



LICENSING SUB-COMMITTEE

Monday 27th November 2023

APPLICATION DETAILS

Type:	New – Premises Licence
Name of Applicant(s):	Kesgrave Social Club
Address of Applicant(s):	Kesgrave Social Club, Edmonton Road, Kesgrave Ipswich Suffolk IP5 1EE
Type of applicant (Premises Only):	Limited company
Name of Premises:	Kesgrave Social Club
Address of premises:	Kesgrave Social Club, Edmonton Road, Kesgrave Ipswich Suffolk IP5 1EE
Description of Premises:	Social Club

EXECUTIVE SUMMARY:

- This is an application for a new Premises Licence.
- The application seeks to permit the following licensable activities: Indoor sporting events, live music, recorded music, performance of dance, supply of alcohol on-sales

Is the report Open or Exempt?	Open
Wards Affected:	Kesgrave
Cabinet Member:	Councillor Jan Candy, Cabinet Member with responsibility for Community Health
Supporting Officer:	Jodie Fisher Licensing Officer 01394 444363 Jodie.Fisher@eastssuffolk.gov.uk

1. PROPOSED LICENSABLE ACTIVITIES

Indoor Sporting Events

Tuesday to Thursday	19:00 to 23:00
Saturday	10:00 to 19:00
Sunday	10:00 to 18:00

Live Music – Indoors

Friday	19:00 to 00:00
Saturday	19:00 to 00:30
Sunday	12:00 to 00:00

Recorded Music – Indoors

Monday	11:00 to 00:00
Friday	19:00 to 00:00
Saturday	10:00 to 00:30
Sunday	10:00 to 00:00

Performance of Dance - Indoors

Friday and Saturday	19:00 to 00:00
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Supply of Alcohol – On Sales

Monday to Friday	11:00 to 00:00
Saturday	10:00 to 00:30
Sunday	10:00 to 23:00

2. PROPOSED OPENING HOURS

Monday	11:00 to 00:00
Tuesday	11:00 to 16:00 and 19:00 to 00:00
Wednesday	11:00 to 14:00 and 19:00 to 00:00
Thursday	11:00 to 17:00 and 19:00 to 00:00
Friday	11:00 to 14:00 and 19:00 to 00:00
Saturday	10:00 to 00:30
Sunday	10:00 to 23:00

3. OPERATING SCHEDULE

- 3.1 The following steps have been proposed in order to promote the four licensing objectives. These are proposals offered by the applicant and in their own words. Some submissions may already form part of the licence, as mandatory conditions; others may be re-worded by officers to form meaningful, enforceable conditions on the licence.

General

CCTV and alarm is linked to priority staff/committee members if needed.

Fire safety log is signed by staff member each morning after checks, as well as a committee member regularly carrying out checks on fire alarms.

Staff on duty to make sure windows and doors are closed before events. Daily cleaner to keep all bins and ashtrays empty.

Staff are aware of challenge 25 and a reminder is left behind the bar with the current year of turning 18 on. Staff also aware that under 16s must not be in the club unless accompanied by an adult.

Prevention of crime and disorder

CCTV outside

Alarm System in place

Public safety

Health and safety / risk assessments in place

Fire safety

Prevention of public nuisance

Windows and doors are kept closed when we have events to combat noise.

Also, we have signs up asking customers to leave in a quiet manner

Bins and ashtrays provided for litter

Protection of children from harm

Under 16s are not permitted without an adult

Challenge 25

Anyone under 18 is strictly not allowed into event which is 18+

The plan of the premises is attached as **Appendix A**.

4. REASON FOR HEARING

4.1 One representation against the application has been received from a local resident.

4.2 The applicant has been provided with a copy of the representation and it is attached as **Appendix B**.

4.3 Summary of grounds for representation:

We already witnessed them screaming and shouting in the social club premises front and as they leave the premises, doing it longer and more often will increase crime in the area.

Amplification system noise levels are too loud, and everyone in our house is struggling to sleep during weekend performances, including 9 years disabled son.

Within 4 months of living next to Social Club I witnessed total ignorance of commitments they undertake, total ignorance of nuisance they create to surrounding homes including ours.

5. POINTS FOR CONSIDERATION

5.1 In exercising its licensing functions, the Licensing Authority has stated in its licensing policy that it will primarily focus on the direct impact of the licensable activities taking place at the

licensed premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.

5.2 The attention of the Sub-Committee is drawn to the following:

- a) The Licensing Act 2003 Section 4 requires the Sub-Committee to have regard to:
 - Guidance Issued under Section 182 of the Licensing Act 2003.
 - The Council's Statement of Licensing Policy

If the Sub-Committee has reason to depart from the above it is asked to give full reasons for so doing.

- b) Human Rights Act 1998

The Human Rights Act 1998 came into force on the 2 October 2000. The Sub-Committee is urged to have careful regard of its provisions.

It is unlawful for a public authority (this expression includes local authorities) to act in a way which is incompatible with a human right.

As far as the applicant's right to a fair hearing is concerned (Article 6), the applicant has a right to be heard by the Licensing Sub-Committee. If this application is refused or granted subject to modification, the applicant has a right of appeal to the Magistrates' Court.

In assessing the impact of human rights, the Sub-Committee must seek to strike a balance between the right of the proprietors in the business to conduct it as they wish and local residents who may find its activities intrusive. In this context a business is a "possession" and the human right is expressed to be for the "peaceful enjoyment" of it. A rider to this human right empowers the Council to control the enjoyment of that business by its proprietors in the general interest. At the same time, local residents are entitled to the peaceful enjoyment of their homes.

5.3 The relevant notices about this hearing have been served on the applicant and the interested party and they have until 20 November 2023 to confirm that they intend to attend, or not, as the case may be and give notice that they wish to call witnesses.

6. CONCLUSION

6.1 The applicant has been advised of the representation that has been made and there may be mediation between the applicant and the interested party before the hearing in order to achieve agreement. In the event that an agreement is not possible, the Sub-Committee will be asked to determine this application by:

- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application and any condition which must be included in the licence in accordance with the Licensing Act 2003.
- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives

(for example, by excluding a licensable activity or restricting the hours when a licensable activity can take place), and any condition which must be included in the licence in accordance with the Licensing Act 2003.

- Rejecting the application.

6.2 If the decision reached by the Sub-Committee results in differences between the conditions attached to the licence and the planning permission currently in force for these premises, the applicant should be advised that the planning permission must be adhered to unless and until it is amended to reflect the conditions attached to the licence.

6.3 Depending on the decision of the Sub-Committee, the applicant and / or responsible authority and interested parties that have made representations have rights of appeal to the Magistrates Court.

6.4 When announcing its decision, the Sub-Committee is asked to state its reasons.

APPENDICES	
Appendix A	Plan of the premises
Appendix B	Representation

BACKGROUND PAPERS	
None	