



Minutes

Name of meeting	LICENSING (DETERMINATIONS) SUB COMMITTEE
Date and time	THURSDAY, 24 MARCH 2011 COMMENCING AT 10.00 AM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Susan Scoccia (Chairman), Jonathan Bacon
Officers Present	Marie Bartlett, Claire Thomas, Justin Thorne, Claire Van Heerden, Mark Wootton
Apologies	Cllr Arthur Taylor

34. Minutes

RESOLVED :

THAT the Minutes of the meeting held on [5 January 2011](#) be confirmed.

35. Declarations of Interest

There were no declarations received at this stage.

36. Reports of the Head of Planning and Regulatory Services

Consideration was given to the reports of the Head of Planning and Regulatory Services, providing details of an application for a Premises Licence, received in accordance with Section 17 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 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:	12 (10/11)
Application:	A Premises Licence for Indy's, 71 High Street, Shanklin, Isle of Wight
Resolution	THAT the grant of a Premises Licence for Indy's, 71 High Street, Shanklin, Isle of Wight be approved, in accordance with the application, subject to those conditions proposed by the applicant and those agreed with Police shown in the report and also subject to the mandatory conditions specified in the Licensing Act 2003.
Reasons for Decision:	<p>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.</p> <p>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.</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>
Details	As per application
Public Participants:	Miss Emilee Biar (Applicant) Sergeant Mark Voller (Hampshire Constabulary)

Decision Ref:	13 (10/11)
Application:	A Premises Licence for V-Dub Island, County Showground, Newport Road, Northwood, Isle of Wight
Resolution	THAT the grant of a Premises Licence for V-Dub Island, County Showground, Newport Road, Northwood, Isle of Wight be approved in accordance with the application, subject to those conditions proposed by the applicant within the operating schedule and all conditions agreed with

Environmental Health and Police contained within the report with addition the even management plan shall be submitted to the Local Licensing Authority 28 days prior as well and also subject to the mandatory conditions specified in the Licensing Act 2003. In addition the Sub Committee have considered the following conditions necessary for the promotion of the four licensing objectives.

Conditions:

No members of the public shall be permitted entry (or re-entry) after 23:00hrs

No person shall use the south gate after 20:00 hrs each day except in an emergency

All licensable activities except late night refreshments shall cease at :

0100 Saturday morning

0200 Sunday morning

0000 Monday morning

Late night refreshments shall cease at

02:30 Saturday morning

03:30 Sunday morning

01:00 Monday morning

Reason: The conditions are necessary for using the adequate promotion of the crime and disorder and public nuisance objective. Members believe the use of the north gate after 20:00 will reduce potential nuisance away from people leaving the event late and any risk of nuisance away from people arriving intoxicated at a late hour. It is also considered the reduction in hours will minimise potential for noise nuisance to persons in the vicinity.

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:

Aaron Baker (Applicant)

Douglas Aldred (Applicant)

Julie Coyne (Applicant)

Cllr Colin Cramp (on behalf of Northwood Parish Council)

Cllr Roger Mazillius (on behalf of Dr & Mrs Howarth – Objectors)

Mr Mark Voller (Hampshire Constabulary)

CHAIRMAN