



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	FRIDAY, 27 SEPTEMBER 2019 COMMENCING AT 10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Charles Chapman (Chairman), Michael Beston, John Howe,
Officers Present	Marie Bartlett, Ben Gard, Danielle Harris, Sam Rogers, Claire Thomas, Kevin Winchcombe

1. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [12 December 2018](#) be confirmed.

2. **Declarations of Interest**

There were no declarations received at this stage.

3. **Exclusion of Public and Press**

RESOLVED :

THAT, under Section 100(A) (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, namely Minute number 4 on the grounds that there was likely to be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

4. [Report of the Director of Neighbourhoods](#)

Consideration was given to the report of the Director of Neighbourhoods, providing details of an application made by the Police under Section 51 of the Licensing Act 2003 to review a Premises Licence.

A schedule of additional representations, received after the printing of the report, 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 the application, the Sub Committee presented the following decisions and the reasons for that decision.

Prior to the Licensing Officer summing up the Committee agreed to open the meeting to the public.

RESOLVED:

THAT upon receiving the report of the Licensing Section, oral and written evidence from the applicant 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 2019 - 2024, the application be determined as detailed below:

Application:

Application for the Review of a Premises Licence for Ryde Kebab House, 5 High Street, Ryde, Isle of Wight, PO33 2PN

Resolution:

THAT in respect of the Premises Licence for Ryde Kebab House, 5 High Street, Ryde, Isle of Wight, the licence be modified to such an extent as members had considered appropriate and proportionate for the promotion of the four licensing objectives, in particular, the prevention of crime and disorder and public safety, by requiring the following additional conditions to be added to the licence :

Conditions:

The deletion of condition 4 in Annex 2 to the Premises Licence AND the addition of the following conditions:

1. A CCTV system shall be installed, maintained and must be in operation at all times that the premises are open to the public. Recorded images must:
 - a) be of sufficient clarity to allow personal identification;
 - b) display the correct time and date of the recording, which shall be checked regularly for accuracy taking account of GMT and BST;
 - c) provide coverage of:
 - i. every public entrance and exit; and,
 - ii. any other location deemed appropriate by the Police or Licensing Authority.
 - d) be retained for a period of at least 30 days;
 - e) be produced to a police officer or an authorised officer of the local authority to review on reasonable request; and,
 - f) be exported to removable media (e.g. CD/DVD/USB device) if requested by a police officer or an authorised officer of the local authority.

2. A member of staff capable of operating the CCTV system shall be present at all times the premises are open to the public and shall have access to the system to enable images to be reviewed and/or produced upon request.
3. At least one SIA registered door supervisor, independent of the management of the premises, shall be present at any time when licensable activities are carried on from the premises.

Reasons for Decision:

The Sub-Committee consider that the modification is an appropriate and proportionate response to address the causes of concern that instigated the review and that these modifications promote the four objectives under the Licensing Act 2003.

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.

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.

Public Participants:

PC Paul Bradley (Applicant for Review of the premises licence)

Mr P Savill (On behalf of the Licence holder)

Mr I Heal (On behalf of the Licence holder)

Mr S Cal (Licence Holder)

Mr A Cal (Licence Holder)

Additional Representations:

Witness statements from Mr S and Mr A Cal were submitted to the Committee the day prior the hearing.

CHAIRMAN