

Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	MONDAY, 13 JULY 2015 COMMENCING AT 10.00AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Julie Jones-Evans (Chairman), Reg Barry, Colin Richards
Officers Present	Kayleigh Bowers, Andrea Bull, Ben Gard, Duncan MacDonald, Kevin Winchcombe

1. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [14 May 2015](#) be confirmed.

2. **Declarations of Interest**

There were no declarations received at this stage.

3. **Report of the Deputy Managing Director**

[Application for a Variation to the Premises Licence at the Beach Shack, Devonian Slipway, Esplanade, Sandown, Isle of Wight](#)

Consideration was given to the report of the Deputy Managing Director, providing details of an application for the variation of a premises licence, received in accordance with Section 34 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.

The Sub Committee followed the agreed procedure which had been circulated to all parties prior to the hearing. 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 authorities 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 be determined as detailed below:

Application:

A Variation of the Premises Licence under section 34 of the Licensing Act 2003 for the Beach Shack, Devonian Slipway, Esplanade, Sandown, Isle of Wight.

Resolution:

THAT the application for a variation of the premises licence for the Beach Shack, Devonian Slipway, Esplanade, Sandown be granted, 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.

Conditions:

All conditions agreed with the Police and Environmental Health within the proposed operating schedule, including the additional condition as recommended by Environmental Health (at pages B - 45 to B - 46 of the report, attached to and forming part of these minutes).

Reasons for Decision:

The reasons were provided in the report to promote the Licensing objective of the prevention of public nuisance in particular, and in accordance with the Isle of Wight Council's Statement of Licensing Policy and the section 182 guidance.

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:

Mr Greg Orr (Applicant)

Mrs Mandy Orr (Applicant's wife)

Mr David Bramley (Objector)

CHAIRMAN