

Minutes

Licensing Sub-Committee Thursday, 10th September, 2020

Attendance

Cllr Chilvers
Cllr Keeble

Cllr Tanner

Also Present

Cllr Mrs Davies

Officers Present

Paul Adams	- Principal Licensing Officer
David Carter	- Environmental Health Manager
Dave Leonard	- Licensing Officer
Alastair Lockhart	- Corporate Governance Solicitor
Jean Sharp	- Governance and Member Support Officer

504. Appointment of Chair

Members **RESOLVED** that Cllr Chilvers should chair the meeting.

505. 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.

506. Application to Vary a Premises Licence - Licensing Act 2003 - DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS

An application had been made by Sisu Enterprises Ltd. to vary the premises licence of **Dusk, Ongar Road, Pilgrims Hatch, CM15 9SS**. They sought to remove two conditions attached to the current, add the supply of alcohol for consumption on the premises and amend their opening hours. Sixteen

relevant representations had been received. Members were 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.

The Licensing Officer introduced the report and Mr Carter – the Council's Environmental Health Manager – addressed the sub-committee regarding his representation which related to noise issues.

Members were advised that a Noise Impact Assessment for inclusion in their application had been submitted by the applicant after the close of business on 4 September 2020 and therefore did not comply with the five days before the hearing notice. Given that this pertinent information was not available for inspection by members of the sub-committee nor those who had made representation, Members left the Chamber to consider how to proceed.

In the circumstances the Sub-committee decided that in view of the importance of the document and in fairness to all involved, the meeting should be adjourned and re-arranged within 7-14 days if possible.

The Chair requested that the record of when the Noise Impact Assessment was submitted be attached to the minutes.

507. Receipt of Noise Impact Assessment

Jean Sharp

Subject: FW: DUSK - Attendance Form
Attachments: Licence Hearing Attendance Form.pdf; Sound Report.NIA.pdf

From: Kaizad Cassad <kaizad@cassadys.co.uk>
Sent: 04 September 2020 16:33
To: Dave Leonard <dave.leonard@brentwood.gov.uk>; Dusk Brentwood <info@duskbrentwood.co.uk>
Subject: Attendance Form

Dear Dave,

As discussed, please find attached completed attendance details for the Hearing due to take place before the Licencing Committee on 10th September 2020 at 7 pm.

Both Mr Uddin and Mr Islam will be in attendance. They will be represented by Dr Tariq Mahmood, Counsel from 33 Bedford Row Chambers. Their telephone contact details are stated on the form.

I have also attached the recent Noise Impact Assessment conducted by Venta Acoustics upon inspection of the premises.

Have a nice weekend.

Kind regards,

Kaizad

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Kaizad Cassad
Director

Cassadys
5 Chancery Lane
London EC4A 1BL

71-75 Uxbridge Road
Ealing
London W5 5SL

Tel - 020 3772 5439
Web: www.cassadys.co.uk

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