RUSHMOOR
BOROUGH COUNCIL

Section 182
LICENSING ACT 2003

STATEMENT OF LICENSING POLICY ADDENDUM

- SPECIAL POLICY -

This Addendum to the Statement of Licensing Policy will remain in force until 29th April 2013

Version 2 – April 2010

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1. INTRODUCTION & SCOPE

1.0 Summary

1.1 This document is an addendum to Rushmoor Borough Council's statement of licensing policy (the principal statement) prepared under section 5 of the Licensing Act 2003 and shall be read and construed as if contained in the principal statement.

2. CUMULATIVE IMPACT & SPECIAL POLICIES

2.0 BACKGROUND

2.1 As part of a review of the principal statement, Hampshire Constabulary requested that the licensing authority consider the adoption of a special policy to deal with the cumulative impact of licensed premises in some areas of Aldershot. On the basis of indicative evidence submitted by the police and other research, the licensing authority is satisfied that the number, type and concentration of licensed premises in the area concerned, have a cumulative impact on the licensing objectives, particularly the prevention of crime and disorder, over and above the impact of the individual licensed premises situated in the area.

2.2 SPECIAL POLICY TO CONTROL CUMULATIVE IMPACT

2.3 To help control this cumulative impact, the licensing authority will apply the following policy in respect of applications for relevant authorisations for premises within the area defined in **appendix A** (the cumulative impact zone).

2.4 Special policy

2.5 Subject to the following and, where it is entitled to do so, the licensing authority will normally refuse any new applications for relevant authorisations or any variation of these in the cumulative impact zone; unless the applicant can demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.

2.6 Applications to which the special policy will apply

2.7 The special policy will apply primarily to any premises where application is made for the grant or variation of permission to sell / supply alcohol.

2.8 However, the licensing authority recognises that the slow dispersal of patrons and visitors to premises and areas within the cumulative impact zone may also contribute to the cumulative impact on the licensing objectives. Therefore, the special policy will also apply where application is made for permission to provide regulated entertainments or late night refreshments.

2.9 As cumulative impact relates to the effect of a concentration of a number of premises, the licensing authority is of the view that the special policy may only be applied in respect of individual relevant applications for premises within the cumulative impact zone. The licensing authority will not normally accept the cumulative impact as a ground for the review or revocation of an existing authorisation.

2.10 Effect of the special policy -

(a) On responsible authorities & interested parties

2.11 The special policy **does not** relieve responsible authorities or interested parties of the need to make relevant representations.

NB: Where no such representations are received, the licensing authority **must grant** the application in terms that are consistent with the operating schedule submitted and any applicable mandatory conditions.

2.12 When making a representation relating to premises within the cumulative impact zone, responsible authorities and interested parties **do not** need to provide evidence of the cumulative impact on the licensing objectives, as the licensing authority has already accepted this. However, those making representations must back up any assertion that granting the application in question would add to the cumulative impact; always remembering that the impact will be different for premises of different sizes, styles and characteristics.

(b) On applicants

2.13 The special policy shifts responsibility to the applicant to show that what they are applying to do on the premises will not add to the cumulative impact on the licensing objectives. It is recommended that applicants show how the use of the premises in the manner applied for, would not add to the cumulative impact on the licensing objectives and include suitable steps to achieve this in their operating schedule.

2.14 Departure from special licensing policy

2.15 Where appropriate and as an exception, the licensing authority may depart from this special policy and any other associated guidance (including that issued by the Secretary of State). In cases where a departure is made, reasons will be given.

2.16 REVIEW, SCRUTINY & MONITORING

2.17 This special policy will be reviewed at 18 month intervals.

APPENDIX A

3. CUMULATIVE IMPACT ZONE

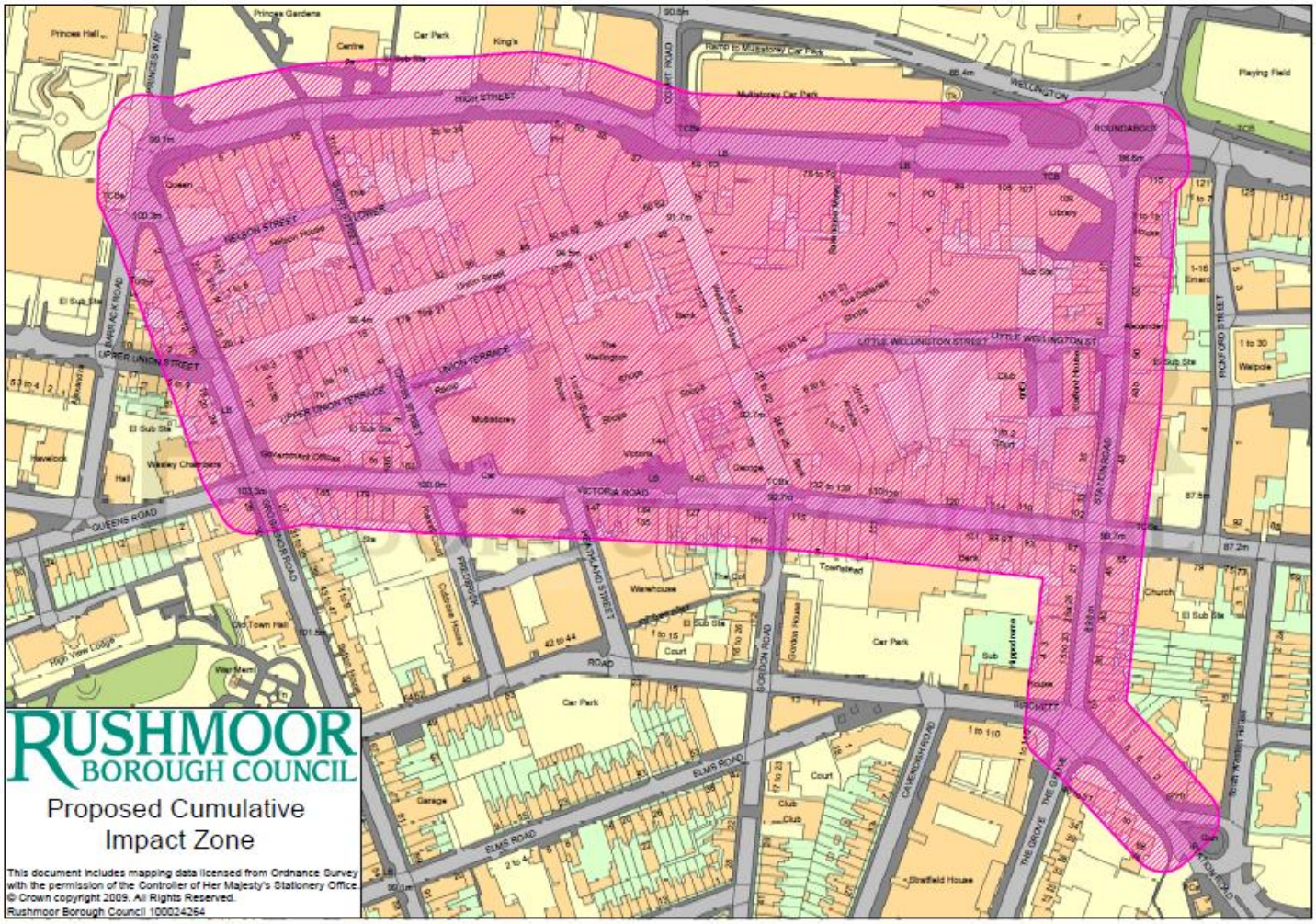
3.1. Extent of cumulative impact zone

3.2. The special policy shall apply to all premises (including land forming part of the premises) situated on any side of the lengths of highway listed in **table 1** below.

3.3. The shaded area shown in diagram A shows the broad extent of the cumulative impact zone in the Aldershot town centre. To make it clear, if premises (and any land forming part of the premises) are only partly within the shaded area they will be subject to the special policy

TABLE 1 THE AREA(S) TO WHICH THE SPECIAL POLICY SHALL APPLY	
Road / Street	Extent
Grosvenor Road, Aldershot	From the junction with High Street to the junction with Victoria Road
High Street, Aldershot	From the junction with Grosvenor Road to the junction with Station Road
Station Road, Aldershot	From the junction with High Street to the junctions of Arthur Street and Windsor Way
Union Street, Aldershot	End-to-end
Victoria Road, Aldershot	From the junction with Grosvenor Road to the junction with Station Road
Wellington Street, Aldershot	End-to-end

DIAGRAM A
THE AREA(S) TO WHICH THE SPECIAL POLICY SHALL APPLY



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