

APPENDIX C

Stone, Derek

From: Stone, Derek
Sent: 03 February 2021 09:19
To: johnnygittins [REDACTED]
Cc: Robson, Debra
Subject: Development of Royal Marines Museum
Attachments: Excelsior Application_Redacted.pdf; Operating Schedule.pdf

Dear Debbie and John

Please let me introduce myself I am the Principal Licensing Officer at Portsmouth City Council.

When an application is submitted for the grant or a variation of a Premises Licence (PL) the Licensing Act 2003 permits these to be granted as applied for, unless the Local Authority receive valid representations against the application. These objections must be against one of the four Licensing Objectives which are the prevention of crime and disorder, public safety, public nuisance and the protection of children from harm.

If representations are received, then the application is referred to me as I have to arrange a Licensing Sub-Committee hearing, to determine the application, having heard from the applicant and other persons who have made representations.

Your objection below clearly raises concerns that you will be disturbed by noise should the application be granted as applied for.

I wonder if you can assist me slightly, by telling me how you heard about this application and what exactly you have been told please.

The applicant has submitted in their application various times they wish various licensable activities to operate.

What they have specified in the application, is that any external activities will cease at 00:00 (Live Music & Dance) not 03:00

Whilst I acknowledge that even this time might not be acceptable, I don't want people to be unduly concerned either.

On a point of law, for any venue to serve hot food or drink between the hours of 23:00 and 05:00 they must have a Late Night Refreshment Licence otherwise they can only serve cold food and drink so you can see why the applicant (A hotel) has requested this.

I have attached the redacted application and operating schedule for your perusal, but want to stop if I can, people being worried about live bands or music outside the hotel until 03:00

I would suggest that most hotels operate with the ability for Music and Dance internally for example weddings and private functions into the early hours.

There are control measures in place should that noise break out and become a nuisance and that is dealt with by my colleagues in Environmental Health. There are additional measures under the Licensing Act where if the premises are a continual nuisance the PL can be reviewed.

If you can assist me with how you were alerted to this I would be most grateful.

Once you have had the opportunity to digest this e mail and the application, should you wish your representation to remain as formal objection then that is fine, and I will contact you in due course with a hearing date.

All hearings currently are held virtually via Teams due to Covid 19 restrictions.

I look forward to hearing from you

Kind regards

Derek

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

From: John Gittins [REDACTED]
Sent: 02 February 2021 13:38
To: Licensing Shared Email [REDACTED]
Subject: Development of Royal Marines Museum

Dear Sir or Madam,

My wife and I are pleased with the intention to turn the old RM Museum into a luxury hotel, safeguarding this wonderful building for the future.

We were hoping that due care would be taken by the owners in the design of kitchen facilities and routines so disturbance to nearby residents would be minimised.

We were therefore very surprised to read the proposed hours on the licencing application, finding it incredulous that a “Five Star Boutique Hotel” would want to hold music and dance events until 3am and late night refreshments until 5am, particularly outside of the building! We cannot think of any other venues that are allowed to act with a similar disregard to nearby residents. When are we and more especially the owners of the historic properties with associated single glazed windows overlooking the front area supposed to sleep?

We have enjoyed outdoor music events on Sunday afternoons at the Queen’s Hotel but these have been timed to end at a very reasonable hour, also various public houses with beer gardens have ensured customers have vacated the gardens early to avoid disturbances to neighbours; even the Victorious Festival finishes at 1100pm and only occurs over 4 nights/year.

We would have thought the following hours would be reasonable:

Indoor music/films/dance - until 1200am Mon-Sun

Outdoor music/films/dance - until 1000pm Sun-Thurs

Outdoor music/films/dance - until 1100pm Fri/Sat

No refreshments available outside the premises after 1100pm Mon-Sun

Yours faithfully,

John & Debbie Gittins

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