

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON THURSDAY, 20 MAY 2011 (9.30a.m.)

PRESENT: Mr P Jones
Mr B Riley
Mr A J Ward

Mr A F D W Osborne (Ward Member for Sudbury (East)) was present to make representations.

Also in attendance at the meeting to make representations were:-

Mr L Carvell (Licensing Section) to present Paper L1
Mr J Buckingham (Natural and Built Environment Division)
Inspector P Crick (Suffolk Constabulary)
Mr M Paul)
Mr M Rumsey) Applicant's Representatives
Mr M Richards)
Mr A Jelley)
Mr P Clifford) Objector

1 ELECTION OF CHAIRMAN FOR HEARING

RESOLVED

That Mr A J Ward be elected Chairman for the hearing.

2 DECLARATION OF INTERESTS

None declared.

3 LICENSING ACT 2003 – HEARING REPORT – NEW (SECTION 17) MCDONALDS, SUDBURY

Prior to the commencement of the hearing the Head of Natural and Built Environment referred to representations received from Councillor A F D W Osborne which had been received by the Council within the prescribed time period but had been sent to the incorrect electronic address. The meeting adjourned for a short period for the respective parties to consider these representations. All parties agreed to accept the representations and these were circulated at the meeting.

The Chairman of the Hearing referred to the procedure to be followed, a copy of which had been circulated with the Agenda.

The Head of Natural and Built Environment submitted a report ([Paper L1](#)) requesting the Sub-Committee to determine an Application under the 2003 Licensing Act by Mardi Foods Limited in respect of McDonald's Restaurants, Northern Road, Chilton Industrial Estate, Sudbury.

Members then questioned the Head of Natural and Built Environment.

Inspector P Crick (Suffolk Constabulary) presented his objections contained in Appendix 2 of Paper L1 and referred to a number of incidents at the premises where the police had been called. The Applicant questioned whether the information should be allowed to be circulated as this had not been brought to their attention before. It was agreed that the meeting be adjourned so that Inspector Crick could redact the information and provide a copy to the respective parties to consider these representations. All parties agreed to accept the representations and these were circulated at the meeting.

Inspector Crick was then questioned by the Members and the Applicants.

Mr P Clifford (Objector) presented his letter of objection contained in Appendix 2 to Paper L1. Mr Clifford was questioned by the applicant.

Mr A F D W Osborne, Ward Member for Sudbury (East), presented his objections to the application which had been circulated earlier at the meeting. Mr Osborne was questioned by the applicant.

Mr J Buckingham presented his report which had been circulated as part of Appendix 2 to Paper L1.

The Applicant then questioned Mr Buckingham.

The Applicants made an opening address to the meeting in support of the application. As part of the presentation they called Mr Rumsey, the Duty Manager at Sudbury. Following the presentation, the Applicants were questioned by Members, Inspector Crick and the Objector.

All parties were then requested to provide closing comments to the meeting. Following this all parties withdrew to enable the Committee to deliberate the Application.

The relevant parties were then invited back into the meeting and the Council's decision was notified.

RESOLVED

That the application be refused on the grounds that it is necessary for the promotion of the following licensing objectives:-

- (i) prevention of public nuisance, to include both litter and noise aspects**
- (ii) prevention of crime and disorder**

The decision is not based purely on speculation. The Sub-Committee acknowledges that there is some causal link between the opening hours of the premises and the occurrence of anti-social behaviour in the immediate vicinity.

The business of the meeting was concluded at 12.15 p.m.

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Chairman