

Unconfirmed

Minutes of a Meeting of the **Shadow Licensing Sub-Committee (South)** held in the Deben Conference Room, East Suffolk House, Riduna Park, Melton, Woodbridge on **Wednesday 3 April 2019 at 10.00am**

Members present:

M Newton (Chairman), C Hedgley, J Fisher, N Yeo (Reserve)

Officers in attendance:

T Bailey (Senior Licensing Officer), C Bing (Legal and Licensing Services Manager), M Makin (Democratic Services Business Manager).

Others in attendance:

S Skeet (Chairman, Deben Bar)

B Grundy (Tugmaster/Boatman, Melton Boatyard)

1. Apologies for Absence

There were no apologies for absence.

2. Declarations of Interest

Councillor Hedgley declared a Local Non-Pecuniary Interest in item 3 on the Agenda, as he had served in the Royal Navy.

3. Application for a new Club Premises Certificate: HMS Vale, Melton

The Senior Licensing Officer informed the Sub-Committee that she had been originally advised that no-one from Deben Bar would be able to attend the meeting. However Mr Skeet, Chairman of Deben Bar, and Mr Grundy from Melton Boatyard were in attendance, having become unexpectedly available.

It was clarified by Mr Skeet that Deben Bar's committee secretary Mrs Meadows, who had made the application on behalf of Deben Bar, was not aware that he had been able to attend the meeting.

The Sub-Committee received report **REP 40 (SH)** which was presented by the Senior Licensing Officer, who stated that the application was for a new Club Premises Certificate for Deben Bar on HMS Vale and sought the sale and supply of alcohol. The reason for the hearing was that five representations of objection to the application had been made within the statutory period.

The Sub-Committee was advised that the applicant had invited those persons who had made a representation onboard the vessel; this offer had not been taken up. In anticipation of no-one from Deben Bar being able to attend, Mrs Meadows had submitted a written

representation on 1 April 2019; this was circulated electronically to the Sub-Committee on 2 April 2019.

The Senior Licensing Officer referred the Sub-Committee to the main points for consideration as identified within the report, including having regard to guidance issued under Section 182 of the Licensing Act 2003, the Council's Statement of Licensing Policy and the Human Rights Act 1998.

The Chairman invited questions to the Officer.

It was confirmed that the Council was using the fifth edition of the Statement of Licensing Policy.

Having sought advice from the Legal and Licensing Services Manager, the Chairman asked for it to be recorded in the Minutes that Mr Skeet was noted in the application as being the Chairman of Deben Bar and in that capacity could make a representation on behalf of the applicant. Mr Skeet advised that he was content for the Sub-Committee to consider the written representation from Mrs Meadows and would answer any questions Members had.

The Chairman invited questions to Mr Skeet.

A member of the Sub-Committee queried the membership level of Deben Bar. Mr Skeet advised that the club had thirty members, but anticipated this increasing. He informed the Sub-Committee that a maximum of thirty people were allowed onboard HMS Vale at any one time.

Mr Skeet confirmed that he was aware that any extension to operating hours would require planning permission.

The Chairman sought Mr Skeet's views on the concerns raised regarding the unmanned and un-signalled level crossing. Mr Skeet advised that the crossing was overdue for upgrade and would be signalled when this was completed. Mr Grundy added that nearby licenced premises in Woodbridge required accessing a level crossing in order to reach them.

Mr Skeet said that it was unlikely that customers would fall overboard; he stated that he would be strictly controlling the sale of alcohol and would not accommodate people being very drunk onboard HMS Vale.

Another member of the Sub-Committee asked what the current parking arrangements were for HMS Vale. Mr Skeet said that most customers parked within Melton Boatyard.

The Sub-Committee was informed that the Bridge and Top Deck were well lit, as was the nearby river wall.

The Senior Licensing Officer informed the Sub-Committee that Mrs Meadows had submitted Minutes of club meetings which made extensive reference to a Health & Safety policy and a member code of conduct.

The Sub-Committee retired to make its Decision, together with the Legal and Licensing Services Business Manager and the Democratic Services Business Manager.

During the Sub-Committee's deliberation, Mr Skeet and Mr Grundy left the meeting due to work commitments.

On its return the following Decision Notice was read by the Chairman:

"The Sub-Committee considered the application for a new Club Premises Certificate by Deben Bar for HMS Vale, relating to the sale and supply of alcohol.

In reaching its decision, the Sub-Committee also considered the need to promote the four licensing objectives under the Licensing Act 2003, the Central Government guidance issued under Section 182 of the Licensing Act 2003, East Suffolk Council's Statement of Licensing Policy and the Human Rights Act 1998.

A letter of representation was submitted by the applicant on 1 April 2019, which was circulated to the Sub-Committee and formed part of its considerations. The Sub-Committee also heard from Mr Skeet (Chairman of Deben Bar) who was in attendance.

The Sub-Committee considered the five representations received from local residents and their concerns can be summarised as potential noise nuisance, increased parking in residential areas, anti-social behaviour, and health and safety concerns in relation to the nearby unmanned and un-signalled level crossing.

In relation to noise, the Sub-Committee noted that the applicant had not applied for amplified music and that activities would be largely below deck.

With regard to parking control in residential areas this is currently the responsibility of the Police. However, it was noted by Mr Skeet that the majority of members currently park their vehicles within Melton Boatyard. Deben Bar would also need to seek planning permission for any extension of its operating hours; this would include consideration of the amenity of local residents.

In relation to anti-social behaviour the Sub-Committee considered that a problem with anti-social behaviour was unlikely, due to the nature of a Private Members' Club. However, should it become a problem then the licence could be subject to a review.

In respect of health and safety at the unmanned level crossing, the Sub-Committee regarded that this was not one of its considerations in law when making its decision. The safety of level crossings is a matter for Network Rail.

In arriving at its decision the Sub-Committee noted the comprehensive conditions listed by the applicant in the operating schedule, which would promote the licensing objectives under the Licensing Act 2003.

The Sub-Committee has decided to grant the application as submitted.

For information, the Applicant and any party who made a relevant representation, or submitted an objection notice, who is aggrieved by this Decision, or the imposition of any term, condition or restriction, have the right to appeal to Ipswich Magistrates' Court within 21 days of the date they are notified of this Decision.

3 April 2019"

The Sub-Committee concluded at 11.04am.