



**LICENSING ACT 2003 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:  
Tuesday 19 January 2016 at 9.30 am**

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, under section 105(2)(a), of a sub-committee of the Authority's Regulatory Committee has been arranged as set out above in order to consider the following authorisation:

<b>Temporary Event Notices (section 100)</b>	
<b>Date received:</b>	11 January 2016
<b>Application reference:</b>	TEN reference 015-16
<b>Premises-user:</b>	Mr Derek Smith
<b>Premises:</b>	Infinity Nightclub, East Street, SUDBURY CO10 2TP
<b>Date(s) of event:</b>	7 February 2016

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned a minimum of 1 working day prior to the hearing date - see Page 3.

<b><u>Committee Members</u></b>	
1. Tina Campbell	<u>Reserve Members</u>
2. Alastair McCraw	1. Ray Smith
3. Nick Ridley	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 (TEMPORARY EVENT NOTICES)  
CONSIDERATION OF OBJECTION NOTICES ISSUED UNDER SECTION 104  
TENS 015-16 – INFINITY NIGHTCLUB, SUDBURY CO10 2TP**

**Paper**  
**R86** 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):**

Please clarify to the Licensing Authority whether you intend to submit any documentary or other format of evidence as part of your submission – please confirm to [licensing@babermidsuffolk.gov.uk](mailto:licensing@babermidsuffolk.gov.uk).

Reference should be had by all parties to Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005. The Licensing Authority *may* take into account such information either before the hearing, or with the consent of all parties, at the hearing.

Any documents or other evidence may helpfully be provided to the Licensing Authority as far in advance of the hearing as viable in an accessible format, with any protected information being redacted by the provider as appropriate. The Licensing Authority may exercise its right under regulation 14(2) to exclude the public from all or part of the hearing where that is considered to be in the public interest.

If you have any special requirements or requests for taking part in the hearing then please also let us know as soon as possible.

**PREMISES-USER & POLICE/EHO**

Attached

**Please ensure that you complete and return the attached 'Attendance at Hearing Notice' NO LATER than 1 (one) working day before the date of the hearing.**

**If the OBJECTOR wishes to withdraw the Objection Notice given under section 104 he/she 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 Karen Sayer on Ipswich (01473) 826652 or via email at [committee.services@baberghmidsuffolk.gov.uk](mailto:committee.services@baberghmidsuffolk.gov.uk)