



Minutes

Name of meeting **LICENSING (DETERMINATIONS) SUB COMMITTEE**
Date and time **FRIDAY, 21 SEPTEMBER 2007 COMMENCING AT 10.00 AM**
Venue **COMMITTEE ROOM TWO, COUNTY HALL, NEWPORT, ISLE OF WIGHT**
Present Cllrs Susan Scoccia (Chairman), Ivan Bulwer, George Cameron
Officers Present Amanda Thomas, Justin Thorne, Claire Van Heerden

47. **Declarations of Interest**

There were no declarations received at this stage.

48. **Report of the Head of Consumer Protection**

Consideration was given to the report of the Head of Consumer Protection, providing details of an application for a Premises Licence, received in accordance with Section 17 of the Licensing Act 2003.

The Sub Committee followed the agreed procedure, which had 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 s182 of the Licensing Act 2003 and the Isle of Wight Council's Statement of Licensing Policy 2004 – 2007, the application be determined as detailed below:

Decision Ref: 11 (07/08)
Application: An application for a Premises Licence for Café Maya, 9 Forelands Road, Bembridge, Isle of Wight
Resolution THAT the grant of a Premises Licence for Café Maya, 9 Forelands Road, Bembridge, Isle of Wight be approved, in accordance with the application, subject only to those conditions proposed by the applicant within the operating schedule, as agreed with the Hampshire

Constabulary, and also subject to the mandatory conditions specified in the Licensing Act 2003.

Conditions:

1. The sale and consumption of alcohol will only take place with the purchase of Tapas food. The Café shall be run as a continental café and not a bar or pub.
2. The premises shall be well maintained, free from any slip/trip hazards.
3. There shall be no music or entertainment. The food is low odour. The premises shall not operate as a Takeaway.
4. Challenge 21 scheme shall be adopted. No spirits shall be on site.
5. Alcohol shall not be removed from the premises in open containers which will include the tables provided directly outside the front of the premises.

Reasons for Decision:

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.

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 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.

Details

As per application

Public Participants:

None

Additional Representations:

None

CHAIRMAN