



# Minutes

Name of meeting	<b>LICENSING (DETERMINATIONS) SUB COMMITTEE</b>
Date and time	<b>TUESDAY, 19 MAY 2009 COMMENCING AT 10.00 AM</b>
Venue	<b>COMMITTEE ROOM TWO, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Susan Scoccia (Chairman), Ivan Bulwer, Mike Cunningham
Officers Present	Jonathan Baker, David Curtis-Botting, Claire Thomas, Justin Thorne

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**51. Declarations of Interest**

There were no declarations received at this stage.

**52. Urgent Business**

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

Consideration was given to the report of the Head of Community Safety Service, providing details of the Police objection to a Temporary Event Notice for Mr Patrick John White, for Nursery Site, Fairlee Road, Newport, submitted in accordance with Section 104(3) 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, 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** 20 (08/09)

**Application:** Police objection to a Temporary Event Notice submitted by Mr Patrick John White, Reading for the sale by retail of alcohol to be located in Nursery Site, Fairlee Road, Newport

**Resolution:** THAT a Counter Notice be issued under Section 105 2 b of the Licensing Act 2003 to the premises holder Mr Patrick John White, Reading refusing permission for the sale by retail of alcohol at the place and times specified in the Temporary Event Notice.

**Reasons for Decision:** The Committee believed that the sale of alcohol in this area for the hours in the Temporary Event Notice application would be likely to undermine the crime prevention objective. The Committee was conscious that there was already a Designated Public Place Order (DPPO) in force within the area and the reasons for its introduction. Members were concerned that the sale of alcohol would encourage people to congregate in the area and consume alcohol which would be likely to increase crime and disorder such as fighting, urinating and litter. Members were mindful of the Police and festival organiser's strategy and believe that the Temporary Event Notice application would undermine the wish to keep persons within the festival site. Members were also concerned at the lack of Security Industry Authority (SIA) registered staff which would therefore lessen the control of the applicant over persons on the application site, including proof of age and disorderly behaviour.

The applicant was advised that there was a right of appeal to the magistrates' court, however no such appeal could be made within 5 clear working days of the event.

**Public Participants:** Mr P J White (applicant)  
Mr R Oxford (on behalf of the applicant)  
Inspector Clawson (Hampshire Constabulary)  
Sergeant Mudge – (Hampshire Constabulary)

CHAIRMAN