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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 WEDNESDAY 9 AUGUST 2023

Time **10.00 AM**

Venue CONFERENCE ROOM 5, COUNTY HALL, NEWPORT,

ISLE OF WIGHT

Members of the committee

Cllrs G Peace, I Ward and D Andre

Democratic Services Officer: Sarah MacDonald

democratic.services@iow.gov.uk

1. **Minutes** (Pages 5 - 8)

To confirm as a true record the Minutes of the meeting held on 19 May 2023.

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.

4. Report of the Director of Neighbourhoods

(a) Application for a Premises Licence for Island Life Craft Ale House - 1A Clarence Road, East Cowes, Isle of Wight, PO32 6EP (Pages 9 - 58)





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CHRISTOPHER POTTER Monitoring Officer Tuesday, 1 August 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 FRIDAY 19 MAY 2023 COMMENCING AT 10.00 AM

Venue COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE

OF WIGHT

Present Cllrs G Peace, I Ward and J Bacon

Also Present Ben Gard, Kevin Winchcombe, Andrea Bull, Regan

Matthews and Daniel Power

1. Apologies and Changes to Membership (if any)

2. Minutes

RESOLVED:

THAT the minutes of the meeting held on 28 April 2023 be approved.

3. **Declarations of Interest**

There were no declarations received at this stage.

4. Urgent Business

There were no items of Urgent Business.

5. Report of the Director of Neighbourhoods

6. Application for Variation of the Premises Licence at The Garden, 48 High Street, Cowes, IW

The Licensing Officer presented the report and summarised the application. There had been a number of representations both in objection and in support of the application. Due to noise complaints received. The applicant advised that they had done some work to reduce the music level in the garden and they also asked people to vacate the garden area at approx. 9.45 - 9.50pm to ensure the garden is empty by 10pm.

The Environmental Health Officer advised that complaints had been received regarding the premises, noise assessments had been undertaken and relevant conditions had been recommended.

The objectors attended to outline their objections to the application, advising that they had noticed a reduction in noise during the last few weeks.

The Committee retired to private session to consider their decision, and upon reconvening it was

RESOLVED:

THAT upon receiving the report of the licensing section, oral and written evidence from the applicant, responsible authorities and other persons, and having regard to the Guidance issued under s182 of the Licensing Act 2003 and the Isle of Wight Council's Statement of Licensing Policy, the sub-committee hereby:

- 1. Grant the variation in accordance with the application, subject those conditions identified in the operating schedule and also subject to the mandatory conditions specified in the Licensing Act 2003 but modify the licence to such an extent as members have considered appropriate for the promotion of the 4 licensing objectives, namely by requiring the application of and amendment to the proposed conditions on page 42 of the report as follows: -
 - (1) The use of the external area referred to as the 'garden area' hereby permitted and marked [and at this point the committee ask the licensing authority to insert correct marking] on the accompanying plan, shall be open to customers between the hours of 0900 until 2200 on each day only.
 - (2) The use of the external area referred to as the 'upper garden area' hereby permitted and marked [and at this point the committee ask the licensing authority to insert correct marking] on the accompanying plan, shall be open to customers between the hours of 0900 until 2200 on each day only.
 - (3) The service of food and drink intended for consumption on the outside parts of the premises is to occur only to patrons seated at tables.
 - (4) Condition 4 shall remain unchanged and shall apply to the licence.

reason:

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

In reaching the above decision the sub-committee have had regard to the Human Rights Act 1998, and in particular Article 1 of the First Protocol, Article 8 and Article 6. The sub-committee consider this decision is proportionate and appropriate for the promotion of the 4 licensing objectives under the Licensing Act 2003.

There is a right of appeal to the Magistrates Court if anyone is dissatisfied with this decision and any appeal must be made within 21 days of the date of notification.

ADVISORY: The sub-committee note the concerns raised today by the objectors, and also those raised by Environmental Health. Whilst the Sub-Committee cannot provide for an automatic review of this licence after the summer period, if the licensable activities on the premises are undertaken in a manner which is different from that described by the applicant today and harm is caused to the licensing objectives as a result of the revised licence, without prejudice to any decision it might make on such a review, the sub-committee strongly urge objectors or Environmental Health to apply for a review in accordance with he statutory provisions.

CHAIRMAN



Agenda Item 4a



Purpose: For Decision

Committee report

Committee LICENSING SUB COMMITTEE

Date WEDNESDAY 9 AUGUST 2023

Title TO DETERMINE AN APPLICATION FOR A PREMISES

LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003 FOR ISLAND LIFE CRAFT ALE HOUSE, 1A CLARENCE

ROAD, EAST COWES, ISLE OF WIGHT, PO32 6EP

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 19 June 2023, by Mr Glenn Johnson. for Island Life Craft Ale House, 1A Clarence Road, East Cowes, Isle of Wight, PO32 6EP. A copy of the application and plans associated with the application can be found at Appendix 1.
- 3. The proposed licensable activity which is included within the application is that of sale of alcohol only. The proposed timings for this activity are as follows:

Monday to Thursday – 12:00 to 23:00 hours Friday to Saturday – 12:00 to 23:30 hours Sunday – 12:00 to 22:30 hours

4. Any person may make representations in respect of the application during the consultation period and if these are not resolved the licensing authority must hold a hearing to determine the application.

CONSULTATION

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

- 6. The consultation period ended on 18 July 2023.
- 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	Response received – no representation
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	Agreed conditions with Applicant
Police	Agreed conditions with Applicant

- 8. For full details of conditions agreed between the applicant and Environmental Health which propose to further safeguard the licensing objective for the Prevention of Public Nuisance, please refer to Appendix 2 of the report.
- 9. For full details of conditions agreed between the applicant and Police, which propose to further safeguard the licencing objective for the Prevention of Crime and Disorder, please refer to Appendix 3 of the report.

Other Persons

- 10. Three representations have been received from other persons, one in support of the application and two against.
- 11. As part of the consultation process the applicant, after reviewing the two objections opposing the application supplied a response which was forwarded to all objectors. This can be found at Appendix 4 of the report.
- 12. Following these communications and after having regards to the proposed conditions submitted by Environmental Health, the outstanding point within one of the objections is deemed not to be relevant, therefore one relevant representation opposing the application remains, this relating to the licensing objective for the Prevention of Public Nuisance.
- 13. East Cowes Town Council (ECTC) have submitted a response in support of the application, with the agreement that the applicant includes measures to mitigate the risk of noise nuisance. Conditions submitted by Environmental Health (please see Appendix 2) have been shared with ECTC which have

- satisfied their initial requirement with regards to the mitigation of noise nuisance. Please refer to Appendix 5 of the report for full details.
- 14. Thea Thomas has made representations (Appendix 6) against the grant of a licence on the grounds that the perceived increase in noise from inside the premises will be likely to cause noise disturbance to residents within properties either above or directly to the side of the business premises.

FINANCIAL/BUDGET IMPLICATIONS

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

LEGAL IMPLICATIONS

16. The 28-day consultation period ended on 31 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

- 17. The following sections from the national guidance issued under section 182 of the Licensing Act 2003 are considered relevant to this application:
- 18. 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.

- 2.15 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-bycase 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

19. 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

- 20. Members are advised that this application must be considered against the background of the implications of the Human Rights Act 1998.
- 21. There are three convention rights, which need to be considered in this context:

Article 6 - Right to a Fair Trial

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

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

Article 8 - Right to Respect for Private and Family Life

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

Article 1 - First Protocol Protection of Property

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

- 22. 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.
- 23. 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
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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

- 24. 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).
- 25. 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

26. With regard to Option 1: To grant the licence as per the application may not adequately address the concerns raised by the objectors if the Sub-Committee deem these to be a likely outcome. The decision not to address the concerns raised may subsequently be appealed by those parties who have made representations.

- 27. With regard to Option 2: The concerns raised 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.
- 28. 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

- 29. 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.
- 30. Proportionate conditions have been agreed between the applicant and two responsible authorities, these being the Police and Environmental Health. Should the licence be granted then these conditions will be forming part of the premises licence.
- 31. In order to attempt to address concerns relating to noise disturbance from inside the premises itself, the applicant has agreed to carry out works to the inside of the business premises in order to soundproof the inner structure, which in theory will then minimise any noise disturbance to residential properties above or directly to the side of the business premises.
- 32. Details of works relating to the soundproofing of the premises will need to be proposed and agreed with the Licensing Authority in the first instance as per the agreed condition which can be found at Appendix 2 of the report.
- 33. A further measure that have been proposed and agreed by the applicant via way of condition and of which will look to reduce the risk of noise disturbance to nearby residents from customers of the premises, include the prevention of drinking vessels from being taken outside. This would prove effective in deterring customers from remaining outside for prolonged periods of time when smoking for example.
- 34. An addition condition which would also be implemented should the licence be granted would be that of prominent signage to request customers to respect the needs of local residents when entering and leaving the premises. This as will the prevention of drinking vessels from being taken outside of the premises look to promote and uphold the objective for the Prevention od Public Nuisance.
- 35. 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.

- 36. 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

37. Option 2: Grant the licence as per the application and with agreed conditions between the applicant, Police and Environmental Health.

APPENDICES ATTACHED

- Appendix 1 Application for a premises licence under section 17 of the Licensing Act 2003
- Appendix 2 Agreed Environmental Health conditions.
- Appendix 3 Agreed Police conditions
- Appendix 4 Applicant's response to concerns raised.
- Appendix 5 Representation from East Cowes Town Council
- Appendix 6 Representation from Thea Thomas

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, **2** 01983 823159 e-mail shane.batchelor@iow.gov.uk



Application for a premises licence to be grantedunder 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 Glenn Johnson (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 Island Life Craft Ale house 1a Clarence Road Post **Postcode PO32 6EP East Cowes** town Telephone number at premises (if N/A For premises with no rateable value to Non-domestic rateable value of £4,300 premises Part 2 - Applicant details Please state whether you are applying for a premises licence as Please tick as appropriate a) an individual or individuals * please complete section (A) b) a person other than an individual * as a limited company/limited liability please complete section (B) partnership ii as a partnership (other than limited please complete section (B) liability) iii as an unincorporated association or please complete section (B)

	iv other (for example a statuto corporation)	ory		please con	nplete section (B)
c)	a recognised club			please con	nplete section (B)
d)	a charity			please con	nplete section (B)
e)	the proprietor of an educational			please con	nplete section (B)
f)	establishment a health service body			please con	nplete section (B)
g)	a person who is registered under the Care Standards Act 2000 (or respect of an independent hosp	:14) in		please con	nplete section (B)
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h)	the chief officer of police of a po England and Wales	olice force in		please con	nplete section (B)
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	statutory function or a function discharged by virtue	of Her Maiesty	's nr	erogative	
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Name							
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Registered number (where applicable)	
Description of applicant (for example, partnership, company, association etc.)	, unincorporated
Telephone number (if any)	
E-mail address (optional)	
Part 3 Operating Schedule	
When do you want the premises licence to start?	DD MM YYYY 0 1 0 9 20 23
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 re	ad guidance note 1)
Once a bustling brick-a-brack shop, it now stands as an en awaiting a stunning fit-out that will bring its new purpose carefully designed to reflect the charm and character of Isl beers, with a modern twist.	to life. The space will be
Rich wooden fixtures and exposed brick walls will create atmosphere, while stylish industrial lighting fixtures will i Comfortable seating areas, both communal and intimate, we placed to encourage lively conversations and foster a sense and displays will showcase an impressive array of craft all diverse flavors and brewing techniques.	lluminate the space. will be strategically e of community. Shelves
The bar itself, crafted from reclaimed wood, will be the ce establishment, where patrons can gather to sample a careful brews on tap. With its unique blend of old-world charm ar aesthetics, this will be poised to become a cherished gathe enthusiasts and locals alike, adding a delightful touch to the scene.	ully curated selection of and contemporary ering spot for beer
If 5 000 or more poople are expected to attend the premises	
If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	
What licensable activities do you intend to carry on from the p	oremises?
(please see sections 1 and 14 and Schedules 1 and 2 to the L	icensing Act 2003)

Prov 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)		
<u>Pro</u>	vision of late night refreshment(if ticking yes, fill in box I)		
Sup	ply of alcohol(if ticking yes, fill in box J)		Х

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)		read	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidar	nce note	7)		Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here(please rea 4)	d guidance n	ote
Tue					
Wed			State any seasonal variations for perform (please read guidance note 5)	ing plays	
Thur					
Fri			Non standard timings. Where you intended premises for the performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays at a to those listed in the column on the left, performance of plays are a to the column on the left, performance of plays are a to the column on the left, performance of plays are a to the column on the left, performance of plays are a to the column on the left, performance of plays are a to the column on the left, performance of plays are a to the column of the left of the column on the left of the column of the left of the left of the column of the left of the	different time	<u>es</u>
Sat					
Sun					

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	nce note		Garage room garage room of	Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here(please rea 4)	d guidance no	ote
Tue					
Wed			State any seasonal variations for the exhibit (please read guidance note 5)	oition of film	<u>8</u>
Thur					
Fri			Non standard timings. Where you intend premises for the exhibition of films at difference listed in the column on the left, plear read guidance note 6)	erent times to	
Sat					
Sun					

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

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)		s	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please	Indoors	
		eread	read guidance note 3)	Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here (please rea 4)	d guidance n	ote
Tue					
Wed			State any seasonal variations for boxing of entertainment (please read guidance note 5		
Thur					
Fri			Non standard timings. Where you intend premises for boxing or wrestling entertain different times to those listed in the column please list (please read guidance note 6)	ment at	<u>t.</u>
Sat					
Sun					

Ε

Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidar	nce note	7)	, , , , , , , , , , , , , , , , , , ,	Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here(please rea 4)	d guidance n	ote
Tue					
Wed			State any seasonal variations for the performusic (please read guidance note 5)	ormance of li	<u>ive</u>
Thur					
Fri			Non standard timings. Where you intended premises for the performance of live musi times to those listed in the column on the (please read guidance note 6)	c at differen	
Sat					
Sun					

Standa timings	ded musard days	and read	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guldar	nce note	7)		Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here(please rea 4)	d guidance n	ote
Tue					
Wed			State any seasonal variations for the playing music (please read guidance note 5)	ing of record	<u>led</u>
Thur					
Fri			Non standard timings. Where you intended premises for the playing of recorded must times to those listed in the column on the (please read guidance note 6)	ic at differen	
Sat					
Sun					

dance Standa	ard days	and	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	s (please nce note			Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here (please read)	d guidance n	ote
Tue					
Wed			State any seasonal variations for the perfedence (please read guidance note 5)	ormance of	
Thur					
Fri			Non standard timings. Where you intend premises for the performance of dance at to those listed in the column on the left, p (please read guidance note 6)	different tim	<u>ies</u>
Sat					
Sun					

simila to that (e), (f) Standa timings	ing of a r descri t falling or (g) ard days s (please ace note	ption within and e read	Please give a description of the type of entertible providing	ainment you	will
Day	Start	Finis h	Will this entertainment take place indoors or outdoors or both – please	Indoors	
Mon			tick (please read guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here(please read)	d guidance no	ote
Wed					
Thur			State any seasonal variations for entertain similar description to that falling within (e) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intended premises for the entertainment of a similar that falling within (e), (f) or (g) at different listed in the column on the left, please list guidance note 6)	r description times to thos	se
Sun					

	night hment ard days	and	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please	Indoors	
timing	s (please	read	read guidance note 3)	Outdoors	
Day	Start	Finis h		Both	
Mon			Please give further details here(please read4)	d guidance n	ote
Tue					
Wed			State any seasonal variations for the provinght refreshment (please read guidance no		
Thur					
Fri			Non standard timings. Where you intend premises for the provision of late night redifferent times, to those listed in the column please list (please read guidance note 6)	freshment at	
Sat					
Sun					

Standa timing	y of alco ard days s (please	and read	Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
guidar	nce note	7)		Off the premises	
Day	Start	Finis h		Both	х
Mon	12.00	22.30	State any seasonal variations for the suppopulation (please read guidance note 5)	oly of alcoho	<u>[</u>
			,		
Tue	12.00	22.30			
Wed	12.00	22.30			
-			N		
Thur	12.00	22.30	Non standard timings. Where you intend premises for the supply of alcohol at diffe	rent times to	
			those listed in the column on the left, plear read guidance note 6)	<u>ise iist</u> (pieas	e
Fri	12.00	2300			
Sat	12.00	23.00			
Sun	12.00	22.00			

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 Glenn Johnson
Date of birth
Address
Postcode Postcode
Personal licence number (if known)

Issuing licensing authority (if known)Southampton

Κ

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).

There will be nothing on premises that will have any detrement to Children. It is a very basic set up. Bar, Craft beer, wine etc. Seating. Board Games (child inclusive games not adult board games)

If patrons chose to attend with their children it will be a safe environment. As a parent myself I wouldn't have this any other way

Also please see licensing objective part (e)

L

open to Standa timings	s premise to the pu ard days s (please nce note	u blic and read	State any seasonal variations (please read guidance note 5)
Day	Start	Finis h	
Mon	12.00	23.00	
Tue	12.00	23.00	
Wed	12.00	23.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed
Thur	12.00	23.00	in the column on the left, please list (please read guidance note 6)
Fri	12.00	23.30	

Sat	12.00	23.30
Sun	12.00	22.30

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)

Understand the Licensing Objectives: Familiarize yourself with the licensing objectives set out in the

Licensing Act 2003. These objectives are:

- a. Prevention of crime and disorder.
- b. Public safety.
- c. Prevention of public nuisance.
- d. Protection of children from harm.

Conduct a Risk Assessment: Assess the potential risks associated with your premises and identify measures to mitigate them. This may include security measures, fire safety precautions, and policies to prevent public nuisance.

Engage with Local Authorities: Contact your local licensing authority early in the process to discuss your plans and seek guidance. They can provide valuable advice regarding local regulations, licensing requirements, and the specific expectations for your area.

Consult with the Community via social media: Engage with the local community and relevant stakeholders, such as residents, businesses, and community groups. This can help address any concerns, gather feedback, and demonstrate your commitment to being a responsible licensee.

Develop a Detailed Operating Schedule: Create a comprehensive operating schedule that outlines the specific activities you plan to undertake on your premises. This includes opening hours, proposed activities (such as live music or serving alcohol), and any additional measures you will take to promote the licensing objectives.

Implement Robust Policies and Procedures: Establish clear policies and procedures to ensure compliance with the licensing objectives. This may include staff training on responsible alcohol service, handling customer complaints, age verification procedures, and monitoring customer behavior.

Consider Environmental Factors: Take into account potential noise and environmental impact on the surrounding area. Implement measures to minimize

noise, such as soundproofing, and demonstrate your commitment to being a considerate neighbor.

Provide Supporting Documentation: Compile all necessary documents required for the application, such as a completed application form, fee payment, a detailed plan of the premises, a copy of your

operating schedule, and any other relevant supporting documents.

Seek Professional Advice: If you are unfamiliar with the licensing process or require further assistance, consider seeking advice from a licensing consultant or solicitor specializing in licensing law. They can guide you through the application process and ensure compliance with all legal requirements.

Submit a Complete Application: Ensure that your application is complete and includes all required information. Incomplete applications may be rejected or delayed, leading to unnecessary complications.

b) The prevention of crime and disorder

Implementing a robust CCTV system to monitor the premises and deter criminal activities.

Training staff members to identify signs of disorderly behavior and providing them with protocols to handle such situations appropriately.

Collaborating with local police and council to establish a good working relationship and exchange information on potential issues or incidents.

Participating in community initiatives or campaigns that promote responsible drinking and discourage anti-social behavior.

c) Public safety

Conducting regular risk assessments of the premises to identify and address potential safety hazards.

Ensuring compliance with fire safety regulations and maintaining appropriate emergency exits and evacuation procedures.

Training staff members in first aid and equipping the establishment with necessary medical supplies. Encouraging responsible alcohol consumption through staff training programs, such as recognizing signs of intoxication and refusing service when necessary.

d) The prevention of public nuisance

Implementing noise control measures to minimize disturbance to neighboring properties, such as soundproofing or appropriate closing times for outdoor areas.

Monitoring and addressing any issues related to littering or public urination around the establishment.

Encouraging customers to respect the surrounding community by providing information about local amenities and transport options.

e) The protection of children from harm

Implementing strict age verification procedures to prevent underage access to the premises and the purchase of age-restricted products.

Training staff members on identifying false identification and refusing service to underage individuals.

Creating a safe and inclusive environment for vulnerable persons, including training staff to recognize signs of vulnerability and offering appropriate support or assistance.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	Χ
•	I have enclosed the plan of the premises.	Х
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	Х
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	x
•	I understand that I must now advertise my application.	Х
•	I understand that if I do not comply with the above requirements my application will be rejected.	х
•	[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 Kingdomor my share code issued by the Home Office	X
	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	 [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). 	
	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	15/06/2023	
Capacity		

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

- 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.
 - o 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 service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or currentpassportshowingtheholder, orapersonnamedin thepassportasthechildof theholder, 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 passportornationalidentitycardshowingtheholder,orapersonnamedinthepassp ort asthechildof theholder,isanationalofaEuropeanEconomicAreacountryor Switzerland.
- ARegistrationCertificateordocumentcertifyingpermanentresidenceissuedbythe HomeOfficetoanationalof aEuropeanEconomicAreacountryor Switzerland.
- APermanentResidenceCardissuedbytheHomeOfficeto thefamilymemberofanational of aEuropeanEconomicAreacountryorSwitzerland.
- AcurrentBiometricImmigrationDocument(BiometricResidencePermit)issuedb ythe HomeOfficetotheholderindicatingthatthepersonnamedis allowedtostayindefinitelyin theUK,orhasnotimelimitontheirstayintheUK.
- Acurrentpassportendorsedtoshowthattheholderis exemptfrom immigrationcontrol,is allowedtostayindefinitelyintheUK,hastherightof abodein theUK,orhasnotimelimit ontheirstayintheUK.
- AcurrentImmigrationStatusDocumentissuedbytheHomeOfficetotheholderwith an endorsementindicatingthatthenamedpersonis allowedtostayindefinitelyin theUKor hasnotimelimitontheirstayinthe UK,when produced in combination with anofficialdocumentgivingthe person'spermanentNationalInsurancenumberandtheirnameissuedbyaGovern ment agencyorapreviousemployer.
- Abirthoradoptioncertificateissuedin the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name is sued by a Government agency or a previous employer.
- Abirthoradoptioncertificateissued in the Channellslands, the Isleof
 ManorIreland when produced in combination with
 anofficial document giving the person's permanent National Insurance
 number and their name is sued by a Government agency or a previous employer.
- Acertificateofregistrationornaturalisationas a Britishcitizen, when produced in combination withanofficial documentgivingtheperson'spermanentNationalInsurancenumberandtheirnam eissued byaGovernmentagencyorapreviousemployer.
- Acurrentpassportendorsedtoshowthattheholderis allowedtostayintheUKand
 is currentlyallowedto work and is not subject to a condition preventing the
 holder from doing work relating to the carrying on of a licensable activity.

- AcurrentBiometricImmigrationDocument(BiometricResidencePermit)issuedbythe
 - HomeOfficetotheholderwhichindicatesthatthenamedpersoncancurrentlystayin the UKandis allowedtowork relation to the carrying on of a licensable activity.
- AcurrentResidenceCardissuedbytheHomeOfficetoa 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.
- AcurrentImmigrationStatusDocumentcontainingaphotographissuedbytheHo
 me Officetotheholderwithan
 endorsementindicatingthatthenamedpersonmaystayin theUK,andis allowedto
 work and is not subject to a condition preventing the holder from doing work
 relating to the carrying on of a licensable activitywhen produced in
 combination withanofficial
 documentgivingtheperson'spermanentNationalInsurancenumberandtheirnam
- ACertificateofApplication, less than 6 months old, issuedbytheHomeOfficeunderregulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016,toa 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.

eissued byaGovernmentagencyorapreviousemployer.

- 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.

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Agreed conditions between applicant and Environmental Health Department

1. No licensable activities authorised by this licence shall be permitted until a scheme of sound insulation works have been submitted to and agreed in writing with the local Licensing Authority. Once approved, the planned works are to be carried out in full, prior to the premises undertaking the authorised licensable activities.

Reason

Whilst I appreciate the premises proposed music offer which is considered predominantly recorded/background level and thus, ancillary to the consumption of alcohol, and note the reasonable operating hours stated, nevertheless, given the dwelling type, I'd expect the existing sound insulation performance of the premises to be limited, given the age and structure of the commercial site.

At the time of our meeting, the resident's movement within the residential dwelling above was perceptible on occasion. Accordingly, additional mitigation to improve the sound insulation performance of the premises, whilst reducing noise transference between the two units is desirable. At this stage, mitigation does not necessarily include options including secondary glazing which I appreciate may require consultation with the Local Planning Authority, however, mitigation may include measures to reduce structure borne vibration as customers enter and vacate the premises (consideration of door softening device etc) and works to the ceiling and wall space to contain general activities expected within a licensed premises and noise sources including conversational noise amongst patrons.

2. Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass/plastic containers with them.

Reason

I've considered this necessary to avoid customers gathering on Clarence Road, given the close proximity of residential dwellings which overlook the proposed premises. Were this the case, it's likely patron noise would be clearly perceptible within the neighbouring residential dwellings, particularly as the evening progresses. I do appreciate your plans here in respect of closely monitoring the outside parts, however.

3. Prominent, clear and legible notices will be displayed at all exits, requesting customers to respect the needs of local residents by leaving the premises and the immediate area quietly.

Reason

To ensure the dispersal of patrons from the premises, particularly on the cessation of licensable activity, occurs in a manner that mitigates the likelihood of disturbance to residents situated on Clarence Road, PO32 6EP.



Agreed conditions between the 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 location 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 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.



Batchelor, Shane

To: Batchelor, Shane

Subject: Island Life Craft Ale House Premises Licence Application - 23/00942/LAPNEW

From: Glenn Johnson Sent: 18 July 2023 15:28

To: Belcher, Shirley <Shirley.Belcher@IOW.gov.uk>

Subject: RE: Island Life Craft Ale House Premises Licence Application - 23/00942/LAPNEW

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Hi Shirley

Please find my response below.

Thanks

Glenn

'Dear Concerned Residents,

Firstly, we would like to express our gratitude for taking the time to voice your concerns regarding the opening of our craft ale house. We understand that noise disturbances can be a significant inconvenience and believe it is essential to address these issues empathetically and robustly.

We have carefully considered the objections raised and are confident that we can implement measures to mitigate any potential noise disturbances. As part of our commitment to being good neighbours, we are prepared to take the following steps:

- Noise Reduction Materials: We are willing to invest in installing noise reduction materials within the
 premises to ensure that any noise generated by patrons is minimized and contained within the building.
- Clearly Displayed Notices: We will prominently display notices throughout our establishment, requesting
 customers to act considerately when leaving the premises, particularly during late hours. These notices will
 kindly remind them to keep noise to a minimum, respecting the peacefulness of the neighbourhood.

It is worth noting that the objections appear to come from an a source that speaks on behalf of others and not just from themselves which is a little confusing and making it difficult for us to engage in direct dialogue and address specific concerns. Also a reference to the retail shop next-door - has that now changed into a residential dwelling? If so we will of course take this into consideration. Nonetheless, we respect and acknowledge the opinions of all individuals within the community, and we assure you that we will make every effort to minimize any negative impact on the local area.

Furthermore, we believe it is essential to highlight the existing establishments in close proximity to your residences. The two social clubs and the takeaway, which you mentioned, already operate in the area, serving alcoholic beverages and closing at 11 pm and 10 pm, respectively. It is worth considering that these establishments have been part of the local landscape for some time, and their presence is likely to have set a precedent in terms of noise levels

and community integration. Also they have promoted events such as cheap alcohol and certain sports which is not something a craft ale house would be partaking in.

As a new addition to the neighbourhood, we are committed to adhering to high standards and regulations that all establishments should follow. We believe it is fair to question why objections are raised against our craft ale house when you live in the presence of similar venues nearby?

We also appreciate your additional feedback regarding concerns about smoking and its potential impact on the community. We understand that some individuals may perceive smoking as antisocial behaviour, and we are committed to addressing this issue proactively.

To ensure a pleasant and considerate environment for all, we have already planned to establish a small designated area in front of our ale house. This cordoned-off space will provide a designated smoking area, which will help prevent patrons from moving around the immediate vicinity and potentially causing any disturbances. By implementing this measure, we aim to go above and beyond the practices of the neighbouring venues, where patrons may indeed wander freely.

Regarding the classification of smoking as antisocial behaviour, it is important to distinguish between personal preferences and legal regulations. While there may be differing opinions on smoking, it is crucial to note that smoking in outdoor public spaces, subject to certain restrictions, is generally permissible in the United Kingdom. As responsible business owners, we will ensure that our patrons who choose to smoke do so in compliance with all applicable laws and regulations, without causing any undue disturbances to the local community.

We believe it is essential to promote a respectful coexistence between smokers and non-smokers alike. We encourage smokers to be considerate of those around them, and we will clearly communicate this expectation through signage and polite reminders within our establishment. We also intend to educate our staff on maintaining a vigilant approach to prevent any potential discomfort caused by smoking.

In conclusion, we would like to reiterate our commitment to addressing your concerns regarding smoking and noise disturbances. By providing a designated smoking area and implementing measures to minimize noise levels, we are striving to create a pleasant environment for all individuals within the community. Craft ale is something to be enjoyed, talked about and celebrated but not abused. We are grateful for your feedback, and we genuinely value the opportunity to engage in open and respectful dialogue.

Please feel free to reach out to us if you have any further questions or suggestions. We look forward to building a positive and harmonious relationship with our neighbours.

Sincerely,

Glenn Johnson Island life Craft Ale House'

Sent from Mail for Windows

Batchelor, Shane

From: Belcher, Shirley <Shirley.Belcher@IOW.gov.uk>

 Sent:
 17 July 2023 12:33

 To:
 DMS_Licensing

Subject: FW: IOW - Premises Licence Application - 23/00942/LAPNEW

From: Town Clerk - East Cowes Town Council <clerk@eastcowestowncouncil.co.uk>

Sent: 17 July 2023 12:01

To: Belcher, Shirley <Shirley.Belcher@IOW.gov.uk>

Subject: RE: IOW - Premises Licence Application - 23/00942/LAPNEW

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Thank you Shirley

From: Belcher, Shirley < Shirley.Belcher@IOW.gov.uk >

Sent: Monday, July 17, 2023 9:47 AM

To: Town Clerk - East Cowes Town Council <clerk@eastcowestowncouncil.co.uk>

Subject: RE: IOW - Premises Licence Application - 23/00942/LAPNEW

Morning Sue,

Please see below the conditions that Environmental Health has agreed with the applicant.

- 1. No licensable activities authorised by this licence shall be permitted until a scheme of sound insulation works have been submitted to and agreed in writing with the local Licensing Authority. Once approved, the planned works are to be carried out in full, prior to the premises undertaking the authorised licensable activities.
- 2. Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass/plastic containers with them.
- 3. Prominent, clear and legible notices will be displayed at all exits, requesting customers to respect the needs of local residents by leaving the premises and the immediate area quietly.

Please let me know if you have any queries.

Many thanks Shirley

From: Town Clerk - East Cowes Town Council <clerk@eastcowestowncouncil.co.uk>

Sent: 07 July 2023 10:02

To: Belcher, Shirley <Shirley.Belcher@IOW.gov.uk>

Subject: RE: IOW - Premises Licence Application - 23/00942/LAPNEW

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Dear Shirley

East Cowes Town Council supported this application but would like to see adequate conditions imposed to mitigate any noise nuisance.

Kind regards Sue

From: Belcher, Shirley < Shirley.Belcher@IOW.gov.uk >

Sent: Monday, June 19, 2023 10:40 AM

To: Boulter, Oliver < Oliver.Boulter@IOW.GOV.UK >; Briscoe, Rachel < Rachel.Briscoe@iow.gov.uk >; Building Control -

General Enquiries < Building.Control@IOW.gov.uk >; Clarke, Anna < Anna.Clarke@IOW.gov.uk >; EH Admin

< <u>EHAdmin@IOW.GOV.UK</u>>; Emergency Management < <u>emergency.management@iow.gov.uk</u>>; Fire

(csprotection.admin@hantsfire.gov.uk) <csprotection.admin@hantsfire.gov.uk>; Home Office

 $(\underline{alcohol@homeoffice.gov.uk}) < \underline{alcohol@homeoffice.gov.uk} >; Island\ Roads < \underline{licensing@islandroads.com} >; Kingsman, Alcohol@homeoffice.gov.uk >; Kingsman, Alcohol@homeoffice.$

 $Sharon < \underline{Sharon.Kingsman@IOW.GOV.UK} >; MacDonald, Duncan < \underline{Duncan.MacDonald@IOW.gov.uk} >; Paris, Victoria \\$

< <u>Victoria.Paris@IOW.GOV.UK</u>>; Police Licensing < <u>Force.licensing@hampshire.pnn.police.uk</u>>; Trading Standards

 $<\underline{\mathsf{TSStaff@IOW.gov.uk}}; White, Allen <\underline{\mathsf{Allen.White@iow.gov.uk}}; Wilkinson, Sarah <\underline{\mathsf{Sarah.Wilkinson@IOW.gov.uk}}; \\$

Winchcombe, Kevin < Kevin. Winchcombe@IOW.gov.uk >

Cc: Town Clerk - East Cowes Town Council < clerk@eastcowestowncouncil.co.uk >; Cllr Love IOW

<karl.love@iow.gov.uk>

Subject: IOW - Premises Licence Application - 23/00942/LAPNEW

LICENSING ACT 2003 NOTIFICATION OF APPLICATIONS RECEIVED

The following application has been accepted by the licensing authority:

 Application for a Premises Licence – Island Life Craft Ale House, Clarence Road, East Cowes, Isle of Wight

Please click on the link below to log in you will then be able to view details of the application and to submit any representations

https://publicaccess.iow.gov.uk/online-

applications/search.do?action=simple&searchType=LicencingApplication

The consultation period will end on the 17th July 2023

Please send any comments to licensing@iow.gov.uk

Many thanks Shirley

Shirley Belcher | Assistant Licensing Officer | Regulatory Services

Isle of Wight Council | County Hall | High Street | Newport | Isle of Wight | PO30 1UD

Tel: (01983) 823159 (internal 6205)

Email: shirley.belcher@iow.gov.uk | Web: www.iow.gov.uk | Web: www.iow.uk | Web: www.iow.gov.uk | Web: www.iow.uk | Web: www.iow.uk | We

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Batchelor, Shane

From: Belcher, Shirley <Shirley.Belcher@IOW.gov.uk>

 Sent:
 17 July 2023 17:00

 To:
 DMS_Licensing

Subject: FW: application to sell alcohol at 1a Clarence road, PO30 1UD

From: Mike McMillan

Sent: 17 July 2023 16:39

To: Licensing < licensing@iow.gov.uk>

Subject: Re: application to sell alcohol at 1a Clarence road, PO30 1UD

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Dear Shirley,

Thank you for sending me the application details, it is really difficult to find these online.

I will withdraw the objection to the reference to brewing beer on the premiss as this is not in the application. The remaining concerns do remain with the addition that sound proofing needs to be installed on the party walls, as noise could penetrate through to the entrance way to the accommodation.

I own the premises next door to 1a Clarence road.

Sound proofing should be considered on the party wall, as noise could penetrate through to the entrance way to the accommodation.

Yours sincerely,

Thea Thomas.

On 17/07/2023 15:58, Licensing wrote:

Dear Thea,

Attached is a copy of the application, the consultation ends today, if you would like to submit comments after reading the application please send them through to licensing@iow.gov.uk by the end of today (17 h July 2023).

Many thanks Shirley Shirley Belcher | Assistant Licensing Officer | Regulatory Services Isle of Wight Council | County Hall | High Street | Newport | Isle of Wight | PO30 1UD

Tel: (01983) 823159 (internal 6205)

Email: shirley.belcher@iow.gov.uk | Web: www.iow.gov.uk

From: Mike McMillan Sent: 17 July 2023 15:27

To: Licensing slicensing@iow.gov.uk

Subject: application to sell alcohol at 1a Clarence road, PO30 1UD

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I own the premises next door to 1a Clarence road.

I understand that an application for a brewery has been made for 1a Clarence road and a license to sell alcohol from 12.00 to 22.30 (23.00 Friday and Saturday nights). I have searched online to view the application, without success.



Yours sincerely,

Thea Thomas.

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