



Minutes

Name of meeting	LICENSING COMMITTEE
Date and time	MONDAY, 11 MAY 2009 COMMENCING AT 10.00 AM
Venue	COMMITTEE ROOM 1, COUNTY HALL, NEWPORT
Present	Cllrs Susan Scoccia (Chairman), George Cameron, David Whittaker
Officers Present	Amanda Thomas, Claire Thomas, Justin Thorne

48. **Minutes**

RESOLVED :

THAT the Minutes of the meetings held on [23](#) and [27 April 2009](#) be confirmed.

49. **Declarations of Interest**

Cllr Scoccia declared a personal interest as she was the local Member.

50. **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.

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 the 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 written evidence from the applicant, interested parties and 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 application be determined as detailed below:

**Decision Ref:
Application:
Resolution**

19 (08/09)

A Premises Licence for Pintxo Playa, Ventnor, Isle of Wight THAT the grant of a Premises Licence for Pinxto Playa, Ventnor, 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:

Conditions:

- (i) Notwithstanding the application, live music shall be permitted on only 12 occasions per calendar year. A written record of each occasion shall be maintained on the premises and open to inspection upon request by the Local Licensing Authority.

Reason: At the suggestion of the applicant.

- (ii) A written record of all complaints received relating to noise shall be maintained, recording the date, name, nature of complaint and remedial action taken and available for inspection upon request by the Local Licensing Authority.

Reason: To promote the public nuisance objective so as to show the number of complaints received and the subsequent action taken.

**Reasons for
Decision:**

The reasons were provided in the report to promote the Licensing objective regarding the Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and The Protection of Children From Harm, in particular.

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.

Details

Public

Participants:

As per application

Mrs Lorraine Coster-Curnow (applicant)

Mrs Chick, on behalf of Mr and Mrs Cookson (objectors)

CHAIRMAN