

Minutes

Name of meeting	LICENSING (DETERMINATIONS) SUB COMMITTEE
Date and time	WEDNESDAY, 26 MARCH 2008 COMMENCING AT 6.00 PM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Susan Scoccia (Chairman), Ivan Bulwer, Mike Cunningham
Officers Present	David Curtis-Botting, Laura Gaudion, Warren Haynes, Duncan MacDonald, Sarah MacDonald, Julie Martin

65. **Minutes**

RESOLVED :

THAT the Minutes of the meetings held on [18](#) and [22 February 2008](#) be confirmed.

66. **Declarations of Interest**

Cllr Mike Cunningham declared a personal interest in Minute 67 as he was a member of the Newport Town Management Committee.

67. **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 report, was submitted to Members prior to the consideration of the 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.

Decision Ref:	19 (07/08)
Application:	A Premises Licence for the Isle of Wight Festival to be sited at Seaclose Park, Medina High School and North Fairlee Farm, Fairlee Road, Newport, Isle of Wight
Resolution	THAT the hearing be adjourned to 18:00 hrs on 23 April 2008, in accordance with the applicants' request and as agreed by all interested parties.
Reasons for Decision:	To allow the applicant and Hampshire Constabulary to meet and undertake further negotiations relating to conditions regarding policing the event.
Public Participants:	<p>Inspector Terry Clawson (Hampshire Constabulary) Mr Peter Savill (On behalf of Hampshire Constabulary)</p> <p>David Clifton (Joelson Wilson solicitors on behalf of applicant)</p> <p>Caroline Giddings (Solo) Alan Lawn (Event Safety Officer - Solo) Lyndsay Weatherstone (Solo) Keith Morris (Site Manager – Solo)</p> <p>Cllr Charlie Hancock (On behalf of East Cowes Road residents)</p> <p>Mrs J Johnson (Objector)</p>

The meeting then adjourned and reconvened on Wednesday, 23 April 2008 in Committee Room One, County Hall, Newport, Isle of Wight, commencing at 6.00 pm when there were present : -

Cllrs Susan Scoccia (Chairman), Ivan Bulwer, Mike Cunningham

Officers Present :

Laura Gaudion, Sarah MacDonald, Julie Martin

The committee was advised of discussions held between the relevant parties during the period of adjournment and it was reported that an agreement had been reached between those parties.

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, the Licensing Act 2003 (Hearings) Regulations 2005 and the Isle of Wight Council's Statement of Licensing Policy 2008 – 2011, the application be determined as detailed below :

Decision Ref: 19 (07/08)

Application: A Premises Licence for the Isle of Wight Festival to be sited at Seaclose Park, Medina High School and North Fairlee Farm, Fairlee Road, Newport, Isle of Wight

Resolution THAT the grant of a Premises Licence for Isle of Wight Festival to be sited at Seaclose Park, Medina High School and North Fairlee Farm, Fairlee Road, Newport, 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:**
- (i) As per suggested conditions on pages B – 56 to B – 62 of the report dated 26 March 2008, save for condition 1, which shall be amended to read :

‘All exits to be open for public egress at all times during the event, with the exception of the red exit which will only be open during the last performance on each evening and only available for emergency exit at other times, the public shall be made aware of this through information that must be displayed on the big screens’.
 - (ii) As per suggested conditions on page B – 55 of the report dated 26 March 2008 save for bullet point 5 which shall be removed and bullet point 4 which shall be amended to read :

‘The premises licence holder agrees to abide by the terms of the Memorandum of Understanding dated 28 March 2008 on the issue of provision of police resources for each of the years of the licence’

Reasons for Decision:

The reasons were adopted as provided in the report specifically to promote the Licensing objectives regarding the Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and The Protection of Children From Harm.

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:

Inspector Terry Clawson (Hampshire Constabulary)
Mr Peter Savill (On behalf of Hampshire Constabulary)

David Clifton (Joelson Wilson solicitors on behalf of applicant)

Caroline Giddings (Solo)
John Giddings (Solo)

Alan Lawn (Event Safety Officer - Solo)
Lyndsay Weatherstone (Solo)
Keith Morris (Site Manager – Solo)

Cllr Charlie Hancock (On behalf of East Cowes Road residents)

Mrs J Johnson (Objector)

CHAIRMAN