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Monitoring Officer
Christopher Potter

County Hall, Newport, Isle of Wight PO30 1UD
Telephone (01983) 821000

Agenda

Name of meeting	LICENSING SUB COMMITTEE
Date	MONDAY 30 JANUARY 2023
Time	10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	Cllrs D Pitcher (Chairman), J Bacon and J Jones-Evans
	Democratic Services Officer: Sarah MacDonald democratic.services@iow.gov.uk

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

To confirm as a true record the Minutes of the meeting held on 2 November 2022.

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**

- (a) Application for a Premises Licence at 49 High Street, Ryde, Isle of Wight
(Pages 7 - 66)

CHRISTOPHER POTTER
Monitoring Officer
Friday, 20 January 2023

Interests

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

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

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

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Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and Time	WEDNESDAY 2 NOVEMBER 2022 COMMENCING AT 10.00 AM
Venue	CONFERENCE ROOM 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs D Pitcher (Chairman), J Bacon and C Jarman Andrea Bull, Ben Gard, Amanda Gregory, Megan Tuckwell

10. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 28 September be approved.

11. **Declarations of Interest**

Cllr Chris Jarman declared an interest in minute item 14, as a Magistrate who sat on the court where the matters were dealt, but was not present for those cases.

12. **Urgent Business**

The Chairman raised no urgent business.

13. **Exclusion of Public and Press**

RESOLVED:

THAT under Section 100(A) (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, namely Minute numbers 14(a) and 14(b) on the grounds that there was likely to be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

14. **Report of the Director of Neighbourhoods**

14a **Revocation of Personal Licence for TP**

Consideration was given to the report of the Director of Neighbourhoods, to determine whether to suspend or revoke the Personal Licence of Mr TP under

Section 132A of the Licensing Act 2003. The license holder, and their representatives, were in attendance. The Sub Committee followed the agreed procedure, which had 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 the Personal Licence of Mr TP be suspended for a period of six months under Section 132A(3)(a) of the Licensing Act 2003.

14b Revocation of Personal Licence for ST

Consideration was given to the report of the Director of Neighbourhoods, to determine whether to suspend or revoke the Personal Licence of Mr ST under Section 132A of the Licensing Act 2003. The license holder, and their representative, were in attendance via video conference. Additional information had been supplied and had been circulated prior to the meeting. The Sub Committee followed the agreed procedure, which had 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 the Personal Licence of Mr ST be revoked under Section 132A(3)(b) of the Licensing Act 2003.

CHAIRMAN



Purpose: For Decision

Committee report

Committee	LICENSING SUB COMMITTEE
Date	MONDAY 30 JANUARY 2023
Title	TO DETERMINE AN APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003 FOR MR CONSTANTIN BALAN, 49 HIGH STREET, RYDE, ISLE OF WIGHT, PO33 2RE
Report Author	COLIN ROWLAND DIRECTOR OF NEIGHBOURHOODS

BACKGROUND

1. A premises licence issued under section 18 of the Licensing Act 2003 authorises the use of premises for the sale or supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment.
2. An application for a premises licence was submitted to the licensing authority on 6 December 2022, by Mr Constantin Balin. (Appendix 1).
3. Any person may make representations in respect of the application during the consultation period and if these are not resolved the licensing authority must hold a hearing to determine the application.

CONSULTATION

4. 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.
5. The application for a premises licence was received on 6 December 2022. The application was advertised in the Observer, at the premises and on the Council's website. The consultation period ended on 4 January 2023.

6. The application proposes to permit the following licensable activities and timings:

Licensable Activity	Days and Times
Sale of Alcohol	Sunday to Thursday 11:00 to 23:00 hrs
	Friday to Saturday 11:00 to 23:30 hrs
	Non Std Timings (New Year's Eve only) 11:00 to 00:30 hrs
Live Music	Friday to Saturday 23:00 to 00:00 hrs
	Non Std Timings (New Year's Eve only) 23:00 to 00:30 hrs
Late Night Refreshment	Friday to Saturday 23:00 to 00:00 hours
	Non Std Timings (New Year's Eve only) 23:00 to 00:30 hrs

The hours that the business is proposed to remain open to the public extend to 30 minutes past the proposed hours for the latest licensable activity as per the table above. This would be 23:30 hours (Sunday to Thursday), 00:30 hours (Friday to Saturday) and 01:00 (New Year's Eve only).

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	Conditions Agreed with the Applicant
Police	Conditions Agreed with the Applicant

With reference to all conditions agreed between the applicant, Police and Environmental Health please refer to Appendix 2 for full details. The inclusion of these conditions should the Licensing Sub Committee determine to grant the Premises Licence with conditions agreed would look to promote all four of the Licensing Objectives.

Other Persons

8. Five (5) valid representations had been received from other persons relating to the licensing objectives of:
- Prevention of public nuisance
 - Prevention of Crime and Disorder

Following ongoing discussions between the Licensing Authority, applicant and other persons, two of the five valid representations have been withdrawn, therefore three remain outstanding. Please refer to Appendix 3 of the report for details of the remaining representations.

FINANCIAL/BUDGET IMPLICATIONS

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

LEGAL IMPLICATIONS

10. The 28-day consultation period ended on 4 January 2023. 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

11. The following sections from the national guidance issued under section 182 of the Licensing Act 2003 are considered relevant to this application:
12. 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.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.15 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.
- 2.21 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.

- 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.
- 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.
- 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

Implications under the Crime and Disorder Act 1998

13. 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

14. Members are advised that this application must be considered against the background of the implications of the Human Rights Act 1998.
15. 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.

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".

16. 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.

17. 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	2.3 – 2.6
Paragraph 3	Licensable Activities	3.1
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	10.1 – 10.4, 10.7, 10.9, 10.12, 10.26

EQUALITY AND DIVERSITY

18. 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).
19. There is no requirement for an equality impact assessment to be carried out.

OPTIONS

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

RISK MANAGEMENT

20. With regard to Option 1: To grant the licence as per the application may not adequately mitigate the risk of nuisance and disorder arising from customers 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.
21. 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.
22. 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

23. 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.*
24. Comments submitted by other persons during the consultation period have stated that the location to which the application relates to, inclusive of the hours of operation is not compatible with the activities and timings that are being proposed within the application. Concerns have been raised in that the the area already has anti-social tendencies and that the granting of the premises licence would have a negative impact on the area, inclusive of nearby residents and customers/clients of nearby businesses.
25. Section 1.17 of the Revised Guidance under Section 182 of the Licensing Act 2003 states that each application must be considered on its own merits and in accordance with the licensing authorities' statement of licensing policy. Section 7.1 of the local authorities licensing policy states that the licensing authority will not take 'need' into account for a particular type of premises on the Isle of Wight when considering a licence application. This is a matter for planning development control and market forces. During the consultation period no concerns in relation to the cumulative impact that the licence may have on the area (if granted) were raised by the planning department of the Council, therefore concerns raised stating that the granting of the licence would be detrimental to the location to which it related to is not a relevant factor that can be considered in determining the application.
26. Comments submitted have also cited that the granting of the licence, specifically with the activity of the sale of alcohol would lead to inappropriate

behaviour and an increase in noise levels, thus affecting lives of nearby residents.

27. A condition has been agreed between the applicant and Environmental Health which will require the licence holder (should the licence be granted) to ensure that any regulated entertainment (i.e., live and/or recorded music) to be barely audible at the nearest noise sensitive premises. This condition has been agreed and will form part of the licence (if granted) in order to promote the licensing objective for the prevention of public nuisance. For full details of this condition please refer to Appendix 2 of the report.
28. With regards to the potential for inappropriate behaviour, inclusive of noise levels from any persons whilst on the premises or within the immediate vicinity of the premises, the licence holder would have a duty to ensure that such behaviour or inappropriate noise levels are avoided and deterred. By allowing disorderly conduct on the premises the licence holder would be committing an offence in accordance with Section 140 of the Licensing Act 2003, therefore should this occur, appropriate and proportionate enforcement action would be considered and taken.
29. In order to promote the licensing objective for the prevention of crime and disorder the applicant has agreed with the Police to install and retain images via a CCTV system which could be a further deterrent with regards to inappropriate behaviour occurring on or within the immediate vicinity of the premises. This condition will form part of the licence (if granted). For full details of this condition please refer to Appendix 2 of the report.
30. In relation to an individual's behaviour once they have left the immediate vicinity of the licenced premises, section 1.16 of the Revised Guidance under Section 182 of the Licensing Act 2003 states that the licence holder cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, therefore it is for the individual(s) in question to be responsible for their own actions and behaviour once they have left the immediate vicinity of the premises.
31. The responsible authorities, particularly the Environmental Health department and the Police who view applications specifically from a nuisance and crime and disorder perspective have considered the application and agreed conditions with the applicant which they feel will uphold and promote the licensing objectives for the Prevention of Public Nuisance and Prevention of Crime and Disorder, therefore the Sub-Committee may feel that these conditions are appropriate and proportionate should they determine to grant the licence.
32. The applicant has stated that the business model is to take a food led approach with food and alcohol to be served via table service only. From a noise level perspective in relation to regulated entertainment, the applicant has also stated that in line with other businesses that they have managed previously, their intention is for any entertainment in the form of live/or recorded music to compliment the dining experience and not to cause a nuisance.
33. In accordance with the Live Music Act 2012, the playing of live and/or recorded music between the hours of 08:00 and 23:00 when there are less

than 500 persons present and when the activity for the sale of alcohol is not deemed a licensable activity. If the above pre requisites are in place, then the activity of playing live and/or recorded music is deregulated. With this in mind the only consideration that the Sub- Committee can apply with regards to this activity would be between the hours of 23:00 and 00:00 Friday to Saturday and between the hours of 23:00 and 00:30 on New Year's Eve.

34. 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.
35. The Committee should determine the application in accordance with section 18 of the Licensing Act 2003 and The Licensing Act (Hearings) Regulations 2005 and with a view to promoting the licensing objectives, which are:
 - The Prevention of Crime and Disorder
 - The Prevention of Public Nuisance
 - Public Safety
 - The Protection of Children from Harm

RECOMMENDATION

36. Option 1: Grant the licence as per application with conditions agreed between the applicant, Environmental Health and Police

APPENDICES ATTACHED

- Appendix 1 Application for a premises licence under section 17 of the Licensing Act 2003
- Appendix 2 Agreed conditions between applicant, Environmental Health and Police
- Appendix 3 Representations submitted by Other Persons and communications with Licensing Authority

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We [REDACTED]
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Crazy's Mediterranean Restaurant			
49 HIGH STREET			
Post town	RYDE	Postcode	PO33 2RE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£9,500

Part 2 - Applicant details

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

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

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

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

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

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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

██████████

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name

Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	0	1 2 2 0 2 2

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

DD	MM	YYYY

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

The Premises will be use as Mediterranean Restaurant with aprox 50 seats and alcohol will be served in the dinning area. The alcohol served will be beer, wine & spirits, served at the table. The staff will undertake training in their responsibility in relation to sale of alcohol and underage sale prevention.

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

60

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

SALE OF ALCOHOL

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thurs					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4) amplified music		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri	23:00	00:00	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 6) New Years Eve Start 23:00 - Finish 00:30		
Sat	23:00	00:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4) background unamplified music		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	23:30			
Sat	11:00	23:30	New Years Eve		
			Start 11:00 - Finish 00:30		
Sun	11:00	23:00			

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

Name ██████████	
Date of birth	
Address ██████ ██████████████████ ████████	
Postcode	██████████
Personal licence number (if known) ██████████████	
Issuing licensing authority (if known) Isle of Wight	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)	
Day	Start	Finish		
Mon	08:00	23:30	N/A	
Tue	08:00	23:30		
Wed	08:00	23:30		
Thur	08:00	23:30		Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) New Years Eve Start 08:00 - Finish 01:00
Fri	08:00	00:30		
Sat	08:00	00:30		
Sun	08:00	23:30		

M

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

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

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation. Customers will not be permitted to take open containers of alcohol or soft drinks from the premises. We have a capacity limit of 80 people to prevent overcrowding which could lead to crime and disorder. We have a proof of age policy in place. The Designated Premises Supervisor or a Personal Licence holder will be in charge of the premises when any drinks promotions are taking place.

c) Public safety

We have conducted a suitable Fire Risk Assessment at the premises and implemented the necessary control measures.
We operate a complete no smoking policy at the premises.
Fire safety signs are adequately illuminated.
Adequate arrangements exist to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency. All exit doors are easily operable without the use of a key, card, code or similar means.

d) The prevention of public nuisance

All windows are double glazed to minimise the breakout of noise. Doors and windows will be kept closed when regulated entertainment is taking place. The premises are air-conditioned to avoid the need to open doors and windows for ventilation. Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly. The playing of live or recorded music in garden or outside seating areas of the premises is not permitted.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 21 for photographic ID card. All staff will be trained for UNDERAGE SALES PREVENTION regularly. A register of refused sales shall be kept and maintained on the premises. The premises operates a proof of age policy (OVER 21).
All children are to be under they parents supervision at all time.

Checklist:

Please tick to indicate agreement

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

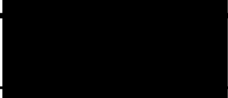
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
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	<ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	22/11/2022
Capacity	Manager

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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. 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.

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 or email dpo@iow.gov.uk

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. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking authority service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

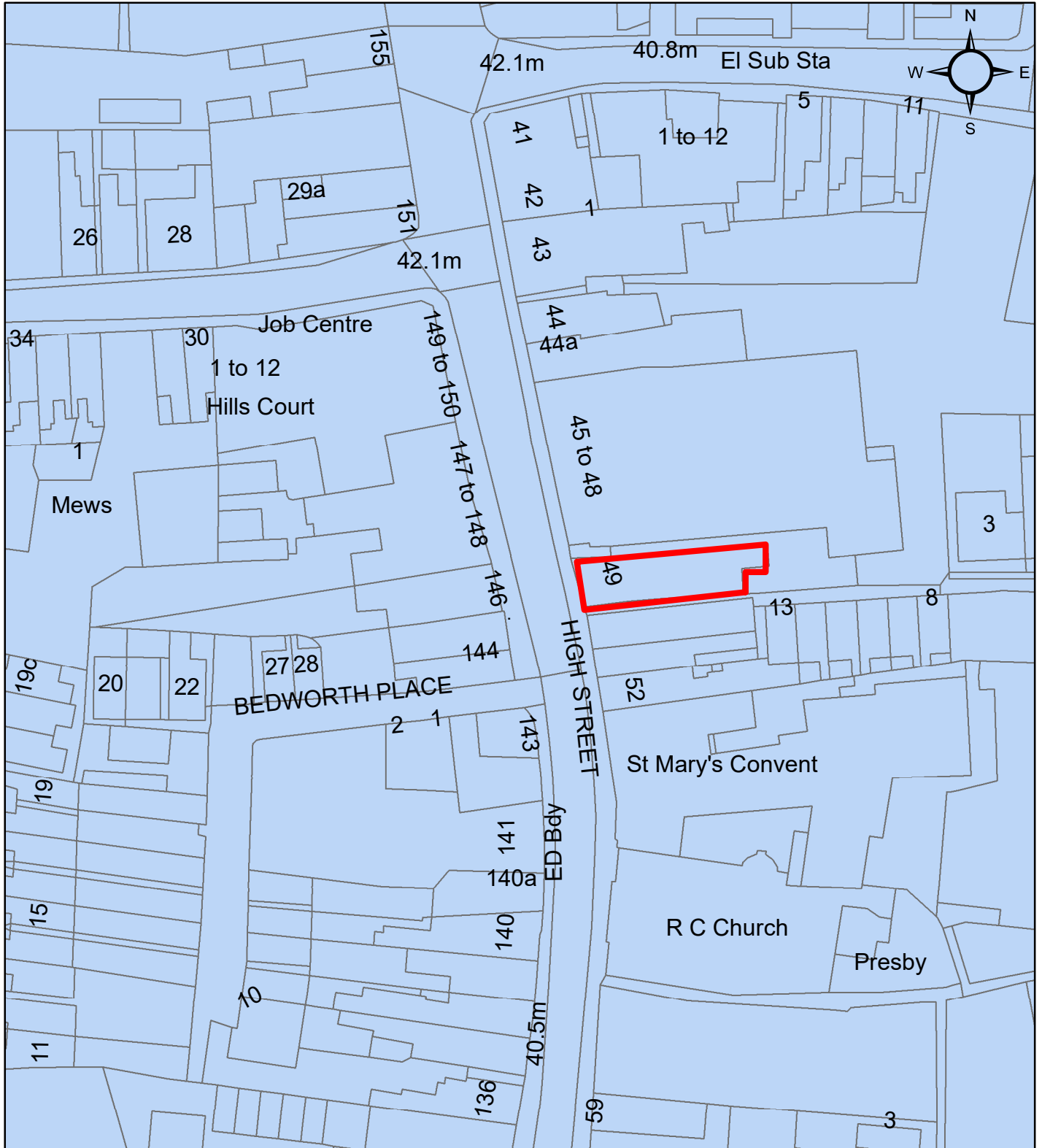
In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Premises Licence Application

Crazy's Restaurant

49 High Street, Ryde, Isle of Wight



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Ordnance Survey 100019229



Conditions agreed between Applicant and Police Authority

1. 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 and Council upon request and shall be kept for at least one year.
2. 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 and Council upon request.
3. 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.
4. A written record shall be retained at the bar area to list the staff that have been authorised to sell or supply alcohol following their training. This shall be made available to the Police and Council upon request.
5. Recordable CCTV will be installed at the premises. 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 the Police and Council immediately upon 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 disc and playable on a windows based computer system without the need for technical enhancement. It is preferable that the footage is able to be downloaded and uploaded to any links provided.

Condition agreed between Applicant and Environmental Health Authority

1. During the provision of regulated entertainment, the noise, including any DJ announcements shall be contained within the premises, or be at a limit which will be barely audible* at the boundary of the nearest residential premises.

*Barely audible is defined as at a level that, whilst it may be audible (heard), is so low in volume that distinct lyrics, tunes, musical instruments and any bass beat cannot be discerned at the boundary of the noise sensitive premises.

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Batchelor, Shane

From: [REDACTED]
Sent: 09 January 2023 12:51
To: [REDACTED]
Subject: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde) - [REDACTED]

Good afternoon [REDACTED]

I have been in contact with the applicant today in order to explain the process of determining the application by a formal hearing.

The applicant has stated that they are keen to work with nearby residents and businesses and to explain the manner in which the food led restaurant business is to operate.

They have asked me to pass on their contact details in case you wish to discuss further with them your concerns in the hope that these can be resolved.

Please find contact details below:

[REDACTED] [REDACTED]

I will still look to proceed to the hearing process and let you know of the date so that you are able to attend to raise any relevant points that you have submitted within your original representation, however should these points be resolved after you have discussed them with [REDACTED] (if this is what you choose to do) then I would appreciate it if you could notify me of such,

If you have any further queries in the meantime, please do not hesitate to contact me,

Kind regards

[REDACTED] | Licensing Officer | Regulatory Services | Isle of Wight Council |

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED]
Sent: 05 January 2023 11:48
To: [REDACTED] >
Subject: RE: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde) - [REDACTED]

Thank you for your response [REDACTED],

As stated the relevant point that we are able to take forward in relation to determining the application and of which is contained within your objection would be that of the noise levels that may potentially affect residents.

There has been conditions agreed between the applicant, Police and Environmental Health which look to promote and uphold the objective for the Prevention of Public Nuisance, whilst the applicant has detailed the nature of the business and how it will be managed.

I will in due course notify you of the hearing date should you still wish to uphold your objection so that you are able to attend and discuss the relevant point of your original objection.

Kind regards

[REDACTED] | Licensing Officer|Regulatory Services| Isle of Wight Council|

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED] >

Sent: 04 January 2023 18:06

To: [REDACTED] >

Subject: Re: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde) - [REDACTED]

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I do not wish to withdraw my objections.

[REDACTED]

On Wed, 4 Jan 2023, 10:32 [REDACTED] > wrote:

Good morning [REDACTED]

Further to my email below, dated 23 December 2022, the consultation period for the Premises Licence application for the above business is due to end today.

I do not seem to have received a response from yourself in relation to my response as per below.

Could I please ask you to review the points below if you have not already done so and inform me if you are happy to withdraw your original points based on the agreed conditions between the applicant, Police and Environmental Health as well as the applicants explanation as to how the business is to be managed.

If you wish any relevant points that you have made to remain then we will need to look to proceed to a hearing where all parties including yourself will be expected to attend to raise any relevant points that you have made in your original submissions.

The Licensing Sub Committee will then make a determination as to whether the application for a premises licence should be granted as per application, granted with agreed conditions, granted with any conditions that they feel would be appropriate to uphold one or more of the four licensing objectives, or refuse the application.

Could I please ask you to inform me of your intentions no later than Friday 6 January 2022 as the hearing will need to be heard within a specific time period of the consultation ending, therefore I would like to give all interested parties, including yourself due notice of the date so that you are able to attend.

If you have any queries or require clarification in relation to the above please let me know, otherwise I look forward to hearing from you by **Friday 6 January 2022**,

Kind regards

From: [REDACTED] >
Sent: 23 December 2022 13:27
To: [REDACTED]
Subject: RE: FW: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde) - [REDACTED]

Good afternoon [REDACTED]

Thank you for your comments below in relation to the Premises Licence application for the above premises.

Unfortunately the Licensing Act 2003 legislation does not enable us to refuse an application due to the location to which the application relates to, therefore we are unable to consider this aspect of your representation.

I am also unable to consider your comments in relation to persons smoking within the vicinity of the premises as this activity can not be controlled or restricted by way if the licence, should it be granted.

In order to promote and uphold the Licensing Objectives for the Prevention of Public Nuisance and Prevention of Crime and Disorder, conditions have been agreed between the applicant and the Police and Environmental Health. These will form part of the licence (if granted) and the applicant will need to comply with these in order to ensure nuisance and anti-social behaviour are controlled in association with the activities and timings that would form part of the licence if granted. The applicant has also supplied

additional information with regards to the type of business that they are intending to operate. Please see all of this information below:

Applicant

With regards to the nature of the proposed business, the format will take that of a Mediterranean restaurant, serving food and alcohol at the table, therefore the applicant is not looking to operate as per a non-food led licenced premises.

With regards to live music , it is the applicants intention to operate in the same way as licenced premises that they have operated before., which would be occasionally on Friday or a Saturday night. It is not the applicants intention or view to use a band or DJ.

In general, entertainment would take the form of a single person singing live jazz for example or with guitar, it will be amplified but only at the lowest level in order to compliment the dining experience of the restaurant.

The applicant states that they are experienced in the management of the restaurant type business and will always operate in accordance and from advice given by relevant responsible authorities such as Environmental Health and the Police.

Police

- 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 and Council upon request and shall be kept for at least one year.
- 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 and Council upon request.
- 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.

- A written record shall be retained at the bar area to list the staff that have been authorised to sell or supply alcohol following their training. This shall be made available to the Police and Council upon request.
- Recordable CCTV will be installed at the premises. 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 the Police and Council immediately upon 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 disc and playable on a windows based computer system without the need for technical enhancement. It is preferable that the footage is able to be downloaded and uploaded to any links provided.

Environmental Health

- During the provision of regulated entertainment the noise, including any DJ announcements shall be contained within the premises, or be at a limit which will be barely audible* at the boundary of the nearest residential premises.

*Barely audible is defined as at a level that, whilst it may be audible (heard), is so low in volume that distinct lyrics, tunes, musical instruments and any bass beat cannot be discerned at the boundary of the noise sensitive premises.

I hope the above information clarifies why we are not able to consider some of your points and what has been agreed between the applicant and the responsible authorities in order to ensure the Licensing objectives are both promoted and upheld, should the licence be granted.

If after reviewing the above you are satisfied that any points that you have raised that are relevant have been adequately addressed then please confirm this by way of responding to this email correspondence.

If you have any further queries or require clarification on the above please let me know.

Kind regards

[REDACTED] | Licensing Officer|Regulatory Services| Isle of Wight Council|

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED]
Sent: 12 December 2022 11:32
To: [REDACTED]
Subject: FW: FW: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde)

From: [REDACTED]
Sent: 12 December 2022 10:28
To: [REDACTED]
Subject: Fwd: FW: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde)

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----- Forwarded message -----

From: [REDACTED] >
Date: Mon, 12 Dec 2022, 07:58
Subject: FW: Licence Objection (Crazy's Restaurant, 49 High Street, Ryde)
[REDACTED]

Sent from my Galaxy

----- Original message -----

From: [REDACTED]

Date: 09/12/2022 19:38 (GMT+00:00)

To: [REDACTED]

Subject: Licence Objection

I would like to strongly object to the following licensing application by [REDACTED] for the premises situated at Crazy's Restaurant 49 High Street, Ryde I.o.W.

The reasons for my objection are set out below.

I am objecting mainly to the business's night time licensing hours which would not be compatible with this location as there are many residential flats in the immediate vicinity and also a quiet 'retreat' for recovering addicts next door but one at number [REDACTED] High Street.

Where alcohol is involved, the possibility of inappropriate behaviour and noise levels would be increased and therefore affect lives of nearby residents.

The very narrow pavement outside the premises would undoubtedly be used by smokers from the establishment causing an obstruction for pedestrians. Also, this part of the High Street itself is very narrow, so the impact of even loud talking at night time would be heard and have a negative impact for nearby residents.

Therefore I strongly urge you to decline this application on behalf of myself and others residents of the High Street Ryde.

Regards

[REDACTED]

Sent from my Galaxy

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This email communication may be monitored by the Isle of Wight Council for regulatory, quality control, or crime detection purposes. If you are not the Intended Recipient please contact the sender as soon as possible. It is intended only for the personal attention of the named person, firm or company to whom it is addressed. It may contain information that is privileged and confidential in law. Accordingly any unauthorised dissemination, distribution, copying or other use of this message or any of its content by any other person may constitute a breach of civil or criminal law and is strictly prohibited. No mistake in transmission is intended to waive or compromise any such privilege. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of the Isle of Wight Council.

The information contained in this e-mail may be subject to disclosure to third parties under either data protection legislation or the Freedom of Information Act 2000 to the extent the law allows and in accordance with the Isle of Wight Council's policies on information management. (If you wish the disclosure of the information in any reply to be restricted please make this clear in your response).

Batchelor, Shane

From: Batchelor, Shane <Shane.Batchelor@IOW.gov.uk>
Sent: 10 January 2023 14:23
To: [REDACTED]
Subject: Premises Licence Application - Crazy's Restaurant - [REDACTED]

Thank you [REDACTED]

Thank you for confirming the below.

As an individual who had submitted a representation, I am duty bound to inform you of the date of the hearing and to supply you with the relevant report so this will be forwarded to you in due course.

The only persons that are able to attend and raise relevant concerns are individuals that have submitted relevant representations during the 28 day consultation period.

With this in mind I am assuming that your neighbours are those which have submitted representations.

If this is not the case then I am afraid they will not be able to attend the hearing to speak about any relevant concerns.

Kind regards

[REDACTED] | Licensing Officer | Regulatory Services | Isle of Wight Council |

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED] >
Sent: 09 January 2023 20:49
To: [REDACTED]
Subject: Re: Premises Licence Application - Crazy's Restaurant

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Hi [REDACTED]

I have spoke to the owner today and he reassures me that my major concern, staff in the yard after 10pm, will be respected. Although he doesn't promise.

Him building out there at 9pm just days ago, my neighbour told him to stop, hasn't helped himself.

I am not going to attend. However, my other neighbours are attending and they will have myself, another neighbour with young children, in mind.

Hope that answers

Regards
[REDACTED]

Sent from my iPhone

On 9 Jan 2023, at 16:18, Batchelor, Shane [REDACTED] wrote:

Good afternoon [REDACTED],

I have been in contact with the applicant today in order to explain the process of determining the application by a formal hearing.

The applicant has stated that they are keen to work with nearby residents and businesses and to explain the manner in which the food led restaurant business is to operate.

They have asked me to pass on their contact details in case you wish to discuss further with them your concerns in the hope that these can be resolved.

Please find contact details below:

[REDACTED]

I will still look to proceed to the hearing process and let you know of the date so that you are able to attend to raise any relevant points that you have submitted within your original representation, however should these points be resolved after you have discussed them with [REDACTED] (if this is what you choose to do) then I would appreciate it if you could notify me of such,

If you have any further queries in the meantime, please do not hesitate to contact me,

Kind regards

[REDACTED] | Licensing Officer | Regulatory Services | Isle of Wight Council |

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED]
Sent: 04 January 2023 10:43
To: [REDACTED] >
Subject: RE: Premises Licence Application - Crazy's Restaurant

Good morning [REDACTED]

The potential for disturbance via noise nuisance is a relevant point and one in which the Licensing Objective for the Prevention of Public Nuisance is applicable to.

In order to promote this objective the below condition has been agreed between the applicant and Environmental Health

1. During the provision of regulated entertainment the noise, including any DJ announcements shall be contained within the premises, or be at a limit which will be barely audible* at the boundary of the nearest residential premises.

*Barely audible is defined as at a level that, whilst it may be audible (heard), is so low in volume that distinct lyrics, tunes, musical instruments and any bass beat cannot be discerned at the boundary of the noise sensitive premises.

Should complaints be received (should the licence be granted) then Licensing could potentially look to enforce the above condition, if substantiated. Environmental Health also have powers under the Environmental Protection Act 1990 to take enforcement action is appropriate to do so.

The 28 day consultation period for the application ends at the end of today.

From reviewing your response below, it infers that you intend to withdraw your original representation, however could you please confirm to me of your intentions in relation to this please.

If you wish any relevant points that you have made to remain then we will need to look to proceed to a hearing where all parties including yourself will be expected to attend to raise any relevant points that you have made in your original submissions.

The Licensing Sub Committee will then make a determination as to whether the application for a premises licence should be granted as per application, granted with agreed conditions, granted with any conditions that they feel would be appropriate to uphold one or more of the four licensing objectives, or refuse the application.

Could I please ask you to inform me of your intentions no later than Friday 6 January 2022 as the hearing will need to be heard within a specific time period of the consultation ending, therefore I would like to give all interested parties, including yourself due notice of the date so that you are able to attend.

If you have any queries or require clarification in relation to the above please let me know, otherwise I look forward to hearing from you by **Friday 6 January 2022**,

Kind regards

██████████ | Licensing Officer|Regulatory Services| Isle of Wight Council|

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: ██████████ >
Sent: 23 December 2022 18:21
To: ██████████ >
Subject: Re: Premises Licence Application - Crazy's Restaurant

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Hi

Every point I have made is irrelevant to licensing, clearly. I'm shocked to learn residents peace and where drunk people smoke is not a concern to you.

The former cafe owner rarely used such license and she had a very respectful relationship with us.

I cannot contend with that. However, as your reply clarifies that this license should cause neighbours no disruption and it is only to be used occasionally-

I will be calling you every single time that is not the case, and demanding you resolve it.

Yours sincerely

[REDACTED]

Sent from my iPhone

On 23 Dec 2022, at 13:34, Batchelor, Shane [REDACTED] wrote:

Good afternoon [REDACTED].

Thank you for your comments below in relation to the Premises Licence application for the above premises.

Unfortunately the Licensing Act 2003 legislation does not enable us to refuse an application due to the location to which the application relates to or the current activities that take place or are considered to take place within the area to which the application relates to.

I am also unable to consider your comments in relation to persons smoking within the vicinity of the premises as this activity can not be controlled or restricted by way of the premises licence, should it be granted.

In order to promote and uphold the Licensing Objectives for the Prevention of Public Nuisance and Prevention of Crime and Disorder, conditions have been agreed between the applicant and the Police and Environmental Health. These will form part of the licence (if granted) and the applicant will need to comply with these in order to ensure nuisance and anti-social behaviour are controlled in association with the activities and timings that would form part of the licence if granted. The applicant has also supplied additional information with regards to the type of business that they are intending to operate. Please see all of this information below:

Applicant

With regards to the nature of the proposed business, the format will take that of a Mediterranean restaurant, serving food and alcohol at the table, therefore the applicant is not looking to operate as per a non-food led licenced premises.

With regards to live music , it is the applicants intention to operate in the same way as licenced premises that they have operated before., which would be occasionally on Friday or a Saturday night. It is not the applicants intention or view to use a band or DJ.

In general, entertainment would take the form of a single person singing live jazz for example or with guitar, it will be amplified but only at the lowest level in order to compliment the dining experience of the restaurant.

The applicant states that they are experienced in the management of the restaurant type business and will always operate in accordance and from

advice given by relevant responsible authorities such as Environmental Health and the Police.

Police

1. 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 and Council upon request and shall be kept for at least one year.
2. 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 and Council upon request.
3. 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.
4. A written record shall be retained at the bar area to list the staff that have been authorised to sell or supply alcohol following their training. This shall be made available to the Police and Council upon request.
5. Recordable CCTV will be installed at the premises. 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 the Police and Council immediately upon 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 disc and playable on a windows based computer system without the need for technical enhancement. It is preferable that the footage is able to be downloaded and uploaded to any links provided.

Environmental Health

1. During the provision of regulated entertainment the noise, including any DJ announcements shall be contained within the premises, or be at a limit which will be barely audible* at the boundary of the nearest residential premises.

*Barely audible is defined as at a level that, whilst it may be audible (heard), is so low in volume that distinct lyrics, tunes, musical instruments and any bass beat cannot be discerned at the boundary of the noise sensitive premises.

I hope the above information clarifies why we are not able to consider some of your points and what has been agreed between the applicant and the responsible authorities in order to ensure the Licensing objectives are both promoted and upheld, should the licence be granted.

If after reviewing the above you are satisfied that any points that you have raised that are relevant have been adequately addressed then please confirm this by way of responding to this email correspondence.

If you have any further queries or require clarification on the above please let me know.

Kind regards

██████████ | Licensing Officer|Regulatory Services| Isle of Wight Council|

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: ██████████ ██████████
Sent: 12 December 2022 16:37
To: ██████████
Subject: FW: Licencing dept

From: Isle of Wight Council - ██████████ >
Sent: 12 December 2022 16:07
██████████
Subject: FW: Licencing dept

This is for you I believe.

Kind regards,

██████████ | Customer Adviser Supervisor | Help Centre | Isle of Wight Council |
County Hall | Newport | Isle of Wight | PO30 1UD |
Tel: (01983) 821000 ██████████ | Email: ██████████ | Web:
www.iwight.com

From: ██████████
Sent: 12 December 2022 15:50
To: Isle of Wight Council - Customer Services ██████████ >
Subject: Licencing dept

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Dear Isle of Wight Council

Please pass this on to your premises licencing department.

I write to you in regard to a proposed Licence for Crazy's Mediterran restaurant, 49 Highstreet Ryde.

I am a close neighbour of theirs and after seeing this barely legible notice, please see attached, I am concerned about their proposals for late night opening, alcohol and music.

This is already an anti-social area, a horrible place to bring a child up, but I'm stuck here due to the housing crisis and the infinite queue for a council house. Allowing this to go ahead will without a doubt worsen this undesirable neighbourhood. Where do they propose their drunk customers smoke, for example? On the narrow street outside, making it impassable, or down the side alley, Infront of our single glazed houses?

I am not the only neighbour with a child, far from it. The lady directly above the proposed bar, because that is what it is, dressed up as a restaurant, also has children, as do my direct neighbours in the terrace row. Allowing music to be played into the night will disturb our children's sleep, as well as our own.

The namesake Crazy's gives away what sort of establishment this is- Not a classy one.

The owners do not care for the neighbours, our children- otherwise they would have politely tried to discuss this with us.

I please ask my name is kept anonymous from Crazy's.

Yours Sincerely

[Redacted signature]

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The information contained in this e-mail may be subject to disclosure to third parties under either data protection legislation or the Freedom of Information Act 2000 to the extent the law allows and in accordance with the Isle of Wight Council's policies on information management. (If you wish the disclosure of the information in any reply to be restricted please make this clear in your response).

Important Information - Disclosure, Confidentiality and Monitoring of this email

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The information contained in this e-mail may be subject to disclosure to third parties under either data protection legislation or the Freedom of Information Act 2000 to the extent the law allows and in accordance with the Isle of Wight Council's policies on information management. (If you wish the disclosure of the information in any reply to be restricted please make this clear in your response).

Batchelor, Shane

From: [REDACTED]
Sent: 10 January 2023 14:18
To: [REDACTED]
Subject: RE: Premises Licence Application - Crazy's Restaurant

Thank you [REDACTED]

Please let me know how you get on.

I will let you know of the hearing date as soon as it has been conformed,

Kind regards

[REDACTED] Licensing Officer|Regulatory Services| Isle of Wight Council|

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED]
Sent: 09 January 2023 16:56
To: [REDACTED]
Subject: Re: Premises Licence Application - Crazy's Restaurant

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Good afternoon [REDACTED]
Sorry for not responding sooner, but I am glad I have managed to respond in time.
I will be more than happy to speak to [REDACTED] but I do feel this may not resolve the matter in hand as I will still have many concerns as to the noise levels and unsociable behaviour of the customers at that late an hour so would like to please be informed and included in the hearing meeting.

Many Thanks
[REDACTED]

On 06/01/2023 16:56 GMT [REDACTED] wrote:

Good afternoon [REDACTED]

Thank you for your comments in relation to the above application.

When determining whether comments received in relation to premises licence applications are relevant or not we must reference them against the four licensing objectives, these being:

- Prevention Public Nuisance
- Prevention of Crime and Disorder
- Public Safety
- Protection of Children from Harm

Unfortunately the location of a potential business that is applying for a premises licence and how it may affect an individual who has had or is being treated for addictive tendencies is not a consideration that we are able to take on board when determining an application.

The potential for disturbance via noise nuisance (relaying to your comment of loud music) is a relevant point and one in which the Licensing Objective for the Prevention of Public Nuisance is applicable to. The proposed operating hours for licensable activities are up until 23:00 Monday to Friday and 00:00 hours Friday and Saturday with an extension to 00:30 hours on New Years Eve.

In order to promote and uphold the Licensing Objectives for the Prevention of Public Nuisance, conditions have been agreed between the applicant and the Police and Environmental Health. These will form part of the licence (if granted) and the applicant will need to comply with these in order to ensure nuisance and anti-social behaviour are controlled in association with the activities and timings that would form part of the licence if granted. The applicant has also supplied additional information with regards to the type of business that they are intending to operate. Please see all of this information below:

Applicant

With regards to the nature of the proposed business, the format will take that of a Mediterranean restaurant, serving food and alcohol at the table, therefore the applicant is not looking to operate as per a non-food led licenced premises.

With regards to live music , it is the applicants intention to operate in the same way as licenced premises that they have operated before., which would be occasionally on Friday or a Saturday night. It is not the applicants intention or view to use a band or DJ.

In general, entertainment would take the form of a single person singing live jazz for example or with guitar, it will be amplified but only at the lowest level in order to compliment the dining experience of the restaurant.

The applicant states that they are experienced in the management of the restaurant type business and will always operate in accordance and from advice given by relevant responsible authorities such as Environmental Health and the Police.

Police

1. 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 and Council upon request and shall be kept for at least one year.
2. 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 and Council upon request.
3. 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.
4. A written record shall be retained at the bar area to list the staff that have been authorised to sell or supply alcohol following their training. This shall be made available to the Police and Council upon request.
5. Recordable CCTV will be installed at the premises. 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 the Police and Council immediately upon 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 disc and playable on a windows based computer system without the need for technical enhancement. It is preferable that the footage is able to be downloaded and uploaded to any links provided.

Environmental Health

1. During the provision of regulated entertainment the noise, including any DJ announcements shall be contained within the premises, or be at a limit which will be barely audible* at the boundary of the nearest residential premises.

*Barely audible is defined as at a level that, whilst it may be audible (heard), is so low in volume that distinct lyrics, tunes, musical instruments and any bass beat cannot be discerned at the boundary of the noise sensitive premises.

I hope the above information clarifies why we are not able to consider some of your points and what has been agreed between the applicant and the responsible authorities in order to ensure the Licensing objectives are both promoted and upheld, should the licence be granted.

If after reviewing the above you are satisfied that any points that you have raised that are relevant have been adequately addressed then please confirm this by way of responding to this email correspondence.

If after considering the applicants statement of intent and the agreed conditions between the applicant, Police and Environmental Health you wish any relevant points that you have made to remain then we will need to look to proceed to a hearing where all parties including yourself will be expected to attend to raise any relevant points that you have made in your original submissions.

The Licensing Sub Committee will then make a determination as to whether the application for a premises licence should be granted as per application, granted with agreed conditions, granted with any conditions that they feel would be appropriate to uphold one or more of the four licensing objectives, or refuse the application.

Could I please ask you to inform me of your intentions no later than Monday 9 January 2022 as the hearing will need to be heard within a specific time period of the consultation ending, therefore I would like to give all interested parties, including yourself due notice of the date so that you are able to attend.

If you have any queries or require clarification in relation to the above please let me know, otherwise I look forward to hearing from you by **Monday 9 January 2022**,

Kind regards

[REDACTED] | Licensing Officer|Regulatory Services| Isle of Wight Council|

Jubilee Stores | The Quay | Newport | Isle of Wight PO30 2EH

Tel: (01983) 823159

From: [REDACTED] >
Sent: 06 January 2023 11:06
To: [REDACTED]
Subject: Fwd: Crazy's Restaurant

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

From: [REDACTED]
To: [REDACTED]
Date: 01/01/2023 14:14 GMT
Subject: Crazy's Restaurant

To Whom it may concern

I am writing in reference to an application for a premises licence for 49 High Street Ryde, for the sale of alcohol, live music and opening times to 12.30am.

my concerns come in as I run a retreat 2 doors away from 49 at [REDACTED] High Street Ryde and also a shop opposite at [REDACTED] High Street, at our retreat and shop we are helping people with addictions and mental health matters so if the license was granted this would have a massive detrimental affect on our clients learning and

sleep. Our clients only have one week with us when at the Retreat and in this week they take on an educational program which they need to be at the best they can be to be able to absorb the learning, also we use several therapies to work with People on a cellular level which would be calming and relaxing but obviously with loud live music and people under the influence of alcohol this will be disruptive to not only their sleep but in the short time they have with us it will disturb their ability to take in the education and disturb their therapies, also having the temptation of an establishment selling alcohol right on the doorstep is going to make things tremendously difficult for our clients that are with us trying to make life improvements and work on getting themselves out of addiction, in fact I can see this potentially ruining the program that could cast a failure on this one opportunity they may have to make the life changes they need to be able to get their life back.

Also with our clients that attend our shop very often have to see us after working hours and they will be faced with this massive temptation straight away as they leave the shop, not only that the noise from visitors to Crazy's whilst outside smoking will be very distracting while clients are trying to relax and learn.

We have now been running our Retreat and shop for a year now and support local businesses by using local cafes for lunch daily, trips to Quarr Abbey and the Island Riding Center with every Retreat and we run, our Retreats run every other week and we have found our location perfect as we are close enough to the local amenities but far enough out so not to be disrupted by local bars and if the licence is granted this will be devastating for our business and the people we are trying to help which includes locals which we helped with a Ryde's Time To Shine Grant, and I'm afraid all our hard work in the years building up to what we have now and helping in improving the local community will all come undone, so I'm please asking you to take this all into consideration when making your decision in this matter, also I am more than happy if you would like me to answer any further questions in this matter.

Many Thanks

[REDACTED]

Senior BMA

Trainer & Mentor

[REDACTED]

[REDACTED]

www.beatmyaddictions.com

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[REDACTED]
Senior BMA
Trainer & Mentor

[REDACTED]

[REDACTED]

www.beatmyaddictions.com