



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	THURSDAY, 14 JUNE 2012 COMMENCING AT 1.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Richard Hollis (Chairman), Paul Fuller, Margaret Webster
Officers Present	Andrea Bull, Duncan MacDonald, Julie Martin, Justin Thorne, Kevin Winchcombe

1. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [24 May 2012](#) be confirmed.

2. [Declarations of Interest](#)

There were no declarations received at this stage.

3. **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 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 2011 - 2014, the applications be determined as detailed below:

- Decision Ref:** [03 \(12/13\)](#)
- Application:** A Premises Licence for Kings Manor Farm Shop and Bistro, Copse Lane, Freshwater, Isle of Wight
- Site Visit:** The site was visited by members of the Licensing Sub Committee on Thursday, 14 June 2012.
- Resolution:** THAT the grant of a Premises Licence for Kings Manor Farm Shop and Bistro, Copse Lane, Freshwater, Isle of Wight be approved, in accordance with the application, subject to those conditions proposed by the applicant within the operating schedule and those agreed with the Police and Environmental Health, and also subject to the mandatory conditions specified in the Licensing Act 2003. The Sub Committee also considered additional conditions appropriate for the promotion of the four licensing objectives, namely by requiring the following conditions listed below:
- Conditions:** Condition 1 on page B - 37 of the report be amended to read:
1. To restrict the playing of live music outdoors to Sundays between 12:00 hours - 18:00 hours in the months March - September and at no other time.
 2. No live music shall be played outside within 10 calendar days of the previous occasion on which live music was played. A written record of each occasion live music takes place shall be kept on the premises and available to the Licensing Authority on request.
 3. A copy of all public nuisance complaints shall be recorded in a log book containing the date and time of the complaint, the complainants name and address, where provided, along with the action taken by the responsible person dealing with the complaint including the date and the time the action was completed. The log book shall at all times be available to an authorised officer of the Licensing Authority, or in any event within 24 hours of the request.
- Reasons for Decision:** Members believed the conditions were appropriate for the reasons which were provided in the report and in order to promote the Licensing objective of Public Nuisance in particular. Members believed it strikes a balance between the rights of the applicant against the potential impact upon the residents nearby.
- 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.

Sale of alcohol :

Sunday - Thursday 10:00 hours - 22:00 hours;

Friday - Saturday 10:00 hours - 23:00 hours;

Premises closed to the public 30 minutes later.

Live Music Indoors:

Each day from 12:00 hours – 23:00 hours

Live Music Outdoors :

Sunday only between the months of March - September
12:00 hours – 18:00 hours and at no other time.

Public

Participants:

Sian Tallon (Applicant)

Richard Pitfield-Perry (Objector)

Jennie Beaver (Objector)

William Phillips (Objector)

Additional

Representations:

A late letter of support was received.

Informative :

Members believed the non consecutive week's condition was appropriate at this instance. The applicant may manage the premises properly and, without prejudice to the determination of any future application, the applicant may put in a variation in future to remove this condition.

CHAIRMAN