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Agenda

Name of meeting	LICENSING SUB COMMITTEE
Date	THURSDAY 26 AUGUST 2021
Time	10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	Cllrs D Pitcher, J Bacon and C Mosdell
	Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

1. **Minutes** (Pages 5 - 6)

To confirm as a true record the Minutes of the meeting held on 14 June 2021.

2. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.

3. **Urgent Business**

To consider any matters which, in the Chairman's opinion, are urgent.



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4. **Report of the Director of Neighbourhoods** (Pages 7 - 62)

To determine an application for a premises licence under section 17 of the Licensing Act 2003 for Wyld, 1 Providence Corner, 37 Pyle Street, Newport, Isle of Wight.

CHRISTOPHER POTTER
Monitoring Officer
Wednesday, 18 August 2021

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

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Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and Time	MONDAY 14 JUNE 2021 COMMENCING AT 10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs D Pitcher (Chairman), J Bacon and S Hastings
Officers Present	M Bartlett, A Bull, B Gard, K Winchcombe

1. **Minutes**

That the minutes of the meeting held on 21 September 2020 be confirmed.

2. **Declarations of Interest**

There were no declarations received at this stage.

3. **Urgent Business**

There was no urgent business.

4. **Report of the Director of Neighbourhoods**

Consideration was given to the report of the Head of Place, providing details of an application for a Variation of a Premises Licence, received in accordance with Section 34 of the Licensing Act 2003.

Details of any proposed additional steps to promote the licensing objectives were set out in the report, circulated with the agenda.

The Sub Committee followed the agreed procedure, which had previously been circulated to all parties prior to the meeting. After hearing each application, the Sub Committee presented the following decision and the reasons for that decision.

RESOLVED:

THAT upon receiving the report of the Licensing section, oral and/or written evidence from the applicant, interested parties and/or responsible authorities and having regard to the Guidance issued under Section 34 of the Licensing Act 2003 and the Isle of Wight Council's Statement of Licensing Policy 2014 - 2019, the applications be determined as detailed below:

Application:
Application for a Variation of the Premises Licence for the Vectis Tavern, 103 High Street, Cowes, Isle of Wight.
Resolution:
THAT the grant for a Variation of the Premises Licence for the Vectis Tavern, 103 High Street, Cowes, Isle of Wight be approved, in accordance with the application, subject to those conditions proposed by the applicant within the operating schedule and also subject to the mandatory conditions specified in the Licensing Act 2003, but modified to such an extent as the Sub Committee have considered appropriate for the promotion of the four licensing objectives, namely by requiring the following condition listed below:
Conditions:
The noise management plan submitted as part of the application (and any subsequent approved version of the plan) shall be adhered to at all times. Such plan shall be reviewed at any time upon request from the local Licensing Authority and resubmitted for approval.
Reasons for Decision:
The reasons were provided in the report to promote the Licensing objective regarding the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm in particular. The Sub Committee had regard to the Human Rights Act 1998, and in particular Article 1 of the First Protocol, Article 8 and Article 6. The Sub Committee considered their decision to be proportionate and necessary for the promotion of the four licensing objectives under the Licensing Act 2003. All parties were advised that they had a right of appeal to the Magistrates Court if they were dissatisfied with the decision, and that any such appeal had to be made within 21 days from the date of notification.
Details (or if different from those applied for):
As per application
Additional Representations:
The applicant provided video footage showing the local area between 4 – 6 June 2021.
Public Participants:
Anne Cook - Applicant

CHAIRMAN



Committee report

Committee	LICENSING SUB COMMITTEE
Date	26 AUGUST 2021
Title	TO DETERMINE AN APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003 FOR WYLD, 1 PROVIDENCE CORNER, 37 PYLE STREET, NEWPORT, ISLE OF WIGHT, PO30 1XB
Report Author	COLIN ROWLAND DIRECTOR OF NEIGHBOURHOODS

BACKGROUND

1. A premises licence issued under section 18 of the Licensing Act 2003 authorises the use of premises for the sale or supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment.
2. An application for a premises licence was submitted to the licensing authority on 9 July 2021, for Wyld (Appendix 1).
3. Live/Recorded Music provided before 23:00hrs will not require licensing and therefore the updated Operating Schedule along with the conditions that would be attached to the licence if it is granted based on the measures included in the application can be found at Appendix 2.
4. Any person may make representations in respect of the application during the consultation period and if these are not resolved the licensing authority must hold a hearing to determine the application.
5. These premises were previously licensed to sell alcohol and provide late night refreshment and music until midnight, although it is not clear whether these hours were utilised as the premises were operated as the restaurant Pizza Express, which generally did not provide entertainment or open late.

CONSULTATION

6. The Licensing Act 2003 prescribes a twenty-eight day consultation period, commencing the day after the application has been correctly served. The applicant is required to submit a copy of the application to Responsible Authorities as defined in the Licensing Act, and to place a notice of the application at the premises and in a local newspaper.

7. The application for a premises licence was received on 9 July 2021. The application was advertised in the Isle of Wight County Press, at the premises and on the Council's website. The consultation period ended on 6 August 2021.
8. The outcome of the consultation in respect of this application is as follows:

Responsible Authorities

Children's Services	No Representation made
Fire and Rescue Service	No Representation made
Trading Standards Service	No Representation made
Planning Services	No Representation made
NHS	No Representation made
Licensing Authority	No Representation made
Immigration Enforcement	No Representation made
Police	No Representation made
Environmental Health	Representation made

9. Environmental Health believe that the prevention of public nuisance objective may be compromised by the proposed activities and have therefore objected to regulated entertainment being permitted until a second set of doors is implemented at the entrance to prevent noise escaping during entrance/egress from the premises. Their representations can be found at Appendix 3.

Other Persons

10. Nine valid representations have been received from other persons (Appendix 4) relating to the licensing objectives:
 - Prevention of public nuisance
 - Prevention of crime and disorder
11. Nearby residents are concerned that the following may occur and compromise the above licensing objectives:
 - Noise nuisance from music to be provided at the premises
 - Noise nuisance from customers (including when they are smoking outside the premises)
 - Antisocial behaviour by customers
12. The comments received were provided to the applicant who has given a response, which can be found at Appendix 5.

FINANCIAL/BUDGET IMPLICATIONS

13. Broadly, Council expenditure on licensing matters, and specifically those administered and enforced through Planning and Regulatory Services, balances income generated from fees.

LEGAL IMPLICATIONS

14. The 28-day consultation period ended on 6 August 2021. Schedule 1 of the Licensing Act (Hearings) Regulations 2005 states that the application must be determined within 20 working days of the end of the consultation period.

National Guidance

15. The following sections from the national guidance issued under section 182 of the Licensing Act 2003 are considered relevant to this application:

16. **Each application on its own merits**

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they

cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

17. **Crime and Disorder**

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

18. **Public nuisance**

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the

licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the

premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

19. Determining actions that are appropriate for the promotion of the licensing objectives

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

20. Proportionality

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any

conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

21. **Hours of trading**

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

22. **The need for licensed premises**

14.19 The need for licensed premises 14.19 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of Revised Guidance issued under section 182 of the Licensing Act 2003.

23. **Planning and building control**

14.64 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

14.65 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

Implications under the Crime and Disorder Act 1998

24. Members are advised that without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to

exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Human Rights

25. Members are advised that this application must be considered against the background of the implications of the Human Rights Act 1998.

26. There are two convention rights, which need to be considered in this context:

Article 6 - Right to a Fair Trial

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

It has been held that the fact that there is a right of appeal to the Magistrates' Court from any decision of the Licensing Authority is sufficient to make the Council's licensing system compliant with the convention rights.

Article 8 - Right to Respect for Private and Family Life

Everyone has the right to respect for his private and family life, his home and his correspondence. In the case of article 8 there shall be no interference by a public authority with the exercise of this right except as such in accordance with the law and is necessary on a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder and crime, for the protection of health or morals or for the protection of the rights and freedoms of others.

27. The Licensing Authority acknowledges the right of businesses in its area to operate, but equally acknowledges the fact that this must be balanced against the rights of residents not to be disturbed by unreasonable noise and nuisance caused by licensed premises. The Sub-Committee needs to be clear as to the rights granted and the need to ensure that the reasons given for any interference are proportionate and in accordance with the Council's legitimate aim.

28. It is considered that the following paragraphs from the Licensing Authority's Statement of Licensing Policy 2019 – 2024 have a bearing upon the application. Members' attention in respect of this particular application is drawn to:

Paragraph 1	Introduction	All
Paragraph 2	Licensing Objectives	All
Paragraph 3	Licensable Activities	All
Paragraph 4	Integration of Strategies and Other Legislation	All

Paragraph 5	Approach to Licensing Applications	All
Paragraph 6	Major Events and the Isle of Wight County Council Act	N/A
Paragraph 7	Cumulative Impact	7.1 – 7.3
Paragraph 8	Representations, Reviews, and Appeals	8.1 – 8.6, 8.11 – 8.15
Paragraph 9	Enforcement	N/A
Paragraph 10	Operating Schedules	10.1 – 10.6, 10.9 – 10.21

EQUALITY AND DIVERSITY

29. The council as a public body is subject to general and specific duties under equality and diversity legislation and as such has a duty to go beyond prohibition and publish and promote service improvements by engaging with the local community to assess the impact of any decision on the local community. As a requirement under the Equality Act 2010 and further improvements to diversity legislation all local authorities are required to impact assess their services, policies/strategies and decisions with regard to diversity legislation – race, disability, gender, age, sexual orientation and religion/belief. (NB: this list is not exhaustive, it does cover current legislation but future development could also include poverty and social inclusion as an example).
30. There is no requirement for an equality impact assessment to be carried out.

OPTIONS

- Option 1: Grant the licence as per the application.
- Option 2: Grant the licence as per the application with any modifications to the proposed hours and/or additional conditions that the Sub-Committee deem reasonable and proportional to promote the licensing objectives.
- Option 3: Refuse the whole or part of the application.

RISK MANAGEMENT

31. With regard to Option 1: To grant the licence as per the application may not adequately mitigate the risk of a nuisance and/or disorder arising from licensable activities; should the Sub-Committee deem this to be a likely outcome. The decision not to address the concerns raised may therefore subsequently be appealed by those parties who have made representations.
32. With regard to Option 2: The risk of disorder and nuisance being attributed to the premises could be reduced by modifying the proposed activities or attaching additional conditions to the licence to promote the licensing objectives. Any such amendments must be achievable and proportionate.

This decision could be appealed by all parties if they believe the modifications do not adequately promote the licensing objectives.

33. With regard to Option 3: If the Sub-Committee decide to refuse all or part of the application, this decision would likely be appealed by the applicant.

EVALUATION

34. Section 9.38 of the national guidance states:
In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- *the steps that are appropriate to promote the licensing objectives;*
 - *the representations (including supporting information) presented by all the parties;*
 - *this Guidance;*
 - *its own statement of licensing policy.*
35. The main concerns regarding this application raised by the responsible authorities and local residents are:
- Noise nuisance from music to be provided at the premises
 - Noise nuisance from customers (including when they are smoking outside the premises)
 - Antisocial behaviour by customers
36. Several residents have raised that previous permissions were until 22:00hrs, however, the Planning Authority have confirmed that previously permission has been granted for these premises to be used until midnight and the previous licence issued also permitted licensable activities until this time.
37. Representations from residents refer to use of an outdoor area and that this could cause public safety issues due to the lack of space. The applicant has confirmed there is to be no outdoor seating provided at the premises.
38. Comments have also been made that there are too many licensed premises in the area already. However, “need” cannot be considered when determining this application as this is a matter for the Planning Authority and in relation to Licensing, there is currently no Cumulative Impact policy in force on the island.
39. Environmental Health object to entertainment being provided until there is a second set of doors implemented to prevent noise escaping during entrance and egress. The applicant intends to carry out this remedial action but confirms having consulted with various companies that it cannot be done immediately. The sub-committee may therefore wish to consider withholding permission for entertainment until this action has been taken requiring the applicant to vary the licence in due course, or they could permit entertainment but attach a condition stipulating that entertainment is not permitted until such time as the second doors have been implemented.
40. Residents are concerned about the noise from customers smoking outside the premises; the applicant has referred to this in their comments at Appendix 4

and mentions that an area could be created outside to contain customers and they would be advised to not smoke directly in front of residents' properties and monitored by security.

41. The applicant has put forward in their applications a range of measures that will be in place at the premises in order to ensure that they are managed properly and to assist with the prevention of disorder and antisocial behaviour in the area. Such measures including staff training, deployment of door supervisors, CCTV, incident recording etc. will become conditions of the licence as detailed in Appendix 2.
42. The condition proposed by Environmental Health in Appendix 3 requires that a Noise Management Plan is in place and includes details of how customers will be managed when they are smoking and how they will be dispersed from the premises, including that door supervisors will remain at the premises to ensure this happens efficiently.
43. The sub-committee should also note that individuals are responsible for their own behaviour once they leave the immediate vicinity and control of the management/door supervisors of the premises.
44. The sub-committee may believe these measures are sufficient for ensuring that the objectives are promoted and that there is scope for the Police, Environmental Health and Licensing Authority to liaise with the applicant to negotiate suitable changes to the Noise Management Plan should issues arise in the first instance before having to resort to other means of altering the licence.
45. The sub-committee must have regard to all of the representations made and the evidence it hears as well as the national guidance issued under Section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
46. The Committee should determine the application in accordance with section 18 of the Licensing Act 2003 and The Licensing Act (Hearings) Regulations 2005 and with a view to promoting the licensing objectives, which are:
 - The Prevention of Crime and Disorder
 - The Prevention of Public Nuisance
 - Public Safety
 - The Protection of Children from Harm

RECOMMENDATION

47. It is recommended that the sub-committee grant the licence including the conditions at Appendix 2 along with any additional modifications and/or conditions they deem appropriate and proportionate to ensure the licensing objectives are upheld.

APPENDICES ATTACHED

Appendix 1 Application for a premises licence under section 17 of the Licensing Act 2003

Appendix 2 Updated Operating Schedule and Conditions that will be attached to the licence if it is granted

Appendix 3 Representations received from Environmental Health

Appendix 4 Representations received from other persons

Appendix 5 Response from the applicant to representations made

BACKGROUND PAPERS

- Isle of Wight Council Licensing Authority Statement of Licensing Policy 2019 – 2024.
<https://www.iow.gov.uk/azservices/documents/1226-Approved-Licensing-policy-2019-24.pdf>

Contact Point: Shane Batchelor ☎ 01983 823159

e-mail Shane.Batchelore@iow.gov.uk

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Wyld Bars Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 1 Providence Corner 37 Pyle Street Newport			
Post town	Isle of Wight	Postcode	PO30 1XB

Telephone number at premises (if any)	TBC
Non-domestic rateable value of premises	£32,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Wyld Bars Limited

Address 1 Providence Corner 37 Pyle Street Newport Isle of Wight PO30 1XB
Registered number (where applicable) 11838257
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises consist of a ground floor unit with apartments above. This includes a customer area inclusive of customer toilets and disabled facilities, on show kitchen and cooking facilities, drinks preparation area and back of house area with staff facilities. The unit will provide lunch and dinner, also serving a range of both alcoholic and non-alcoholic beverages. The premises layout will be in accordance with the plans submitted in support of this application.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

a) plays (if ticking yes, fill in box A)

- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

- Provision of late night refreshment** (if ticking yes, fill in box I)

- Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11:00	00:01	<u>Please give further details here</u> (please read guidance note 4) Films including, but not limited to amplified music videos, news bulletins, sports and television programmes.		
Tue	11:00	00:01			
Wed	11:00	00:01	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	11:00	00:01			
Fri	11:00	00:01	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	11:00	00:01			
Sun	11:00	23:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11:00	00:01	<u>Please give further details here</u> (please read guidance note 4) Amplified or unamplified music played on the premises.		
Tue	11:00	00:01			
Wed	11:00	00:01	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	11:00	00:01			
Fri	11:00	00:01	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	11:00	00:01			
Sun	11:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:30	<u>Please give further details here</u> (please read guidance note 4) The playing of recorded music via an in house music system.		
Tue	11:00	00:30			
Wed	11:00	00:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	11:00	00:30			
Fri	11:00	00:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	11:00	00:30			
Sun	11:00	23:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11:00	00:01		<u>Please give further details here</u> (please read guidance note 4) The performance of dance, not limited to customers, staff and performers.	
Tue	11:00	00:01			
Wed	11:00	00:01	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	11:00	00:01			
Fri	11:00	00:01	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	11:00	00:01			
Sun	11:00	23:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p> <p>Entertainment of a similar nature to live music, recorded music and the performance of dance, which may not be strictly considered live music, recorded music and a performance of dance. For example, but not limited to the performance of cabaret.</p>		
Day	Start	Finis h	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	00:01		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	00:01	<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed	11:00	00:01	<p>Please see above.</p>		
Thur	11:00	00:01	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri	11:00	00:01			
Sat	11:00	00:01	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun	11:00	23:00	<p>From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.</p>		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	23:00	00:01	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	00:01			
Wed	23:00	00:01	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	00:01			
Fri	23:00	00:01	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.		
Sat	23:00	00:01			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	00:01			
Tue	11:00	00:01			
Wed	11:00	00:01			
Thur	11:00	00:01			
Fri	11:00	00:01			
Sat	11:00	00:01			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	11:00	23:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Joshua Peverley	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 21/00116/LAPERS	

Issuing licensing authority (if known)

Isle of Wight Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
Day	Start	Finish	
Mon	11:00	00:30	
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	00:30	

Sat	11:00	00:30	
Sun	11:00	23:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The information provided in this box is solely for information purposes, and not intended to be converted into conditions imposed on the Premises Licence.

The premises licence for Pizza Express Restaurants lapsed in September 2020. The former Premises Licence permitted licensable activities until 00:30 hours the following day on Monday to Saturdays, and until 23:00 on Sundays.

Submitting a new Premises Licence Application will allow us to create a bespoke operating schedule tailored to the new proposed use of the premises as a restaurant/café/bar, with consultation from residents, the local authority and Hampshire Police.

The Premises Licence proposes to bring the start time for licensable activities to commence at 11:00 with a terminal hour of 00:30 on Monday – Saturday and 23:00 on Sunday. This includes a 'drink up' time of 30 minutes with the sale of alcohol concluding at 00:00. These hours bring the licence in line with the previous tenant (Pizza Express) and allows the premises to be versatile and host events not limited to but including business breakfast events and community events. The application also seeks permission for licensable activities including, but not limited to the playing of recorded music to continue until 00:30 hours the following day, as per the previous licence.

We have carefully considered the impact of the new Premises Licence to Newport for use of the premises as a Restaurant/Café/Bar, and therefore steps have been taken to ensure that the application and proposed operating schedule will continue to promote the licensing objectives. The premises is also committed to participating in the local Pubwatch scheme.

Wyld Bars Limited trading as Wyld. is a solo hospitality operator, and although trading as a food/bar establishment, as we serve alcohol we recognise that we have a duty to protect our customers and the general public. Therefore, the premises will operate from an extensive Venue Handbook, covering robust internal policies and procedures, alongside outlining staff training and being used to store noise readings taken from local residential apartments. We also feel strongly that the new premises licence application will not have an adverse impact on the licensing objectives, and we feel strongly that the measures proposed in the bespoke operating schedule, alongside the extensive policies and procedures outlined in the Venue Handbook, the venue can promote the licensing objectives.

b) The prevention of crime and disorder

- 1) The premises will have sufficient CCTV cameras installed to cover all public areas including the outside of the premises, ensuring cover of the entrance and exit, and service yard in the rear.
- 2) CCTV warning signs will be submitted at the entrance to the premises, alongside any other public area deemed appropriate.
- 3) The CCTV System installed will operate at all times whilst the premises is open for licensable activity, and all equipment will have a constant and accurate time and date generation. All recorded CCTV footage shall be retained securely for a minimum period of 28 days.
- 4) Access to the CCTV System will be via password protected access only to prevent recordings being tampered with.
- 5) The DPS shall train sufficient members of staff to ensure that during operating hours, a viewable copy of the CCTV can be made available to the police upon request. Any images or footage recovered will be supplied in a digital format via a CD or DVD or on a USB, with a copy of the CCTV System software to ensure playback.
- 6) Should there be a technical failure resulting in the whole of the CCTV system being inoperable, the DPS shall report this failure to Hampshire Police's Licensing Unit within 24 hours.
- 7) Proactive steps will be taken by the premises in the technical failure of the CCTV System.
- 8) An Incident Log Book (which may be electronic) will be stored at the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a) Any incidents or disorders
 - b) Any seizures of drugs or offensive weapons
 - c) Any ejections of customers
 - d) Any ID seizures
- 10) The premises promotes a written and documented Dispersal Policy within the Venue Handbook. This policy shall be continually reviewed subject to advice from the Police or Local Authority, and a current copy will always be made available upon request.
- 11) The customer toilets within the premises will be checked every 30 minutes when the premises is open for licensable activity, and a record of this shall be kept by the premises, and available upon request. These records will be kept for a period of 12 weeks.
- 12) The use of door supervisors shall be decided based on a Risk Assessment conducted by the DPS, taking into account factors which may include, but not limited to the nature and duration of the proposed licensing activities, the number, age and character of persons likely to attend the event, alongside any known risks to the impact on the promotion of the licensing objectives.
- 13) Where possible, at least one female SIA licensed door supervisor will be present for when female customers are subject to a search, as per the venue's Search Policy, outlined in the Venue Handbook.

14) When employed as an SIA door supervisor for the purpose of security at the premises, this individual shall wear a fluorescent and/or a reflective tabard, clearly marked 'Security' at all times.

15) All refusals as per the Refusals Policy outlined in the Venue Handbook shall be recorded promptly, including the reasoning behind the refusal.

16) The expected dress standards, age restrictions and other key information will be published on the venue website that can be found at www.wyldiow.co.uk, as well as clearly displayed at the entrance to the premises.

17) In circumstances where a customer is ejected from the premises by a member of staff, as per the Refusal Policy outlined in the Venue Handbook, this incident must be recorded, including details of the staff members involved and a summary of the circumstances. This should be completed as soon as practicable, but prior to the end of the individuals shift.

18) During busy periods, a nominated member of Security personnel shall be positioned at the entrance/exit doors for the purpose of counting customers in and out of the premises. They shall use a device suitable for counting as approved by the Police Licensing department, and as such an accurate number of persons in the venue will be known at all times when the premises is operating under its premises licence. The number is to also include staff.

19) At the terminal hour of operation, and as outlined in the Dispersal Policy in the Venue Handbook, the DPS shall ensure that adequate numbers of door supervisors and staff are employed to assist with the management of customers leaving the venue as well as those remaining in the vicinity of the premises. Door staff will then patrol the vicinity of the premises for 15 minutes after closing to assist with the safe dispersal from the area.

20) The DPS shall maintain a Duty Register outlining details of each and every person employed in the role of a Security/Door person and shall provide upon request by any Police Officer or Local Authority representative:

- The License number, name, and residential address and telephone number of that person;
- The time in which they commenced their period of duty, with a signed acknowledgement by that person;
- The time in which they finished their period of duty, with a signed acknowledgement by that person;
- Any times during the period of duty when that person was not on duty;
- Should that person not be directly employed directly by Wyld Bars Limited, but via a Security Contractor Company, then details of this company will be supplied (Company Name, Number and out of office contact details)
- The register shall be stored securely so that it can be readily inspected by an authorised Police or Council officer;
- The Duty Register shall comprise of a bound, consecutively page-numbered book and the licence holder shall ensure that this is kept securely to prevent unauthorised access and alterations.



c) Public safety

We take Public Safety extremely seriously, and we understand our obligations under the extensive legislation.

Our Venue Handbook outlines our robust policies and procedures in place, alongside our management of Entry Queues for customers queuing for a table inside the premises. Alongside this to maintain Public Safety:

- 1) A full Risk Assessment will be in place highlighting hazards for both staff and customers, setting out precautions to manage the hazards.
- 2) A tailored Risk Assessment in response to Government Guidance relating to the Coronavirus pandemic will be in place, with guidance from the Isle of Wight Council's Environmental Health Team.
- 3) A First Aider will always be present when the Premises is open for Licensable Activity.
- 4) During busy periods, a Floor Walker will be present with the provision of ensuring customer welfare and conducting perimeter checks of the premises, whilst also collecting glassware and crockery.
- 5) Spillages and broken glass will be cleaned up with a 'Spill Kit' located behind the drinks servery to prevent floors from becoming slippery and unsafe.

d) The prevention of public nuisance

We recognise the responsibility to local residents and will therefore ensure that:

- 1) Prominent, clear and legible notices will be displayed at the public exit to the premises requesting customers to leave quietly, with staff also reminding customers verbally.
- 2) The music policy will be strict with no music such as garage, jungle, drum and bass or any genres that could be deemed problematic.
- 3) Music levels will be monitored continually with a majority of music played at a moderate background level and a sound limiter to prevent levels being exceeded. Wight Noise Limited were contracted by the applicant to undertake an acoustic assessment of the existing building construction in order to

minimise operational noise breakout and disturbance to the neighbouring residential spaces. This provided a conclusion that the music sound level in the venue can reach a level of 78db without disruption to neighbouring properties. The full report is available upon request.

- 4) During busy periods door stewards will be present and when necessary, extend their coverage to customers outside the premises. It isn't believed that the venue is the type of premises where we anticipate a large number of people exiting onto the streets at any one time, and we anticipate the condition of our customers leaving to be far more sober and non-problematic.
- 5) The premises operate a Dispersal Policy as outlined in the Venue Handbook to disperse customers quickly from the premises. This is mainly targeted towards occasional private hires as at terminal hour we anticipate our capacity to be relatively low as the nature of the business encourages customers towards a gradual dispersal. Dispersal Management during busy periods and when a private hire has taken place would be extended to the street outside.
- 6) Smokers will be directed away from the direct vicinity of the area, with security periodically patrolling the street immediately outside the venue at busier times. No drinks will be permitted outside.
- 7) The Front Doors to the premises will remain closed at any period when music is played above background level with the exception of access and egress.
- 8) No bottles shall be moved or emptied into the external waste bin in the Service Yard between 8pm and 8am. Deliveries shall not be made outside of the permitted hours between 8am and 6pm.

e) The protection of children from harm

The premises promotes a strict policy on Children as outlined in the Venue Handbook.

- 1) A Challenge 25 policy will be in place at all times. This means that the DPS shall ensure that every individual, who visually appears to be under the age of 25 years of age and is seeking to purchase or be supplied with alcohol at the premises, shall produce identification providing that individual to be 18 years of age or older.
- 2) Acceptable forms of identification for the purposes of age verification shall include: a driving license, passport or photographic ID bearing the 'PASS' logo and the person's date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, as outlined in the premises 'Refusals Policy' in the Venue Handbook, no supply will be made to or for that person.
- 3) Challenge 25 posters shall be displayed in prominent positions as outlined by the DPS at the premises.
- 4) Staff shall be trained regarding appropriate precautions to prevent the sale of alcohol to a person under the age of 18, alongside the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records of this training shall be stored in the Venue Handbook with a signature and date from every member of staff that has received that training.

- 5) An electronic log shall be kept detailing all refusals of alcohol sales. This log shall include the date, time and name of the member of staff responsible for the refusal, alongside the reasoning. This will be stored electronically with records kept for a period of 21 months and available to the Local Police or Licensing Authority upon request.
- 6) All staff will receive refresher training quarterly with records of this training kept and stored, with a signature and date from each member of staff that has received that training.
- 7) All training records are available for inspection by any Police or Licensing office upon request. Training records will be kept for a period of three years, within the Venue Handbook.
- 8) During periods when films are being shown, staff will ensure that no children under the age of the certification as recommended by the British Board of Film (BBFC) are present.

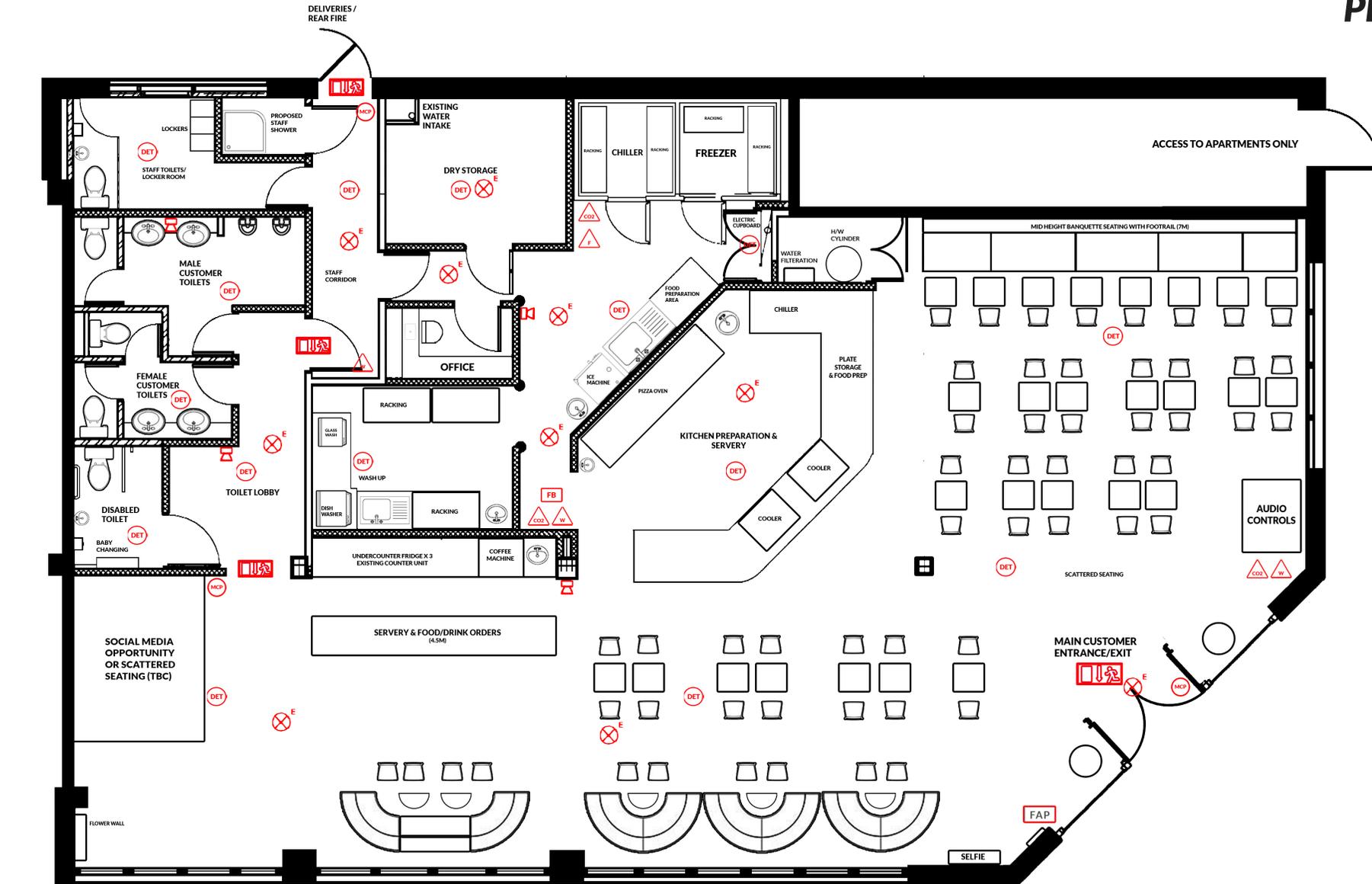
Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.



KEY FOR SYMBOLS

	Fire Alarm Panel		Emergency Exit Light (Directional)
	Automatic Fire Detector		Water Fire Extinguisher
	Manual Call Point		Carbon Dioxide Extinguisher
	Sounder		Foam Fire Extinguisher
	Emergency Light Fitting (Flourescent Downlight)		Fire Blanket

WylD.

 Tel: 01983 619512

 Email: josh@wylDbars.co.uk

WylD Bars Limited

 Address

 1 Providence Corner

 37 Pyle Street

 Newport

 Isle of Wight

 PO30 1XB

Scale 1:50 A3

Drawn by Joshua Peverley

 Date JUNE 2021

Drawing No _____

 Rev _____

1 Providence Corner, 37, Pyle Street, Newport, Isle Of Wight, PO30 1XB



Site Plan shows area bounded by: 449903.13, 88989.84 450103.13, 89189.84 (at a scale of 1:1250), OSGridRef: SZ50008908. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Wyld Premises Licence Application
Updated Operating Schedule and Conditions to be attached to the licence if granted:

Licensable Activities

Activity	Days of Week	Start	Finish
Films (Indoors)	Monday to Saturday Sunday	11:00hrs	00:00hrs 23:00hrs
Late Night Refreshment (Indoors)	Monday to Saturday	23:00hrs	00:00hrs
Live Music/Performances of Dance and anything similar to Live/Recorded Music or Performance of Dance (Indoors)	Monday to Saturday	23:00hrs	00:00hrs
Recorded Music (Indoors)	Monday to Saturday Sunday	23:00hrs	00:30hrs 23:30hrs
Sale of Alcohol (for consumption both on and off the premises)	Monday to Saturday Sunday	11:00hrs	00:00 hrs 22:30 hrs

Hours premises are open to the public

Days of Week	Open	Close
Monday to Saturday Sunday	11:00hrs	00:30 hrs 23:00 hrs

Non standard timings

<p>All Activities: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
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The Prevention of Crime and Disorder

1. A CCTV system shall be installed, maintained and must be in operation at all times that the premises are open to the public. Recorded images must:
 - a) be of sufficient clarity to allow personal identification
 - b) display the correct time and date of the recording, which shall be checked regularly for accuracy taking account of GMT and BST.
 - c) provide coverage of:
 - i. every public entrance or exit
 - ii. every area where alcohol is sold or displayed for sale
 - iii. outside of the premises and service yard at the rear and
 - iv. any other location deemed appropriate by the Police or Licensing Authority.
 - d) be retained for a period of at least 28 days
 - e) be produced for a police officer or an authorised officer of the local authority to review on request and
 - f) be exported to removable media (e.g. CD/DVD/USB device) if requested by a police officer or an authorised officer of the local authority.

2. A member of staff capable of operating the CCTV system shall be present at all times the premises are open to the public and shall have access to the system to enable images to be reviewed and/or produced upon request.
3. Access to the CCTV System will be via password protected access only to prevent recordings being tampered with.
4. If the CCTV equipment is temporarily inoperative, the police and local authority will be informed as soon as possible and in any case within 24 hours and immediate steps must be taken by the DPS to restore the equipment to full working order. No licensable activity shall be allowed after 24 hours from the time of the last timed recording without the prior written approval of the licensing authority.
5. An Incident Logbook (which may be electronic) will be maintained and stored at the premises and made available on request to a police officer or an authorised officer of the local authority which will record any incidents of disorder including but not limited to:
 - a) Any seizures of drugs or offensive weapons
 - b) Any ejections of customers or refusals of entry
 - c) Any ID seizuresSuch records will include details of the staff members involved and a summary of the circumstances as well as the action taken by staff. Entries will be completed as soon as practicable, but prior to the end of the staff member's shift.
6. The customer toilets within the premises will be checked every 30 minutes when the premises are open for licensable activity, and a record of such checks shall be kept at the premises, and available upon request. These records will be kept for a period of no less than 12 weeks.
7. The number of door supervisors to be engaged on any occasion shall be determined by the licence holder, taking into account such factors as the nature and duration of licensable activities proposed, the number, age and character of persons likely to attend, and any known risks to impact on the promotion of the licensing objectives. The licence holder shall make a written record of the number of door supervisors to be engaged and the factors taken into account by the licence holder. Any such record shall be produced to a police officer or authorised officer of the local authority on reasonable request.
8. The DPS shall maintain a Duty Register outlining details of each and every person employed in the role of a Security/Door person and shall provide this upon request to any Police Officer or Local Authority representative. Such records must include:
 - a) The licence number, name, and residential address and telephone number of that person;
 - b) The time in which they commenced their period of duty, with a signed acknowledgement by that person;
 - c) The time in which they finished their period of duty, with a signed acknowledgement by that person;
 - d) Any times during the period of duty when that person was not on duty;
 - e) Should that person not be directly employed directly by the licence holder, then details of the third party will be supplied (i.e. Company Name, Number and out of office contact details)The register shall be stored securely so that it can be readily inspected by an authorised Police or Council officer and shall comprise of a bound, consecutively page-numbered book and the licence holder shall ensure that this is kept securely to prevent unauthorised access and alterations.
9. All door supervisors shall wear clothing or other identification in accordance with that which has been agreed with the licensing authority in writing so that they can be easily and clearly identifiable to the public and on CCTV.

10. All searches conducted on female customers will only be undertaken by a female SIA licensed door supervisor.
11. During busy periods, a nominated door supervisor shall be positioned at the entrance/exit doors for the purpose of counting customers in and out of the premises. They shall use a device suitable for counting as approved by the local authority, and as such an accurate number of persons in the venue (including staff) will be known at all times when the premises are operating under its premises licence.
12. No drinks are permitted to be taken for consumption directly outside the premises or in the immediate vicinity.

The Protection of Children from Harm

13. All persons engaged in the sale of alcohol shall receive training or instruction to prevent the sale to anyone who is drunk or apparently under the age of 18 years. Such training will also include the details of the Premises Licence as well as its conditions. Staff members shall receive such training on induction, also at intervals not greater than one year apart. A record shall be made of:
 - a) the date the training or instruction was delivered,
 - b) its content, and
 - c) the names of the members of staff who received it.The record shall be produced to a police officer or an authorised officer from the local authority on reasonable request and kept for a period of no less than three years.
14. A record shall be made of every refusal to sell alcohol to a person who is drunk or apparently aged under 18 years. Each entry shall include the date, time and the name of the member of staff responsible for the refusal and the reasoning for it. The record shall be checked and counter signed by the DPS on at least a weekly basis. Such records will be kept for a period of no less than 21 months and shall be produced to a police officer or authorised officer of the local authority on reasonable request.
15. The "Challenge 25" scheme will be adopted at the point of the sale of alcohol. This means that the DPS shall ensure that every individual, who visually appears to be under the age of 25 years of age and is seeking to purchase or be supplied with alcohol at the premises, shall produce identification providing that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no supply will be made to or for that person.
16. Challenge 25 posters shall be displayed in prominent positions at the premises.
17. During periods when films are being shown, staff will ensure that no children under the age of the certification as recommended by the British Board of Film (BBFC) are present.

The Prevention of Public Nuisance

18. Prominent, clear and legible notices will be displayed at the public exit to the premises requesting customers to leave quietly, with staff also reminding customers verbally.
19. The music policy will be strict with no music such as garage, jungle, drum and bass or any genres that could be deemed problematic.
20. No regulated entertainment authorised by this licence shall take place inside the premises after 23:00hrs unless all external doors and windows are fully closed.
21. To prevent nuisance from noise, no glass or bottle disposal to the external waste bin in the Service Yard area is permitted between 8pm and 8am. Deliveries to the premises shall not be made outside of the permitted hours between 8am and 6pm.

Public Safety

22. A qualified First Aider will always be present when the premises are open for any licensable activity.
23. During busy periods, a Floor Walker will be present to ensure customer welfare and conduct perimeter checks of the premises.

From: Wootton, Mark <Mark.Wootton@IOW.gov.uk>
Sent: 17 August 2021 12:10
To: Thomas, Claire <Claire.Thomas@IOW.gov.uk>
Subject: Wyld Bars

Claire,

Environmental Health currently objects to the granting of a licence for regulated entertainment after 23.00hrs. We are concerned about noise breakout from the premises in the absence of a double set of doors with intervening lobby. The music noise sound insulation tests/assessment carried out by the applicant were undertaken with doors and windows closed and a single set of doors will allow music noise to breakout when they are opened. Environmental Health also object on the basis that a noise management plan is required to ensure that the licensing objective of the prevention of public nuisance is achieved. Environmental Health also wish to make it known that the current planning consent restricts the premises opening hours to midnight on each day and that the condition was imposed in order to protect residential amenity. Environmental Health consider that it would be helpful if any granted licensable/opening hours accord with the planning consent.

It should be borne in mind that the premises is in a central location in Newport and there will inevitably be a certain degree of noise associated with licensed premises during the evening and night-time period. It should also be borne in mind that there are a significant number of residential properties in close proximity to the premises. A reasonable balance between these two factors is desirable and the level of control needed to prevent public nuisance will likely increase the later the premises operates and the period after 23.00hrs is of concern as the risk of disturbance increases.

In terms of conditions, the following in relation to a noise management plan could potentially be required and agreed with the applicant in order to address concerns;

No licensable activities are permitted under this licence unless a Noise Management Plan (NMP) has been submitted to and agreed in writing with the local Licensing Authority and once approved, the plan (and any subsequent approved version of the plan) is adhered to at all times. Any changes of circumstances (in relation to noise output from the premises and its control) must be reflected in the Noise Management Plan and a written request for an amendment must be submitted to the local Licensing Authority for further approval. The Noise Management Plan shall be reviewed at any time upon request from the local Licensing Authority and resubmitted for approval. The NMP shall include as a minimum, written details of the following information:

- a) The hours of operation*
- b) Any imposed planning/licensing conditions controlling noise/disturbance*
- c) Who will be responsible for noise control and who makes decisions regarding action to be taken*
- d) Physical and managerial noise control processes and procedures and how non-compliance will be addressed*
- e) Details of any community liaison*
- f) How complaints will be processed (i.e. how they will be recorded, investigated and actioned)*
- g) Details of how/when the NMP will be reviewed on a regular basis*
- h) How noise from entertainment and people will be managed at the premises*
- i) How customers wishing to smoke outside the venue will be managed*
- j) How dispersal of customers will be managed including that adequate numbers of door supervisors and staff are employed to assist with the management of customers leaving the venue as well as those remaining in the vicinity of the premises and that door supervisors will patrol the vicinity of the premises for 15 minutes after closing to assist with the safe dispersal from the area.*

Environmental Health understands that any construction of a double set of doors with intervening lobby may require a minor variation to be made. Realistically, even if/when such doors are in place, there is the likelihood that there will be some associated noise with the premises. Noise breakout will likely be reduced with such doors but is unlikely to be eliminated completely during access/egress. The extent to which disturbance may be caused will likely depend on the specific business model and manner in which the premises is managed.

Environmental Health are happy to explain/expand on any of the above at the Committee hearing in due course.

Best regards,

Mark Wootton | Senior EHP | Regulatory & Community Safety Services

QUOTE:- 21/00637/
LAP NEW.



Supporting
BritishRedCross

22.7.2021.

3 AUG 2021

Isle of Wight Council
Licensing Section

Dear Sir

I wish to object to the planning application for Wyeed Events to make 1 Providence Corner 37 Pyle Street Wexport into a night club. They have no regard for the residents in the flats above, or for other residents in Savoy Court or in Pyle Street and St Thomas' Square.

Apart from the noise from the premises there is also the problem of the people who go to this place when it closes (too late for this area) when they have been drinking etc. We get enough problems with people sleeping rough in the car park behind Savoy Court and the church centre as it is. We don't need any

more, and if I might I read in the County
Press when they first applied for permission
to change the use of 1 Providence Corner, that
there was to be No late night music.

I could also add Newport has
more than enough pubs and drinking
places as it is. We Don't Need any more!

Yours Truly
M. A. Rann.

Mr Nigel Stotesbury

3 AUG 2021

Isle of Wight Council

Licensing Section

Jubilee Stores

The Quay

Newport

Isle of Wight

PO30 2EH

Wednesday 28th July 2021

Ref:21/00637/LAPNEW

Wyld Bars Ltd, Providence Corner, 37 Pyle Street, Newport, IW

Dear Sir

I would like to object to the above licensing application, on the following grounds:- In the first instance, the previous licence for this premises, as Pizza Express, granted in 2004 stipulated that a 10pm close should be maintained "in the interest of the amenities of the area and occupiers of nearby properties". As you are well aware this locality has probably the highest density of residents in the centre of Newport, with flats directly above, across the road, in Savoy Court, and also along and above shops in Pyle Street and St Thomas' Square, all of whom would be affected if this licence application goes through. That is why the stipulation of 10pm close was made in 2004, and today in 2021, nothing has changed.

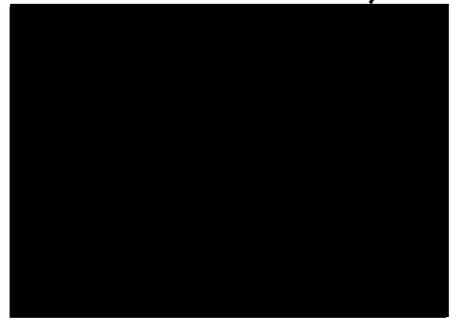
Furthermore, I have received a letter/flyer from the applicant laying out how he proposes to limit noise within the club, but as we all know the main nuisance comes from outside the venue when smokers (as there is no provision for smokers within the venue), spilling out onto the street; people leaving the venue late at night, many of whom may be intoxicated, or worse, under the influence of illegal substances. We already suffer from noise, in particular on Friday and Saturday nights, and whilst I appreciate, by living in the centre of town a reasonable amount of night-time disturbance is to be accepted, the granting of this licence has real potential to accelerate this to a level far beyond the levels of acceptance

There is also within all this rather than a possibility, a more likely an inevitability that other things will go awry. The target age group of 25-45 year olds, are in the main those of the culture who cannot have a good night unless they are intoxicated by the end of the evening. We at Savoy Court have been subject recently to some really awful anti-social behavior from people rough sleeping, drinking, making noise with bad language, causing criminal damage, engaging in sexual acts, and using the areas behind the rubbish bins as a toilet, and although I have not witnessed the latter, I have been told dealing drugs. This all occurs out of the public eye in the car park behind the Parish Centre in Town Lane. For all I know the area behind Iceland, The Conservative Club, and what was Pizza Express could be used in a similar way. From bitter experience the council say it is a police problem, and the police say it is a council problem, so nothing ever gets done about it as they both pass the buck. The granting of this licence will aggravate this to an intolerable level, and as such I hope that you do not grant it.

Yours Faithfully



6 AUG 2021



Dear Sir/Madam,

with regard to above application, as a nearby resident, I wish to stringly object to the application on the following grounds. The proposed application for a bar, wine disco, wine eatery, call it what you will, is not suitable for this location on the corner of Town Lane and Pyle Street as it is a residential area. The proposed premises is surrounded by residential properties, directly above and directly opposite both in Town Lane and Pyle Street. The premises I live in Saveny Court is directly opposite the proposed site. Saveny Court is made up of 26 owner occupied flats, which are made up of almost entirely 70, 80 and 90 year olds. Saveny Court is sheltered accommodation and has a live in manager. If this premises 'Wild Bars' was allowed to open in this location, it would have a negative impact on the lives of the people in the local vicinity by way of increased noise pollution, increased anti-social behaviour. The granting of this application would also have detrimental effect on the resale of the neighbouring properties, reducing their value and making them even more difficult to sell than they are now.

The residents of Saveny Court, already suffer from enough noise pollution from local traffic and anti social behaviour. They don't want it increased, which it would be.

Savoy Court has a carpark behind it, with access to it via Town Lane, opposite the proposed 'Wyld Bars'. We already suffer from people such as down and outs, homeless, drug dealers etc using this carpark to do anti social things, such as urinating, defecating, drug dealing, fighting, fornicating, camping etc. This would undoubtedly get worse with the proposed opening of 'Wyld Bars'. Because of 'Wyld Bars' intentions, the owners of Savoy Court building are proposing having electronic electric gates installed at the expense of the flat owners, which is going to cost every resident, hundreds of pounds initially, then an ongoing fee for maintenance.

I'd also like to point out, that the previous occupiers of the proposed site, namely, Pizzie Express, closed at 10pm, to comply with the wishes of the local area and to maintain a good relationship with local residents. If 'Wyld Bars' or anyone else wants to open a bar/disco, whatever, they should open it up in the High Street where the other bars are. We all know that, shopping centres are getting smaller with less shops, due to the increase in online shopping, therefore the local council should be looking forward to congregating the shops and bars in one area, so the used shops etc on the fringes of the town can be turned to residential accommodation as which we all agree, there is a dire shortage. That is what is going to happen, regardless and now is the time to put that plan into effect.

Yours sincerely,

Councillor Julie Jones-Evans

Reasons:

- Crime
- Nuisance

The location of this proposed bar is directly underneath a residential development of several dwellings and opposite a supported living over 55s development of approximately 50 dwellings.

I have several concerns about this application mainly centred around causing Public Nuisance.

Noise levels in the building and noise and antisocial behaviour outside.

1. There is conflicting messages about what the venue is going to be. It says that most music will be played at background levels but when it isn't the doors will be shut except for ingress and egress. Loud music will be emanated when people are entering and exiting the building, this is likely to be later on in the evening when residents are retiring for the night.
2. There is no designated smoking area and the pavements around the venue are not wide. The applicant says smokers will be encouraged to smoke away from the venue, this is not reassuring.

The residential private car park opposite is likely to attract this activity .

2. The car park underneath Savoy Court attracts a lot of ASB, drinking to early hours of the morning and rough sleeping. Causing public nuisance and a lack of outdoor smoking area could lead to more activity in the car park.
3. There is no outside place indicated on the plan for the consumption of alcohol yet this activity is indicated on the application form?
4. Residents are very concerned about the use of security staff on the door, as if this is to be cafe/bar is this necessary - provision of this function raises alarm bells rather than giving reassurance.
5. Given the high density of residents in the immediate vicinity and opportunity for public nuisance from the activity of the bar, I feel the hours of opening should be limited to 11pm.
6. I would welcome seeing comments from Environmental Health to see how opportunities for public nuisance can be reduced and wellbeing of residents be protected.

Kathleen and Terence Edwards

When Pizza Express applied for a licence in 2004 it was stipulated that it would close at 10.00pm in the interest of the amenities of the area and occupiers of nearby properties. This situation has not changed.

There were no people on the door except for Jazz Week and that was because it was ticket only. The jazz lasted a couple of hours.

We live opposite in Savoy Court. When it was built in the 1980's it would have been termed as "sheltered housing". We are facing the WYLD bar and are all in one- bedroom flats. Our windows face onto the road and are our access to fresh air. On this side there is 1 person over 90, 3 over 80 and rest over 70 years of age except for the Manager and his wife. Some of us are in poor health and have other problems.

We are personally very worried about the late opening hours requested as there is no way it will be quiet and orderly as we already know from experience. There has been some extremely bad anti- social behaviour many times when the nightclub, clubs and bars close

and trouble in the square round the corner. We have had homeless sleeping in the car park, defecating, urinating and behaving badly frightening residents. We have had months of heavy traffic from the St. George's diversion with traffic, queued back but at least we know that will end. We are not killjoys and were young once but these hours are surely not suitable with so many residents in both sets of flats. Quite frankly we are worried sick.

Angela McMurtry

I am writing to object to the proposed licensing change of use application for 21/00637/LAPNEW the former Pizza Express business now part of the WYLD group.

I am a resident of the flats opposite this venue on Town Lane , Newport

The Pizza Express development including the flats above were approved by the council in 2004 -P/01953/01

Conditions for approval were - No 4 'shall not be open to customers outside 1000 hours to 2400 hours , seven days a week' The reason **'in the interests of the amenities of the area and occupiers of nearby properties'**

This condition should be upheld as the situation has not altered since 2004.

The concerns I have are-

- anti social behaviour which is already a problem in this area in the evenings
- excessive noise from this venue. Savoy Court is home to 26 flats and the majority of residents are elderly. All flats on this side of the building have bedroom windows facing Town Lane. These are one bedroom flats and residents do not have an alternative bedroom to sleep in. Residents should not have to keep their bedrooms windows shut during the warmer months.
- the Savoy Court private parking area being used as a drop off /pick off point also raises concerns
- As a full time wheelchair user, I also object to the proposed plan to have outdoor seating. Any outdoor seating would block the pavement for passers by.
- I also object to extended opening for special times of year i.e New Years Eve and dispute the claim that the previous business Pizza Express hired security guards.

Robert W Sims

a) The requested opening hours far exceed those allowed for the previous tenant, who was restricted to a close of business time of 22h 00. In the residential area I request you not to change this requirement.

b) The noise and anti-social behaviour at present experienced in the area between Town Lane and the Bus Station is already unacceptable, from people leaving the Nightclub at the Cinema complex at the bottom of South St. Adding to this another nightclub would be irresponsible I am sorry to say.

c) Parking in the area of Town Lane is already at a premium. I live in Town Lane and I am unable to own a car because I can't afford to park it.

I do think that Newport is in real need of investment but this is not the way to go. We have the Harbour Area crying out for development, where the parking is available, the Bargeman Pub is already there, it just needs to be professionally sold to developers. Unfortunately we would still have noise and anti-social behaviour but the Police must start responding to this when complaints are received from the public, at present the public is being ignored.

M. P.Torreggiani

I wish to object to the above change of use on the following grounds:

- The area is residential; whilst there are historic bars and restaurants in the area, noise is greatly increasing especially late at night when people walk between the night clubs by the river to those in the centre of town. Damage and theft has occurred to property at night, especially weekends. Late opening on a daily basis could increase this problem, and will also be detrimental to residents, especially as the venue in question is underneath flats and opposite elderly persons' accommodation.
- The premises in question is in a conservation area and this development is inappropriate to the area. Proposed live music could be very noisy late into the evening. Whilst previous tenants carried on a business as a restaurant, there was no late night music coming from the premises, also there were no great numbers of customers.
- as a drinking venue, an increase in crime and disorder is likely. St. Thomas Sq., which is adjacent to the proposed development, is currently an area of concern to residents due to crowds of disorderly people congregating in the area in the late evenings.
- The change of use will bring increased traffic into lower Pyle St., with the resulting increase in noise and air pollution. It will also increase pressure on parking for local residents who pay for their parking.

Martin and Janet Wilkinson

We would like to object to the above application for late night closing and alcohol licence, on the grounds that Wyld Bars Limited has not been truthful in their first application and their notice to local residents assuring us that there would be no late night opening or outside eating or drinking.

1 Previous owners Pizza Express 2004 application was 22.00hrs. closing {due to residential area}.

Wyld Bars Limited has applied to open from 11.00hrs. to 00.01 [00.30hrs.] 6 days a week, Sunday 11.00hrs. to 23.00hrs. [23.30hrs.] but the area is still a residential area.

So we feel that these later times should not be agreed.

2 There would be no live music, only non amplified pre-recorded, this is changed to include live bands and amplified music.

3 No eating or drinking outside in public places, this is changed to application to outside drinking and eating where there is no room outside on public pathments

4 New year they intend to open from 11.00hrs 31st. December. and remain open until 23.00hrs 1st January

3 and 4 This would cause late night noise pollution and probably antisocial behavior outside our residential homes.

The name Wyld Bars would indicate to the 18 plus age group as a nightclub not a family restaurant as we were led to believe in the notice supplied to residents.

This we are sure will lead to more anti-social behaviour on our streets [giving our local police a bigger headache as well as the local residents.]

Please take this in when making your decision on their licence application to restrict the licence opening hours.

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Introduction

Following my letters to residents in May 2021 and subsequent reports in the media, I appreciate that there has been some confusion as to the proposed use of the former Pizza Express premises. My initial plan was to create a bar, at which point our exterior signs were proposed to display the words '*Voici La Discotheque*' for which I can now confirm will not be displayed and the nature of the business has changed, alongside the name Wyld Bar to Wyld with the logo also reading 'Café | Restaurant | Bar' as in the pictures below. The planning permission for the revised sign was approved in June.

From speaking to residents, a number of changes were implemented to the proposal with the decision to keep the on-show kitchen in place and create a new servery for drinks, alongside amending our opening hours for which I can assure the committee that local residents were fully at the heart of this decision. This brought our proposed licensing hours in line with Pizza Express and a proposed kitchen opening until 9pm. I am aware that Pizza Express closed at 22:00 and the additional hours that I have proposed weren't tried. I have therefore provided some justification behind my proposed licensing hours below, and with long term plans I look forward to building a strong working relationship with local businesses, residents, and local authorities.

Unfortunately, the COVID-19 pandemic has prevented a face-to-face meeting with residents from taking place as recommended by Councillor Julie Jones-Evans, however pre-consultation has taken place with Hampshire Police, the Isle of Wight Council and Environmental Health prior to the formal submission of this Licence Application and feedback from residents has been taken into consideration.

The promotion of all four licensing objectives to a high standard has been considered to ensure that the premises are managed to a high standard and disruption is kept to a minimum. This is my livelihood, and as an Isle of Wight resident that has lived and worked in the community for a number of years on projects including Isle of Wight Day, the Isle of Wight Youth Trust's Gala Dinner and Rob da Bank's Music Club it is my passion to ensure that this premises is operated to the highest standards for customers and residents alike, and with that in mind would welcome the opportunity to set regular meetings with residents at the premises to discuss any issues and address any concerns. Alongside this, my contact details will be available for residents to report any immediate concerns, and my direct email also available. Perhaps a meeting eight weeks after we open would be suitable?

Regenerating Newport

As you can see from the proposed site plan attached to the Licence Application, the premises is to undergo an extensive refurbishment with huge attention to detail that includes the installation of new seating booths, a full clean and paint throughout, a

degrease of outside and full paint of the exterior, as well as ongoing maintenance of a prominent building within Newport Town Centre. Alongside remedial works, Wyld will create 30 new jobs, as well as making the Town Centre more appealing to young people, benefitting local businesses around us.

Who is our target customer?

Wyld's target customer profile is a young working female professional that loves to eat, drink, and socialise with her friends. She's likely to be between 25-35 and enjoy using social media to publish stories and moments within her day-to-day life. As a result, this customer is someone that is happy to pay more for a product based on its presentation and location.

Opening Hours

I understand there is some concern regarding opening hours of the premises. The Premises Licence submitted has been tailored to the previous Pizza Express licence that factors in the residential area. I am aware that the closing hours were not tested by Pizza Express.

The proposed opening hours for Wyld are:

Monday | 11:00 – 23:00

Tuesday | 11:00 – 23:00

Wednesday | 11:00 – 23:00

Thursday | 11:00 – 23:00

Friday | 11:00 – 00:00

Saturday | 11:00 – 00:00

Sunday | 11:00 – 23:00

The operating hours have been carefully crafted to ensure a gradual dispersal of patrons from the premises as to avoid disruption to residents. An 11pm proposed closing time on weekdays, but the ability to close beyond these hours on a risk assessed basis would mean that at busy times, the premises could enforce a gradual dispersal of customers, rather than a 'lights up, everyone out' approach which would result in large numbers of people to disperse from the nearby area.

Noise

- Although we only propose to play music at a background level in the premises, as a precautionary measure in May 2021 I contracted Wight Noise Limited to undertake an acoustic assessment of the existing building construction, and advise on a level of noise that could be played to ensure that the noise transmitted to any apartment above does not exceed $L_{max} = NR20$ when measured at any location in the apartment with

the sound level meter set to fast response. This concluded that without any upgrade to the sound insulation (which at a background level this wouldn't be necessary) the maximum sound level that could be achieved would be 78db.

Following this report, I contracted StageGear Rentals to look at and quote for the installation of a speaker system for the playback of background music within the premises. This would be similar to but tailored to replace the existing system that was no longer in place upon completion of the lease. StageGear have proposed a speaker system that is linked to an automatic volume control (AVC) that cannot be bypassed by the venue management team to ensure that the audio levels cannot exceed that set by the AVC and that multiple speakers are used around the premises to create an even sound spread without there being one even set of noise (no hotspots). These will be positioned pointing away from residential properties. A copy of this report has been sent to Environmental Health.

Smoking

I understand there are concerns for where smokers will stand as the premises doesn't benefit from a designated smoking area. An area could potentially be created adjacent to the front doors, but aside from the property windows using wall mounted cigarette buns used to mark this area, as well as ensure the street directly outside remains clean and tidy. Any customer that then wishes to exit the premises will kindly be reminded to respect residents when talking outside of the premises, and politely asked not to smoke directly under the properties above as to avoid smoke travelling in through open windows and doors.

Consumption of Alcohol off the Premises

There are no plans for any outdoor furniture, and this wasn't presented on the plan or application. The purpose of this is simply to prevent binge drinking within the premises. Many restaurants to support responsible drinking would want the ability to allow a customer with half a bottle of wine to be able to reseal this and take it home with them rather than feeling the need to either abandon this or 'down it' before they leave the premises. This is a suggestion from Licensing.

Security

The use of Security is on a risk assessed basis, and namely during private hires or at any time when the duty manager feels it necessary, for example a specific ticketed event. With concerns from residents in relation to incidents within the town centre already taking place, the presence of security outside the premises would not only be for the benefit of Wyld but also with careful consideration to residents with patrols outside of the premises happily extended to Savoy Court and the parking area after the terminal hour. Security will also effectively manage customer ingress and egress

from the premises, as well as limiting the number of smokers permitted outside at any one time.