

Minutes

Name of meeting	LICENSING (DETERMINATIONS) SUB COMMITTEE
Date and time	MONDAY, 8 SEPTEMBER 2008 COMMENCING AT 10.00 AM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Susan Scoccia (Chairman), Ivan Bulwer, Mike Cunningham
Officers Present	David Curtis-Botting, Mat Drake, Sarah MacDonald, Julie Martin

18. **Minutes**

RESOLVED :

THAT the Minutes of the meetings held on [11 August](#) and [18 August 2008](#) be confirmed.

19. **Declarations of Interest**

There were no declarations received at this stage.

20. **Report of the Head of Consumer Protection**

Consideration was given to the report of the Head of Consumer Protection, providing details of applications for the Grant of Street Trading Consent in accordance with the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4 Street Trading.

The Sub Committee followed the agreed procedure, which had previously been circulated to all parties prior to the meeting. After hearing the 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/or responsible authorities and having regard to the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, Street Trading and the Isle of Wight Council's Interim Statement of Licensing Policy (Street Trading Consents), the application be determined as detailed below:

Decision Ref	08 (08/09)
Application:	An application for the grant of a Street Trading Consent submitted by Mr T J R Bartlett, trading as Island Market Traders Co-operative, Highfield Road, Newport, Isle of Wight.
Resolution:	Upon receiving the report of the licensing section, oral and written evidence from the applicant and objectors, and having regard to the Isle of Wight Council's Interim Statement of Licensing Policy (Street Trading Consents) adopted in July 2008, the sub committee hereby grant the Street Trading Consent for a period of six months, but modified to such an extent as members considered necessary, namely by requiring the following conditions in addition to the standard conditions :
Conditions:	<ol style="list-style-type: none"> 1. There are to be no more than seven stalls. 2. No trading will take place until the Licensing Authority have been provided with the names, addresses, dates of birth and National Insurance numbers of all traders. 3. No generators are to be used at any time. 4. Setting up will commence no earlier than 08:00 am and trading will commence no earlier than 09:30 am. 5. No trading will take place until the Licensing department have approved an amended site plan showing the exact siting of all stalls. <p>Reason: Members had concerns regarding the concurrent use of the area for trading and car parking and felt that the site layout was not yet clear enough.</p>
Reasons for Decision:	<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.</p> <p>All parties were advised there was no direct right of appeal against the decision but if anyone was dissatisfied they did have the right to judicially review the decision.</p>
Details:	<p>The proposed dates of trading are each Monday for a period of one year from the date of consent.</p> <p>Setting up from: 08:00 hrs To start trading from: 09:30 hrs</p>

End of trading: 14:30 hrs
Cleared up by: 17:00 hrs

The site requested is a market consisting of seven stalls to be sited in the rear section of the car park in Avenue Road, Freshwater, Isle of Wight.

**Public
Participants:**

Mr T Bartlett (Applicant)

CHAIRMAN