



Minutes

Name of meeting	LICENSING (DETERMINATIONS) SUB COMMITTEE
Date and time	THURSDAY, 2 APRIL 2009 COMMENCING AT 2.30 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Susan Scoccia (Chairman), Ivan Bulwer, Mike Cunningham
Officers Present	Sarah MacDonald, Julie Martin, Justin Thorne

43. Minutes

RESOLVED :

THAT the Minutes of the meeting held on [16 March 2009](#) be confirmed.

44. Declarations of Interest

There were no declarations received at this stage.

45. Reports 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 Mrs Christine Meadows, Victoria Tavern, Clarence Road, East Cowes, Isle of Wight, for a charity event, 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, 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	17 (08/09)
Application:	Police objection to a Temporary Event Notice submitted by Mrs Christine Meadows, Victoria Tavern, Clarence Road, East Cowes, Isle of Wight for a charity event to be located in the patio area of the Victoria Tavern.
Resolution:	THAT a Counter Notice be issued under Section 105 (2) b of the Licensing Act 2003 to the premises holder Mrs Christine Meadows, Victoria Tavern, Clarence Road, East Cowes, Isle of Wight refusing permission for the charity event at the place and times specified in the Temporary Event Notice.
Reasons for Decision:	<p>It was considered necessary for the promotion of the crime and disorder objective.</p> <p>The Committee believed that the previously identified sound of foul and abusive language during the day and evening, plus the instance of the customer urinating in the alleyway previously and were fearful of the events coming back again. Members believed that encouraging people to use the patio area would not alleviate the problem previously identified. Members were mindful of the little amount of time that had elapsed since the review hearing. Members could see no material change in circumstances since that date.</p> <p>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.</p>
Public Participants:	<p>Mr and Mrs Meadows (Applicants)</p> <p>PC Cleightonhills (Hampshire Constabulary)</p>

(b) An application for a Temporary Events Notice submitted by Mr Patrick White, for Nursery Site, Fairlee Road, Newport, Isle of Wight

An e-mail had been received from the applicant's agent prior to the start of the meeting requesting that the application be withdrawn.

There was a short adjournment to enable some discussion between the council's legal advisor, licensing officer and the police.

Upon reconvening members were advised that under Section 103 of the Act there was provision for the withdrawal of the notice if not less than 24 hours before the commencement of the event. Therefore it was noted that the matter had been withdrawn.