



LICENSING ACT 2003 COMMITTEE
(SUB-COMMITTEE)

LOCATION OF HEARING:
**Council Chamber, Council Offices,
Corks Lane, Hadleigh IPSWICH IP7 6SJ**

LICENSING ACT 2003
NOTICE OF HEARING

DATE AND TIME OF HEARING:
17 December 2015 at 9.30 a.m.

In accordance with Regulation 6(1) of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Authority of Babergh District Council hereby gives notice that a hearing of a Sub-Committee of the Authority's Licensing Act 2003 Committee has been arranged as set out above in order to determine the following application:

Application for GRANT of NEW premises licence (section 17)

Application date:	09 October 2015
Application reference:	014569
Applicant:	Kayden Limited
Premises:	Nisa Convenience Store, Capel Service Station, A12 Northbound

Please ensure that the enclosed 'Attendance at Hearing Notice' is completed and returned – see also page 3 of this agenda/notice.

Sub-Committee Members

- | | |
|--------------------|------------------------|
| 1. Alastair McCraw | <u>Reserve Members</u> |
| 2. Nick Ridley | 1. Margaret Maybury |
| 3. Ray Smith | 2. |

A G E N D A

ITEM	BUSINESS
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PART I

- 1 APOLOGIES
- 2 ELECTION OF CHAIRMAN FOR HEARING
- 3 DECLARATION OF INTERESTS

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

- 4 LICENSING ACT 2003 – HEARING REPORT
NEW (SECTION 17) NISA, CAPEL SERVICE STATION, A12 NORTHBOUND

[Paper
R76](#)

Report attached.

Right of attendance, assistance and representation

Subject to regulations 14(2) - concerning exclusion of the public from all or part of a hearing where the Licensing Authority considers doing so to be in the greater public interest, and regulation 25 - concerning the exclusion of any person attending the hearing who is behaving in a disruptive manner:

- A party may attend the hearing and may be assisted or represented by any person, whether or not that person is legally qualified.

At the hearing a party shall be entitled to –

- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representation or notice (as applicable,
- (b) if given permission by the authority, question any other party; and
- (c) address the authority.

Failure of parties to attend hearing

- (1) If a party has informed the Authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may –
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the Authority holds the hearing in the absence of the party, the Authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the Authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Any points the Authority considers that it will want clarification on (if any):

Information from the Applicant/Agent regarding primary use – relevant to section 176 of the Licensing Act 2003.

If any party is withdrawing their application, including withdrawal based upon any Applicant voluntary reductions or modifications since the application was submitted, then please contact licensing@babergh.gov.uk without delay.

If any party is to rely on documentary/video or other material to support their representation or submission please provide it as soon as possible in a legible/useable format (with any redactions having been made where appropriate). Late or on the day documentation/media production may not be admissible, in accordance with relevant regulations.

APPLICANT – RESPONSIBLE AUTHORITIES – OTHER PERSONS

Attached

Please ensure that you complete and return the attached '[Attendance at Hearing Notice](#)' NO LATER than 5 (five) working days before the date of the hearing.

A party who wishes to withdraw any representations they have made should do so as soon as possible (see page 2 of this agenda/notice).

If you consider that the hearing is not necessary, the Licensing Authority may dispense with a hearing providing all parties to the hearing agree that a hearing is not necessary. If you consider this to be the case, then you should give notice to the authority as soon as possible.

Procedure to be followed at the hearing

Attached

[The Procedure](#) is attached.

For further information on any of the Part 1 items listed above, please contact Linda Sheppard on (01473) 826610 or via email at committeeservices@baberghmidsuffolk.gov.uk