Version 08



Statement of Licensing Policy

Licensing Act 2003

2027 to 2032

Joint statement of licensing

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Part A - Foreword

1. Foreword

Basingstoke & Deane Borough Council and Hart District Council recognise the important contribution that licensed premises, entertainment venues, hospitality businesses, community organisations and event organisers make to the economic prosperity, cultural vitality and social wellbeing of our communities. Well-managed pubs, restaurants, theatres, cultural venues, community halls, sports clubs and licensed events support local employment, tourism, investment and the attractiveness of our towns and villages.

The Licensing Authorities are committed to maintaining vibrant and diverse communities whilst ensuring that licensable activities are carried out responsibly and in a manner that promotes the licensing objectives. This Statement of Licensing Policy has been prepared in accordance with Section 5 of the Licensing Act 2003 and sets out the principles that will be applied when exercising licensing functions. It is intended to provide a clear, transparent and consistent framework for applicants, licence holders, residents, responsible authorities and elected members.

The Licensing Authorities recognise that effective licensing regulation requires an appropriate balance between supporting a thriving hospitality sector and protecting local communities. Regulation will therefore be fair, proportionate, evidence-based and targeted, with decisions made in accordance with the Licensing Act 2003, the Section 182 Guidance and the promotion of the licensing objectives.

In carrying out their licensing functions, the Licensing Authorities will promote the four statutory licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The Licensing Authorities recognise the equal importance of all four licensing objectives and will have regard to the latest Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, together with relevant legislation and case law.

This Policy also supports wider priorities relating to economic growth, regeneration, cultural development and community wellbeing where they are relevant to the promotion of the licensing objectives. The Licensing Authorities recognise the role that licensing plays in creating attractive, safe and successful places where people choose to live, work, visit and invest.

This Statement of Licensing Policy sets out how Basingstoke & Deane Borough Council and Hart District Council intend to discharge their responsibilities under the Licensing Act 2003 during the period 2027 to 2032. It provides a modern and robust framework for licensing decision-making that promotes the licensing objectives while supporting thriving and sustainable communities throughout both authority areas.

PART B - Definitions, Interpretation and Glossary

2.1 Purpose

This Part provides definitions and explanations of terms commonly used throughout this Statement of Licensing Policy. Where a term is defined by legislation, the statutory definition shall take precedence over any explanation contained within this Policy. Unless the context otherwise requires, words importing the singular shall include the plural and vice versa.

2.2 Drafting Conventions

For the purposes of this Policy, references to legislation include any amendments or successor legislation, the singular includes the plural and vice versa, headings are included for convenience only and do not affect interpretation, and references to the Licensing Authorities mean Basingstoke & Deane Borough Council and Hart District Council acting jointly.

2.3 Interpretation of the Policy

This Policy shall be interpreted:

- in accordance with the Licensing Act 2003;
- having regard to the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003;
- in accordance with relevant regulations;
- having regard to applicable case law.

Headings are included for convenience only and do not affect the interpretation of the Policy.

References to legislation shall include any amendments, substitutions, re-enactments or replacement legislation.

2.4 General Interpretation

Where any ambiguity arises concerning the interpretation of this Policy, it shall be interpreted in accordance with its stated objectives and the relevant legislative framework:

- Licensing Act 2003
- Section 182 Guidance
- Licensing Regulations
- Relevant Case Law
- Statement of Licensing Policy

Nothing within this Policy shall fetter the discretion of the Licensing Authorities, Licensing Committee or Licensing Sub-Committee to determine individual cases on their merits.

2.5 Glossary of Terms

The Act	The Licensing Act 2003, together with any associated regulations and statutory amendments.
Applicants	A person, company, organisation, partnership, club, charity or other body making an application under the Licensing Act 2003.
Authorised Officer	Authorised Officers means officers authorised in accordance with the Council's Constitution and officer scheme of delegation.
Conditions	Requirements attached to a licence or certificate intended to promote one or more licensing objectives. Conditions may be: mandatory; volunteered by the applicants; imposed by a Licensing Sub-Committee.
Cumulative Impact Assessment (CIA)	A published assessment adopted by the Licensing Authorities where evidence demonstrates that cumulative impact is adversely affecting one or more licensing objectives. Additional details can be found in Appendix A
Designated Premises Supervisor (DPS)	The individual specified on a premises licence who has day-to-day responsibility for authorising alcohol sales at licensed premises. The DPS must ordinarily hold a personal licence.
Late-Night Economy	The range of businesses, services and activities that operate during evening and night-time hours.
Late-Night Refreshment	The supply of hot food or hot drink to the public between 23:00 and 05:00 where licensable under the Act.
Licence Holder	The person or organisation holding a licence or certificate issued under the Licensing Act 2003.
Licensing Authorities	Basingstoke & Deane Borough Council and/or Hart District Council acting in their capacity as Licensing Authorities under the Licensing Act 2003.
Licensing Sub-Committee	A Sub-Committee appointed by the Licensing Committee to determine hearings and other licensing matters.
Local Area Profile	A document prepared by the Licensing Authorities containing local information relevant to licensing applications and the promotion of the licensing objectives.
Minor Variation	A variation application seeking small amendments to a licence that do not adversely affect the licensing objectives.
Operating Schedule	Part of a licensing application describing proposed licensable activities, operating arrangements and measures intended to promote the licensing objectives.
Other Persons	Any individual, business, organisation or body entitled to make representations under the Licensing Act 2003.
Public Nuisance	Conduct, activity or conditions capable of causing unreasonable disturbance to persons living, working or carrying out business activities in the locality.

Qualifying Club	A club meeting the qualifying conditions prescribed by the Licensing Act 2003.
Regulated Entertainment	Entertainment activities prescribed by Schedule 1 of the Licensing Act 2003, subject to statutory exemptions.
Responsible Authority	A body designated by the Licensing Act 2003 with specific responsibilities for promoting the licensing objectives, including Police, Environmental Health, Fire and Rescue Authority, Public Health and Trading Standards.
Review	A statutory process through which a premises licence or club premises certificate may be reconsidered where concerns arise regarding the licensing objectives.
Safety Advisory Group (SAG)	A multi-agency forum established to provide advice regarding the safe management of events and public gatherings.
Section 182 Guidance	Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003, to which Licensing Authorities must have regard when exercising their functions.
Temporary Event Notice (TEN)	A notice given under the Licensing Act 2003 authorising temporary licensable activities for a limited period.

PART C - Introduction and Scope

3.1 Summary

This Statement of Licensing Policy ("the Policy") sets out the approach that Basingstoke & Deane Borough Council and Hart District Council ("the Licensing Authorities") will take when exercising their responsibilities under the Licensing Act 2003.

The Policy provides guidance to applicants, licence holders, Responsible Authorities, elected members, residents, businesses and visitors regarding the manner in which licensing functions will be administered and the principles that will normally be applied in determining licensing matters. The Policy seeks to ensure that decisions are transparent, consistent, proportionate and evidence-based whilst recognising the individual merits of each case.

Nothing in this Policy creates a presumption for or against the grant of any application unless otherwise required by law. The Licensing Authorities reserves the right to depart from this Policy where the circumstances of an individual case justify such departure.

3.2 Statutory Basis

The Licensing Act 2003 requires every Licensing Authorities to prepare and publish a Statement of Licensing Policy every five years and to keep that Policy under review.

This Policy has been prepared having regard to:

- The Licensing Act 2003;
- The Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003;
- Licensing Act 2003 Regulations and any associated secondary legislation;
- Relevant case law and court judgments;
- Statutory guidance and codes of practice where relevant to the exercise of licensing functions;
- Consultation responses received during the review of this Policy.

The Licensing Authorities will apply the Licensing Act 2003, associated regulations and statutory guidance in force at the time a licensing decision is made.

Applicants, licence holders, Responsible Authorities and other persons participating in the licensing process are encouraged to familiarise themselves with current legislation and statutory guidance when preparing applications or making representations.

Where legislation or statutory guidance changes during the life of this Policy, the Licensing Authorities will have regard to those changes when exercising their licensing functions.

3.3 Policy Period

This Statement of Licensing Policy shall take effect on **1 April 2027** and shall remain in force until **31 March 2032**, unless amended earlier.

The Licensing Authorities may revise the Policy where necessary to reflect legislative change, revisions to statutory guidance, changes in local circumstances, emerging licensing issues, updated evidence and data, or relevant court decisions.

Minor amendments required to maintain legal accuracy or reflect legislative change may be made through delegated authority where consultation is not required by law.

3.4 Licensing Objectives

In exercising their statutory functions, the Licensing Authorities must promote the four licensing objectives established by the Licensing Act 2003:

Prevention of Crime and Disorder

Preventing crime, anti-social behaviour, violence, disorder, drug-related activity, unlawful alcohol sales and other criminal conduct associated with licensed premises and licensable activities.

Public Safety

Ensuring the physical safety of persons using and working at licensed premises and attending licensed events.

Prevention of Public Nuisance

Protecting residents, businesses and visitors from unreasonable disturbance arising from licensable activities.

Protection of Children from Harm

Safeguarding children and young people from physical, moral and psychological harm associated with licensed activities.

The Licensing Authorities recognise the equal status of all four statutory licensing objectives. Nothing within this Policy creates or implies any additional licensing objective. Matters such as public health, wellbeing, economic growth, regeneration, cultural development, violence against women and girls, safeguarding, community cohesion and place-making will only be considered where they are relevant to the promotion of one or more of the four statutory licensing objectives. Applications will not be determined on the basis of any separate objective beyond those established by the Licensing Act 2003.

3.5 Purpose of the Policy

The purpose of this Policy is to set out the principles that the Licensing Authorities will apply when exercising their functions under the Licensing Act 2003. The Policy provides a framework for the determination of licensing applications, reviews, enforcement activities and other licensing matters carried out under the Act.

The Licensing Authorities seek to promote the four licensing objectives, provide guidance to applicants, licence holders, Responsible Authorities and other persons involved in the licensing process, and ensure that licensing decisions are made in a fair, transparent, consistent and proportionate manner.

Nothing in this Policy shall undermine the right of any person to make an application, submit a relevant representation, or seek a review in accordance with the provisions of the Licensing Act 2003. All applications and licensing matters will be considered in accordance with the Act, statutory guidance and the individual circumstances of each case.

3.6 Scope of the Policy

This Policy applies to all licensing functions undertaken by the Licensing Authorities under the Licensing Act 2003.

The Policy applies to applications relating to:

- Premises Licences
- Club Premises Certificates
- Personal Licences
- Provisional Statements
- Full Variations
- Minor Variations
- Designated Premises Supervisor Variations
- Transfers of Premises Licences
- Interim Authority Notices
- Reviews of Premises Licences
- Reviews of Club Premises Certificates
- Temporary Event Notices

The Policy also applies to compliance, enforcement and other functions undertaken by the Licensing Authorities in connection with licensed premises and licensable activities.

3.7 Application and Interpretation of the Policy

This Policy provides the framework within which the Licensing Authorities will exercise their functions under the Licensing Act 2003. In carrying out those functions, the Licensing Authorities will have regard to this Policy, the Licensing Act 2003, the Secretary of State's Guidance issued under Section 182, and any relevant representations. Decisions will be based on the evidence available at the time and the promotion of the licensing objectives.

This Policy does not create a presumption for or against the grant of any application and will not be applied as an inflexible set of rules. Each application, review and licensing matter will be considered on its individual merits.

The Licensing Authorities may depart from this Policy where there are sound reasons to do so and where such an approach is consistent with the Licensing Act 2003, the Section 182 Guidance and the promotion of the licensing objectives. Reasons for any departure will be recorded.

Where there is any inconsistency between this Policy and legislation or statutory guidance, the legislation and statutory guidance shall prevail.

3.8 Relationship with Other Regulatory Regimes

The Licensing Authorities recognise that licensing operates alongside a range of other regulatory systems including:

- Planning Control

- Building Regulations
- Environmental Protection
- Health and Safety
- Fire Safety
- Food Safety
- Gambling Regulation
- Highway Licensing
- Safeguarding Legislation

Licensing and planning are separate legal regimes with distinct purposes.

The existence or absence of planning permission shall not automatically determine a licensing decision, and vice versa. However, applicants are strongly encouraged to ensure that all necessary permissions are obtained before commencing licensed activities. The Licensing Authorities shall seek to avoid duplication with other regulatory controls wherever possible.

The Licensing Authorities recognise that separate consent regimes may apply in addition to authorisations granted under the Licensing Act 2003, including planning permission, pavement licences, street trading consents and highway permissions. Applicants are responsible for ensuring that all necessary approvals are obtained.

3.9 Commitment to Partnership Working

The Licensing Authorities believe that the effective promotion of the licensing objectives depends upon constructive partnership working between local authorities, businesses, responsible authorities, community organisations, residents and enforcement agencies.

The Licensing Authorities will continue to work closely with:

- Hampshire Constabulary;
- Hampshire and Isle of Wight Fire and Rescue Service;
- Environmental Health Services;
- Trading Standards;
- Public Health;
- Safeguarding Partnerships;
- Community Safety Partnerships;
- Local businesses and trade groups;
- Residents and community organisations.

Through collaborative working, the Licensing Authorities seek to maintain safe, thriving and inclusive communities whilst supporting responsible licensed activities across Basingstoke & Deane and Hart.

PART D - Strategic Licensing Principles

4.1 Purpose

The matters set out in this section do not constitute additional licensing objectives and will only be considered where relevant to and supportive of one or more of the four statutory licensing objectives.

The Licensing Authorities recognise that licensing is not solely concerned with regulation and enforcement. Licensing can also support the creation of safe, prosperous, vibrant and sustainable communities.

In exercising their functions under the Licensing Act 2003, the Licensing Authorities will seek to balance the legitimate expectations of residents, businesses, visitors and community organisations whilst ensuring the effective promotion of the licensing objectives.

The strategic principles contained within this Part will inform the Licensing Authorities' approach to all licensing functions and decision-making.

4.2 Guiding Principle

The Licensing Authorities will seek to regulate licensable activities in a manner that promotes the licensing objectives, supports responsible business growth, facilitates cultural and community activity, encourages investment and regeneration, protects residential amenity, safeguards vulnerable persons, supports a diverse and inclusive hospitality sector, and maintains public confidence in the licensing system.

Whilst supporting a thriving economy, the Licensing Authorities recognise that the promotion of the licensing objectives remains the paramount consideration in all licensing decisions.

The Licensing Authorities recognises that Violence Against Women and Girls, vulnerability, welfare and spiking are not separate licensing objectives. Such matters will only be considered where they are relevant to the promotion of one or more of the four statutory licensing objectives.

4.3 Supporting Economic Growth and Prosperity

The Licensing Authorities recognise the economic importance of licensed premises and their contribution to local communities. Licensing decisions will not be based on need, competition or commercial demand. Applications will be determined having regard to the licensing objectives.

The Licensing Authorities will seek to support lawful business activity whilst ensuring that the licensing objectives are promoted and protected.

4.4 Public Health and Wellbeing

Public health is not a licensing objective. Relevant health information may be considered where it demonstrates a direct link to one or more licensing objectives.

Any such information will be considered on its individual merits and in the context of the evidence provided in relation to a specific application, review or other licensing matter.

4.5 Safeguarding, Vulnerability, Violence Against Women and Girls, and Drink Spiking

The Licensing Authorities recognise the importance of safeguarding children and vulnerable persons.

Applicants should consider appropriate safeguarding measures including staff training, incident reporting and customer welfare procedures.

Matters relating to vulnerability, violence against women and girls, sexual harassment and drink spiking will be considered where relevant to the promotion of the licensing objectives.

The Licensing Authorities expect licence holders to work with responsible authorities and other relevant partners to promote safe environments for customers and staff.

4.6 Equality and Inclusion

The Licensing Authorities are committed to promoting equality, diversity and inclusion.

In exercising their functions, the Authorities will have due regard to:

- the Equality Act 2010;
- the Public Sector Equality Duty;
- Human Rights legislation.

The Authorities expect businesses to make reasonable efforts to ensure licensed premises are welcoming and accessible to all sections of the community.

Nothing within this Policy should be interpreted as limiting the rights and protections afforded under equality legislation.

4.7 Partnership Working

See 3.9

4.8 Evidence-Based Decision Making

The Licensing Authorities are committed to ensuring that licensing decisions are evidence-based.

Where relevant, consideration may be given to:

- crime and disorder data;
- antisocial behaviour data;
- public nuisance data;

- safeguarding information;
- health-related intelligence;
- enforcement history;
- compliance records;
- local area profiles;
- cumulative impact assessments.

The existence of concerns or objections alone will not necessarily justify the refusal of an application. Decisions must be based upon relevant evidence and the likelihood of an adverse impact upon one or more licensing objectives.

4.9 General Application of Strategic Principles

The strategic principles contained within this Part are intended to guide and inform the Licensing Authorities' approach to licensing functions.

These principles should be read alongside:

- the remaining sections of this Policy;
- the Licensing Act 2003;
- the Secretary of State's Guidance issued under Section 182;
- relevant legislation and case law.

4.10 Live Music and Cultural Activity

The Licensing Authorities recognise the cultural, social and economic benefits associated with live music, theatre, performance, festivals and other entertainment activities.

The Authorities support the provision of such activities where they can be provided without undermining the licensing objectives.

The Authorities recognise the deregulatory provisions introduced through the Live Music Act 2012 and Deregulation Act 2015 and expect operators providing exempt activities to continue to manage those activities responsibly and take reasonable steps to prevent public nuisance and disorder.

PART E - Local Area Profile and Evidence Base

5.1 Purpose

The Licensing Authorities maintain Local Area Profiles which provide information on local risks, characteristics and matters relevant to the promotion of the licensing objectives.

Applicants are encouraged to consider any relevant Local Area Profile when preparing applications, operating schedules and risk assessments.

Local Area Profiles may contain information relating to matters such as crime and disorder, public safety, safeguarding, demographics, transport, licensing activity and other local issues relevant to the licensing objectives.

The existence of a Local Area Profile does not create a presumption for or against the grant of any application. Each application will continue to be determined on its individual merits and in accordance with the Licensing Act 2003.

5.2 Local Area Profiles for Applicants

The Licensing Authorities will keep Local Area Profiles under review and update them periodically to ensure that they remain accurate, relevant and evidence-based.

Updated information may be used to inform licensing decisions, enforcement activity, future policy development and other licensing-related functions where relevant.

5.3 Review of the Local Area Profile

The Licensing Authorities will periodically review the Local Area Profile and supporting evidence base to ensure that it remains:

- accurate;
- relevant;
- evidence-led;
- reflective of local circumstances.

Updated evidence may inform:

- future policy revisions;
- cumulative impact assessments;
- local area profiles;
- licensing decisions;
- enforcement activity.

The Licensing Authorities are committed to ensuring that licensing policy and decision-making continue to be informed by reliable evidence, local knowledge and partnership working.

PART F - Cumulative Impact Assessment and Special Policy Areas

6.1 Purpose

The matters set out in this section do not constitute additional licensing objectives and will only be considered where relevant to and supportive of one or more of the four statutory licensing objectives.

The Licensing Authorities recognise that, in some circumstances, the number, type and concentration of licensed premises within a particular area may give rise to negative impacts upon one or more of the licensing objectives.

These impacts may arise not because of the operation of any individual premises, but because of the cumulative effect of multiple licensed premises operating within the same locality. Such impacts may include:

- increased crime and disorder;
- antisocial behaviour;
- noise nuisance;
- public safety concerns;
- street drinking;
- environmental impacts;
- increased pressure on emergency services and local infrastructure.

The Licensing Authorities will monitor evidence throughout the life of this Policy and may adopt one or more Cumulative Impact Assessments ("CIAs") where evidence demonstrates that the cumulative impact of licensed premises is having a detrimental effect upon the promotion of the licensing objectives.

Additional details can be found in appendix A.

6.2 Effect of a Cumulative Impact Assessment

Where a CIA is adopted, the existence of the CIA does not shift the burden of proof to the applicants and does not create a presumption of refusal.

Applicants will continue to be entitled to apply for:

- new premises licences;
- variations;
- club premises certificates;
- other authorisations available under the Act.

Each application will continue to be determined on its own merits.

The existence of a CIA does not create a presumption of refusal. Applications will be determined on their individual merits and the authority will consider whether the application is likely to contribute to the cumulative impact identified within the assessment. There is currently no CIAs within the area that this policy covers.

6.3 Late Night Levy and Early Morning Restriction Orders

The Licensing Authorities have considered the powers available under the Police Reform and Social Responsibility Act 2011 concerning the implementation of a Late Night Levy and Early Morning Restriction Orders.

At the time of adoption of this Policy the Authorities do not consider the available evidence justifies the introduction of either measure.

The position will remain under review throughout the life of this Policy and may be reconsidered should evidence arise which suggests such measures would assist the promotion of the licensing objectives.

PART G - Promotion of the Licensing Objectives

7.1 Introduction

The promotion of the licensing objectives is the fundamental purpose of the Licensing Act 2003 and the primary consideration in all licensing decisions.

Applicants, licence holders, Responsible Authorities, residents and all persons involved in the licensing process should have regard to the licensing objectives when undertaking activities regulated by the Act.

The Licensing Authorities recognise that effective promotion of the licensing objectives can contribute significantly towards:

- safer communities;
- improved public confidence;
- a sustainable evening and night-time economy;
- reduced crime and antisocial behaviour;
- improved health and wellbeing outcomes;
- protection of vulnerable persons;
- enhanced quality of life for residents and visitors.

7.2 Equal Importance of Objectives

The Licensing Authorities recognise that no licensing objective takes precedence over another, all objectives are of equal statutory importance, decisions must be based on relevant evidence, and any remedies or conditions must be proportionate.

Applicants should demonstrate within their operating schedules how the proposed activities will promote each licensing objective.

7.3 Prevention of Crime and Disorder

The prevention of crime and disorder is a fundamental licensing objective. The licensing authority expects premises to be operated in a manner that promotes lawful behaviour and reduces the risk of criminal activity, anti-social behaviour and disorder occurring on or in the vicinity of licensed premises.

Applicants should demonstrate that they have considered the potential risks associated with the operation of the premises and have identified appropriate measures to manage those risks. The level of detail and control measures expected will be proportionate to the nature, size, location and operating style of the premises.

When considering applications, the licensing authority will have regard to the applicant's operating schedule, the likely impact of the proposed activities and any representations received from responsible authorities or other persons. Applicants

should be able to show how they will promote a safe and well-managed environment for customers, staff and the wider community.

7.4 Public Safety

The public safety objective seeks to ensure that licensed premises are safe places in which people can work and visit. Premises should be managed in a way that protects patrons, employees, performers, contractors and other persons who may be affected by the licensed activities.

Applicants should demonstrate that they have assessed the risks associated with their operation and have adequate arrangements in place to maintain safety standards. Measures should be appropriate to the type and scale of the premises and should be regularly reviewed as circumstances change.

The licensing authority will expect applicants to show that the physical layout, management arrangements and day-to-day operation of the premises are capable of supporting the safe delivery of the proposed licensable activities. Particular regard will be given to how foreseeable risks are identified, managed and communicated.

7.5 Prevention of Public Nuisance

The prevention of public nuisance objective aims to protect the quality of life of those who live, work and carry on business in the vicinity of licensed premises. Licensed activities should be operated in a way that minimises adverse impacts on neighbouring properties and the wider area.

Applicants should demonstrate an understanding of the local environment and the potential for disturbance arising from the operation of the premises. Consideration should be given to issues such as noise, vibration, litter, odours and the movement of customers before, during and after licensable activities.

The licensing authority will consider whether the operating schedule provides sufficient assurance that the premises can operate without causing unreasonable disturbance. Measures should be proportionate to the location, operating hours and nature of the activities proposed.

7.6 Protection of Children from Harm

The protection of children from harm objective seeks to safeguard children and young people from physical, psychological and moral harm associated with licensed activities. Children are entitled to enjoy safe environments and should be protected from inappropriate exposure to alcohol-related activity and other age-restricted services.

Applicants should demonstrate how they will prevent underage access to alcohol and other restricted activities where relevant and how they will promote a safe environment for children who may be present on the premises. Arrangements should be proportionate to the nature of the business and the likelihood of children being present.

The licensing authority will expect applicants to show that staff understand their responsibilities in relation to age-restricted activities and that appropriate management controls are in place to ensure compliance with legal requirements.

Where necessary, additional measures may be required to address risks that are specific to the premises or locality.

7.7 Integrated Promotion of the Licensing Objectives

The Licensing Authorities recognise that measures adopted to promote one licensing objective will often support others.

For example:

- CCTV may promote crime prevention, public safety and safeguarding;
- staff training may promote all four objectives;
- dispersal policies may reduce crime, disorder and nuisance;
- safeguarding procedures may support both public safety and child protection.

Applicants should therefore adopt a holistic approach when developing operating schedules and managing licensed premises.

7.8 Terrorism, Protective Security and Public Protection Procedures

The Licensing Authorities recognise the importance of ensuring that licensed premises and events are prepared to respond to foreseeable public safety risks, including terrorism and other major incidents. They support proportionate measures that improve public protection, organisational resilience and the safety of those attending licensed premises and events.

The Licensing Authorities acknowledge the requirements of the Terrorism (Protection of Premises) Act 2025 (Martyn's Law) and encourage applicants, licence holders and event organisers to understand and comply with any applicable duties. Licensing conditions will not normally be imposed where they would duplicate requirements under Martyn's Law or other statutory regimes.

Where appropriate to the nature, size and risk profile of the premises or event, applicants are encouraged to consider public protection and emergency preparedness measures within their operating schedules, risk assessments and management plans. This may include staff training, evacuation and lockdown procedures, emergency communications, suspicious activity reporting, incident management, business continuity arrangements, crowd management, and liaison with emergency services and relevant authorities.

Operators are also encouraged to have regard to relevant national guidance and recognised good practice on protective security, hostile threat awareness and emergency preparedness, including consultation with police, counter-terrorism advisors, Safety Advisory Groups and other partner agencies where appropriate.

The Licensing Authorities will adopt a proportionate, risk-based approach and will consider matters relating to protective security and emergency preparedness only where they are relevant to the promotion of the public safety licensing objective.

PART H - Application Process

8.1 Purpose

The Licensing Authorities seek to ensure that applications are processed in a fair, transparent, efficient and proportionate manner. Applicants are encouraged to engage with the Licensing Authorities and Responsible Authorities at an early stage where proposals involve complex or higher-risk activities, including late-night operation, larger-scale events, outdoor events or premises where specific licensing risks may arise. Early engagement may assist in identifying and resolving issues before an application is submitted.

8.2 General Principles

In determining applications, the Licensing Authorities will have regard to this Policy, the Licensing Act 2003 and the Section 182 Guidance. Licensing decisions will not normally be based on commercial demand, competition between businesses or market need. Applications and any relevant representations will be considered on their individual merits and with regard to the promotion of the licensing objectives.

8.3 Pre-Application Discussions

Applicants are encouraged to undertake pre-application discussions where proposals involve a higher level of risk or complexity. Discussions may take place with Licensing Officers, Hampshire Constabulary, Environmental Health, Fire and Rescue Service or other relevant consultees.

Pre-application discussions may assist in identifying local concerns, improving operating schedules and reducing the need for formal objections. Any advice provided shall not bind the Licensing Authorities in the determination of a future application.

8.4 Negotiated Outcomes

The Licensing Authorities support constructive engagement between applicants, Responsible Authorities and other parties during the application process. Where concerns are identified, parties are encouraged to explore amendments or conditions that may resolve matters before a hearing is required.

Where all relevant representations are withdrawn and legislation permits, an application may be determined under delegated authority without a hearing.

8.5 Operating Schedules

The operating schedule forms a fundamental part of any application under the Licensing Act 2003. The Licensing Authorities expect applicants to demonstrate a clear understanding of the nature of the premises, the activities proposed and the risks that may arise in relation to the licensing objectives.

Applicants should provide information that is specific to the premises and operation proposed. Measures offered within an operating schedule should be proportionate, risk-based and capable of being implemented and maintained throughout the life of the licence. Generic operating schedules, copied conditions or standardised

submissions that do not properly address the circumstances of the application are unlikely to assist in demonstrating how the licensing objectives will be promoted.

- The Licensing Authorities encourage applicants to consider:
- the nature, character, size and layout of the premises;
- the location of the premises and surrounding land uses;
- the nature of the licensable activities proposed;
- the operating style and customer profile;
- the proposed hours of operation;
- local risks and information contained within any published Local Area Profile;
- risks relating to crime and disorder, public safety, public nuisance and the protection of children from harm; and
- any measures necessary to prevent, reduce or mitigate those risks.

Operating schedules should contain measures that are clear, precise, proportionate and capable of enforcement. Applications are more likely to progress efficiently where applicants have carefully considered local circumstances and demonstrated how the licensing objectives will be promoted.

8.6 Determination of Applications

Where no relevant representations are received, applications will generally be granted under delegated authority subject to:

- mandatory conditions;
- conditions consistent with the operating schedule;
- any agreed amendments.

Where relevant representations are received, the application will normally be referred to a Licensing Sub-Committee for determination unless all parties agree that a hearing is unnecessary.

The Sub-Committee may:

- grant the application as applied for;
- grant the application with modified conditions;
- exclude proposed activities;
- amend operating hours;
- refuse the application in whole or part.

All decisions will be accompanied by reasons.

8.7 Hearings

Hearings will be conducted in accordance with the Licensing Act 2003, the Licensing Act 2003 (Hearings) Regulations and the Council's procedures.

All parties will be given a reasonable opportunity to present their case, provide evidence and respond to submissions. Hearings will be conducted fairly and proportionately.

8.8 Appeals

Persons entitled to do so under the Licensing Act 2003 may appeal licensing decisions to the Magistrates' Court in accordance with the statutory procedures and timescales.

8.9 General Expectation

Applicants are expected to submit applications that clearly demonstrate how the licensing objectives will be promoted and provide sufficient information to enable the application to be properly considered.

PART I - Premises Licences

9.1 Purpose

A premises licence is the primary authorisation under the Licensing Act 2003 for the provision of licensable activities. It enables businesses, community organisations and event operators to undertake such activities while promoting the licensing objectives. Applicants should clearly demonstrate within their application how the licensing objectives will be promoted.

9.2 Applications for New Premises Licences

Applicants should ensure that their operating schedule clearly sets out the licensable activities proposed, how the premises will operate, the measures that will be implemented to promote the licensing objectives, the suitability of the premises for the activities proposed, and any relevant risk management measures. Applicants are expected to fully consider their responsibilities and the operating controls necessary to promote the licensing objectives when preparing an application.

9.3 Responsible Management and Designated Premises Supervisors

Effective management is essential to the promotion of the licensing objectives. Licence holders should maintain appropriate arrangements for:

- staff training and supervision;
- compliance monitoring;
- responsible alcohol retailing;
- incident management; and
- emergency procedures, where appropriate.

The Designated Premises Supervisor (DPS) should exercise effective control and oversight of the premises. Where an individual acts as DPS for more than one premises, applicants may be required to demonstrate how effective management and supervision will be maintained.

9.4 Off-Sales, Delivery Services and Supermarkets

Applicants seeking authorisation for off-sales of alcohol should demonstrate appropriate measures to prevent sales to children, proxy purchasing, sales to

intoxicated persons, and alcohol-related nuisance and anti-social behaviour. Where alcohol is supplied through online ordering or delivery services, robust age-verification procedures should operate at both the point of sale and the point of delivery. Appropriate safeguards should also be in place where self-service checkout facilities are used.

9.5 Provisional Statements

Applications for provisional statements will be considered in accordance with the Licensing Act 2003 and the principles applicable to premises licence applications. Early engagement with Responsible Authorities is encouraged.

9.6 Location of Premises

The Licensing Authorities recognise that location may affect the promotion of the licensing objectives.

Relevant factors may include:

- proximity to residential accommodation;
- schools and educational facilities;
- places of worship;
- hospitals and care facilities;
- transport infrastructure;
- existing licensed premises;
- crime and disorder hotspots; and
- cumulative impact areas.

Location alone will not determine an application. Applicants may be expected to demonstrate how location-specific risks will be managed.

9.7 Hours of Operation

The Licensing Authorities recognise that flexible licensing hours can support a diverse hospitality sector and assist in reducing customer dispersal issues. There are no standard licensing hours. Applications will be considered on their individual merits, having regard to the nature and operation of the premises, its location and surrounding land uses, the potential impact on local residents, crime and disorder considerations, and public safety. Applicants seeking later hours should demonstrate how any risks associated with extended trading will be effectively managed.

9.8 Conditions on Premises Licences

Any conditions imposed on a premises licence will be appropriate, proportionate, clear, precise, enforceable and tailored to the individual premises. Conditions will not normally be imposed where they duplicate other legislative requirements, are unnecessary, or are vague and unenforceable. The Licensing Authorities will have regard to the Secretary of State's Guidance when determining whether conditions are appropriate.

9.9 Annual Fees and Licence Suspension

Premises licence holders must pay the prescribed annual fee. Failure to do so may result in suspension of the licence in accordance with the Licensing Act 2003. No licensable activities may be provided during any period of suspension.

Fee are set nationally and we have no power to amend or changes these fees they are based on the rateable value of the premises.

9.10 Community Premises

The Licensing Authorities recognise the important role of community premises, village halls and similar facilities.

Applications seeking disapplication of the mandatory DPS requirement will be considered on their merits. Applicants should demonstrate appropriate arrangements for alcohol sales and the promotion of the licensing objectives.

9.11 General Principle

Premises licence holders are expected to operate their premises in a manner that promotes the licensing objectives. The Licensing Authorities will support responsible operators and take appropriate action where those objectives are undermined.

PART J - Club Premises Certificates

10.1 Purpose

The Licensing Authorities recognise the important contribution that qualifying clubs make to community life, recreation, sport and social wellbeing. A Club Premises Certificate provides an alternative authorisation to a premises licence and is available only to clubs that satisfy the requirements of the Licensing Act 2003. Applications will be determined in accordance with the Licensing Act 2003, the Section 182 Guidance and the licensing objectives. Applicants should demonstrate how the operation of the club and any proposed licensable activities will promote those objectives. Relevant representations will be considered on their merits, having regard to the circumstances of the application and the evidence provided.

PART K - Personal Licences

11.1 Purpose

The Licensing Authorities recognise the role of personal licence holders in promoting responsible alcohol sales and supporting the licensing objectives. Applications for personal licences will be administered in accordance with the Licensing Act 2003 and relevant regulations, having regard to any relevant convictions, statutory requirements and representations received from Responsible Authorities. Personal licence holders are expected to understand their legal responsibilities and promote the licensing objectives through the responsible authorisation and supervision of alcohol sales.

PART L - Temporary Event Notices (TENs)

12.1 Purpose

The Licensing Authorities recognise that Temporary Event Notices (TENs) provide a flexible mechanism for authorising licensable activities on a temporary basis. Applications and notices will be dealt with in accordance with the Licensing Act 2003 and relevant regulations.

The TEN regime is intended to provide a proportionate and light-touch process for temporary events. Event organisers remain responsible for ensuring that licensable activities are conducted safely and in a manner that promotes the licensing objectives.

Where objections are received from Responsible Authorities, the Licensing Authorities will consider the evidence presented and determine the matter in accordance with the Licensing Act 2003 and the licensing objectives.

- A Temporary Event Notice may authorise:
- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club;
- the provision of regulated entertainment; and
- the provision of late-night refreshment.

Organisers are responsible for ensuring compliance with any statutory limits and requirements applicable to Temporary Event Notices.

12.2 General Principles

The Temporary Event Notice regime provides a flexible means of facilitating community, cultural, charitable and commercial events. Whilst TENs do not require the same level of scrutiny as premises licence applications, organisers remain responsible for ensuring that licensable activities are conducted safely and responsibly. The Licensing Authorities encourage organisers to assess risks, undertake appropriate planning, engage with relevant agencies where appropriate, implement proportionate control measures and promote the licensing objectives at all times. Well-managed temporary events can make a positive contribution to the cultural, economic and social life of Basingstoke and Deane and Hart while safeguarding the wellbeing of residents, visitors and participants.

12.3 Licensable Activities Authorised by TENs

A Temporary Event Notice may authorise the sale by retail of alcohol, the supply of alcohol by or on behalf of a club, the provision of regulated entertainment, and the provision of late-night refreshment. Organisers must ensure that proposed activities fall within the scope of the Licensing Act 2003 and comply with any applicable statutory limits and requirements.

PART M - Representations, Hearings and Decision-Making

13.1 Purpose

The Licensing Authorities are committed to ensuring that licensing decisions are made fairly, transparently, consistently and in accordance with the law. In carrying out their functions, the Licensing Authorities will balance the rights of applicants, the interests of residents and businesses, the views of Responsible Authorities, and the need to promote the licensing objectives.

13.2 Relevant Representations

The Licensing Authorities will only take account of representations that are relevant within the meaning of the Licensing Act 2003. Representations should relate to one or more of the licensing objectives, the application under consideration and be submitted by a person entitled to make representations within the prescribed consultation period. Persons making representations are encouraged to provide relevant evidence in support of the matters raised, and greater weight may be given to representations supported by credible evidence.

13.3 Licensing Authority as Responsible Authority

The Licensing Authorities may act as a Responsible Authority where evidence demonstrates concerns relating to one or more licensing objectives. A clear separation will be maintained between officers exercising Responsible Authority functions and those undertaking licensing administration functions to ensure fairness, transparency and the avoidance of conflicts of interest.

13.4 Frivolous, Vexatious and Repetitious Representations

The Licensing Authorities may disregard representations where legislation permits them to do so. In determining whether a representation is frivolous, vexatious or repetitious, regard will be had to the individual circumstances of the case and relevant statutory guidance. Representations will not be regarded as vexatious merely because they are robustly expressed, and the Licensing Authorities will exercise caution before determining that a representation should be disregarded.

13.5 Principles of Decision-Making

When exercising licensing functions, decisions will be based upon evidence relevant to the promotion of one or more licensing objectives and will not be determined solely on the basis of speculation, unsubstantiated concerns, commercial competition, market demand or perceived need.

13.6 Reasons for Decisions

The Licensing Authorities will provide reasons for their decisions, identifying the evidence relied upon, how the licensing objectives were considered and, where applicable, the reasons for imposing conditions. Clear reasons promote transparency, consistency and public confidence in the licensing process.

13.7 Human Rights and Equality Considerations

In determining licensing matters, the Licensing Authorities will have regard to the Human Rights Act 1998, the Equality Act 2010, and the principles of fairness and proportionality. The Authorities will seek to balance the rights of applicants to operate lawful businesses, the rights of residents to the peaceful enjoyment of their homes, and the wider public interest.

13.8 General Principle

The Licensing Authorities will determine applications fairly, transparently and proportionately, having regard to the Licensing Act 2003, statutory guidance, applicable law and the promotion of the licensing objectives. All parties participating in the licensing process are encouraged to engage constructively and focus on matters relevant to those objectives.

PART N - Licence Conditions and Operating Standards

14.1 Purpose

Licence conditions are an important mechanism for promoting the licensing objectives and managing risks associated with licensed activities. Conditions may arise from the operating schedule, agreements reached during consultation, recommendations from Responsible Authorities, decisions of a Licensing Sub-Committee, or mandatory statutory requirements. The Licensing Authorities will seek to ensure that any conditions imposed are appropriate to the individual circumstances of the premises and activities authorised.

14.2 General Principles

Licence conditions are intended to promote the licensing objectives and support the safe and responsible operation of licensed premises. Conditions will be appropriate, proportionate, clear, precise, enforceable and evidence-based. They will not normally be imposed solely because they are regarded as desirable or standard practice. The Licensing Authorities will have regard to the Secretary of State's Guidance and will seek to ensure that conditions are risk-based, tailored to the individual premises and directly related to the promotion of one or more licensing objectives.

14.3 Conditions Consistent with the Operating Schedule

Applicants are expected to include within their operating schedules measures that are appropriate to the nature of the premises and proposed activities. Where a licence is granted, those measures may become enforceable conditions. Applicants should therefore ensure that proposed measures are realistic, achievable and capable of ongoing compliance.

14.4 Hierarchy of Conditions

Where conditions arise from different sources, the Licensing Authorities will seek to avoid conflict and inconsistency. In general, mandatory statutory conditions will take precedence, followed by conditions imposed by a Licensing Sub-Committee,

conditions agreed during the application process, and conditions derived from the operating schedule. Conditions should be clear, unambiguous and capable of effective enforcement.

14.5 Mandatory Conditions

Certain mandatory conditions apply automatically to specified licences under the Licensing Act 2003. These may include requirements relating to age verification, irresponsible promotions, the provision of drinking water, the availability of small measures, authorised alcohol sales, film classification and door supervisor registration. Such conditions apply whether or not they are explicitly reproduced on the licence.

14.6 Conditions and Other Legislation

The Licensing Authorities will seek to avoid duplication with other regulatory regimes and will not normally impose conditions where matters are adequately controlled through other legislation. This includes planning, building control, environmental protection, health and safety, fire safety, food safety and employment legislation, together with other statutory regulatory regimes, including the Terrorism (Protection of Premises) Act 2025. However, where matters regulated elsewhere are relevant to the promotion of the licensing objectives, the Licensing Authorities may take them into account when determining applications.

14.7 Model Conditions

The Licensing Authorities may maintain a pool of model conditions and examples of good practice for guidance purposes. Such conditions are illustrative only, do not automatically apply, and should not be regarded as standard requirements. The existence of a model condition does not create a presumption that it will be imposed in any particular case. Conditions will only be attached to licences where they are appropriate, proportionate and necessary for the promotion of the licensing objectives.

PART O - Review Procedures

15.1 Purpose

The Licensing Authorities recognise that the review process is an important mechanism under the Licensing Act 2003 for addressing premises that undermine the licensing objectives. Reviews are intended to protect the public, remedy identified concerns, promote the licensing objectives and secure ongoing compliance. Review proceedings will be evidence-based, proportionate and focused on achieving appropriate and effective outcomes.

15.2 General Principles

The Licensing Authorities will apply the principles set out in Section 8.2 when determining review applications.

15.3 Repetitious Applications for Review

The Licensing Authorities recognise that review applications should not be used to re-open matters that have already been properly considered without good reason. An application may be regarded as repetitious where it relates to matters previously considered, does not present new evidence, or fails to demonstrate a material change in circumstances. This does not prevent Responsible Authorities from seeking a review where new evidence, intelligence or circumstances justify further consideration.

15.4 Powers Available Following a Review

Where a review is upheld, the Licensing Sub-Committee may take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives. These may include modifying licence conditions, excluding licensable activities, removing the Designated Premises Supervisor, suspending the licence for a period of up to three months, or revoking the licence.

The Licensing Authorities recognise that revocation is the most serious sanction available. However, where evidence demonstrates serious crime, serious disorder, persistent criminal activity, or repeated and significant failures to promote the licensing objectives, revocation may be considered an appropriate and proportionate outcome.

However, where evidence demonstrates serious crime, serious disorder, persistent criminal activity or repeated and significant failures to promote the licensing objectives, revocation may be considered an appropriate and proportionate outcome.

PART P - Enforcement Policy

16.1 Purpose

The Licensing Authorities are committed to securing compliance with the Licensing Act 2003 and promoting the licensing objectives through a fair, transparent, proportionate and evidence-led approach to enforcement. Enforcement activity aims to protect the public, support responsible businesses, prevent harm, maintain public confidence in the licensing regime and ensure a level playing field for compliant operators.

The Licensing Authorities recognise that the majority of licence holders operate responsibly and seek to comply with their legal obligations. Accordingly, enforcement activity will seek to promote compliance through advice, education, engagement and partnership working wherever appropriate, whilst taking robust action where necessary to protect the licensing objectives.

The Licensing Authorities will apply a risk-based approach to compliance and enforcement, taking account of factors such as the nature of the premises, operating style, compliance history, complaints, intelligence, safeguarding concerns and the

potential risk to the licensing objectives. Resources will be targeted towards activities and premises presenting the greatest risk.

When undertaking enforcement activities, the Licensing Authorities will have regard to the principles of proportionality, consistency, transparency, accountability and targeting. Enforcement action may range from advice and guidance through to formal action, including reviews, prosecutions, licence suspension, revocation or other statutory powers, depending on the circumstances of the case.

The Licensing Authorities regard licence reviews as an important mechanism for addressing premises that undermine the licensing objectives. Particular concern may arise in relation to serious crime and disorder, underage sales, drug-related activity, illegal working, safeguarding failures, violence against women and girls, drink spiking, and the sale of counterfeit or illicit alcohol.

Further information regarding the Licensing Authorities' compliance and enforcement arrangements is contained within the Shared Licensing Service Enforcement Policy and Procedures, available at: Shared Licensing Enforcement Policy 2021 V2 - Final

The Licensing Authorities are committed to securing compliance with the Licensing Act 2003 and promoting the licensing objectives through a fair, proportionate, transparent and evidence-led enforcement regime.

The primary purpose of enforcement activity is to:

- protect the public;
- promote the licensing objectives;
- support responsible businesses;
- prevent harm;
- ensure a level playing field for compliant operators;
- maintain public confidence in the licensing regime.

The Licensing Authorities recognise that the vast majority of licence holders operate responsibly and seek to comply with their legal obligations. Enforcement activity will therefore focus on prevention, education, partnership working and improvement whilst ensuring that robust action is taken where necessary.

16.2 Risk-Based Regulation

The Licensing Authorities will adopt a risk-based approach when determining inspection priorities.

Factors that may be taken into account include:

- operating hours;
- nature and type of premises;
- premises capacity;
- location;
- previous compliance history;
- complaints received;

- review history;
- crime and disorder information;
- safeguarding concerns;
- intelligence supplied by Responsible Authorities;
- previous enforcement action;
- vulnerability indicators.

Premises assessed as presenting a higher risk to the licensing objectives may be subject to more frequent inspection and engagement than lower-risk premises.

Where appropriate, inspections may be conducted jointly with a range of partners including:

- Hampshire Constabulary;
- Environmental Health;
- Trading Standards;
- Immigration Enforcement;
- Fire and Rescue Service;
- Child Safeguarding Partners;
- Community Safety Partnerships;
- other regulatory agencies.

The Licensing Authorities support a coordinated regulatory approach in order to avoid duplication and maximise the effective use of public resources.

The Licensing Authorities will utilise information and intelligence from a variety of sources including:

- Responsible Authorities;
- local communities;
- licence holders;
- partner agencies;
- crime and disorder data;
- safeguarding intelligence;
- complaints and service requests.

Enforcement activity may be targeted towards identified trends, locations, premises types or operational concerns where evidence demonstrates a potential risk to one or more licensing objectives.

16.3 Graduated Enforcement Approach

The Licensing Authorities will normally adopt a graduated and proportionate approach to enforcement, having regard to the seriousness of the issue, the risk presented, the compliance history of the premises, the impact on the licensing objectives, and the willingness of the licence holder to achieve compliance.

Where appropriate, enforcement action may progress from advice and guidance, informal warnings, compliance visits and engagement meetings, through to

improvement measures such as action plans, management meetings, compliance monitoring arrangements and staff training requirements. Where concerns persist or are more serious in nature, the Licensing Authorities may issue formal warnings, seek a review of a premises licence or club premises certificate, or take other formal enforcement action.

In the most serious cases, enforcement action may include prosecution, review proceedings, summary review procedures, suspension or revocation of a licence, closure powers, or other statutory measures. The Licensing Authorities reserve the right to depart from this graduated approach and take immediate formal action where the circumstances justify such intervention.

16.4 Reviews as an Enforcement Tool

The Licensing Authorities regard the review process as a key enforcement mechanism under the Licensing Act 2003. Reviews are intended to protect the public, address identified concerns, secure compliance and promote the licensing objectives. All reviews will be evidence-based and determined on their individual merits.

16.5 Serious Crime and Disorder

The Licensing Authorities will treat serious crime and disorder associated with licensed premises as a matter of significant concern. This may include violence, organised criminal activity, drug trafficking, serious assaults, weapons offences, money laundering, exploitation, modern slavery and persistent serious disorder. Where such activity is linked to licensed premises, the Licensing Authorities may consider expedited reviews, licence suspension, revocation or other appropriate enforcement action.

16.6 Underage Sales of Alcohol

The Licensing Authorities attach significant importance to preventing underage sales of alcohol. Particular concern may arise where there is evidence of repeated underage sales, proxy purchasing, ineffective age-verification procedures, poor staff training or inadequate management controls. Relevant evidence may include test purchase failures, enforcement interventions, incident records and compliance history. Repeated failures may result in review proceedings, prosecution or other enforcement action.

16.7 Drugs Activity

The Licensing Authorities support a zero-tolerance approach to drug-related activity associated with licensed premises. Licence holders are expected to take proactive measures to prevent and address drug use, supply and related criminality. Evidence of serious drug-related activity may result in review proceedings, expedited review action or other enforcement measures.

16.8 Illegal Working and Immigration Offences

The Licensing Authorities recognise that illegal working, worker exploitation and modern slavery may undermine the crime and disorder objective. Evidence of

serious or persistent non-compliance may be taken into account when considering reviews or other enforcement action.

16.9 Safeguarding and Protection of Vulnerable Persons

The Licensing Authorities place significant importance on safeguarding and the protection of vulnerable persons. Particular concern may arise where there is evidence of exploitation, predatory behaviour, safeguarding failures, violence against women and girls and minoritised communities / people with protected characteristics, drink spiking incidents or failures to protect vulnerable individuals. Premises are expected to maintain appropriate safeguarding arrangements, staff training and incident reporting procedures.

16.10 Counterfeit, Illicit and Non-Duty Paid Alcohol

The Licensing Authorities regard the sale or storage of counterfeit, illicit or non-duty paid alcohol as a serious matter that may undermine the crime and disorder objective. Evidence of such activity may be considered particularly serious and may result in review proceedings or other enforcement action.

16.11 General Enforcement Principle

The Licensing Authorities will seek to support responsible businesses, promote compliance, encourage good management practices and uphold the licensing objectives. Enforcement action will be proportionate, transparent, targeted and evidence based. Whilst the Licensing Authorities will work collaboratively with licence holders wherever possible, they will take robust action where necessary to protect the public and promote the licensing objectives.

PART Q - Delegation of Functions and Scheme of Delegation

17.1 Purpose

The Licensing Authorities recognise the importance of administering licensing functions efficiently, consistently and transparently.

The Licensing Act 2003 permits certain licensing functions to be delegated to officers, Licensing Committees and Licensing Sub-Committees. Delegation enables routine matters to be dealt with promptly whilst ensuring that contested or significant matters receive appropriate Member consideration.

This Scheme of Delegation sets out how licensing decisions will normally be allocated and exercised within Basingstoke and Deane Borough Council and Hart District Council.

The Scheme is intended to:

- ensure efficient administration of licensing functions;
- enable routine and uncontested matters to be dealt with promptly;

- ensure contested and significant matters are determined by elected Members;
- provide transparency and consistency in decision-making; and
- support lawful and effective governance.

Nothing within this Scheme shall prevent the Licensing Authorities from referring any matter to Members where it is considered appropriate to do so.

This Scheme should be read in conjunction with:

- the Licensing Act 2003;
- the Council Constitution;
- this Statement of Licensing Policy; and
- the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

17.2 General Principles

The Licensing Authorities will ensure that licensing functions are exercised efficiently, lawfully, proportionately and transparently, with decisions being taken at the appropriate level of responsibility.

The Licensing Authorities will seek to ensure that routine administrative decisions are dealt with efficiently, uncontested applications are determined without unnecessary delay, matters involving significant public interest are determined by elected Members, decisions are made at the most appropriate level, and governance arrangements are transparent and accountable.

In exercising licensing functions, the Licensing Authorities shall apply the principles of efficiency, proportionality, transparency, accountability and consistency. Administrative matters should be dealt with promptly and at the lowest appropriate level. Resources should be directed towards matters presenting the greatest potential impact upon the licensing objectives. Decision-making responsibilities should be clear and readily understood, and all decisions should be properly recorded and capable of audit. Similar matters should normally be dealt with in a similar manner unless there is a justifiable reason for departure.

This Scheme of Delegation is intended to support the effective administration of the Licensing Act 2003 by ensuring that routine and uncontested matters are dealt with promptly by Authorised Officers whilst contested, complex and significant licensing matters are determined by trained elected Members through the Licensing Sub-Committee process.

Delegated decisions will be made in accordance with:

- the Licensing Act 2003;
- associated regulations;
- this Statement of Licensing Policy;
- the Secretary of State's Guidance; and
- relevant case law.

17.3 Decision-Making Bodies

Licensing functions shall generally be exercised by one of the following bodies.

Full Council

Full Council is responsible for adopting and publishing the Statement of Licensing Policy and approving any significant revisions to that Policy.

Licensing Committee

The Licensing Committee is responsible for oversight of licensing functions, strategic licensing matters and governance arrangements.

Licensing Sub-Committee

Licensing Sub-Committees are responsible for determining contested applications, reviews and other matters requiring a hearing.

Authorised Officers

Authorised Officers are responsible for routine administrative functions, uncontested applications and enforcement activity where delegation has been granted.

17.4 Full Council Functions

The following matters shall normally be reserved to Full Council:

Function	Decision Maker
Adoption of Statement of Licensing Policy	Full Council
Revision of Statement of Licensing Policy	Full Council
Approval of significant policy revisions	Full Council

The Licensing Committee shall normally make recommendations to Full Council in respect of licensing policy matters.

17.5 Licensing Committee

The Licensing Committee will not normally determine individual applications, reviews or other matters where responsibility has been delegated to a Licensing Sub-Committee or Authorised Officer under the Licensing Act 2003, relevant regulations or the Council's Constitution.

The Licensing Committee will normally be responsible for strategic and governance matters relating to licensing functions. These responsibilities include considering and recommending the Statement of Licensing Policy and any revisions to it to Full Council, making recommendations regarding Cumulative Impact Assessments and other policy matters, overseeing the implementation and operation of licensing policies, monitoring the discharge and performance of licensing functions, considering legislative changes and statutory guidance, overseeing training requirements, reviewing delegation arrangements and monitoring appeal outcomes.

The Licensing Committee shall also be responsible for establishing Licensing Sub-Committees in accordance with legislative and constitutional requirements,

appointing Members to Licensing Sub-Committees, approving and reviewing hearing procedures, reviewing enforcement activity and monitoring the effectiveness of licensing governance arrangements.

The Licensing Committee will not ordinarily determine individual applications.

17.6 Licensing Sub-Committees

Licensing Sub-Committees will normally comprise three trained Members appointed from the Licensing Committee.

Sub-Committees shall ordinarily determine matters where relevant representations have been received, hearings are required by legislation, or contested licensing decisions must be made.

The Sub-Committee shall determine:

- contested applications;
- review proceedings;
- summary reviews;
- hearings relating to Temporary Event Notices;
- personal licence hearings; and
- any matter referred by an Authorised Officer.

In determining matters before it, a Licensing Sub-Committee may grant applications, refuse applications, impose conditions, amend conditions, suspend licences, revoke licences or take any other action permitted under the Licensing Act 2003.

Licensing Sub-Committees shall act independently, impartially and in accordance with the principles of natural justice.

17.7 Authorised Officers

Authorised Officers may exercise delegated functions where permitted by legislation and Council procedures.

Administrative functions undertaken by Authorised Officers may include the receipt and validation of applications, administration of licensing processes, maintenance of licensing registers, publication of statutory notices, processing of consultation responses, issue of licences and certificates, administrative amendments and corrections, and the provision of advice and guidance.

Determination functions may include the determination of uncontested applications, minor variations, premises licence transfers where no objection is received, Personal Licence applications where no hearing is required, and other matters capable of determination under delegated authority.

Authorised Officers may also undertake inspections, investigations, compliance visits, advisory work, evidence gathering, monitoring of licence compliance and other enforcement activities permitted by legislation.

Matters reserved to Members under this Scheme shall not be determined by Authorised Officers.

17.8 Delegation Criteria

When considering whether a matter may be exercised under delegated authority, regard may be had to:

- whether relevant representations have been received;
- whether objections have been withdrawn;
- the complexity of the application;
- public interest considerations;
- legal requirements; and
- any guidance issued by the Licensing Committee.

Where any doubt exist regarding the appropriate decision-making level, the matter may be referred to a Licensing Sub-Committee.

17.9 Scheme of Delegation

Table 1 - Licensing Act 2003 Functions

Matter to be Determined	Licensing Committee	Licensing Sub-Committee	Authorised Officer
Adoption of Statement of Licensing Policy	Recommend to Full Council	No	No
Review of Statement of Licensing Policy	Recommend to Full Council	No	No
Establishment of Sub-Committees	Yes	No	No
Determination of uncontested Premises Licence applications	No	No	Yes
Determination of Premises Licence applications where relevant representations have been received	No	Yes	No
Determination of uncontested Club Premises Certificate applications	No	No	Yes
Determination of Club Premises Certificate applications where relevant representations have been received	No	Yes	No
Determination of Provisional Statements where relevant representations have been received	No	Yes	No

Determination of uncontested Full Variations	No	No	Yes
Determination of Full Variations where relevant representations have been received	No	Yes	No
Determination of Minor Variations	No	No	Yes
Determination of Personal Licence applications where a hearing is required	No	Yes	No
Determination of Personal Licence applications where no hearing is required	No	No	Yes
Determination of Temporary Event Notices where a hearing is required	No	Yes	No
Processing of Temporary Event Notices where no objection is received	No	No	Yes
Applications to transfer Premises Licences where an objection is received	No	Yes	No
Applications to transfer Premises Licences where no objection is received	No	No	Yes
Applications to vary a Designated Premises Supervisor where a Police objection is received	No	Yes	No
Applications to vary a Designated Premises Supervisor where no Police objection is received	No	No	Yes
Interim Authority Notices where an objection is received	No	Yes	No
Interim Authority Notices where no objection is received	No	No	Yes
Premises Licence Reviews	No	Yes	No
Club Premises Certificate Reviews	No	Yes	No
Summary (Expedited) Reviews	No	Yes	No
Determination of Interim Steps	No	Yes	No
Administrative amendments and corrections	No	No	Yes

Enforcement and compliance activity	No	No	Yes

17.10 Delegated Officer Decisions

Where an application is determined by an Authorised Officer, authority shall include the power to grant the application, attach mandatory conditions, incorporate conditions contained within the operating schedule, issue the relevant licence or certificate and undertake any associated administrative actions necessary to give effect to the decision. Written records of delegated decisions shall be maintained.

17.11 Referral to Members

An Authorised Officer may refer any application to a Licensing Sub-Committee where significant public interest exists, the application is unusually complex, novel or difficult legal issues arise, substantial local concern exists, or it is otherwise considered that determination by Members would be more appropriate. The exercise of this discretion is intended to support confidence in the licensing process and ensure that matters are determined at the most appropriate level.

17.12 Withdrawal of Representations

Where all relevant representations are withdrawn before a hearing takes place, the application may be determined by an Authorised Officer where legislation permits. Any conditions agreed between the parties may be attached to the licence and any hearing arranged for the determination of the application may be cancelled. The Licensing Authorities encourage mediation, discussion and negotiated outcomes where appropriate and lawful.

17.13 Recording of Decisions

All licensing decisions shall be recorded with sufficient detail to demonstrate:

- the decision taken;
- the identity of the decision-maker;
- the legal basis for the decision;
- consideration of the licensing objectives; and
- the reasons supporting the decision.

Records shall be retained in accordance with legal, regulatory and corporate requirements.

17.14 Hearings, Training and Conflicts of Interest

Members participating in Licensing Sub-Committees shall receive appropriate licensing training before taking part in hearings.

Training shall include:

- Licensing Act 2003 requirements;
- the licensing objectives;
- hearing procedures;
- natural justice principles;

- decision writing;
- human rights considerations;
- equality duties; and
- relevant licensing case law.

Refresher training should be undertaken periodically throughout the life of this Policy. Members who have not received adequate training should not ordinarily participate in licensing hearings.

Members and officers shall declare any interests in accordance with the Council's Code of Conduct, relevant legislation and constitutional requirements. Where a conflict of interest exists, no part shall be taken in the decision-making process.

17.15 Urgent Business and Emergency Powers

Where urgent action is required and legislation permits, delegated powers may be exercised by Authorised Officers in relation to procedural matters, administrative actions, implementation of court decisions, urgent compliance activity and other matters requiring immediate action. Any exercise of urgent or emergency powers shall be appropriately recorded and reported in accordance with Council procedures.

17.16 Appeals

Appeals may be made to the Magistrates' Court by any person entitled to do so under the Licensing Act 2003. Appeals may be brought against decisions made by the Licensing Authority in accordance with the rights and timescales prescribed by legislation.

Where an appeal is lodged, the decision of the Licensing Authority shall be defended or otherwise dealt with in accordance with the Council's legal procedures and governance arrangements. Appropriate records of the original decision, including the reasons for that decision, shall be retained to assist in the appeal process.

The existence of a right of appeal shall not prevent a matter from being determined by the appropriate decision-maker in accordance with this Scheme of Delegation. Decisions shall continue to be made at the level specified within this Scheme unless otherwise required by legislation or the courts.

Lessons arising from appeal decisions and court judgments may be taken into account during future reviews of licensing policies, procedures and delegation arrangements where considered appropriate.

17.17 Monitoring and Review

The Licensing Committee shall periodically review the operation and effectiveness of this Scheme of Delegation.

Reviews may take account of:

- legislative changes;
- operational effectiveness;
- governance requirements;
- best practice guidance;
- revisions to the Statement of Licensing Policy;

- lessons learned from hearings and appeals; and
- outcomes arising from court decisions.

Where necessary, amendments may be recommended to ensure the lawful, efficient and effective administration of licensing functions.

APPENDIX A - Cumulative Impact Assessment (CIA)

1. Purpose

This Appendix sets out the Licensing Authorities' approach to assessing cumulative impact in accordance with Sections 5A and 5B of the Licensing Act 2003 and the Secretary of State's Guidance issued under Section 182 of that Act.

The Licensing Authorities recognise that, in certain circumstances, the number, type, density, or concentration of licensed premises within a defined area may adversely affect the promotion of one or more of the licensing objectives.

This Appendix:

- establishes the framework for assessing cumulative impact;
- identifies the sources of evidence that may be considered;
- explains the process by which a Cumulative Impact Assessment ("CIA") may be adopted, reviewed, amended, or withdrawn;
- provides guidance to applicants, Responsible Authorities and other interested parties; and
- promotes transparent, consistent and evidence-based decision-making.

The Licensing Authorities will only publish a CIA where they are satisfied, on the basis of robust and reliable evidence, that the cumulative impact of licensed premises within an area is having an adverse effect on the promotion of one or more licensing objectives.

2. Legislative Framework

Section 5A of the Licensing Act 2003 enables a Licensing Authority to publish a Cumulative Impact Assessment where it considers that the number, type or density of licensed premises in a particular area is having a cumulative impact which is adversely affecting the promotion of the licensing objectives.

In applying this Policy, the Licensing Authorities recognise that:

- cumulative impact is not itself a licensing objective;
- a CIA is an assessment of evidence relating to the impact of licensed premises within a specified area;
- each application must be determined on its individual merits;
- applicants retain a statutory right to apply for a premises licence, club premises certificate or variation; and
- the burden remains on those making relevant representations to demonstrate how an application would undermine the licensing objectives.

The existence of a CIA does not create a presumption that applications will be refused and does not relieve decision-makers of their duty to determine each application on its individual merits.

3. Definition of Cumulative Impact

For the purposes of this Policy:

"Cumulative Impact" means the potential impact on the promotion of one or more licensing objectives arising from the number, type, density or concentration of licensed premises within a defined geographic area.

The Licensing Authorities recognise that cumulative impact may occur even where individual licensed premises are well managed and operating in compliance with licence conditions.

Potential indicators of cumulative impact may include:

- alcohol-related violence and disorder;
- anti-social behaviour;
- noise nuisance and disturbance;
- risks to public safety;
- public nuisance affecting local residents, businesses or visitors;
- increased demand upon policing, emergency and public services;
- safeguarding concerns involving children or vulnerable persons; and
- transport, dispersal and late-night economy related issues.

4. Current Position

At the date of adoption of this Statement of Licensing Policy, no formal Cumulative Impact Assessment has been adopted.

Having considered the information currently available, the Licensing Authorities are not satisfied that the evidential threshold required by Section 5A of the Licensing Act 2003 has been met.

The Licensing Authorities will, however, continue to monitor relevant data and evidence throughout the life of this Policy and reserve the right to undertake a formal assessment where evidence indicates that cumulative impact may be adversely affecting one or more licensing objectives.

5. Evidence Sources

In determining whether the publication of a CIA is appropriate, the Licensing Authorities may consider evidence from a range of sources, including but not limited to:

Police Evidence

- violent crime and disorder data;
- alcohol-related incidents;
- public order offences;
- anti-social behaviour reports;
- crime pattern and hotspot analysis.

Environmental Health Evidence

- complaints relating to noise or disturbance;
- statutory nuisance investigations;
- compliance and enforcement activity.

Public Health and Partner Agency Information

- alcohol-related hospital admissions;
- ambulance service demand;
- health and vulnerability indicators;
- wider community safety intelligence.

Licensing Information

- premises licence density and concentration;
- licensed trading hours;
- premises compliance histories;
- licence reviews and enforcement outcomes.

Community Information

- representations from residents and businesses;
- community surveys;
- Business Improvement District data;
- town centre management information.

No single source of evidence will necessarily be determinative. The Licensing Authorities will consider the cumulative weight of all relevant information available.

6. Indicators Used in Assessments

When assessing whether cumulative impact is occurring, the Licensing Authorities may consider a range of quantitative and qualitative indicators, including:

Indicator	Matters Considered
Licensed premises density	Number, concentration and distribution of premises
Alcohol-related violence	Crime and disorder impacts
Anti-social behaviour	Community safety impacts
Noise complaints	Public nuisance impacts
Ambulance callouts	Public safety considerations
Safeguarding incidents	Protection of children and vulnerable persons
Footfall and usage data	Intensity of activity within public spaces
Police demand	Resource implications and service pressures
Licence reviews and enforcement action	Regulatory and compliance concerns

No individual indicator, viewed in isolation, will automatically justify the adoption of a CIA.

7. CIA Assessment Methodology

Before publishing a CIA, the Licensing Authorities will ordinarily undertake the following process:

Stage 1 - Evidence Gathering

Collate and analyse evidence obtained from:

- Responsible Authorities;
- statutory partners;
- local authority services;
- residents, businesses and community groups; and
- other relevant stakeholders.

Stage 2 - Geographic Assessment

Assess:

- the extent of any affected area;
- the concentration and characteristics of licensed premises;
- identified crime and nuisance hotspots;
- transport, pedestrian movement and dispersal issues; and
- the relationship between licensed activity and reported impacts.

Stage 3 - Impact Assessment

Determine whether the available evidence demonstrates that the cumulative impact of licensed premises is adversely affecting the promotion of one or more licensing objectives.

Stage 4 - Consultation

Undertake consultation in accordance with statutory requirements and have regard to all representations received.

Stage 5 - Determination

Having considered all evidence and consultation responses, determine whether a CIA should:

- be adopted;
- be modified prior to adoption; or
- not be adopted.

8. Applications Within CIA Areas

Where a CIA is adopted, applicants are encouraged to address the findings of the assessment within their operating schedules and demonstrate how the proposal will promote the licensing objectives.

Applicants may wish to provide information concerning:

- the nature of the operation;
- the intended customer base;
- management and supervision arrangements;
- dispersal strategies;

- safeguarding and welfare measures;
- crime prevention initiatives; and
- measures to minimise the risk of public nuisance.

All applications will continue to be considered on their individual merits and in accordance with the Licensing Act 2003.

9. Special Policy Areas

The Licensing Authorities may identify locations requiring enhanced monitoring or assessment without formally adopting a CIA.

Such locations may be described as:

Licensing Monitoring Areas;

- Special Consideration Areas; or
- Stress Areas.

These designations:

- do not constitute a Cumulative Impact Assessment;
- do not alter statutory rights or application processes;
- do not create any presumption for or against grant; and
- are intended solely to provide additional information regarding local circumstances.

10. Review of CIA Areas

In accordance with Section 5A of the Licensing Act 2003, any adopted CIA will be kept under review and formally reassessed at least every three years, or sooner where circumstances warrant.

Reviews may consider:

- updated crime and disorder data;
- licensing and enforcement activity;
- public nuisance trends;
- changes in the local environment;
- economic and regeneration impacts;
- consultation responses; and
- outcomes of previous interventions.

Following review, a CIA may be:

- retained in its existing form;
- amended;
- reduced in scope; or
- withdrawn.

11. Publication

Any CIA adopted by the Licensing Authorities will normally include:

- a map clearly identifying the geographical area covered;
- a summary of the evidence relied upon;

- an assessment of the licensing objectives affected;
- consultation findings; and
- details of review arrangements.

The CIA will be published on the relevant Licensing Authority website and made available in such manner as the Authority considers appropriate.

12. General Principle

The Licensing Authorities support a diverse, vibrant and sustainable hospitality, leisure and cultural economy and recognise the valuable contribution that licensed premises make to local communities and local economic growth.

Cumulative Impact Assessments will only be adopted where supported by robust evidence and where the Licensing Authorities are satisfied that publication is appropriate and necessary to promote one or more of the licensing objectives.

Any CIA will be evidence-based, proportionate, transparent, subject to regular review, and applied in accordance with the Licensing Act 2003 and the statutory guidance issued under Section 182 of that Act.

APPENDIX B - Local Area Profiles and Licensing Evidence Base

1. Introduction

These Local Area Profiles provide contextual and evidence-based information regarding local characteristics, demographic factors, environmental considerations and community issues that may be relevant to the promotion of the licensing objectives under the Licensing Act 2003.

The Profiles are intended to assist applicants, Responsible Authorities, Licensing Sub-Committees and other interested parties in understanding local circumstances which may be relevant when preparing, assessing or determining licensing applications.

The Profiles may be updated periodically during the lifetime of this Statement of Licensing Policy to reflect changes in local conditions, demographic trends, development activity, crime and disorder patterns, public health information, transport infrastructure and other relevant matters.

- Where appropriate, information contained within the Profiles may be taken into account when considering:
- applications for premises licences and club premises certificates;
- variations to existing authorisations;
- licence reviews;
- compliance and enforcement activity;
- cumulative impact assessments; and
- future reviews of this Statement of Licensing Policy.

The Profiles do not form part of the Licensing Policy itself and do not create any presumption that an application will be granted or refused. They are intended solely to provide contextual information regarding local circumstances.

Each application will be determined on its individual merits having regard to:

- the Licensing Act 2003;
- the four licensing objectives;
- this Statement of Licensing Policy;
- the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003; and
- any relevant representations and evidence submitted.

2. Borough and District Overview

2.1 Population

The Licensing Authorities' area comprises the administrative areas of Basingstoke and Deane Borough Council and Hart District Council.

Population levels continue to increase across both authority areas, reflecting ongoing residential growth, economic development and associated demand for leisure, hospitality and licensed activities.

The Authorities will monitor demographic trends and population growth to assist in understanding changing patterns of demand and potential impacts upon the licensing objectives.

2.2 Licensed Premises

The Authorities' area contains a diverse range of licensed premises, including:

- public houses;

- restaurants;
- cafés;
- off-licensed premises;
- supermarkets;
- hotels;
- members' clubs;
- community premises; and
- entertainment venues.

Licensed premises are distributed throughout the area, with higher concentrations typically found within established town centres and commercial locations, including:

Basingstoke Town Centre; Festival Place and surrounding areas; Top of Town; and Fleet Town Centre.

The presence of licensed premises does not, of itself, indicate a risk to the licensing objectives. Decisions will be based on the circumstances of individual applications and supporting evidence.

2.4 Licensing Risk Characteristics

The Authorities recognise that different locations may present different opportunities and challenges in relation to the promotion of the licensing objectives.

The matters identified within these Profiles are not exhaustive and should not be interpreted as indicating that concerns will arise in every case. Applicants should consider local circumstances when preparing operating schedules and identifying appropriate control measures.

2.5 Crime and Disorder

Patterns of crime and disorder vary across the Licensing Authorities' area and may change over time.

Available information indicates that town centre locations, transport hubs and areas experiencing higher visitor footfall may experience increased levels of crime and anti-social behaviour associated with the evening and night-time economy.

When considering applications, particular regard may be had to local crime patterns, Police evidence, incident data and any measures proposed to promote the prevention of crime and disorder objective.

2.6 Public Nuisance

Licensing-related public nuisance may arise from a range of factors, including:

- amplified music and regulated entertainment;
- customer arrival and dispersal;
- the use of outdoor drinking, dining and smoking areas;
- deliveries and waste collection activities;
- vehicle movements and transport arrangements; and
- late-night activity associated with licensed premises.

The significance of any potential impact will depend upon the nature, scale, location and operating style of the premises concerned.

2.7 Protection of Children from Harm

The Licensing Authorities recognise the importance of safeguarding children and young persons from harm.

Factors that may be relevant to this objective include:

- child exploitation;

- missing children;
- proxy purchasing of alcohol;
- exposure to criminal or drug-related activity;
- vulnerability associated with the evening and night-time economy; and
- access by children to age-restricted activities, products or environments.

Applications in proximity to schools, youth facilities, transport hubs or other locations frequented by children should demonstrate appropriate safeguarding arrangements and age-verification measures.

Basingstoke Town Centre Profile

Description

Basingstoke Town Centre is the principal commercial, retail, transport and leisure destination within the Licensing Authorities' area.

The area includes:

- Festival Place;
- Top of Town;
- the Railway Station Quarter; and
- a significant concentration of leisure and hospitality venues.

Population and Visitors

The town centre serves residents from across the borough and attracts substantial numbers of visitors, workers, commuters and consumers throughout both daytime and evening periods.

Night-Time Economy

The area contains a diverse range of licensed premises including:

- public houses;
- bars;
- restaurants;
- take-away premises; and
- entertainment venues.

The concentration of activity contributes to a vibrant evening economy but may also generate pressures associated with customer movement, transport demand and late-night dispersal.

Crime and Community Safety

Police and community safety data may indicate higher levels of crime, disorder and anti-social behaviour within town centre environments compared with less densely developed areas.

Licensing Considerations

Applicants may be expected to demonstrate, where appropriate to the nature of the operation, how the licensing objectives will be promoted through measures such as:

- dispersal arrangements;
- CCTV provision;
- incident recording procedures;
- staff training;
- safeguarding measures;
- customer welfare arrangements;
- transport management; and measures to prevent crime and disorder.

Evidence Review and Monitoring

The Licensing Authorities will periodically review relevant information and evidence relating to local licensing conditions, including:

- the number and distribution of licensed premises;
- Police incident and crime data;
- anti-social behaviour reports;
- alcohol-related incidents;
- noise and nuisance complaints;
- safeguarding information;
- evening and night-time economy trends;
- demographic information; and
- transport, footfall and visitor data.

The purpose of monitoring is to assist the Licensing Authorities in maintaining an up-to-date understanding of local conditions and to support evidence-based, proportionate and transparent decision-making.

Information gathered through this process may inform future policy reviews, local area profile updates and any consideration of cumulative impact assessments.

Basingstoke Town Centre and Fleet Town Centre Licensing Approach

The Licensing Authorities recognise the importance of Basingstoke Town Centre and Fleet Town Centre as key evening and night-time economy locations.

Applications within these areas will be considered on their individual merits.

Particular regard may be given to:

- crime and disorder impacts;
- public safety considerations;
- customer dispersal arrangements;
- proximity to residential accommodation;
- public nuisance risks;
- transport availability; and
- cumulative operational impacts.

Applicants seeking later hours are encouraged to demonstrate how any risks associated with extended operation will be effectively managed.

The Licensing Authorities recognise that staggered closing times may assist in reducing concentrated customer dispersal and promoting the licensing objectives. However, no presumption exists either in favour of or against any particular terminal hour and all applications will be considered individually.

Rural Areas and Village Centres Licensing Approach

The Licensing Authorities recognise the distinctive character of rural communities and village centres.

Applications in rural locations will be determined on their individual merits.

Particular regard may be given to:

- local character;
- residential amenity;

- customer dispersal;
- transport availability;
- public nuisance impacts;
- the nature of the surrounding locality.

The Authorities recognise that licensed premises often form an important part of village life, tourism and community cohesion.

Appropriate flexibility may therefore be afforded to support community activities and local events where the licensing objectives can be adequately promoted.

APPENDIX C - Legislation and Guidance Reference List

Legislation / Guidance	Purpose	Link
Licensing Act 2003	Primary legislation governing alcohol, regulated entertainment and late-night refreshment.	https://www.legislation.gov.uk/ukpga/2003/17/contents [legislation.gov.uk]
Section 182 Guidance (Licensing Act 2003)	Statutory guidance issued by the Home Secretary which licensing authorities must have regard to.	https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003 [gov.uk]
Licensing Act 2003 (Hearings) Regulations	Sets out hearing procedures for licensing applications and reviews.	https://www.legislation.gov.uk/uksi/2005/44/contents/made
Live Music Act 2012	Deregulated certain live music activities.	https://www.legislation.gov.uk/ukpga/2012/2/contents [legislation.gov.uk]
Deregulation Act 2015	Introduced further entertainment licensing deregulation.	https://www.legislation.gov.uk/ukpga/2015/20/contents
Terrorism (Protection of Premises) Act 2025 (Martyn's Law)	Introduces security and preparedness requirements for certain premises and events.	https://www.legislation.gov.uk/ukpga/2025/10/contents [legislation.gov.uk]
Martyn's Law Statutory Guidance	Guidance on complying with the Terrorism (Protection of Premises) Act 2025.	https://www.gov.uk/government/publications/the-terrorism-protection-of-premises-act-2025 [gov.uk]
Equality Act 2010	Equality and anti-discrimination legislation.	https://www.legislation.gov.uk/ukpga/2010/15/contents [legislation.gov.uk]
Equality Act 2010 Guidance	Government guidance including the Public Sector Equality Duty.	https://www.gov.uk/guidance/equality-act-2010-guidance [gov.uk]
Human Rights Act 1998	Incorporates the European Convention on Human Rights into UK law.	https://www.legislation.gov.uk/ukpga/1998/42/contents
Crime and Disorder Act 1998	Establishes community safety responsibilities and crime reduction duties.	https://www.legislation.gov.uk/ukpga/1998/37/contents

Anti-social Behaviour, Crime and Policing Act 2014	Provides powers including Closure Notices, PSPOs and anti-social behaviour controls.	https://www.legislation.gov.uk/ukpga/2014/12/contents [legislation.gov.uk]
Police Reform and Social Responsibility Act 2011	Amended the Licensing Act 2003 and introduced licensing reforms.	https://www.legislation.gov.uk/ukpga/2011/13/contents
Local Government Act 1972	General local authority powers and governance framework.	https://www.legislation.gov.uk/ukpga/1972/70/contents
Data Protection Act 2018	UK data protection legislation.	https://www.legislation.gov.uk/ukpga/2018/12/contents [legislation.gov.uk]
UK GDPR	UK General Data Protection Regulation.	https://www.gov.uk/data-protection [gov.uk]
Freedom of Information Act 2000	Public access to information held by public authorities.	https://www.legislation.gov.uk/ukpga/2000/36/contents
Regulators' Code	Principles for regulatory activity and enforcement.	https://www.gov.uk/government/publications/regulators-code
BBFC Classification Guidelines	Guidance used for film classification decisions.	https://www.bbfc.co.uk/about-classification/classification-guidelines
Entertainment Licensing Guidance	Government guidance on entertainment licensing and exemptions.	https://www.gov.uk/guidance/entertainment-licensing-changes-under-the-live-music-act [gov.uk]

Document	Link
Violence Against Women and Girls Strategy	https://www.gov.uk/government/collections/tackling-violence-against-women-and-girls-strategy
Serious Violence Strategy	https://www.gov.uk/government/publications/serious-violence-strategy
Modern Slavery Statutory Guidance	https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims
Working Together to Safeguard Children (National Safeguarding Guidance)	https://www.gov.uk/government/publications/working-together-to-safeguard-children--2
Anti-social Behaviour Powers Statutory Guidance	https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour

Other Regulatory Regimes Mentioned

These are referred to throughout the policy, although often generically rather than by specific legislation:

- Planning legislation
- Building Regulations
- Environmental Protection legislation
- Health and Safety legislation
- Fire Safety legislation
- Food Safety legislation
- Immigration legislation
- Highway licensing legislation
- Safeguarding legislation