

# Minutes

Name of meeting	<b>LICENSING (DETERMINATIONS) SUB COMMITTEE</b>
Date and time	<b>MONDAY, 14 MAY 2012 COMMENCING AT 1.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Susan Scoccia (Chairman), Paul Fuller, David Williams
Officers Present	Marie Bartlett, Ben Gard, Amanda Gregory, Matt Northard, Claire Van Heerden

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70. [Minutes](#)

RESOLVED :

- (i) THAT the Minutes of the meetings held on [18 April 2012](#) be confirmed.
- (ii) THAT the Minutes of the meeting held on 18 April 2012 be confirmed subject to the following amendments:

Condition 2 should read Condition 12 below not 11.  
Environmental Health condition 1 should read condition 12 not 11.

71. [Declarations of Interest](#)

There were no declarations received at this stage.

72. **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 the application for the Grant of a Temporary Event Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight submitted in accordance with Section 100(1) of the Licensing Act 2003.

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:

<b>Decision Ref</b>	<a href="#">39 (12/13)</a>
<b>Application:</b>	An application for the grant of a Temporary Event Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight submitted by Miss Donna Denness for 16 June 2012 between 21:00 – 23:59
<b>Resolution:</b>	THAT the grant of a Temporary Events Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight be approved in accordance with the notice and subject to those conditions, as the Sub Committee have considered necessary under s106A Licensing Act 2003, namely by requiring the following conditions listed below :
<b>Conditions:</b>	The following conditions attached to and forming part of the premises license:  Annex 1 - All conditions Annex 2 condition 4 Annexe 3 - Condition 5
<b>Reasons for <a href="#">Decision:</a></b>	Having had regard to the guidance under s182 and the Isle of Wight Council's Statement of Licensing Policy 2011-2014 the Licensing Sub committee apply conditions under the powers in s106A Licensing Act 2003 which it considers necessary for the promotion of the licensing objectives and in particular the prevention of public nuisance.  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 the decision to be proportionate and necessary for the promotion of the licensing objective under the Licensing Act 2003.  The parties were advised that there was a right of appeal to the magistrates court.
<b>Public Participants:</b>	Mr Nick Robinson (On behalf of the applicant) PC Gary Fletcher (Hampshire Constabulary)
<b>Decision Ref</b>	40 (12/13)
<b>Application:</b>	An application for the grant of a Temporary Event Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight submitted by Miss Donna Denness for 13 July 2012 between 21:00 – 23:59

**Resolution:** THAT the grant of a Temporary Events Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight be approved in accordance with the notice and subject to those conditions, as the Sub Committee have considered necessary under s106A Licensing Act 2003, namely by requiring the following conditions listed below :

**Conditions:** The following conditions attached to and forming part of the premises license:

Annex 1 - All conditions  
Annex 2 condition 4  
Annexe 3 – Conditions 1 - 3 and 5

**Reasons for Decision:** Having had regard to the guidance under s182 and the Isle of Wight Council's Statement of Licensing Policy 2011-2014 the Licensing Sub committee apply conditions under the powers in s106A Licensing Act 2003 which it considers necessary for the promotion of the licensing objectives and in particular the prevention of public nuisance.

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 the decision to be proportionate and necessary for the promotion of the licensing objective under the Licensing Act 2003.

The parties were advised that there was a right of appeal to the magistrates court.

**Public Participants:** Mr Nick Robinson (On behalf of the applicant)  
PC Gary Fletcher (Hampshire Constabulary)

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**Decision Ref** 41 (12/13)

**Application:** An application for the grant of a Temporary Event Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight submitted by Miss Donna Denness for 18 August 2012 between 21:00 – 23:59

**Resolution:** THAT the grant of a Temporary Events Notice for Joes Café Bar, 24-24a Union Street, Ryde, Isle of Wight be approved in accordance with the notice and subject to those conditions, as the Sub Committee have considered necessary under s106A Licensing Act 2003, namely by requiring the following conditions listed below :

**Conditions:** The following conditions attached to and forming part of the premises license:

Annex 1 - All conditions  
Annex 2 condition 4  
Annexe 3 – Conditions 1 - 5

**Reasons for Decision:** Having had regard to the guidance under s182 and the Isle of Wight Council's Statement of Licensing Policy 2011-2014 the Licensing Sub committee apply conditions under the powers in s106A Licensing Act 2003 which it considers necessary for the promotion of the licensing objectives and in particular the prevention of public nuisance.

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 the decision to be proportionate and necessary for the promotion of the licensing objective under the Licensing Act 2003.

The parties were advised that there was a right of appeal to the magistrates court.

**Public Participants:** Mr Nick Robinson (On behalf of the applicant)  
PC Gary Fletcher (Hampshire Constabulary)

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CHAIRMAN