



Minutes

| | |
|------------------|----------------------------------------------------------------|
| Name of meeting | LICENSING (DETERMINATIONS) SUB COMMITTEE |
| Date and time | WEDNESDAY, 4 MAY 2011 COMMENCING AT 11.30AM |
| Venue | COMMITTEE ROOM TWO, COUNTY HALL, NEWPORT, ISLE OF WIGHT |
| Present | Cllrs Susan Scoccia (Chairman), Jonathan Bacon, Arthur Taylor |
| Officers Present | Jon Baker , Nathaniel Slade, Claire Thomas, Justin Thorne |

40. [Minutes](#)

It was noted that the previous minutes should have stated that Cllr Ian Ward was in attendance.

RESOLVED:

THAT, subject to the above being noted, the Minutes of the meeting held on [4 April 2011](#) be confirmed.

41. [Declarations of Interest](#)

There were no declarations received at this stage.

42. **Report of the Head of Planning and Regulatory Services**

Consideration was given to the report 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/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 201 – 2014, the applications be determined as detailed below:

| | |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Decision Ref: | 15 (10/11) |
| Application: | A Premises Licence for Cygnet Hotel, 58 Carter Street, Sandown, Isle of Wight, PO36 8DQ |
| Resolution | THAT the grant of a Premises Licence for Cygnet Hotel, 58 Carter Street, Sandown, Isle of Wight, PO36 8DQ be approved in accordance with the application, subject to those conditions proposed by the applicant within the operating schedule and as agreed with the police and reproduced on page B2 of the report 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. |
| Conditions: | <ul style="list-style-type: none">(i) As per suggested conditions numbers 1-4 of page B38 of the report by the Environmental Health for the reasons given in the report.(ii) The premises shall be open to non residents between the hours of 1800 and midnight in order to regularise the opening hours with the licensable activity |
| 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> |
| Public Participants: | Mr Paul Holbrook – Applicant Mr Anthony Fish – Applicant Mr Hugh B Wilson-Chalon – Objector Mr Michael Powell – Objector Mr Chris Dupre – Supporter |

**Additional
Representations:**

Late representations were received and approved by the Committee to be heard from Sandown Town Councillor, Mr Chris Dupre supporting the application. Members also agreed to accept the late representations from Environmental Health.

Informative

The Committee advised the applicant that the designated smoking area should not be at the front of the premises but moved to an alternative location.

CHAIRMAN