

# Minutes

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| Name of meeting  | <b>LICENSING (DETERMINATIONS) SUB COMMITTEE</b>                |
| Date and time    | <b>MONDAY, 10 MAY 2010 COMMENCING AT 11.00 AM</b>              |
| Venue            | <b>COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b> |
| Present          | Cllrs Susan Scoccia (Chairman), Ivan Bulwer, Colin Richards    |
| Officers Present | Jon Baker, Laura Gaudion, Claire Van Heerden                   |

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**32. Declarations of Interest**

There were no declarations received at this stage.

**33. Report of the Head of Community Safety Service**

Consideration was given to the report of the Head of Community Safety Service, providing details of an application for a Premises Licence, received in accordance with Section 17 of the Licensing Act 2003.

A schedule of additional representations, received after the printing of the reports, was submitted to Members prior to the consideration of each relevant application.

Details of any proposed additional steps to promote the licensing objectives were set out in the report circulated with the agenda.

The Sub Committee followed the agreed procedure, which had previously been circulated to all parties prior to the meeting. After hearing each application, the Sub Committee presented the following decision and the reasons for that decision.

**RESOLVED:**

THAT upon receiving the report of the Licensing section, oral and/or written evidence from the applicant, interested parties and/or responsible authorities and having regard to the Guidance issued under s182 of the Licensing Act 2003 and the Isle of Wight Council's Statement of Licensing Policy 2008 – 2011, the applications be determined as detailed below:

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| <b>Decision Ref:</b>         | 15 (09/10)   |
| <b>Application:</b>          | A Premises Licence for Land at Froglands Lane, Newport, Isle of Wight  |
| <b>Resolution</b>            | <p>THAT the grant of a Premises Licence for Land at Froglands Lane, Newport, Isle of Wight be approved in accordance with the application, subject to those conditions proposed by the applicant within the operating schedule and also subject to the mandatory conditions specified in the Licensing Act 2003, but modified to such an extent as the Sub Committee have considered necessary for the promotion of the four licensing objectives, namely by requiring the following conditions listed below:</p>  |
| <b>Conditions:</b>           | <p>As per suggested conditions as set out by the Police , namely:</p> <ul style="list-style-type: none"> <li>i. The Event Management Plan shall form part of the operating schedule attached to the premises licence for this event, and any significant or relevant deviation from the management plan may be treated as a breach of a condition of the premises licence.</li> <li>ii. Where a Police Officer of at least the rank of inspector or a member of the Isle of Wight Health Authority consider the sale or supply of any drug or intoxicating substance, whether legal or otherwise, is likely to result in injury or harm to people attending the event or to risk public disorder or the safety of persons at the event, the licensee shall: <ul style="list-style-type: none"> <li>a). Require any concession or outlet supplying the substance to cease doing so immediately.</li> <li>b). Close any concession or outlet which continues to supply the substance in contravention of that requirement.</li> </ul> </li> <li>iii. Posters to the effect that a “Challenge 21” policy is in place shall be displayed prominently at all outlets for the sale of alcohol.</li> <li>iv. The event organiser must provide a minimum of 60 toilets for women and a minimum of 40 urinals and 20 toilets for men within the concert area. A further eight toilets must be provided in the main car parking area.</li> </ul> |
| <b>Reasons for Decision:</b> | <p>In order to promote the licensing objectives of the prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm and in accordance with the Isle of Wight Council’s Statement of Licensing policy and the Section 182 guidance.</p>   |

In order to promote the licensing objectives of the prevention of public nuisance due to the sites special characteristics and in accordance with the Isle of Wight Council's Statement of Licensing policy and the Section 182 guidance.

In reaching the decision the Sub Committee had regard to the Human Rights Act 1998, and in particular Article 1 of the First Protocol, Article 8 and Article 6. The Sub Committee considered their decision to be proportionate and necessary for the promotion of the four licensing objectives under the Licensing Act 2003.

All parties were advised that they had a right of appeal to the Magistrates Court if they were dissatisfied with the decision, and that any such appeal had to be made within 21 days from the date of notification.

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| <b>Details</b>                     | As per application  |
| <b>Public Participants:</b>        | None  |
| <b>Additional Representations:</b> | The local ward member, Cllr John Hobart attended and made representations from his residents. |

CHAIRMAN