



Minutes

Name of meeting

LICENSING (DETERMINATIONS) SUB COMMITTEE

Date and time

WEDNESDAY, 30 APRIL 2008 COMMENCING AT 2.05 PM

Venue

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

Present

Cllrs Susan Scoccia (Chairman), Ivan Bulwer and Brian Mosdell

Officers Present

Andrea Bull, Julie Martin, Justin Thorne

4. **Declarations of Interest**

There were no declarations received at this stage.

5. **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.

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: 02 (08/09)

Application: Premises Licence for The Orient, 24 Meadow Road, East Cowes, Isle of Wight

Resolution THAT the grant of a Premises Licence for The Orient, 24 Meadow Road, East Cowes, 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 page A – 33 of the report as recommended by the police and agreed by the applicant, save that no licensable activity shall be permitted by this licence until CCTV has been installed and maintained to the written satisfaction of the local Licensing Authority. Recordings shall be kept for a period of at least 30 days and be available to the police and or the local Licensing Authority with 24 hours notice.

Reason: To ensure the agreed conditions are adequately enforceable and thereby promoting the four licensing objectives.

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:

Mr Dunford (Applicant)

Mr Haines (Objector)

Additional Representations:

The applicant circulated photo's of what the shop had previously looked like and of the public garden area opposite his shop prior to the start of the meeting.

CHAIRMAN