



**HAMPSHIRE**  
CONSTABULARY

Licensing and Alcohol Harm Reduction  
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**Our ref:**  
**Your ref:**

14<sup>th</sup> September 2017

Dear Sir/Madam

**Re: Application for a Variation of Premises Licence, Kens Kebabs, 35 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 Kens Kebabs, 35 Guildhall Walk, Portsmouth.

I make these representations under the grounds of:

- 1) The prevention of crime and disorder

This is following concerns that should the variation be granted that there shall be a negative cumulative impact on the Cumulative Impact Zone where the premises sits. This cumulative impact policy sits within Portsmouth City Councils own statement of licensing policy which was agreed unanimously in July 2017 at a full council hearing.

**Kens Kebabs**

Kens Kebabs is a late night takeaway situated in Guildhall Walk, Portsmouth. The premises in January 2016 had its licence revoked following a review bought by Hampshire Constabulary which detailed a number of incidents of violence and also a number of occasions where the then premises licence holder allowed the premises to remain open beyond its permitted hours.

Following the revocation the current premises licence holder applied for a new licence at the premises. The licence requested the provision of late night refreshment between 23:00 and 03:00 hours. At the time Hampshire Constabulary made representations with regards to this citing Portsmouth City Councils statement of licensing policy which includes a cumulative impact policy. The committee took the decision to grant the licence.

Currently the premises licence allows the premises to provide late night refreshment between 23:00 and 03:00 hours. The licence also has a number of conditions attach to it which refer to the use of door staff, CCTV and a till system which automatically switches off at the end of licensable hours preventing any persons taking orders at this time.



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The applicant has requested to extend their hours until 05:00 hours each night.

The premises is located in the Cumulative Impact Zone.

### **Cumulative Impact Zone**

The Chief Officer of Police would like to draw the committees attention to Portsmouth City Councils statement of licensing policy, particularly around its Cumulative Impact Zone which was agreed unanimously at a full council hearing in July 2017.

Portsmouth City Councils own policy restricts the application for new licensed premises within the CIZ and also restricts the application for an extension of hours for existing premises. It does this by putting the onus on the applicant to show that any application will not negatively impact the CIZ rather than the usual process of the onus being on the person who makes the representation.

As such the Chief Officer of Police respectfully submits that the committee take cognisance of their own statement of licensing policy and cumulative impact policy with regards to this application, the evidence held within it which shows that there is a very real issue with violence in the CIZ within the times that the premises wishes to extend their licence until.

The Chief Officer of Police would also ask that when making their decision the committee also take cognisance of the High Court Judgement of Portsmouth City Council V 3D Entertainment Group (2011).

### **Summary**

The Chief Officer of Police respectfully submits that should this variation be granted that there will be a negative impact on the CIZ. As such the Chief Officer of Police respectfully requests that the committee apply their own Policy and that this application be refused.

When making their decision the Chief Officer of Police also requests that the committee consider what measures the applicant has submitted in order to prevent a negative cumulative impact and ask themselves if these measures will realistically prevent a negative cumulative impact. Should the committee not be satisfied of this then Portsmouth City Councils statement of licensing policy and own Cumulative Impact Policy should be applied in this matter and the application refused.

Yours Sincerely

PC 21945 Rackham  
Licensing and Alcohol Harm Reduction Team  
Hampshire Constabulary



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