

Licensing Sub-Committee  
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**Licensing Service**

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Phone: 023 [REDACTED]

Our Ref: 16/02515/LAPRMV

Date: 26 July 2016

Dear Licensing Sub-Committee Members

**Licensing Act 2003 - Application to vary premises licence  
Zanzi 4-8 Guildhall Walk Portsmouth PO1 2DD**

I refer to the recent application by Ms Hoi Man Yan for the variation of the premises licence in respect of Zanzi, 4-8 Guildhall Walk, Portsmouth, PO1 2DD.

The application seeks, by way of variation to the licence:

- to extend the hours for the sale of alcohol, regulated entertainment and late night refreshment to 02:00 hours Sunday - Thursday and 04:00 hours Friday and Saturday together with stated non-standard timings for bank holidays;
- Extend the hours of opening and closing for an additional 30 minutes beyond the terminal hour for licensable activities as set out above;
- Removal of conditions 3 and 8 in Annex 2 (Conditions consistent with the operating schedule) of the licence;
- Amendment of condition 3 in Annex 3 (Conditions attached after a hearing by the licensing authority) of the licence;
- Permit off sales of alcohol
- Imposition of additional conditions as set out in the operating schedule for the promotion of the licensing objectives.

On behalf of the Licensing Authority I would wish to make formal representations in respect of part of this application on the following grounds:

- Prevention of crime and disorder
- Prevention of public nuisance

This representation has been made on the basis that the applicant has failed to adequately demonstrate that the proposed variation in terms of extending the hours for licensable

activities, hours of opening and closing and to permit the off sales of alcohol will not have a negative cumulative impact on the promotion of the licensing objectives, in particular the prevention of crime and disorder and prevention of public nuisance.

As members will be aware the Licensing Authority has adopted a special policy in relation to cumulative impact and these premises are located within that specific area. As the Statutory Guidance issued by the Home Office under section 182 of the Licensing Act 2003 states; **the effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licence which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations.**

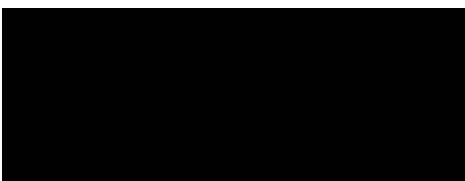
I have given careful consideration to the circumstances of this particular application on behalf of the Licensing Authority, and, specifically whether there is any justification for departure from the special policy presumption in this case.

I am of the opinion that the parts of the variation application relating to the removal of conditions 3 and 8 in Annex 2 (Conditions consistent with the operating schedule) of the licence and amendment of condition 3 in Annex 3 (Conditions attached after a hearing by the licensing authority) of the licence will not add to the existing cumulative impact and therefore I would not wish to make representations in terms of those proposals.

However, having regard to the cumulative impact policy and the information submitted by the Chief Officer of Police and the Director of Public Health, it is clear that the evidential basis for adopting such a special policy in relation to cumulative impact remains a valid consideration within the Licensing Authority's statement of licensing policy.

Given the likely negative effect of the proposed increase in licensing hours and the addition of off sales to the premises licence, I am not satisfied that the applicant has adequately demonstrated in the application that the measures proposed within the operating schedule are sufficient to negate any cumulative impact and therefore request that the application to vary the premises licence is refused (with the exception of the variations referred to above in relation to amendment of conditions).

Yours sincerely



**Nickii Humphreys**  
**Licensing Manager**

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