



Minutes

Name of meeting	LICENSING (DETERMINATIONS) SUB COMMITTEE
Date and time	MONDAY, 12 DECEMBER 2011 COMMENCING AT 11.35 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Susan Scoccia (Chairman), Jonathan Bacon, Ian Ward
Officers Present	Julie Martin, Justin Thorne, Claire Van Heerden, Kevin Winchcombe, Mark Wootton

52. [Minutes](#)

RESOLVED :

THAT the Minutes of the meetings held on [1](#) and [2 November 2011](#) be confirmed.

53. **Declarations of Interest**

There were no declarations received at this stage.

54. **Report of the Head of Planning and Regulatory Services**

Consideration was given to the report of the Head of Planning and Regulatory Services, 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 2011 – 2014, the application be determined as detailed below:

Decision Ref: 33 (11/12)

Application: [A Premises Licence for V-Dub Island, County Showground, Newport Road, Northwood, Isle of Wight](#)

Resolution THAT the grant of a Premises Licence for V-Dub Island, County Showground, Newport Road, Northwood, 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. In addition, subject to the conditions agreed with Environmental Health and the Police, but modified to such an extent as the Sub Committee have considered necessary for the promotion of the four licensing objectives, namely by amending the proposed agreed conditions with the Environmental Health and Police Departments :

Conditions: Environmental Health Department conditions 7 and 8 to read as follows :

7. Noise emitted from the premises between 11:00 hours and 23:00 hours on the Sunday of the event shall not exceed a level of 65dB(A) Leq(15min) when measured at the boundary of any noise sensitive premises. The licence holder shall monitor the noise level, referred to above, and take any necessary action that may be necessary to ensure this noise level is not exceeded.
8. Between 23:00 hours and 11:00 hours the following morning on the Sunday of the event noise emitted from premises shall not be clearly audible and discernable at the boundary of any residential premise.

Police Department conditions 4, 8 and 9 to read as follows :

4. With regard to the proposed licensable activities, police have no objection, but consider that the latest time for the provision of live and recorded music (and similar/related activities) on a Thursday and Sunday night shall be 24:00 hours.
8. The licence holder shall give written notice to the Isle of Wight Police Licensing Unit and the Local Licensing Authority of the proposed dates for the operation of the licence at least 90 days in advance.

9. An event safety and operational plan (ESOP) shall be produced by or on behalf of the licence holder in advance of any event to be held under the licence. The ESOP shall detail the measures taken to promote the licensing objectives, and a copy of it shall be provided to the Local Licensing Authority and the Isle of Wight Police Licensing Unit at least 28 days before the start of the event.

Three additional conditions as follows :

1. No alcohol sales shall be authorised after 01:00 hours on Monday.

Reason: The prevention of Crime and Disorder and Public Safety as this should be a day to allow controlled and safe dispersal.

2. No day tickets to be sold after 22:00 hours on any day.

3. No regulated entertainment shall be authorised until a plan indicating the exact position and orientation of the stage is supplied to and agreed in writing with the Local Licensing Authority.

Reason: Members wish to see the stage as far from residential premises as the site allows and wish it to be at least 200m from the road to be achieved and compliant with fire requirements.

**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 :

As per application

Public Participants: Mr Doug Alldred (Applicant)
Mr Aaron Baker (Applicant)
Mrs Julie Coyne (Applicant)

Mr Roger Mazillius (Local Member)
Mr Simon Boyle (Objector)

Sergeant Mark Voller (Hampshire Constabulary)

Comments: The Committee had discussed the request that the Licence to be for one year only, but they did not believe that was justified.

Members noted the review mechanism within the Licensing Act 2003, and if the organiser did not comply with the conditions then the matter could be brought back to the Licensing Committee. The Committee was content that the conditions attached adequately addressed the concerns surrounding the four licensing objectives.

CHAIRMAN