

# Minutes

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## Licensing/Appeals Sub-Committee Wednesday, 29th June, 2016

### Attendance

Cllr Newberry  
Cllr McCheyne

Cllr Ms Rowlands

### Officers Present

Dave Leonard - Licensing Officer  
Simon Scrowther - Litigation Lawyer  
Jean Sharp - Governance and Member Support Officer

### 78. Appointment of Chair

Members resolved that Cllr McCheyne should chair this meeting of the sub-committee.

### 79. Administrative Function

Members were respectfully reminded that, in determining the matters listed below, they were exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-Committee and the rules of natural justice would apply.

### 80. Declaration of Interests

There were no declarations of interest.

### 81. Premises Licence Application - Licensing Act 2003 - Pivaz - 90B High Street, Brentwood, CM14 4AP

The report before Members provided information relating to the application for a premises licence in respect of Pivaz, 90B High Street, Brentwood, CM14 4AP.

Members were requested to determine the application having regard to the operating schedule, the Council's Statement of Licensing Policy and the four Licensing objectives:

- Prevention of crime and disorder
- Prevention of nuisance
- Public safety
- Protection of children from harm

The application was received on 17 March 2016 from Pivaz Brentwood Limited and a copy was before the Sub-committee. The applicant sought a licence for the provision of the sale of alcohol for the following hours: 10:00hrs to 00:00hrs Sunday to Wednesday and 10.00hrs to 01.00hrs the following morning Thursday to Saturday; Provision of late night refreshment for 23:00hrs – 00:00hrs Sunday to Wednesday and 23.00hrs - 01.00hrs the following morning Thursday to Saturday; Hours the restaurant would be open to the public: 07.00hrs to 01.00hrs the following morning Sunday to Wednesday and 07.00hrs to 02.00hrs the following morning Thursday to Saturday; All days prior to a bank holiday licensed until 01.00hrs the following morning, New Years Eve licensed until terminal hour on following day. New Years Day licensed until 01.00am the following morning.

The application had been advertised in accordance with the Licensing Act 2003 regulations.

One representation had been received from Mr Dadds on behalf of the Sugar Hut, details of which was appended to the agenda.

The Sub-committee was addressed by the applicant's representative, Mr Marshall-Duffield, and Mr Dadds and considered the written and oral submissions from all parties.

The Sub-committee resolved to grant the application subject to the conditions set out at paragraph 5.1 of the agenda being added to the licence save that point 1 of those conditions was amended to "All sales of alcohol shall be made ancillary to a table meal service, such meals being prepared on the premises and consumed at a table. The holding areas shall be restricted to 20 persons at any one time".

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