



Minutes

Name of meeting

LICENSING (DETERMINATIONS) SUB COMMITTEE

Date and time

WEDNESDAY, 28 NOVEMBER 2007

Venue

COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT

Present

Cllrs Susan Scoccia (Chairman), Ivan Bulwer, George Cameron

Officers Present

Dave Curtis-Botting, Kevin Ellis, Dave Grundy, Sarah MacDonald, Julie Martin, Mathew Northard, Justin Thorne

1.

Minutes

RESOLVED :

THAT the Minutes of the meeting held on [5 November 2007](#) be confirmed.

2.

Declarations of Interest

There were no declarations received at this stage.

3.

Reports of the Head of Consumer Protection

- (a) 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.

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 2004 – 2007, the applications be determined as detailed below:

Decision Ref:	13 (07/08)
Application:	A Premises Licence for Allsorts, 2 Station Road, Wroxall, Ventnor, Isle of Wight
Resolution	THAT the grant of a Premises Licence for Allsorts, 2 Station Road, Wroxall, Ventnor, 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 and as agreed with the Police save with the amendment of conditions c and d on page B – 2 of the report, 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:	<ol style="list-style-type: none"> 1. No licensable activity shall be permitted unless a CCTV system has been installed and is operating to the written satisfaction of the Local Licensing Authority, such CCTV shall be maintained. Copies of the recorded images and/or tapes shall be immediately available to the Police and Licensing Authority with reasonable notice. Recordings shall be kept for a minimum of 30 days. 2. There shall be no signs or promotional display advertising the sale, price or type of alcohol without the prior written agreement of the Local Licensing Authority.
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.</p>
Details : Public Participants:	<p>As per application</p> <p>Mr and Mrs Hudson (Applicants)</p>

- (b) Consideration was given to the report of the Head of Consumer Protection, providing details of an application made by the Police under Section 51 of the Licensing Act 2003 to review a Premises Licence.

A schedule of additional representations, received after the printing of the report, 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 decisions and the reasons for that decision.

RESOLVED:

THAT upon receiving the report of the Licensing section, oral and written evidence from the applicant 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 14 (07/08)

Application: Application for the Review of a Premises Licence for Royal Squadron, 70 Union Street, Ryde, Isle of Wight

Resolution: THAT in respect of the Premises Licence for Royal Squadron, 70 Union Street, Ryde, Isle of Wight, the licence to be modified to such an extent as members had considered necessary for the promotion of the four licensing objectives, namely by requiring the following additional conditions to be added to the licence :

Conditions: No licensable activity shall be authorised by this licence until a CCTV system has been installed and is operating to the written satisfaction of the Local Licensing Authority.

Such authorisation to include the positioning of cameras and recording format. No licensable activity shall be authorised by the license unless the system is operating and maintained in accordance with this authorisation.

Recordings shall be made immediately available to the Police on request and no later than 3 hours after

requested. Such recordings shall be retained for a minimum of 30 days

The licence holder shall train an adequate number of staff in the operation of the CCTV system including the downloading of images.

The licence holder shall maintain a record of all training that has been provided which should be made available to the Local Licensing Authority on request with 24 hours notice.

Reason: To ensure that the premises remain safe for the patrons and to adequately promote the public safety objective.

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 the 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: PC Adrian Cleightonhills (Hampshire Constabulary)
PS Steve Goodyear (Hampshire Constabulary)

Mr Jonathan Smith (On behalf of the leaseholder)
Mr Simon Bayliss (Solicitor for County Estate Management)
Mr Phillip Read (Sunvine Ltd)

Mr Brian Oxford (On behalf of Licence Holder)
Mr M Wieland (Licence Holder)
Mr Robin Allen (Designated Premises Supervisor)

CHAIRMAN