

From: John Clarke [REDACTED]
Sent: Friday, July 21, 2023
Phone no. contact [REDACTED]
Subject: Application for Premises Licence Lazy Wave Cafe, 2a Esplanade, Shanklin, PO 376BN

Dear Sir,

With regards to the proposed alcohol licence for the Lazy Wave Cafe detailed above, as a permanent resident of Waverley Court overlooking the site (see photos from my flat), I am writing to express my profound objection to the application. Like the earlier plans to the proposed toilet block being built on the Esplanade front, all of the 15 owners of Waverley Court flats, are opposed to changes that would have detrimental effects on the immediate environment, noise and visual pollution, as well as potential anti social behaviour, increased litter and traffic. At present the cafe operates between 10:00 AM and 6:00P.M. which is acceptable, to extend opening by a further 4 hours a day, would be intolerable and unacceptable.

There are already numerous establishments selling alcohol within the immediate vicinity of the cafe: Fisherman's Cottage and The Chine Inn 100 yards away, with The Steamer Inn, The Waterfront Inn, Pink Beach and Shanklin Beach Hotels 300 yards away. Another drinking hole is an unnecessary infringement.

With the likelihood of increased traffic around the turning circle and additional parking, residents of Waverley Court could experience difficulties in accessing their cars to the property's garage.

I am opposed to the additional noise and disturbances brought about by extended business hours with alcohol sold on the cafe premises. The environmental quality would be severely impaired by such a proposal. Like the other 14 rate paying residents of Waverley Court, I chose this location for peace and quiet. I do not wish to have my idyllic retirement home to be interrupted by unnecessary change and disturbances. I object to the proposal most strongly.

Yours sincerely, John Clarke ([REDACTED])
[REDACTED]

Alcohol licence Lazy wave cafe Shanklin esplanade

Dear Harry

I hope this email finds you well. I am writing to express my strong opposition to the alcohol license application submitted by Lazy Wave cafe situated on the slipway to Shanklin beach.

The cafe is at the quiet end of Shanklin Esplanade opposite residential apartments/houses. This is an area of outstanding beauty for Shanklin, attracting many families with young children to the area. The slipway also allows disabled access to the beach so that everyone can enjoy the peaceful surroundings. It is a place of calm and tranquility.

Whilst I understand the importance of supporting local businesses, I believe granting an alcohol license to the cafe will exacerbate several significant environmental,

noise, and behavioral issues that will negatively impact the local residents and the tranquil ambiance of the area.

- Prevention of Crime and Disorder

An alcohol licence and extending licensing hours has the potential to cause public disorder in what is a residential area of the esplanade. Noise pollution will be an issue where even talking carries, due to the area being so tranquil.

No toilet facilities are available at the cafe thereby meaning clientele will have no choice but to urinate in public areas.

- Prevention of Public Nuisance

There are no indoor facilities at the cafe. All clientele will be outside the establishment drinking alcohol which in turn can lead to noisy behaviour. Even low level sounds carry in this residential part of the esplanade.

Again, there are no toilet facilities at the establishment meaning that individuals may well urinate in public areas.

The beach is a place of relaxation and serenity for residents and visitors alike. By granting an alcohol license and extending its operating hours, this can lead to evening gatherings and disruptions due to loud conversations, music, and rowdy behaviour. This would undoubtedly disturb the peace and quiet enjoyed by local residents and families in the vicinity, adversely affecting their quality of life and sleep patterns.

- Protection of Children from Harm

The cafe is on the slip way to the beach. Children are playing in the immediate vicinity, adults drinking alcohol standing next to children playing is undesirable. Broken glass/litter can cause great harm to children. Families will not want their children playing next to a bar where people are under the influence of alcohol. Introducing alcohol consumption to the beachfront cafe could foster undesirable behaviours among some patrons. Excessive drinking may lead to disorderly conduct, public intoxication, and even instances of violence. Such occurrences could create an unsafe atmosphere for families and individuals who wish to enjoy a peaceful day by the sea. It is crucial to prioritise the safety and well-being of residents, children and adult visitors to maintain a harmonious community environment.

- Public Safety

The slip way on which the cafe is located, is used by vehicles to launch small boats and jet skis. The provision of a licence and the potential for large gatherings will cause an obstruction for the access to the beach. We quite often have emergency vehicles using the slip way to attend large cliff falls or individuals in danger in the water, where in both cases life is at risk.

Easy access to alcohol on the beach will increase the risk of loss of life with people using motorised vehicles under the influence of alcohol. In addition the tide brings the sea all the way up the slip way - intoxication and being on the edge of the sea is incredibly dangerous. Having alcohol available on the beach will highly increase the

risk level of serious accidents for beach goers and those undertaking water activities, including motorised vehicles, jet skis etc.

Environmental Concerns:

The beach is an ecosystem that requires preservation and protection. Introducing alcoholic beverages to the beachfront cafe will lead to an increase in littering, particularly plastic waste from bottles and containers. This would contribute to the already pressing problem of marine pollution, jeopardising the well-being of marine life and the fragile coastal environment.

Impact on Local Residents:

The local residents living in close proximity to the cafe have chosen this area for its tranquility and scenic beauty. Granting an alcohol license without addressing the concerns of the community could significantly impact property values and deter potential buyers or renters who seek a peaceful neighbourhood. Preserving the residential character of the area should be a priority in any decision-making regarding commercial establishments on the beach.

In conclusion, I urge the responsible authorities to carefully consider the potential adverse effects of granting an alcohol license to Lazy Wave Cafe. It is essential to prioritise environmental protection, noise control, and the well-being of local residents to maintain the charm and peacefulness of our beloved beachfront community.

I request that you reconsider the application and explore alternative ways to enhance the cafe's offerings without the inclusion of alcohol. As a concerned resident, we are open to discussing any further issues or suggestions that may contribute to the well-being of our community.

Yours faithfully

John and Jeannette Albery

[REDACTED]

Re: Objection to Alcohol License Application for "Lazy Wave Cafe" Ice Cream Shop to serve Alcohol

Dear Sir/Madam,

I am writing to formally object to the alcohol license application submitted by "Lazy Wave Cafe" for the reasons outlined below. As a concerned resident in close proximity to the premises, I urge the Licensing Authority to consider the negative impact this license may have on our residential community.

1. Unsuitable Location:

The proposed location of "Lazy Wave Cafe" for alcohol sales is ill-suited for such activities, given its **close proximity to a predominantly residential area**. Unlike other parts of the esplanade that are appropriate for licensed establishments, a site visit will confirm this specific spot is **surrounded by family homes in all landward**

directions. Within a mere 20 meters across the street, there are a dozen family homes, and a similar number within ~100 yards on both sides..

2. Incompatibility with the Premises:

The premises itself are primarily intended to function as an **ice cream shop, serving mostly on a takeaway basis**, as has been the case for decades. While a few benches are available near the pavement, it is crucial to recognize that this establishment lacks the essential characteristics of a traditional drinking establishment: **There is no roof, few and low walls, and no doors**, which further emphasises that the primary purpose of this location was never intended for public alcohol consumption.

3. Proximity to Residential Dwellings:

The proposed change in licensing would permit open-air alcohol consumption without any realistic means to prevent alcohol being taken away along with the current ice creams and snacks served. It would draw in adults to drink and be drunk next to family homes and a child-friendly beach. This arrangement could result in increased noise levels, disturbances, and potential littering issues along with an increase in anti social behaviour; none of which are consistent with the maintenance of a peaceful residential environment we can reasonably expect in and around our homes.

4. Impact on Residents:

As one of many residents living in close proximity to "Lazy Wave Cafe," I am particularly concerned about the potential adverse effects on our quality of life: The noise, disturbances, and influx of drinkers could jeopardize the safety and well-being of families, including young children like my one-year-old son, whose bedroom window is within a mere 30 paces of this location: This is well within earshot, and I note that the applicant's proposed alcohol serving and consumption **times (and associated noise) is proposed to extend into and beyond what would reasonably be the bed times of young children and toddlers given under Public Health England guidelines.**

5. Lack of Community Benefit:

Considering the residential nature of the area, it is evident that granting this license would **serve no discernible community benefit**. The presence of numerous organised pubs and restaurants within a short walking distance already adequately caters to tourists and locals alike, so no genuine demand exists for additional alcohol vendors in this specific spot.

In light of the aforementioned reasons, in good faith I request the Licensing Authority to reject the alcohol licence application for "Lazy Wave Cafe." Such a decision would **safeguard the residential character of our community** while preserving the primary intent of the premises (an ice cream shop that in it's current form enhances the local, **family-friendly** beach and community).

I trust that the Licensing Authority will take into account the concerns of residents and act in the best interest of our community.

Thank you for considering my objection. I would appreciate being kept informed of any further developments regarding this matter.

Yours sincerely,

Martin Drake-Knight

From: Eileen Taylor [REDACTED]
Sent: 24 July 2023 11:32
To: Flux, Harry <Harry.Flux@iow.gov.uk>
Cc: Charles Dawson [REDACTED]; Peter Taylor
[REDACTED]
Subject: Application for a Premises Licence for The Lazy Wave Cafe

Dear Sir

Re Application for a Premises Licence by Mrs Rae Rawlins for The Lazy Wave Cafe
2A Esplanade Shanklin PO37 6BN

We have recently read the above application as posted outside the Lazy Wave Cafe but have been unable to find an application online.

As longstanding owners of [REDACTED] situated directly opposite these premises, we wish to register our strong objection to the application for the following reasons:

Prevention of Public Nuisance

This section of the Esplanade is a residential family area. None of these flats is sublet as holiday accommodation.

Noise levels

Currently, activity at The Lazy Wave is restricted to the hours of 10am until 6pm and noise levels are part of the general beach activity and as such, acceptable despite the recent introduction of music by the new owners.

This proposal combines the introduction of alcohol with effectively an extension of trading hours into the evening which will dramatically alter the impact of this establishment on our homes. This is an open air cafe and noise levels impact on our building. As stated above, these currently tend to cease around 6pm.

We experience considerable bouts of noise in the evening during holiday periods from groups of people coming down the Chine to establishments along the sea front. However since the places they visit are further along the Esplanade away from residential premises they do not linger and the impact is generally transient.

This application will obviously attract groups coming from this direction to drink in numbers in the immediate vicinity of our homes. As this is an open air cafe which cannot be closed off by the proprietor at closing time, there is no guarantee that customers will move off at 9pm.

Litter

Currently we have been very impressed by the way in which council operatives keep the litter under control. We fear that this proposal will add considerably to the level of litter both on the road and on the beach and will contribute to seagull nuisance. In the hours of darkness it will be impossible to control litter levels.

Toilet facilities

There are no toilet facilities in the cafe itself. The public toilets behind the premises are now closed. It is difficult to see how nuisance can be prevented. The beach is an obvious target as are driveways behind adjacent buildings. At Waverley Court during lockdown when the public toilets were closed, we experienced nuisance from people urinating in the drive and bin store behind our building.

Prevention of Crime and Disorder

Due to the open air nature of the premises which leaves the seating area unprotected, there have been instances of criminal damage to the property in the past resulting in police attendance and further disturbance. Adding alcohol into the mix can only increase the possibility of such activity not only in the cafe but also the line of family beach huts adjacent to the cafe and residential property in the vicinity.

Summary

We refer to the Licensing Act 2003, Section 17 - Mandatory conditions of premises licences. One of these conditions is that "the premises must be suitable for the licensable activities applied for". We submit that the proximity to a residential area and the potential impact on the community should be sufficient to reject the application.

Yours sincerely

Peter and Eileen Taylor

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Sarah Churchill-Slough [REDACTED] >

Sent: 23 July 2023 22:41

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

Subject: Objection: 23/00974/LAPNEW

Re: Objection to Alcohol License Application for "Lazy Wave Cafe"

The Lazy Wave Cafe is an ice cream shop and takeaway and residents here are very concerned by the idea that this may soon be authorised to sell alcohol throughout the day, and every evening, at the expense of the local community and residents living directly opposite what is currently an Ice Cream Kiosk serving families.

Lazy Wave is an ice cream and snack shop with some benches outside on the slipway. The building is not suitable as a place for the public to come and drink or get drunk, and even if it was, given that the Licensing Act S4 is directly designed to ensure "public safety, the prevention of the public nuisance and the prevention of children from harm" it is impossible to reconcile those aims with this application which:

- Puts alcohol in an open air venue directly adjacent to family homes
- in a residential community
- where children are present, live and sleep

On this basis I, and many other neighbours, firmly object to this application.

We hope you will take Islanders' voices seriously along with the laws designed to protect them and reject this application.

Sarah Churchill-Slough

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

23/7/23

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

From: Sheila Bramley [REDACTED]

Sent: 24 July 2023 17:20

To: Flux, Harry <Harry.Flux@iow.gov.uk>

Subject: Application for a Premises Licence for the Lazy Wave Cafe 2A Esplanade Shanklin

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Dear Sir,

We are the owners of [REDACTED] and we would like to register our strong objection to the application.

Prevention of public nuisance

This end of the Esplanade is a quiet family area removed from the busier pubs further along. Our flats immediately overlook the cafe, which currently closes at 6pm. If this licence is permitted it suggests opening hours into the evening which, coupled with the sale of alcohol is bound to increase noise and general nuisance levels, particularly given that the cafe is in the open and very close to our building.

The cafe has no toilet facilities and the public toilets behind the premises have been closed. During the lockdown we experienced nuisance from people using the Waverley Court outside space as a urinal, and this is likely to recur with increased opening hours for the sale of alcohol in this outside space.

Prevention of crime and disorder

Again, given the outdoor nature of the premises and the fact that we are aware of instances of disturbance leading to police attendance in the past, we fear that the addition of a licence to sell alcohol into the evening is likely to make such episodes more likely.

Overall, we do not believe that these premises are suitable for the activities applied for given the fact that this is an open air cafe in a residential area without toilet facilities, and we believe that the application should be turned down.

Yours sincerely

Peter and Sheila Bramley

[REDACTED]

From: RICHARD BROADHEAD [REDACTED] >

Sent: 24 July 2023 23:33

To: Flux, Harry <Harry.Flux@iow.gov.uk>

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

Subject: Re: Lazy Wave Cafe

Good evening Mr Flux,

Thank you for the information you have provided regarding The Lazy Wave Cafe.

I would like to submit representation against the premises application

- Prevention of Crime and Disorder

I would imagine the police will have an input on this as there are larger licenced properties on the Esplanade which have a higher staff number to cope with any problems whereas Lazy Wave usually has one or two.

- Prevention of Public Nuisance

The nearest public toilets are approx. 340metres from the Cafe (which has none of its own). There is outside seating for aprox 28 so not ideal for health as the council toilets don't appear to be reopening..

- Protection of Children from Harm

This is an open space which is frequented by young children who may be affected by excessive alcohol being consumed on the premises within very close proximity to them.

- Public Safety

The slip way is often used for the launching and recovery of water ski boats and also the Coastguard so an not ideal mix.

Likewise the nearby bus stop.

Kind regards,

Richard Broadhead

From: [REDACTED] >
Sent: 25 July 2023 19:04
To: Licensing <licensing@iow.gov.uk>
Cc: 'Clare Dixon' [REDACTED]
Subject: Alcohol Licence application for the Lazy Wave - 23/00974/LAPNEW - Objection

I would like to object to the above application for the following reason.

The Lazy Wave cafe is an open-air venue with a kiosk at one end. If it is granted a licence to sell alcohol it will be an open-air bar. There will be no sound insulation offered by the walls, for example, of a normal public house. As such, it will hard to see how it does not have a significant detrimental impact in terms of noise on nearby residential properties.

Murray Dixon
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Sally Burton [REDACTED]
Sent: 24 July 2023 17:25
To: Flux, Harry <Harry.Flux@iow.gov.uk>
Subject: The Lazy Wave Cafe - Application for a Premises Licence by Mrs Rae Rawlins for The Lazy Wave Cafe 2A Esplanade Shanklin PO37 6BN

Dear Sir

Further to the above application. As owners of [REDACTED] which is directly overlooking these premises, we are writing to register our strong objection to the application for the following reasons:

We don't believe that the Lazy Wave Cafe is a suitable premises for an alcohol license. The Cafe is situated directly opposite/below 15 residential homes, and the potential impact on the community should be significant enough to reject this application.

Prevention of Public Nuisance

Noise levels

This application which intends to extend trading hours from 6pm to 10pm and introduce an alcohol licence, will clearly increase both the noise and number of

people from 6pm onwards. The Lazy Wave is currently an open air cafe, therefore the noise/people won't be contained indoors, and the noise levels will only be significantly increased. People are likely to continue to stay in the area after closing hours, increasing the potential noise volume further.

If you visited our flat (which is directly in front of the Cafe (2nd balcony) and witnessed first hand the impact that this could potentially have, you will realise the proximity to the Lazy Wave Cafe and also how the sound travels up from the Cafe already. If this application is approved it can only significantly increase this noise into the evening. Our flat is currently a family (home), not a holiday let.

Toilet facilities

There are no toilet facilities in the Lazy Wave Cafe. This will have an impact on the local drives/bin stores/walls etc.

Litter

We are concerned about the increase in litter that will occur with extend opening hours.

Prevention of Crime and Disorder

As the Lazy Wave is an open air Cafe, we are concerned that with people drinking alcohol throughout the evening, it could have an impact on further disturbance and criminal damage to the residential area that the Cafe is situated in.

We welcome your thoughts and also your serious consideration on the above points.

With kind regards

Mr Chris Burton & Mrs Sally Burton
[REDACTED]

From: Charles Dawson [REDACTED] >
Sent: 25 July 2023 22:43
To: Batchelor, Shane <Shane.Batchelor@IOW.gov.uk>
Cc: Eileen Taylor [REDACTED]; Peter Taylor [REDACTED] >
Subject: RE: Application for a Premises Licence for The Lazy Wave Cafe

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Dear Mr Batchelor

Let me introduce myself, my name is Dr Charles Dawson, I reside at [REDACTED] [REDACTED] I have been copied into many of my neighbours letters to you and your junior colleague along with your collective responses regards the

above application.

I understand that you have closed the consultation period, according to your reply to Ms Taylor, the closing date was the 21st July. Whereby the posted application in public on the lamppost clearly stated today the 25th July as the closing date.

With that aside, my main concerns, are that of the combination of extended opening by means of having a licence to sell alcohol in an open air setting until beyond the present opening hours added to the fact that alcohol will be sold. The combination of these 2 effects increase the likelihood of nuisance in the form of noise and antisocial behaviour.

I understand from your response that you state that it not part of the licence office to consider these factors, but defer this part of the process to Environmental Health. I appreciate that your colleagues must have carried out the assessment as I am aware it is a stipulated consideration in a licence application as per the following excerpt from your own licensing act guidance:-

The Prevention of Public Nuisance:

We suggest that you consider the following measures:

- If you are applying for regulated entertainment or any activity which may cause a noise break out from the premises, the applicant must take steps to prevent nuisance to local residents. An acousticians report to assess the possible noise break out and the use of mechanical limiting devices is advised.
- Noise from patrons leaving the premises and while outside smoking must be considered and identify how this will be managed.
- No outside drinking after certain times to prevent noise disturbance may be considered.
- Ensuring customers leave you premises quietly so not to disturb your neighbours. Signage to enforce the above.

You may need specialist help, for example to design a sound proofing scheme or to specify new or replacement equipment and plant. The council does not provide this service and recommends that you employ a consultant who is an expert in noise control. A list of local consultants can be obtained from your council. Environmental Health Officers will be pleased to cooperate with the consultant and to comment on the recommendations received.

The local authorities in Hampshire and Isle of Wight have agreed guidelines for noise reduction and a copy is available on request from Environmental Health Department, Jubilee Stores, The Quay, Newport, Isle of Wight, PO30 2EH. (01983) 823000

I am aware that everyone has to make a living and that the applicant may well have the purest intentions to control the situation within their establishment, and this is not a personal vendetta. But premises can be sold and licences transferred and thus

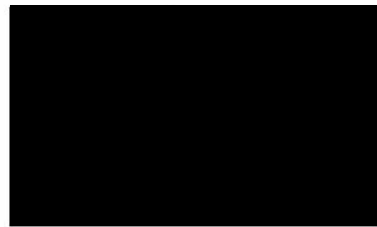
someone less scrupulous may, in time be running the licenced premises.

I would therefore be grateful, in the spirit of openness, if you could provide me and my neighbours with the results of the relevant assessments that have been carried out by Environmental Health on your behalf regards to the control of causing a nuisance and noise (particularly pertinent to an open air bar) so that we may be satisfied that due diligence has been undertaken in assessing suitability for the licence. Also what steps, if any, may be taken to lodge an appeal to a positive decision to grant a licence, if that is the outcome. Please also clarify once and for all the correct timescales given the discrepancy of those posted publicly and those to which you appear to be working to, as I am sure this will be relevant to any appeal/ objection timeline.

I look forward to hearing from you by return.

Regards

Charles Dawson



Dear Sir or Madam,

Re: The Lazy Wave Café – application for licence

Regarding the proposed change to opening hours and application for alcohol licence, I would like to lodge a strong objection on behalf of myself and my husband, S. C. Jury.

We bought the flat mainly because it is at the peaceful end of Shanklin, particularly in the evening, and we feel that granting of this application will inevitably result in noise and additional traffic trying to, and finding they can't, park close to the Café. And there will be a lot more noise from customers until well after the closing time.

We very much appreciate the care taken with cleaning the streets, and to the flower beds in Shanklin, and feel that there will inevitably be damage to both if this café has an alcohol licence.

Also, the access to the beach for emergency purposes is next to the Lazy Wave Café and it is very important that this is kept free, particularly into the evening.

I am not sure how many of the residents will be able to get an objection in in time now, but all our balconies look to the sea, and everyone will be affected.

Many thanks for your attention to his.

Yours sincerely,



B. A. Homer (Mrs.)

25 JUL 2023

25 JUL 2023

REF: Licensing Act 2003

24th July 2023

Dear Sir or Madam,

I am writing to object to the application for a Premises licence at The Lazy Wave, 2A Esplanade, Shanklin PO37 6BN by Mrs Rae Rawlins for the following reasons:

1) This is a residential area adjoining a family friendly beach and popular walking area for families and dog walkers.

2) There is only outside seating leading to the possibility of anti-social noise and activities in the area.

3) There are no public toilets in the nearby area due to the adjacent ones being recently closed, and as I understand no toilets at the above premises.

I therefore lodge firm opposition to the application and await your decision,

Yours faithfully,