier, quicker and more reliable for people to travel in the area via public transport.
- 2.2 Portsmouth is a historic and proud maritime city recognised as a global centre for marine, aerospace, defence and advanced manufacturing industries.
- 2.3 Portsmouth is an ambitious and forward-thinking city with a multibillion-pound transformation programme underway positioning the city as a top performer for innovation, sustainability and enterprise.
- 2.4 The city identifies itself as a dynamic and vibrant waterfront city offering many attractions for residents and visitors to enjoy from the pomp and ceremony of the city's proud naval and maritime heritage, to world-class visitor attractions, museums and galleries, unique shopping destinations, great places to eat and miles of beautiful waterfront.
- 2.5 Located directly opposite the seafront is Southsea Common, a 100-acre open space right on the seafront. It is a popular location for sports, picnics and dog walks. It has also been the location of a number of high-profile events, including the America's Cup World Series, the Victorious music festival and the D-Day 75 and D-Day 80 commemorations, attended by world leaders and royalty.
- 2.6 The Solent on the south coast is recognised as the UK's leading marine and maritime hub, with world-renowned research institutions and sector-leading innovative businesses. Portsmouth has been at the forefront of naval technology for years and has companies leading the world in their fields.

¹ Information supplied from [Portsmouth a great city to invest - Invest Portsmouth](#)

Portsmouth is home to two thirds of the Royal Navy surface fleet and home to the UK's aircraft carriers supporting 20,000 jobs and generating £1.6BN of GVA.

- 2.7 The city is home to the University of Portsmouth, which has an attendance of 28,000 students.
- 2.8 Portsmouth has a population of 200,000 in an area of only 4,196 hectares, which makes it one of the most densely occupied cities in the country outside London.
- 2.9 As the local Highway Authority, the Council is responsible for approximately 458km of vehicular carriageway in partnership with COLAS and Ensign.
- 2.10 The city offers a vibrant mix of entertainment facilities for residents and visitors alike with two established theatres, restaurants, cinemas, concert venues and a variety of pubs, bars and clubs. The late night economy is well served with venues in the north located at Port Solent, the city centre located near the Guildhall and in the south both at Gunwharf Quays and in Southsea.

Major music festivals are held during the summer months attracting tens of thousands of revellers.
- 2.11 A map of the Portsmouth area is attached as **APPENDIX A**.

3.0 Consultation on the Statement of Licensing Policy

General

- 3.1 Section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act.

During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the licensing objectives are being met. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published. Previously, licensing authorities were required to determine their licensing policies for each three-year period. Licensing policies published in respect of the three-year period that began on 7 January 2011 are to be treated as though they apply to a period of five years beginning at that date.
- 3.2 Where revisions to the section 182 Guidance are made by the Secretary of State, it will be for the licensing authority to determine whether revisions to its own licensing policy are appropriate.

Consultation on policies

- 3.3 Before determining its policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act. These are:
- The chief officer of police for the area;
 - The fire and rescue authority for the area;
 - Each local authority's Director of Public Health in England (DPH)² or Local Health Board in Wales for an area any part of which is in the licensing authority's area;
 - Persons/bodies representative of local premises licence holders;
 - Persons/bodies representative of local club premises certificate holders;
 - Persons/bodies representative of local personal licence holders; and
 - Persons/bodies representative of businesses and residents in its area.
- 3.4 The views of all these persons or bodies will be given appropriate weight when the policy is determined. It is recognised that in some areas, it may be difficult to identify persons or bodies that represent all parts of industry affected by the provisions of the 2003 Act, but the Licensing Authority will make reasonable efforts to do so. The Licensing Authority notes that the terms of the 2003 Act do not prevent them consulting other bodies or persons.
- 3.5 Subject to the statutory requirements, it is for each licensing authority to determine the extent of the consultation it should undertake, and whether any particular person or body is representative of the groups described in the 2003 Act.
- While it is clearly good practice to consult widely, this may not always be necessary or appropriate (for example, where a licensing authority has recently carried out a comprehensive consultation in relation to a revision to its policy made within five years of a full revision to it). As such, it may decide on a simple consultation with those persons listed.
- 3.6 However, the Licensing Authority shall consider very carefully whether a full consultation is appropriate as a limited consultation may not allow all persons sufficient opportunity to comment on and influence local policy (for example, where an earlier consultation was limited to a particular part of the policy).
- 3.7 Fee levels are intended to provide full cost recovery of all licensing functions including the preparation and publication of a statement of licensing policy, but this will be based on the statutory requirements. Where licensing authorities exceed these requirements, they will have to absorb those costs themselves.
- 3.8 This policy will commence on 19 May 2025 and remain in force for five years but will be kept under review subject to further consultation as set out above.

² This change was made as a result of the commencement of measures in the Health and Social Care Act 2012 which amended the 2003 Act and further provision in the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

3.9 Further advice can be obtained from:

**The Licensing Service
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL**

Email: Licensing@portsmouthcc.gov.uk

Web: www.portsmouth.gov.uk

4.0 Fundamental principles

- 4.1 This statement of licensing policy has been prepared in accordance with the provisions of the 2003 Act and the [Statutory Guidance](#) issued under section 182 of the 2003 Act by the Secretary of State. This policy should be read as a whole and in conjunction with those provisions. When determining its policy, the licensing authority will have regard to the Guidance and give appropriate weight to the view of consultees.
- 4.2 Whilst this statement of policy sets out a general approach to making licensing decisions, it will not ignore or be inconsistent with provisions in the 2003 Act. For example, a statement of policy must not undermine the right of any person to apply under the terms of 2003 Act for a variety of permissions and to have any such application considered on its individual merits.
- 4.3 Similarly, it will not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.
- 4.4 Licensing, in accordance with this policy, is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act.
- 4.5 Conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity.
- 4.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

5.0 Licence Conditions

- 5.1 Conditions on a premises 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 considered the best approach. 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;
- 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 on 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.

5.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction, is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

5.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

Proposed conditions

5.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted any other hours during which the premises will be open to the public.

5.6 The licensing authority will not simply replicate the wording from an applicant's operating schedule. A condition will be interpreted in accordance with the applicant's intention and be appropriate and proportionate for the promotions of the licensing objectives.

Consistency with steps described in operating schedule

5.7 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.

- 5.8 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

Imposed conditions

Mandatory conditions

- 5.11 The 2003 Act provides for certain mandatory conditions to be applied to premises licences or club premises certificates. **APPENDIX B** sets out the full list of mandatory conditions that apply at the publication date of this statement of licensing policy.
- 5.12 The licensing authority expects that applicants, licence and certificate holders will make themselves familiar with each and all of the conditions that may be imposed on the licence/certificate and will ensure that all relevant staff are provided adequate training and support as regards these provisions.
- 5.13 The licensing authority wishes to work in partnership with all agencies, applicants and licence/certificate holders to ensure that the licensing objectives are promoted collectively. To support this aim and to minimise disputes and the necessity for hearings, the licensing authority considers it sensible for applicants to seek the views of responsible authorities before formally submitting applications but it acknowledges that there is no legal requirement to do this.

6.0 Enforcement

- 6.1 The licensing authority has established joint enforcement protocols with the local police and other authorities as appropriate in order to clarify the division of responsibilities for licence holders and applicants and also assists enforcement and other authorities to deploy resources more efficiently.
- 6.2 These protocols provide for the targeting of agreed problem and high risk premises which require greater attention, while providing a lighter touch for low risk premises or those that are well run.
- 6.3 The licensing authority will ensure that the principles of risk assessment and targeted inspection (in line with the Regulators' Code) will prevail and, for example, inspections should not be undertaken routinely but when and if they are judged necessary. This should ensure that resources are used efficiently and are more effectively concentrated on problem premises.

The licensing authority will also remind operators of licensed premises that it is incumbent on them to provide appropriate training for their staff to ensure the promotion of the licensing objectives.

- 6.4 The licensing authority uses personal information to:
- Deliver services and support to residents and businesses;
 - Help investigate any concerns or complaints including concerns or complaints raised by councillors or MPs on behalf of constituents;

- Plan and manage our service, including checking on the quality of service, developing future service and keeping track of spending;
- Carry out the Council's licensing functions including enforcement/compliance checks as and where necessary;
- Deal with payments and other financial transactions;
- Check an individual's identity or entitlement to personal information.

The licensing authority will process personal information in accordance with data protection law. The personal details provided by applicants/licence/certificate holders will be used for licensing service purposes. Details will be held on a database and where the law allows, may be shared with other departments within the council to update details they hold.

The licensing authority may also be required to disclose personal information to third parties (such as the Police, Department for Work and Pensions, NAFN or for the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

For further information about how the Council collects and uses personal information please visit our website: [Home - Portsmouth City Council](#)

- 6.5 From time to time and when judged necessary to do so, authorised officers of the licensing authority and responsible authorities will undertake unannounced inspections or test purchase visits to licensed premises in order to ensure compliance with the provisions of the 2003 Act and any other associated legislation.
- 6.6 The licensing authority will receive, from time to time, reports from its officers on any formal enforcement proceedings instigated against licence holders in relation to offences under the 2003 Act.

7.0 Entertainment provision

- 7.1 The licensing authority is committed to facilitating a broad range of entertainment provision within the city of Portsmouth for the enjoyment by a wide cross-section of the public. However, the licensing authority recognises that a balance needs to be struck between promoting the provision of entertainment and addressing concerns relevant to the licensing objectives. The licensing authority is mindful of the risk that a licensing policy may inadvertently deter live music by imposing indirect costs of a disproportionate nature, for example a blanket policy that any pub providing live music entertainment must have door supervisors.

Further information concerning regulated entertainment and types of exemptions are contained within **APPENDIX C** to this report.

8.0 The need for licensed premises

- 8.1 There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or its statement of licensing policy.

9.0 The cumulative impact of a concentration of licensed premises

What is cumulative impact?

- 9.1 The concept of "Cumulative impact" is referenced within the statutory guidance which has been used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. 'Cumulative impact assessments' were given a statutory footing by the [Policing and Crime Act 2017](#), which amended the 2003 Act to include section 5A, 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.**
- 9.2 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 9.3 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. 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.
- 9.4 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.

Cumulative impact assessments

- 9.5 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.
- 9.6 Section 5A of the 2003 Act sets out what a licensing authority needs to do in order to publish a CIA and review it, including the requirement to consult with the persons listed in section 5(3) of the 2003 Act. The 2003 Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are the same in areas with a CIA as they are elsewhere, as set out in sections 18, 35, 72 and 85 of the Act. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(5D) a licensing must also have regard to any CIA it has published when determining or revising its statement of licensing policy.

- 9.7 The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a licensing authority must set out the evidential basis for its opinion.
- 9.8 CIAs may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late night refreshment. This includes late night refreshment providers which are not licensed to sell alcohol. A CIA may relate to all premises licences and club premises certificates in the area described in the assessment or parts thereof, or only to premises of a particular kind described in the assessment. For example, it may be appropriate for the licensing authority to only include off-licences or nightclubs within the scope of its assessment. The licensing authority must make clear, when publishing its CIA, which premises types it applies to. CIAs do not apply to TENs; however it is open to the police and environmental health authority (as relevant persons) to refer to evidence published within a CIA when objecting to a TEN.
- 9.9 While the evidence underpinning the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the 2003 Act.

Each decision in an area subject to a CIA therefore still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

9.10 **Statement of Licensing Authority**

Portsmouth City Council, as Licensing Authority considers that the number of premises licences in the Guildhall Walk and environs is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives.

Attached as Appendix D is the Cumulative Impact Assessment which identifies the area to which the CIA relates and the evidential basis for its publication.

Evidence of cumulative impact

- 9.11 As noted above, there must be an evidential basis for the decision to publish a CIA. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:

- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- Statistics on local anti-social behaviour offences;
- Health-related statistics such as alcohol-related emergency attendances and hospital admissions;

- Environmental health complaints, particularly in relation to litter and noise;
- Complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- Residents' questionnaires;
- Evidence from local and parish councillors; and
- Evidence obtained through local consultation.

9.12 The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:

- Trends in licence applications, particularly trends in applications by types of premises and terminal hours;
- Changes in terminal hours of premises;
- Premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

9.13 Where existing information is insufficient or not readily available, but the licensing authority believes there are problems in its area resulting from the cumulative impact of licensed premises, it may consider conducting or commissioning a specific study to assess the position.

This may involve conducting observations of the night-time economy to assess the extent of incidents relating to the promotion of the licensing objectives, such as incidences of criminal activity and anti-social behaviour, examples of public nuisance, harassment of women or specific issues such as underage drinking and the key times and locations at which these problems are occurring.

9.14 In order to identify the areas in which problems are occurring, information about specific incidents can be mapped and, where possible, a time analysis undertaken to identify the key areas and times at which there are specific issues.

9.15 After considering the available evidence and consulting those individuals and organisations listed in 5(3) of the 2003 Act and any others, a licensing authority may be satisfied that it is appropriate to publish a CIA. The CIA should also be considered alongside local planning policy and other factors which may assist in mitigating the cumulative impact of licensed premises which are referenced later in this policy.

Steps to publishing a cumulative impact assessment

9.16 The steps to be followed in considering whether to publish a CIA are summarised below.

- Identify concern about crime and disorder; public safety; public nuisance or protection of children from harm in a particular location;
- Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm;
- If there is evidence that such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that cumulative impact is imminent;

- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise);
- Consult those specified in section 5(3) of the 2003 Act. As with consultations in respect of the licensing policy statement as a whole, it is for each licensing authority to determine the extent of the consultation it should undertake in respect of a CIA (subject to the statutory requirements);
- For the purposes of the consultation provide the persons specified in section 5(3) with the following information:
 - The reasons why it is considering publishing a CIA;
 - A general indication of the part or parts of its area which it is considering describing in the assessment;
 - Whether it considers that the assessment will relate to all premises licence and club premises certificate applications and variations applications, or only to those of a particular kind described.
- Subject to the outcome of the consultation, include and publish details of the CIA, including the evidence in support of the assessment and the particular kinds of premises the assessment relates to. Licensing authorities are not restricted to using general terms such as on-trade, off-trade and late night refreshment providers, and can apply their own descriptions such as vertical-drinking bars and nightclubs if appropriate.
- Summarise the licensing authority's opinion in light of the evidence of cumulative impact (or any revision to an existing opinion) in the licensing policy statement and explain within the policy statement how the authority has had regard to any CIAs it has published under section 5A. The summary within the licensing policy statement should include, but is not limited to: the nature of the problems identified and the evidence for such problems; the geographical extent of the area covered by the assessment; the types of premises described in the assessment; and the types of applications for which it would likely be inconsistent with the licensing authority's duty to promote the licensing objectives to grant.

Reviewing the CIA

- 9.17 After publishing a CIA the licensing authority must, within three years, consider whether it remains of the opinion set out in the assessment. In order to decide whether it remains of this opinion it must again consult the persons listed in section 5(3). 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.
- 9.18 If having consulted the licensing authority decides that it remains of the opinion set out in the assessment, it must revise the CIA to include a statement to that effect and set out the evidence as to why it remains of that opinion. It will be important for any evidence included in the revised CIA to be robust and relevant to the current problems described. This is likely to involve the collation of fresh or updated evidence of the kind described in the above section on evidence of cumulative impact. The licensing authority must also at this stage publish any other material change to the assessment. For example if the types of premises or area described in the assessment have changed due to a shift in the nature of the problems being experienced or where there evidence of the emergence of a new type of problem.

- 9.19 In each case the three year period for reviewing a CIA begins with the original date of the publication of the CIA or the date that a CIA was last revised. Where a licensing policy statement as a whole is due for review, under the five year review period, licensing authorities may wish to use this as an opportunity to carry out a review of the evidence in support of the CIA. However, licensing authorities are free to carry out consultations and reviews of their CIAs (and/or licensing policy statements) at more regular intervals if they consider this to be appropriate.
- 9.20 As Cumulative Impact Policies were not part of the 2003 Act, there are no transitional provisions that apply to CIPs that were in place before 6 April 2018. However any existing CIPs should be reviewed at the earliest practical opportunity to ensure they comply with the legislation. It is recommended that the review should take place within three years of the commencement of the legislation on CIAs or when the licensing policy statement is next due for review, whichever is sooner. This will ensure that any CIPs in place before the commencement of the provisions on CIAs adhere to the principles in the legislation (in particular concerning relevant evidence and consultation).

Effect of cumulative impact assessments

- 9.20 When publishing a CIA a licensing authority is required to set out evidence of problems that are being caused or exacerbated by the cumulative impact of licensed premises in the area described. The evidence is used to justify the statement in the CIA that it is likely that granting further premises licences and/or club premises certificates in that area (limited to a kind described in the assessment), would be inconsistent with the authority's duty to promote the licensing objectives.
- 9.21 In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA a licensing authority must have regard to the assessment when determining or revising its statement of licensing policy.

It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. The CIA does not, however, 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 they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a 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 include any reasons for departing from their own policy.

- 9.22 The CIA must also stress that it does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. It remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

- 9.23 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.
- 9.24 As noted above, CIAs may apply to the impact of a concentration of any licensed premises, including those licensed for the sale of alcohol on or off the premises, and premises licensed to provide late night refreshment. When establishing its evidence base for publishing a CIA, licensing authorities should be considering the contribution to the cumulative impact made by different types of premises within its area, in order to determine the appropriateness of including different types of licensed premises within the CIA.

Limitations on special policies relating to cumulative impact

- 9.25 A CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.
- 9.26 CIAs should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises. Where the licensing authority has concerns about the effect of activities at existing premises between midnight and 6am on the promotion of the licensing objectives in a specific area, it may introduce an Early Morning Alcohol Restriction Order (EMRO) if there is sufficient evidence to do so. The "cumulative impact" on the promotion of the licensing objectives of a concentration of licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered.
- 9.27 CIAs must not impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.

10.0 Other mechanisms for controlling cumulative impact

- 10.1 Once away from the licensed premises, a minority of customers will behave badly. To enable the general public to appreciate the breadth of the strategy for addressing these problems, this statement indicates some of the other mechanisms both within and outside the licensing regime that are available for addressing such issues. For example:
- Planning control;

- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority, including best practice schemes such as Best Bar None, Pubwatch or BIDs;
- Community Protection Notices;
- The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- The confiscation of alcohol from adults and children in designated areas;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- Community Protection Notices and Community Protection Notice Warnings;
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- Raising a contribution to policing the late night economy through the Late Night Levy;
- Early Morning Alcohol Restriction Orders

10.2 As part of its licensing policy statement, the licensing authority may also consider the use of alternative approaches such as fixed closing times, staggered closing times and zoning. Such policy restrictions would need to be evidence based and would be subject to the merits of each case in accordance with what is appropriate for the promotion of the licensing objectives. The licensing authority notes that it would be expected to justify the use of such measures as an appropriate means of managing problems in its area.

10.3 The Licensing Authority is aware of and supports the new "Respect Order" being introduced as part of the forthcoming Crime and Policing Bill which will partially replace civil injunctions for higher harm offences, providing tougher sanctions that includes banning people from specific locations.

10.4 Whilst the promotion of public health is not a licensing objective as set out in the Act, the Licensing Authority will seek to encourage and support, where appropriate, any voluntary initiatives that premises may wish to adopt to help reduce alcohol harm within our communities. Such initiatives may include:

- Avoiding the sale of beers, lagers and ciders over 6.5% ABV which are sold in plastic bottles or metallic cans. (Note: this does not include premium, craft or specialist products as these are not a target for problem drinkers);
- Taking steps to consider the display of alcohol in such a manner that will not unduly encourage people to drink irresponsibly and equally limit the exposure children have to alcohol advertising;
- Refraining from placing alcohol products amongst, near or next to confectionary that would usually be consumed by children or young people (which would include till point toys or stickers);
- The use of breathalysers as a means of determining intoxication and supporting door staff decisions not to admit or serve customers who are already intoxicated.

11.0 Public Spaces Protection Order

- 11.1 The Designated Public Place Order (DPPO) has been replaced by the Public Spaces Protection Order (PSPO) in the Anti-social Behaviour Crime and Policing Act 2014³.

PSPOs can be used to restrict the drinking of alcohol in a public space where this has or is likely to have a detrimental effect on the quality of life on those in the locality, be persistent or continuing in nature, and unreasonable. Before making a PSPO, a council must consult the local police. DPPOs will continue to be valid for a period of three years following commencement of the PSPO and enforceable as such.

Where a local authority occupies or manages premises, or where premises are managed on its behalf, and it licences that place for alcohol sales, the PSPO will not apply when the licence is being used for alcohol sales (or 30 minutes after), but the place will be subject to the PSPO at all other times.⁴ This allows local authorities to promote community events while still using a PSPO to tackle the problems of anti-social drinking.

- 11.2 It should be noted that when one part of a local authority seeks a premises licence of this kind from the licensing authority, the licensing committee and its officers must consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they must be considered fairly by the committee. Anyone making a representation that is genuinely aggrieved by a positive decision in favour of a local authority application by the licensing authority would be entitled to appeal to the magistrates' court and thereby receive an independent review of any decision.

12.0 Licensing hours

- 12.1 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.
- 12.2 The licensing authority recognises that licensed premises make an important contribution to our local community, and that it has a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensing opening hours, the licensing authority will not seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.

³ For full guidance on the PSPO please see the [statutory guidance](#) on the 2014 Act

⁴ Licensed premises in general are exempt from the effect of a PSPO.

13.0 Children

13.1 It is an offence under the 2003 Act to:

- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
- To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.

13.2 Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. This does not mean that children should automatically be admitted to such premises and the following paragraphs are therefore of great importance notwithstanding the offences under the 2003 Act. The expression "exclusively or primarily" should be given its ordinary and natural meaning in the context of the particular circumstances.

13.3 Where it is not clear that the business is predominantly for the sale and consumption of alcohol, operators and enforcement agencies should seek to clarify the position before enforcement action is taken. Mixed businesses may be more difficult to classify and in such cases operators and enforcement agencies should consult where appropriate about their respective interpretations of the activities taking place on the premises before any moves are taken which might lead to prosecution.

13.4 The 2003 Act does not automatically permit unaccompanied children under the age of 18 to have free access to premises where the consumption of alcohol is not the exclusive or primary activity or to the same premises even if they are accompanied, or to premises where the consumption of alcohol is not involved. Subject only to the provisions of the 2003 Act and any licence or certificate conditions, admission will always be at the discretion of those managing the premises. The 2003 Act includes no presumption of giving children access but equally, no presumption of preventing their access to licensed premises. Each application and the circumstances of individual premises must be considered on their own merits.

13.5 The licensing authority will not seek to limit the access of children to any premises unless it is appropriate for the prevention of physical, moral or psychological harm to them. It may not be possible for the licensing authority to anticipate every issue of concern that could arise in respect of children in relation to individual premises and therefore the individual merits of each application should be considered in each case.

13.6 The licensing authority considers that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm will be carefully considered. Conditions restricting the access of children to premises will be strongly considered in circumstances where:

- Adult entertainment is provided;
 - A member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - It is known that unaccompanied children have been allowed access;
 - There is a known association with drug taking or dealing; or
 - In some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 13.7 Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is appropriate, this should remain a matter for the discretion of the individual licence holder, club or premises user.
- 13.8 Venue operators seeking premises licences and club premises certificates should consider including such prohibitions and restrictions in their operating schedules particularly where their own risk assessments have determined that the presence of children is undesirable or inappropriate.

14.0 Responsible authority and children

- 14.1 The licensing authority has determined that Children's Social Care and Safeguarding Service is the body that is competent to act as the responsible authority in relation to the protection of children from harm.

15.0 Children and cinemas

- 15.1 In the case of premises giving film exhibitions, the licensing authority will expect licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself.

16.0 Integrating strategies

- 16.1 The Licensing Authority will secure the proper integration of its Statement of Licensing Policy with local crime prevention, planning, transport, tourism, race equality schemes and cultural strategies together with any other plans introduced for the management of town centres and the night-time economy. Whilst many of these strategies are not directly related to the promotion of the four licensing objectives, they indirectly impact upon them. The licensing authority recognises the importance of co-ordination and integration of such policies, strategies and initiatives.

Public Health

- 16.2 When integrating its statement of licensing policy with other strategies, the Licensing Authority recognises that the health and wellbeing of communities can be adversely affected by drinking excess alcohol.

National evidence shows that while there is little difference in alcohol consumption between people living in more or less deprived areas, people living in the most deprived areas have a significantly higher risk of an alcohol-related death than people living in the least deprived areas.

- 16.3 Deprivation - Portsmouth is ranked 59th of 326 local authorities in terms of the average index of multiple deprivation (IMD) score in 2019, where a rank of 1 is the most deprived. 15 of 125 small areas are within the most deprived 10% of small areas in England, and of these, half (8) are in Charles Dickens ward. The rest are in Paulsgrove (3), Nelson (2), Fratton and St Thomas (1). Landport (within Charles Dickens) is among the 1% most deprived neighbourhoods in England. Sultan Road South, City Centre North, Continental Ferry Port and Blackfriars lower super output areas (LSOAs) are among the most deprived 2%.

Life expectancy at birth is 9 years shorter for males and 4 years shorter for females in the most deprived parts of Portsmouth than in the least deprived parts, and few of those years will be lived in good health.

- 16.4 When compared to England, Portsmouth has significantly higher rates of hospital admissions for alcohol-related conditions in under 40s and persons aged 40-64 years (2023/24) - in particular, in hospital admissions for mental and behavioural disorders due to alcohol use, hospital admissions for intentional self-poisoning by and exposure to alcohol and hospital admissions for alcoholic liver disease.

Also, Portsmouth has significantly higher rates than England for alcohol-specific mortality and mortality from chronic liver disease (in 2023), as well as premature mortality (aged under 75 years) from alcoholic liver disease (2021-23 pooled).

The Licensing Authority recognizes that alcohol-related harm places increasing demands on the health service and, at a time when, post-pandemic, the NHS remains under unprecedented pressure. Therefore, preventative steps must be taken to protect and improve the health and wellbeing of our community.

- 16.5 The Licensing Authority recognizes the value in well-run and responsible community pubs and those with an associated offer other than alcohol, like food or entertainment. A shift in drinking patterns and consumption gives rise to concerns that harm from alcohol may now be driven by low cost "off" sales, and not necessarily by sales in pubs. The Licensing Authority also recognizes that the more visible harms created by drunk and disorderly behaviour in the night-time economy are also increasingly driven by pre-loading cheap alcohol from shops and supermarkets, and this is especially the case among the large population of students in the city.

Violence against Women and Girls (VAWG) Initiatives

- 16.6 The Licensing Authority recognises and fully supports both national and local initiatives that focus upon tackling violence against women and girls (as well as the wider context of gender-based violence) and providing support for those affected by these issues. These initiatives include the "Ask Angela" campaign, "We Stand Together" scheme and "Safer Streets".

The Licensing Authority wishes to highlight these initiatives, via its statement of licensing policy, to licence holders in the city, particularly within the night-time economy and to endorse the benefits they can offer for premises to provide a safer, supportive and stronger city.

17.0 Planning and building control

- 17.1 Planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee and vice versa. However, as set out in chapter 9 of the statutory guidance, licensing committees and officers may seek to discuss with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs where applications are submitted for both at the same time or it is indicated that a planning application will follow.
- 17.2 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration will aim to be ensured by licensing committees, where appropriate, including providing regular reports to the planning committee.
- 17.3 Where there is an application for planning permission, the National Planning Policy Framework expects new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs).

Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or "agent of change") should be required by the local planning authority to provide suitable mitigation before the development has been completed.

18.0 Promotion of equality

- 18.1 The licensing authority recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics which are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 18.2 Public authorities are required to publish information at least annually to demonstrate their compliance with the Equality Duty. These details are published on the Council's website⁵ Further information is available from [Women and Equalities Unit - GOV.UK](#) and the [Equality and Human Rights Commission](#).

⁵ [Equality law and its significance for the council - Portsmouth City Council](#)

19.0 Administration, exercise and delegation of functions

- 19.1 The 2003 Act provides that the functions of the licensing authority (including its determinations) are to be taken or carried out by its licensing committee (except those relating to the making of a statement of licensing policy or where another of its committees has the matter referred to it). The licensing committee may delegate these functions to sub-committees consisting of three members of the committee, or in appropriate cases to officials supporting the licensing authority. Where licensing functions are not automatically transferred to licensing committees, the functions must be carried out by the licensing authority as a whole and not by its executive. Statements of licensing policy should indicate how the licensing authority intends to approach its various functions. Many of the decisions and functions will be purely administrative in nature and statements of licensing policy should underline the principle of delegation in the interests of speed, efficiency and cost-effectiveness.
- 19.2 The 2003 Act does not prevent the development by a licensing authority of collective working practices with other parts of the local authority or other licensing authorities for work of a purely administrative nature, e.g. mail-outs. In addition, such administrative tasks may be contracted out to private businesses. But any matters regarding licensing decisions must be carried out by the licensing committee, its sub-committees or officers.
- 19.3 Where, under the provisions of the 2003 Act, there are no relevant representations on an application for the grant of a premises licence or club premises certificate or police objection to an application for a personal licence or to an activity taking place under the authority of a temporary event notice, these matters will be dealt with by officers in order to speed matters through the system. The licensing committee shall receive regular reports on decisions made by officers so that they maintain an overview of the general situation.

20.0 Table: Recommended Delegation of Functions

Matters to be dealt with	Sub-Committee	Officers
Application for personal licence	If a police or immigration enforcement objection	If no objection made
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for a 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 representation is irrelevant frivolous vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at 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

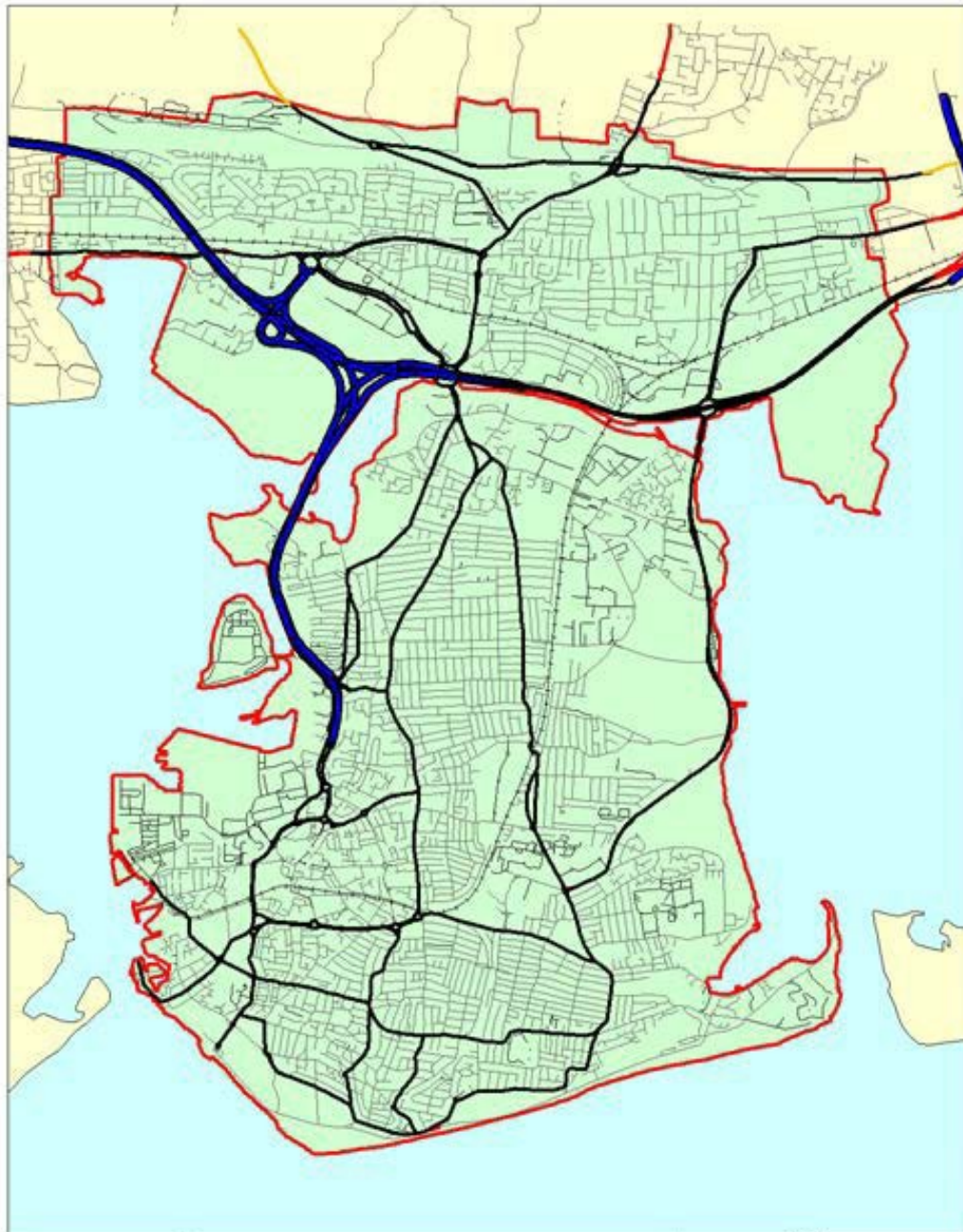
21.0 Contact Details for Responsible Authorities

Contact Details for the Licensing Authority and Responsible Authorities	
Licensing Service Portsmouth City Council Civic Offices Guildhall Square Portsmouth Hants PO1 2AL Tel: 023 9283 4073 Email: licensing@portsmouthcc.gov.uk	The Chief Officer of Police Hampshire & IOW Constabulary Licensing and Alcohol Harm Reduction Team Portsmouth Civic Offices Guildhall Square Hants PO1 2AL Email: licensing@hampshire.police.uk
Regulatory Services (Environmental Health) Portsmouth City Council Civic Offices Guildhall Square Portsmouth Hants PO1 2AL Tel: 023 9268 8366 Email: pubprot@portsmouthcc.gov.uk	Trading Standards Service Portsmouth City Council Civic Offices Guildhall Square Portsmouth Hants PO1 2AL Tel: 023 9268 8366 Email: tradingstandards@portsmouthcc.gov.uk
Children's Social Care and Safeguarding Service Portsmouth City Council Civic Offices Guildhall Square Portsmouth Hants PO1 2AL Tel: 023 9282 2251 Email: safeguardingnotifications@portsmouthcc.gov.uk	The Chief Fire Officer Hampshire & IOW Fire and Rescue Service Hampshire Fire and Rescue HQ Leigh Road Eastleigh Hants SO50 9SJ Tel: 023 9285 5180 Email: csprotection.admin@hantsfire.gov.uk
Head of Planning Service Portsmouth City Council Civic Offices Guildhall Square Portsmouth Hants PO1 2AL Email: planning@portsmouthcc.gov.uk	Director of Public Health Portsmouth City Council Civic Offices Guildhall Square Portsmouth Hants PO1 2AL Email: publichealth@portsmouthcc.gov.uk

The Home Office (Immigration Enforcement) Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY Email: Alcohol@homeoffice.gsi.gov.uk	Where relevant: Health and Safety Executive Priestley House Priestley Road Basingstoke Hants RG24 9NW Tel: 0203 028 1570 Email: advice@hse.gov.uk <i>Copies of applications should, in most cases, only be served on the Health and Safety Executive in respect of premises operated by crown bodies (including the military), local authorities, the police, hospitals, schools and universities.</i>
In respect of vessels only - applications also need to be served on:	
Navigation Authority: Queen's Harbour Master Semaphore Tower PP70 HMS Nelson HM Naval Base Portsmouth Hants PO1 3LT Tel: 023 9272 3124 Email: portsmouth@ghm.mod.uk	Maritime and Coastguard Agency Spring Place 105 Commercial Road Southampton Hants SO15 1EG Tel: 0203 817 2000 Email: infoline@mcga.gov.uk
Environment Agency Solent & Southdowns Office Guildbourne House Chatsworth Road Worthing West Sussex BN11 1LD Tel: National Call Centre 03708 506 506 (Mon - Fri 0800 until 1800) Email: enquiries@environment-agency.gov.uk	

APPENDIX A - MAP OF PORTSMOUTH

Map of Portsmouth



 Portsmouth CITY COUNCIL	Title: PORTSMOUTH CITY COUNCIL ADMINISTRATIVE AREA			Drawing No: []	
	Prepared by: DIRECTORATE OF ENVIRONMENT & TRANSPORT Section: INFORMATION SERVICES GROUP			Scale: 1:54000	
	On behalf of: LICENSING OFFICE			Drawn by: 141eepr Date: 22/06/2006	
	Workspace:			Checked by:	

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APPENDIX B - MANDATORY CONDITIONS

LIST OF MANDATORY CONDITIONS

SUPPLY OF ALCOHOL - DPS REQUIREMENT

No supply of alcohol may be made under the premises licence:

- a) at a time when there is no designated premises supervisor in respect of the premises licence,
or
- b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.

SUPPLY OF ALCOHOL - AUTHORISATION BY PERSONAL LICENCE HOLDER

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

IRRESPONSIBLE DRINKS PROMOTIONS

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

FREE POTABLE WATER

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

AGE VERIFICATION POLICY - ON AND OFF SALES

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - a) A holographic mark, or
 - b) An ultraviolet feature.

AVAILABILITY OF SMALLER MEASURES

The responsible person must ensure that:

- a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - I. Beer or cider; ½ pint;
 - II. Gin, rum, vodka or whisky; 25ml or 35ml; and
 - III. Still wine in a glass; 125ml
- b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

ALCOHOL MINIMUM PERMITTED PRICE

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 2. For the purposes of the condition:
 - a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b) "permitted price" is the price found by applying the formula -

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

Where -

- I. P is the permitted price
- II. D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- III. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- c) "relevant person" means, in relation to premises in respect of which there is in force premises licence -
- I. The holder of the premises licence
 - II. The designated premises supervisor (if any) in respect of such a licence, or
 - III. The personal licence holder who makes or authorises a supply of alcohol under such a licence.
- d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

CLUB ALCOHOL SUPPLY - OFF SALES

Where the club premises certificate authorises the supply of alcohol for consumption off the premises, the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.

Any alcohol supplied for consumption off the premises must be in a sealed container.

Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

SIA LICENSING REQUIREMENT

Where any condition of the licence requires that, at specified times, one or more individuals must be at the premises to carry out a security activity, each such individual must:

- a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) Be entitled to carry out that activity by virtue of section 4 of that Act.

For the purposes of this condition "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act).

This condition is subject to any exemptions in accordance with the provisions of the Private Security Industry Act 2001.

FILM EXHIBITION - CHILD ADMITTANCE

In accordance with section 20 of the Licensing Act 2003, no child shall be admitted to any film exhibition unless that exhibition has been granted a certificate by the British Board of Film Classification or the licensing authority itself.

FILM EXHIBITION - AGE RESTRICTIONS

Where a programme includes a film in the 12A, 15 or 18 category, no person appearing to be under the age of 12 (and unaccompanied by a person over the age of 18 years in that case, 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained.

FILM EXHIBITION - DISPLAY OF CERTIFICATE

Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium, a reproduction of the certificate of the Board indicating the category of the film. For a film passed by the Licensing Authority, notices shall be displayed both inside and outside the premises so that persons entering can readily read them and be aware of the category attached to any film or trailer.

FILM EXHIBITION - LICENSING AUTHORITY CERTIFICATION

If the Licensing Authority does not agree with the category in which any film passed by the British Board of Film Classification is placed, they shall be at liberty to alter such category, and, on notice of such alteration being given by the Licensing Authority to the licence holder, the film thereafter shall be treated as having been placed in the altered category and the conditions applicable to the exhibition of films in such altered category shall be complied with.

If the Licensing Authority requests the licence holder to exhibit to them any film, he shall do so at such reasonable time as the licensing authority may, in writing direct.

APPENDIX C

Regulated Entertainment and Exemptions

1.0 Types of Regulated Entertainment

Schedule 1 of the Act sets out what activities are to be regarded as the provision of regulated entertainment and when they are licensable and those which are not and are therefore exempt from the regulated entertainment regime.

1.1 The descriptions of entertainment activities licensable under the Act are:

- A performance of a play;
- An exhibition of a film;
- A boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

1.2 To be licensable, one or more of these activities needs to be provided for the purpose (at least partly) of entertaining an audience; has to be held on premises made available for the purpose of enabling that activity; and must also either:

- Take place in the presence of a public audience, or
- Where that activity takes place in private, be the subject of a charge made with a view to profit.

2.0 Overview of circumstances where entertainment activities are not licensable

There are a number of exemptions that mean that a licence (or other authorisation) under the Act is not required. Whilst it is not possible to give examples of every eventuality or possible entertainment activity that is not licensable, the following activities are examples of entertainment which is not licensable:

- Activities which involve participation as acts of worship in a religious context;
- Activities in places of public religious worship;
- Education - teaching students to perform music or to dance;
- The demonstration of a product - for example, a guitar in a music shop;
- The rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
- Morris dancing (or similar);
- Incidental music - the performance of live music or the playing of recorded music if it is incidental to some other activity;

- Incidental film - an exhibition of moving pictures if it is incidental to some other activity;
- A spontaneous performance of music, singing or dancing;
- Garden fetes - or similar if not being promoted or held for purposes of private gain;
- Films for advertisements, information, education or in museums or art galleries;
- Television or radio broadcasts - as long as the programme is live and simultaneous;
- Vehicles in motion - at a time when the vehicle is not permanently or temporarily parked;
- Games played in pubs, youth clubs etc (e.g. pool, darts and table tennis);
- Stand-up comedy; and
- Provision of entertainment facilities (e.g. dance floors).

3.0 Amendments to the Licensing Act 2003

There have been a number of deregulatory changes to the Act in relation to regulated entertainment, these are outlined below:

- [The Live Music Act 2012;](#)
- [Licensing Act 2003 \(Descriptions of Entertainment\) \(Amendment\) Order 2013;](#)
- [The Legislative Reform \(Entertainment Licensing\) Order 2014; and](#)
- [The Deregulation Act 2015](#)

4.0 Activities where no licence is needed

4.1 Plays:

No licence is required for performances between 08:00 and 23:00 hours on any day, provided that the audience does not exceed 500 persons.

4.2 Dance:

No licence is required for performances between 08:00 and 23:00 hours on any day, provided that the audience does not exceed 500 persons.

4.3 Films:

No licence is required for "not for profit" film exhibitions held in community premises between 08:00 and 23:00 hours on any day provided that the audience does not exceed 500 persons and the organiser:

- Gets consent to the screening from a person who is responsible for the premises; and
- Ensures that such screening abides by age classification ratings.

4.4 Indoor Sporting Events:

No licence is required for an event between 08:00 and 23:00 hours on any day provided that those present do not exceed 1000.

4.5 Boxing or wrestling entertainment

No licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 hours on any day, provided that the audience does not exceed 1000.

4.6 **Live Music - no licence permission is required for:**

- A performance of **unamplified** live music between 08:00 and 23:00 hours on any day, on any premises;
- A performance of **amplified** live music between 08:00 and 23:00 hours on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500 persons;
- A performance of **amplified** live music between 08:00 and 23:00 hours on any day in a workplace⁶ that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500 persons;
- A performance of **amplified** live music between 08:00 and 23:00 hours on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that:
 - The audience does not exceed 500 persons; and
 - The organiser gets consent for the performance from a person who is responsible for the premises;
- A performance of **amplified** live music between 08:00 and 23:00 hours on any day, at the non-residential premises of a local authority, a school or a hospital, provided that:
 - The audience does not exceed 500 persons; and
 - The organiser gets consent for the performance on the relevant premises from:
 - i. The local authority concerned;
 - ii. The school, or
 - iii. The health care provider for the hospital.

4.7 **Recorded Music - no licence permission is required for:**

- Any playing of recorded music between 08:00 and 23:00 hours on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500 persons;
- Any playing of recorded music between 08:00 and 23:00 hours on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed under a premises licence to sell alcohol, provided that:
 - the audience does not exceed 500 persons; and
 - the organiser gets consent for the performance from a person who is responsible for the premises.
- Any playing of recorded music between 08:00 and 23:00 hours on any day, at the non-residential premises of:
 - i. A local authority
 - ii. A school or
 - iii. A hospital

⁶ The Live Music Act 2012 provides that premises are licensed under the 2003 Act, they cannot also be treated as a workplace for the purposes of the 2012 Act.

Provided that the audience does not exceed 500 persons and the organisers get consent for the performance on the relevant premises from:

- i. The local authority concerned;
- ii. The school proprietor; or
- iii. The health care provider for the hospital.

4.8 Cross activity exemptions - no licence is required between 08:00 and 23:00 hours on any day, with no limit on audience size for:

- Any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- Any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- Any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- Any entertainment (excluding film and a boxing or wrestling entertainment) taking place at a travelling circus, provided that:
 - a) It takes place within a moveable structure that accommodates the audience, and
 - b) That the travelling circus has not been located on the same site for more than 28 consecutive days.

4.9 Local authorities, hospital healthcare providers and school proprietors: cross-entertainment activity exemption

No licence is required for any entertainment provided by or on behalf of a local authority, health care provider, or school proprietor to the extent that it takes place on defined premises, between 08:00 and 23:00 hours on any day provided that:

- For entertainment provided, or on behalf of, a local authority, it takes place on premises in which that authority has a relevant property interest, or is in lawful occupation;
- For entertainment provided by, or on behalf of a healthcare provider, it takes place on any premises forming part of a hospital in which the provider has a relevant property interest or is in lawful occupation; and
- For entertainment provided by, or on behalf of a school proprietor, it takes place on the premises of the school.

4.10 Local authority, hospital and school premises: third party music entertainment

No licence is required for a performance of live music or the playing of recorded music on local authority, hospital or school premises, that are not domestic premises, between 08:00 and 23:00 hours on any day provided that:

- It is performed in front of an audience of no more than 500 people; and
- A person concerned in the organisation or management of the music entertainment has obtained the prior written consent⁷ of the local authority, health care provider or school proprietor (as appropriate) for that entertainment to take place.

⁷ This requirement is designed to ensure that those responsible for the premises hosting the entertainment have considered and approved the effect of the event on other users of their premises and the wider community.

- It is for these "trusted providers" to determine whether or not they wish to make their premises available for music entertainment by a 3rd party and on what terms they deem it appropriate.

4.11 **Community premises: music entertainment**

No licence is required for a performance of live music or the playing of recorded music on community premises between 08:00 and 23:00 hours on any day provided that:

- The community premises are not authorised, by a premises licence or club premises certificate, to be used for the supply of alcohol for consumption on the premises.
- The music entertainment is in the presence of an audience of no more than 500 persons; and
- A person concerned in the organisation or management of the music entertainment has obtained the prior written consent of the management committee of the premises, or if there is no management committee, a person who has control of the premises in connection with the carrying on by that person of a trade, business or other undertaking, or failing that, a person with a relevant property interest in the premises.

4.12 **Community premises: exhibition of film**

No licence is required for an exhibition of a film on community premises between 08:00 and 23:00 hours on any day provided that:

- The film entertainment is not provided with a view to profit; and
- The film entertainment is in the presence of an audience of no more than 500 persons.

4.13 **Travelling circuses**

Where types of entertainment are present in a performance by a travelling circus⁸ they will not be licensable provided that certain qualifying conditions are met. The qualifying conditions are that:

- The entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- The entertainment takes place between 08:00 and 23:00 hours on the same day;
- The entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- The travelling circus has not been located on the same site for more than 28 consecutive days.

⁸ "Travelling circus" is defined in the 2014 Order as meaning a circus which travels from site to site for the purpose of giving performances. Musical entertainment at a travelling fairground is likely to be incidental to the main attractions and rides that are not themselves regulated entertainment.

APPENDIX D

Cumulative Impact Assessment and Statement of Licensing Authority

1.0 Introduction

A Cumulative Impact Assessment (CIA) can be published by a licensing authority to help it to limit the number or type of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and is leading to problems which are undermining the licensing objectives.

The CIA will relate to applications for **new premises licences and club premises certificates** as well as applications made to **vary existing premises licences and club premises certificates** in a specified area.

2.0 Legal Framework

Section 5A of the 2003 Act sets out what a licensing authority needs to do in order to publish a CIA and review it, including the requirement to consult with the persons listed in section 5(3) of the 2003 Act. The 2003 Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are the same in areas with a CIA as they are elsewhere, as set out in sections 18, 35, 72 and 85 of the Act. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(5D) a licensing authority must also have regard to any CIA it has published when determining or revising its statement of licensing policy.

Section 9 of this Statement of Licensing Policy sets out further information in relation to cumulative impact in accordance with the legislation and statutory guidance issued in accordance with section 182 of the Licensing Act 2003.

3.0 Statement of Licensing Authority

The Licensing Authority considers that the number of premises licences in the area identified in the paragraph below is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives.

This CIA relates to premises licensed to carry on any licensable activity which will include the sale of alcohol for consumption on and off the premises and the provision of late night refreshment (whether or not they are authorised for the sale by retail of alcohol).

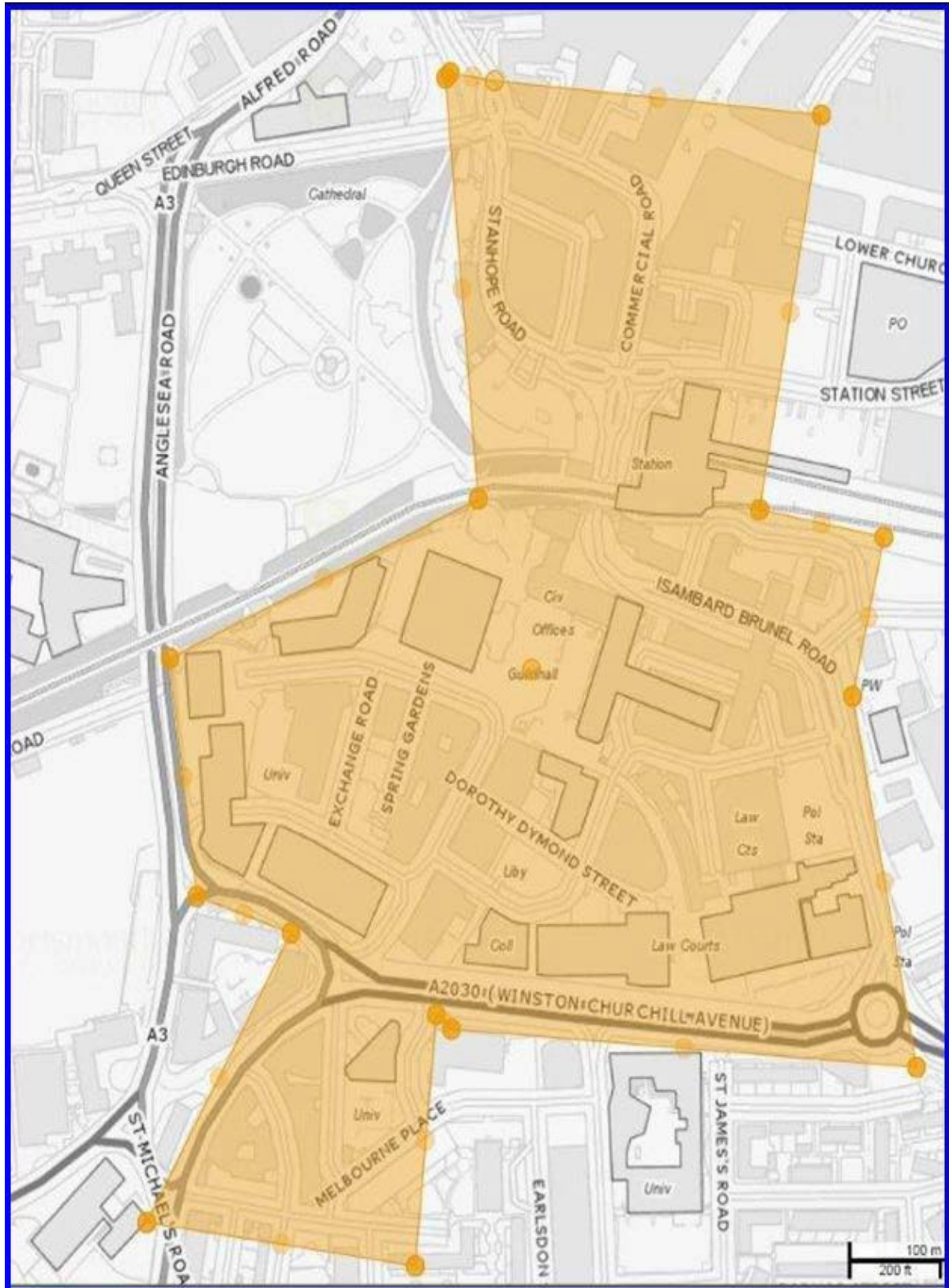
This assessment sets out the evidential basis for reaching this decision and, whilst the evidence underpinning the publication of this CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, the Licensing Authority recognises the fundamental way in which decisions are made under the Licensing Act 2003.

The specific Guildhall Walk Cumulative Impact Assessment relates to the following roads and boundaries:

- Stanhope Road, Edinburgh Road, Willis Road and Commercial Road (from the junction south of Edinburgh Road;

- Surrey Street, Station Street (from the junction west of Surrey Street);
- Spring Street, Fountain Street;
- Isambard Brunel Road, Dugald Drummond Road;
- Guildhall Square, King Henry 1st Street, Exchange Road, Spring Gardens, White Swan Road, Guildhall Walk, Alec Rose Lane, Dorothy Dymond Street, Charles Dickens Street, The Mary Rose Street;
- Winston Churchill Avenue (from the junction of Isambard Brunel Road and Guildhall Walk (not including the Police station or Courts);
- Hampshire Terrace (South to the junction of Wiltshire Street);
- St Pauls Road (area south to the junction of Wiltshire Street).

4.0 Map of Identified CIA Area



5.0 Evidential Basis for CIA (Submitted by the Chief Officer of Police)

Background

Portsmouth district has a mixed use City Centre surrounded by densely populated residential areas.

The numbers of licensed premises are very high for the geographical area and Portsmouth is known to have one of the largest concentration of pubs, per square mile, in the Country.

In addition, Portsmouth has a University attracting students from all over the Country who live, work and socialise in the City; A well established football team and stadium which regularly holds in excess of 20,000 football fans including traveling away supporters. Annual events include the Victorious Music Festival attracting up to 80,000 visitors each day of the event.

Operationally, this imposes significant demands upon emergency services and partner agencies who work to minimise the effects of crime related to alcohol consumption and other licensable activities.

The successful and vibrant NTE in Portsmouth attracts tourists, local residents and students into the licenced premises. These NTE areas are distinct zones with a concentration of existing licenced premises, they are popular destinations and they each have a volume of NTE related crime and disorder.

The 4 NTE zones are:

- Guildhall Walk area
- Gunwharf Quays area
- Central Southsea area (AKA Albert Road/Elm Grove area)
- Portsmouth South area (AKA Palmerston Road/Osborne Road area)

Crime Data per NTE Zone

Reported Incidents Year on Year by NTE Area				%age of Total NTE Incidents for 3 year period
Area	2021	2022	2023	2021-2023
GHW	973	1,075	945	37%
CS	732	611	607	24%
PS	257	296	262	10%

Fig.2a

Gunwharf Quays has seen a reduction in the capacity for NTE customers, which includes the closure of its large nightclub in 2023. There are less people attending the area during key NTE times and this lower footfall has resulted in a reduction of NTE related crime and disorder in this zone in recent years. Consequently, Gunwharf figures are not relevant to this report but it does continue to be monitored as part of the NTE strategy.

The data from Fig.2a shows the total number of NTE related crime incidents by NTE Area for 2021, 2022 & 2023. The final column shows the percentage of all NTE reported incidents for the 3 year period by NTE area.

NTE Crime Data 2021

All Areas by Crime Type

	Central Southsea (Albert Road NTE)	Guildhall Square	Gunwharf	Northend	Portsmouth South	unknown	Total
1 Violence Against the Person	257	458	87	211	143	11	1167
2 Sexual Offences	22	65	5	11	8	0	111
3 Robbery	8	21	5	12	3	0	49
4 Theft Offences	334	133	54	61	30	2	614
5 Criminal Damage and Arson Offences	35	50	16	40	18	0	159
6 Drug Offences	23	103	11	26	14	5	182
7 Possession of Weapons Offences	10	19	1	9	5	1	45
8 Public Order Offences	78	130	18	59	41	2	328
9 Miscellaneous Crimes Against Society	2	11	2	3	0	0	18
Total	769	990	199	432	262	21	2673

All NTE 2021	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	52	53	32	35	26	39	21	13	16	8	4	8	312
Tues/Wed	50	36	45	25	30	44	24	17	18	11	7	4	318
Wed/Thur	44	42	42	28	19	48	21	18	11	4		14	295
Thur/Fri	34	49	41	20	22	60	25	21	16	11	4	9	317
Fri/Sat	30	44	43	47	96	94	54	41	32	24	8	10	540
Sat/Sun	50	47	57	63	67	90	83	55	38	13	5	10	592
Sun/Mon	23	22	30	33	30	69	11	26	13	9	2	11	283
Total	288	298	299	252	295	458	242	198	147	82	30	68	2,657

GHW 2021	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	17	4	7	15	14	14	16	10	8	5	3	3	116
Tues/Wed	15	10	10	9	13	16	14	7	15	5	1	2	117
Wed/Thur	8	7	10	8	9	17	5	14	3			3	84
Thur/Fri	5	4	7	5	9	18	14	17	8	5	1	1	94
Fri/Sat	9	9	13	20	53	38	28	17	14	15	7	4	227
Sat/Sun	8	15	16	23	36	42	35	28	21	3	4	1	232
Sun/Mon	8	5	9	13	14	20	5	15	5	5	1	3	103
Total	70	54	72	93	148	165	117	108	74	38	17	17	973

Central Southsea (CS) 2021	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	19	32	14	6	5	13	3	2	5	2		3	104
Tues/Wed	21	10	19	6	7	8	4	5		1	4	2	87
Wed/Thur	19	17	27	7	6	18	7	2	2	1		9	115
Thur/Fri	17	22	14	6	4	17	3	1	2	4		5	95
Fri/Sat	13	16	15	4	17	18	8	8	9	3		5	116
Sat/Sun	25	16	21	13	11	17	11	8	6	2	1	2	133
Sun/Mon	5	9	10	9	7	21	2	10	2	1		6	82
Total	119	122	120	51	57	112	38	36	26	14	5	32	732

Portsmouth South (PS) 2021	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	2	1		2		2	1			1			9
Tues/Wed	3	3	5	4	3	5		1		2			26
Wed/Thur	7	6		6		2	4		3			2	30
Thur/Fri	6	6	2	2	5	9			4	2		1	37
Fri/Sat	1	6	2	4	4	13	6	5	5	2		1	49
Sat/Sun	3	1	5	11	7	11	21	13	7	2			81
Sun/Mon	4	3	4	2	1	7	1		2	1			25
Total	26	26	18	31	20	49	33	19	21	10		4	257

GHW Total incidents - 973

- Total NTE 2657
- %age of total 37%
- In 2021, 37% of all NTE related crime occurred in GHW

Central Southsea Total incidents - 732

- Total NTE 2657
- %age of total 28%
- In 2021, 28% of all NTE related crime occurred in Central Southsea

Portsmouth South Total incidents - 257

- Total NTE 2657
- %age of total 10%
- In 2021, 10% of all NTE related crime occurred in Portsmouth South

In 2021, 25% of all NTE related crime occurred across the wider Portsmouth district.

NTE Crime Data 2022

All Areas by Crime type

	Central Southsea (Albert Road NTE)	Guildhall Square	Gunwharf	Northend	Portsmouth South	unknown	Total
1 Violence Against the Person	289	537	116	229	148	21	1340
2 Sexual Offences	16	69	13	18	5	0	121
3 Robbery	9	20	0	9	5	3	46
4 Theft Offences	154	193	79	132	66	2	626
5 Criminal Damage and Arson Offences	52	59	10	64	14	1	200
6 Drug Offences	25	98	9	19	10	8	169
7 Possession of Weapons Offences	12	23	1	17	6	1	60
8 Public Order Offences	77	91	18	63	45	6	300
9 Miscellaneous Crimes Against Society	3	4	3	7	1	1	19
Total	637	1094	249	558	300	43	2881

All NTE 2022	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	30	36	48	31	36	37	27	24	23	9	6	9	329
Tues/Wed	39	34	28	21	27	39	16	21	18	9	5	5	271
Wed/Thur	42	37	29	29	35	55	37	27	9	6	8	9	335
Thur/Fri	45	36	33	23	19	76	26	26	20	7	6	2	326
Fri/Sat	29	44	63	56	74	85	96	72	56	25	2	10	619
Sat/Sun	52	40	75	92	91	128	73	61	61	18	20	8	730
Sun/Mon	37	34	23	38	37	38	16	15	6	6	6	1	263
Total	284	265	303	295	329	473	297	252	195	81	54	45	2,873

GHW 2022	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	11	17	13	4	15	15	14	15	17	4	1	3	129
Tues/Wed	7	5	4	6	10	9	11	15	10	3	1		81
Wed/Thur	9	9	8	5	15	16	12	19	4	3	2	4	106
Thur/Fri	9	6	10	5	2	23	16	17	9	4	3	1	105
Fri/Sat	6	17	16	15	30	47	37	51	45	17	1	5	287
Sat/Sun	5	12	23	34	36	45	38	34	29	8	7	2	273
Sun/Mon	15	8	6	10	16	16	9	9	1	2	2		94
Total	62	74	80	79	124	171	137	160	115	41	17	15	1,075

Central Southsea (SC) 2022	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	5	11	16	5	2	2	3	3	3	3	5	5	63
Tues/Wed	14	12	6	5	3	10	3	1	6	2	3	1	66
Wed/Thur	13	8	9	8	13	9	12	3	1		4	1	81
Thur/Fri	15	14	8	5	5	28	5	1	4		2		87
Fri/Sat	2	10	16	20	15	10	21	4	2	3		2	105
Sat/Sun	14	12	15	14	21	20	9	8	12	5	6	4	140
Sun/Mon	12	8	6	15	6	11	2		4	3	2		69
Total	75	75	76	72	65	90	55	20	32	16	22	13	611

Portsmouth South (PS) 2022	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue		1	3	2	3	3		1	2				15
Tues/Wed	3	3	4	3	8	2			1	2			26
Wed/Thur	6	8	2	4	1	13	3	1	2	3			43
Thur/Fri	6	1	5	3	5	8	1	2	3				34
Fri/Sat	4	2	5	5	9	7	15	4	1	2			54
Sat/Sun	9	5	14	15	14	19	9	10	7	2	2		106
Sun/Mon	3	3	1	1	5	2	2				1		18
Total	31	23	34	33	45	54	30	18	16	9	3		296

GHW Total incidents - 1075

- Total NTE 2873
- %age of total 37%
- In 2022, 37% of all NTE related crime occurred in GHW

Central Southsea - 611

- Total NTE 2873
- %age of total 21%
- In 2022, 21% of all NTE related crime occurred in Central Southsea

Portsmouth South - 296

- Total NTE 2873
- %age of total 10%
- In 2022, 10% of all NTE related crime occurred in Portsmouth South

In 2022, 32% of all NTE related crime occurred across the wider Portsmouth district.

NTE Crime Data 2023

All Areas by Crime type

	Central Southsea (Albert Road NTE)	Guildhall Square	Gunwharf	Northend	Portsmouth South	unknown	Total
1 Violence Against the Person	246	434	95	190	113	20	1098
2 Sexual Offences	14	47	6	12	16	0	95
3 Robbery	12	18	1	11	1	3	46
4 Theft Offences	222	223	89	141	88	12	775
5 Criminal Damage and Arson Offences	43	68	12	51	20	4	198
6 Drug Offences	23	77	10	25	4	7	146
7 Possession of Weapons Offences	10	24	2	13	2	2	53
8 Public Order Offences	78	89	13	52	34	5	271
9 Miscellaneous Crimes Against Society	4	6	4	9	0	0	23
Total	652	986	232	504	278	53	2705

All NTE 2023	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	52	42	34	36	24	39	14	18	16	13	5	11	310
Tues/Wed	43	37	38	28	38	38	15	17	19	7	4	14	304
Wed/Thur	37	32	36	28	29	37	18	18	11	4	2	10	274
Thur/Fri	35	33	45	23	38	34	26	16	16	8	14	12	307
Fri/Sat	41	53	51	51	52	88	61	42	38	13	10	12	525
Sat/Sun	50	44	48	52	73	85	75	68	42	24	4	4	584
Sun/Mon	46	38	40	41	36	48	21	9	10	11	2	13	326
Total	312	284	297	265	298	383	236	192	161	83	41	78	2,630

GHW 2023	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	16	10	15	6	13	14	6	11	10	8	1	5	115
Tues/Wed	12	8	13	11	16	17	9	12	12	4	2	2	118
Wed/Thur	10	12	10	10	10	15	6	8	7	1	1	2	92
Thur/Fri	10	5	11	7	15	8	14	9	12	4	8	8	111
Fri/Sat	11	12	16	13	21	33	25	24	22	7	5	3	192
Sat/Sun	11	15	15	19	28	29	42	40	30	9	2		240
Sun/Mon	5	9	9	11	10	8	11	4	4	2	2	2	77
Total	75	71	89	77	113	124	113	108	97	35	21	22	945

Central Southsea (CS) 2023	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	8	11	8	13	5	14		2	2	1	1	3	68
Tues/Wed	14	12	5	5	12	7	3	1	3	2	1	4	69
Wed/Thur	8	8	7	8	10	3	3	4	1	2		6	60
Thur/Fri	7	14	14	7	10	13	7	4		1	2	3	82
Fri/Sat	9	18	14	17	8	26	16	11	6	1	1	7	134
Sat/Sun	11	11	12	16	12	21	5	10		3			101
Sun/Mon	10	7	15	14	13	19	3	1	5	1		5	93
Total	67	81	75	80	70	103	37	33	17	11	5	28	607

Portsmouth South (PS) 2023	19	20	21	22	23	0	1	2	3	4	5	6	Total
Mon/Tue	6		2	3	2		4	1		2			20
Tues/Wed	3	5	2	1		3		1					15
Wed/Thur	3	3	1		2	3	1	1					14
Thur/Fri	6	4	3	5	2	1	2						23
Fri/Sat	5	4	2	5	10	11	8	4	6	3	1		59
Sat/Sun	6	3	7	7	11	16	16	9	6	8		1	90
Sun/Mon	12	4	5	5	6	5	1			2		1	41
Total	41	23	22	26	33	39	32	16	12	15	1	2	262

GHW Total incidents - 945

- Total NTE 2630
- %age of total 36%
- In 2023, 36% of all NTE related crime occurred in GHW

Central Southsea - 607

- Total NTE 2630
- %age of total 23%
- In 2023, 23% of all NTE related crime occurred in Central Southsea

Portsmouth South - 262

- Total NTE 2630
- %age of total 10%
- In 2023, 10% of all NTE related crime occurred in Portsmouth South

In 2023, 31% of all NTE related crime occurred across the wider Portsmouth district.

Additional Supporting Information

Within Guildhall Walk, the effectiveness of the cumulative impact area has been significantly bolstered by strong partnership working. Key partners include the Police, Street Pastors and Portsmouth City Council who deliver CCTV, the Safer Streets programme, and the Licensing Authority.

Targeted police work has included the use of plain-clothed police officers, targeting specific intelligence on predatory males. Through Safer Streets we have been able to ensure that venues complete active bystander training and participate in the "We Stand Together" scheme.

Venues are also encouraged to connect to the Safe Space initiative delivered by South Coast Ambulance Service (SCAS) operating on Friday and Saturday nights, with scope to open on additional nights as required.

Weekly debriefs with all partners, including Portsmouth University, NHS and Gunwharf Quays facilitate information sharing and coordinated responses.

Whilst the need for this area to be a CIA remains, this collaborative effort has led to a notable reduction in some crime types in the Guildhall Walk area and provides a blueprint that could be replicated in other areas of the city if required.

Conclusion

Over the 3 years, 2021 to 2023 inclusive, the three NTE zones highlighted in this report are the location of 71% of all NTE related crime reported to police for the period.

Overall, a total of 29% of all NTE related crime and disorder for the period has occurred within the wider Portsmouth district.

Guildhall Walk (GHW) area continues to be the location of the highest volume of NTE related crime and disorder. This has remained consistent across each of the 3 years without much fluctuation. It also accounts for more NTE related crime and disorder than the other two zones combined.

Central Southsea is the location of the second highest volume of NTE related crime and disorder, this area is much larger, geographically, than the other two. It has a higher number of individual licenced premises, spread out across this area so the NTE related incidents are less concentrated than GHW.

Portsmouth South has continued to be the location of 10% of all NTE related crime and disorder without any significant fluctuations.

While the NTE continues to exist, there will remain a need for police to resource the crime and disorder which results.

The introduction of the Cumulative Impact Area (CIA) in GHW has helped to prevent higher footfall, increased provision of licensable activity and increased concentration of licenced premises in what is the most popular NTE area and therefore a desirable location for new licenced premises. Any increase in licensable activity during NTE hours, in this location, is likely to impact negatively on the volume of NTE related crime and disorder.

The venues within all NTE zones have worked in unison with partners, including police to take a partnership approach to tackling many issues associated with licensable activity and the NTE as a whole. This includes forming the Portsmouth City Pubwatch and adopting a method of sharing information about banned individuals to prevent repeat offending. It also includes adopting Bystander training and championing the PCC's 'We Stand Together Campaign' which targets violence against women and girls and accredits venues to become 'Safe Spaces' for those in need of help or support.

The retention of the CIA in GHW will help to sustain improving standards of compliance and prevent an increase in licensable activity in this area of high volume NTE related crime and disorder.

Recommendations:

- Keep the CIA relating to Guildhall Walk Portsmouth.

The body of this report demonstrates that the impact of other NTE zones within the Portsmouth district, in terms of NTE related crime and disorder, is not as disproportionate as GHW. This strengthens the persuasive argument to maintain the existing CIA.

Maintaining the existing CIA will support the wider strategic objectives to encourage a safe, vibrant, diverse and financially successful DTE and NTE across the whole Portsmouth district.

This will benefit those living, working and visiting the City.

6.0 Effect of Cumulative Impact Assessments

In publishing this CIA, the licensing authority is providing a strong statement of intent about the approach that will be taken when considering applications for the grant or variation of premises licences in the area described.

The publishing of the CIA does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. It remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

7.0 Summary

This Assessment has been carried out in accordance with Section 5A of the Licensing Act 2003 and the evidential data supplied by the Chief Officer of Police for Hampshire and Isle of Wight Constabulary demonstrates that the Guildhall Walk Area is still the prime location for incidents of crime and disorder in the night time economy compared to other areas of the city.

In considering adoption of this assessment the licensing authority has considered whether there is good evidence that crime and disorder and/or nuisance is occurring within the defined area.

Having regard to the data and recommendations of the Police, the licensing authority is satisfied that there is sufficient evidence for the existence of a Cumulative Impact Assessment (CIA) in respect of the Guildhall Environs identified in this assessment.

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