

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

13 April 2017

Public Health

Portsmouth City Council,
Civic Offices
Floor 2 Core ¾
PO1 2AL

Phone: [REDACTED]

Ref: Nudles/The Study/Trafalgar

Dear Licensing Committee

Re: Representation against the granting of a premises licence for Nudles/The Study/Trafalgar 16 Edinburgh Road, Trafalgar House PO1 1RL

This representation is made on behalf of the Director for Public Health for Portsmouth and concerns the licensing objectives

- Prevention of Crime and Disorder
- Public Safety
- Prevention of a public nuisance

It also concerns the cumulative impact zone (CIZ) in the City Centre where the applicant proposes to open these new licensed premises.

The application for the licence suffers from what I believe to be a confused identity; in essence the venue is divided into two different units, one a restaurant and the other a bar - however the hours and conditions stated in the application are for one coverall licence.

The applicant requests provision for live music, recorded music, performance of dance, late night refreshment and even adult entertainment - despite not necessarily planning for this use.

My concern is that if granted this 'confused' licence would impact on the licensing objectives and the CIZ, it would also potentially be open to exploitation in the future or by a different operator after a transfer.

The applicant offers a raft of conditions but nothing more than we would expect from a new licence application in any other part of the night time economy. As it stands the application gives no mention to the CIZ and offers no extra measures to mitigate the impact it will have in the area.

Impact in CIZ

As previously mentioned the licence is confused in its nature, it essentially will have the capability to:

- Make off sales of alcohol until 2am - There is no off-licence in the CIZ that can vend to this time, allowing this new business the ability to make these sales could draw people into or back into the CIZ and has the potential to fuel nuisance and disorder in the area. There is also added potential for 'Drunk Sales' or violent incidents if and when people are refused service
- Provide a take away service for hot food and drink until 3am - This will draw people to the venue from the surrounding areas (all within the CIZ) and has the potential to fuel nuisance and disorder in the area. A nearby premises that provides late night refreshment was the scene of six violent incidents in three months late last year, these incidents and a lack of engagement led to a revocation by the Police Licensing Unit
- Run as a two room club rather than a separate bar and eatery - Whilst the applicant claims there will be no access between the venues I find this difficult to accept especially if the application is for one licence. The venue will be divided into three 'distinct' areas according to the applicant; however none of these areas will have a designated smoking area so there will potentially be three public highway obstructions and the need to marshal these areas to prevent nuisance and disorder.
- Stay open till 3am - The previous premises was managed by JD Weatherspoon's and had a licence till 3am, however this terminal hour was only used briefly when the licence was granted and after the company identified that these hours were tempestuous and volatile they unofficially reduced them down to 2am and eventually 1am towards the end of trading. A new operator cannot be relied upon to do the same.
- Impact on existing services - At present the Portsmouth Clinical Commissioning Group (CCG) fund 'Safe Space' Safe Space is currently delivered by South Central Ambulance Service (SCAS) and is located within the Guildhall walk area near to the City Centre. The service is open from 10pm to 3am Friday and Saturday nights and other key dates in the calendar year including New Year's Eve. Safe Space acts as a hub for multi-agency services to use and provides a one stop shop in the City Centre to support vulnerable people and deflect any minor injuries away from the ambulance service, unnecessary attendances at the A&E department and subsequent admissions. Safe Space is staffed by three paid staff.

In 2015 a total of 473 people were seen by Safe Space, this number grew to 494 in 2016 and In the first quarter of 2017 (Jan - Mar) Safe Space treated 106 people for a wide range of injuries or conditions. It is worth noting that these people were seen over only 23 dates in the three month period - on average 5 people a session.

The most common complaint or reason for attendance was 'Injury' (38) and the second most common 'In Drink' (31). It is worth noting that attendance is going up whilst the number of licensed premises goes down, the addition of new licensed premises of this size can only add to the demand for and number of attendees.

Conclusion & Recommendation

The CIZ that covers the Guildhall Walk and surrounding roads was put in place to prevent the area from creating further impact on emergency services and those living and working in and around the area. Whilst the number of licensed premises in the area of the CIZ has decreased from 20 to 12, the number of incidents attributed to the area has decreased disproportionately alongside it. Levels of crime and disorder in the area are still unacceptably high and compared to the day time economy in the area incredibly disproportionate. According to Police figures the Guildhall Walk NTE zone accounts for more NTE violence offences than the other three NTE zones (Albert Road, Palmerston Road and Gunwharf) combined, both in numerical terms and as a proportion of NTE violence in the NTE Zones.

It is with this in mind that I would ask the committee to consider the following

- Rejecting the application out right as the applicant has failed to mention the CIZ in their application and failed to show how they would prevent an impact on the licensing objectives
- Rejecting the application in its current format due to its confused nature and asking the applicant to think again about the way three businesses will operate under one licence without creating cumulative impact in the CIZ
- Grant the licence but limit the activities and licensable hours to 1am initially, letting the venue prove that its operation will not exasperate the condition in the CIZ further.

Portsmouth's current Statement of Licensing Policy (SLP) makes the following statement regarding new applications in the CIZ

13.6 The Licensing Authority, therefore, will normally refuse the grant of new premises licences or club premises certificates or variations whenever it receives relevant representations about the cumulative impact on the licensing objectives which it concludes after hearing those representations should lead to refusal.

I believe that this representation is relevant and the potential for cumulative impact on one or more of the licensing objectives is apparent with the licence in its current incarnation, therefore I leave the decision firmly in the hands of the committee.

Yours sincerely

Rob Anderson-Weaver (Public Health) PCC

**On behalf of Dr Jason Horsley
(Joint Director of Public Health for Portsmouth & Southampton City Councils)**

