



Minutes

Name of meeting	LICENSING SUB COMMITTEE
Date and time	MONDAY, 29 APRIL 2013 COMMENCING AT 11.00AM
Venue	CONFERENCE ROOM FOUR, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Richard Hollis (Chairman), Heather Humby, David Williams
Officers Present	Jon Baker, Andrea Bull, Justin Thorne, Kevin Winchcombe

39. **Minutes**

RESOLVED:

THAT the Minutes of the meeting held on [22 February 2013](#) be confirmed.

40. **Declarations of Interest**

There were no declarations received at this stage.

41. **Urgent Business**

There was no urgent business.

42. **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 reports, was submitted to Members prior to the consideration of each relevant 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 each 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/or 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 2011 – 2014, the applications be determined as detailed below:

Decision Ref:	17 (12/13)
Application:	A Premises Licence for premises formerly known as Barefoot on the Beach, Colwell Chine Road, Colwell Bay, Freshwater, Isle of Wight, PO40 9ND
Resolution	THAT the grant of a Premises Licence for premises formerly known as Barefoot on the Beach, Colwell Chine Road, Colwell Bay, Freshwater, Isle of Wight, PO40 9ND be approved, 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 as at page B29 of the report, save that condition 5 be amended to include reference to alcoholic beverages.
Conditions:	No additional conditions were set.
Reasons for Decision:	<p>The reasons were provided in the report to promote the Licensing objective regarding the Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and The Protection of Children From Harm, in particular.</p> <p>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 necessary for the promotion of the four licensing objectives under the Licensing Act 2003.</p> <p>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.</p>
Details	As per application
Public Participants:	George Adams – Applicant Charlie Canns – Applicant

**Additional
Representations:**

None were received

Comments:

It was noted that the name of the premises would be known as The Hut.

The sub committee, whilst taking into account the representations received from a local resident, voicing concerns that a late night licence could lead to increased levels of crime and disorder in the area, agreed that past problems cited at the public toilets, next to the public car park, could not be directly attributed to the Barefoot on the Beach café / restaurant (the former name of The Hut).

The Applicant offered the sub committee assurances that in addition to agreeing to all conditions set by the Police, an in house policy of training all staff would be adopted in order to mitigate any risk of undesirable activity at the premises and surrounding areas.

CHAIRMAN