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8 August 2016

Dear Sir/Madam

Re: Application for a Variation of Premises Licence, Zanzi, Guildhall Walk, Portsmouth

On Behalf of the Chief Officer of Police, I make representations in relation to the application for a variation of premises licence at Zanzi, Guildhall Walk, Portsmouth.

I make these representations under the grounds of:

- 1) The prevention of crime and disorder

Summary of Premises

Zanzi is currently a 200 person capacity licensed premises set on 2 floors in Guildhall Walk, Portsmouth. It currently operates as a night club. It is currently licensed under the Licensing Act 2003 to sell alcohol and regulated entertainment until 01:00 Monday to Thursday, 02:00 Friday and Saturday and 00:30 hours Sunday.

The premises has been open in its current guise since 2015. Iris Yan is the current Premises Licence Holder. The Designated Premises Supervisor is Stuart Weston. Prior to taking over the operation of the premises Iris Yan was involved in the operation of Mini Box and Club 8.

The premises is split into two areas.

Ground Floor – Consists of the DJ booth, bar and dancefloor along with seating.

First Floor – Consists of bar and dancefloor along with seating – Used to be Heaven Sent (a Sexual Entertainment Venue) however this Sexual Entertainment Licence is believed (whilst still active) to be held by a person with no business interest in the premises. Police are advised by Mr Weston the DPS that the premises will not revert back to being used for entertainment of this nature.

Entry and exit to the premises is always via the front of the building. To the side of the entrance is a cordoned off smoking area.

The demographic of the premises is predominantly student and local based. The Chief Officer of Police own understanding of the premises, is that it very rarely, if at all reaches capacity and has struggled since opening as Zanzi to reach its capacity of 200 persons on a regular basis.

The Chief Officer of Police also understands that the applicant is seeking to extend the premises hours as it feels that this would get more footfall with a later closing time. This would undoubtedly take



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advantage of other venues in the area which close before 04:00 hours and gain the custom of these persons prior to leaving the Guildhall Walk Area.

Other premises which shut between 02:00 and 04:00 are:

- Liquid (03:00) – Capacity around 1800
- Popworld (03:00) – Capacity around 350
- Yates (03:00) – Capacity of around 350
- Skye Bar (02:00) – Capacity of around 200
- Astoria (02:00) – Capacity of around 1000

These premises are all within a short distance from Zanzi. If the applicant is seeking to capitalise on these extra two hours of trade then this may impact on the Cumulative Impact of the premises as 5 premises with a combined capacity of around 3,700 would be closing within an hour of a 200 person capacity. This realistically would impact cumulatively on the area and directly on the premises as potentially these people would be drawn to an open premises. If you also factor in any night which includes a busy late event at the Guildhall then the number will be around 5,700. This increase has the potential to increase the risk of crime and disorder at the premises, which so far has been minimal over the last 12 months.

Licence Conditions

Zanzi has already on its premises a set of conditions which include:

- CCTV
- No entry or re-entry in the last hour of operation
- ID scanning device to be in operation
- Polycarbonate drinking vessels to be utilised
- Floor walkers to be used weekends
- Pubwatch membership
- One SIA required to operate BWV
- A door supervisor condition

General Working Relationship with the premises

Is a positive one. The Designated Premises Supervisor will engage with the Police Licensing team and this is a positive thing. However it is quite clear that the premises is one which does not reach capacity on a regular basis and so the Police are unable to provide any evidence with regards to how the premises is managed when at capacity and as a result at its most vulnerable.

The Chief Officer of Police is aware that the DPS attends pub watch on a regular basis and more recently has been working with the pub watch chair in order to organise regular taxi marshalls at peak times in Guildhall Walk. However the Chief Officer of Police must make it very clear that this appears to be since the application process was initiated. The Chief Officer of Police has noted that prior to the application the premises have been rather quiet on this issue.

Pre Application Contact

Pre Application contact has been performed by the applicant in accordance with Home Office guidance.

Concerns were initially raised by the Police Licensing Team with some of what had been stated by the applicants about the premises which the Police Licensing Team felt was inaccurate and misleading.

Most notably this was to do with the applicant stating that they were predominantly a Chinese Community Centre. Whilst the Police Licensing Team accepted that some members of the Chinese Community do indeed use the premises, the majority of the clientele at the premises has been noted as being White and student based and the premises is quite clearly a night club in the middle of a Cumulative Impact Zone and not as stated to the Police, a Chinese Community Centre.



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The Police Licensing Team also raised that other premises previously operated by the applicants in the city (Minibox) were also at one point or another presented initially as a Chinese Community Centre despite the premises quite clearly being operated as a night club with again a student and local to Portsmouth demographic. The applicant stated that this was an error and miscommunication on their behalf and apologised for the mistake.

The Police Licensing Team have also raised the concerns regarding the potential management structure of the premises. This relates to a male by the name of Thomas Ho Pong Yan who is the brother of Iris Yan, the Premises Licence Holder.

Mr Yan the former Premises Licence Holder of Mini Box was prosecuted in 2013 by Police after the discovery that the premises licence had lapsed and for a number of months and that Mr Yan knowing this, had continued to operate the premises and perform licensable activity. Upon interviewing Mr Yan under caution, he admitted offences under the Licensing Act 2003 and was later convicted of these offences after pleading guilty to these in court. Mr Yan later applied for a new licence at Mini box. This matter went to committee as the Police Licensing Team made representations and the committee took the decision to prevent him from being DPS or have any involvement in the management of the premises.

The Police Licensing team have been advised by the applicants that whilst Mr Yan may work from time to time at the premises, he will not be in charge of the day to day management. That will rest firmly on the shoulders of Iris Yan and Stuart Weston the Premises Licence Holder and DPS respectively.

As part of the pre application process it was made clear to the applicants that the Chief Officer of Police had concerns around the cumulative impact zone and that the applicant would be expected with any application to show a clear response to how the premises would not impact in a negative way, cumulatively in the area.

Nothing was agreed between the Chief Officer of Police and the applicant.

Application submitted in July 2016

In July 2016 the applicant submitted the major variation to the Police Licensing Team.

Main Changes

- Change of hours to extend opening hours from 02:00 – 04:00 hours Friday and Saturday
- Change of hours to extend opening hours from 01:00 – 02:00 hours Sunday to Thursday.
- Allow till 06:00 on New Years Eve
- To add Off Sales to the licence
- To change a condition to allow glass in a “VIP” area at the premises after 21:00

Proposed changes to the premises licence

Through the application the applicant is offering the following conditions to be placed on to the premises licence:

- Imposition of signage to alert customers that CCTV is in operation
- Soft drinks will be available for sale all the while alcohol is sold
- Door supervisors to assist with customer egress including monitoring and managing the taxi rank.
- After 21:00 hours, no glass to be taken out of the premises
- Allowing customers to have access to glass champagne bottles, wine bottles, spirit bottles and toughened glasses, but only inside a VIP area within the premises.

Cumulative Impact Zone

Set up in 2010 to combat the increase in violence in the NTE in the Guildhall Walk area which culminated in two tragic deaths as a direct result of violent incidents within licensed premises.

The Cumulative Impact Zone restricts the application for new licensed premises within the area and also restricts the application for an extension of hours for existing premises. It does this by putting the onus



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on the applicant to show that any application will not impact negatively on the licensing objectives rather than the usual process of the onus being on the person who makes the representation.

Following a successful application by another premises in the immediate area to extend their opening hours a decision was made to revisit the figures and extend the CIZ further. This was performed in 2014.

It is also important to note that over the next two years a number of student living accommodations are to be opened within walking distance of the premises. This will undoubtedly increase the foot fall to the CIZ and potentially as a result increase the likelihood of crime and disorder.

Annex A

This details the crime statistics within the CIZ for a period of the last 12 months. It also shows that within the last 12 months there have been no incidents reported to the Police which are directly attributable to Zanzi.

CIZ Figures

The main points for the CIZ figures are as follows:

- Distinct increase in violent crimes between the day time and night time economies within the same area with the NTE showing higher levels of violence by almost 50% in some cases . This indicates that there is a clear issue with violence between 20:00 and 06:00 hours being more than the day time, every single day of the week in the area.
- Violence is at its peak between 20:00 – 06:00 hours Friday and Saturday (when the applicant wishes to extend their own hours for an extra 2 hours until 04:00 hours in the morning)
- Police figures also show that violent crime has been reduced since the implementation of the CIZ. However these figures also show that violent crime is still an issue within the CIZ, particularly within the late night/early morning hours.
- In the last year violent crime has risen a small amount. Currently it is not known whether this is due to an increase in footfall as the economy begins to pick up, a change in reporting crime by the Police or both.

Zanzi

Over the last year no incidents whatsoever have been reported to the Police and can be attributed to the premises via the Police Record Management System.

Whilst this is a positive thing it is the Chief Officer of Police belief that this is predominantly down to a lack of custom rather than a premises which has clear, positive strategy to prevent crime and disorder.

The applicants have also taken the opportunity to utilise Temporary Event Notices on a number of occasions over the last 12 months. These Temporary Event Notices have all been over the busiest periods of the year for the on licensed trade and have finished between 04:00 and 06:00 hours. Again there have no reported incidents to the Police noted on the Police Record Management System for these premises.

Summary

Following this information the Chief Officer of Police has concerns with regards to the application and from the information to hand does not feel that the granting of the application will promote the licensing objectives. The Chief Officer of Police also believes that the application fails to adequately demonstrate that the premises will not cause a negative cumulative impact on the premises. This is for the following reasons:

- The figures provided in Annex A show a higher proportion of violent crime at the time the applicant wishes to increase their hours. The figures show that there is a clear issue with violence between 20:00 – 06:00 hours every day of the week and that this is higher than the day time ours. This will incur a negative cumulative impact on the area.



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- The applicant wishes to trade during a time when a number of other premises are closing. This has the potential for around 5,700 persons to be looking for a premises to continue drinking. This will undoubtedly increase the chances of persons being refused entry and issues with crime and disorder resulting due to this. This will incur a negative cumulative impact on the area and also a negative impact on the licensing objectives at the premises.
- The DPS has previously stated that the premises needs the extra hours to remain open. This raises concerns that the premises is seeking to trade on the back of persons who will be leaving other premises in drink. Again this increases the chances of persons being turned away and issues with crime and disorder resulting due to this.
- The last entry to the premises being extended to 03:00 hours is designed to capture those persons leaving other premises. This will increase issues with crime and disorder when those who are already drunk are turned away.

The applicant has also not provided any detail in the application as to how the granting of the variation will not cause a negative cumulative impact on the area.

The conditions offered up by the premises also do not provide reassurance that there will be no negative cumulative impact on the area if the application is granted. The conditions are vague and also there is a lack of detail around how the applicant will manage certain aspects of the proposed changes.

The issue the Chief Officer of Police takes with the conditions are as follows:

- Premises wish to allow glass to be given to customers in a designated VIP area. However there is no detail as to how the applicant will manage the VIP area in a way which is responsible and promotes the licensing objectives.
- Premises have stated that they will provide door supervisors to assist with customer egress including monitoring and managing the taxi rank. However once again there is a lack of detail as to how this will be managed, how many door supervisors they will use, what times they will be in place and how long they will be in place for.

As a result of the above information, the Chief Officer of Police believes that should the application be granted in its current format, there will be a negative cumulative impact on the area. The Chief Officer of Police also believes that the granting of this application in its current format will lead to a negative impact on the promotion of the licensing objectives at the premises, most notably the promotion of crime and disorder.

As such the Chief Officer of Police respectfully recommends that the application is refused.

Yours Sincerely

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