



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	WEDNESDAY, 12 DECEMBER 2018 AT 1.30PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Charles Chapman (Chairman), Michael Beston, John Kilpatrick
Officers Present	PC Paul Bradley, Andrea Bull, Ben Gard, Megan Tuckwell, Kevin Winchcombe

10. [Minutes](#)

RESOLVED:

THAT the Minutes of the meeting held on 22 November 2018 be confirmed.

11. [Declarations of Interest](#)

There were no declarations received at this stage.

12. [Report of the Interim Director of Neighbourhoods](#)

Consideration was given to the report of the Interim Director of Neighbourhoods, providing details of the application for the Grant of two Temporary Event Notices for 30 Union Street, Ryde, Isle of Wight submitted in accordance with Section 100(1) of the Licensing Act 2003.

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 the application be determined as detailed below:

Application:

An application for the grant of two Temporary Event Notices submitted by Mr Ryan Burr for 30 Union Street, Ryde, Isle of Wight, PO33 2DT.

Resolution:

THAT Upon receiving the report of the licensing section, oral and written evidence from the applicant and responsible authority, 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 the sub-committee hereby:

Authorise the issue of counter notices under s105 of the act as it considers it appropriate to do so for the promotion of a licensing objectives.

Reasons for Decision:

On the basis of the representation before them by Hampshire Constabulary, the Sub Committee considers that conditions would be necessary to alleviate any harm caused to the licensing objectives.

In the absence of the ability for the Sub Committee to attach conditions to the temporary events notices, there is likelihood that the licensing objectives would be undermined and should not take place.

In accordance with paragraph 7.28 of the statutory guidance issued under Section 182 of the Licensing Act 2003 they are obliged to authorise a counter notice.

In reaching the above decision the sub-committee have 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 consider this decision is proportionate and necessary for the promotion of the 4 licensing objectives under the Licensing Act 2003.

There is a right of appeal to the Magistrates Court if anyone is dissatisfied with this decision, and must make any appeal within 21 days of the date of notification of the decision (but no appeal may be received if within 5 working days before the event.

Public Participants:

Mr Ryan Burr (Applicant)

CHAIRMAN