

# Public Document Pack



Monitoring Officer  
**Christopher Potter**

County Hall, Newport, Isle of Wight PO30 1UD  
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## Agenda

Name of meeting	<b>LICENSING SUB COMMITTEE</b>
Date	<b>THURSDAY 31 MARCH 2022</b>
Time	<b>10.00 AM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Members of the committee	Cllrs D Pitcher (Chairman), D Adams and S Hastings
	Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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

To confirm as a true record the Minutes of the meeting held on 29 September 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 - 134)

To determine an application for a variation of the premises licence under Section 34 of the Licensing Act 2003 for the Harbour House, Ryde Harbour, Esplanade, Ryde, Isle of Wight, PO33 1JA.

CHRISTOPHER POTTER  
Monitoring Officer  
Wednesday, 23 March 2022

## 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](mailto:christopher.potter@iow.gov.uk), or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email [justin.thorne@iow.gov.uk](mailto:justin.thorne@iow.gov.uk).

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## Minutes

Name of meeting	<b>LICENSING SUB COMMITTEE</b>
Date and Time	<b>WEDNESDAY 29 SEPTEMBER 2021 COMMENCING AT 10.00 AM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs D Pitcher (Chairman), D Adams and S Hastings
Officers Present	Jodie Gibson, Claire Thomas and Kevin Winchcombe

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### 9. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 26 August 2021 be confirmed.

### 10. **Declarations of Interest**

There were no declarations made at this stage.

### 11. **Urgent Business**

There was no urgent business.

### 12. **Report of the Director of Neighbourhoods**

Consideration was given to the report of the Director of Neighbourhoods, providing details of an application for a Premises Licence for The Boat, received in accordance with Section 17 of the Licensing Act 2003.

A schedule of additional representations, received after the printing of the report, was submitted to Members prior to the consideration of the/each relevant application.

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 the 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, responsible authorities and other persons and having regard to the Guidance issued under s182 of the Licensing Act 2003 and the Isle of Wight Council's Statement of Licensing Policy 2019 - 2024, the application be determined as detailed below:

**Resolution:**

That the application for a premises licence for The Boat be granted in accordance with the application subject (only) to those conditions proposed by the applicant set out in the report dated 29 September 2021 and also subject to the mandatory conditions specified in the Licensing Act 2003.

**Reasons for Decision:**

As per reasons given within same report in order to promote the Licensing objectives and in accordance with the Isle of Wight Council's Statement of Licensing Policy and the s182 guidance.

In reaching the decision 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 this decision was proportionate and appropriate 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

**Public Participants:**

Mr Matthew Phipps (Solicitor on behalf of applicant)

Mr Johnny Lakin (Co-founder of The Boat on behalf of the applicant)

Mr Matthew Price (General Manager of the Boat on behalf of the applicant)

**Additional Representations:**

Comments by the applicant's solicitor (attached to and forming part of these minutes) had been provided and circulated to all parties prior to the meeting.

CHAIRMAN



## Committee report

Committee	<b>LICENSING SUB COMMITTEE</b>
Date	<b>THURSDAY 31 MARCH 2022</b>
Title	<b>TO DETERMINE AN APPLICATION FOR A VARIATION OF THE PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003 FOR THE HARBOUR HOUSE, RYDE HARBOUR, ESPLANADE, RYDE, ISLE OF WIGHT, PO33 1JA.</b>
Report Author	<b>DIRECTOR OF NEIGHBOURHOODS</b>

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### BACKGROUND

1. Under section 34 of the Licensing Act 2003, a premises licence holder may apply to vary the licence to add licensable activities or alter the times for such activities, or to remove conditions, where this cannot be done by way of a minor variation.
2. Any person may make representations in respect of the application and if these are not resolved the licensing authority must hold a hearing to determine the application.
3. A copy of the current licence can be found at Appendix 1
4. An application for variation of the premises licence was submitted to the licensing authority on 1 February 2022 for Harbour House, Ryde Harbour, Esplanade, Ryde, Isle of Wight, PO33 1JA. Please see Appendix 2 within this report for full details.

### CONSULTATION

5. 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.
6. The application for a variation of the premises licence was received on 1 February 2022. 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 1 March 2022.
7. 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
Environmental Health	Representation made
Police	Agreed Conditions

8. Conditions have been agreed between the Police and applicant. Should the proposed variation be granted then these will form part of the premises licence going forward. Please refer to Appendix 3 within this report for a list of the agreed conditions.
9. Environmental Health have submitted a representation based upon concerns relating to the objective for the Prevention of Public Nuisance. Information within their representation to support the departments concerns include previous complaints received by the department in relation to noise disturbance emanating from the licenced premises. It is documented within the departments submission that investigations into complaints received were carried out and assessments were conducted at the time by investigating officers. These investigations concluded that the applicant had failed to uphold the licensing objective for the Prevention of Public Nuisance and a written warning was formally issued to the applicant, reminding him of his future conduct in relation to the management of the premises, inclusive of but not limited to incidents relating to noise disturbance. Please refer to Appendix 4 for full details of all communications and actions taken during the investigations which support Environmental Health's representation in relation to this variation application.

## Other Persons

10. Sixty one (61) valid representations have been received from other persons Sixty (60) of these oppose the proposed variation and one (1) is in support. Please refer to Appendix 5 & 6 respectively of the report for full details. Those representations opposing the variation application relate to one or more of the following four licensing objectives:
  - Prevention of public nuisance
  - Prevention of crime and disorder
  - Protection of children from harm
  - Public safety

11. Concerns have been raised stating that there are already instances where noise disturbance from persons frequenting the premises as well as from regulated entertainment, in the form of live and recorded music takes place. Furthermore, concerns state that should the proposed extension of operating hours, inclusive of the ability to play live and recorded music past the current limitations be granted, then the risk of noise disturbance occurring later on into the night would increase further.
12. Other concerns that have formed part of the representations received, cite that there is litter, rubbish and broken glass left outside of the licenced premises which already cause nuisance and safety issues to members of the public and that these matters will become worse should the proposed extension of licensable activities be permitted.
13. From a disorder perspective various representation also cite the behaviour of persons frequenting the premises to be rowdy, aggressive and of an intimidating nature, due to the levels of intoxication when consuming alcohol whilst on the premises.

#### FINANCIAL/BUDGET IMPLICATIONS

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

#### LEGAL IMPLICATIONS

15. The 28-day consultation period ended on 1 March 2022. 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

16. The following sections from the national guidance issued under section 182 of the Licensing Act 2003 are considered relevant to this application:
17. **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.

## 18. **Public Safety**

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

## 19. **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.

## 20. **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.

## 21. **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.

## 22. **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.

- 10.14 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

#### Implications under the Crime and Disorder Act 1998

23. 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

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

##### Article 1 - First Protocol Protection of Property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. In the case of Article 1 of the first protocol it states that “no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions (of which articles 6 and 8 are but two) shall not however in any way impair the right of the state to enforce such laws as it deems necessary to control the use of the property in accordance with general interest or to secure the payment of taxes or other contributions or penalties”.

26. 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.
27. 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	N/A
Paragraph 8	Representations, Reviews, and Appeals	8.1- 8.6 & 8.11- 8.15
Paragraph 9	Enforcement	N/A
Paragraph 10	Operating Schedules	All

### EQUALITY AND DIVERSITY

28. 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).
29. There is no requirement for an equality impact assessment to be carried out.

## OPTIONS

- Option 1 Vary the licence as per the application.
- Option 2: Vary the licence as per the application with any 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

30. With regard to Option 1: To grant the licence as per the application may not adequately mitigate the risk of a nuisance arising from regulated entertainment, and associated nuisance and disorder from the customers of the licenced premises; should the Sub-Committee deem this to be a likely outcome. The decision not to address the concerns raised may subsequently be appealed by those parties who have made representations.
31. With regard to Option 2: The risk of crime and disorder or nuisance being attributed to the premises could be reduced by attaching conditions to the licence to promote the licensing objectives. Conditions must be appropriate and proportionate. Any decision to attach additional conditions may be appealed by all parties if they believe the conditions do not adequately promote the licensing objectives.
32. With regard to Option 3: If the Sub-Committee decides to refuse all or part of the application, the decision may be appealed by all parties.

## EVALUATION

33. 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.
34. The main concerns regarding this application and of which has been raised by the responsible authorities (Environmental Health) and/or other persons are:
- The impact that existing authorisations in the form of live and/or recorded music has on nearby residents and the risk for this to impact further on the objective for the Prevention of Public Nuisance, should the proposed variation (i.e., the extension of hours for live and/or recorded music) be granted.

- The increased risk to public safety and the overall area surrounding the licenced premises in relation to litter, broken glass, and other debris, should an extension of hours be granted as per the variation application.
  - The risk of increased anti-social behaviour and disorder from customers of the licenced premises late at night, should an extension of hours be granted as per the variation application.
35. Many nearby residents have raised concerns within representations relating to the impact that current noise disturbance has from live and/or recorded music being played at the licenced premises. Investigations and assessments carried out by Environmental Health, the lead authority for the objective for the Prevention of Public Nuisance has supported the validity of complaints received and has cumulated in enforcement action being taken, in the form of a written warning being issued to the licenced premises with regards to this matter. It is for the committee to apply appropriate weighting to these matters and to determine after considering all of the available evidence and information available, whether the Licensing Objective for the Prevention of Public Nuisance is likely to be further undermined should the extension to hours and activities as per the variation application be granted.
36. Safety concerns with regards to the increased effects that litter, debris and glass from the licenced premises have on members of the public and overall environment within the vicinity of the licenced premises have been cited as a reason to oppose the extension of operational hours via the variation application. As per section 2.8 of the Section 182 guidance of the Licensing Act 2003, the committee must determine whether any actions carried out by the licence holder or their staff to uphold the objectives for Public Safety would mitigate such concerns. One example of promoting this objective in the circumstances surrounding the concerns raised may be to ensure appropriate and frequent waste disposal, particularly of glass bottles is carried out.
37. A further concern raised within representations have cited the behaviour of customers that frequent the licenced premises in that rowdiness, intimidating actions and foul language towards passers by have resulted in persons feeling threatened and uncomfortable when within the vicinity of the premises. No reports or incidents in relation to these concerns have been submitted by the Police as part of their representation, nevertheless the committee are required to have regard to these matters and apply proportionate weighting to such concerns, based on evidence and information supplied within representations relevant to the variation application that they are responsible for determining.
38. 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.
39. The Committee should determine the application in accordance with section 35 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**

40. Members should determine the application in accordance with section 35 of the Licensing Act 2003 and The Licensing Act (Hearings) Regulations 2005. It is the Licensing Authorities recommendation that the application be refused based upon representations submitted by Environmental Health which detail complaints received in relation to noise disturbance from regulated entertainment at the licenced premises. Investigations and assessments carried out by Environmental Health supported enforcement action in the way of a written warning, issued to the premises following assessments of the complaints received. It is the view of the Licensing Authority that the extension of operational hours (if granted) is likely to have a significant impact on the objective for the Prevention of Public Nuisance and should therefore be refused.

## **APPENDICES ATTACHED**

- Appendix 1 Current Premises Licence for Harbour House
- Appendix 2 Application for variation of the premises licence under section 34 the Licensing Act 2003
- Appendix 3 Police Representation – Agreed Conditions
- Appendix 4 Environmental Health Representation
- Appendix 5 Other Persons Representations – Opposed to Variation
- Appendix 6 Other Persons Representations – In support of Variation

## **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, Licensing Officer, ☎ 01983 823159  
e-mail [shane.batchelor@iow.gov.uk](mailto:shane.batchelor@iow.gov.uk)

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**LICENSING ACT 2003  
PREMISES LICENCE**



**PART A – Part 1**

<b>The Harbour House Ryde Harbour Esplanade Ryde Isle of Wight PO33 1JA</b>	Licence Ref:	21/00851/LAPVDP
	Valid from:	17 August 2021

<b>Premises Licence Holder</b>	Karl Harding XX
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**PART A – Part 2**

**Licensable Activities**

Activity	Days of Week	Start	Finish
Live Music (Indoors and Outdoors)	Monday to Sunday	13:00 hrs	21:00 hrs
Recorded Music (Indoors and Outdoors)	Monday to Sunday	10:00 hrs	23:00 hrs
Sale of Alcohol (supplied for consumption both on and off the premises)	Monday to Sunday	10:00 hrs	23:00 hrs

**Hours premises are open to the public**

Days of Week	Open	Close
Monday to Sunday	10:00 hrs	23:00 hrs

**Non standard timings**

Not Applicable
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**Registered number of holder, for example company number, charity number**

Not Applicable
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**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Ryan Osborn XX
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**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

Licence Number: XXXXXXXX Licensing Authority: Arun District Council
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# Annex 1

## Mandatory Conditions

1. No supply of alcohol may be made under the premises licence –
  - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - a. games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - a. a holographic mark, or
  - b. an ultraviolet feature.
6. The responsible person must ensure that—
  - a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - i. beer or cider: ½ pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml;



b. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition –

a. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

b. “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

where -

- i. P is the permitted price,
  - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. “relevant person” means, in relation to premises in respect of which there is in force a premises licence
- i. the holder of the premises licence,
  - ii. the designated premises supervisor (if any) in respect of such a licence, or
  - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(2) Where the permitted price given by paragraph b would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(3) Sub-paragraph (4) applies where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(4) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**(Where the Premises Licence authorises the exhibition of films)**

8. Admission of children to the exhibition of any film is to be restricted in accordance with Section 20.

**(Where the Premises Licence includes a condition that door supervisors must be used)**

9. All security personnel must be licensed by the Security Industry Authority.

## Annex 2

### Conditions consistent with the operating schedule

1. 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.
2. The outdoor seating area shall be clearly defined by barrier system. The purpose of this system is to prevent easy access or egress to or from the area by anywhere other than designated entry/exit points. The barrier must be sufficiently robust to accomplish this task.
3. 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 and exit.
    - ii. every area where alcohol is sold or displayed for sale and
    - iii. any other location deemed appropriate by the Police or Licensing Authority.
  - d) be retained for a period of at least 30 days
  - e) be produced for a police officer or responsible 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 responsible officer of the local authority.

A member of staff capable of operating the CCTV system shall be present at all times the premises are open to the public and have access to the system to enable images to be reviewed and/or produced upon request.

4. No person will be permitted to take or remove alcoholic or other drinks from the premises in open glass containers.
5. 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:-
  - the date the training or instruction was delivered,
  - its content, and
  - 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.

6. A written record shall be made of every incident of crime and disorder taking place on the premises, to include any action taken by staff. Every entry in the record shall be signed and dated by the person making it. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request.
7. A written 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 be signed and dated by the person making it. The record shall be checked and counter signed by the DPS on at least a weekly basis and shall be produced to a police officer or authorised officer of the local authority on reasonable request.
8. The "Challenge 25" scheme will be adopted at the point of the sale of alcohol.

## Annex 3

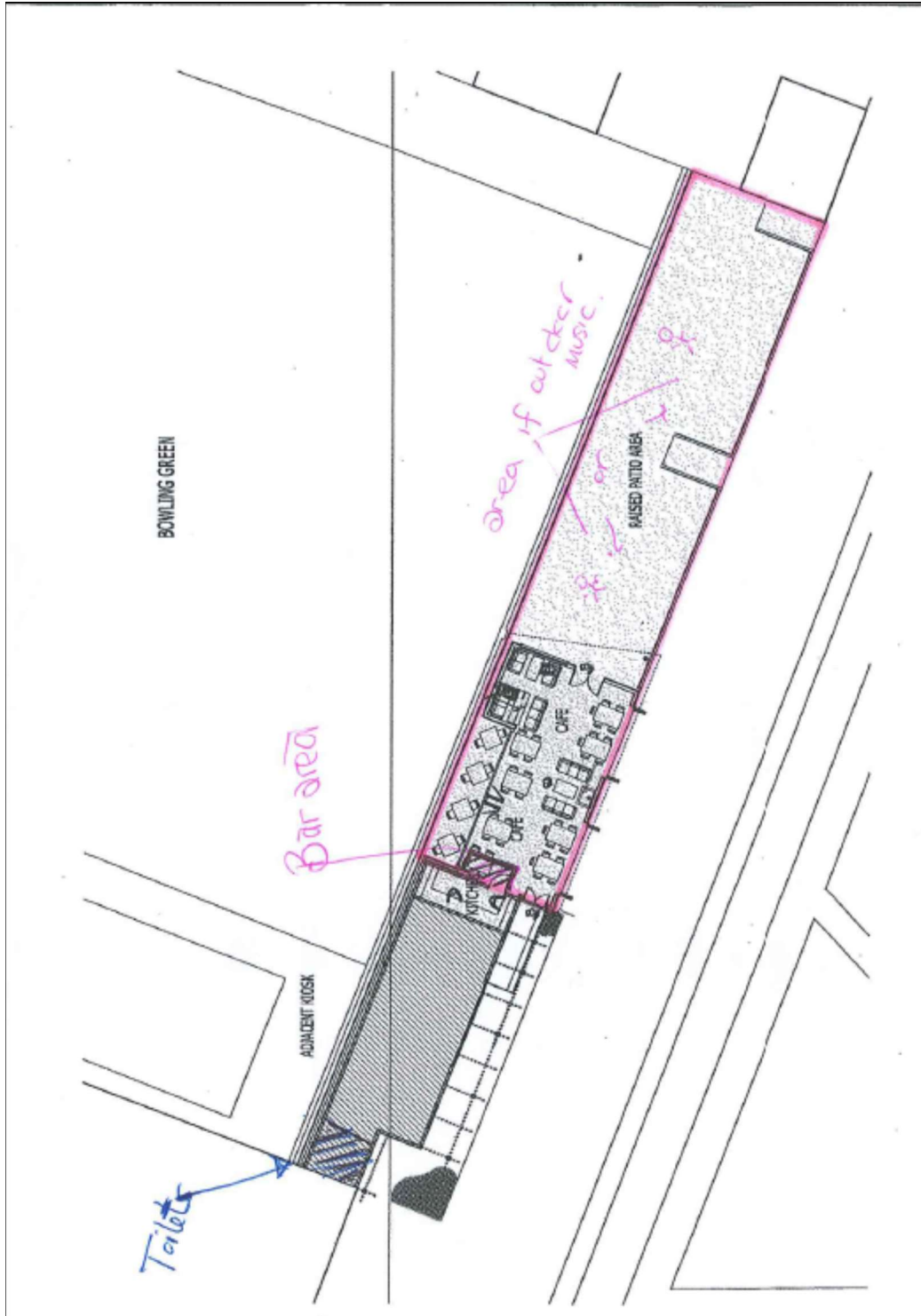
### Conditions attached after a hearing by the licensing authority

Not applicable

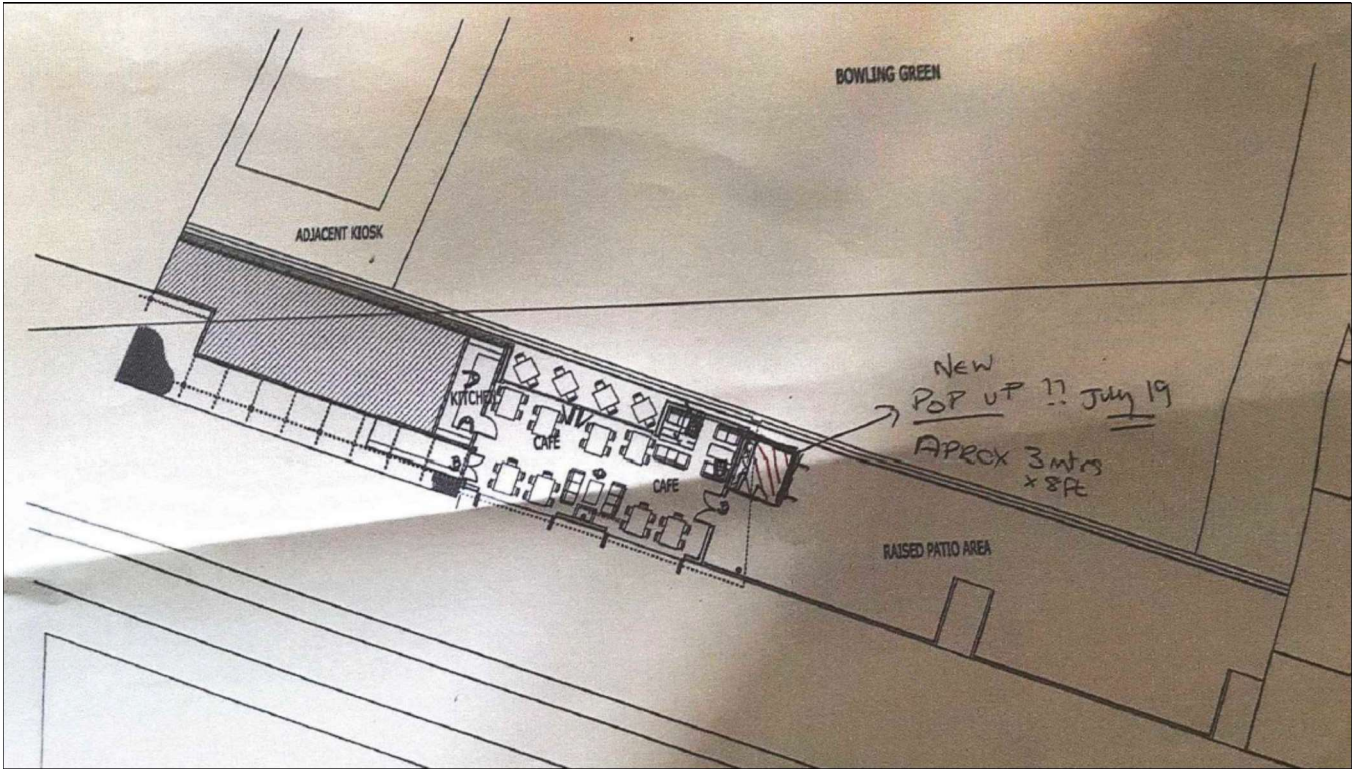


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# Annex 4 Plans







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**Application to vary a premises licence 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** MR KARL HARDING

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> 21/00851/LAPVDP
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description HARBOUR HOUSE ESPLANADE
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Post town	RYDE	Postcode	PO33 1JA
-----------	------	----------	----------

Telephone number at premises (if any)	N/A
---------------------------------------	-----

Non-domestic rateable value of premises	£0
---	----

**Part 2 – Applicant details**

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

**Please describe briefly the nature of the proposed variation** (Please see guidance note 1)

-TO EXTEND OPENING HOURS FROM 10:00 - 23:00 HOURS TO 09:00 - 01:30 HOURS (HALF HOUR DRINKING UP TIME).

-TO EXTEND SALE OF ALCOHOL FROM 10:00 - 23:00 HOURS TO 10:00 - 01:00 HOURS.

- TO ADD LATE NIGHT REFRESHMENT FROM 23:00-01:30 HOURS.

-TO CHANGE RECORDED MUSIC TIMES FROM 10:00-23:00 HOURS TO 09:00-01:30 HOURS.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A



#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

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)

**Sale by retail 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			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 (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur					
			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	09:00	01:30			
Tue	09:00	01:30	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	09:00	01:3			
Thur	09:00	01:30	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 (please read guidance note 5)		
Fri	09:00	01:30			
Sat	09:00	01:30			
Sun	09:00	01:30			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both = please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	23:00	01:30			
Tue	23:00	01:30			
Wed	23:00	01:30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	23:00	01:30			
Fri	23:00	01:30	<b>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</b> (please read guidance note 5)		
Sat	23:00	01:30			
Sun	23:00	01:30			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00	<b>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</b> (please read guidance note 5)		

K

<p><b>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</b> (please read guidance note 8).</p> <p>N/A</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	01:30	
Tue	09:00	01:30	
Wed	09:00	01:30	
Thur	09:00	01:30	
Fri	09:00	01:30	
Sat	09:00	01:30	
Sun	09:00	01:30	
			<b>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</b> (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

## **M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

### **a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

- Have strong management controls and effective training so they are aware of the premises license and the requirements to meet the four licensing objectives.
- CCTV installed with recording with signage
- DPS day to day control of the premises, provide training for staff of the licensing act (and staff in raining manual), authorise each sale.
- Staff particularly trained on no selling of underage people, drunk and disorderly people, vigilance in preventing the use and sale of illegal drugs at the retail area and no violent and anti-social behaviour or harm to children.
- Clear challenge 25 information to prevent supply of alcohol to under age drinkers.
- To continue to support the objectives throughout operating schedule and other measures including staff training, qualifications, policies and strategic partnerships with other agencies).

### **b) The prevention of crime and disorder**

- CCTV throughout the premises monitoring entrances, exits and other parts of the premises in order to address the prevention of crime.
- We are part of Ryde Pubwatch
- Door supervision (weekends only) with a door supervision summary
- Clear and conspicuous notices warning of potential criminal activity such as theft that may target customers will be displayed.
- Staff trained not to sell alcohol to drunk or intoxicated customers.
- Custom will not be sort by means of personal solicitation outside or in the vicinity of the premises.
- Prevention and vigilance in illegal drug use at premise
- Staff trained in asking customers to use premises in an orderly and respectful manner

### **c) Public safety**

- CCTV throughout the premises
- Internal and external lighting also displaying fire exit
- Staff trained to environmental health requirements and ID checks
- Log book/recording system to be kept on premises in which shall be entered in particulars of inspections made; those required to be made by statue and information complied to comply with any public safety condition attached to the premises licence that requires the recording of such information
- Log book available by people authorised by the licensing act 2003 or associated legislation
- All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air conditioning, sanitary accommodation and other installed maintained at all times in good order and in a safe condition
- Signage around the premises
- First aid trained DPS
- Fire safety regularly tested and maintained
- Disabled access



- License and fire certificates displayed to public
- Adhere and ensure 250 capacity max
- Door supervision (weekends only)

**d) The prevention of public nuisance**

- We are part of Ryde Pubwatch
- Staff trained to ask public to leave quietly
- Manage noise levels
- Prominent, clear and legible notices displayed at the exit requesting public to leave quietly and respect neighbours/nearby residents.
- Deliveries of goods necessary for the operation of business will be carried out at such a time or in such a manner as to prevent nuisance or disturbance.
- Noise management policy available on site
- Staff trained to ensure when on and around the premises they conduct themselves in such a manner to avoid causing disturbance to neighbours/nearby residents
- Staff trained to ask public not to stand around talking loudly in the street outside the premises
- Customers not permitted on the premises outside opening times
- Any lighting in or outside the premises will be positioned and screened in such a way to not cause disturbance to neighbours/nearby residents
- Adequate waste receptacles for use by customers will be provided in the local vicinity

**e) The protection of children from harm**

- CCTV throughout the premises
- Challenge 25 poster displayed at the bar encouraging people who are over 18 but may look under 25 to carry acceptable identification if they wish to buy alcohol
- Staff trained about identification and the different types listed in training manual
- All details provided in log book which is available on site

Checklist:

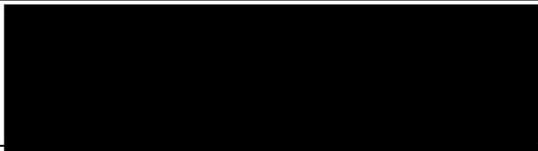
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	31/01/22
Capacity	OWNER

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 13)

<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

**Notes for Guidance**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.



4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

#### **Legal Requirement**

The Isle of Wight Council is the data controller for the personal information you provide on this form. The council's Data Protection Officer can be contacted at [dpo@iow.gov.uk](mailto:dpo@iow.gov.uk). You can contact the council by phone on 01983 821000, or by writing to us at County Hall, High Street, Newport, IW PO30 1UD.

Your information will be used to allow the Council to process your application. In accordance with Data Protection law, the legal basis for this is for the performance of a task carried out in exercise of official authority. Your information will be shared with other council departments relevant external bodies for the purposes of processing your application.

We will keep your personal data for 6 years *or* as long as we are required to do so under relevant legislation or in accordance with our operational requirements. You can view our retention schedule on our website [www.iwight.com](http://www.iwight.com).

For further details on how your information is used; how we maintain the security of your information; and your rights, including how to access information we hold on you, and how to complain if you have any concerns about how your personal details are processed, please visit [www.iwight.com](http://www.iwight.com) or email [dpo@iow.gov.uk](mailto:dpo@iow.gov.uk)

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**Batchelor, Shane**

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**Subject:** FW: Harbour House variation of premises licence - Police email

**Switch-MessageId:** 10dc911a19c242ecb8a70f53c2fb07d3

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**From:** Pearce, Jason (28383)

**Sent:** 21 February 2022 11:38

**To:** [REDACTED]

**Cc:** Licensing <licensing@iow.gov.uk>

**Subject:** RE: Harbour House variation of premises licence - Police email

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Dear Karl,

Thank you for the reply. I have cc'd the council licensing team in to confirm the agreement of conditions listed below.

Best wishes.

Jason

PC 28383 Pearce  
Licensing & Alcohol Harm Reduction Team  
Internal 464 1503

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**From:** Karl Harding

**Sent:** 21 February 2022 11:12

**To:** Pearce, Jason (28383)

**Subject:** Re: Harbour House variation of premises licence - Police email

Good morning Jason, please accept my apologies for the delay in getting back to you.

I have read your conditions below and am happy to agree to them being added to the premises licence.

Kind Regards

Karl Harding

On 21 Feb 2022, at 11:01, Pearce, Jason (28383) <> wrote:

Dear Karl,

I have not had a reply from you yet regarding the below email I sent on 14/02. I have tried to call on the mobile number but it appears to be switch off. I cannot find a phone number for the premises.

I have cc'd in your personal email.

Please can you reply as soon as possible as no reply before the expiry date is likely to require me to submit a representation.

Many thanks.

Jason Pearce

PC 28383 Pearce  
Licensing & Alcohol Harm Reduction Team  
Internal 464 1503

---

**From:** Pearce, Jason (28383)  
**Sent:** 14 February 2022 10:39  
**To:** '[REDACTED]'  
**Cc:** 'Licensing' <[licensing@iow.gov.uk](mailto:licensing@iow.gov.uk)>; 'Batchelor, Shane' <[Shane.Batchelor@IOW.gov.uk](mailto:Shane.Batchelor@IOW.gov.uk)>  
**Subject:** Harbour House variation of premises licence - Police email

Dear Karl,

PC Jason Pearce here from Police Licensing. I write with reference to your recent application to vary the premises licence at harbour House at Esplanade, Ryde, PO331JA, where you seek to extend licensable activity as follows:

Alcohol sales extended daily by 2 hours, previously 2300 terminal hour, requested 0100 terminal hour.

Recorded Music extended by 2.5 hours, previously 2300 terminal hour, requested 0130 terminal hour.

Also add late Night Refreshment from 2300-0130.

The premises will close by 0130.

Thank you for the measures you have offered up in section M of the application document. If the licence is granted, these will transfer into conditions under annex 2 of the premises licence.

I appreciate that the extending hours into the early hours may cause some concern for locals. I will leave the Noise Pollution Department to consider their position on any potential disturbance relating to volume emission.

In terms of 'Prevention of Crime and Disorder', I am sure you will be aware that the extra 2 / 2.5 hours of music and alcohol will present challenges due to customers becoming intoxicated. I am aware that you are very close to a drop into the harbour so it will be very important for your staff to see customers off the premises and away from the immediate area when it closes.

I would like to see some clarity of wording for some of the measures you have provided so will list below a number of conditions I would like to see added to the premises licence. I will also include some measures I believe are proportionate for the business and terminal hour.

If you are in agreement with these conditions being added to the premises licence please 'reply to all' to confirm agreement. If you wish to discuss any of the measures please come back to me. Hopefully we can reach agreement. The expiry dates for representations is 1<sup>st</sup> March so an early reply would be appreciated.

Many thanks.

Jason  
Police Licensing.

## **CONDITIONS SOUGHT**

### **Training**

All staff involved in the sale or supply of alcohol will receive licensing training that includes appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunkenness, the refusal of service due to intoxication and age verification policy.

Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records shall be signed by the staff member, dated and retained.

These records shall be made available to Police upon request and shall be kept for at least one year.

### **Refusal / incident log**

A refusals / ID checks / incident book or computer record shall be maintained by staff.

These records shall be retained for a minimum of 1 year and be made available to the Police upon request.

### **Challenge 25**

A 'Challenge 25' proof of age policy shall be in place. Challenge 25 means that that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol, shall produce identification proving they are 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or other ID containing a photograph and date of birth. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person unless exemptions apply within the Licensing Act 2003.

### **CCTV**

CCTV will be installed at the premises.

Cameras will be sited to observe the entrance and exit doors, both inside and outside, the main bar, dancing area and any external smoking area.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation. Digital systems shall provide good quality playback images that give free flowing playback footage.

Recorded footage will be retained for a minimum of 28 days and will be made available to police immediately on request when investigating allegations of offences or criminal activity. A trained member of staff will be able to operate the system and download images will be on duty during operating hours.

Any images recovered must be in a viewable format and playable on a windows based computer system without the need for technical enhancement.

### **Risk Assessment**

All public and private events or functions shall be subject to a written Risk Assessment that shall include the date, times and nature of the event, the assessment of risk and the

measures put in place to address any identified risks. All Risk Assessments shall be documented and retained for a minimum of 1 year and shall be made available for inspection by Police and Council officials upon request.

**Alcohol consumption**

When alcohol is purchased as part of the ON licence, it must be consumed within the boundaries of the premises which can include the beer garden unless it is otherwise specified.

**Security staff**

A minimum of two (2) Security Industry Authority (SIA) registered Security staff shall be on duty at the premises from 2000 hours to close on Friday and Saturdays evenings. Other higher demand dates shall be risk assessed for the need of registered Security staff. At least one Security staff member shall have access to 'Body Worn Video' equipment to provide evidence of behaviour when intervention is required.

**High Vis**

Security staff shall wear high visibility jackets and shall be available to see persons off the premises at close time to ensure they do not linger or cause disorder, public nuisance, risk to themselves or others.

**Pubwatch**

The premises will be an active member of any local Pubwatch that is in existence and recognised by the local Police. A representative will attend all Pubwatch member meetings as required.

**Last entry**

No person shall be permitted to enter or re-enter the premises one hour before the premises closes.

**Toilet checks**

Frequent toilet checks shall be carried out and records kept of these, to prevent drug misuse and other offences that are known to occur in toilets.

**Customer monitoring**

A suitably trained member of the management team or security staff shall make regular patrols of the inside of the premises including beer garden and smoking area, to check for early signs of drunkenness and behaviour that could lead to disorder. This is to achieve early intervention with potentially problematic customers.

End conditions

PC 28383 Jason Pearce  
Licensing & Alcohol Harm Reduction Team  
Internal 464 1503

\*\*\*\*\*

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This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to [informationsecurity@thamesvalley.police.uk](mailto:informationsecurity@thamesvalley.police.uk) and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

\*\*\*\*\*

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Mr Shane Batchelor  
Licensing Officer  
Isle of Wight Council  
Jubilee Stores  
The Quay  
Newport  
Isle of Wight  
PO30 2EH

21<sup>st</sup> February 2022

From  
**Mr Daniel Power**  
Environmental Health  
Jubilee Stores  
The Quay  
Newport  
Isle of Wight  
PO30 2EH

Tel (01983) 823000  
Email [daniel.power@iow.gov.uk](mailto:daniel.power@iow.gov.uk)  
DX 6047 Newport (Isle of Wight)  
Web [www.iwight.com/eh](http://www.iwight.com/eh)

Dear Shane,

**Premises Licence Variation, Harbour House, Ryde Harbour, Esplanade, Ryde, PO33 1JA**

**Licensing reference - 22/00091/LAPVAR**

**Environmental Health reference - 22/00223/CONSUL**

I've had sight of the aforementioned application and understand the proposed variation if granted will culminate in the extension of licensable activity with reference to the sale of alcohol, late night refreshment and regulated entertainment.

On notification of the application, I approached the Premises Licence Holder, Mr Karl Harding, to request an opportunity to meet with the gentleman to discuss the proposed variation whilst learning of measures to ensure the safeguarding of key licensing objectives, most notably, the prevention of public nuisance and the public safety objective.

I had considered the above pertinent as a consequence of my discussions with the licensee in August 2021, in response to the Environmental Health Department receiving multiple complaints concerning reports of noise nuisance as a consequence of a Temporary Event Notice held between 30<sup>th</sup> July and 1<sup>st</sup> August 2021. I enclose my correspondence addressed to the licensee in response to my previous investigation, this is provided as **DP/01**.

Further to our meeting on Tuesday 15<sup>th</sup> February 2022, during which I learned of Mr Harding's approach to noise control, the intended use of the premises, were the variation granted and subsequent mitigation following our previous interaction, I have received accompanying documents in support of the application. In addition, these include the premises Noise Management Plan, a Dispersal Policy and a Noise Policy in response to TENs and/or events.

However, whilst the supporting documents are welcomed, these do not mark a material change from the controls previously established. Accordingly, I am concerned that were the variation to result in the extension of licensable activity, the prevention of public nuisance objective would be undermined given the increased likelihood of noise disturbance.

Furthermore, I enclose a Venue Risk Assessment in line with the joint risk matrix provided by the Institute of Acoustics and the Institute of Licensing, '*Good Practice Guide on the Control of Noise from Places of Entertainment*' - Institute of Acoustics & Institute of Licensing, December 2016. The enclosed risk assessment considers the additional risk associated with the application to vary the premises licence. This is provided as **DP/02**.

I have advised the applicant, that I consider the Temporary Event Notice system as a more suitable means of trialling the extended hours of licensable activity given the serious concern, I raised following my previous investigation in August 2021.

I ask that the Environmental Health Department are notified of a date by which to supply additional information to support the representation, in anticipation of a licensing committee hearing.

Please do not hesitate to contact me should you wish to discuss the content of my representation.

Yours Sincerely



Daniel Power  
Regulatory Officer

Enclo. 1) DP/01 – Environmental Health, 21/02304/COMNOI et al – 04.08.2021  
2) DP/02 - Venue Risk Assessment, Harbour House Variation - 22/00091/LAPVAR



Mr Karl Harding



4<sup>th</sup> August 2021

From  
**Mr Daniel Power**  
 Environmental Health  
 Jubilee Stores  
 The Quay  
 Newport  
 Isle of Wight  
 PO30 2EH

Tel (01983) 823000  
 Email [daniel.power@iow.gov.uk](mailto:daniel.power@iow.gov.uk)  
 DX 6047 Newport (Isle of Wight)  
 Web [www.iwight.com/eh](http://www.iwight.com/eh)

**Our References:** EHSR/DAPOW1/21/02304/COMNOI, EHSR/DAPOW1/21/02305/COMNOI  
 EHSR/DAPOW1/21/02306/COMNOI, EHSR/DAPOW1/21/02308/COMNOI  
 EHSR/DAPOW1/21/02350/COMNOI, EHSR/DAPOW1/21/02333/COMNOI  
 EHSR/DAPOW1/21/02349/COMNOI

Dear Mr Harding,

ENVIRONMENTAL PROTECTION ACT 1990 PART III  
 REGULATION OF INVESTIGATORY POWERS ACT 2000  
 Commercial Noise (Music Noise Levels & Low frequency noise/bass) at The Harbour House, Esplanade,  
 Ryde, Isle of Wight, PO33 1JA

I write to you in your capacity as the Premises Licence Holder of The Harbour House, Esplanade, Ryde, Isle of Wight, PO33 1JA.

I've considered it necessary to summarise the content of our discussions further to yesterday's meeting held at your premises. You'll note my colleague Claire Thomas, Licensing Officer was present at the time whilst you were accompanied by Ms. Jasmine Ellwood, Office Manager on behalf of the above-mentioned premises. In addition, Ms. Leigh Hyatt attended in her capacity as the owner of the aforementioned premises.

I had requested an opportunity to meet with you as a result of my visit during the early hours of Sunday 1<sup>st</sup> August 2021 in response to the Environmental Health Department receiving multiple complaints regarding reported noise disturbance as a consequence of an event occurring at your premises. Accordingly, the general consensus amongst the complaints received by this department alleged music noise levels emanating from the premises accompanied by excessive levels of bass had the effect of causing significant disturbance.

You'll note that prior to the commencement of the event, I had discussed matters including noise control with you whilst considering your Temporary Events Notice applications. Furthermore, subsequent email correspondence, confirmed my initial concern regarding an absence of scheduled noise monitoring during the hours of the TENs.

Accordingly, I suggested at the time that you review Part 2.15 to 2.21 of the Revised guidance issued under s182 of the Licensing Act 2003 to ensure you are well aware of the licensing objectives, outlining the expectations placed upon a licensed premises, particularly the prevention of public nuisance objective. Consequently, you were asked to provide an outline of the following:

- Genre/description of the music to be provided
- Whether each event will consist of a live DJ/ performer and/or recorded music
- Noise control identified to monitor noise levels throughout each event
- Whether you intend to employ sound level monitoring during the event given your enquiry regarding decibel levels



- Measures to respond to any complaints received at the time regarding noise disturbance

In response your legal representative submitted an Event related Noise Management Plan, intended to cover the Temporary Event Notice period referred to as 'Noise Policy-Summer TENs 2021'. On review of the plan, I considered the following actions:

1. *A sound monitoring form, as outlined in Annex C, shall be completed on each occasion entertainment, in the form of live or recorded music, is provided in the external areas of the premises in accordance with submitted TEN.*
2. *External Audio Equipment shall be orientated to direct sound away from noise sensitive areas and principally out to sea.*
3. *Regular noise check (hourly from 11pm) shall be conducted to monitor noise levels during the later hours of operation.*

In addition, the policy provides that '*A record of the volume setting procedure and subsequent sound checks shall be documented and retained for a period of 28 days following the event*'. I ask that the sound checks taken at the time are provided to me in line with the above policy.

Therefore, whilst I noted your suggestion that further guidance provided by the local authority on acceptable noise levels would have been beneficial, given there is no mention of the policy confirming ongoing noise level monitoring during the event other than via subjective assessment, this was not considered necessary.

In addition, I confirmed that I was not prepared to agree to levels set prior to the event without an ongoing sound level monitoring programme given the likelihood of variables including but not limited to weather conditions, potentially requiring further on-site review to mitigate the likelihood of noise disturbance during the event.

At the time of considering the Temporary Event Notice applications, I concluded that were subjective assessments carried out in line with the actions provided above, this would have been sufficient in ensuring the event did not have the effect of causing disturbance to local residents.

#### **Interaction with the Environmental Health Department between 31<sup>st</sup> July -1<sup>st</sup> August 2021**

Prior to my visit between 23:55hrs on 31<sup>st</sup> July and 01:00hrs on 1<sup>st</sup> August 2021, I understand you were visited by my colleague, Ms Katarina Seligo, Covid Support Officers, Team Leader at approximately 18:30hrs on Saturday 31<sup>st</sup> July 2021, during which Ms Seligo advised she had been tasked to visit in response to complaints of noise disturbance.

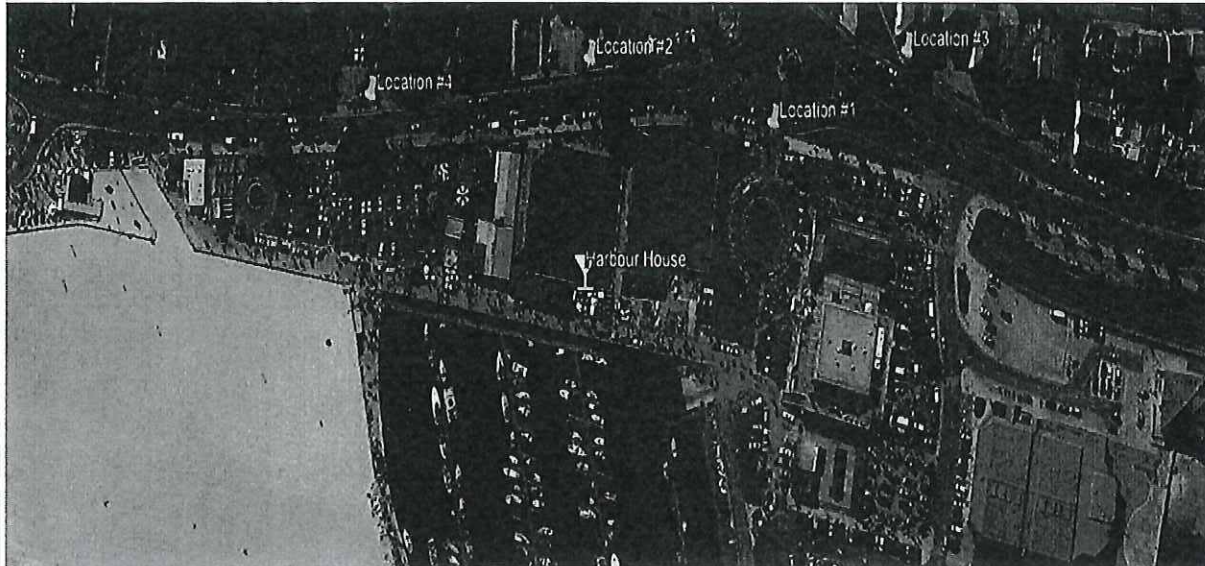
In addition, the aforementioned officer was advised that you had also received complaints of noise disturbance, confirming the identity of a local resident who had contacted the premises requesting action be taken to mitigate the ongoing nuisance. I understand, Ms. Seligo advised that bass levels required revision given the low frequency noise observed at the nearest residential receptors. Accordingly, you took the opportunity at the time to have this adjusted whilst in the officer's presence.

Nevertheless, despite the officer's intervention, this department was informed of additional complaints regarding the impact of low frequency noise/bass shortly after the officer's visit. This culminated in a phone call Mr Michael Howard, Technical Assistant, Environmental Health making further contact with you to reiterate measures to control the impact of bass were required immediately on learning of a further assessment undertaken by Ms Seligo within close proximity of the nearest residential receptors, which suggested low frequency noise associated with bass levels emanating from the premises had increased despite initially having been addressed at the time of her visit.

As a consequence of the ongoing disturbance despite the intervention of this department, I considered it necessary to visit to undertake further assessment in relation to noise emissions originating from your premises. On attending at approximately 23:55hrs, I initially undertook a subjective assessment whilst located within close proximity of the rear parts of Sorrento Lodge, 11 The Strand, Ryde PO33 1JE. Consequently, given the dominant nature of the music noise levels and the associated bass associated with the event at The Harbour House, Esplanade, Ryde, Isle of Wight, PO33 1JA, I considered it appropriate to undertake a programme of sound level monitoring.



I make reference to the agreed noise monitoring observation points outlined within the previously submitted *Noise Policy-Summer TENs 2021* plan, provided as Annex B.



Below you'll find confirmation of the readings provided at the time of the assessment:

**Location 1 – Eastern Gardens**

Noise Parameter	Reading
LAeq	58.3dB(A)
LA90	55.6 dB(A)
63Hz	79.1dB
125Hz	70.2dB

**Location 2 – Rear of Richmond House, The Strand, PO33 1JE**

Noise Parameter	Reading
LAeq	59.2dB(A)
LA90	56.1 dB(A)
63Hz	83dB
125Hz	71.6dB

**Location 3 – Residential receptors on the junction of Castle Street and Dover Street**

Noise Parameter	Reading
LAeq	47.8dB(A)
LA90	44.5 dB(A)
63Hz	66.7dB
125Hz	59.4 dB

**Location 4 – Rear of Sorrento Lodge, PO33 1JE**

Noise Parameter	Reading
LAeq	57.9dB(A)
LA90	53.5 dB(A)
63Hz	67.6dB
125Hz	59 dB

**Assessment of sound monitoring levels**

At the time of our follow up meeting to discuss the sound level monitoring I had undertaken during my visit, you informed me that you had been instructed to achieve a limit of 65dB(A) 1 metre from the nearest residential receptor. I advised this a limit suggested via the Code of Practice on Environmental Noise Control at Concerts and did not apply given the setting in which the event took place.

In addition, I prioritised my assessment on the figures outlined during the assessment of Location 2, Richmond House, The Strand, PO33 1JE. Accordingly, I confirmed that the decibel levels recorded were excessive, this was followed up via a visit to a complainant's property. During my visit, I considered music noise levels and the associated low frequency bass to impede the complainant's use of their property.

With regard to the presence of low frequency noise/bass, Part III of the Code of Practice on Environmental Noise Control at Concerts confirms that in relation to the presence of bass, A level up to 70dB in either of the 63 Hz or 125 Hz octave frequency band is satisfactory; a level of 80 dB or more in either of those octave frequency bands causes significant disturbance.

Again, whilst I did not consider the Code of Practice to apply in this instance given the setting of the event, the assessment of location 2 (83dB in the 63Hz octave frequency band), accommodating the nearest residential



receptors, serves to demonstrate the significant disturbance experienced by residents within the immediate locality after 00:00hrs.

Accordingly, I have serious concerns regarding your commitment to safeguard the prevention of public nuisance objective. Furthermore, were similar events to occur resulting in further disturbance experienced, we are minded to serve a Noise Abatement Notice in respect of a Statutory Nuisance. Any notice would be served on you as the person responsible.

Please note that I would welcome comment on this particular issue within 7 days from the date on which this letter is served, this may include any comments regarding how you intend to proceed with the remaining TENs schedule. Please keep in mind my recommendation that were you to proceed with any further events during the current TENs schedule, I strongly urge you to seek the assistance of a sound engineer.

Additionally, were sufficient notice provided I would be prepared to visit during the event to review sound levels and its likely impact on residential receptors. With regard to complaints of noise disturbance, this department will continue to monitor this case given the complaints received in addition to my visit.

### **Noise monitoring records**

In relation to future events, I would recommend that you record any such action that you take and log the following details –

- Name of the person carrying out the monitoring
- Date and time
- Location of monitoring
- Outcome of the assessment (i.e. is the noise barely audible or not? Can lyrics be heard?)
- Any remedial action taken
- Details of a re-assessment following action being taken (including time and location of assessment)
- Details of any further remedial action etc.

Claire Thomas, Licensing Officer also informed you during our meeting that live/recorded music can be provided at premises that are licensed for the sale of alcohol between 8am and 11pm without it being regulated under the licence – although the licence states 21:00hrs for Live Music, it can therefore be provided until a later time. However, there is still a duty to ensure that nuisance is prevented and should problems occur, such entertainment could become regulated following Review of the Premises Licence.

**Please be aware that at any time following the grant of a Premises Licence, a Responsible Authority (e.g. Police, Fire, and Environmental Health) or any other person may apply for a review of the licence if they believe the licensing objectives are not being upheld.**


If a Review of the licence is sought and there is evidence to suggest that any of the four licensing objectives are not being upheld at the premises, the Licensing Sub-Committee may decide to take action. The options available to them include regulating entertainment by restricting the hours it is permitted or attaching conditions to the licence to control how it is conducted, they may remove a licensable activity from the licence which could prevent any entertainment being provided at any time, they could reduce the hours of any licensable activities, remove the Designated Premises Supervisor or even suspend or revoke the licence.

### **Conclusion**

Please be aware that regard has been had for our enforcement policy, accordingly, my correspondence constitutes a written warning and were similar incidents to occur, further action will be considered. Moreover, incidents may include but are not limited to noise disturbance and/or the promotion of key licensing objectives in addition to compliance of the existing premises licence.

Your co-operation in this matter would be greatly appreciated. If you would like to discuss this letter, please contact this department to speak to an appropriate officer quoting the above reference number.

Yours Sincerely



Daniel Power  
Regulatory Officer

## Venue Risk Assessment

Premises – Harbour House, Ryde Harbour, Esplanade, Ryde, PO33 1JA

Consideration of Premises Licence Variation - 22/00091/LAPVAR

Criteria	Risk Rating	Premises Rating	Comments
Number of events per year			
<ul style="list-style-type: none"> <li>&lt; 1 event per week</li> <li>&lt; 30 events per year</li> <li>Weekly, or more frequently</li> </ul>	0 3 6	3	The application if successful would provide the extension of licensable hours until 01:30hrs (Mon-Sun), however, a medium risk rating has been provided given the premises operates primarily within the holiday season only.
Time of event			
<ul style="list-style-type: none"> <li>Up to 20:00 hrs</li> <li>Up to 23:00 hrs</li> <li>After 23:00 hrs</li> </ul>	0 3 6	6	The higher risk rating reflects the proposed extension of hours from 23:00hrs to 01:30hrs.
Noise sensitive receptors			
<ul style="list-style-type: none"> <li>None in close proximity</li> <li>One, or more, in close proximity (up to 50 metres)</li> <li>Structurally adjoining</li> </ul>	0 3 6	3	<p>Officer discretion has resulted in a medium risk rating having been applied as whilst the nearest residential receptor is approximately 80m from the premises, the licensee intends on using the outside parts until 01:30hrs.</p> <p>Therefore, given the residual noise levels locally would have reduced by this time, patron noise as well as regulated entertainment is likely to be clearly audible from the nearest receptor.</p> <p>In addition, I reference SLM readings taken on Sunday 1<sup>st</sup> August 2021, to confirm the noise levels experienced from the nearest receptors between 23:00 and 01:00hrs.</p>
Venue sound insulation performance			
<ul style="list-style-type: none"> <li>Purpose built - robust sound insulation performance</li> <li>Average – not purpose built but structurally sound</li> <li>Poor – weak sound insulation performance</li> </ul>	0 3 6	3/6	<p>The venues sound insulation performance varies dependent on whether patrons remain on the outside parts or whether activity is restricted to the internal parts only.</p> <p>The uncovered outdoor area provides multiple opportunities for noise escape. This may be mitigated resulting in a lower risk rating were activity restricted to the internal parts culminating in a greater attenuation of noise levels.</p>
Confidence in management			
<ul style="list-style-type: none"> <li>High – well-prepared NMP, no or very few noise complaints</li> <li>Moderate - informal controls in place, few complaints</li> <li>Low - no controls, poor compliance history, history of complaints</li> </ul>	0 3 6	6	<p>Whilst I've noted the supporting documents accompanying the application which includes the provision of a Noise Management Plan, a Dispersal Policy and a Noise Policy in response to TENs and/or events.</p> <p>I've raised serious concerns regarding the safeguarding of the public nuisance objective, which are summarised in my correspondence dated 4<sup>th</sup> August 2021.</p>



Total			
Risk rating			
LOW MEDIUM HIGH	<10 10-20 20+	21/24	There is an increased risk of noise complaint associated with the variation application.

Source - *Venue Risk Assessment - 'Good Practice Guide on the Control of Noise from Places of Entertainment'* - Institute of Acoustics & Institute of Licensing, December 2016



## Batchelor, Shane

---

**From:** Power, Daniel  
**Sent:** 28 February 2022 15:20  
**To:** Batchelor, Shane  
**Cc:** Licensing  
**Subject:** Environmental Health Comments, Additional documents - 22/00091/LAPVAR  
**Attachments:** Environmental Health Comments - Harbour House , Variation - 22/00091/LAPVAR ; Environmental Health, Harbour House -Temporary Event Notices ; RE: Environmental Health, Harbour House -Temporary Event Notices; DP05 Harbour House Noise logs 31.07.21.docx; DP06 Harbour House Noise Noise Map 31.07.21.docx

**Switch-MessageId:** 85ddd203cbb7401d980c5de006f103f3

Afternoon Shane,

### Premises Licence Variation, Harbour House, Ryde Harbour, Esplanade, Ryde, PO33 1JA

Licensing reference - 22/00091/LAPVAR

Environmental Health reference - 22/00223/CONSUL

Further to my representation on behalf of the Environmental Health Department submitted to the licensing authority on 21<sup>st</sup> February 2022, I wish to disclose additional information which I considered pertinent with reference to the aforementioned variation application.

I enclose my initial submission which includes the accompanying venue risk assessment and my correspondence with the applicant dated 4<sup>th</sup> August 2021 with reference to my visits on 1<sup>st</sup> & 3<sup>rd</sup> August 2021. However, I make available additional items with reference to conversations had with Mr Harding and his legal representative whilst considering the Temporary Event Notice Applications on 19 & 20<sup>th</sup> July 2021.

**DP/03** provides a summary addressed to the applicant in response to a telephone discussion with Mr Harding on 19<sup>th</sup> July 2021, I initially raised concern regarding the applicant's regard for the public nuisance objection. Nevertheless, Mr Harding was requested to provide further detail on noise controls to mitigate the likelihood of neighbouring resident's having cause for concern during the extended hours of licensable activity. Consequently, **DP/04** provides confirmation of discussions with Mr Grunert of John Gaunt and Partners, acting on behalf of Mr Harding, responsible for the drafting of a Noise Management Plan to cover the hours of extended activity as a means of attempting to satisfy the public nuisance objective.

You'll also find enclosed **DP/05** which provides the premises noise monitoring logs during the hours of extended licensable activity on 31<sup>st</sup> July and 1<sup>st</sup> August 2021, these were made available during my visit on 3<sup>rd</sup> August 2021, whilst **DP/06** provides an aerial map indicating the extent of the public nuisance reported and the approximate locations of the complainant's who made contact with the Environmental Health Department on 31<sup>st</sup> July 2021.

Please note that I intend to rely on the additional information provided during any proposed licensing committee hearing.

Kind Regards

Daniel

Daniel Power | Regulatory Officer | Regulatory & Community Safety Services  
Isle of Wight Council | Jubilee Stores | The Quay | Newport | Isle of Wight | PO30 2EH  
Email: [Daniel.Power@iow.gov.uk](mailto:Daniel.Power@iow.gov.uk) Web: [www.iow.gov.uk](http://www.iow.gov.uk)  
Telephone: 01983 823000 Internal: Ext 6047 Mobile: 07816064000

**Batchelor, Shane**

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**Subject:** Environmental Health, Harbour House -Temporary Event Notices  
**Attachments:** Revised\_guidance\_issued\_under\_section\_182\_of\_the\_Licensing\_Act\_2003\_April\_2018\_(18).pdf

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**From:** Power, Daniel  
**Sent:** 19 July 2021 15:57  
**To:** rydeharbourhouse@gmail.com  
**Subject:** FW: Environmental Health, Harbour House -Temporary Event Notices

Afternoon Karl/Leigh,

Karl - Thank you for receiving my call.

I contacted you to ascertain the nature of the proposed events scheduled in line with the TEN applications. In response to my query as to whether Regulated Entertainment were planned, despite its current absence from the TEN Applications outlined in my previous email, you confirmed there would indeed be live music.

On further enquiry, you stated this will take the form of a live DJ on occasion and as such there would be an expectation of loud music from 23:00hrs. In response, I asked for details of noise control to ensure the safeguarding of the prevention of public nuisance objective and to mitigate the likelihood of disturbance to local residents.

I must add that I was concerned with your response, suggesting resident's will be inevitably disturbed given the nature of the event. I ask you to keep in mind the existing objectives most notably the prevention of public nuisance objective, moreover, I ask that you review Part **2.15 to 2.21** of the Revised guidance issued under s182 of the Licensing Act 2003 and attached above for reference outlining the expectations placed upon a licensed premises.

In relation to your enquiry regarding acceptable decibel levels, I asked that you provide an outline of the event initially so that I will be in a position to advise you appropriately. Therefore, prior to commenting please provide me with an outline as to each event, providing details including but not limited to;

- Genre/description of the music to be provided
- Whether each event will consist of a live DJ/ performers and/or recorded music
- Noise control identified to monitor noise levels throughout each event
- Whether you intend to employ sound level monitoring during the event given your enquiry regarding decibel levels
- Measures to respond to any complaints received at the time regarding noise disturbance

In relation to the public safety objective, I also welcome guidance in relation to how you have agreed upon the proposed capacity and any additional mitigation controls you intend to employ during the events to ensure the continued safety of staff and customers, you may wish to consider the revised guidance in relation to *Guidance for people who work in or run restaurants, pubs, bars, cafes, nightclubs or takeaways* provided here; <https://www.gov.uk/guidance/working-safely-during-covid-19/restaurants-pubs-bars-nightclubs-and-takeaway-services>

Again, I am obliged to provide the licensing authority with a response by the close on 20<sup>th</sup> July 2021, should I not hear from you in this time, given our call I will be minded to object to the applications received.

I look forward to your response.

Regards

Daniel

Daniel Power | Regulatory Officer | Regulatory & Community Safety Services  
Isle of Wight Council | Jubilee Stores | The Quay | Newport | Isle of Wight | PO30 2EH

Email: [Daniel.Power@iow.gov.uk](mailto:Daniel.Power@iow.gov.uk) Web: [www.iow.gov.uk](http://www.iow.gov.uk)  
Telephone: 01983 823000 Internal: Ext 6047 Mobile: 07816064000



DP/04

## Batchelor, Shane

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**From:** Power, Daniel <Daniel.Power@iow.gov.uk>  
**Sent:** 20 July 2021 15:36  
**To:** CGrunert@john-gaunt.co.uk  
**Cc:** rydeharbourhouse@gmail.com  
**Subject:** RE: Environmental Health, Harbour House -Temporary Event Notices  
**Attachments:** Revised\_guidance\_issued\_under\_section\_182\_of\_the\_Licensing\_Act\_2003\_April\_2018\_(18).pdf; HH PL.docx

**Importance:** High

Dear Mr Grunert,

Many thanks for your response, I can confirm sight of the Noise Management Plan in relation to the Temporary Event Notices provided below;

1. 30 – 1<sup>st</sup> August 2021 – 23:00-01:00hrs
2. 6-8<sup>th</sup> August 2021 - 23:00-01:00hrs
3. 13-15<sup>th</sup> August 2021 – 23:00-01:00hrs
4. 20-22<sup>nd</sup> August 2021 – 23:00-01:00hrs
5. 27- 31<sup>st</sup> August 2021 – 23:00-01:00hrs

I'd expect the event specific Noise Management Plan to cover the TENS outlined above in their entirety. Additionally, I'd recommend that the completed Sound Monitoring Form, itemised as Annex C is provided to the Environmental Health Department shortly after each TEN and preferably within 48hrs on the event having ended, were this agreeable, I'd ask that the completed log were sent to the following inbox [EHAdmin@IOW.gov.uk](mailto:EHAdmin@IOW.gov.uk)

### Modifications of the TENS received

The intention of my initial call was to discuss modifications in relation to the TENS received to ensure the safeguarding of the public nuisance objective, Part 7.37 of the Revised guidance issued under s182 of the Licensing Act 2003 and attached above for reference provides a relevant person in this instance Environmental Health with the opportunity to discuss such options with the premises user, accordingly, I wish to modify the TEN to include the premises existing premises licence conditions during the temporary extension of licensable activity as outlined via the above TENS with the exception of Annex 3, Condition 3 & 4 which read as follows;

***Annex 3, Condition 3- Persons are not permitted to remain on the premises after 00:00hrs.***

***Annex 3, Condition 4- The outside area shown on the plan accompanying the application shall be exclusively used for smokers after 23:00hrs. No consumption of alcohol or other refreshments shall be allowed in this outside area of the premises after 23:00hrs.***

A copy of the premises licence conditions are enclosed. Please note that I am required to provide my comments to the licensing authority this afternoon and therefore, welcome a prompt response indicating whether you are in agreement of the modifications proposed. Please do feel free to contact me via mobile were you to have any queries.

Kind Regards

Daniel

Daniel Power | Regulatory Officer | Regulatory & Community Safety Services  
Isle of Wight Council | Jubilee Stores | The Quay | Newport | Isle of Wight | PO30 2EH  
Email: [Daniel.Power@iow.gov.uk](mailto:Daniel.Power@iow.gov.uk) Web: [www.iow.gov.uk](http://www.iow.gov.uk)  
Telephone: 01983 823000 Internal: Ext 6047 Mobile: 07816064000

**From:** Chris Grunert <CGrunert@john-gaunt.co.uk>  
**Sent:** 20 July 2021 14:15  
**To:** Power, Daniel <Daniel.Power@iow.gov.uk>  
**Cc:** rydeharbourhouse@gmail.com  
**Subject:** Environmental Health, Harbour House -Temporary Event Notices

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Dear Mr. Power,

We have been instructed by Mr. Harding of the Harbour House at Ryde to respond to your recent email request for further information.

Please find attached a noise management policy which, in essence, has the aim of monitoring noise levels to ensure that a public nuisance does not arise.

The music proposed will be recorded and therefore can be controlled via the PA system. There will not, for example, be a acoustic drum kit (which are more difficult to control).

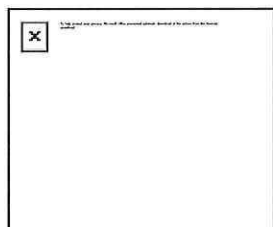
As a responsible Operator our client would be happy to engage with your service further on this matter and in the future.

We would be grateful if you would kindly acknowledge receipt of the attached.

**Regards**

**Chris Grunert**  
Partner

CGrunert@john-gaunt.co.uk | www.john-gaunt.co.uk  
T: 0114 266 8664 | M: 07834 933 041 | F: 0114 267 9613



Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FT

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For more details on our services please click on the links above.

**From:** "Power, Daniel" <Daniel.Power@iow.gov.uk>  
**Date:** 19 July 2021 at 15:56:49 BST

Log sheets provided on request by Harbour House in response to noise monitoring on 31 & 1<sup>st</sup> August 2021

Service Request Ref.	21/02304/COMNOI, 21/02305/COMNOI, 21/02306/COMNOI, 21/02308/COMNOI, 21/02350/COMNOI, 21/02333/COMNOI 21/02349/COMNOI
Address	The Harbour House, Esplanade, Ryde, Isle of Wight, PO33 1JA
Date of visit	3 <sup>rd</sup> August 2021

Pg. 1

**Noise Monitoring Log**


Date of Event: 31/07/21  
 Start Time: 3pm  
 End Time: 1am  
 Description of Entertainment: DJ  
 Name of Entertainer(s): Tropical Sound

Sound Check Time	Location 1 / Action taken	Location 2 / Action taken	Location 3 / Action taken	Location 4 / Action taken	Subjective Observations & Comments
6.0 - 12pm	Bass boost would be heard, bass adjusted.	No issue	No issue	No issue	Subjective observations most being consistent with the Ryde Castle Hotel Noise guideline 30m from venue.
3pm	no issue	no issue	no issue	no issue	
4pm	no issue	no issue	no issue	no issue	
5pm	no issue	no issue	no issue	no issue	
6pm	no issue	no issue	no issue	no issue	
7pm	no issue	no issue	no issue	no issue	
8pm	no issue	no issue	no issue	no issue	

**In the event of complaints:**

- You are expected to do whatever reasonable to check that you can to confirm or deny whether you are complying with the licence conditions.
- You should immediately carry out a monitoring check to see if levels are higher than expected, and take action where they are.
- You should record on the sheet what action is taken, and inform the complainant where appropriate to.

All Checks completed  
 By BAR Manager  
 Kyle Morris



Harbour House log sheet, 31/07/2021 between 15:00-20:00hrs





11/12

**Noise Monitoring Log**

Date of Event: 31/07/21  
 Start Time: 3am  
 End Time: 1am  
 Description of Entertainment: DJ  
 Name of Entertainer(s): Tropical Sound

Sound Check Time	Location 1 / Action taken	Location 2 / Action taken	Location 3 / Action taken	Location 4 / Action taken	Subjective Observations & Comment
e.g. 12pm	Bass beat could be heard, bass adjusted	No issue	No Issue	Bass beat could be heard, bass adjusted	Entertainment event being conducted at the Ryde Castle Hotel. Noise audible 50m from venue.
9am	bass beat heard Adjusted	bass beat heard Adjusted	no issue	no issue	
10am	no issue	bass beat heard Adjusted	no issue	no issue	
10:30am	no issue	bass beat heard Adjusted	no issue	no issue	Ryde Castle event to rear of building
11am	no issue	bass beat heard Adjusted	no issue	no issue	" "
11:30pm	bass beat heard Adjusted	bass beat heard Adjusted	no issue	no issue	" "
12 pm	no issue	bass beat heard Adjusted	no issue	no issue	" "

**In the event of complaints:**

- You are expected to do whatever reasonable to check that you can to confirm or deny whether you are complying with the licence conditions.
- You should immediately carry out a monitoring check to see if levels are higher than expected, and take action where they are.
- You should record on the sheet what action is taken, and inform the complainant where appropriate to.

Harbour House log sheet, 31/07/2021 between 21:00 and 00:00hrs



14705

**Noise Monitoring Log**

Date of Event: 31/07/21 - 01/08/21  
 Start Time: 23pm  
 End Time: 1am  
 Description of Entertainment: DJ  
 Name of Entertainer(s): Harbour House

Sound Check Time	Location 1 / Action taken	Location 2 / Action taken	Location 3 / Action taken	Location 4 / Action taken	Subjective Observations & Comment
e.g. 11pm	Bass boost could be heard, bass adjusted	No issue	No issue	Bass boost could be heard, bass adjusted	Entertainment event being conducted at the Kyle Castle Hotel. Noise audible 50m from venue.
12.30pm	no issue	bass boost heard adjusted	bass boost heard adjusted	no issue	
1am	no issue	no issue	no issue	no issue	
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—

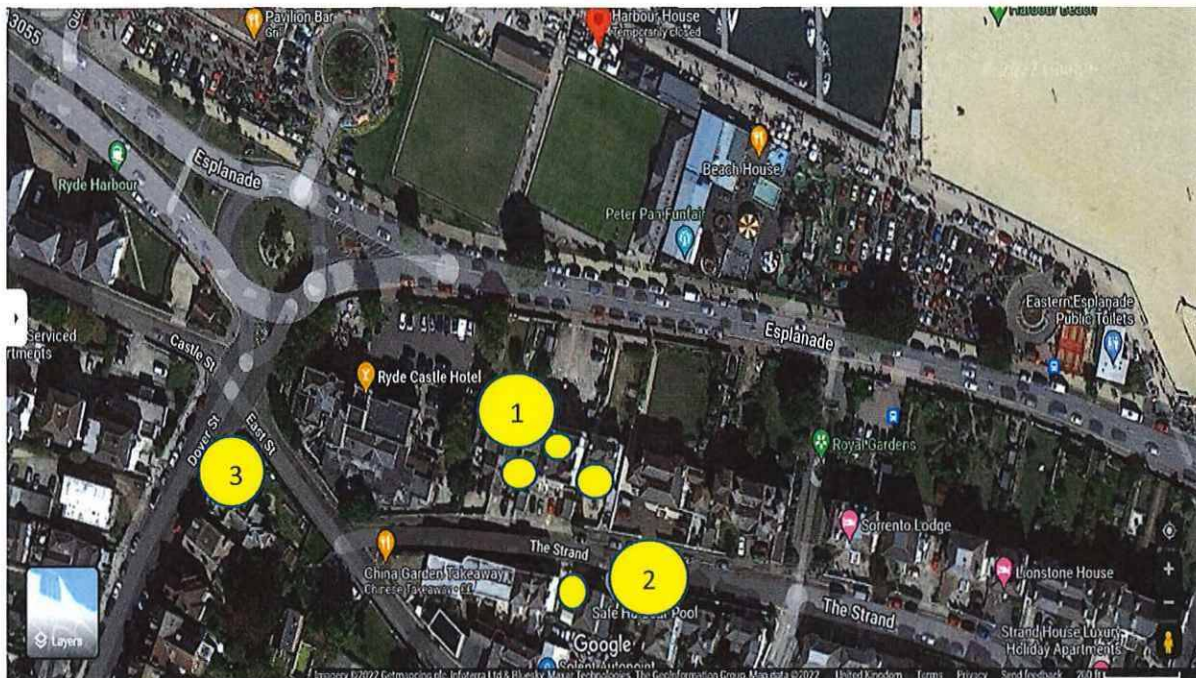
**In the event of complaints:**

- You are expected to do whatever reasonable to check that you can to confirm or deny whether you are complying with the licence conditions.
- You should immediately carry out a monitoring check to see if levels are higher than expected, and take action where they are.
- You should record on the sheet what action is taken, and inform the complainant where appropriate to.

Harbour House log sheet, 01/08/2021 between 00:30 and 01:00hrs

Aerial map of approximate location of residents who contacted the Environmental Health Department's Out of Hours Noise Service on 31<sup>st</sup> July 2021.

Service Request Ref.	21/02304/COMNOI, 21/02305/COMNOI, 21/02306/COMNOI, 21/02308/COMNOI, 21/02350/COMNOI, 21/02333/COMNOI 21/02349/COMNOI
Address	The Harbour House, Esplanade, Ryde, Isle of Wight, PO33 1JA



Source - <https://www.google.com/maps/place/Harbour+House>

1. Approximate distance between premises and nearest residential receptor (Identified as No.1) on **The Strand, PO33 1JD** – 80 metres
2. Approximate distance between premises and furthest receptor (Identified as No.2) on **The Strand, PO33 1JD** – 130 metres
3. Approximate distance between premises and receptor (Identified as No.3) on **Dover Street, PO33 2AQ** – 165 metres

## Comments for Licensing Application 22/00091/LAPVAR

### Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

### Customer Details

Name: Mr Keith Calton

Address: Not Available

### Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 15/02/2022 4:52 PM Good Afternoon,

I use Ryde Harbour on a very regular basis over Spring, Summer and Autumn and often bring my grandchildren with me.

As the situation is at the moment there are often young people drinking and making noise till the early hours of the morning usually quieting down around midnight but if drinking and music are to be allowed till well after midnight it will make staying at Ryde untenable and encourage customers to congregate there after other facilities close.

I use the restaurants and Shops in Ryde and of course the beaches and having spoken to many other visitors, know their feelings are the same as mine.

---

Sincerely,  
Keith Calton

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Stewart Churchyard

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment: 15/02/2022 7:42 PM The music that comes out of this place is way too loud as it is, if licensing hours were to be extended this would ruin the peace and serenity of Ryde Harbour.



**White, Emma**

---

**From:** Sheralyn [REDACTED]  
**Sent:** 17 February 2022 11:16  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Objection to The Harbour House, Ryde licensing extension

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Hello, (Case Officer Shane Batchelor)

I would like to place an objection to the Harbour House, Ryde licence extension for music, food and alcohol to be served until 01.30 am (ref 22/00091/LAPVAR)

Last year they had a late night event that was so loud - none of the local residents could get any sleep. Obviously, in the summer, we all have our windows open for cooler air - but even with the windows shut - you could still hear the thumping of the bass. Please do not let this application pass as it would create great disruption in the local community.

Best,  
Sheralyn Austin-Gagne  
[REDACTED]

--  
**Sheralyn**

*"Each friend represents a world in us, a world possibly not born until they arrive, and it is only by this meeting that a new world is born." Anais Nin*

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Sue Waddleton

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment: 15/02/2022 8:40 PM I own a flat in Richmond House, on the esplanade in Ryde and this company has caused a great deal of distress to those living in Richmond House and other residents in that area. [REDACTED] I do not like my tenant to [REDACTED] I strongly feel that it is unacceptable for people to be subjected to loud noise so close to their home very late at night.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Ms Kate Rosewarne

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 15/02/2022 7:48 PM Harbour house has lack of respect for their neighbours and the environment with loud music and the constant rubbish outside the premises with broken glass, cigarette butts, and vomit.

An even later license would be a detriment to our area for my young family, local residents and holiday makers that stay nearby in the local hotels and B&B's.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Ms sarah medley

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Nuisance
- Safety

Comment: 15/02/2022 7:26 PM Last summer on the 31st July 2021, I

The volume of music was so high my windows were physically shaking. I called to ask them to turn it down, explaining that the music was keeping my toddler awake - they were rude and said they "had a license so there was nothing I could do about it".

The rubbish and broken glass in the surrounding area the next morning was hazardous to children and animals as they hadn't cleaned up after their customers.

The Harbour House frequently has piles of rubbish left outside for weeks on end, one day I picked over 100 plastic cups out of Ryde Harbour that had been discarded by their customers,

I feel they lack respect for their neighbours, the environment and the community, it does not seem likely they will be responsible with such a late license and that issues such as these listed will only increase.



## Bronwyn Hamilton – Brown

Harbour House 21/00851/LAPVDP

The objection to this application arises because I am a resident living directly opposite Harbour House and have experienced, adversely, the effects of the previous and repeated transgressions of the business over three years. Above my flat, I also have a thriving holiday let. Both of these flats face the seaside; having full view of the activities that happen at the business. The properties are grade II listed, therefore they have large single glazed windows and french doors on the ground floor. Noise from the premises cannot be avoided. The other thirteen flats within Richmond House similarly suffer from noise pollution and disturbances.

Since the awarding of licensing in 2018 to Leigh Hyatt and Karl Harding, with the specific licensing objectives detailed, there have been a number of applications to extend the licence. Their initial licence was awarded on the basis that there would be calm background music in a tasteful and quality venue. In such a short time, the escalation to a venue for heavy drinking and loud rave music has been dramatic.

The difficulties local and immediate neighbours, tourists and visitors have had to bear with include:

### Public Nuisance

On two occasions, I have been accompanied by the police to Harbour House to request extreme music volumes lowered and loutish behaviour by customers to be curtailed. This accompaniment was necessary as previous friendly requests (by myself and my neighbour) to Karl Harding were met with hostility and aggression. Mr Harding and his close friends advised us, repeatedly, to move house and area.

The most notable disruptive event took place in August 2021, last summer, when the music, coming from a purpose built raised stage (above the property) with a DJ and additional loudspeakers, was repetitive with predominant bass tones, lasted for at least thirteen hours. The reverberation within the properties of Richmond House, the Esplanade, The Strand, Dover Street, in The Ryde Castle, boats within the harbour, and other surrounding areas was such that there was no escape. One elderly lady, in her eighties, approached Harbour House late in the evening, in her nightdress, to beg them to stop the noise.

On this particular evening, I was so beside myself that I couldn't sleep, watch the television, have my doors or windows open, on one of our hottest summer days - it was torture. I was incredibly distressed. Normally, I am a strong and confident individual, however, this intrusion into my life had disturbed me, beyond anything I had ever experienced, mostly because it was unrelenting and prolonged. I am still surprised at how unsettling and distressing noise can be. Because of the loud speakers and

microphones, it felt like I was being shouted at, continually. At 3pm I invited our local councillor, Karen Lucioni to my home, she was alarmed as she had heard the music from the Strand, and found it incredibly loud. Indeed, I downloaded a decibel app and recorded constant decibels (within my home) in excess of 70, during the day, however this reached over 85 at some points. I have recordings and graphs to show, if these are necessary. Given that the licensing committee in September 2020 had said that the noise/music should be: 'no more than barely audible at the nearest residential properties', this was a direct contravention of what the management had been told, just a year previously.

At 1am that same evening, I noticed a chap standing near the car park of our property. This man was the Environmental Health officer, Daniel Power, who was monitoring noise levels because of the multiple complaints made. After being invited, he entered my property and recorded levels which were far and above acceptable levels. The vibrations could be felt through wooden floors and even in the internal bathroom; it was extremely loud. Thankfully, after his visit to me, he managed to get Karl Harding to reduce the bass and overall levels, which were better, but still uncomfortable. This was not an isolated incident and a repeat of previous years.

In August 2020, when the government relaxed Covid restrictions, outdoor businesses were allowed to serve alcohol. The explosion of drunk customers, who were crowded, in massive numbers, standing, sprawling and congregating on the walls of the Harbour meant that it was impossible to pass as a pedestrian with appropriate social distancing or without feeling intimidated. One such incident was reported in the local newspaper. I had tried to walk past the harbour wall with my young grandson, who was on his bicycle, however, this was impossible and unsafe. Later in early evening my son was returning a kayak to the harbour side, he saw one young lady urinating by the wall, being shielded by two friends, they were giggling and very drunk. The rubbish that was left in the harbour itself, on the paths, and on common areas is well documented by local residents. The police were repeatedly called.

After the intervention by the Environmental Health Officer, Daniel Power, I breathed again, my anxiety had subsided. My constant worry had been that my holiday let business reviews would be adversely affected and consequently my livelihood destroyed, along with my well being and right to live in relative peace which had been a continual concern. Therefore, the news that there is another permanent application to have music until 1.30 am, every night of the week, and drinking until this time, disturbs and upsets me tremendously. There is no trust by any of the fifteen residents in Richmond House, that the management will abide by the words in their licensing objectives, as they have proved, time and again, that they cannot. There is a flagrant disregard for residents.

Whilst I would, wholeheartedly, promote the business interest and encourage the leisure industry on the Island, like the Ryde Castle (which is two doors away and is respectful to residents as it is law abiding, has live music and is fun!), unfortunately, I cannot support further extension to the Harbour House license. I plead with you to acknowledge the comfort of the elderly residents (one of them is a housebound 94 year old) within our building and our elderly neighbours, who have suffered greatly because of the location and the behaviour and attitude of this business, its staff and customers.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Gavin Gray

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance

Comment: 16/02/2022 5:08 PM I live on the Strand and have often had cause to be concerned at the amount of noise that comes from the bar. In the warmer months there is often screeching, shouting and screaming late at night. Last year during the summer, the premises held a music event which bombarded me, and local residents, with extremely loud dance music continuously for well over 12 hours, until late at night.

Extending the licensing hours will just add more misery to local residents as customers move from the town to the esplanade late at night, usually in a drunken state.

Then there is the impact on the harbour users, including children, who pay fees to stay on their boats overnight. They should not be subjected to the kind of noise nuisance that an extension to hours will create, not just from music, but from the public using the venue.

The proprietor has little regard for the local area and seems to do nothing to calm his customers as they are on, or leave, his premises.

This extension should not go ahead.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Eirwen Driver

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance

Comment: 17/02/2022 3:26 PM A licence until 1.30am is completely unacceptable in this area. The inevitable noise, drunken behaviour and resultant mess of discarded glasses etc. is entirely inappropriate in what is generally a family oriented location. Clear up the following day has not been a priority to date so is unlikely to improve if they are working even later the night before. The prospect of loud music, shouting and unruly, fuel-induced behaviour on a regular basis, in the early hours of the morning, would not only infuriate permanent residents but would surely alienate the life-blood of the Island: visiting families with young children. What image do you wish to project to tourists? Broken glass along the seafront? Late night (or rather, early morning) noise pollution on a regular basis? Please do not grant this extended hours licence under any circumstances.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Miss Lisa Richardson

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Nuisance
- Safety

Comment: 19/02/2022 5:49 PM This should be a family orientated area, not an area for alcohol induced behaviour, which will only get worse with the this application being granted.

The beach, Peter pans, trampolines, eastern gardens are for the children and their families to enjoy.....

Please do not grant this application.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr paul morgan

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance

Comment: 19/02/2022 6:23 PM I am opposed to a change in license because of the very real potential for increased noise created during the early hours of the morning. ~~Extended hours will~~



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Colin Webb

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime

Comment: 20/02/2022 10:19 PM Ever since this place has opened there has been music played at extremely loud levels . There has been litter everywhere , a lot of which gets thrown into the harbour . [REDACTED]  
[REDACTED]  
[REDACTED] . It wouldnt be that loud if it was properly by the [REDACTED]  
[REDACTED] . It has been a blight on the harbour area , putting off young families who dont want to walk past loud music and a load of drunks . Any extension of hours will be detrimental to the area , as it should be for everyone, not just people who want a party area to get drunk listening to loud so called music ( even in the daytime ! ) [REDACTED]  
[REDACTED]

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Miss Fiona Fraser

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment:20/02/2022 7:15 PM I live close to the Harbour House and use it. However the music is becoming louder and louder and causes a nuisance to the Ryde Harbour users and the residents who live close by. Ryde already has a problem in the summer with drunken anti social behaviour and I do not believe extending music and drinking hours is going to help this and will negatively impact the residents and community. I don't believe this application should be approved and strongly object.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Miss Lisa Carter

Address: Not Available

## Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment:20/02/2022 9:06 AM I personally love Harbour House and have enjoyed partying there during Pride and in the summer. I think the Dj nights have been great fun, however I am aware of the nuisance it can be to the neighbours and I think extending the license for the entire week is not fair to the local residents. Perhaps an extension just for Saturdays could be a good compromise?

**White, Emma**

---

**From:** david spyer [REDACTED]  
**Sent:** 20 February 2022 09:30  
**To:** Licensing  
**Subject:** Extension of licences for Harbour House Ryde

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Dear Sir/Madam

I would like to lodge my objection to the referenced application.

My home is directly across from Harbour House. In the summer when they play loud music there it is impossible to sleep in my bedroom should I need the windows open because of the heat. Whilst this is acceptable up to midnight, and I have no wish to spoil young people's enjoyment, I think that midnight is a reasonable cut-off time.

I also get bottles and other rubbish thrown over my wall by people who are leaving Harbour House. They are invariably very noisy and I would like to be able to sleep after midnight. Anything later than this is a public nuisance.

Many thanks for your consideration.

David Spyer  
[REDACTED]

White, Emma

---

**From:** Mandy Cooper [REDACTED]  
**Sent:** 18 February 2022 17:50  
**To:** Licensing  
**Subject:** Objection to licence extention

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licensing@iow.gov.uk

Application Reference:	22/00091/LAPVAR
Address:	Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA
Licence Category:	Premises Licence Variation
Application Type:	Variation

Comment reasons: Noise Nuisance/Children/ Crime/Safety

Unfortunately, Harbour House has not shown respect to us its neighbours and caused us major disturbance last season.

Music played at Harbour House is excessively loud that it can be heard clearly from our house. It is disturbing and impossible to go to sleep when music is played so loud after 10pm. Noise from conversations & music from the Harbour House drifts here to our house and is an interruption of our life. Music is played at Harbour House so loud it generally wakes my granddaughter from sleep. The music played is played so loud that it is necessary for patrons to shout over it to be heard. The music is played so loud that a conversation cannot be continued whilst walking past Harbour House.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The current licence is detrimental to us, our neighbours, local residents and holiday makers that stay nearby in the local hotels, B&B & self-catering. Extending the hours would just be a disaster to us, please consider reducing the hours, noise levels and decibel levels.

In summary Harbour House are a huge interruption to our peaceful living, too noisy, too many people and it already goes on past 10pm, too late and takes away our joy of the harbour area and shows Ryde Town in a bad light.

Mandy Cooper  
Neighbour

[REDACTED]

White, Emma

**From:** Melvyn Wallis [REDACTED]  
**Sent:** 18 February 2022 17:55  
**To:** Licensing  
**Subject:** Re: Objection to licence extension 22/00091/LAPVAR Harbour House

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Please could confirm by email that you will lodge this as an objection?

licensing@iow.gov.uk

Application Reference:	22/00091/LAPVAR
Address:	Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA
Licence Category:	Premises Licence Variation
Application Type:	Variation

*Comment reasons: Noise Nuisance/Children/ Crime/Safety*

Unfortunately, Harbour House has not shown respect to us its neighbours and caused us major disturbance last season.

Music played at Harbour House is excessively loud that it can be heard clearly from our house. It is disturbing and impossible to go to sleep when music is played so loud after 10pm. Noise from conversations & music from the Harbour House drifts here to our house and is an interruption of our life. Music is played at Harbour House so loud it generally wakes my granddaughter from sleep. The music played is played so loud that it is necessary for patrons to shout over it to be heard. The music is played so loud that a conversation cannot be continued whilst walking past Harbour House.

[REDACTED]

The current licence is detrimental to us, our neighbours, local residents and holiday makers that stay nearby in the local hotels, B&B & self-catering. Extending the hours would just be a disaster to us, please consider reducing the hours, noise levels and decibel levels.

In summary Harbour House are a huge interruption to our peaceful living, too noisy, too many people and it already goes on past 10pm, too late and takes away our joy of the harbour area and shows Ryde Town in a bad light.

Melvyn Wallis  
Neighbour  
[REDACTED]



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Ms CHRISTINE DELANNOY

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment:21/02/2022 8:03 PM I object to the extension of the licencing hours due to the late night noise nuisance as the music bellows across the road to the residential houses. The location of the premises a few steps from the harbour and beach is a dangerous location to have late night revellers and is not in the normal location for security/police patrols. It would also be very noisy for any sailors who are staying in the harbour overnight.

**White, Emma**

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**From:** Lesley Ramsden [REDACTED]  
**Sent:** 22 February 2022 14:57  
**To:** Licensing  
**Subject:** FAO Shane batchelor

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22/00091/LAPVAR Harbour House

Lesley Ramsden  
[REDACTED]

We would like to object to the late night license. As a compromise 1 night per week possibly. We have no objection for people having a successful business and respect the improvements that have been made on the harbour front however the volume of music played is unbearably loud within our property and this is why we are objecting.

Sent from [Mail](#) for Windows

**White, Emma**

---

**From:** [REDACTED]  
**Sent:** 22 February 2022 15:13  
**To:** Licensing  
**Subject:** Harbour House Shane Batchelor

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found <https://wightnet.iow.gov.uk/wightnetcontent/cybersecurity/>

I would like to oppose the application for late night opening at Harbour House. Last year they were given a temporary late licence and the volume of music was very loud, the windows in our flat were vibrating with the bass of the music then when the music finally stopped there were lots of drunken, loud people dispersing until the early hours of the morning. When there are big events at harbour house there is always a lot of rubbish left lying around the next day and the green next to Peter pans where children play and dogs walk is covered in rubbish. Peter pans playground is a great attraction for families and children so I believe the area should be kept a clean and tidy environment for all. [REDACTED]

Many thanks  
Lucy southwell

[REDACTED]  
Sent from my iPhone

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Edward O'connell

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 22/02/2022 6:55 PM Harbour House since their opening have again and again shown that they have no regard for the local area, the environment, and local people.

They continually leave piles of rubbish outside and around their building, which often blows around and into the sea, or gets knocked over leaving broken glass and debris to harm animals and children. [REDACTED]

Last summer they were granted temporary late licenses which I think it's fair to say were a total failure. The music they played was so loud it was unbearable for ourselves, and every neighbour I talked with. The next day the rubbish was a disgrace.

Any extension to their license would clearly bring more of the same and would be totally unacceptable.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr John McLagan

Address: Not Available

## Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance
- Safety

Comment: 22/02/2022 1:14 PM I am objecting to this application [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]. Having been an early morning dog walker along the front I have noted that empty glasses and bottles are left overnight resulting in broken glass across the promenade. If the operators find it difficult to clear-up after an 11pm finish I expect it could be even worse if allowed to run through to 1-1.30am? [REDACTED]

[REDACTED]. I note another comment which suggests occasional late nights during the season might be compromise but even then I feel that proper consideration needs to be given to the regeneration of Ryde Marina..



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Robert Asquith

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 22/02/2022 9:46 AM I object.

The loud music could be heard late into the night clearly and annoyingly from The Strand in Summer 2021

A neighbour politely asked for the music to be turned down and was rudely refused.

Large groups of Rowdy youths regularly gather to drink there

*piles of rubbish from this business gathering on the esplanade along with plastic cups blowing around and floating in the harbour this is unacceptable in a family area.*

It would seem the owners of this establishment are not able to operate their business in a professional and courteous manner

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Edward Martin

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment:23/02/2022 10:17 PM I have been a berth holder in Ryde Harbour for over 10 years and strongly object to Harbour House having a 1:30 am extension to their drinks licence. My reasons for this are the first year Harbour House was open, it was an asset to Ryde, but then when it had late night opening, this is when things started to go wrong. It had drunks from other venues that closed earlier, with late head banking music. You could hear it ¼ of a mile away. [REDACTED]

[REDACTED] We have had bottles and lumps of concrete thrown at our boats. Drunks were getting on board the boats. Others ending up drinking on the seawall to 4 am, even later, partying with once again loud head banking music. This has caused myself and my wife a great deal of worry and distress. We want to enjoy using our boat and all of the other great things that Ryde has to offer.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Lee Martin

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment: 23/02/2022 9:59 PM I wish to object to this License Variation to extend the opening hours with music to 1:30 am. I am regular visitor to Ryde Marina and have been since the Marina originally opened.

[REDACTED]

[REDACTED]. The loud music attracts the wrong kind of people at the wrong time, they are often drunk, noisy and abusive. They stay on the promenade and sea wall after the venue has closed, with alcohol [REDACTED], until day light.

People have boarded my boat early hours of the morning, paralytic drunk and I have had to call to police, as they have threatened me with violence. The people who remain on the wall until day light have often thrown stones at my boat.

When the venue was a respectable restaurant, it was a pleasure and asset to have it as a facility near the Marina. I strongly object to the application to have extended opening hours, as a bar with music.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Steven Young

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 23/02/2022 8:14 PM I strongly object to this license application. This venue has shown time & again it has no respect for its neighbours. [REDACTED]. When it was given a temporary license last summer they put speakers on their roof and played music so loud that my children couldn't sleep until 2am, and they now want this license every day of the week all year around. Their customers continue to drink, scream and fight in the road right outside the residential properties way beyond closing time.

In the middle of the day we have had drunken, bloodied faced customers chased through our garden by other drunken customers brandishing bottles, followed by Harbour House staff. Terrifying my young daughters.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Anna Manning

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment:23/02/2022 11:40 AM I object to the application to extend the licence for serving alcohol and for extended opening due to noise and nuisance that the bar already has. I have a bit in Ryde Harbour and last Summer the noise late into the evening was very loud and made it impossible to stay on the boat to sleep with my young son. The behaviour of those in the bar was not pleasant, lots of drunk people wandering around the seafront made us feel unsafe. There are many visitors to the harbour in the summer months and plenty of permanent and visitor berth holders have their stay disrupted by noise and antisocial behaviour.



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Esra Young

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment:23/02/2022 12:28 PM I strongly object to all applications. As a resident on The Strand, we have experienced countless incidents from Harbour House from rowdy drunks trespassing and fighting on our property having being chased by Harbour House staff to our driveway being blocked by staff from Harbour House. The music is unacceptably loud as is the noise levels of the customers carrying on drinking way past the closing times. Police are often called as are noise control from the council who confirmed numerous times that the noise levels were unacceptable. This is a residential area that has been subject to very unpleasant incidents as a direct result of Harbour Houses disrespect for any of the residents in the area. Broken glass, aggressive drunk customers, damage to property would be a regular occurrence that is not welcome. Please do not allow any further disturbances that would inevitably occur should you grant these licences.

**White, Emma**

---

**From:** Jennifer Rees [mailto:j.rees@...]  
**Sent:** 24 February 2022 16:49  
**To:** Licensing  
**Subject:** Harbour House ref. 22/00091/LAPVAR

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Dear Sir or Madam,

I feel that the above application should be refused. Loud music is unacceptable as this is largely a residential area and people are entitled to undisturbed sleep and rest. During the daytime, shift workers must be shown consideration also. The extension for the sale of alcohol would inevitably bring public nuisance problems as we have already experienced from this premises.

The premises are situated adjacent to the seafront footpath and children's entertainments, and both adults and children should not be subjected to rowdy behaviour drunken customers as in the past.

Thank you for your time.

Regards,  
Jennifer Rees (Mrs)

Sent from [Mail](#) for Windows

**White, Emma**

---

**From:** John Smith <[REDACTED]>  
**Sent:** 24 February 2022 14:29  
**To:** Licensing  
**Subject:** Harbour Lights Esplanade Ryde

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Dear Sir,

I am rather concerned that the 'Harbour Lights Bar' on the Esplanade Ryde is applying for an extension to their licensing times to 1.30am during the week and weekends.

When the bar closed at 11.30pm previously it was often not until 1-1.30am that the area was cleared and residual noise and rowdy disturbance abated.

I do not want to interfere with the licensee making a living but, do not think he should do so to the detriment of local residents.

I remain

Yours sincerely.

J.S. Smith

[REDACTED]

[REDACTED]

[REDACTED]

**White, Emma**

---

**From:** RR Haywood [REDACTED]  
**Sent:** 24 February 2022 10:35  
**To:** Licensing  
**Subject:** 22/00091/LAPVAR objection to Harbour House

Dear sir, Ma'am,

I would like to object to the application by HARBOUR HOUSE, ESPLANADE, RYDE to extend their licensing / trading hours.

I am a local resident. I live in Dover Street and walk past Harbour House at least once a day.

[REDACTED]

There is always broken glass outside. This is as a result of glasses / bottles not cleared away and being thrown around. This is a very clear danger to dogs and children.

There is always a constant state of rubbish left strewn around, including straws, bottle caps and other items coming from Harbour House. The rubbish bags and generated waste are often dumped towards the back area next to the fishing club and left on the floor, creating a perfect environment for rats and infestations.

[REDACTED] In addition to very aggressive actions of the patrons visiting this establishment. It makes it very uncomfortable to enjoy a walk past Harbour House without being glared at, shouted at [REDACTED] by drinkers from Harbour House using the sea wall as seating or a bar.

There have also been countless fights and constant abusive and threatening language heard coming from Harbour House.

[REDACTED]

The seafront of Ryde is one of the town's greatest assets, and it should be treated with respect and be able to be enjoyed by everyone. Not just for a few drunken thugs.

[REDACTED]

Mr Haywood  
[REDACTED]  
[REDACTED]  
[REDACTED]

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Paul Bramley

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 24/02/2022 12:02 PM

[REDACTED]  
[REDACTED]  
[REDACTED]. The loud music is not to everyone's taste.. also being mainly outdoors the sound will travel further than the indoor clubs in Ryde.

The amount of litter and overspill into the harbour is ridiculous. Morning dog walkers have to be careful of the broken glass, last time it was open. Now it will only be worse if this is granted. There will be many fights, slander and abusive behaviour outside, for anyone wishing to walk past.

Yes the Island needs tourists.. but not of this nature late at night.

Midnite at the latest I would say for this venue. It is too open and will attract the wrong people late at night. [REDACTED]

But the worst will be broken glass, and other litter, including cigarette butts, [REDACTED]

[REDACTED], for our tourists to witness.. I

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Anne Axford

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment: 24/02/2022 10:49 AM The potential for broken glass, [REDACTED] nuisance to those living on the Esplanade through noise (loud music, shouting, fighting etc) is already known to exist with the existing hours. Extending the hours will just increase the likelihood of all of these. Those living on the Esplanade deserve to be able to enjoy their homes without the noise and disturbance, and the detriment to the environment, and the potential for criminal behaviour is worrying. There is already evidence that this establishment cannot manage the behaviour of those they sell alcohol to, and do not trouble to clear up after their customers, leaving the walkway a danger to others. Please do not extend their licence - and go further and make conditions for them to show they can be responsible licensees.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Shirley Feeney

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment:24/02/2022 9:52 PM Every evening that they are open the noise is a nuisance to those living nearby. The music booms loudly up Dover Street, then there is shouting and fighting when people leave the premises. Extending the hours will just increase the likelihood of all of these. It is distressing to listen to the late night music followed by the worry of shouting outside my home when I am trying to sleep. It affects my peace of mind when I hear their loud music as I know it is going to be a stressful night. Please do not extend their licence - and go further and make conditions for them to show they can be responsible licensees.



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Other Reg Dennis

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment: 24/02/2022 9:27 AM I fully agree with other objectors, the venue causes disturbance by the loud music and nuisance by the amount of rubbish left outside, the owners make no attempt to clean up the mess.

Antisocial behaviour, vandalism and littering are occurring whenever the venue is open, [REDACTED]

[REDACTED]

Any attempt to contact them regarding noise is met by abuse.

Via email to [licensing@iow.gov.uk](mailto:licensing@iow.gov.uk)  
Licensing Applications  
Isle of Wight Council  
Newport  
Isle of Wight

Jan Johnston  
[REDACTED]  
[REDACTED]

25 February 2022

Dear Sir or Madam

**Reference:** 22/00091/LAPVAR

**Extension to Harbour House license to 1.30am**

I am writing to strongly object to the above application as a local resident because of the following reasons:

[REDACTED]  
[REDACTED]  
[REDACTED] Loud music has continued ever since.

They have become a hotspot for antisocial behaviour, with sale of alcohol and littering which reached a hideous level during the pandemic, completely spoiling the area for everyone. It became a no-go area at night. Even now before any extension is permitted we hear drunken brawling and witness the aftermath along the seafront with broken bottles and anything not locked down simply thrown into the harbour. Harbour House [REDACTED] seem to do very little to mitigate against any of this, [REDACTED]  
[REDACTED]  
[REDACTED]

Ryde Town Council are about to raise harbour fees and have great plans to improve this facility for visitors and locals (who will put money into Harbour House as well as the wider town), but it is totally counter-productive to further promote a job environment where people including boat-owning visitors cannot enjoy at least a reasonable time to sleep. 11.30pm is late enough and still gives a margin for revellers to realise they need to move on/go home.

I would appreciate my views being considered in view of this application.

Yours faithfully

Jan Johnston

**White, Emma**

---

**From:** Liz O'Doherty [REDACTED]  
**Sent:** 25 February 2022 17:53  
**To:** Licensing

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

I strongly object to the Late License applied for by Harbour House on Ryde Esplanade. The noise, mess and foul language that residents in the vicinity have to put up with is untenable. A neighbour and myself went down last summer to ask them very nicely if they would please turn their music down and were then met with a barrage of aggression, we were told that we should move if we Don't like it [REDACTED]. Please please take notice of objections so people like me can actually enjoy my summer. Thankyou .

**White, Emma**

---

**From:** Mark Rees <[REDACTED]>  
**Sent:** 25 February 2022 11.05  
**To:** Licensing  
**Subject:** Harbour House Application ref: 22/00091/LAPVAR

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Dear Mr Bachelor,

I am writing to express my concern over the above application.

I feel it should be refused for the following reasons:

- [REDACTED]
- To have music outside is completely unacceptable – in July 2021 there was an external sound system and the noise could be felt through our double glazing and it was impossible to sleep even on the opposite side of the house to the seafront. Complaints were ignored, even when the environmental Health officer asked for the volume to be turned down.
- [REDACTED]
- This is a largely residential area and residents get up early for work. They do not want to be forced to go to bed later and have less sleep because of the public nuisance of noise from drunken customers and music.
- [REDACTED]
- [REDACTED]

Thank you for your time.

Yours sincerely,

Mark Rees

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr John Mooney

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment:25/02/2022 10:34 PM I write to object to the application by Harbour House, Ryde to extend their licensing hours. Residents and holidaymakers have already suffered in terms of excessively loud music, drunken behaviour, broken glass outside the building, objects being thrown into the marina and members of the public being abused by customers. People walking along the harbour promenade have to avoid broken glass in the mornings, what a reputation that gives Ryde as a holiday destination! Staying open late,the place acts as a beacon for those who seek even more alcohol when other places have closed under NORMAL licensing hours

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Please do not approve this application.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Fiona Hancock

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment: 25/02/2022 11:46 PM Harbour House markets itself as a "beach bar and grill" not a night club which is how it is operating, playing loud booming base music until the early hours. It was awful last summer the music was far too loud, waking my children who then found it impossible to sleep.

[REDACTED]

[REDACTED] If it's this bad when the licence is until 11:30 I dread to think of the unpleasantness if allowed a late licence. If Harbour House want to operate like a nightclub they should pay rent for a property with walls and a roof and not operate in an open air venue, the noise from which causes distress and upset to the local neighbourhood.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Ms Suzanne Clarke

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 25/02/2022 5:53 PM I wish to strongly object to this license application. This venue is directly across the street from a large residential area where many families live. Extending the licencing hours and the playing of music to 1:30am will cause excessive noise and promote drunken behaviour. It will be a nuisance to all residents. [REDACTED]



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Alex Marshall

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment: 26/02/2022 3:51 PM I live in a flat directly opposite Harbour House. Previous late openings have resulted in excessive noise, fights between customers and disturbances into the early hours of the morning. I have witnessed abusive behaviour by drunken customers.

The building design and construction is not suited to loud music. I have been kept awake into the early hours by the very loud base from the music. I and guests staying at my flat have experienced severe noise, nuisance and disorder coming from Harbour House on many occasions.

  
I strongly object.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Elizabeth Tatham

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Nuisance
- Safety

Comment: 27/02/2022 12:50 PM As a resident of Ryde whose family use this area around the beach and Harbour I have seen first hand the nuisance caused by this establishment including unacceptable levels of noise, litter and intimidating behaviour. As a predominantly outdoor venue it is very hard to control the above and any permanent license granted past 11pm would only cause these issues to increase, particularly as it seems the proprietors are not willing to seriously address the residents' objections

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Elizabeth Sturton

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Nuisance
- Safety

Comment: 28/02/2022 11:18 PM

[REDACTED] It will lead to even greater unsociable noise and disturbance in an area where people are seeking to live. The buildings (Listed) have restrictions limiting the noise insulation possible, and in any event in warmer evenings we do not want to have windows closed to try to reduce noise from music and people drinking. Last summer the activities went on beyond the set times as people carried on drinking and getting louder. [REDACTED]

[REDACTED]

The walkway becomes inaccessible to most members of the public and can be intimidating. Sleep is disturbed and children in the area are kept awake. There are a number of children in the area requiring sleep in order to prepare for major exams.

[REDACTED]

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Jane Pearce

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children
- Crime
- Nuisance
- Safety

Comment: 28/02/2022 11:58 PM I object to this licensing application.

The noise levels from the music keeps our young children awake until the small hours and then they are then further exposed to the abusive language, screaming, and fighting on the green and in the gardens. [REDACTED]

[REDACTED]

This behaviour is not limited to night time, the crowds that gather often during the day can be just as rowdy, using foul language and drunken behaviour.

[REDACTED]

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Miss Diana Moseley

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment: 28/02/2022 3:03 PM Harbour House is primarily an outside venue, and to have loud nightclub music playing to 1.30am seven nights week will be noise pollution to local residential households. Let alone the potential encouragement for anti-social behaviour, with drunkenness [REDACTED] incidents in a very public area as the Ryde Harbour location. Many people and families, especially in the summer months, use the harbour area for late evening walks and recreation. I would question the safety for people who may well be harassed and upset by the possible antics of drinking clients and loud stressful noise from the venue. Such late licensing would be irresponsible and further degrade Ryde seafront esplanade and harbour area.

White, Emma

---

**From:** David Hill [REDACTED]  
**Sent:** 28 February 2022 16:55  
**To:** Licensing  
**Subject:** Harbour House

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Reference 22/00091/LAPVAR

Mr DE & Mrs M Hill, [REDACTED]

The details of the application by Harbour House are totally unacceptable. The main problem will be the "music" with excessive noise levels which now would start at 9am and continue nonstop till 1-30am. All of this time you will have the sale of alcohol, the result of which will be a large number of drunks shouting, using obscene language, leaving rubbish everywhere and this will go on all day. This behaviour would continue well after 1-30am as it has done in the past. This situation has caused us unacceptable living conditions, worry and concern our building being used as a toilet - this would be no different in the future. [REDACTED]

[REDACTED] The owner has no consideration for those of us who live in this area. We sincerely hope this application will be rejected.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mr Andrew Lucas

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance
- Safety

Comment:28/02/2022 6:00 PM We have been near neighbours of Harbour house since it opened as a café. However in recent years, specifically since the covid restrictions on indoor venues were introduced, what was a pleasant seafront eatery became a very loud, rowdy late night, hard drinking destination for those who still need alcohol way into the night. The fact that most of the activity - drinking, dancing, fighting, vandalism and very loud music - take place outside means that the disturbance to local residents is massive. A seven day 1.30am license to serve alcohol and to play loud music would, I am sure, affect and antagonise local householders unacceptably and possibly cause consequential public order issues. During the summer of 2021 amplifiers and speakers were mounted on the roof of Harbour House and music played until past 2am - the owners paying little attention to those locals who contacted them requesting that the volume be turned down. Blues'n'twos get ready if this application is successful.



# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Gillian Martill

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment: 28/02/2022 10:08 AM I write to object against the recent license application from Harbour House Beach Bar and Grill on Ryde Harbour. Last time they had a temporary licence the noise was appalling. They placed their speakers on the roof pointing towards the residents.

Harbour House is essentially an outdoor venue with No curbs on sound other than permitted times and days. They ask for this outdoor 'festival' to extend 9.00 to 01.30 a.m. every night of the week.

!!! I am a frontline NHS worker on days, lates, and night shifts and need my sleep.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Mrs Suzanne Hillman

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance

Comment: 28/02/2022 10:53 PM I want to object against an extension to the licensing hours for Harbour House. [REDACTED]

[REDACTED]. The music last summer was played very loud and if that was to be extended I think my business would suffer also it's a children's funfair not a night club. On another note the people on the boats in Ryde Harbour would go elsewhere.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Ms Margaret Montgomerie

Address: Not Available

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance
- Safety

Comment: 28/02/2022 11:24 AM Please refuse this application to extend the opening hours of Harbour House Ryde.

Key objections: [REDACTED], noise, littering, safety and the perception of safety.

Within its existing operating hours this business is fast making the harbour a 'no go area'.

An attractive scenic walk has become littered with plastic and glass from Harbour House. On occasion there have been signs of fights the night before in the piles of broken furniture and smashed windows. This does not feel safe and is not 'a good look' for a tourist Island.

In the evenings the area is to be avoided because many of the customers are raucous and belligerent and the noise levels are ear shattering [REDACTED]

[REDACTED] The noise fills the whole surrounding residential area which faces the sea.

The Isle of Wight and particularly Ryde cannot afford to let, what was previously an attractive part of its tourist offering become an out of control outdoor nightclub.

[REDACTED]

February 23<sup>rd</sup> 2022.

**Ref: 22/00091/LAPVAR**

Dear Sirs,

This is to express my strong opposition to the proposed extension of opening hours at the amusement park known as Harbour Lights or Peter Pan's Playground.

Surely there can be no need for alcohol and food to be on sale till 1.30 am? The majority of visitors to the Island are families with young children, who are not likely to be out so late, while residents can drink and eat at home late at night if they wish to.

Ryde is still a relatively peaceful town – don't let the profit motive spoil it - please.

Yours faithfully,

[REDACTED]

(Mrs R.A. Saltmarsh)

27 FEB 2022

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Rachel Sturton

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Nuisance
- Safety

Comment: 28/02/2022 9:30 PM Hello, I used to enjoy walking along the esplanade beside the harbour.

With all the people drinking and making a noise it is really uncomfortable. I cant go along that way when they are there, because there are too many people to get through and its frightening.

I also have a bedroom close and they make a horrible noise when they go past. I cant sleep properly with all the noise. They are often drunk and swearing. They are very noisy during the day sometimes, but it gets much worse at night.

## **22/00091/LAPVAR | Premises Licence Variation Harbour House, Ryde Esplanade.**

Ryde Town Council have the following observation on the Premises Licence Variation for Harbour House.

Ryde Town Council have in 2021 taken the lease for Eastern Gardens and will take Freehold ownership of Ryde Harbour from April 2022. RTC also own the skate park near to this establishment. Therefore, RTC have a vested interest in seeing that what happens in this area of the Esplanade is of positive benefit to the area and the community.

As a result of our own observation and numerous complaints from Ryde residents and visitors in the harbour RTC were made aware of numerous incidents including fighting, loud music / shouting, drinking outside of licencing periods, drunkenness, criminal damage and incidents of pollution into the harbour.

This has all happened under the present licencing constraints and will only get worse (ie later into the night and more intense) as it would be the only establishment with this licence in the area.

With respect to the 4 licencing principles RTC makes the following observations:

1. The prevention of crime and disorder.

Ryde Town Council have witnessed and been informed of numerous incidents of drunken behaviour and several incidents of violence and criminal damage.

2. Public Safety

Ryde Town Council have seen large amounts of broken glass left on the Esplanade outside this premises in the morning and in addition gangs of young drunken men have been witnessed late at night leaving this establishment in an uncontrolled manner.

3. The prevention of public nuisance

Ryde Town Council have been made aware by harbour users, visiting yachts and Ryde residents of the major disturbance that this premises causes to them with regard to late night loud noise and disturbance. In addition RTC staff have witnessed, whilst operating their own events on Eastern Gardens, behaviour from this businesses patrons which amounts to public nuisance.

4. The protection of Children from harm

Ryde Town Council have no direct evidence of harm to children although I am sure that they would have been kept awake and influenced by the witnessing of foul language and violence.

### Conclusion

Ryde Town Council object to this application in the strongest terms and before any thought is given to this premises having its licence extended to longer hours, an effort should be made by the licencing authority and the licensee to make sure that the existing licencing restrictions are being properly adhered to.

# Comments for Licensing Application 22/00091/LAPVAR

## Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

## Customer Details

Name: Ms Tracie Wilson

Address: Not Available

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Crime
- Nuisance
- Safety

Comment:01/03/2022 3:44 PM I'm greatly opposed to this application. When the Harbour House 1st opened, it was a nice establishment to have a drink and something to eat. This changed drastically during the pandemic and lockdown. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Last summer on one of the late party nights the loudness of the music was way above and beyond reasonable levels. The attitude of the manager is 'move if you don't like it' and seems to have little regard for neighbour.

I'm all for supporting local small businesses, but there has to be a compromise, with the owners being responsible.



Isle of Wight Council  
Licensing Section  
Jubilee Stores  
The quay  
Newport  
Isle of Wight  
PO30 2EH


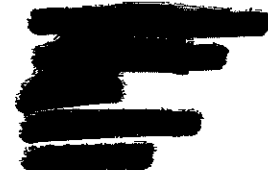
25<sup>th</sup> February 2022

Re: Harbour House Beach Bar & Grill on Ryde Harbour (PO33 1AJ)

Dear Sir or Madam,

I live on Castle Street which is in close proximity of the venue. (Just across the road).  
Last summer 2021 the venue played excessively loud music until 1:30am.  
The noise was such that it was impossible to conduct my normal evenings leisure & sleep.  
I therefore object to the extension of any increase in the playing of music.

Yours Faithfully

  
Diane Uttley  


1 MAR 2022

Isle of Wight Council  
Licensing Section  
Jubilee Stores  
The quay  
Newport  
Isle of Wight  
PO30 2EH

25<sup>th</sup> February 2022

Re: Harbour House Beach Bar & Grill on Ryde Harbour (PO33 1AJ)

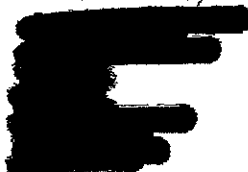
Dear Sir or Madam,

I live on Castle Street which is in close proximity of the venue. (Just across the road).  
Last summer 2021 the venue played excessively loud music until 1:30am.  
The noise was such that it was impossible to conduct my normal evenings leisure & sleep.  
I therefore object to the extension of any increase in the playing of music.

Yours Faithfully

A large, thick black redaction mark covers the signature area, obscuring the name and any handwritten notes.

Douglas Uttley

A large, thick black redaction mark covers the contact information, including the address and phone number.

. 1 MAR 2022

## Batchelor, Shane

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**From:** Batchelor, Shane  
**Sent:** 08 March 2022 08:14  
**To:** Batchelor, Shane  
**Subject:** Harbour House late night license planning application

**Switch-MessageId:** 16670cfe9123408893e1b3259f0a0ff9

-----Original Message-----

From: Sarah Pickard <[REDACTED]>  
Sent: 28 February 2022 10:41  
To: Planning - Enquiries <Planning.Enquiries@iow.gov.uk>  
Subject: Harbour House late night license planning application

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found <https://wightnet.iow.gov.uk/wightnetcontent/cybersecurity/>

Dear Sir/Madam

I want to object to the planning permission sought by Harbour House to have a license to serve alcohol until 1 30 am. This will not affect me personally but -

*It will be very bad for the harbour/ marina as no boat will visit overnight more than once. These are generally small boat owners pottering about the Solent. They aren't looking for a sleepless night out. This will also reduce custom to other businesses near the front.*

As in the past customers will not be restricted to the premises but will spill over onto the esplanade and the harbour wall.

Other visitors bringing their own, much cheaper, alcohol will be attracted to the lights and music.

The noise and drinking in the area will not end at 1.30am.

Harbour House is a nice venue and I wish it well, but not at 2 o'clock in the morning.

Regards

Sarah Pickard  
[REDACTED]  
[REDACTED]  
[REDACTED]

Sent from my iPad

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## Comments for Licensing Application 22/00091/LAPVAR

### Application Summary

Application Number: 22/00091/LAPVAR

Address: Ryde Harbour Esplanade Ryde Isle Of Wight PO33 1JA

Proposal: Premises Licence Variation

Case Officer: Mr Shane Batchelor

### Customer Details

Name: Mrs Carol Starkey

Address: Not Available

### Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Licensing Application

Comment Reasons:

Comment:23/02/2022 10:07 PM I believe after the hit that has been felt by business on the island since the pandemic, we should be supporting local businesses and encouraging tourism. Ryde is becoming downtrodden with empty premises everywhere.

I do believe that maybe the late opening should be restricted to Friday and Saturday nights only as 7 days a week seems a bit much.

Residents complaining about noise and drunks seem to be forgetting that 2 extremely popular bars are open late even closer to residential properties so you cannot accuse Harbour House of being responsible for all vandalism or rowdy behaviour.

As long as it is managed correctly I think this would be a great place for some of the desperately bored and fed up younger residents.

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