

**LICENSING SUB-COMMITTEE****DATE AND TIME OF HEARING:
THURSDAY, 16 DECEMBER 2021 AT 10.00 AM****LOCATION OF HEARING:
VIRTUAL TEAMS MEETING**

LICENSING ACT 2003 NOTICE OF HEARING

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 of a Sub-committee of the Authority's Licensing and Regulatory Committee has been arranged as set out above in order to determine the following application:

Application for the GRANT of a premises licence (section 17)

Application date: 27 October 2021
Applicant: Aldi Stores Ltd
Premises: Aldi, Girling Street, Sudbury, Suffolk CO10 1LZ

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned

Sub-Committee Members**Members**

Sue Ayres
Sue Carpendale
Margaret Maybury

Reserve Member

John Nunn

This meeting will be broadcast live to YouTube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/ training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA**PART 1****MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT**

Page(s)

- 1 **WELCOME - LEGAL ADVISOR TO THE SUB-COMMITTEE**
- 2 **ELECTION OF CHAIRMAN FOR HEARING (IF APPROPRIATE)**

3 **APOLOGIES FOR ABSENCE**

4 **DECLARATION OF INTERESTS BY COUNCILLORS**

5 **B/LASub/21/2 HEARING TO DETERMINE AN APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003 - ALDI, GIRLING STREET, SUDBURY CO10 1LZ** 5 - 36

Report from the Licensing Team attached.

6 **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

Sub-Committee deliberations to take place in closed session.

7 **RE-ADMITTANCE OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

Procedure to be followed at the hearing

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The procedure is 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):

If any party is withdrawing their application or representation then please contact us at LicensingTeam@babberghmidsuffolk.gov.uk without delay.

If any party is to rely on **documentary/video or other material** to support their representation or submission, please provide it as soon as possible in a legible/useable format (with any redactions having been made where appropriate). Late or on the day documentation/media production may not be admissible, in accordance with relevant regulations.

APPLICANT – LICENCE HOLDER – RESPONSIBLE AUTHORITIES – OTHER PERSONS

Please ensure that you complete and return the attached 'Attendance at Hearing Notice' NO LATER than 5 (five) working days before the date of the hearing.

A party who wishes to withdraw any representations they have made 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.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils YouTube page:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01473 296373 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Protocol for Virtual Meetings

Live Streaming:

1. The meeting will be held on TEAMS and speakers will be able to join via invite only. Any person who wishes to speak at the meeting must contact Committee Services at: committees@baberghmidsuffolk.gov.uk at least 24 hours before the start of the meeting.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:

https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

Recording of proceedings:

1. Proceedings will be conducted in video format.
2. A second Governance Officer will be present and will control the TEAMS call and Livestreaming.

Disclosable Pecuniary Interests:

A Councillor declaring a disclosable pecuniary interest will not be permitted to participate further in the meeting or vote on the item. Where practicable the Councillor will leave the virtual meeting, including by moving to a 'lobby' space and be invited to re-join the meeting by the Committee Officer at the appropriate time. Where it is not practicable for the Councillor to leave the virtual meeting, the Committee Officer will ensure that the Councillor's microphone is muted for the duration of the item.

Confidential items:

The Public and Press may be Excluded from the meeting by resolution in accordance with normal procedural rules. The Committee Officer will ensure that any members of the public and press are disconnected from the meeting and the livestream will cease.