



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and Time	MONDAY 30 JANUARY 2023 COMMENCING AT 10.00 AM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs D Pitcher (Chairman), J Bacon and J Jones-Evans
Also Present	Shane Batchelor, Ben Gard and Kevin Winchcombe

15. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 2 November 2022 be approved.

16. **Declarations of Interest**

Councillors Jones-Evans and Bacon declared a non-pecuniary interest in minute number 18a as they had previously served on the IW Council with Mr G Cameron, who was speaking on behalf of the applicant.

17. **Urgent Business**

There were no urgent items of business.

18. **Report of the Director of Neighbourhoods**

18a **Application for a Premises Licence at 49 High Street, Ryde, Isle of Wight**

Consideration was given to the report of the Director of Neighbourhoods, with details of the application for a premises licence under Section 17 of the Licensing Act 2003 for Crazy's Restaurant, 49 High Street, Ryde, Isle of Wight.

The applicant and their representative were present and gave further information in support of their application.

Proposed conditions had been suggested by Environmental Health and the police which had been agreed by the applicant and would form part of the licence conditions if the licence was granted.

There were two outstanding representations from local residents who attended and gave further information in support of their objections which related to the late hours applied for, and the likelihood of noise and anti- social behaviour which may arise if the licence was granted, particularly from the use of the rear outside area.

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 2019-2024, the sub-committee hereby:

Grant the licence in accordance with the application, subject to those conditions proposed by the applicant in the operating schedule and also subject to the mandatory conditions specified in the Licensing Act 2003, but modified to such an extent as members have considered appropriate for the promotion of the four licensing objectives, namely by requiring the following conditions:

- i) The conditions agreed with the applicant on page 43 of the report but subject to a change to the condition proposed by and agreed with Environmental Health to state:-

Any music noise and/or regulated entertainment noise shall be set to a limit which shall ensure that such noise shall not exceed a level which is barely audible at the boundary of any noise sensitive* premises. Barely audible is defined as at a level that, whilst it may be audible (heard) is so low in volume that distinct lyrics, tunes, musical instruments and any bass beat cannot be discerned at the boundary of any noise sensitive premises.

*Noise sensitive premises includes premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use) or places of worship (during recognised times and days of worship) or any other premises used for any other purpose likely to be affected by the music noise.

- ii) In adding conditions to achieve the measures proposed by the applicant in the operating schedule, the licensing authority shall ensure that a condition is included to ensure that customers will not be permitted to take containers of alcohol or soft drinks or food from the premises to any open areas including the outside area identified within the application.

CHAIRMAN