



2002-2003
Neighbourhood Renewal
2004-2005
Supporting People

LICENSING 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:
Friday 3 June 2011 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 and Appeals Committee has been arranged as set out above in order to determine the following application:

Application for REVIEW of Club Premises Certificate (section 87)

Application date: 15 April 2011
Application reference: 006561/BCP0026
Applicant for review: Chief Officer of Police
Club Premises Certificate Holder: Cornard United Football Club
Premises: The Club Premises, Blackhouse Lane, Great Cornard, SUDBURY CO10 0NL

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned – see Page 3.

Sub-Committee Members

- | | |
|-----------------|------------------------|
| 1. Mr P Jones | <u>Reserve Members</u> |
| 2. Mr R C Smith | 1. Mr L H Young |
| 3. Mr A C Ward | 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
REVIEW (SECTION 87) CORNARD UNITED FOOTBALL CLUB

[Paper L13](#) 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):

APPLICANT – RESPONSIBLE AUTHORITIES – INTERESTED PARTIES

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.

If you consider that the hearing is not necessary, the Licensing Authority may dispense with a hearing providing all parties subject 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 Ipswich (01473) 826610 or via email at committeeservices@babergh.gov.uk



Licensing Team
Babergh District Council
 Corks Lane, Hadleigh, IPSWICH IP7
 6SJ
 DX NO: 85055 Exchange: Babergh
 Main Switchboard: **01473 822801**
 Website: www.babergh.gov.uk

ATTENDANCE AT HEARING NOTICE (LICENSING ACT 2003)

(Application for REVIEW of Club Premises Certificate under section 87)

For completion by Licensing Authority:

Application type:	Section 87 REVIEW (CLUB)	Application no:	006561/BCP0026
Club Premises:	Cornard United Football Club Blackhouse Lane Great Cornard, SUDBURY CO10 0NL	Date of Application:	15 April 2011
Applicant for Review:	Chief Officer of Police Stowmarket Police Station, Violet Hill Road, STOWMARKET IP14 1NJ		

For completion by YOU:

Please tick box to indicate whether you are:

Applicant for Review:	<input type="checkbox"/>
Club Certificate Holder:	<input type="checkbox"/>
Responsible Authority:	<input type="checkbox"/>
Interested Party:	<input type="checkbox"/>

		YES	NO
Q1.	Do you intend to attend the hearing? (Note: If you wish to withdraw your representation, you should notify the Licensing Authority as soon as possible)	<input type="checkbox"/>	<input type="checkbox"/>
Q2.	Will you be bringing someone to speak on your behalf? (If YES to above please specify name and occupation of speaker):	<input type="checkbox"/>	<input type="checkbox"/>
Q3.	Do you consider the hearing to be necessary? (Note: The Licensing Authority may dispense with the hearing if all parties agree)	<input type="checkbox"/>	<input type="checkbox"/>
Q4.	Please give an estimate (in minutes) of how long you believe you will need to make your points concerning this application? minutes	

If you want any other person to attend as a witness to support you (other than the person whom you intend represent you), complete the box below in order to comply with the hearings procedure.

<p>Describe in the space below the matter(s) on which this person be giving evidence on in relation to this application, representation or notice. Please use continuation sheet/reverse if necessary:</p>

YOUR NAME:			
SIGNATURE:		Date:	

Please complete and return this form not later than
FIVE WORKING DAYS before 3rd June 2011



2006-2007
Waste and Recycling

2006-2007
Culture and Sport for
Hard to Reach Groups

PROCEDURE FOR HEARING TO DETERMINE AN APPLICATION FOR REVIEW APPLICATION MADE UNDER SECTION 87 OF THE LICENSING ACT 2003:

NOTE: Grounds for review may require prior determination by Licensing Sub-Committee (if may be considered irrelevant, frivolous, vexatious or repetitious) and review application may be rejected at any time for any of these reasons.

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| 1. The Licensing Officer will present a report to the Sub-Committee outlining details of the review application and reasons for the hearing. |
| 2. The Licensing Officer may then be questioned on his report by the Applicant for Review, Club Certificate holder (and/or his/her advocate if applicable), any other persons making relevant representations and Members of the Sub-Committee. |
| 3. The Applicant for Review will then present their case, detailing the grounds for review. The Applicant may amplify the grounds stated within the application. |
| 4. The Applicant for Review calls any witnesses (if applicable). |
| 5. The Applicant for Review and his witnesses (if applicable) may then be questioned on their submissions by the Club Certificate holder and/or his advocate, any other person making relevant representations, Licensing Officer and Members of the Sub-Committee. |
| 6. Steps 3-5 may be repeated for any other responsible authority or interested party who has raised relevant representations (i.e. joined the review) |
| 7. The Club Certificate holder and/or his advocate make an opening address to the Sub-Committee. |
| 8. The Club Certificate holder and/or his advocate call any witnesses. |
| 9. The Club Certificate holder and/or his advocate, and his witnesses if applicable, may then be questioned on their submissions by the Applicant for Review, any other person making relevant representations, Licensing Officer and Members of the Sub-Committee. |
| 10. The Club Certificate holder and/or his advocate may then question the witness to clarify any points. |
| 11. The Licensing Officer gives any closing address to the Sub-Committee. |
| 12. The Applicant for Review gives a closing address to the Sub-Committee. |
| 13. The Club Certificate holder and/or his advocate give a closing address to the Sub-Committee. |
| 14. The Sub-Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Sub-Committee Chairman or Legal Adviser to the Sub-Committee. The Club Certificate holder and/or his advocate, and the Applicant for Review, will be given opportunity to clarify any points on the decision. |

NOTES:

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question any party or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.

'APPLICANT FOR REVIEW':

This means the person(s) who made the original application to review the licence. This must be a 'Responsible Authority' (i.e. Police or EHO) or an 'Interested Party' (local resident or business, or representative thereof) in the vicinity of the premises.