

Representation from David Priddle

I would like to object to the possible license at Betty's door cafe, under the grounds of child safety and nuisance.

Myself and my young family are tenants living above the property, in the flat, and have done, under fixed assured shorthold tenancy, for almost three years. Since September/October, when the cafe began works, the noise levels in our property have been very high. When the works finished and the café was opened, we were hopeful that noise transfer had been addressed (or would be addressed by the landlord) however the general operational noise level of the café is measured at between 38 and 76 dba on a daily basis using meters, in my home.

Despite, wishing success to any new business in East Cowes, the property sadly, has inadequate sound insulation throughout, and we are now being forced to look for alternative residential accommodation despite making it our family home for this time. This is due to the high levels of noise, conversation and pre-recorded music throughout the day and into the evenings. Although the landlord has informed us of "tight restrictions" to opening hours, the cafe is however "working" from around 8am until 8pm seven days a week, sometimes later, due to food preparation, cleaning and baking times. This means that there is music playing or loud conversation throughout the day sometimes for around 12 – 13 hours, this music is then louder in the evening when staff are working. This disturbs our mornings and evenings making our child's bed time routine very difficult as the speakers from the cafe can be heard throughout our property, along with all conversation being heard word for word. Alcohol and late licensing will increase this disturbance. Disrupting our two year olds sleep even further, on the nights where they are open late.

We have a door (emergency use) directly from our accommodation into the café (where the noise travels and transfers loudly), when people are talking in the café, or rear kitchen we can already hear everything that they say, and I feel that this would increase or has the potential of increasing with an alcohol license. Added risks are that the door is the only thing separating our two properties and there is no separation in our garden at all. This poses a risk to my two year old son as it stands already, without adding potential alcohol sales to this.

Our landlord has already checked that the building does not pose fire risk, via a voluntary housing inspection, as there is hot food being prepared on the premises, and has agreed that they will, at some point, replace the inadequately fitted fire door to try to improve noise disturbance, but this has not happened after requesting it back in October.

This request was made because of three things:

the cafe opens their rear yard door most of the day, presumably due to lack of ventilation, which makes our property incredibly cold during these winter months. It has recently been hard to heat above the recommendation of 18 degrees, as the cold air comes through the floorboards.

The sound disturbance as already highlighted.

The food preparation smells coming up into our property every day.

We have requested that the landlord look into other options for sound proofing, and to limit the disturbance of this new café, especially for our two year old, but this has not yet been fulfilled. Meaning that we have no option but to attempt to find a new home.

David Priddle

Correspondence to Mr Priddle on 2 February 2023

Good morning David

Thank you for your comments in relation to the premises licence application for Betty's Door. I have asked the Environmental Health department to consider your comments and to provide me with their view on the issues you have raised. I have also included some further information below which whilst not relevant to the issues you have raised will provide you with the same information that has been provided to the other objectors in this matter.

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 at this time have returned a response of "no adverse comment." However as stated above I have now gone back to them and asked them for their views on your comments.

A meeting of the Licensing Sub Committee is in the process of being arranged. 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 at this time our recommendation will be to grant the licence subject to the conditions that have already been agreed. However I will wait to hear back from the EH department.

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 David Priddle received 2 February 2023

Many thanks Andrea,

I would certainly appreciate a conversation with EH and am quite happy to provide evidence dating back to October. They can reach me on [REDACTED]

Kind regards

David

Sent from my iPhone

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