

## **APPENDIX 2**

Additional Application Information – Sarah Smith Sinton’s LLP 11<sup>th</sup> September 2019

Many thanks for pointing out the need to address the question of cumulative impact in respect of our application for a new premises licence at Zynk.

I can confirm the following:-

The premises to be licensed under this application already have the benefit of a premises licence as they fall within the licensed area of the current licence for the Windsor Hotel (00CK/13/2206).

My client has taken a lease of that area of the hotel known as Zynk. He seeks to trade Zynk in a very similar format as to that currently permitted to be carried out in this area under the Windsor Hotel licence.

- The layout of the premises will not change.
- The current capacity of this area will not increase.
- The licensed activities that my client seeks are the same as are currently permitted under the Windsor Hotel premises licence, save that my client seeks also to provide films. This is not intended to be a significant part of the operation but will allow him to have TV screens showing recordings if required. We would not anticipate that the showing of films will add negatively to the cumulative impact in the area.
- The hours during which licensed activities are permitted to be provided are the same as are currently permitted under the Windsor Hotel premises licence, save that the start time for regulated entertainment will commence at 10am rather than 11am . This will allow the venue to open earlier if required for daytime events and should they wish to offer coffees and teas. This is not anticipated to be a significant part of the offering at the venue. The times during which alcohol may be sold at the venue remains as currently permitted under the Windsor Hotel premises licence save for on Sundays the start time will commence at 11am rather than 12 noon. Again this will allow flexibility and allows consistency throughout the week. We do not anticipate that permitting entertainment to be provided an hour early each day or alcohol sales for an hour earlier one day a week will add negatively to the cumulative impact in the area. We are certainly not aware of any issues historically arising at this or other venues due to an 11am start time rather than a 12 noon start time for sale of alcohol.
- The licence if granted will have a positive impact. By granting a separate premises licence for Zynk, rather than operating it under the existing premises licence, will allow for a clearer management structure. If Zynk was operated under the Windsor Hotel premises licence the Designated Premises Supervisor would be the hotel. In reality that person is likely to be the hotel manager and will have limited input in the running of Zynk. By permitting a separate licence there is a clear line of responsibility not only to the manager of Zynk as DPS but also to the premises licence holder.
- The conditions offered to be attached to this premises licence are identical to those currently attaching to Zynk under the Windsor Hotel licence. Thus there will be no change which could be said to undermine the licensing objectives.
- In summary, on the whole, the licence seeks to replicate what is already permitted in licensing terms under the existing Windsor Hotel licence. Any changes to the existing position are minimal and highly unlikely to add to the cumulative impact experienced in the area.

I hope that I have covered everything but if you require anything further please let me know. If you have received any objections to this application to date I'd be grateful if you could forward them to me.

Kind regards

Sarah

**Sarah Smith**  
Partner | Sinton's  
LLP

Your Ref:

Our Ref: SJS.JA.

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Northern Area Command  
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25 September 2019

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Dear Chief Inspector Waring,

I act for Paul Johnstone who has submitted an application for a new premises licence for Zynk (part of the Windsor Hotel) on South Parade. I have received a copy of your letter of objection to this application dated 12<sup>th</sup> September 2019.

I would very much welcome the opportunity to discuss with you the issues you have raised and to explain the background to this application.

As you may be aware, the premises to be licensed under this application already have the benefit of a premises licence as they fall within the licensed area of the current licence for the Windsor Hotel (00CK/13/2206). My client has taken a lease of that area of the hotel known as Zynk. He seeks to trade Zynk in a very similar format as to that currently permitted to be carried out in this area under the Windsor Hotel licence.

Comparing the existing restrictions on Zynk under the current premises licence with the application that we have submitted I would make the following points:-

- The layout of the premises will not change.
- The current capacity of this area will not increase.
- The licensed activities that my client seeks are the same as are currently permitted under the Windsor Hotel premises licence, save that my client seeks also to provide films. This is not intended to be a significant part of the operation but will allow him to have TV screens showing recordings if required. We would not anticipate that the showing of films will add negatively to the cumulative impact in the area. If this causes the Police an issue my client would be willing to remove films from the application.
- The hours during which licensed activities are permitted to be provided are the same as are currently permitted under the Windsor Hotel premises licence, save for on Sundays the start time for sale of alcohol will commence at 11am rather than 12 noon. This is simply for continuity during the week but if it is considered that this additional hour of trading once a week will add to the cumulative impact experienced in the area currently then my client is willing to amend this to 12 noon in line with the current licence.
- The opening hours sought are the same as are currently stated opening hours under the Windsor Hotel premises licence, save for on Sundays the opening hour is stated as 10 am. As above, if required, my client would be willing to amend this to 11 am in line with the current licence.

- The application will permit off sales as well as on sales. If this is considered that this facility will have a negative impact on crime and disorder in the area my client is willing to remove off sales from the application.
- The conditions offered to be attached to this premises licence are identical to those currently attaching to Zynk under the Windsor Hotel licence. Thus, there will be no change which could be said to undermine the licensing objectives.

If you were minded to ask us to remove films, off sales, and maintain the existing hours for alcohol sales and opening on Sunday, the terms of this application will be exactly the same as what is currently permitted at Zynk under the existing licence. On that basis there can be no argument that there will be a negative impact as a result of the grant of this licence. If the licence were not granted my client would simply operate as he intends under the terms of the Windsor Hotel licence.

For clarity, the main reason that my client seeks a separate premises licence for Zynk in his name, rather than operate under the existing Windsor Hotel premises licence, is to allow for better transparency and control of this part of the site. If Zynk was operated under the Windsor Hotel premises licence the Designated Premises Supervisor would most likely be the hotel manager who would not be the person best placed to run Zynk. By permitting a separate licence there is a clear line of responsibility not only to the manager of Zynk as DPS but also to the premises licence holder. Rather than have one licence with one DPS and one licence holder there will be two DPSs and two licence holders with clear responsibility for each part of the building. Thus, we would submit that granting the licence will have a positive impact as it will allow for a clearer management structure.

In summary, on the whole, the licence seeks to replicate what is already permitted in licensing terms under the existing Windsor Hotel licence. Any changes to the existing position are minimal and highly unlikely to add to the cumulative impact experienced in the area.

I hope that clarifies the position and provides you with sufficient assurance to withdraw your objection. Otherwise I'd be grateful if you could contact me so that we can discuss further.

Yours sincerely,  
**Sarah Smith**