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Monitoring Officer
Christopher Potter

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Telephone (01983) 821000

Agenda

Name of meeting	LICENSING SUB COMMITTEE
Date	WEDNESDAY 2 NOVEMBER 2022
Time	10.00 AM
Venue	CONFERENCE ROOM 4, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	Cllrs D Pitcher (Chairman), J Bacon and C Jarman
	Democratic Services Officer: Sarah MacDonald democratic.services@iow.gov.uk

1. **Minutes** (Pages 5 - 6)

To confirm as a true record the Minutes of the meeting held on 28 September 2022.

2. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.

3. **Urgent Business**

To consider any matters which, in the Chairman's opinion, are urgent.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

4. Exclusion of Public and Press

To consider passing a resolution that, under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, namely agenda items 5a and 5b on the grounds that there is likely to be disclosure of exempt information as defined in paragraph 1 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.

5. Report of the Director of Neighbourhoods

- (a) Revocation of Personal Licence for TP (Pages 7 - 28)

To determine whether to suspend or revoke the Personal Licence of Mr TP under Section 132A of the Licensing Act 2003.

- (b) Revocation of Personal Licence for ST (Pages 29 - 50)

To determine whether to suspend or revoke the Personal Licence of Mr ST under Section 132A of the Licensing Act 2003.

CHRISTOPHER POTTER
Monitoring Officer
Tuesday, 25 October 2022

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

Notice of recording

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

If you require further information please see the council guide to reporting on council meetings which can be found at <http://www.iwight.com/documentlibrary/view/recording-of-proceedings-guidance-note>

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Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and Time	WEDNESDAY 28 SEPTEMBER 2022 COMMENCING AT 10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs J Bacon, C Jarman and M Beston
Also Present	Andrea Bull, Jodie Gibson and Kevin Winchcombe
Apologies	Cllr D Pitcher

5. **Election of Chairman for the day**

Due to the absence of the Chairman and Vice Chairman, it was necessary to elect a Chairman for the day.

RESOLVED:

THAT Councillor Jonathan Bacon be elected as Chairman for the day.

6. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 22 July 2022 be approved.

7. **Declarations of Interest**

No declarations were received at this stage.

8. **Urgent Business**

The Chairman raised no urgent business

9. **Report of the Director of Neighbourhoods**

The Sub-Committee followed the agreed procedure which had been circulated to all parties in advance of the hearing.

The Senior Licensing Officer presented the report of the Director of Neighbourhoods, giving details of the application for a premises licence under Section 17 of the Licensing Act 2003 for Tesco, 36 High Street, Newport, Isle of Wight, PO30 1SR.

Confirmation was given that none of the Responsible Authorities had objected to the application. There had been one objection from a local resident relating to the prevention of crime and disorder.

The applicant's representatives were in attendance and gave further comprehensive information in support of their application and answered questions from members of the Sub-Committee. They were hoping to open the store around Easter 2023.

The objector was not present and there had been no evidence from any of the responsible authorities which would support the objection.

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 Section 182 of the Licensing Act 2003 and the Isle of Wight Council's Statement of Licensing Policy 2019 – 2024, the sub-committee hereby:

Approve the licence in accordance with the application

for the reasons given within the same report in order to promote the licensing objectives, and in accordance with the Isle of Wight Council's Statement of Licensing Policy and the S.182 guidance.

In reaching the above decision the sub-committee had regard to the Human Rights Act 1998, in particular Article 1 of the First Protocol, Article 8 and Article 6. The sub-committee consider that this decision is proportionate and appropriate for the promotion of the four licensing objectives under the Licensing Act 2003.

There was a right of appeal to the Magistrates' Court if anyone was dissatisfied with the decision, and any appeal must be made within 21 days of the date of notification.

CHAIRMAN

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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