



Agenda

Licensing Sub-Committee

Tuesday, 25 February 2020 at 11.00 am

Council Chamber, Town Hall, Ingrave Road, Brentwood, Essex CM15
8AY

Membership (Quorum – 3)

Cllrs Chilvers, Jakobsson and Kerslake

Agenda Item

Item

Contents

1. **Appointment of Chair**
2. **Administrative Function**
Members are respectfully reminded that, in determining the matters listed below, they are exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter will be determined on the facts before the Sub-Committee and the rules of natural justice will apply.
3. **Application to Vary the Premises Licence - The Vault, 91 Hutton Road, Shenfield, Brentwood, Essex, CM15 8SD** Shenfield 5 - 76
4. **Taxi Driver matter (Exempt)** 77 - 80
This report is confidential and details are exempt by virtue of Part 1 of Schedule 12 Local Government Act 1972 because information is included relating to an individual.
5. **Taxi Driver Matter (exempt)** 81 - 84
This report is confidential and details are exempt by virtue of Part 1 of Schedule 12 Local Government Act 1972 because information is included relating to an individual.

A handwritten signature in black ink, reading "J. Stephenson", with a horizontal line drawn through the middle of the letters.

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
17.02.2020

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

Access to Information and Meetings

You have the right to attend all meetings of the Council and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Dates of the meetings are available at www.brentwood.gov.uk.

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

these activities, in their opinion, are disrupting proceedings at the meeting.

 **Private Session**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

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 **Access**

There is wheelchair access to the meeting venue from the Main Entrance. If you do wish to attend this meeting, please contact the clerk should you have specific accessibility needs. There is an induction loop in the meeting room.

 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.

Agenda Item 3

Committee: Licensing Sub-Committee	Date: 25 February 2020
Subject: Application to Vary A Premises Licence s.34 Licensing Act 2003	Wards Affected: Shenfield
Report of: Licensing Department	Public
Report Author: Name: Dave Leonard Telephone: 01277 312523 E-mail: dave.leonard@brentwood.gov.uk	For Decision

Summary

An application has been received to vary the premises licence to extend the terminal hour for the provision of Films, Live Music, Recorded Music, Performance of Dance, Supply of Alcohol and Late Night Refreshment on Friday, Saturday & Bank Holiday Sundays to 0145hrs on the following day with the premises being closed to the public by 0215hrs in respect of **The Vault, 91 Hutton Road, Shenfield, CM13 8YX**. One relevant representation has been received. Members are requested to determine the application having regard to the operating schedule, the representations received, the Council's Statement of Licensing Policy and the four Licensing objectives.

Recommendation(s)

Members are asked to:

Consider this report and appendices together with any oral submissions at the hearing and determines the application in line with the options open to the sub-committee under the Licensing Act 2003: However, the available options are

R1. To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;

R2. To grant the application, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives;
or

R3. To refuse the application in whole or in part

Main Report

Introduction and Background

- 1.1 An authorisation is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:
- Sale of alcohol
 - Supply of alcohol (in respect of a club)
 - Regulated Entertainment
 - Provision of Late Night Refreshment
- 1.2 An appropriate authorisation is either, a premises licence, a club premises certificate or a Temporary Event Notice.
- 1.3 Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains details of the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate, be converted into enforceable conditions on any licence issued.
- 1.4 The four licensing objectives are;
- Prevention of crime and disorder
 - Prevention of public nuisance
 - Public safety
 - Protection of children from harm
- 1.5 Any representation must be able to demonstrate that on the balance of probability the application in its current form will fail to adequately promote one or more of the licensing objectives. No other matters may be considered.

2. The Application

- 2.1 This application was received on 31st December 2019 from Mr Graham Hopkins for GT Licensing on behalf of Mr Joe Sullivan and Choice Shenfield Ltd in respect of **The Vault, 91 Hutton Road, Shenfield, CM13 8YX**. A copy of the application is attached at **Appendix A**.
- 2.2 This premise is a bar and restaurant. A set of OS Street Maps and images together with the current Premises Licence issued to the venue to better identify the location are attached at **Appendix B**.

2.3 The application seeks to vary the premises licence to extend the terminal hour for the provision of Films, Live Music, Recorded Music, Performance of Dance, Supply of Alcohol and Late Night Refreshment on Friday, Saturday & Bank Holiday Sundays to 0145hrs on the following day with the premises being closed to the public by 0215hrs.

2.4 The current Premises Licence has twenty-eight conditions consistent with the operating schedule attached at Annex 2. A subsequent meeting with the Brentwood Borough Council Environmental Health Manager, Mr David Carter, did enable both parties to agree on the following proposed recommendations to be incorporated as conditions to be attached to the licence if granted;

A) The terminal hour for all licensable activities on Friday, Saturday & Bank Holiday Sundays will be reduced to 01.45 with close to the public at 02.15.

B) Add the following conditions:

1) All Door Supervisors are to wear body cameras when on duty.

2) A sterile area / room shall be available for use (in the office or kitchen) when the venue is open to the public for use in dealing with sick, vulnerable etc. people. It shall be fitted with an audio equipped CCTV camera.

3) A written dispersal policy shall be prepared & submitted to the Licensing Authority.

NB Within the Dispersal Policy, Door Supervisors and Bar Staff when Door Supervisors are not on duty shall proactively aid in the dispersal from the area of departing customers from the terminal hour and throughout the closing period.

2.5 One valid representation was received from a resident in Burses Way, Hutton. This person has concerns that the extended hours will have an increased impact on public nuisance and public safety in Shenfield and its surrounding residential area. He fears that it may serve as the catalyst for other venue operators to seek parity so turning Shenfield into another Brentwood High Street. This resident's representation, together with all mediation communication, is attached at Appendix C.

3. Reasons for Recommendation

3.1 These are the options available to the Sub-Committee under the Licensing Act 2003.

4. Consultation

- 4.1 The application has been consulted on in accordance with the requirements of the Licensing Act 2003.
- 4.2 Officers from the Licensing Authority have made checks on the display of public notices and in a local newspaper and are satisfied that these requirements have been met.

References to Corporate Plan

Brentwood Council has policies on the matters it will consider when judging an applicant or licence holder to be a fit and proper person to hold a Hackney Carriage and Private Hire Drivers Licence, all policies are referred to in this report.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Director of Corporate Resources
Tel/Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk

There are no direct financial implications for this report.

Legal Implications

Name & Title: Paula Harvey, Corporate Governance Solicitor & Deputy Monitoring Officer
Tel & Email: 01277 312705/paula.harvey@brentwood.gov.uk

Brentwood Council as Licensing Authority under the Licensing Act 2003 and subordinate legislation, is empowered to determine applications of this nature. Notice must be given of the Licensing Authority's decision on this matter. The decision could be subject to an appeal to a Magistrates Court, which can be instigated by either the applicant or the person who made the representation.

Economic Implications

Name/Title: Phil Drane, Director of Strategic Planning
Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk

There are no direct economic implications for this report.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

Background Papers:

None

Appendices to this report

Appendix A: Application Form

Appendix B: Premises Licence, OS Maps & Images

Appendix C: Representation - Other Person Resident from Burses Way, Hutton

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THE VAULT, 91 HUTTON ROAD, SHENFIELD CM15 8YX

APPENDIX A

APPLICATION FORM

Application to Vary the Premises Licence

25 FEBRUARY 2020

Application to Vary a Premises Licence under the Licensing Act 2003

Reference: VPrL164873642

Please note: You must provide online payment for this licence after completing the form. After clicking the submit button at the end of the form you will be taken to our secure online payment website. You can then make the required payment using either a credit or a debit card.

Before completing this form, please read the guidance notes:

[Application to Vary a Premises Licence Guidance Notes](#)

You should keep a copy of the completed application for your records, this will be attached (PDF format) to your acknowledgement email which you will receive upon completion of this application. By completing this application online, you will automatically be notifying the Responsible Authorities.

Cost of Licence

The fee you pay for your licence is based on the rateable value of the premises and if the premises is used exclusively or primarily for the supply of alcohol for consumption on the premises. If you do not know what the rateable value of your premises is, you can find this on the [Valuation Office Agency](#) website.

What is the Non-domestic rateable value of the premises?: 33001-87000

Cost of licence: £315.00

I/We, JOSEPH SULLIVAN, being the premises licence holder, apply for to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 - Premises Details

Premises Address

Flat number (if any)

House number/name THE VAULT

Road name 91 HUTTON ROAD

Town SHENFIELD

County ESSEX

Post code CM15 8SD

Daytime contact telephone number

Premises email address (optional):

Applicant Address

Flat number (if any)

House CHOICE SHENFIELD
number/name LTD
Road name UNIT 2, 99/101
KINGSLAND ROAD
Town LONDON
County LONDON
Post code E2 8AG
Daytime contact telephor
Applicant email address:

Part 2 - Variation

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

If not, from what date do you want the variation to take effect?:

Please describe briefly the nature of the proposed variation (please see guidance note 1):

TO VARY THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES AS FOLLOWS:

1) EXTEND THE PERMITTED HOURS FOR ALL AUTHORISED LICENSABLE ACTIVITIES UNTIL 01.00 SUNDAY, 00.30 MONDAY TO THURSDAY AND 02.00 FRIDAY & SATURDAY;

2) EXTEND THE PERMITTED HOURS FOR ALL AUTHORISED LICENSABLE ACTIVITIES ON BANK HOLIDAY SUNDAYS, CHRISTMAS EVE AND NEW YEARS EVE UNTIL 02.00.

If the club's proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend: N/A

Part 3 - Operating Schedule

Please state those parts of the Operating Schedule which would be subject to change if this application to vary is successful.

Provision of regulated entertainment for:

(b) films, (e) live music, (f) recorded music

Provision of late night refreshment:

Yes

Supply of alcohol: Yes

a) Plays

Will the performance of a play take place indoors or outdoors or both? (please read guidance note 2):

Standard Days and Timings (please read guidance note 6)

Day Start Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for performing plays (please read guidance note 4):

Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed above, please list (please read guidance note 5):

b) Films

Will the exhibition of films take place indoors or outdoors or both? (please read guidance note 2):

Indoors

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

EXTENSION OF HOURS ONLY

State any seasonal variations for the exhibition of films (please read guidance note 4):

NONE

Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed above, please list (please read guidance note 5):

ON BANK HOLIDAYS SUNDAYS, CHRISTMAS EVE AND NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES ARE EXTENDED TO 02.00.

c) Indoor Sporting Events

Standard Days and Timings (please read guidance note 6)

Day Start Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for indoor sporting events (please read guidance note 4):

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed above, please list (please read guidance note 5):

d) Box or Wrestling

Will the boxing or wrestling entertainment take place indoors or outdoors or both? (Please read guidance note 2):

Standard Days and Timings (please read guidance note 6)

Day Start Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4):

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed above, please list (please read guidance note 5):

e) Live Music

Will the performance of live music take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

EXTENSION OF HOURS ONLY

State any seasonal variations for the performance of live music (please read guidance note 4):

NONE

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed above, please list (please read guidance note 5):

ON BANK HOLIDAYS SUNDAYS, CHRISTMAS EVE AND NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES ARE EXTENDED TO 02.00.

f) Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

EXTENSION OF HOURS ONLY.

State any seasonal variations for playing recorded music (please read guidance note 4):

NONE

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed above, please list (please read guidance note 5):

ON BANK HOLIDAYS SUNDAYS, CHRISTMAS EVE AND NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES ARE EXTENDED TO 02.00.

g) Performance of Dance

Will the performance of dance take place indoors or outdoors or both? (Please read guidance note 2):

Standard Days and Timings (please read guidance note 6)

Day Start Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for the performance of dance (please read guidance note 4):

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed above, please list (please read guidance note 5):

(h) Anything of a similar description to that falling within (e) Live music, (f) Recorded music or (g) Performance of dance

Please give a description of the type of entertainment you will be providing):

Will this entertainment take place indoors or outdoors or both? (please read guidance note 2):

Standard Days and Timings (please read guidance note 6)

Day Start Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for entertainment of similar description to that falling within (e), (f) or (g) (please read guidance note 4):

Non-standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed above, please list (please read guidance note 5):

i) Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	23:00	00:30
Tuesday	23:00	00:30
Wednesday	23:00	00:30
Thursday	23:00	00:30
Friday	23:00	02:00
Saturday	23:00	02:00
Sunday	23:00	01:00

Please give further details here (please read guidance note 3):

EXTENSION OF HOURS ONLY.

State any seasonal variations for the provision of late night refreshment (please read guidance note 4):

NONE

Non standard timings. Where you intend to use the premises for provision of late night refreshment at different times to those listed above, please list (please read guidance note 5):

ON BANK HOLIDAYS SUNDAYS, CHRISTMAS EVE AND NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES ARE EXTENDED TO 02.00.

(j) Supply of Alcohol

Will the supply of alcohol be for consumption on the premises or off the premises or both? (please read guidance note 7): On the premises

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	02:00
Saturday	10:00	10:00
Sunday	10:00	10:00

Please give further details here (please read guidance note 3):

EXTENSION OF HOURS ONLY.

State any seasonal variations for the supply of alcohol (please read guidance note 4):

NONE

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed above, please list (please read guidance note 5):

ON BANK HOLIDAYS SUNDAYS, CHRISTMAS EVE AND NEW YEAR'S EVE THE PERMITTED HOURS FOR ALL LICENSED ACTIVITIES ARE EXTENDED TO 02.00.

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor

Name:

Address

Flat number (if any)

House number/name

Road name

Town

County

Post code

Personal Licence Number (if known)

Issuing Licence Authority (if known): BRENTWOOD BOROUGH COUNCIL

(I) Hours premises are open to public

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	07:30	01:00
Tuesday	07:30	01:00
Wednesday	07:30	01:00
Thursday	07:30	01:00
Friday	07:30	02:30
Saturday	07:30	02:30
Sunday	09:00	01:30

State any seasonal variations (please read guidance note 4):

NONE

Non-standard timings. Where you intend to use the premises to be open to the public at different times to those listed above, please list (please read guidance note 5):

ON BANK HOLIDAYS SUNDAYS, CHRISTMAS EVE AND NEW YEAR'S EVE THE OPENING HOURS ARE EXTENDED TO 02.30.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation that you are seeking:

NONE

Alternatively, this should be sent by post to:

Licensing, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY.

Please include the reference number for this form, which will be produced when you submit it.

If you are not able to provide the premises licence or relevant part of the premises licence, please state the reason why:

(n) Adult Entertainment and Services

Please 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 (please read guidance note 8):

NONE

(o) Promoting Licensing Objectives

Describe any additional steps that you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9):

WE WILL OPERATE OUR PREMISES IN A RESPONSIBLE MANNER AND ACTIVELY PROMOTE THE LICENSING OBJECTIVES AT ALL TIMES.

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

b) The prevention of crime and disorder:

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

ADDITIONAL CONDITION:

THE PREMISES LICENCE HOLDER(S) OR DPS SHALL CARRY OUT AN ONGOING RISK ASSESSMENT TAKING INTO ACCOUNT ANY LOCAL EVENTS TAKING PLACE OR ADVICE RECEIVED FROM ESSEX POLICE TO IDENTIFY THE NEED FOR SIA LICENSED DOOR SUPERVISORS OR ADDITIONAL SIA LICENSED DOOR SUPERVISORS AND/OR PREMISES STAFF TO BE ON DUTY ON ANY DAY. DETAILS OF THE ONGOING RISK ASSESSMENT SHALL BE RECORDED IN THE APPROPRIATE PART OF THE INCIDENT BOOK.

c) Public safety:

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

d) The prevention of public nuisance:

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

e) The protection of children from harm:

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

Declaration

I understand that I must now advertise my application: I agree

A copy of the Prescribed Form of Notice is available here:

[Public Notice of Application to Vary](#)

I have attached the premises licence or relevant part of it or an explanation: I agree

I understand that if I do not comply with the above requirements my application will be rejected: I agree

It is an offence, liable on summary conviction to a fine not exceeding 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

Part 4 - Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature: GRAHAM HOPKINS

Date: 31/12/2019

Capacity: AUTHORISED LICENSING CONSULTANT

Where the premises licence is jointly held, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity

Signature:

Date: 31/12/2019

Capacity:

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Correspondence Name: GT LICENSING CONSULTANTS

Correspondence Address

Flat number (if any)

House
number/name

Road name

Town

County

Post code

Telephone number

Dave Leonard

From: GRAHAM HOPKINS <gtlicensing@brentwood.gov.uk>
Sent: 02 January 2020 15:27
To: Dave Leonard; Licensing
Cc: Heather Ziervogel; Jackie Cooper 42072594
Subject: Re The Vault, 91 Hutton Road, Shenfield.

Good afternoon Dave,

Happy New Year.

Thank you for telling me re the error. Sorry for the clanger on the online form - I did check it but with online I am never surprised.

Terminal hours for all licensable activities should be as follows please:

Sunday 01.00 Close 01.30

Monday to Thursday 00.30 Close 01.00

Friday & Saturday 02.00 Close 02.30

Non standards ie Bank Holiday Sundays, Christmas Eve & New Years Eve 02.00 Close 02.30.

Could you please kindly confirm receipt and amend the form.

Kind regards,

Graham Hopkins
GT Licensing Consultants

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Dave Leonard

From: GRAHAM HOPKINS <gtlicensingconsultants@brentwood.gov.uk>
Sent: 10 February 2020 15:43
To: Dave Leonard; David Carter
Subject: The Vault / Amendment of Application

Dear Dave & Mr Carter,

The Vault / Amendment of Application

Thank you very much for attending the meeting at The Vault today. It was a very helpful and positive meeting.

Our clients have instructed us to request to amend the application as follows:

A) The terminal hour for all licensable activities on Friday, Saturday & Bank Holiday Sundays will be reduced to 01.45 with close to the public at 02.15.

B) Add the following conditions:

- 1) All Door Supervisors are to wear body cameras when on duty.
- 2) A sterile area / room shall be available for use (in the office or kitchen) when the venue is open to the public for use in dealing with sick, vulnerable etc people. It shall be fitted with an audio equipped CCTV camera.
- 3) A written dispersal policy shall be prepared and submitted to the Licensing Authority.

NB Within the Dispersal Policy, Door Supervisors and Bar Staff when Door Supervisors are not on duty shall proactively aid in the dispersal from the area of departing customers from the terminal hour and throughout the closing period.

Kind regards,

Graham Hopkins
GT Licensing Consultants

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THE VAULT, 91 HUTTON ROAD, SHENFIELD CM15 8YX

APPENDIX B

PREMISES LICENCE

Premises Licence, OS Maps & Images

25 FEBRUARY 2020

Premises Licence

Premises Licence Number

PRM_0568

Application Number

19/00326/LAVDPS

Date of Issue

09 December 2019

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Vault
91 Hutton Road
Shenfield
Brentwood
Essex
CM15 8SD**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Exhibition of a film
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Exhibition of a film

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

**On all Bank Holiday Sundays Christmas Eve and New Year's Eve
the permitted hours are extended to be from 1000hrs to 0030hrs**

Performance of Live music

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 1000hrs to 0030hrs

Playing of Recorded music

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 1000hrs to 0030hrs

Provision of Late Night Refreshments

Friday	23:00 - 00:30
Saturday	23:00 - 00:30

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 2300hrs to 0030hrs

Sale by Retail of Alcohol

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 1000hrs to 0030hrs

The opening hours of the premises

Monday	07:30 - 23:00
Tuesday	07:30 - 23:00
Wednesday	07:30 - 23:00
Thursday	07:30 - 23:00
Friday	07:30 - 01:00
Saturday	07:30 - 01:00
Sunday	09:00 - 22:30

**On all Bank Holiday Sundays Christmas Eve and New Year's Eve
the opening hours are extended from 0730hrs to 0100hrs**

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Choice Shenfield Ltd.
Unit 2, 99-101 Kingsland Road
London
E2 8AG

Registered number of holder, for example company number, charity number (where applicable)

Company Number **11990202**

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Emma Jane Thomas

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number:
Issuing Authority: Brentwood Borough Council

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under this licence**
 - a) At a time when there is no designated supervisor in respect of it or,**
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended**

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

- 3 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—
 - (a) a holographic mark, or**
 - (b) an ultraviolet feature.**

- 4 (A). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.**

(B).For the purposes of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;**
 - (b) "permitted price" is the price found by applying the formula where-**

$$P = D + (D \times V)$$
 - (i) P is the permitted price,**
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and**
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;**
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-**
 - (i) the holder of the premises licence,**
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or**
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;**

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

5 (1) The responsible person must 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—

(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 in a manner which carries a significant risk of undermining a licensing objective; .

(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 in a manner which carries a significant risk of undermining a licensing objective; .

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

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available

7 The responsible person must 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;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

8 Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:

a) Unauthorised access or occupation (eg through door supervision), or

b) Outbreaks of disorder, or

c) Damage

Annex 2 – Conditions consistent with the Operating Schedule

- 1 The premises shall have installed and maintained a closed circuit television surveillance (CCTV) system which at all times complies with the following requirements;**
 - a) CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality (in all lighting conditions) particularly facial recognition;**
 - b) CCTV cameras shall cover all entrances (and exits) and the areas where alcohol sales take place.**
 - c) The equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum of thirty-one (31) days.**
 - d) Upon the request of the police or authorised officers including local authority licensing staff screenshots shall be provided immediately. Viewable copies of recordings will be provided to police or authorised officers including local authority licensing staff within 48 hours of a request.**
 - e) On a minimum of a daily basis the premises licence holder or a trained staff member shall check that the CCTV is operating correctly and that the date & time print are correctly set. On a minimum of a weekly basis the premises licence holder or a trained staff member shall ensure that the CCTV system is recording images correctly and storing them for a minimum of thirty one (31) days, that they can be played back and downloaded so screenshots can be provided immediately, or that images can be downloaded onto a USB or a CD for police or authorised officers.**

- 2 Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 X 148 mm and clearly legible at all times when the premises conducts licensable activities.**

- 3 An incident log shall be kept at the premises and made immediately available to police or authorised officers including licensing authority staff upon reasonable request.**

The log must be completed as soon as is possible and in any case within four (4) hours of the occurrence and shall record the following:

 - a) All crimes reported to the venue**
 - b) All ejections of patrons**
 - c) Any complaints received concerning crime and disorder**
 - d) Any incidents of disorder**
 - e) All seizures of drugs or offensive weapons**
 - f) Any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the premises licence**
 - g) Where police are called a CAD number shall be obtained and recorded.**

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least twelve (12) months from the date of the last entry.

- 4 Challenge 25 will be operated as the proof of age policy, only a photographic driving licence, valid passport, ministry of defence/ UK armed forces photographic identity card or proof of age card bearing the holders photograph & the pass hologram/ logo on it will be accepted as proof of age.**

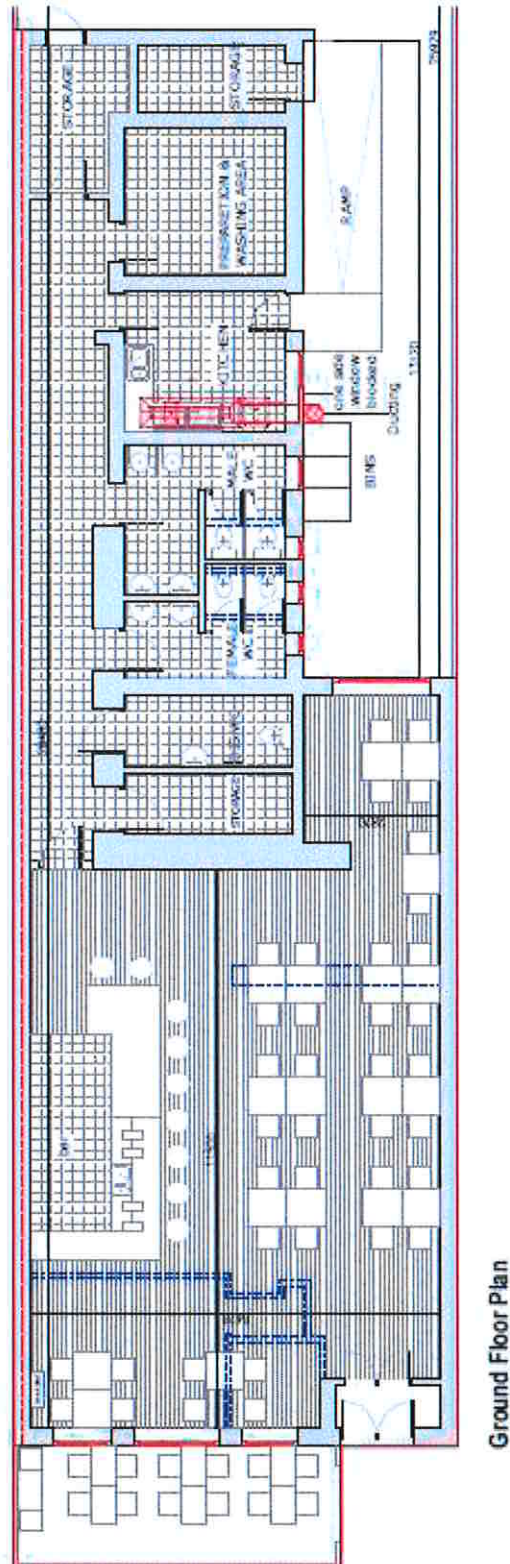
- 5 The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a "Challenge 25" policy is in force. The signs at the point of sale / counter shall be a minimum size of 200mm x 148mm.**
- 6 Substantial food & non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.**
- 7 Drinks must only be served in polycarbonate or plastic or toughened glass containers except with the exception of champagne or similar fine wines.**
- 8 a) A refusals record shall be maintained as part of the incident record at the premises, which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.
b) All entries must be made as soon as possible and in any event within four (4) hours of the refusal and the record must be made immediately available to police or authorised officers including trading standards or local authority licensing officers upon reasonable request.
c) The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.**
- 9 a) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under- age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding sales to intoxicated persons, avoiding conflict, responsible alcohol retailing and safeguarding children.
b) Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of twelve (12) months and made available to police or authorised officers including trading standards or local authority licensing officers upon reasonable request.**
- 10 Prominent, clear and legible notices must be prominently displayed at all exits & on the front terrace requesting customers respect the needs of local residents and leave the premises and area quietly. These signs shall be of a minimum size of 200mm x148mm.**
- 11 Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect local residents and use the area quietly. These signs shall be of a minimum size of 200m x 148mm.**
- 12 The disposal of waste bottles into external receptacles where noise will be audible to neighbouring properties, the emptying of bins into skips or waste receptacles, refuse collections or deliveries will not take place between 19:00 and 07:00 hours & arrangements must be in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00 hours.**
- 13 A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training.**

- 14 A sound trap lobby acoustic door automatic door closer shall be installed to all doors opening to the outside entry door.
- 15 All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.
- 16 No music or speech shall be relayed via external speakers other than for events with the prior written approval of the licensing authority.
- 17 Entertainment (whether regulated or deregulated) is to be held internally only & no music or speakers shall be provided to external areas of the premises
- 18 The premises licence holder, designated premises supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all entertainment (whether regulated or deregulated) and monitor external areas regularly to ensure noise does not cause disturbance to nearby residents.
- 19 A suitable extraction system must be installed at the premises and maintained that complies with all legal requirements including the prevention of nuisance from cooking odours or noise nuisance.
- 20 Smokers will be required to use the front of the premises at all times.
- 21 Management & staff will regularly monitor the outside of the venue including customers at the outside tables & chairs or outside smoking by CCTV & physically suitable containers will be provided for cigarette ends.
- 22 The premises frontage will be kept tidy at all times & shall be swept at close.
- 23 A phone number will be displayed at the front of the premises for residents to contact management with any concerns, details of any complaints & the action taken will be recorded in the incident book.
- 24 Staff will direct customers to a nearby cab office/ cab rank or call a cab for customers on request.
- 25 A written dispersal policy shall be drafted & regularly reviewed with copies provided to the licensing authority & police licensing team.
- 26 No child or young person under 18 will be permitted to consume alcohol on the premises at any time.
No unaccompanied children will be permitted on the premises at any time.
- 27 The outside tables and chairs will be brought in at 2200hrs daily
- 28 From 2100hrs until 15 minutes after close on Friday and Saturday, the Sunday before Bank Holidays, Christmas Eve and New Year's Eve a minimum of 2 SIA licensed door supervisors shall be on duty

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

This licence is issued subject to the following attached plan drawing no. P104 dated 05/08/19 and marked **91 HUTTON ROAD CM15 8YX**



Premises Licence Summary

Premises Licence Number	PRM_0568
Application Number	19/00326/LAVDPS
Date of Issue	09 December 2019

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Vault
91 Hutton Road
Shenfield
Brentwood CM15 8SD**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Exhibition of a film
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Exhibition of a film

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

**On all Bank Holiday Sundays Christmas Eve and New Year's Eve
the permitted hours are extended to be from 1000hrs to 0030hrs**

Performance of Live music

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 1000hrs to 0030hrs

Playing of Recorded music

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 1000hrs to 0030hrs

Provision of Late Night Refreshments

Friday	23:00 - 00:30
Saturday	23:00 - 00:30

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 2300hrs to 0030hrs

Sale by Retail of Alcohol

Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	10:00 - 22:00

On all Bank Holiday Sundays Christmas Eve and New Year's Eve the permitted hours are extended to be from 1000hrs to 0030hrs

The opening hours of the premises

Monday	07:30 - 23:00
Tuesday	07:30 - 23:00
Wednesday	07:30 - 23:00
Thursday	07:30 - 23:00
Friday	07:30 - 01:00
Saturday	07:30 - 01:00
Sunday	09:00 - 22:30

**On all Bank Holiday Sundays Christmas Eve and New Year's Eve
the opening hours are extended from 0730hrs to 0100hrs**

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the Premise

Name, (registered) address of holder of premises licence

**Choice Shenfield Ltd.
Unit 2, 99-101 Kingsland Road
London
E2 8AG**

Registered number of holder, for example company number, charity number (where applicable)

Company Number 11990202

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Emma Jane Thomas

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal Licence Number:
Issuing Authority: Brentwood Borough Council**

State whether access to the premises by children is restricted or prohibited

No unaccompanied children will be permitted on the premises at any time



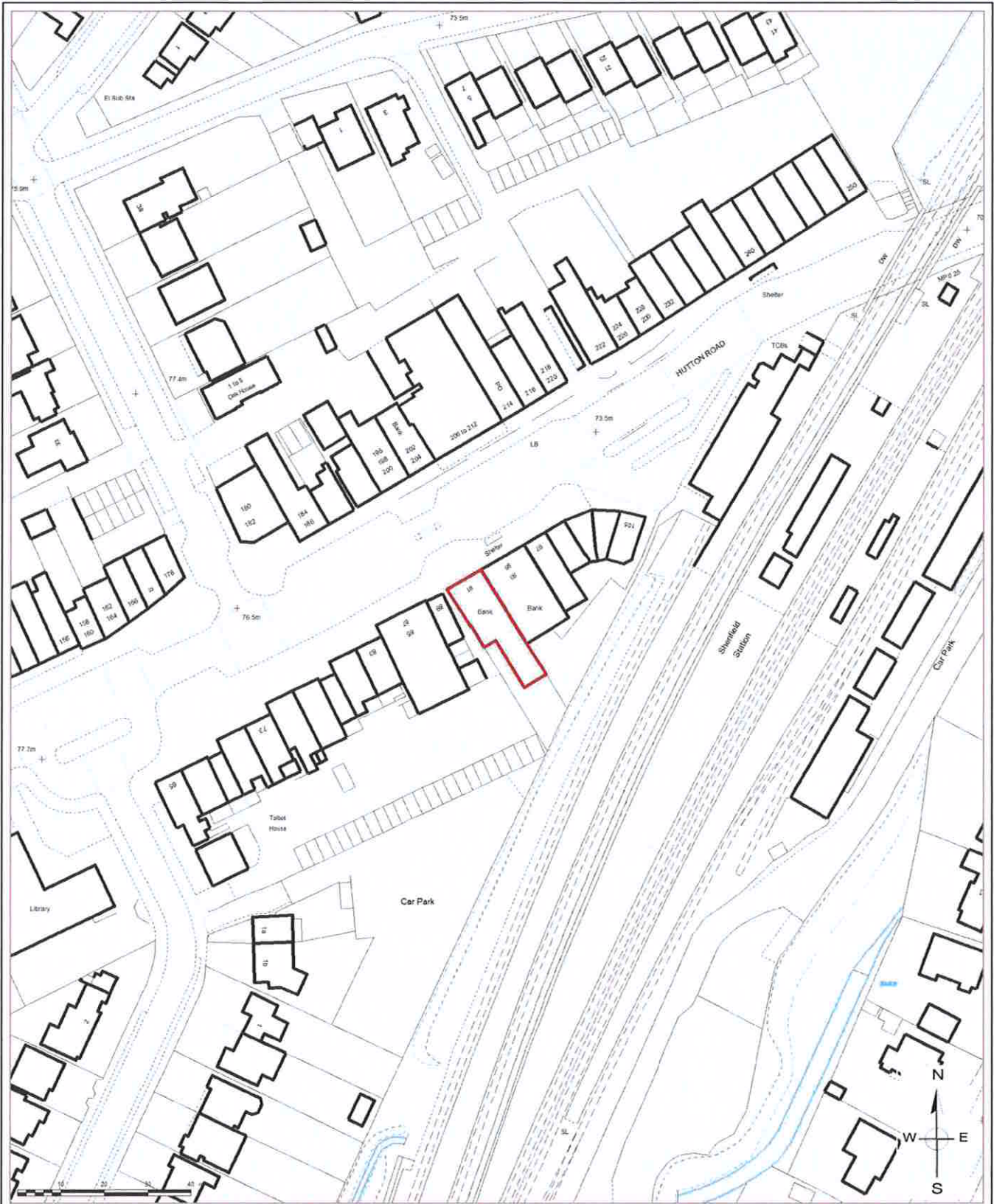
**THE VAULT, 91 HUTTON ROAD,
SHENFIELD, CM15 8YX**



Drawing No. :
 Scale at A4 : 1:500
 Drawn by : OSJ
 Service : ICT
 Date : 13th February 2020

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Jonathan Stephenson
 Chief Executive
 Brentwood Borough Council
 Town Hall, Ingrave Road
 Brentwood, CM15 8AY
 Tel.: (01277) 312500



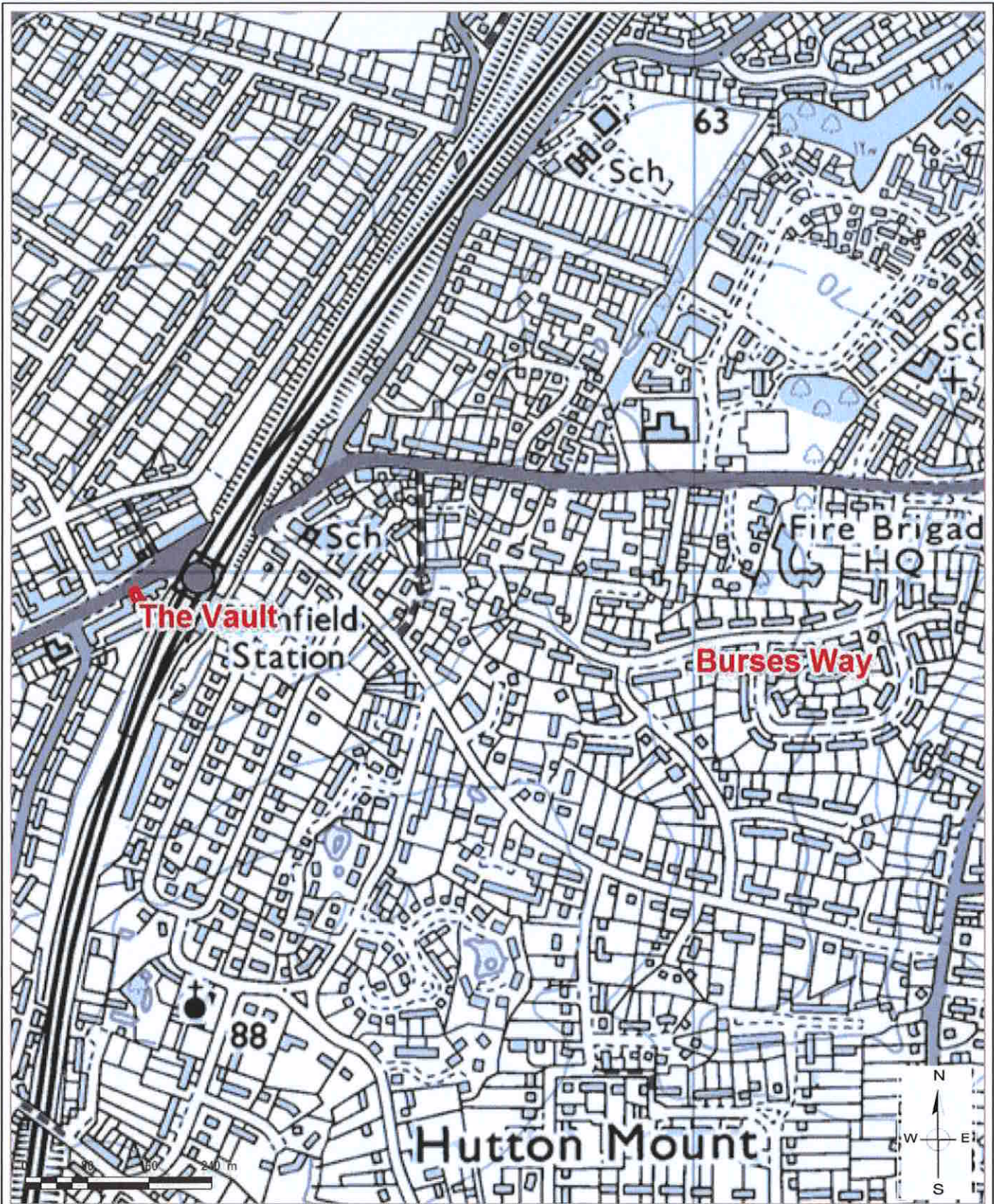
**THE VAULT, 91 HUTTON ROAD,
SHENFIELD, CM15 8YX**



Drawing No. :
 Scale at A4 : 1:1250
 Drawn by : OSJ
 Service : ICT
 Date : 13th February 2020

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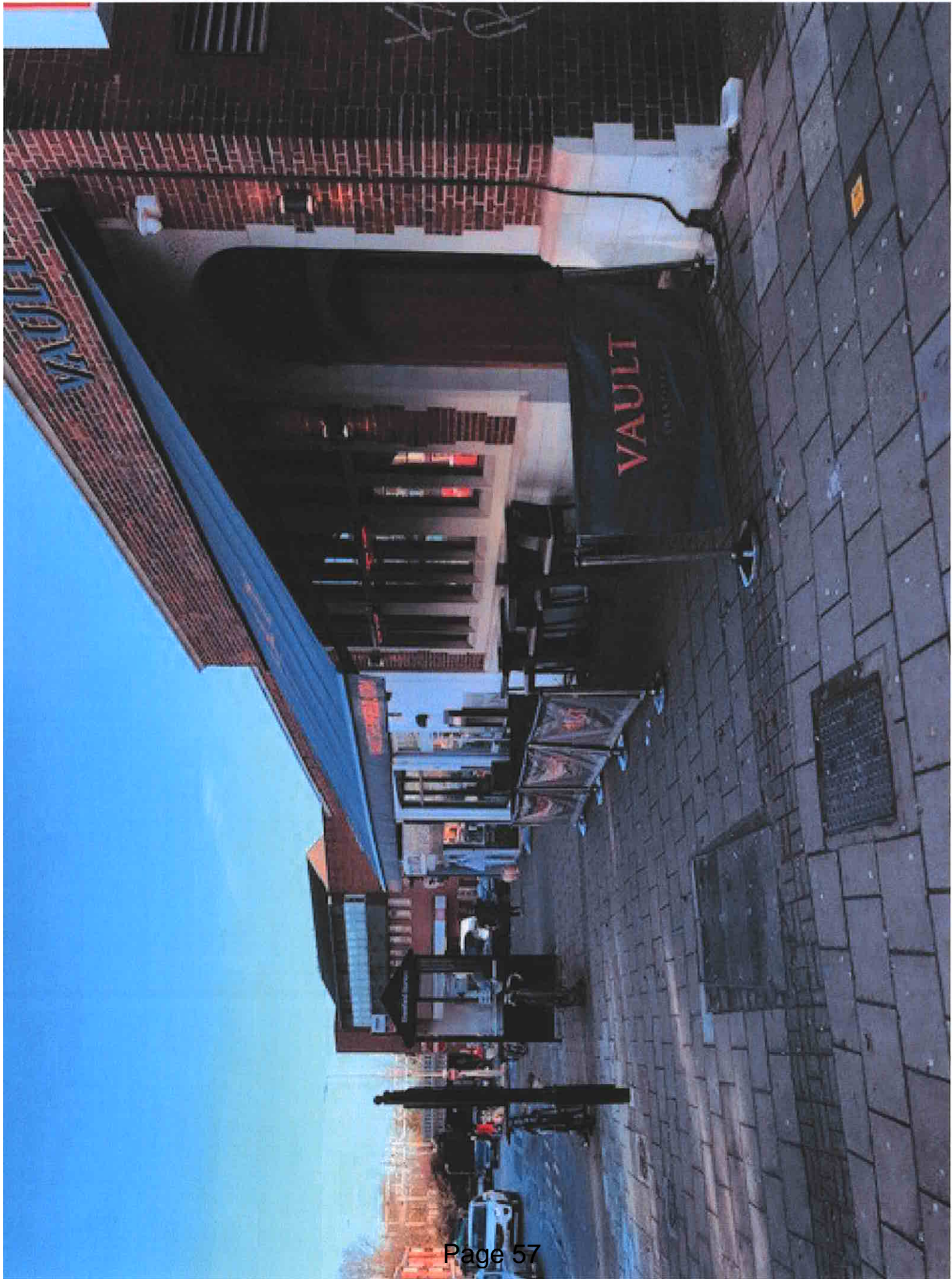
**THE VAULT, 91 HUTTON ROAD,
SHENFIELD, CM15 8YX**



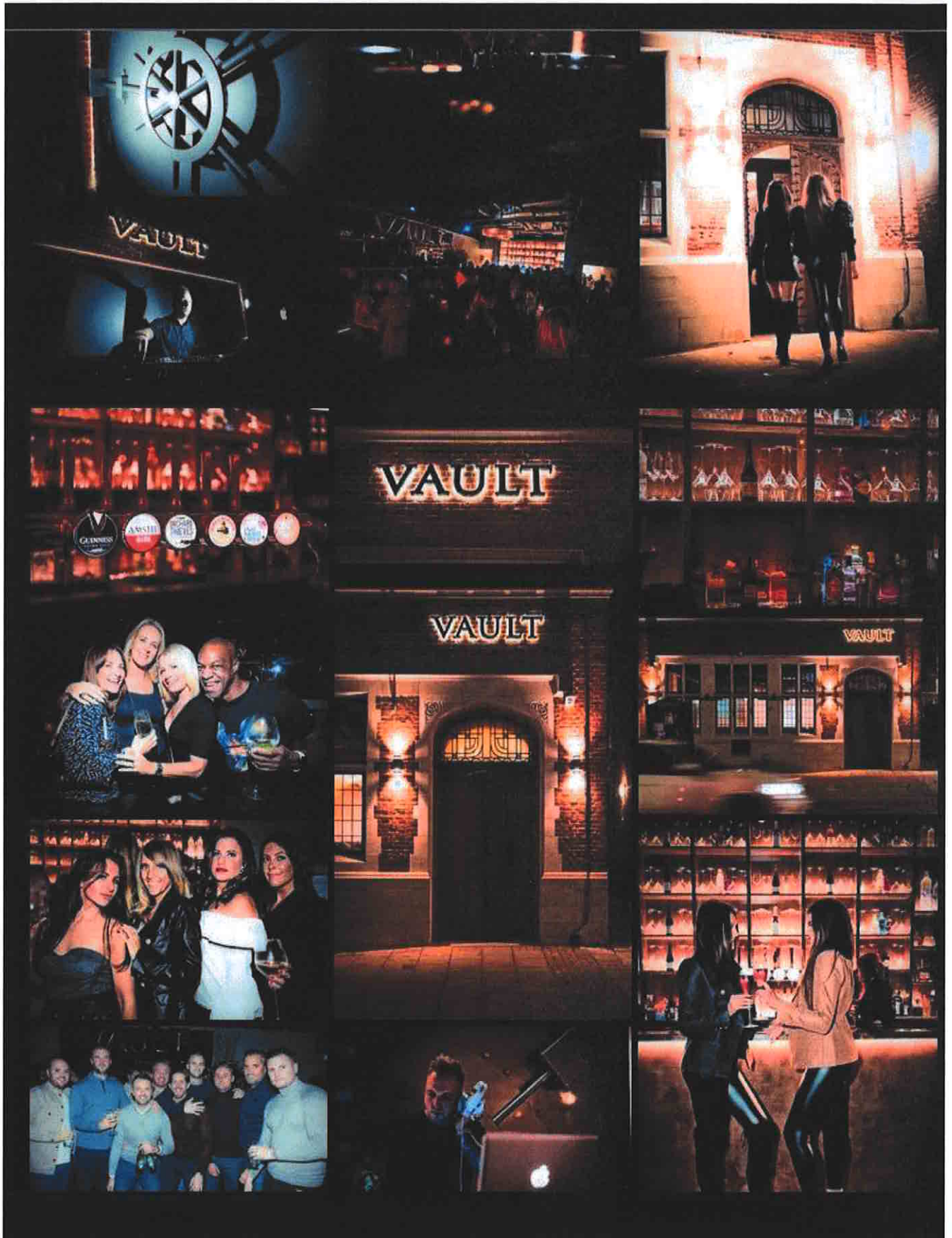
Drawing No. :
Scale at A4 : 1:7000
Drawn by : OSJ
Service : ICT
Date : 13th February 2020

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Jonathan Stephenson
Chief Executive
Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500







THE VAULT, 91 HUTTON ROAD, SHENFIELD CM15 8YX

APPENDIX C

REPRESENTATION

Other Person

Resident of Burses Way, Hutton

25 FEBRUARY 2020

Delivered to Town Hall 25/1/20 by hand.
Further copy in post.
GR.

Dear Sir/Madam,

Variation of Premises Licence – The Vault, Hutton Road, Shenfield

In connection with the above application, I wish to object to the extension of opening hours, as advertised in the Brentwood Gazette of 8th January 2020.

This area is broadly residential in nature, with the shopping centre, in the main, having its focus on day time business activity. There are residential apartments above many of the shops, particularly on the block, Viceroy Parade, where the premises in question is located. The established night time businesses include just a few restaurants and food outlets, with two premises operating as a combined bar and eatery. Whenever I am passing, the noise and activity levels seem commensurate with the nature of the area.

However since The Vault has opened the whole atmosphere of the area has changed and is now much more edgy from the viewpoint of public safety. Although the entrance is supervised, once you are even a short distance away, you feel less safe. This change, if allowed will make the situation even more worrying and could turn Shenfield into the “no go” area that the lower end of Brentwood High Street has become. At one or two a.m., the buses have long ceased and the last trains from London are arriving so dispersal will have to be by vehicle. Given the limited space on Hutton Road, this will bring noise and nuisance to residents on side roads because customers will have to park nearby.

Yours faithfully,



Brentwood Borough Council,
Town Hall
Ingrave Road,
Brentwood CM15 8AY

Dave Leonard

From: Dave Leonard
Sent: 11 February 2020 13:31
To:
Cc: David Carter
Subject: THE VAULT - APPLICATION TO VARY THE PREMISES LICENCE

Dear Mr [REDACTED]

As discussed, I have listed below the conditions that are attached to The Vault's current premises licence. These premises licence conditions are based on the operating schedule set and undertaken by The Vault's management and are, essentially, the reason why the Police didn't feel the need to make a representation against its granting. Following on from the twenty-eight currently attached conditions, I have added the amendments and additional undertakings offered by the applicants following their meeting with the Environmental Health Manager, Mr David Carter, yesterday. As a result of the proposed reduction in operating hours and the further undertakings being offered as additional conditions, Mr Carter has intimated that he is now inclined to withdraw his representation.

Please view the information below and consider if this addresses the concerns raised in your representation. If you remain unconvinced, please advise me as soon as possible so that I can proceed with preparing a report and agenda for the hearing. However, if these undertakings do satisfy your concerns, I invite you to withdraw your representation which will then remain of file together with the application.

I am mindful that you have advised me that you are unavailable to attend the Licensing Sub-Committee hearing at Brentwood Town Hall Council Chambers on Tuesday, 25th February 2020 at 11am. This hearing will still take place unless all representations are withdrawn.

Current Premises Licence Conditions

- 1** *The premises shall have installed and maintained a closed circuit television surveillance (CCTV) system which at all times complies with the following requirements;*
 - a)** *CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality (in all lighting conditions) particularly facial recognition;*
 - b)** *CCTV cameras shall cover all entrances (and exits) and the areas where alcohol sales take place.*
 - c)** *The equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum of thirty-one (31) days.*
 - d)** *Upon the request of the police or authorised officers including local authority licensing staff screenshots shall be provided immediately. Viewable copies of recordings will be provided to police or authorised officers including local authority licensing staff within 48 hours of a request.*
 - e)** *On a minimum of a daily basis the premises licence holder or a trained staff member shall check that the CCTV is operating correctly and that the date & time print are correctly set. On a minimum of a weekly basis the premises licence holder or a trained staff member shall ensure that the CCTV system is recording images correctly and storing them for a minimum of thirty one (31) days, that they can be played back and downloaded so screenshots can be provided immediately, or that images can be downloaded onto a USB or a CD for police or authorised officers.*
- 2** *Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 X 148 mm and clearly legible at all times when the premises conducts licensable activities.*

- 3 **An incident log shall be kept at the premises and made immediately available to police or authorised officers including licensing authority staff upon reasonable request. The log must be completed as soon as is possible and in any case within four (4) hours of the occurrence and shall record the following:**
 - a) **All crimes reported to the venue**
 - b) **All ejections of patrons**
 - c) **Any complaints received concerning crime and disorder**
 - d) **Any incidents of disorder**
 - e) **All seizures of drugs or offensive weapons**
 - f) **Any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the premises licence**
 - g) **Where police are called a CAD number shall be obtained and recorded.**

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least twelve (12) months from the date of the last entry.
- 4 **Challenge 25 will be operated as the proof of age policy, only a photographic driving licence, valid passport, ministry of defence/ UK armed forces photographic identity card or proof of age card bearing the holders photograph & the pass hologram/ logo on it will be accepted as proof of age.**
- 5 **The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a "Challenge 25" policy is in force. The signs at the point of sale / counter shall be a minimum size of 200mm x 148mm.**
- 6 **Substantial food & non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.**
- 7 **Drinks must only be served in polycarbonate or plastic or toughened glass containers except with the exception of champagne or similar fine wines.**
- 8
 - a) **A refusals record shall be maintained as part of the incident record at the premises, which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.**
 - b) **All entries must be made as soon as possible and in any event within four (4) hours of the refusal and the record must be made immediately available to police or authorised officers including trading standards or local authority licensing officers upon reasonable request.**
 - c) **The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.**
- 9
 - a) **All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under- age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding sales to intoxicated persons, avoiding conflict, responsible alcohol retailing and safeguarding children.**
 - b) **Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of twelve (12) months and made available to police or authorised officers including trading standards or local authority licensing officers upon reasonable request.**
- 10 **Prominent, clear and legible notices must be prominently displayed at all exits & on the front terrace requesting customers respect the needs of local residents and leave the premises and area quietly. These signs shall be of a minimum size of 200mm x148mm.**
- 11 **Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect local residents and use the area quietly. These signs shall be of a minimum size of 200m x 148mm.**

- 12 *The disposal of waste bottles into external receptacles where noise will be audible to neighbouring properties, the emptying of bins into skips or waste receptacles, refuse collections or deliveries will not take place between 19:00 and 07:00 hours & arrangements must be in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00 hours.*
- 13 *A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training.*
- 14 *A sound trap lobby acoustic door automatic door closer shall be installed to all doors opening to the outside entry door.*
- 15 *All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.*
- 16 *No music or speech shall be relayed via external speakers other than for events with the prior written approval of the licensing authority.*
- 17 *Entertainment (whether regulated or deregulated) is to be held internally only & no music or speakers shall be provided to external areas of the premises*
- 18 *The premises licence holder, designated premises supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all entertainment (whether regulated or deregulated) and monitor external areas regularly to ensure noise does not cause disturbance to nearby residents.*
- 19 *A suitable extraction system must be installed at the premises and maintained that complies with all legal requirements including the prevention of nuisance from cooking odours or noise nuisance.*
- 20 *Smokers will be required to use the front of the premises at all times.*
- 21 *Management & staff will regularly monitor the outside of the venue including customers at the outside tables & chairs or outside smoking by CCTV & physically suitable containers will be provided for cigarette ends.*
- 22 *The premises frontage will be kept tidy at all times & shall be swept at close.*
- 23 *A phone number will be displayed at the front of the premises for residents to contact management with any concerns, details of any complaints & the action taken will be recorded in the incident book.*
- 24 *Staff will direct customers to a nearby cab office/ cab rank or call a cab for customers on request.*
- 25 *A written dispersal policy shall be drafted & regularly reviewed with copies provided to the licensing authority & police licensing team.*
- 26 *No child or young person under 18 will be permitted to consume alcohol on the premises at any time.
No unaccompanied children will be permitted on the premises at any time.*
- 27 *The outside tables and chairs will be brought in at 2200hrs daily*
- 28 *From 2100hrs until 15 minutes after close on Friday and Saturday, the Sunday before Bank Holidays, Christmas Eve and New Year's Eve a minimum of 2 SIA licensed door supervisors shall be on duty*

And, received yesterday,

The Vault / Amendment of Application

Thank you very much for attending the meeting at The Vault today. It was a very helpful and positive meeting.

Our clients have instructed us to request to amend the application as follows:

A) The terminal hour for all licensable activities on Friday, Saturday & Bank Holiday Sundays will be reduced to 01.45 with close to the public at 02.15.

B) Add the following conditions:

- 1) All Door Supervisors are to wear body cameras when on duty.
- 2) A sterile area / room shall be available for use (in the office or kitchen) when the venue is open to the public for use in dealing with sick, vulnerable etc people. It shall be fitted with an audio equipped CCTV camera.
- 3) A written dispersal policy shall be prepared and submitted to the Licensing Authority.

NB Within the Dispersal Policy, Door Supervisors and Bar Staff when Door Supervisors are not on duty shall proactively aid in the dispersal from the area of departing customers from the terminal hour and throughout the closing period.

Following the changes made to the application, will you be able to contact the resident to see if they will withdraw their representation please?

Kind regards,

Graham Hopkins
GT Licensing Consultants

I hope that this helps.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at Brentwood Town Hall on **01277 312523**.

Kind regards,



Dave Leonard | Licensing Officer

T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk



Dave Leonard

From: [redacted]
Sent: 12 February 2020 15:35
To: Dave Leonard
Subject: Re: THE VAULT - APPLICATION TO VARY THE PREMISES LICENCE - LICENSING SUB-COMMITTEE HEARING - TUESDAY, 25th FEBRUARY 2020 at 11AM

Dear Mr. Leonard,

Thank you for this further information and your message this morning. I would still like my representations to be considered and realise that this means extra work for you in having to convene the Committee and prepare a report. Apologies for that. As you know, I am not free on the 25th February, so if I may, I shall submit a short supplementary piece tomorrow, which will cover the points of emphasis that I would have made at the meeting.

Yours sincerely,

On 07/02/2020 16:43, Dave Leonard wrote:

[redacted]
Notice of hearing - LICENSING ACT 2003

Brentwood Council, being the licensing authority, on the 31st December 2019 received an application to vary the Premises Licence in respect of the premises known as:

The Vault, 91 Hutton Road, Shenfield, Brentwood, Essex, CM15 8SD

Representations have been received about this application, and a meeting of the Licensing Committee will be held in the Council Chamber at:

11am on 25 February 2020

At: Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex, CM15 8AY

If you are the applicant, copies of the representations are enclosed with this Notice. If you have made representations, they will be included in the report to be made available to the Committee and which will be publicly available.

You are able to attend the meeting if you wish. You may be assisted or accompanied by another person if you like. Hearings are usually heard in public. You will have the opportunity to address the Committee and (if given permission by the Committee) will be able to question any other party.

Please note that if you do not attend the Committee may still consider the matter in your absence. If you do not attend, the Committee will consider any application or representations that you have made.

Should you require any further advice, please contact the Licensing team on 01277 312500.

You should complete enclosed form confirming acceptance and return it to Licensing Authority,
Brentwood Borough Council, within five (5) working days before the day or the first day on which the hearing is to be held.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at Brentwood Town Hall on **01277 312523**.

Kind regards,



Dave Leonard | Licensing Officer

T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk



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Click [here](#) to report this email as spam.

Dave Leonard

From: [Redacted]
Sent: 13 February 2020 09:16
To: Dave Leonard
Subject: Fwd: Re: THE VAULT - APPLICATION TO VARY THE PREMISES LICENCE - LICENSING SUB-COMMITTEE HEARING - TUESDAY, 25th FEBRUARY 2020 at 11AM
Attachments: Letter 13.2.20 BBC -Licensing The Vault supp..doc

Dear Mr. Leonard,

As promised yesterday, I attach my supplementary comments. Please present these with your report. Thank you.

Yours sincerely,

[Redacted Signature]

Dear Mr. Leonard,

Thank you for this further information and your message this morning. I would still like my representations to be considered and realise that this means extra work for you in having to convene the Committee and prepare a report. Apologies for that. As you know, I am not free on the 25th February, so if I may, I shall submit a short supplementary piece tomorrow, which will cover the points of emphasis that I would have made at the meeting.

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Kind regards,



Dave Leonard | Licensing Officer

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We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

Burses Way
Hutton, Brentwood

13th February 2020

Dear Sir,

Variation of Premises Licence – The Vault, Hutton Road, Shenfield

I apologise that another appointment prevents me from attending the hearing for the above application on 25th February. In the light of the discussions between the applicant and the Council, may I therefore submit these further comments and which I would have made at the meeting.

Dispersal

Clearly by wanting the extended hours, the applicant is confident that significant numbers will be at the venue for that later period. Whilst the inside and the immediate area outside will be supervised, my concern remains about the dispersal from the wider area and the noise and disturbance that is bound to occur. At that time of night this will be by vehicle, on foot or by taxi if the cab rank decides to stay open. There are no buses and the last trains say on a Saturday depart at:

2339 for Romford/London, 0047 for Chelmsford and 0120 for Southend.

Thus I suspect that most patrons will be in vehicles and as well as using Hutton Road, which in itself is partly residential, there is bound to be parking in the side streets also.

Locality

Shenfield is not a main centre and by extending the hours for this business, others will surely follow suit, thereby risking Shenfield following Brentwood into becoming a changed environment in the early hours with all the risks to public safety that ensue.

Yours faithfully,

Licensing Officer,
Brentwood Borough Council,
Town Hall
Ingrave Road,
Brentwood CM15 8AY

This report contains exempt information and is therefore not publicly available.

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Appendix A

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Licensing Sub-Committees

To hear and determine applications that do not sit within the scope of delegation to officers, usually where representations have been received either by a third party against grant of a license, or from the applicant against intended refusal or revocation of a license/registration.

The Planning and Licensing Committee has delegated all functions other than relevant policies and fees setting to officers, with the exception of those other matters as indicated below, which are heard by licensing sub-committee unless otherwise indicated:

Licensing Act 2003 and Gambling Act 2005

- (a) Determination of any application type where a representation has been received in accordance with the legislation.
- (b) Determination of applications for review or expedited review.

Hackney Carriage vehicles and drivers (including enforcement of ranks) and Private Hire vehicles, drivers and operators, with the exception of:

- (a) Suspension or revocation of drivers' licenses (save for initial suspension under provision of Local Government (Miscellaneous Provisions) Act 1976 S61 (2B) if it appears that the interests of public safety require the suspension to have immediate effect).
- (b) Where representation has been submitted by the applicant/license holder against refusal of any application.
- (c) Where representation has been received from an applicant to vary a licensing or pre-licensing condition.

Scrap Metal Dealing

- (a) Determination of applications where representations have been received against refusal in accordance with legislative requirements; and
- (b) Consideration of revocation of a license where representations have been received in accordance with legislative requirements

Street Collections and House to House Collections

- (a) Appeals against refusal to grant or renew a license.

Licensing of sex establishments

- (a) Determination of all applications, revocations and appeals.

Street Trading

- (a) Determination of applications where representation(s) has been received.
- (b) Determination of applications that fall outside of current policy.
- (c) Determination of matters relating to revocation of a license.

Acupuncture, Tattooing, Skin and Ear Piercing and Electrolysis

- (a) Appeals against refusal to grant or renew a registration.
- (b) Revocation of a registration.

Animal Welfare and Security, except for the following:

- (a) Appeals against refusal to grant or renew a license.
- (b) Revocation of a license.

Exercise of Powers under Caravan Sites and Control of Development Act 1960, except for:

- (a) Refusal and revocation of licenses, (other than urgent refusals which are delegated to officers)

Mobile Homes

- (a) Appeals against revocation of a license and/or conditions attached to the grant of a license.