



Minutes

Name of meeting	LICENSING (DETERMINATIONS) SUB COMMITTEE
Date and time	MONDAY, 12 JULY 2010 COMMENCING AT 10.00 AM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Susan Scoccia (Chairman), Ivan Bulwer, David Williams
Officers Present	Jonathan Baker, John King, Claire Thomas, Justin Thorne,

11. Minutes

RESOLVED:

THAT the Minutes of the meetings held on [4](#) and [15 June 2010](#) be confirmed.

12. Declarations of Interest

There were no declarations received at this stage.

13. 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 Variation of a Premises Licence, received in accordance with Section 34 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/or written evidence from the applicant, interested parties and/or responsible authorities and having regard to the Guidance issued under Section 34 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:

Decision Ref 04 (10/11)

Application: Application for a Variation of the Premises Licence for the Central Tap, 64 High Street, Ventnor, Isle Of Wight

Resolution: THAT the grant for a Variation of the Premises Licence for the Central Tap, 64 High Street, 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:

- A) Grant the variation licence to remove condition's 7 and 8 of Annex 3 and condition 1 of Annex 2 within the operating schedule.
- B) Members considered the following amendments to the licence are necessary for the promotion of the 4 licencing objectives, namely by requiring the following conditions:
 - 1. No regulated entertainment hereby authorised by this licence after 2300 hours shall be permitted unless:
 - i. An electronic sound limiting device has been installed and set by a competent person, in accordance with details which have been submitted to and approved in writing by the Local Authority, such details to include sound levels and tamper proof integrity. The sound limiter once set shall not be adjusted without prior written approval of the Local Licensing Authority.
 - ii. The limit thereafter is regularly maintained by a competent person and a report is produced at no greater than 12 month intervals from the date of grant of this licence, which shall include details of this maintenance, a test of its normal operation and certification of the devices tamper proof integrity. Such records shall be open to inspection by an authorised officer of the local licencing authority with 24 hours advance notice in writing.

2. No licensable activities shall be permitted by this licence in the function room shown on the plan attached to the application except on 12 occasions per calendar year and only if 7 days written notice of the event has been given to the Police Licencing Unit.
3. No regulated entertainment authorised by this licence shall be permitted after 2300 hours unless there is one door supervisor employed as such at the premises who is registered with the Security Industry Authority.
4. There shall be no customers permitted to enter or re-enter the premises after 0001 hours.
5. A written Record of all complaints, refusal of sale of alcohol and incidents of anti social behaviour shall be kept on the premises and be available for inspection by the police and the licencing officers immediately during licencing hours. The written record shall include name, date, time and action taken.
6. Checks of the toilets for drug use shall be made at regular intervals during licensable hours. A written record shall be kept of time and date of each inspection.
7. Anti drug posters shall be displayed in prominent positions throughout the public areas of the licensed premises.
8. Challenge 21 Policy to be adopted so that no person appearing to be under the age of 21 shall be sold alcohol unless he or she provides satisfactory photographic identification that he or she is aged over 18 years
9. Signage conveying the clear message that the 'challenge 21 policy' is in place shall prominently be displayed at point of sale
10. No regulated entertainment shall be permitted inside the premises, outside of the function room, except for un-amplified acoustic music.

**Reasons
Decision:**

for 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.

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:

None

Additional

Mr James O'Reilly (Premises Licence Holder)

Representations:

CHAIRMAN