



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	TUESDAY, 7 AUGUST 2018 AT 10.00AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Charles Chapman (Chairman), John Howe, Stuart Hutchinson
Officers Present	PC Paul Bradley, Ben Gard, Maisy Green, Sarah MacDonald, Kevin Winchcombe

1. [Minutes](#)

RESOLVED:

THAT the Minutes of the meeting held on 23 April 2018 be confirmed.

2. [Declarations of Interest](#)

There were no declarations received at this stage.

3. [Report of the Head of Place](#)

Consideration was given to the report of the Head of Place, providing details of the application for the Grant of two Temporary Event Notices for The Noodle Pot, 91A St James Street, Newport, Isle of Wight submitted in accordance with Section 100(1) of the Licensing Act 2003.

The committee adjourned after all parties had presented their case to consider late representations submitted by Hampshire Constabulary.

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 Abdul Miah for 91A The Noodle Pot, St James Street, Newport, Isle of Wight.

Resolution:

THAT upon receiving the report of the licensing section, oral and/or 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: Consider that the events should not take place and authorise the Issue of a counter notices under s105(2)b of the Act for the following reasons.

Reasons for Decision:

The Sub-Committee believe that the proposal identified within the Temporary Events Notices would undermine the licensing objectives and in particular the Prevention of Crime and Disorder and the Prevention of Public Nuisance. The Sub-Committee note that such concerns may have been overcome by the imposition of conditions, however in this case the law does not permit them to do so.

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.

The applicant has a right of appeal to the Magistrates Court if he is dissatisfied with this decision, and must make any appeal within 21 days of the date of notification of the decision. However he should note that no appeal may be received if within 5 working days before the event.

Public Participants:

Mr Abdul Miah (Applicant)

Additional Representations:

Hampshire Constabulary submitted additional representations, the meeting was adjourned until all parties had received and read the document.

CHAIRMAN