



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	THURSDAY, 14 MAY 2015 COMMENCING AT 10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Colin Richards (Chairman), John Hobart, John Howe
Officers Present	Marie Bartlett, Amanda Bull, Duncan Macdonald, Kevin Winchcombe

33. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [13 April 2015](#) be confirmed.

34. [Declarations of Interest](#)

There were no declarations received at this stage.

35. [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 report, was submitted to Members prior to the consideration of the 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 decision and the reasons for that decision.

RESOLVED:

THAT upon receiving the report of the Licensing Section, oral and written evidence from the applicant, responsible authority and other

persons 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 2014 - 2019, the application/s be determined as detailed below:

Application:

A Premises Licence for Seaview Self Catering Holidays, Ltd, Salterns Road, Seaview Isle of Wight

Resolution:

THAT the application for a Premises Licence for Seaview Self Catering Holidays Ltd, Salterns Road, Seaview, Isle of Wight be granted, 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, and those agreed with the police and in addition the following conditions..

Conditions:

- 1) Alcohol shall only be authorised for sale to current residents or staff of the site.
- 2) No licensable activity shall be permitted after sunset unless the 1st floor windows are shut and blackout blinds are fitted to and closed.
- 3) No open alcoholic containers or other containers shall be permitted outside on the decking after 22:00 hours

Amendment to condition 4 –

To refer to Public Nuisance complaints as well as Crime and Disorder.

Reasons for Decision:

Members had regard to the oral submissions of all parties, in particular members thought there was a possibility of light pollution from the use of 1st floor and conditioned accordingly.

Members also thought there was potential for Public Nuisance from the use of decking after 22:00 hours and have therefore restricted this use.

However members were satisfied that with the additional conditions the Licensing Objectives would be adequately promoted.

The reasons were also provided in the report to promote the Licensing objectives 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 appropriate 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 (or if different from those applied for):

As per application.

Public Participants:

Martha James (Agent)

Steve Catton (Applicant)

Councillor Reg Barry (on behalf of objectors)

Estelle Rayment (Objector)

Robert Somers (Objector)

Diane Foxley-Thomas (on behalf of Nettlestone and Seaview Parish Council)

CHAIRMAN