

---

# Licensing & Regulatory Sub-Committee



Forest Heath  
District Council

**Minutes** of a meeting of the **Licensing & Regulatory Sub-Committee** held on **Wednesday 11 July 2018** at **10.00am** at the **Council Chamber, District Offices**, College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

**Chairman** Carol Lynch  
Chris Barker                      Simon Cole

57. **Apologies for Absence**

There were no apologies for absence.

58. **Substitutes**

There were no substitutes at the meeting.

59. **Election of Chairman**

It was unanimously

**RESOLVED:**

That Councillor Carol Lynch be elected as Chairman.

60. **Application for the Variation of a Premises Licence in respect of Mildenhall Social Club, Recreation Way, Mildenhall (Report No: LSC/FH/18/004)**

The Chairman welcomed all present to the Hearing, reported that no declarations of interest had been received and introductions to the Panel were made.

The following parties were present at the Hearing:

(a) Applicant

- (i) Sylvia Manels, DPS for Mildenhall Social Club (applicant)
- (ii) Marilyn McGuire, Committee Member of Mildenhall Social Club (accompanying and speaking on behalf of applicant)

(b) Interested Party

- (i) Mr Aidan Keogh, neighbouring resident (speaking on representation made in objection to application)

The Licensing Officer presented the report which explained that an application had been received for the variation of a premises licence in respect of Mildenhall Social Club, Recreation Way, Mildenhall. A copy of the application was attached at Appendix 1 to Report No LSC/FH/18/004, with a plan showing the outside area to be licensed at Appendix 2 and a photo of the outside area at Appendix 3.

The original application had been modified following initial consultation with Public Health and Housing, and the variation now sought was to allow outside live music to be played with the following restrictions:

- No more than five occasions between 1 June and 1 September in any one year;
- No music will be played for more than two hours continuously on any one day; and
- Music will only occur between 15:00 and 19:00 on a Friday or Saturday.

The Officer advised that the variation application (as listed above) had been served on all Responsible Authorities, none of whom had made representation.

However, three representations from neighbouring residents had been made in respect of the Prevention of Public Nuisance and these were attached to the report as Appendices 6, 7 and 8.

Section 17 of the Crime and Disorder Act 1998 imposed a duty on each local authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on and the need to do all that it reasonably could to prevent crime and disorder in the area.

If the Licensing Authority decided that this application should be refused it would need to show that the grant of the licence would:

1. Undermine the promotion of the licensing objectives; and
2. That appropriate conditions would be ineffective in preventing the problems involved.

If the Licensing Authority could not show the above, then the application should be granted.

In making their decision, Members were also advised to consider the Licensing Act 2003, the Guidance on the Act and the Council's Statement of Licensing Policy.

The Sub-Committee then heard the individual submissions from each of the parties present.

In presenting the case for the applicant, Mrs McGuire explained that Mildenhall Social Club was a family friendly community facility which aimed to provide a variety of entertainment for its members.

A number of whom had requested that the Club host outside music events in the Summer months, hence, the application seeking determination.

Mrs McGuire reiterated the strict restrictions in relation to the outside live music and explained that the Club would be happy to notify neighbours in advance of any occasion. She added that the Club had taken all reasonable steps to manage complaints received from neighbouring residents.

Mr Keogh then addressed the meeting in respect of his representation (Appendix 7). He stressed that there were no physical barriers in place between the Social Club and the closest neighbouring residents in Turnstone Close, who would therefore suffer considerable disturbance from an outside live music event.

Mr Keogh added that the behaviour and bad language from Social Club patrons was a regular disturbance at weekends which he considered would be exacerbated by an outside live music event, as applied for.

All parties were then given the opportunity to sum up their individual representations.

After hearing the submissions and asking questions of the parties present the Sub-Committee then retired to another room to give further consideration to the application.

On returning to the Council Chamber the Business Partner (Litigation/Licensing) advised all on the Sub-Committee's decision.

With the vote being unanimous, it was

**RESOLVED:**

That, having taken into account all representations received both in writing and orally, considered alongside the National Guidance and the Council's Statement of Licensing Policy, the Sub-Committee was satisfied that the applicant had shown there would be no adverse impact on the Licensing Objectives and **THE VARIATION APPLICATION WAS GRANTED** subject to the following additional conditions:

Prevention of Public Nuisance

1. The licensee will carry out a risk assessment and consult with the Licensing Authority before each event to ascertain whether the presence of SIA security personnel will be required.
2. The licensee will publicise each event at least one month in advance in order to bring notice of the event to residents living in the locality of the premises.

The Business Partner (Litigation/Licensing) also advised on the Right of Appeal against the determination of the Authority.

The meeting concluded at 10.57am

**Signed by:**

**Chairman**

---