

Minutes

Name of meeting

LICENSING (DETERMINATIONS) SUB COMMITTEE

Date and time

22 APRIL 2008 COMMENCING AT 11.00 AM

Venue

COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT

Present

Cllrs Ivan Bulwer, Mike Cunningham, Barbara Foster

Officers Present

Andrea Bull, Julie Martin, Justin Thorne

1. **Election of Chairman**

RESOLVED

THAT Cllr Ivan Bulwer be elected Chairman for the day.

2. **Declarations of Interest**

There were no declarations received at this stage.

3. **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.

A schedule of additional representations, received after the printing of the reports, was submitted to Members prior to the consideration of each relevant application.

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/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 2008 – 2011, the applications be determined as detailed below:

Decision Ref: 01 (08/09)

Application: Premises Licence for Camp Kerala, Hut Field, Cliff Face, Cliff Farm, Rew Street, Gurnard Marsh, Isle of Wight

Resolution THAT the grant of a Premises Licence for Camp Kerala, Hut Field, Cliff Face, Cliff Farm, Rew Street, Gurnard Marsh, Isle of Wight be approved, in accordance with the application, subject to those conditions proposed by the applicant within the operating schedule and also subject to the mandatory conditions specified in the Licensing Act 2003, but modified to such an extent as the Sub Committee have considered necessary for the promotion of the four licensing objectives, namely by requiring the following conditions listed below:

Conditions: As per suggested conditions on pages 26 and 27 of the report, which were the conditions recommended by the Police.

- (i) No licensable activity shall be authorised by the licence until a site regulation plan has been submitted to and approved in writing by the local Licensing Authority. Thereafter the licence shall be operated in accordance with the plan. Such plan to include details of vehicular movements and stationing of construction traffic, speed restrictions on site and fencing of any generator equipment associated with the licensable activity.
- (ii) No licensable activity shall be authorised by the licence until a plan has been submitted to and agreed in writing with the local Licensing Authority showing the numbers and positioning of toilet facilities to be provided.
- (iii) Subject to the police condition on page 26 of the report, no alcohol in open glass vessels or receptacles shall be removed from the licensable area of the licence.

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 from the date of notification.

Details

As per application.

**Public
Participants:**

Jennifer Lederman (Applicant)

Cllr Bryan Salter (On behalf of Gurnard Parish Council)

**Additional
Representations:**

Two further letters of objection were received and circulated to members prior to the start of the meeting.

A copy was also given to the applicant, Jennifer Lederman and the objector, Cllr Bryan Salter.

CHAIRMAN