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# NOTICE OF MEETING

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## LICENSING SUB-COMMITTEE

WEDNESDAY, 13 JANUARY 2021 AT 10.00 AM

## VIRTUAL REMOTE MEETING

Telephone enquiries to Lisa Gallacher 02392 834056

Email: Democratic@Portsmouthcc.gov.uk

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Committee Members Councillors Claire Udy (Chair), Scott Payter-Harris (Vice Chair), Dave Ashmore, Chris Attwell, Tom Coles, Jason Fazackarley, John Ferrett, George Fielding, Hannah Hockaday, Leo Madden, Lee Mason, Robert New, Benedict Swann, Linda Symes and Gerald Vernon-Jackson.

The panel today consists of: Councillors Claire Udy, Tom Coles and Leo Madden

The reserve member is Councillor Lee Mason.

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(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

**Licensing Sub Committee meetings are digitally recorded.**

### **A G E N D A**

1. **Appointment of Chair**
2. **Declarations of Members' Interests**
3. **Licensing Act 2003 - Application for grant of a premises licence - Delaneys, 77B Castle Road, Southsea, PO5 3AY (Pages 3 - 82)**

The purpose of this report is for the committee to consider an application for the grant of a new premises licence pursuant to section 18 of the Licensing Act 2003 ("the Act").

The matter has been referred to the committee for determination following receipt of relevant representations from one or more of the responsible

authorities and from other persons.

**The committee is requested to determine the application.**

# Agenda Item 3

REPORT TO: LICENSING SUB-COMMITTEE 13 January 2021

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: Derek Stone

**Licensing Act 2003 - Application for grant of a premises licence - Delaneys, 77B Castle Road, Southsea, PO5 3AY**

## 1. PURPOSE OF REPORT

The purpose of this report is for the committee to consider an application for the grant of a new premises licence pursuant to section 18 of the Licensing Act 2003 ("the Act").

The matter has been referred to the committee for determination following receipt of relevant representations from one of the responsible authorities and from other persons. Further detail about the representations received is shown at paragraph 4 below.

## 2. THE APPLICATION AND PROPOSED OPERATING SCHEDULE

The premises licence application has been submitted on behalf of Belinda Delaney and Philip Melville and relates to premises known as Delaneys situated at 77B Castle Road, Southsea, PO5 3AY. These premises are currently operating as a small café.

The following licensable activities have been requested:

Proposed Licensable Activity	Days and Times of Operation
Sale by retail of alcohol	Monday to Sunday 10:00 until 23:00

With the hours of opening and closing being:

Days of the Week	Open	Close
Monday to Sunday	07:00	23:00

The applicant has detailed in the operating schedule the steps intended to support and promote the licensing objectives. These can be found in the redacted application form attached at **appendix A**.

A plan of the premises is attached at **appendix B**.

The updated statutory guidance<sup>1</sup> gives general advice about the steps to promote the licensing objectives as follows:

**Paragraph 8.42** *"Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*

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<sup>1</sup> Revised Statutory Guidance issued by the Home Office

- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks."

**Paragraph 8.43** "Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy."

**Paragraph 8.44** "It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application."

**Paragraph 8.47** "Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises."

### 3. BACKGROUND INFORMATION

The provisions relating to the grant of a premises licence are contained within part 3 of the Licensing Act 2003 and associated statutory regulations.

Public notice has been given by way of press notice, a premises notice and local ward councillors have been notified of the application. There are no germane grounds for the committee to reject the application for non-compliance with the prescribed advertising requirements.

Delaneys have operated on this site as a small café for the past 15 years. The applicant now seeks to add the availability of alcohol to customers as part of their business.

### 4. REPRESENTATIONS BY RESPONSIBLE AUTHORITIES AND OTHER PERSONS

Relevant representations have been received from Mr Richard Maidment, Environmental Health Service and from two residents living above the premises, Mr & Mrs May and Mr Coath. These representations relate to noise issues given the potentially extended trading hours.

Four representations supporting the application have been received from Mr Michael Forfar, Mr P Howells, Mr D Evans and Mr & Mrs Lombardi all these representations are attached at **appendix C**.

Attached at **appendix D** is confirmation from the police that they have no objection to this application and at **appendix E** photographs from Mrs May showing rear bedroom window of her property above Delaneys rear door.



**Officer note:** Noise issues re building works referred to Environmental Health to address.

The statutory guidance states:

**Paragraph 9.11** *"Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so."*

**Paragraph 9.12** *" Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing".*

## **5. POLICY AND STATUTORY CONSIDERATIONS**

When determining the application, the committee must have regard to:

- Promotion of the licensing objectives which are;
  - Prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm
- The Licensing Act 2003;
- The adopted Statement of Licensing Policy;
- The human rights of all the parties concerned to ensure both a fair and balanced hearing and to consider, if necessary, any public sector equality matters;
- Judgments of the High Court, (your legal adviser will give you guidance should this become necessary);
- The current statutory guidance<sup>2</sup> issued by the Home Secretary in accordance with section 182 of the Act; and

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<sup>2</sup> Revised statutory guidance issued by the Home Office

- The representations, including supporting information, presented by all the parties.

## Statement of Licensing Policy

The Statement of Licensing Policy lays down a general approach to the determination of licensing applications and any such application will be considered on its individual merits. Equally, any person permitted by the Act to make relevant representations to the Committee will have those representations considered on their individual merit.

The Committee should consider the fundamental principles set out in its policy, particularly paragraphs 4.7 and 4.8 which are reproduced below:

- 4.7** *Whether or not incidents can be regarded as being “in the vicinity” of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.*
- 4.8** *Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of the overall approach to the management of the evening and night-time economy in town and city centres.*

The Committee should also have regard to paragraphs 7.1 to 7.5 in relation to such circumstances where it may be appropriate to consider the imposition of conditions on a premises licence.

## Statutory Guidance

The updated statutory guidance issued by the Home Secretary in accordance with section 182 of the Act refers to the consideration of applications for the grant or variation of premises licences in Chapter 9.

Members may wish to consider the following extracts from the statutory guidance when determining this application:

**Paragraph 9.37** *"As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits".*

**Paragraph 9.42** *"Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other*

persons, and representations made by the applicant or premises user as the case may be."

**Paragraph 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."*

**Paragraph 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."*

**Paragraph 10.8** *"The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations."*

**Paragraph 10.9** *"It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives."*

Members are reminded about the review provisions contained in chapter 11 of the guidance and, in particular:

**Paragraph 11.1** *"The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate."*

**Paragraph 11.2** *"At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives."*

## Determination of an application

Where an application to grant a premises licence has been made in accordance with section 17 of the Act and where relevant representations have been made, the licensing authority must hold a hearing to consider them, unless the applicant, each person who has made representations and the licensing authority agree that a hearing is unnecessary.

After having regard to the representations, the Committee may take such steps, if any, as it considers appropriate for the promotion of the licensing objectives which are:

- **grant** the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions.
- **exclude** from the licence any of the licensable activities applied for.
- **refuse** to specify a person in the licence as the premises supervisor (if the application relates to the sale of alcohol).
- **reject** the application.

In discharging its duty in accordance with the above, the Committee may grant a premises licence so that it has effect subject to different conditions in respect of:

- different parts of the premises concerned;
- different licensable activities.

Members are reminded of their obligation to give reasons for any decision(s) reached by further reference from the statutory guidance as follows:

***Paragraph 13.10*** "It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority's statement of policy and this Guidance. Reasons should be promulgated to all the parties of any process which might give rise to an appeal under the terms of the 2003 Act."

A copy of the Statement of Licensing Policy, current statutory guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

## 6. APPEALS

Schedule 5, part 1, of the Act sets out the appeal provisions in relation to the determination of an application to grant a premises licence.

Where the Licensing Authority rejects (in whole or in part) an application, the applicant may appeal against the decision to the Magistrates' Court.

Should the committee grant (in whole or in part) an application, the applicant may appeal

against any decision to modify the conditions of the licence. Equally appeal provisions apply against the exclusion of licensable activities and/or refusal to specify a person as a premises supervisor.

Where a person who made relevant representations in relation to the application contends that:

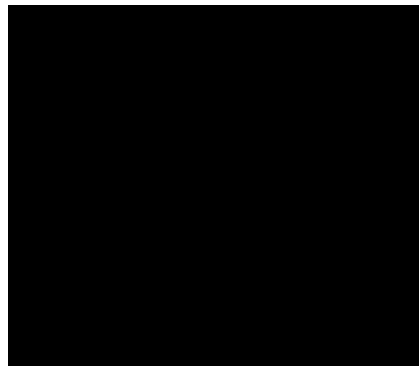
- a) that the licence ought not to have been granted, or
- b) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions or excluded activities and/or the premises supervisor,

He may appeal against the decision.

## **7. APPENDICES**

- A.** Copy of the redacted application for the grant of a premises licence together with any supporting document(s)
- B.** Plan of premises
- C.** Copies of the redacted relevant representations received
- D.** Police confirmation email re no objection to application.
- E.** Photographs of rear bedroom window in relation to rear of Delaneys.

**THE COMMITTEE IS REQUESTED TO DETERMINE THE APPLICATION**



For Licensing Manager  
And on behalf of Head of Service

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# Appendix A

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

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Belinda Delaney Philp Melville  
(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 <b>77 A Castle Road</b> <b>Southsea</b>			
Post town	Portsmouth	Postcode	<b>PO5 3AY</b>
Telephone number at premises (if any)	<b>[REDACTED]</b>		
Non-domestic rateable value of premises	£ <b>[REDACTED]</b>		

#### Part 2 - Applicant details

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

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input type="checkbox"/>            | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | please complete section (B) |

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

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

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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



**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

**(B) OTHER APPLICANTS**

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

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

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	02	11	2020
02			

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
ground and Mezzanine Level where guests can consume alcohol. A bar which runs down the right hand side. To the rear of the property there is a toilet and at the back there is a food prep kitchen.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

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

☒

**In all cases complete boxes K, L and M**

**A**

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

## B

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

C

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

## D

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

# E

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

# F

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



# G

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

## H

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

# I

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

# J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) New years eve 10.00 -01.00		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00			
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	23.00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

**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 Darren Swann	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 15/02474/LAPERS	
Issuing licensing authority (if known) PCC	

□□□□

K

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

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5) New years eve 7.00 – 01.00
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)
Mon	07.00	23.00	
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

**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)**

N/ A

**b) The prevention of crime and disorder**

The CCTV system must be fully operational whilst the venue is open to the public.

The recording equipment shall be stored and operated in a secure environment with limited access.

The system shall be regularly maintained and serviced.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 31 days good quality pictures.

The images produced will be date and time stamped.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems).

CCTV shall cover the full licensable area.

No Drugs Policy

Crime and disorder reduction partnership

Staff Training

**c) Public safety**

All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:

Sale of alcohol to persons under 18

Challenge 25 and acceptable forms of Identification

Signs of Drunkenness

Refusal register and when/how to use

Evaluation Procedures  
External lighting to property.

**d) The prevention of public nuisance**

Join Pub watch  
Music to be kept low after 22.00

**e) The protection of children from harm**

All training relating to the sale of alcohol shall be documented and records kept either in hard copy at the premises or electronically via head office. Police and the Licensing Authority shall have access to an individual's training records upon reasonable request. Training shall be refreshed every six months.

Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be as per the latest Home Office guidance.

A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the Police or Local authority.

The premises shall operate a challenge 25 policy.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. **£100.00** ☐
- I have enclosed the plan of the premises. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐
- ☐

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (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.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li></ul>
--------------------	--



	<ul style="list-style-type: none"> <li>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, if appropriate (please see note 15)</li> </ul>
Signature	Belinda Delaney
Date	14/10/2020 14/10/2020
Capacity	Business Owner

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	Philip Melville
Date	14/10/2020 14/10/2020
Capacity	Business Owner

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)			

### 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.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening

from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

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

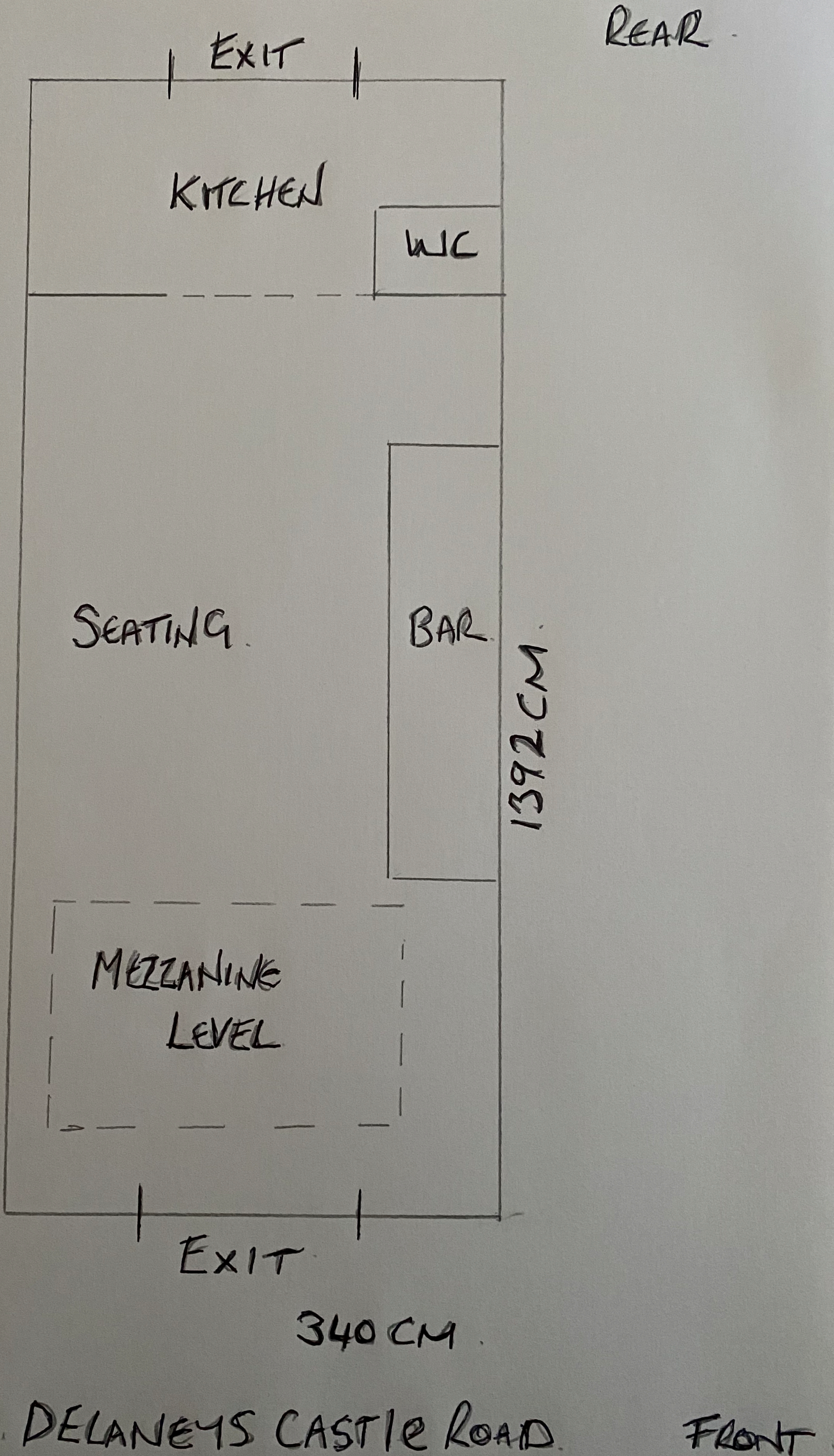
**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

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

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

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







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## Appendix C

**From:** Janet May [REDACTED]  
**Sent:** 26 October 2020 07:43  
**To:** Licensing Shared Email [REDACTED]  
**Subject:** Fw: Objection to Alcohol Licence Delayneys Castle Road

**Subject:** Objection to Alcohol Licence Delayneys Castle Road

Objection to application For alcohol licence Delaneys Castle Road

Janet & Anthony May Flat 1, 77 Castle Road

I wish to raise a severe objection to the application made for an alcohol licence at Delaneys Cafe Castle Road.

We live directly above this cafe and our bedroom is directly above the kitchen where they have the doors open from the minute they open until after they close. We do not get a minute of peace until they close them doors and go. We can hear them word for word and they are in and out of the door area constantly shouting, smoking, and making personal phone calls of which we can hear every word. We have lived here 14 years and over that time we have had to go down and complain on many occasions where they are selfishly causing noise at unreasonable times. They refitted the shop and were drilling and banging until 10pm at night for 3 weeks solid including all day Sunday. My husband gets up at 4.30 for work and is in bed at 9pm so you can imagine the stress this caused and they have no consideration whatsoever. We had to go down there on several occasions and they just ignored us. The landlord said we should complain to the council and I wish we had as it is really unfair on us. Then when there are food fayres on they open up the doors on a Sat and Sun at 5 am and wake us up then.

When the pandemic hit and we were in lockdown myself and my husband were home. My husband could not work from home so he was in the living room so I had to work on a laptop in the bedroom right above their kitchen. It was stifling hot and I had to keep all the windows closed and could not concentrate because of the constant racket. Even now we are encouraged to work from home part of the week but I am unable to do so because I can't concentrate.

So if they get this licence they will be shouting, banging below, discarding glasses past closing time until all hours and we go to bed early and have to make a living too so this is massively unfair.

We have put up with this for all these years but at least they were gone by tea time and we had some relief in the evenings. We have accepted they are trying

to make a living and we have given them way over the allowances for that. We would have been in the right to complain to the council several times over and we have been more than patient, not many would put up with the constant racket.

As we speak now on a Sunday morning at 8.43 25 Oct they are drilling down there.

I have attached a photo so you can see our bedroom above their kitchen where they are in and out all day long.

Please have some respect and consideration for us, this is our home and we have suffered all this because we like living here and have tolerated the noise because of that but this will force us out of our home of 14 years. It is not just us that this will affect there is an elderly lady lives above the front who has lived here 40 years.

I will not let this rest, this will cause us severe distress and we will not be able to continue living here under these conditions which will most certainly be considerably worse than they are now.

This is a very selfish request on their part they have no respect and consideration for us - never have. This is not a suitable area where residents are in such close proximity.

I am counting on your support in this, rest assured I will fight this all the way.

They are fitting out again at the moment and the noise is unbearable.

Janet & Anthony May

# Appendix C

**Stone, Derek**

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**From:** Janet May [REDACTED]  
**Sent:** 18 November 2020 12:02  
**To:** Robson, Debra  
**Subject:** Re: Delaney's - Application for Premises Licence

Debra,

I have undergone some really unpleasant dental treatment that is causing trauma and I am working from home. They have been making noise for over a month including Saturday and Sundays- they are doing it as we speak I have recordings and photos. I am at my wits end.  
And now they want to be here 7 days a week until all hours as well. You will hear from recordings how clear and disruptive they are right underneath. Every conversation can be heard and they are constantly in and out shouting right under the back door under my bedroom.  
This is making me ill now. They have just interfered in our lives relentlessly and now I have to go through all of this, it's distressing, selfish and unfair.  
Thank you for explaining  
I have made a separate complaint for the noise I am enduring with Richard Maidment.  
Kind regards  
Janet

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, November 18, 2020, 11:51 am, Robson, Debra [REDACTED] wrote:

Morning Janet

When an application for a licence receives representations then it has to be heard at a Hearing which consists of the chairman of the licensing committee and 2 further councillors who determine the outcome. A member of licensing, our solicitor and committee clerk also attend and obviously the applicant and their solicitor if that is what they want although most represent themselves. Persons that have made representations are also invited to attend and the public should they wish too. The environmental health officer also made a representation so he will attend as well.

Firstly though my colleague will write the report which includes the representations and arrange a date a date for the Hearing. Once that is done all parties are emailed the Notice of Hearing and report and you can attend and speak if you wish but you don't have to. The applicant can put their views over and you can as well and the other persons who made reps. Before COVID this all took place in a meeting room in the Guildhall but now it's done virtually so you will be sent a link and you can attend that way so you don't even have to leave the house.

Once the committee have heard everything they will decide the outcome sometimes applicants come to an agreement to offer up conditions or cut back the times and on this occasion you have the environmental health officer who has made a rep.

Hope this helps.

Regards

Debbie

---

**From:** Janet May [REDACTED]  
**Sent:** 17 November 2020 20:09  
**To:** Robson, Debra [REDACTED]  
**Subject:** Fw: Delaney's - Application for Premises Licence

Evening,

Apologies, I did not have my glasses on! What I meant to say is I have never been put through such a stressful situation like this before, so I was hoping you could tell me about the process please as I have no idea.

Kind regards

Janet May

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Tuesday, November 17, 2020, 7:57 pm, Janet May <[REDACTED]> wrote:

Evening

Can you advise what the process is as I have no idea, I never have been out through this before.

Kind regards

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, November 17, 2020, 6:04 pm, Robson, Debra  
[REDACTED] > wrote:

Good evening

Due to an administrative error the applicants have had to restart the 28 reps by date which now takes us up until 14 December 2020. This means that there will be a delay in the application being referred to a Hearing. Once the reps by date is up the date will be arranged and you will be emailed the Notice of Hearing.

Any queries please email me.

Regards.

Debbie Robson  
Senior Licensing Officer  
Directorate of Culture, Leisure and Regulatory Services  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL



[Report a business that is operating unsafely](#)

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## Appendix C

**From:** Janet May  
**Sent:** 30 November 2020 21:06  
**To:** licencing; Maidment, Hazel; Robson, Debra  
**Subject:** Fw:

Evening

Delayneys have contacted. You are cc'd in.

I wish to point out that on top of the constant disruption and stress of the last six weeks now I have to deal with a court like situation where I have to object, prove and fight for our right for some peace and quiet in the evenings! So in all we have put through hell for the best part of two months and it may drag on even longer. Do we really deserve that, is it fair?

And as for expecting us to fork out to muffle the noise they are making.. I am sorry but that is downright absurd. This application cannot possibly be treated in comparison to the tea rooms that they made an example of, they do not have someone's bedroom right above!

Please add these comments to my objection. Thankfully I can support elements of my statement with evidence which I felt compelled to gather in the event of doubt which has added to the stress.

Kind regards

J May

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## Appendix C

**From:** Janet May  
**Sent:** 01 December 2020 08:19  
**To:** Maidment, Hazel; Robson, Debra; licencing  
**Subject:** Fw:

Morning,

Having not hardly slept a wink after the email received from Belinda Delaney, again another sleepless night as my well being continues to be intruded.

As you can appreciate this matter is consuming all my peace of mind, time and energy in a bid to prove my honesty – none of this trouble have I invited.

Apologies for the continued emails but I cannot rest until I have addressed further points in Belinda's email to me.

As we have established, we have had to go down on more than one occasion due to work being carried out in unsocial hours – this was not acknowledged and the work continued regardless. This proves there is little point in appealing to their "better nature" and their disregard for rules and respect for close neighbours.

As I readily admit, I was at my wits end during the course of the work as I could not hear myself think one Saturday – but then I was blamed for my behaviour (which was just some shouting and telling them the facts). However, you have to look at the factors that drove me to this, if they had been considerate and appreciated the noise we had to endure all week and not selfishly pressed on all and every weekend and gave us a break, I may not have been driven to this outburst in the first place. My point here is that, Belinda wants me to address issues with her directly, but when I do, she does not like my attitude and the concerns are ignored anyway, so what is the point?

What really puzzles me is that Belinda says that they did not want to upset us any further – so they took the time with the work instead of rushing and therefore it took three times longer. I am sorry but I do not understand how taking weeks longer and continuing every Saturday and Sunday which followed was supposed to have this calming effect? Would it not have been better not to open and get the work done quicker – rather than open for business and the work being completed throughout the following weeks and weekends therefore dragging the process out further?

Belinda makes a comment that we are mostly at work during their opening hours – this is true pre COVID – but what of the weekends and if we have a few weeks off, However, that said her claim in that case that we are not here most of the time contradicts when the kitchen was fitted – if we were not here and at work and they are only here until 4/4.30 – how was it we were down there in the evenings complaining over the space of that time? As I have already mentioned, comparing the application here to the Parade tearooms on Southsea Common is hardly a satisfactory – the tearooms is completely solitary with no bedroom directly above the business area.

On a final note, the amount of time, energy and distress this has caused and continues to cause as this process runs it's course, please consider if I would really go to all this time and effort and provide consistent proof to back up all I have stated if a lot of the information was exaggerated or fabricated? I would be mad to waste my time surely?

Kind regards

Janet May

**Janet May**

## Appendix C

**Robson, Debra**

---

**From:** Licensing Shared Email  
**Sent:** 01 December 2020 08:39  
**To:** Robson, Debra  
**Subject:** FW: Delaneys

**From:** Janet May  
**Sent:** 30 November 2020 19:23  
**To:** Belinda Delaney  
**Cc:** Licensing Shared Email  
**Subject:** Re: Delaneys

Belinda

Might I just point out that the parade tea rooms (not sure about the Pie and vinyl) do not have somebody's bedroom directly above. So, I do not think you can compare your application to theirs can you???

Regards

Sent from Yahoo Mail for iPhone

On Monday, November 30, 2020, 5:24 pm, Belinda Delaney

wrote:

Dear Janet and Anthony

I hope you are both well.

I am writing in response to your email to the licensing department dated 26<sup>th</sup> October, which has been forwarded to me.

I was surprised reading through your letter, the level of suffering that you claim you have endured for the last 14 years, living in Flat 1, 77 Castle Road, which really does concern me.

I took on the lease at 77b Castle Road 15 years ago.

In July 2010, we attended the Southsea food festival as a business. This meant that we had to come to the premises at 6am on the Saturday and Sunday Morning to collect equipment, to attend the show. On our return at around 5pm you appeared at the back door to the cafe. I had never met you before, and I was shocked by you aggressively shouting at us for waking you both up, because your bedroom was located over the kitchen. A fact, that I was completely

unaware of, prior to meeting you. We of course, apologised, but having the floors above me, I had no reason to think that there would be a bedroom there.

We have over the course of 15 years carried out some painting and maintenance, which is to be expected and is perfectly reasonable, everyone has to maintain a property and decorate. Then approx 5 years ago in the summer, I had some tiling, new worktops and a new sink put in, which was over the course of two weekends not before 10am or after 4.30pm. I did speak to you prior to this, and let you know we were going to do some work which was going to be noisy intermittently, as I knew you had hit the roof on the occasion before. You did however still come down and complain whilst the work was being carried out.

I find your account of things exaggerated and rather unfair, (working till 10pm for 3 weeks banging is one of them).

I would like to point out that up until June (2020) this year we opened on

**Monday to Saturday 9.30am till 3pm.**

**Closed every Sunday and All Bank Holiday Mondays.**

**10 day close down over Christmas and New Year.**

**We have opened for 8 Castle Road events, when we open 8am for these.**

This year, having been hit by the Covid 19 Pandemic, we have all had to make huge sacrifices adjustments, but luckily to date we have all remained safe and well, thousands have not been so lucky. I note that you say, you have had to work from home since the lockdown, so you would have also had the benefit from the 6 weeks, that I had to close the door on my business and fear losing it, along with the concerns for all of the staff. Up until this point I understand that you both worked full time, so I am confused about why say you only get some relief from us in the evenings, when you are both out all day and we generally cross paths (so to speak) when we closing up and you coming in after work, around 3/4pm with the exception of a Saturday.

I would like to think that if all of this had been going on as you say, you might have approached me and spoken to me about your concerns with noise. In fact the last time I saw you and we spoke to each other, it was in the latter part of the summer. You very kindly gave me some of your courgettes and Tomato plants in return for a few pots. I had no reason to believe you were upset by the things that you have noted in your letter. I understand you had become very friendly with Sonny, one of our employees at delaneys, spending time together

and inviting him for drinks. He is generally a bit noisy and the only smoker so I would have thought if this had been an issue for you, you might have raised that with him directly.

With the effects of the First Lockdown and then the rather unexpected recent road closure, my business lost most of its passing trade overnight. I have had to diversify to help my business, and staff and had to do something quickly to survive. I decided to do the renovation and the application for a licence is not to make yours or anyone else's life a misery it is simply a nice addition to the business we have. Pie and vinyl and The Parade Tearooms have both obtained licences in recent years and I don't see why my application should be considered any different to theirs, or indeed selfish. I applied for the full licence on advice from the Council, as this is the normal thing to do. I do not intend to be open all hours or become a rowdy bar, just a nice relaxed breakfast lunch and early supper stop, serving good food in lovely surroundings and a beer or wine with lunch or when we open for supper at the weekend.

You moved into residence in a Road, which has a very eclectic mix of businesses, shops, bars, restaurants and residents.

I did post letters through the door, for all of the residents of the flats above delaneys, to inform you of our renovations, and made an apology in advance inviting you all to lunch. We managed to complete all of the work in just two weeks and three days however, as a result of your appalling outburst to the workmen, who was very apologetic to you (for the noise caused by one of the contractors that had come to fit the floor), we just stopped getting on with it quickly in a bid not to upset you any further. So now the cost and the time to finish the little fiddly bits have just gone on.

I do sympathise and can only apologize that you have had to put up with work noise however, if you lived over the road, for an example they have been renovating that house for the last year so our short 2.5 weeks was a very quick turnaround. I am afraid because of the pandemic which is not my doing, you are at home/working from home ordinarily you would have been at work.

After reading your email I did write to the Environmental Department to ask if they could offer any advice on soundproofing between the two areas. I have unfortunately not had a reply from them, but I have sought other advice and this can be done, I think it would be an option and I believe this is in the region of £1,000 to do this if you would like to discuss this further and exploring the possibility of sharing the cost three ways with yourselves the Landlord and myself I would be really happy to get together to try and resolve any noise issues.

Please do not see this letter as a hope that you will retract your objection as I do not expect you to do that, but as a channel to move forward in an amicable way.

Kind Regards

Belinda Delaney

## Appendix C

**From:** Licensing Shared Email  
**Sent:** 01 December 2020 08:39  
**To:** Robson, Debra  
**Subject:** FW: Delaneys

**From:** Janet May  
**Sent:** 30 November 2020 18:48  
**To:** Belinda Delaney  
**Cc:** Licensing Shared Email  
**Subject:** Re: Delaneys

You fitted out the kitchen and myself and my husband came down on more than a few occasions. I even came in after it was all over to insist the unfairness of the late hours. you ignored my comments and invited me to look at the new kitchen, don't you remember? I contacted my landlord about it, I am sure I might have the texts on my old phone.

We also had to request the man working down there to leave on the Sundays  
I did not take this forward to the Council but was very close.

The noise I have had to endure over the last 6 weeks has had me at breaking point. I really do not think you have the slightest idea how stressful and disruptive this has been.

I had to work from home in the sweltering heat with the windows closed all through the summer as I had to work in the bedroom but at least you left in the afternoon . Admittedly having to work from home had not helped but I just can't concentrate.now we do not even get any break on a Sunday.

Every single word I have spoken is the gospel truth and no exaggeration.

I am sorry, the work was alot longer than 2 and a half weeks and I have the photos and recordings which are dated and timed to prove it.

You have just pushed us to the limit. The noise and disruption has made me ill and if I was unreasonable I would not have tried to accept it until now, but the thought of you banging about until all hours is too much to bear. My husband gets up at 4.30 am.

I am very sorry but I do not have any intention to pay towards sound proofing.

I am in the middle of very unpleasant emergency dental work which is going to cost me every penny I have.

I am willing to let you listen to the recordings which I did in case there was any doubt in my statement.

Please be assured this was not aimed towards anyone in particular but it is a demonstration of how loud just one conversation can be heard with

The windows tightly shut outside that back door.Even with the door shut I can even grasp most of the conversation. However,I appreciate your business is inside and I have to be fair about that.You say you tried to keep it down after I went down one Saturday, the workmen turned the volume up even louder out of spite, and absolutely no attempt was made on the 2/3 weeks that followed to keep it down. Every Sunday .. it has had me out of my mind - I mean this sincerely and honestly.

Before all this started we told Sonny how noisy it was, but like I say we tried to get on with it with the comfort at least we had the evenings and Sundays to ourselves. This is not aimed at any individuals, I am not that type of person otherwise we would have made complaints before, but I have had to obtain proof for our own protection in case you say I am lying.

This is nothing personal but the noise which will be 7 days a week until late right under our bedroom really is too much to bear and I have had to object for reasons I have mentioned.

Even yesterday (Sunday)you are still drilling and sanding 6 weeks later. If the shoe was on the other foot you would not put with the half of it I am sure.

You say why didn't I approach you with concerns , we did on several occasions during the kitchen fit... but you didn't take any notice, if you put your hand on your heart and be honest you know I am speaking the absolute truth.

Fortunately I have proof that the work continued longer than you say -7 days a week-I had a feeling I may have to produce such evidence. You may have some understanding if you were witness it. I am prepared to share all I have with the Council with my permission for you to view and listen.

It is all dated and timed

As for the way forward, I have provided an honest account which I would swear an oath to, whilst it is your word against ours over the kitchen fitting hours (unless I still have the texts about it at the time, maybe there is a way of retrieving the information?) I do have the evidence on this occasion to prove what I have stated and I will leave all I have provided in the professional hands to decide what they deem as fair and reasonable.

Kind regards

Sent from Yahoo Mail for iPhone

On Monday, November 30, 2020, 5:24 pm, Belinda Delaney

wrote:

Dear Janet and Anthony

I hope you are both well.

I am writing in response to your email to the licensing department dated 26<sup>th</sup> October, which has been forwarded to me.

I was surprised reading through your letter, the level of suffering that you claim you have endured for the last 14 years, living in Flat 1, 77 Castle Road, which really does concern me.

I took on the lease at 77b Castle Road 15 years ago.

In July 2010, we attended the Southsea food festival as a business. This meant that we had to come to the premises at 6am on the Saturday and Sunday Morning to collect equipment, to attend the show. On our return at around 5pm you appeared at the back door to the café. I had never met you before, and I was shocked by you aggressively shouting at us for waking you both up, because your bedroom was located over the kitchen. A fact, that I was completely unaware of, prior to meeting you. We of course, apologised, but having the floors above me, I had no reason to think that there would be a bedroom there.

We have over the course of 15 years carried out some painting and maintenance, which is to be expected and is perfectly reasonable, everyone has to maintain a property and decorate. Then approx 5 years ago in the summer, I had some tiling, new worktops and a new sink put in, which was over the course of two weekends not before 10am or after



4.30pm. I did speak to you prior to this, and let you know we were going to do some work which was going to be noisy intermittently, as I knew you had hit the roof on the occasion before. You did however still come down and complain whilst the work was being carried out.

I find your account of things exaggerated and rather unfair, (working till 10pm for 3 weeks banging is one of them).

I would like to point out that up until June (2020) this year we opened on

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**Closed every Sunday and All Bank Holiday Mondays.**

**10 day close down over Christmas and New Year.**

**We have opened for 8 Castle Road events, when we open 8am for these.**

This year, having been hit by the Covid 19 Pandemic, we have all had to make huge sacrifices adjustments, but luckily to date we have all remained safe and well, thousands have not been so lucky. I note that you say, you have had to work from home since the lockdown, so you would have also had the benefit from the 6 weeks, that I had to close the door on my business and fear losing it, along with the concerns for all of the staff. Up until this point I understand that you both worked full time, so I am confused about why say you only get some relief from us in the evenings, when you are both out all day and we generally cross paths (so to speak) when we closing up and you coming in after work, around 3/4pm with the exception of a Saturday.

I would like to think that if all of this had been going on as you say, you might have approached me and spoken to me about your concerns with noise. In fact the last time I saw you and we spoke to each other, it was in the latter part of the summer. You very kindly gave me some of your courgettes and Tomato plants in return for a few pots. I had no reason to believe you were upset by the things that you have noted in your letter. I understand you had become very friendly with Sonny, one of our employees at delaneys, spending time together and inviting him for drinks. He is generally a bit noisy and the only smoker so I would have thought if this had been an issue for you, you might have raised that with him directly.

With the effects of the First Lockdown and then the rather unexpected recent road closure, my business lost most of its passing trade overnight. I have had to diversify to help my business, and staff and had to do something quickly to survive. I decided to do the renovation and the application for a licence is not to make yours or anyone else's life a misery it is simply a nice addition to the business we have. Pie and vinyl and The Parade Tearooms have

both obtained licences in recent years and I don't see why my application should be considered any different to theirs, or indeed selfish. I applied for the full licence on advice from the Council, as this is the normal thing to do. I do not intend to be open all hours or become a rowdy bar, just a nice relaxed breakfast lunch and early supper stop, serving good food in lovely surroundings and a beer or wine with lunch or when we open for supper at the weekend.

You moved into residence in a Road, which has a very eclectic mix of businesses, shops, bars, restaurants and residents.

I did post letters through the door, for all of the residents of the flats above delaneys, to inform you of our renovations, and made an apology in advance inviting you all to lunch. We managed to complete all of the work in just two weeks and three days however, as a result of your appalling outburst to the workmen, who was very apologetic to you (for the noise caused by one of the contractors that had come to fit the floor), we just stopped getting on with it quickly in a bid not to upset you any further. So now the cost and the time to finish the little fiddly bits have just gone on.

I do sympathise and can only apologize that you have had to put up with work noise however, if you lived over the road, for an example they have been renovating that house for the last year so our short 2.5 weeks was a very quick turnaround. I am afraid because of the pandemic which is not my doing, you are at home/working from home ordinarily you would have been at work.

After reading your email I did write to the Environmental Department to ask if they could offer any advice on soundproofing between the two areas. I have unfortunately not had a reply from them, but I have sought other advice and this can be done, I think it would be an option and I believe this is in the region of £1,000 to do this if you would like to discuss this further and exploring the possibility of sharing the cost three ways with yourselves the Landlord and myself I would be really happy to get together to try and resolve any noise issues.

Please do not see this letter as a hope that you will retract your objection as I do not expect you to do that, but as a channel to move forward in an amicable way.

Kind Regards

Belinda Delaney

## Appendix C

**From:** [Janet May](#)  
**To:** [Stone, Derek](#)  
**Subject:** Re: Premises Licence Application  
**Date:** 16 December 2020 11:55:21  
**Attachments:** [image001.jpg](#)

---

Derek

May I raise another valid point please.

The point of the recordings was not just to prove the extent and loudness of the noise they made recently but to also display how loud the business can be heard just talking normally with the door shut and outside under my bedroom where they congregate and talk and are in and out all day. This is a constant noise which is not just recent.

We will have put up with this constantly 7 days a week until all hours. Like I said at least we get some peace in the evenings at the moment.

Within those recordings are examples of conversations that can clearly be heard from below my bedroom with the door shut and outside the back door under my bedroom window.

Kind regards

Janet May

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, December 16, 2020, 11:07 am, Janet May

 wrote:

Derek

One point that is relevant to granting this licence is the everyday noise. at least as it is now they are gone by 4pm and we get some peace in the evenings.

Although we work ordinarily in the day, I have been working from home since March and the noise during the summer was unbearable. I had to work with the windows closed in the sweltering heat.

If they get this licence, they will be banging around 7 days a week until all hours and we go to bed early. My husband is up at 4.30am.

Surely this is a valid point?

Kind regards

Janet May

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, December 16, 2020, 10:00 am, Stone, Derek  
<[Derek.Stone@portsmouthcc.gov.uk](mailto:Derek.Stone@portsmouthcc.gov.uk)> wrote:

Janet

Thank you for this and I am pleased that Debra has been able to assist you over the last few weeks in what has been clearly quite stressful for you. I will pass on to her your thanks.

I have now had the opportunity to go through all the e mails and links that are attached to this application to prepare for a Licensing Sub-committee hearing.

Looking at all the notes, there are clearly two issues, the first being the actual Premises Licence application and the second the noise that you have experienced whilst they convert the premises in preparation for the applicants new business venture.

Whilst I do not want to minimise the impact this has had on you, I do feel that I must separate the two issues.

I note that my colleagues from Environmental Health have been involved with regard to the building works and the noise, which hopefully they have now resolved.

Environmental Health are the experts in this field and it is not a matter that Licensing gets involved in UNLESS it relates to Licenced Premises and it becomes a breach of one of the four licencing objectives eg Public Nuisance.

As Delaneys is currently not licenced, and given the fact that EHO have engaged, I will not be adding any of the photo's or the sound recordings to the committee bundle.

I will make reference to the fact that a noise complaint was raised and the panel will be able to see all the issues as your representation is presented to them in full so they will be fully aware of what has occurred over the last few months. In addition Richard Maidment who has made a representation will also be at the hearing so if asked by the panel he can comment on this.

Your representation details your concerns regarding these premises becoming licenced so to talk about building works that have now

passed is unnecessary and I am sure you will understand that we need to deal with the Premises Licence application only at this hearing.

I have had contact this morning from our Democratic Services people and it looks like the most suitable date for a hearing will be Wednesday 13<sup>th</sup> January 21 and it will be via TEAMS so done from the comfort of your home/office wherever suits you.

This date is provisional as they are only just trying this morning to secure a legal advisor and panel but I will keep you posted.

We will probably start at 10:00 and finish by 13:00 but I will know more when the date is confirmed.

Hope all this makes sense

Kind regards

Derek

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## APPENDIX C Sound recording sent to panel

**Stone, Derek**

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**From:** Janet May  
**Sent:** 16 December 2020 16:02  
**To:** Stone, Derek  
**Attachments:** New Recording #97.m4a

Derek

The point I am making is, this is how loud the noise is from below. Just them clearing up and talking. You can hear the conversation clearly with the door shut and windows shut.

They will be gone shortly, (4pm) but if they get an alcohol licence I will have to put with that every day until all hours plus them going in and out of the back door below the window.

So, the recordings are relevant to prove that is the noise I put up with in the past and present and will be longer and later - 7 days a week in the future if licence is granted.

Regards

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## Appendix C

**From:** Maidment, Richard  
**Sent:** 02 November 2020 13:52  
**To:** Robson, Debra  
**Subject:** FW: Application for premises licence - 77A Castle Road  
**Attachments:** IMG-7946.jpg; IMG-7945.jpg; IMG-7947.jpg; Consent of individual to being specified as premises supervisor Darren Swann- April 2017.doc; Scan\_Robson\_Debra\_20201015-170832\_2617\_001.pdf

I wish to make representations regarding this application on the grounds of prevention of public nuisance.

The premises are located within the ground floor of a late Victorian / Edwardian building with residential dwellings directly above at first and second floor level and there are also a number of residential dwellings directly opposite the venue less than 10 metres from the front façade.

The current operation is a café / sandwich bar which is only open during the day whereas the description of the proposed premises and the comparative size of the bar shown on the plan leads me to believe that this will now be a drinking establishment open until 23:00hrs.

Historically we have experienced significant problems with new licensed premises being structurally attached to existing residential dwellings due to poor sound insulation between the separating structure and the inevitable level of noise associated with the operation of these establishments. There will also be a potential impact upon residents living in the dwellings opposite due to external activities and breakout from the front façade.

My concerns with this application include the following:

- Modern bars are generally very reverberant spaces so when the bar is at capacity, noise from customers talking within the bar and any exuberant or rowdy behaviour increases to significant levels as people compete to be heard.
- The introduction of The Live Music Act means that any licenced premises has the right to play amplified music including performances of live bands as entertainment until 23:00hrs seven days a week.
- Noise travelling via the structure to the first floor dwelling due to inadequate sound insulation.
- Noise breakout from the front façade which is entirely glazed and an acoustic weak point in the structure.
- Rowdy behaviour from customers loitering outside smoking.
- The use of an outdoor seating area on the pavement which will be used by customers for drinking until 21:00hrs.

Section M of the application form indicates that little thought has been given to noise management or sound insulation other than that music will be kept low after 22:00hrs, which intimates that it will be loud prior to that.

The Good Practice Guide on the Control of Noise from Pubs and Clubs published by The Institute of Acoustics states : "Extreme caution should be exercised in permitting developments that result in pubs, clubs and other similar premises being structurally attached to noise sensitive properties. Such development should not be permitted without it being clearly demonstrated that acceptable noise levels can be achieved and maintained at and in the noise sensitive properties".

Consequently based on the information submitted I am not confident that the premises will be able to function without causing nuisance to the residential dwellings above and opposite the proposed venue.

regards

Richard Maidment  
Principal Regulatory Services Officer

Regulatory Services  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

## Appendix C

**From:** Greg Coath [REDACTED]  
**Sent:** 30 October 2020 08:52  
**To:** Licensing Shared Email [REDACTED]  
**Subject:** Alcohol license delancys castle road south sea portsmouth

I as a resident of flat 2 77 castle road is right above delancys and feel that noise levels anti social behaviour and late opening hours would affect myself and my general health and well-being so I object to this license this is quiet residential street and would like it to stay that way yours sincerely Mr g coath

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## Appendix C

**From:** Robson, Debra  
**Sent:** 12 December 2020 14:50  
**To:** Robson, Debra  
**Subject:** FW: licence application by delaneys Castle rd southsea

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**From:** david evans  
**Sent:** 11 December 2020 11:34  
**To:** Licensing Shared Email  
**Subject:** licence application by delaneys Castle rd southsea

Dear sir/madam being a resident trader in brocante 75 castle rd southsea I would like to take this opportunity to support my neighbour in her licence application for her premises castle rd.as we consider this would be a welcome addition to our rd .and also we have always found her to be a diligent and considerate neighbour

Sent from Samsung Mobile on O2

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## Appendix C

### Comments for Licensing Application 20/02874/LAPREM

#### Application Summary

Application Number: 20/02874/LAPREM

Address: 77B Castle Road Southsea PO5 3AY

Proposal: Premises Licence

Case Officer: null

#### Customer Details

Name: Mr michael forfar

Address: 13 Castle Road, Southsea PO5 3DE

#### Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Comment Reasons:

Comment: 9:31 AM on 28 Nov 2020 Castle rd is becoming a vibrant mix of retail, salon and food outlets,

i support the the idea of alcohol licenses to the area to bring a more varied structure to the area

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## Appendix C

**From:** Peter Howells  
**Sent:** 01 December 2020 16:16  
**To:** Licensing Shared Email  
**Subject:** Delaney's Cafe - Castle Road, Southsea - Planning possibilities

Dear Debbie,

I hope you are well and this is just a note in support of Delaney's Cafe/Restaurant on Castle Road and to offer any input that may prove valuable in their recent application to host additional facilities.

Delaney's has been an important part of Castle Road and Southsea culture for many years and they have always made sure they have integrated with the local community by offering a wonderful service to young and "not so young" alike.

Castle Road is an iconic, popular and famous little enclave but is in need of a face lift and with the small businesses doing all they can to achieve this, none more so than Delaney's, I feel that the work being done there with the community in mind should be supported as opposed to dismissed.

I am all for things being done properly but the tasteful way the cafe has been re-developed at considerable cost and effort is totally in keeping with what the road is trying to portray so I hope other residents and local business will recognise this and support one of Southsea's little gems.

I hope you don't mind me forwarding my thoughts and if you need to discuss this any further please do not hesitate to drop me a note.

Many thanks,

Peter Howells

Resident of Castle Road.

Sent from my iPad

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## Appendix C

**From:** Robson, Debra  
**Sent:** 27 November 2020 16:09  
**To:** 'marilyn  
**Subject:** RE: 77 B Castle Road Southsea

Hi Marilyn and Paul

Thank you for your email in support of the application for a premises licence for Delaneys. Your support comments will form part of the report for the Hearing, date yet to be arranged until the reps by date has gone. I will email you again asking if you wish to attend the Hearing.

Regards

Debbie Robson  
Senior Licensing Officer  
Directorate of Culture, Leisure and Regulatory Services Portsmouth City Council Civic Offices Guildhall  
Square Portsmouth  
PO1 2AL

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

**From:** Marilyn lombardi  
**Sent:** 27 November 2020 09:30  
**To:** Licensing Shared Email  
**Subject:** 77 B Castle Road Southsea

Good morning

I am emailing you with regard to the application for a alcohol license for the above premises. I support Delaneys application because they are only using this for a small number of days and early evenings. Delaneys is a great small business which enhances Castle Road ,we have never had any cause for concern in the years they have been here. It has always been a very popular eating venue.

Marilyn &Paul Lombardi  
Myrtle Cottage  
Regent Place  
Southsea  
PO5 3Ba

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**Stone, Derek**

Please find attached application for a premises licence for Delaneys, 77A Castle Road.

Representations by 11 November 2020.

Jason can you check the notice, uniform ref: 20/02874/LAPREM, thanks.

Regards.

Debbie Robson  
Senior Licensing Officer  
Directorate of Culture, Leisure and Regulatory Services  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

T: 023 9283 4607

F: 023 9283 4811

M: 07956 583072

E:

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

Following Government advice around Coronavirus, which includes minimising social contact to help prevent the spread of the virus, Portsmouth City Council is now focusing on ensuring essential services continue to run during the Coronavirus pandemic. The latest NHS information is available online at [www.nhs.uk/coronavirus](http://www.nhs.uk/coronavirus). This means some of our other services will be affected.

The Licensing Office will be open to members of the public and licence holders with effect from Monday 19 October but access to the office is strictly by appointment only. Please telephone 023 9283 4073 or email: [licensing@portsmouthcc.gov.uk](mailto:licensing@portsmouthcc.gov.uk) to make a booking.

Licensing staff are working flexibly to deal with enquiries but there may well be delays in responding. The best means of contact with our service will be via our email address: [licensing@portsmouthcc.gov.uk](mailto:licensing@portsmouthcc.gov.uk)

Up-to-date information about council services will be available on our website at [www.portsmouth.gov.uk/coronavirus](http://www.portsmouth.gov.uk/coronavirus)

<https://eur02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.portsmouth.gov.uk%2F&data=02%7C01%7CDebra.Robson%40portsmouthcc.gov.uk%7Ca8a118c9456d4d99fa7408d85b057674%7Cd6674c51daa44142804715a78bbe9306%7C0%7C0%7C637359426304637100&sd=tFn7X4T%2FPqBigtRvHZYKC%2BJrii42gRH6ng%2BBOKpPcpE%3D&reserved=0>

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Appendix E





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## Appendix E





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