

# Minutes

Name of meeting	<b>LICENSING (DETERMINATIONS) SUB COMMITTEE</b>
Date and time	<b>MONDAY, 2 APRIL 2012 COMMENCING AT 10.00 AM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Susan Scoccia (Chairman), Jonathan Bacon, Paul Fuller
Officers Present	Ben Gard, Julie Martin, Claire Thomas, Iain Thornton, Charlotte Whitewood, Kevin Winchcombe

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64. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [30 January 2012](#) be confirmed.

65. [Declarations of Interest](#)

There were no declarations received at this stage.

66. **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 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 each 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 Section 182 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="#">37 (11/12)</a>
<b>Application:</b>	Application for a Variation of the Premises Licence for Pasha Kebab Pizza, 137 High Street, Newport, Isle of Wight.
<b>Resolution:</b>	THAT the Variation of the Premises Licence for Pasha Kebab Pizza, 137 High Street, Newport, Isle of Wight be rejected.
<b>Reasons for <a href="#">Decision</a>:</b>	<p>The sub committee considered that conditions were inadequate to remedy the concerns raised relating to the licensing objectives and particularly the prevention of public nuisance, prevention of crime and disorder and public safety. In reaching the decision the sub committee noted that the applicant had volunteered additional measures, but those too were inadequate to promote the licensing objectives.</p> <p>The sub committee also noted that paragraphs 9.3 - 9.8 of the statement of licensing policy 2011 - 2014 and considered that neither the application nor conditions relating to those points would be adequate to mitigate the concerns raised against the promotion of the prevention of crime and disorder, public safety and prevention of public nuisance.</p> <p>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.</p> <p>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.</p>
<b>Details:</b>	As per application.
<b>Public Participants:</b>	<p>Mr Kenan Uzan (Applicant)</p> <p>Mr Evren Inan (Business Partner)</p> <p>Sergeant Mark Voller (Hampshire Constabulary)</p> <p>Mr Chris Hougham (On behalf of Newport Parish Council)</p> <p>Councillor Dawn Cousins (Local Member)</p>

CHAIRMAN