



# Minutes

Name of meeting	<b>LICENSING SUB COMMITTEE</b>
Date and time	<b>MONDAY, 2 JULY 2012 COMMENCING AT 10.00 AM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Richard Hollis (Chairman) Jonathan Bacon, Julie Jones-Evans
Officers Present	Marie Bartlett, Ben Gard, Duncan Macdonald, Sarah Macdonald, Kevin Winchcombe

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9. [Minutes](#)

**RESOLVED :**

- (i) THAT the Minutes of the meetings held on 24 May 2012 ([Paper A](#)) and 18 June 2012 ([Paper A1](#)) be confirmed.
- (ii) THAT the Minutes of the meeting held on 18 June 2012 ([Paper A2](#)) be confirmed subject to the following amendments:

Cllr Jones-Evans noted that she does not frequently use Hong Kong Express and accordingly members agreed the amendment to:

Cllr Julie Jones-Evans uses Hong Kong Express in Newport.

10. [Declarations of Interest](#)

There were no declarations received at this stage.

11. **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.

A schedule of additional representations, received after the printing of the reports, 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 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 application be determined as detailed below:

**Decision Ref:** 06 (12/13)

**Application:** [A Premises Licence for The Orrery, 15 Union Street, Ryde Isle of Wight](#)

**Resolution** THAT the grant of a Premises Licence for The Orrery, 15 Union Street, Ryde, 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 conditions on page B-30 of the report but subject to the removal of the condition:

“Any off sales are to be made in sealed containers only”

and the amendment of the second condition to read:

“The public are not permitted to remain on the premises after midnight Monday to Saturday and 23:15 on a Sunday night”.

The addition of a condition as agreed by the applicant on page B-32 of the report:

That live music shall not be played by percussion or brass instruments

The amendment of the opening hours as follows:

The supply of alcohol 10:00 - 23:30 Monday to Saturday and 10:00 – 22:45 on Sunday

**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.

**Advisory:**

Members requested that the Orrery becomes a member of the local pub-watch scheme.

**Details**

As per application

**Public  
Participants:**

Mrs Leigh Whittington – on behalf of the applicant

CHAIRMAN