

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, CORKS LANE, HADLEIGH ON THURSDAY 3 MAY 2012 (9.30 a.m.)

PRESENT: Mr P J Holbrook - Chairman

Mr P Jones

Mr A J Ward

The following were present at the meeting to make representations:-

Mr L Carvell (Licensing Officer) to present Paper M13

Mr D Dreyer (Treasurer)

Mr E Cribb (Club Committee member)

Mr S Hume (membership Secretary)

PC Lees

The following were in attendance at the meeting:-

Ms C Whatling – Assistant Solicitor (Legal Advisor to the Sub-Committee)

Mr J Buckingham (Principal Environmental Protection Officer)

Ms J Hart (Senior Environmental Protection Officer)

Mrs L Sheppard – Senior Democratic Services Officer (Committee Clerk)

1 DECLARATION OF INTERESTS

None declared.

2 LICENSING ACT 2003 – SECTION 90 (CLUB) HEARING REPORT

Mr Holbrook, the Chairman of the Licensing and Appeals Committee, chaired the hearing meeting. He referred to the procedure to be followed, a copy of which had been circulated with the Agenda, and introduced the Members and officers present.

The Licensing Officer submitted a report (Paper M13) to enable the Sub-Committee to consider whether, in the light of apparent failings to conduct the premises in good faith as a club, to give notice of the Licensing Authority's intention to withdraw the Club Premises Certificate currently on issue to the Northcroft Social Club in Sudbury. Members also had before them the following documents, which were circulated to Members subsequent to the dispatch of the agenda and Paper M13:-

- Witness Statements of James Buckingham and Joanna Hart, together with various exhibits
- Letter received 1 May 2012 from Paul Crick, Local Policing Commander, Sudbury
- Email from a person claiming to be a current member of the Club

Mr Carvell then called as witnesses the Environmental Health Officers, who also drew Members' attention to their Witness Statements (referred to above), and PC Lees on behalf of Paul Crick. The parties had the opportunity to question the witnesses.

Mr Dreyer referred to the Chairman and Secretary being unable to attend the hearing, due to work commitments. He then addressed the Sub-Committee on behalf of the Club Committee and responded to questions. Mr Hume and Mr Cribb were also given the opportunity to make comments on behalf of the Club Committee, and all three of the Club Committee members responded to questions. The Licensing and Environmental Health Officers, together with the Legal Advisor, clarified various issues which arose during the course of the hearing. The parties were offered the opportunity to make any closing comments, following which they withdrew to allow Members to deliberate the matter. The parties were then invited back into the meeting and the Council's decision was notified as follows:-

In reaching its unanimous decision, the Sub-Committee had due regard to human rights implications and the impact the decision might have on Club members, but has balanced this against the need to protect the public. It also noted its duties under Section 90 of the Licensing Act 2003 and the need to promote the licensing objectives. It concluded that it is satisfied that the Northcroft Social Club is not being conducted in good faith and it is therefore a necessary and proportionate course of action to withdraw the Club Premises Certificate.

RESOLVED

That Notice be given to the Northcroft Social Club pursuant to section 90 of the Licensing Act 2003 withdrawing Club Premises Certificate BCP0020 for Northcroft Social Club, 1 The Croft Sudbury Suffolk CO10 1HN as far as it relates to the supply of alcohol and regulated entertainment activities as specified on the Club Premises Certificate and summary of it.

The business of the meeting was concluded at 11.30 a.m.

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Chairman