

Licensing and Regulatory Sub-Committee



Forest Heath
District Council

Title:	Agenda
Date:	Wednesday 11 July 2018
Time:	<u>9.30am</u> – Briefing for Members of the Sub-Committee in Room 4 <u>10.00am</u> – Hearing Commences in the Council Chamber
Venue:	Council Chamber District Offices College Heath Road Mildenhall
Full Members (3):	Chris Barker Simon Cole Carol Lynch
The membership of this Sub-Committee is drawn from Members of the full Licensing and Regulatory Committee and needs not to be politically balanced.	
Substitutes:	Named substitutes are not appointed
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Quorum:	Two Members
Committee administrator:	Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk

LICENSING ACT 2003 – HEARING PROCEDURE

Pre-Hearing Matters

1. Declaration of Interests
2. Chairman will introduce members of the Hearing Panel
3. Chairman will ask those present to introduce themselves in the following order:
 - Applicant and any person representing or assisting them (Confirmation also should be given that copies of the relevant representations to be considered at the Hearing have been received);
 - The Officer of the Licensing Authority, the Committee Administrator and the Legal Advisor to the Hearing Panel;
 - Responsible authorities that have made a relevant representation;
 - Interested parties who have made a relevant representation (Interested parties should confirm whether a spokesperson has been nominated and, if so identify them);
 - In the event of a review hearing, the respondent.
4. The Chairman will ask all parties to the Hearing whether they wish to withdraw their application or representation.
5. The Chairman will ask the Officer of the Licensing Authority to report:
 - Any requests from a party to the Hearing for permission for a witness to appear in support of their representation. Any such requests will be determined by the Hearing Panel.
 - Any documentary or other information that a party to the Hearing wishes to present. If there is any such material, the Chairman will ask all the other parties to the Hearing whether they consent to it being presented. If they agree, the material will be distributed. If not, the said material may not be distributed unless there are exceptional circumstances which in the Chairman's opinion render it necessary and appropriate for the said material to be presented to the Hearing Panel. In this regard the Chairman's decision will be final.
6. The Chairman will invite the applicant or his representative to estimate the time required to present their case and ask questions of other parties to the Hearing. He will then ask the other parties to the Hearing whether they will require a longer period to present their representation and question the applicant. The Hearing Panel will determine the maximum period of time allowed for each party to put their case. This decision will be final.

THE HEARING

Immediately the pre-Hearing matters have been dealt with the Hearing will commence.

1. The Chairman will ask the Officer of the Licensing Authority to summarise the matter under consideration.
2. The members of the Hearing Panel, the applicant, and those making representations may ask questions of the Officer of the Licensing Authority.
3. Starting with the applicant and, in the event of a review, concluding with the respondent, each party will exercise their rights within the identified maximum time, as follows:
 - Each party to present their case, including responding to any points of which the Licensing Authority has previously given notice, and call any approved witness or witnesses in support of their case.
 - If given permission by the Chairman, and only through the Chairman of the Hearing, each member of Sub Committee, office of the Licensing Authority or any party may raise questions of any other party or witness/witnesses.
4. Starting with the applicant and, in the event of a review hearing, concluding with the respondent, each party will be asked to sum up their case.
5. All those present, other than the members of the Hearing Panel, their Legal Advisor and the Committee Administrator, will be asked to leave the meeting to allow Members to determine the application.
6. All parties will be recalled. The Legal Advisor to the Hearing Panel will advise those present of any advice that has been provided during the determination. The Chairman will then:
 - either announce the decision, together with the reasons for it if it is a Hearing in relation to an application for which the Licensing Authority may make its determination at the conclusion of the Hearing; OR
 - advise all the parties that the Licensing Authority will make its determination within 5 working days, in which case notification of the determination will be sent out in writing (including the rights of appeal) to all relevant parties not later than 5 working days after the Hearing date.

7. In the event of the Licensing Authority making its determination at the conclusion of the Hearing the Chairman will outline the rights of appeal. The decision and rights of appeal will also be confirmed in writing by the Officer of the Licensing Authority forthwith.
8. Nothing within paragraph 6 above will preclude a Licensing Authority from making its determination at the conclusion of any Hearing, should the Hearing Panel so decide. It is entirely within the discretion of the Members of the said Panel whose decision in this regard will be final.

Agenda

Procedural Matters

Part 1 – Public

- | | <i>Page No</i> |
|--------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1. Apologies for Absence | |
| 2. Substitutes | |
| 3. Election of Chairman | |
| 4. Application for the Variation of a Premises Licence in respect of Mildenhall Social Club, Recreation Way, Mildenhall | 1 - 38 |
- Report No: **LSC/FH/18/004**

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Licensing and Regulatory Sub-Committee



Forest Heath
District Council

Title of Report:	Application for the Variation of a Premises Licence in respect of Mildenhall Social Club, Recreation Way, Mildenhall
Report No:	LSC/FH/18/004
Report to and date/s:	Licensing and Regulatory Sub-Committee – 11 July 2018
Portfolio holder:	Councillor Lance Stanbury Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forest-heath.gov.uk
Lead officer:	Sheila Gowans Licensing Officer Tel: 01638 719364 Email: sheila.gowans@westsuffolk.gov.uk
Purpose of report:	To determine an application for the variation of a premises licence under the Licensing Act 2003. There have been three representations, and the Sub-Committee are, therefore, required to determine the application.

Recommendation:	<p>It is recommended that, having regard to the four licensing objectives; Statement of Licensing Policy; the representation(s); any further relevant information presented on the day of the hearing; take any of the steps set out below provided they are proportionate and appropriate for the promotion of the four licensing objectives:</p> <p>(1) Approve the application; OR (2) Modify the conditions of the licence and approve the application; OR (3) Reject the whole or part of the application.</p>		
Key Decision:	<p><i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/></p>		
Consultation:	See number 4 below		
Alternative option(s):	N/A – the Council is duty bound to determine the application		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> See number 5 below	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Any decision reached which is not in accordance with the Act and any regulations made under the Act may be considered ultra vires and could be subject to an application for Judicial Review	High	The Sub-Committee, should have regard to its statement of licensing policy and any other guidance issued under section 182 of the Licensing Act 2003, but may depart from these where reasons are given.	Low
Ward(s) affected:		Market and possibly neighbouring Great Heath	

<p>Background papers: <i>(all background papers are to be published on the website and a link included)</i></p>	<p>Licensing Act 2003 S.182 Guidance https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003</p> <p>Forest Heath Statement of Licensing Policy https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Alcohol_and_entertainment/upload/Licensing-Act-Statement-of-Policy-2014-to-2019-4th-Edition.pdf</p>
<p>Documents attached:</p>	<p>Appendix 1 – Application Appendix 2 – Plan Appendix 3 – Photo of area Appendix 4 – Current Premises Licence Appendix 5 – Map of the area Appendix 6 - Representation Lyne Appendix 7 – Representation Keogh Appendix 8 – Representation Gilbert</p>

1. Key issues

- 1.1 An application has been received for the variation of a premises licence for Mildenhall Social Club, Recreation Way, Mildenhall. A copy of the application is attached as **Appendix 1**. A copy of the plan showing the outside area to be licenced is attached as **Appendix 2** and a photo of this outside area is attached as **Appendix 3**.
- 1.2 The original application has been modified and the variation now sought is to allow outside live music to be played within the following limits:
- No more than 5 occasions between June 1st and September 1st in any one year;
 - No music will be played for more than two hours continuously on any one day;
 - Outdoor live music will only occur between 15.00 and 19.00.
- 1.3 A copy of the current licence is attached as **Appendix 4** to this report and a map show the immediate area is attached as **Appendix 5**.
- 1.4 The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives:
- Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Nuisance
 - Protection of Children from Harm

2. Relevant Representations

- 2.1 The application has to be advertised, both at the premises and in a local newspaper. Details are also available on the Council website. This application was advertised in the Newmarket Journal on 31 May 2018.
- 2.2 **Responsible Authority** There are no representations from any responsible authority. The hours for music were reduced following consultation.
- 2.3 **Other Parties** There have been three representations in respect of Prevention of Public Nuisance, which are attached as **Appendix 6, 7 and 8**. All objectors are aware of the reduction in hours of the live music.

3. Matters for consideration

- 3.1 Section 17 of the Crime and Disorder Act 1998 imposes 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 can to prevent crime and disorder in its area.
- 3.3 If the Licensing Authority decides that this application should be refused, it will need to show that to grant 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 can not show the above, the application should be granted.

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

4. Consultation

- 4.1 The applicant is required to place a notice on the premises; and advertise the application in a locally circulating newspaper/periodical. The Licensing Authority advertises the application on the Council website.

5. Legal and policy implications

- 5.1 The Sub-Committee may take any of the steps set out below, provided they are proportionate and appropriate for the promotion of the Licensing Objectives:
 - a) Approve the application; or
 - b) Modify the conditions of the licence and approve the application; or
 - b) Reject the whole or part of the application.

A condition is modified where it is altered or omitted or any new condition is added.

- 5.2 Section 6 of the Licensing Statement of Policy, paragraph 6.1, as set out below, is relevant and is brought to the attention of the Licensing Act Sub-Committee: "The Licensing Authority, through the exercise of its licensing functions once its discretion is engaged, shall not seek to restrict the trading hours of any particular premises unless it is considered necessary and proportionate to promote one or more of the licensing objectives. Each application will be considered individually on its own merits;" having regard to the Council's Statement of Licensing Policy and the guidance issued under section 182 of the Licensing Act 2003.
- 5.8 The licence application is made in accordance with the Licensing Act 2003 and the Licensing Statement of Policy. The decision may be appealed, by the applicant or any other party to the hearing, within 21 days of written notification of the determination made by the sub-committee.
- 5.9 When representations have been made the Council must hold a Hearing within 20 working days of the close of the consultation period. The Licensing Act 2003 (Hearings) Regulations 2005 allows the Licensing Authority the power to extend the time limit for a specific period, when it considers this to be necessary and in the public interest.

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Forest Heath
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@westsuffolk.gov.uk
 Telephone: 01284 758050

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

38,750

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VARIATION

Do you want the proposed
variation to have effect as
soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

We would like to apply for a variation to allow us to have performances of live music and recorded music outdoors on Fridays, Saturdays and Sundays (preferably 10.00 - 00.00 Fridays, 10.00 - 00.45 Saturdays and 12.00 - 23.00 Sundays). We have a dedicated under-cover area between the main social club building and the bowls pavilion, surrounded by a patio, beneath which live music could be staged

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Live music such as solo artists, bands, etc. Music will be amplified but the "stage" area is beneath an open-sided solid canopy

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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Continued from previous page...

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

We do not provide any entertainment or services that would not be suitable for children, other than the sale of alcohol and gambling machines. Children are permitted into the premises but only under close supervision for parents/guardians

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. We will seek help and guidance from relevant local authorities
 2. We will see help and guidance from the local police force
 3. We will keep outdoor live entertainment to a minimum and only for special occasions
 4. We will closely monitor visitor behaviour
 5. We will closely monitor visitor numbers to comply with all necessary fire and safety regulations

b) The prevention of crime and disorder

This is a members' only facility. When events are staged that are open to non-members, each visitor must sign in and pay a visitor fee. All entertainment events are closely supervised by members of the Committee and, when deemed necessary, by professional door staff. CCTV cameras operate throughout the building and its exterior. Alcohol consumption is closely monitored

c) Public safety

We closely monitor and, where necessary, limit visitor numbers when entertainment is staged. We have adequate fire exits, fire alarms and fire prevention equipment as well as first-aid equipment including CPR.

d) The prevention of public nuisance

We only intend to provide live outdoor entertainment on a very limited number of occasions and only during the summer months. We also intend to keep such entertainment to a maximum of two hours at any one time (and usually less). We would be quite prepared to notify our residential neighbours in advance of any relevant forthcoming events

e) The protection of children from harm

All our events and entertainment are suitable for children. Children are allowed on the premises but only under close supervision by parents/guardians. Children have no access to alcohol or gaming machines. We do not allow children to roam freely around the premises

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name	<input type="text" value="Sylvia Manels"/>
* Capacity	<input type="text" value="Bar Steward"/>
* Date	<input type="text" value="15"/> / <input type="text" value="11"/> / <input type="text" value="2016"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/forest-heath/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="MAM/01"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
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Approval deadline	<input type="text"/>
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TURNSTONE CLOSE

APPENDIX 2

PROJECT CHANGE OF USE, ALTERATIONS AND MILDENHALL SOC RECREATION WAY MILDENHALL IP28 7HG CLIENT MILDENHALL SOC

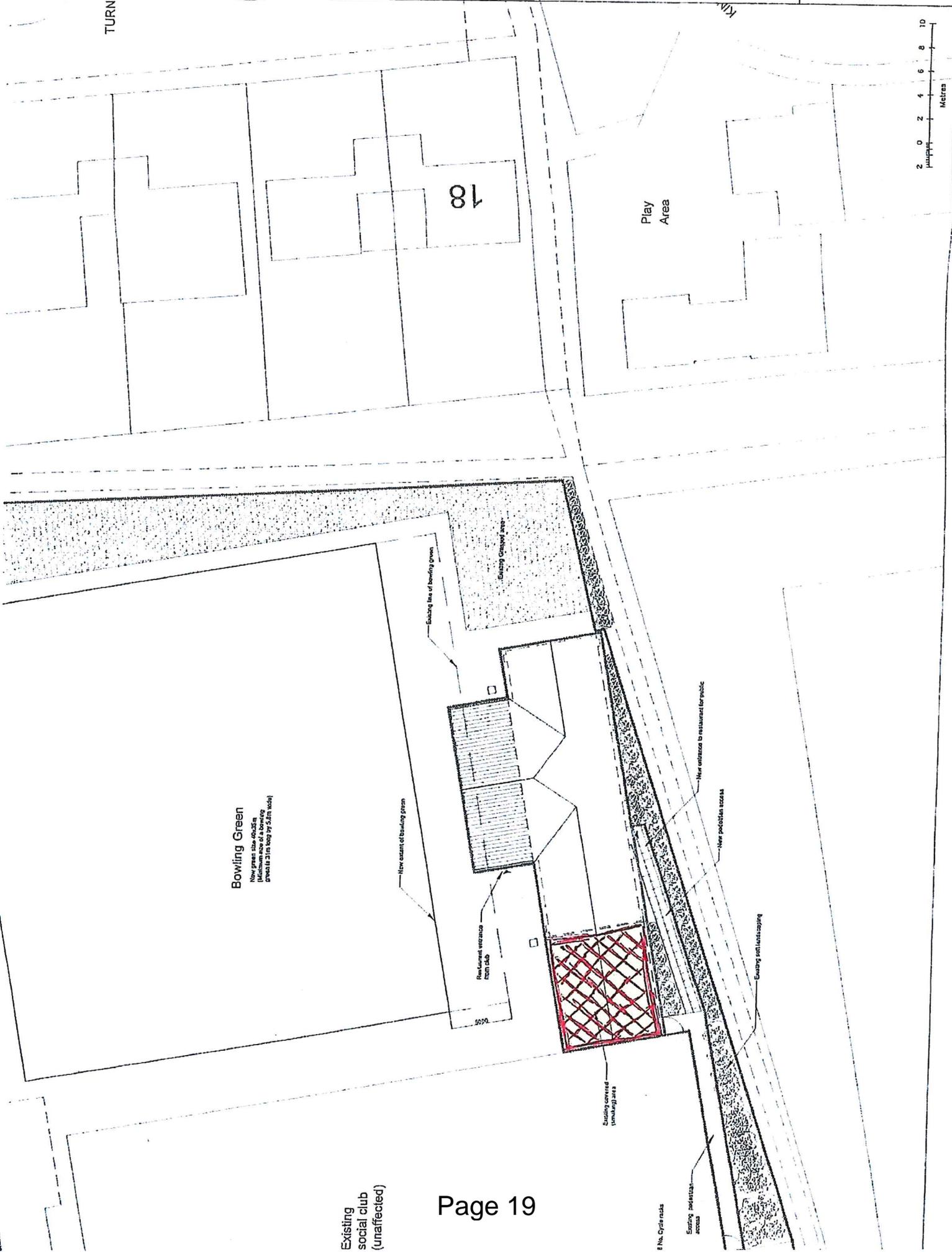
TITLE PROPOSED BLOCK

DRAWN SP DATE JANU/ SCALE 1:200 (

DRG NO 1809/0

REVISIONS **A**

ARCHITECTURAL logo and contact information for TURNSTONE ARCHITECTS, including phone number 01473 610000 and website www.turnstonearchitects.co.uk



Bowling Green
New green size 40x25m
Maximum size of a bowling green is 40m long by 25m wide

18

Play Area



Existing social club (unaffected)

8 No. Cycle racks

Existing pedestrian access

Existing soft landscaping

Existing covered (unusable) area

5000

New extent of bowling green

Existing line of bowling green

Existing Greened Area

Restaurant entrance from club

New entrance to restaurant for public

New pedestrian access

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Licensing Act 2003
Premises Licence

PL217

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Mildenhall Social Club

Recreation Way, Mildenhall, Bury St Edmunds, Suffolk, IP28 7HG.

Telephone 01638 712143

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	6:30pm	Midnight
	Christmas Eve	6:30pm	1:00am
	New Years Eve	6:30pm	2:00am
	Bank Holiday Sundays	6:30pm	2:00am
F. Playing of recorded music (Indoors)	Sunday to Thursday	6:30pm	Midnight
	Friday & Saturday	6:30pm	2:00am
	Christmas Eve	6:30pm	1:00am
	New Years Eve	6:30pm	2:00am
	Bank Holiday Sundays	6:30pm	2:00am
I. Late night refreshment (Indoors)	Sunday to Thursday	6:30pm	Midnight
	Friday & Saturday	6:30pm	2:00am
	Christmas Eve	6:30pm	1:00am
	New Years Eve	6:30pm	2:00am
	Bank Holiday Sundays	6:30pm	2:00am
J. Supply of alcohol for consumption ON the premises only	Sunday to Thursday	11:00am	Midnight
	Friday & Saturday	11:00am	2:00am
	Christmas Eve	11:00am	1:00am
	New Years Eve	11:00am	2:00am

Licensing Act 2003 Premises Licence

PL217

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON the premises only continued ...	Bank Holiday Sundays	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	11:00am	Midnight
Friday & Saturday	11:00am	2:00am
Christmas Eve	11:00am	1:00am
New Years Eve	11:00am	2:00am
Bank Holiday Sundays	11:00am	2:00am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mildenhall Social Club
Recreation Way, Mildenhall, Bury St Edmunds, Suffolk, IP28 7HG.
Telephone 01638 712143

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Sylvia MANELS
Mildenhall Social Club, Recreation Way, Mildenhall, Bury St Edmunds, Suffolk, IP28 7HG.
Telephone 01638 712143 or 01638 715428

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. FH0197
Issued by Forest Heath

Licensing Act 2003 Premises Licence

PL217

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

1. No supply of alcohol may be made under this licence.

At a time when there is no designated premises Supervisor in respect of it or,
At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

New Mandatory Conditions effective 6 April 2010

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the

Licensing Act 2003 Premises Licence

PL217

ANNEXES continued ...

premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

New Mandatory Conditions effective 1 October 2010

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. The club to be strictly operated in accordance with the club rules current at the time.
2. The DPS or any person appointment on their behalf shall be a member of the Pub watch or any other similarly operated scheme.
3. No unaccompanied children allowed in the premises.

Licensing Act 2003
Premises Licence

PL217

ANNEXES continued ...

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Licensing Act 2003 Premises Licence Summary

PL217

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Mildenhall Social Club

Recreation Way, Mildenhall, Bury St Edmunds, Suffolk, IP28 7HG.

Telephone 01638 712143

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

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	New Years Eve	11:00am	2:00am

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From: [REDACTED]
Sent: 25 May 2018 13:09
To: licensing
Subject: Mildenhall Social Club licence variation

I am writing to strongly object to the application from Mildenhall Social Club to play live/recorded music outdoors at weekends until late.

[REDACTED]

If this were to be approved, it would be devastating to my family and our neighbours. We already experience significant noise (music and noise of patrons) from the social club on a regular basis, particularly during the summer when they have their doors/windows open at the back allowing for the noise to travel. This is borderline intolerable, as it is.

Playing loud music outdoors would be unbearable for nearby residents and the impact on our lives would be significant. The area they propose to play the music is SO close to so many properties. The club have previously played music outdoors (last summer particularly), and it's impact was significant every time. The music could very clearly be heard indoors (even with our double glazed windows shut) and disturbed our sleep, including that of our [REDACTED] who couldn't sleep at all. We also have a [REDACTED] with loud music playing at night fills me with dread as it will undoubtedly disturb his sleep and ours. Particularly when during the summer in high heat, we'd of course preferably choose to have our windows open to control the temperature indoors. To give an example of how loud it is when they've previously played music outdoors, we couldn't hold a conversation in our garden whilst it was on. The way the sound bounces back off the houses means it sounds like we are holding a party for hundreds of people in our own garden. We can also hear conversations between patrons very clearly - like they are stood right next to us. Indoors, we could hear clearly every word of the dj/announcements, in addition to the music and bass.

We strongly suggest, for the sake of nearby residents, that this application is fully rejected. We don't believe that any benefit to the community in approving this application, would outweigh the severe negative impact it would have on a large number of residents. Given how close the outside area of the social club is to a residential area, and how much louder outside music would be, we don't think outdoor music should be allowed at ANY time in any conditions.

Best wishes,

[REDACTED]

Sent from Samsung Mobile on O2

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To: Licensing Officer
Forest Heath District Council
District Offices
College Heath Road
Mildenhall
Suffolk, IP28 7EY

APPENDIX 7

6th June , 2018

Mildenhall Social Club: License variation

Dear Sir/Madam

I am writing to you objecting to the above licensing variation application regarding the playing of live music outdoors at specific times. My main objection is that of noise disturbance with the further underlying concern of the use of foul and abusive language from its patrons and the performing artists.

Since the social club has moved to its present site, residents in Turnstone Close have been subject to noise disturbances due to discos and live music and also from the club's patrons when they are outside smoking and drinking. **In 2016 and 2017 there have been live music events held outside with noise levels so high that destroy any calm and tranquility.** I have seen a copy of their original license which had clearly been stamped that all live music events were inside only so I can only conclude (as I have not been told otherwise) that they were in breach of their license. After each of these events took place, I took this matter up with Environmental Health and also with the police because of foul language that could be clearly heard at the time. I know that the Social Club has since made efforts to control some noise from music events played inside, but in the summer months when no music event is on, patrons can freely move around outside on the patio area and unfortunately some of the patrons again use foul language.

Whilst this license variation application has rigid and limited time slots for live music outside there is not much consolation. I see myself and the nearby residents being subjected to very loud music with no physical barriers for noise control. Additionally, the patrons may well be present for a much longer period than that of the two hours, and unfortunately to say it, there is not control from the staff being made on the patrons as the more people drink over long period of time, some of those people will become louder and louder, with their language becoming more foul and offensive.

In conclusion, the Social Club is not a venue where live outdoor music events should be held.

Aidan & Julia Keogh

Mildenhall

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From: G GILBERT <
Sent: 14 June 2018 21:58
To: licensing
Subject: Mildenhall Social Club - Variation of a Premises Licence

Dear Sir

I am writing regarding the variation of the premises licence that is currently being considered for Mildenhall Social Club.

Whilst fully appreciating that the owner and management of the Social Club are running a business and as such as looking for ways to improve their footfall / profits I do feel that this should not be done at the 'expense' of the residential properties that are close by.

Working the long hours that I do, I do not relish the prospect of coming home hoping to enjoy some peace and quiet in my own garden only to find that the noise from the revised entertainment licence prevents me being able to relax in my own home. Currently, the noise levels from music being played **inside** the Social Club can be heard when the windows and doors at my property are shut and, on occasions, can be heard above the noise from my TV or radio. Personally I find the summer months are worse because the noise levels increase with people sitting outside talking and drinking and this invariably leads to an greater increase in the noise as the evening progresses.

I believe that this new application to allow music to be played outside will increase the noise levels considerably for the neighbouring properties not just for the 2 hours that the music is played but longer as the patrons of the club are likely to stay outside and continue drinking until closing time.

When considering this request I would hope that on this occasion, the planners will see beyond the business potential of this application and value the quality of life for the residents of the nearby properties who are also subject to noise from Mildenhall Football Club. Tonight being such an evening when at 10pm the noise from the Football Club can clearly be heard inside my house despite my windows and doors being shut and the TV is on.

G Gilbert

Turnstone Close
Mildenhall

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