



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:

Monday 3 September 2012 at 10.30 a.m.

Please note commencement time of 10.30 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 GRANT of new Club Premises Certificate (section 71)

Application date: 14 July 2012

Application reference: 007846

Club: Northcroft Social Club

Club Premises: Northcroft Social Club, 1 The Croft, SUDBURY CO10 1HN

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

Sub-Committee Members

- | | |
|--------------------|------------------------|
| 1. Mr J R B Cave | <u>Reserve Members</u> |
| 2. Mr P J Holbrook | 1. Mr L H Young |
| 3. Mr A J Ward | 2. |

A G E N D A

ITEM

BUSINESS

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
APPLICATION (S71) NEW CLUB PREMISES CERTIFICATE NORTHCROFT
SOCIAL CLUB SUDBURY

Paper
M65

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 Committee Services on Ipswich (01473) 825876 or via email at committeeservices@babergh.gov.uk



PROCEDURE FOR HEARING OF APPLICATION UNDER LICENSING ACT 2003 WHERE A REPRESENTATION/OBJECTION IS RECEIVED

| | | |
|-----|---|--|
| 1. | The Council's Corporate Manager – Licensing will present a report to the Sub-Committee outlining the application and representations / objections made. | |
| 2. | The Responsible Authority(ies) representative and the interested parties present their concerns in the order indicated by the Chairman of the Sub-Committee. If more than one representation / objection, follow the procedure for each representation to Step 4. | |
| 3. | This representative may then be questioned by the Applicant. | |
| 4. | The representative may then be questioned by other Responsible Authorities or interested parties. | |
| 5. | The Applicant or his / her representative makes an opening address to the Sub-Committee or interested parties. | |
| 6. | The Applicant or his / her representative calls any witness(es) to give evidence in support of the application. | |
| 7. | The Responsible Authority(ies) may then question the witness(es). | |
| 8. | The witness may be questioned further by the Applicant or his / her representative to clarify any points of evidence only. | |
| 9. | The Responsible Authority(ies) and the Council's Corporate Manager – Licensing then give their closing comments to the Sub-Committee. | |
| 10. | The Applicant or his / her representative then gives his / her closing comments to the Sub-Committee. | |

- NOTES:
- A. If the Applicant does not have a representative he / she may choose to make an opening address and then give information him / herself in support. His / her information will, in that case, be subject to questioning in accordance with (7) above.
 - B. The Sub-Committee Chairman and, with his / her consent, any Members of the Sub-Committee may at any time question the Applicant, the Council's Corporate Manager – Licensing or any of the witnesses.
 - C. The hearing will take the form of a discussion led by the Licensing Authority. Accordingly, the procedure may be varied by the Chairman to enable such a discussion to flow and ensure all relevant points are considered.