

## **Representation from East Cowes Town Council**

East Cowes Town Council objects to this application to extend opening hours and serve alcohol due to the likelihood of noise and nuisance by patrons gathering on the pavement outside the premises affecting local residents including children. The plan submitted with the application appears to be inaccurate and does not indicate fire exits.

## **Correspondence to East Cowes Town Council 25 January 2023**

Good morning

Thank you for your comments in relation to the premises licence application for Betty's Door. I have included below some further information that may alleviate the concerns that you have raised, specifically conditions that the applicant has agreed with the police licensing department and some information from the applicant which may help.

I would ask that you consider this information and advise asap whether or not your concerns have been addressed and whether or not your representation still stands.

It is important to note that only comments that you have made in respect of the four licensing objectives are considered relevant to this application. If this matter proceeds to a hearing of the Licensing Sub Committee then only comments in relation to the objectives will be considered as part of the decision making process and you will not be able to comment on any other issue you have raised including use of the building as this is a planning consideration. The four licensing objectives are:

The prevention of public nuisance

Public Safety

The protection of children from harm

The prevention of crime and disorder.

### **Conditions agreed between the applicant and the 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 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.*

The application requests that the sale of alcohol be authorised for supply between the hours of 11am and 4pm only with extended hours until 8.30pm on Christmas Eve, New Years' Eve and during Cowes Week. The Environmental Health department have returned a response of "no adverse comment."

#### **Applicant's comments to your representation.**

***We do not currently have outdoor seating, and will not be offering drinks to take away, nor will we allow any drinks to be taken outside the premises. We also have no current plans to extend our opening hours past the current closing time of 3:30pm. Aside from this, we are governed by our lease conditions to trade no later than 6pm. With all of this in mind, we have no concerns over there being any additional noise or nuisance from patrons gathering outside the premises. We have already had false claims submitted to the building regulations team and even the fire service all of which were happy with the outcome of their investigations. This has even extended to our landlords also having to prove they are following correct rules and processes. Betty's Door has attracted clientele from across the island, as evidenced from the various comments on social media and verbally inside the café. This alcohol licence would allow us to offer something else to the current selection of East Cowes eateries, with prosecco afternoon teas and a glass of wine with a slice of cake and a good book from our bookshelf. It would also hopefully increase the footfall from residents across the Island visiting other businesses in the area at a time when our high streets are at risk of dying out so it is very disappointing to have the East Cowes Town Council object, especially when there are other alcohol licenced venues in close proximity.***

***East Cowes town hall hosts regular events in the day as well as the evening, this includes weddings and parties where alcohol is provided and live entertainment. The town hall is situated in the heart of our Victorian town. I***

**would argue the case that these events would have a much larger knock on effect with regards to noise and drinking especially as this is at the back of the flats above Bettys door. To criticise and object against us when they offer the same kind of thing but in the evenings as well is hypocritical. These events also play chaos to the unsafe parking outside with cars regularly piled outside and blocking the pavements for the public.**

**Finally with regards to East Cowes town councils concerns regarding the fire exits I feel that surely comes down to licensing and the respected fire safety officers to make this decision rather than the town council.**

**I have held a personal licence, DPS statuses for many pubs for over 10 years. For many years I have built a strong reputation with the East Cowes community. I have been the landlord at the Victoria Tavern for 3 and a half years which had a very poor reputation with residents. This trust has been rebuilt and we have a strong relationship with them with no issues with noise. So, find it hard to believe that we would have an issue with our café in the same street having problems with any of this during the day.**

I would ask that you consider the information above and advise me asap if this is sufficient to alleviate your concerns or if your representation still stands. If so I will arrange a meeting of the Licensing Sub Committee. You will be notified in due course of the date and time of the meeting. Whilst it is not mandatory for you to attend and speak, it is generally expected that you will do so if you do not consider the measures that have been recommended and agreed between the applicant and the responsible authorities, (which in turn will become conditions of the licence if granted), sufficient to uphold the four licensing objectives.

Please also be advised that if this matter does proceed to committee meeting the recommendation will be to grant the licence subject to the conditions that have already been agreed.

I look forward to hearing from you.

Kind regards

Andrea Bull | Senior Licensing Officer | Planning and Regulatory Services |

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

**Response from East Cowes Town Council 27 January 2023**

Dear Andrea,

Thank you for your email. I have contacted our Planning Committee councillors.

As some concerns remain Cllr Palin will be speaking at the Licensing Sub Committee.

Please advise me when and where this will take place.

Kind regards,

Claire

Assistant Clerk

East Cowes Town Council