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Agenda

Licensing Sub-Committee

Monday, 11 October 2021 at 10.00 am
Council Chamber - Town Hall

Membership (Quorum – 3)

Cllrs Barber, Bridge and Laplain

Agenda Item	Item	Wards(s) Affected	Page No

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Live broadcast

Live broadcast to start at 10am and available for repeat viewing.

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 for a New Premises Licence, Chick N Shack, 119 High Street, Brentwood, CM14 4RX

4. Determination of Objection to Temporary Event Notices

Governance & Member Support Officer: Zoe Borman (01277 312 736)
Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY
☎01277 312 500 www.brentwood.gov.uk

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
01.10.2021

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	**Personal Explanation**	**Point of Information or clarification**
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.	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.	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

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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

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Committee(s): Licensing & Appeals Committee	**Date:** 11 October 2021
Subject: Application for a New Premises Licence ***Chick N Shack, 119 High Street, Brentwood CM14 4RX***	**Wards Affected:** *Brentwood North* *Brentwood South*
Report of: Dave Leonard - Licensing Officer	**Public**
Report Author: Name: Dave Leonard Telephone: 01277 312523 E-mail: dave.leonard@brentwood.gov.uk	**For Decision**

Summary

An application has been received for a new premises licence to allow for the provision of late-night refreshment at ***Chick N Shack, 119 High Street, Brentwood CM14 4RX*****.** Representations have been received from the following three Responsible Authorities- Brentwood Borough Council's Licensing & Environmental Health departments & Essex Police (Licensing). There have been no representations received from Other Persons. Members are requested to determine the application having regard to the operating schedule, the representations received, the Secretary of State's guidance, Brentwood Borough 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:

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

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

3. To reject the application in whole or in part

Main Report

1. 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. Issue, Options and Analysis of Options

2.1 This application was initially received on 15 June 2021 from Mr Gautam Premchand, director of Prem's Solutions Ltd. T/A Chick N Shack in respect of ***Chick N Shack, 119 High Street, Brentwood CM14 4RX***. However, owing to administrative and advertising errors the consultation period was extended until 4 August 2021. A copy of the application and its clarification is attached at ***Appendix A.***

2.2 The premise is a small fast-food takeaway outlet located in the High Street. Inside there is limited upright counter space to stand at but there are no toilet or wash facilities available to customers. The applicant states that no food will be allowed to be consumed on the premises past 2300hrs and is seeking to provide late-night refreshment for take away only from the premises from the following hours;

Thursday - 23:00 to Friday 03:00
Friday - 23:00 to Saturday 03:00
Saturday - 23:00 to Sunday 03:00

plus Bank Holidays, Christmas Eve, New Year's Eve & other public holidays

2.3 Based on the content of the operating schedule, the conditions attached to any licence issued (in addition to the mandatory condition relating to the use of licensed Security Industry Authority door supervision) will be:

- There will be licenced security on the door from 23:00 until 03:00.
- After close a staff member will be assigned to collect any litter in the vicinity of the shop.

A set of OS Street Maps together with images to better identify the location are attached at ***Appendix B.***

2.4 There were three representations received from the Responsible Authorities.

From Brentwood Borough Council –
The Licensing Manager, Mr Paul Adams, identifies that the premises fronts onto the High Street, which is a designated clearway, and has concerns in relation to the public safety licensing objective. He has suggested the following five proposals which, if attached to any subsequently issued licence, may help to promote the licensing objectives –

- Signage should be placed at the entrance to the premises to ask customers to park lawfully, abiding by the parking restrictions and safely when collecting takeaways.
- Any website should provide the same message as above and direct customers to the nearest lawful parking areas.
- All deliver drivers, both employed direct or acting through a third party provider must not park, stop or wait along the length of the parking restrictions of the High Street or adjacent roads unless in a designated loading bay. A written policy/procedure must be in place and agreed with the Licensing Authority that covers the daily management of the parking of customers and delivery drivers when collecting takeaway orders.

- Door staff engaged at the premises should actively engage with customers and delivery drivers that park, stop or wait in breach of parking restrictions.
- CCTV must be provided that covers the customer areas and the area immediately outside the premises. (The standard Essex Police working could be appropriate here)

Environmental Health Manager, Mr David Carter, has made representation stating that the applicant has not satisfactorily addressed the prevention of public nuisance or the potential issues caused by customers leaving the premises, queuing for food or consuming food outside the shop, other than to say that any large groups would be dispersed by security, (which they would appear to have no lawful authority to do). Mr Carter claims that the prompt dispersal of patrons from licensed premises at night is impeded by the availability of food businesses, resulting in additional disturbance to residents, anti-social behaviour and litter. He asks that the Licensing Sub-Committee refuse this application or, alternatively, reduce the hours for provision of late-night refreshment such that there is not an attraction for customers to remain in the High Street after other venues have closed.

From Essex Police (Licensing) –
Senior Licensing Officer, Mr Gary Burke, claims that the applicant has not satisfactorily addressed the promotion of the licensing objectives. The police maintain that some areas are natural hotspots for potential crime and disorder and, with a collection of late-night pubs, bars and nightclubs, Brentwood High Street is one such hotspot.

The existence of premises providing late night refreshment in the High Street encourage individuals, many of whom are intoxicated, to remain in the area when the alcohol focused premises close. This congregation often leads to varying degrees of crime and disorder, so it is essential that all premises in the area are doing what they can to prevent such incidents. In its current form, the licence application does not actively prevent, discourage or provide a basis for investigation of any such incidents.

However, Essex Police will consider withdrawing their representation should the application be amended to include the following suggested conditions that are in line with both the operating schedule detailed in the application and other similar premises in the vicinity -

- The premises shall have installed and maintain a closed-circuit television surveillance (CCTV) system which at all times complies with the below requirements:
    i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
    ii. CCTV cameras shall cover all entrances {and exits} and the areas where alcohol sales take place;

iii. 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 period of {31} days;
Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided

- Signs must be displayed at all entrances {and exits} 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.
- Door supervision by SIA licensed door supervisors must be provided every day. On these days, door supervisors must be on duty from 2300 until at least 30 minutes after the premises has closed.
- All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing {jackets/vests/ armbands}
- Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. {These signs shall be a minimum size of 200mm x 148 mm}.

All three Responsible Authority representations are attached at ***Appendix C.***

2.5 There were no representations received from Other Persons.

3. Relevant Sections of the Secretary of State's Guidance

3.1 The following guidance issued under Section 182 Licensing Act 2003 relates to determining applications in relation to promoting the licensing objectives and the hours of trading;

Steps to promote the licensing objectives
8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

Hours of trading
10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

10.14 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

3.2 Statement of Licensing Policy

Brentwood Borough Council's Statement of Licensing Policy makes reference to;

Prevention of Crime & Disorder
19.3 The promotion of the licensing objective, to prevent crime & disorder places a responsibility on licence holders to become key partners in achieving this objective. ***Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.***

Public Safety
21.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. ***To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.***

Prevention of Public Nuisance

22.1 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain & protect the amenity of residents & other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

22.5 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

4. Reasons for Recommendation

4.1 These are the options available to the Committee under the Licensing Act 2003.

5. Consultation

5.1 The application has been consulted on in accordance with the requirements of the Licensing Act 2003.

5.2 Officers from the licensing authority have made several checks on the display of notices to ensure that the blue advertising notice was correctly on display at the front of the building. The applicant did struggle to understand the importance of correctly displaying public notices and of the requirement to advertise in a local paper. As a result, the consultation period was extended on more than one occasion until 4 August 2021.

Implications

Financial Implications
Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)
Tel/Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk

There are no financial implications for this report.

Legal Implications
Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer
Tel & Email: 01277 312705/amanda.julian@brentwood.gov.uk

Conditions may be attached to the grant of any licence, the hours or activities may be amended as appropriate, or in some cases the application may be refused. However, any action taken must be appropriate and relevant to promotion of the licensing objectives having considered the full details of the application and representations including testimony from any interested party present at the hearing.

The justification behind any decision to grant or refuse a licence application or the attachment of conditions, or variation of terms applied for must be recorded and given to the applicant and any person that has made representation.

There is a right of appeal to Magistrates Court by any person or party aggrieved by any decision made by the Sub-Committee.

Background Papers

None

Appendices to this report

- Appendix A - Application Form & Clarification
- Appendix B - OS Street Maps & Images
- Appendix C - Representations from Responsible Authorities -
  BBC (Licensing) – Mr Paul Adams
  BBC (Environmental Health) – Mr David Carter
  Essex Police (Licensing) – Mr Gary Burke

Report Author Contact Details:

Name: Dave Leonard
Telephone: 01277 312523
E-mail: licensing@brentwood.gov.uk

CHICK N SHACK, 119 HIGH ST, BRENTWOOD CM14 4RX

APPENDIX A

Application Form

Application for a Premises Licence to be granted under the Licensing Act 2003

BRENTWOOD BOROUGH COUNCIL

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 debit card.

Before completing this form please read the guidance notes:
Premises Licence Application 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 Nondomestic rateable value of the premises?: 4301-33000
Cost of licence: £190

I/We,

Name of the applicant: Prem's Solutions

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Details

Does the premises have a postal address, or would you like to enter ordnance survey map references, or a description of its location?: Yes, it has a postal address
Ordnance survey map reference or description:
Premises Address

Flat number (if any)	
House number/name	119
Road name	High Street
Town	Brentwood
County	Essex
Post Code	CM14 4RX

Daytime contact telephone number (if any)

Premises email address (optional): gautampremohand01@gmail.com

Please state whether you are applying for a Premises Licence as: (b) a person other than an individual: as a limited company; as a partnership; as an incorporated association; or other (for example, a statutory corporation)
I am: carrying on or proposing to carry on a business which involves the use of premises for licensable activities

Individual Applicants

Title:

First name(s):

Surname:

Date of birth:

I am 18 years old or older:

Nationality:

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information):

Applicant Address

Flat number (if any)
House number/name
Road name
Town
County
Post Code
Daytime contact telephone number:
Application email address (optional):

Second Individual Applicant (if applicable)

Title:

First name(s):

Surname:

Date of birth:

I am 18 years old or older:

Nationality:

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see

note 15 for information):

Applicant Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Daytime contact telephone number:

Application email address (optional):

Other Applicants

Please provide name and registered address of the applicant in full. Where appropriate, please give any registered number.

In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name: Prem's Solutions

Flat number (if any)	
House number/name	119
Road name	High Street
Town	Brentwood
County	Essex
Post Code	CM14 4RX

Registered number (where applicable): 10474550

Description of Applicant: Limited Company

Telephone

Email:

When do you want the premises licence to start?: 15/06/2021
If you wish the licence to be valid only for a limited period, when do you want it to end?:
General description of the premises (Please read guidance note 1):

We are a fast food takeaway restaurant

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:
What licensable activities do you intend to carry on from the premises? (please see section 1 and section 14 of the Licensing Act 2003 and Schedule 1 and Schedule 2 to the Licensing Act 2003)

Provision of regulated entertainment for:

Provision of late night refreshment:
Yes

Supply of alcohol:

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):

L) Films

Will the exhibition of films 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 exhibition of films (please read guidance note 4):

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):

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):

J) Boxing 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 wresting entertainment at different times to those listed above, please list (please read guidance note 5):

e) Live Music

Will the performance of a live music 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 live music (please read guidance note 4):

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):

C) Recorded Music

Will the playing of recorded music 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 playing recorded music (please read guidance note 4):

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

g) Performances of Dance

Will the performance of dances 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 dances (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):

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 be taking place indoors or outdoors or both? (please read guidance note 2): Outdoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	23:00

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

We would like to apply for a late night refreshments licence, Please note that there will be no one eating in the restaurant after 23:00 . It will be a take away and delivery service only.

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

There will be no seasonal variations.

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

Our extended times that we request are stated below.

Monday- 23:00 to Friday 03:00
Tuesday- 23:00 to Friday 03:00
Wednesday- 23:00 to Friday 03:00
Thursday - 23:00 to Friday 03:00
Friday - 23:00 to Saturday 03:00
Saturday - 23:00 to Sunday 03:00
Sunday - 23:00 to Monday 03:00

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

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 supply of alcohol (please read guidance note 4):

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):

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 Licensing Authority (if known):

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):

There will be no adult entertainment on our premises , we will ensure there will be a security team on the door for after hour refreshments.

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o) Promoting Licensing Objectives

Describe the steps that you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9):

There will be licenced security on the door from 23:00 until 03:00.
b) The prevention of crime and disorder:

There will be licenced security on the door from 23:00 until 03:00. No food will be allowed to be consumed on premises past 23:00. Any large groups congregating outside of the premises will be dispersed by security.
c) Public safety:

There will be licenced security on the door from 23:00 until 03:00. No food will be allowed to be consumed on premises past 23:00. Any large groups congregating outside of the premises will be dispersed by security. Free water will be provided to customers upon request.
d) The prevention of public nuisance:

There will be licenced security on the door from 23:00 until 03:00. No food will be allowed to be consumed on premises past 23:00. Any large groups congregating outside of the premises will be dispersed by security. After close a staff member will be assigned to collect any litter in the vicinity of the shop.
e) The protection of children from harm:

There will be licensed security on the door from 23:00 until 03:00. No food will be allowed to be consumed on premises past 23:00. Any large groups congregating outside of the premises will be dispersed by security. Any children under the age of 18 will not be served after 23:00 hours.

I) Hours Premises are open to the public

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	07:00	03:00
Tuesday	07:00	03:00
Wednesday	07:00	03:00
Thursday	07:00	03:00
Friday	07:00	03:00
Saturday	07:00	03:00
Sunday	07:00	03:00

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

There are no seasonal variations
Non standard timings. Where you intend to have the premises to be open to the public at different times to those listed above, please list (please read guidance note 5):

Our extended times that we request are stated below. we have inputed the extended hours above.

Monday- 23:00 to Friday 03:00
Tuesday- 23:00 to Friday 03:00
Wednesday- 23:00 to Friday 03:00
Thursday - 23:00 to Friday 03:00
Friday - 23:00 to Saturday 03:00
Saturday - 23:00 to Sunday 03:00
Sunday - 23:00 to Monday 03:00

Declaration

I agree to submit a plan of the premises: I agree

Alternatively these 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.

I will send copies of this application and the plan to the relevant authorities and others where applicable: I agree

I will submit a consent form completed by the individual I wish to be designated premises supervisor, if applicable (available as a separate online form on our website): I agree

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
(Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships) I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15): 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

(please read guidance note 11)
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature (name): gautam premhcand

Date: 15/06/2021

Capacity: Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

(Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15): I agree

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15): I agree

Signature (name):

Date: 15/06/2021

Capacity:

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14):

Correspondence name: gautam premchand

Telephone number:

Mobile telephone number:

Correspondence Address
Flat number (if any)
House number/name
Road name
Town
County
Post Code
To receive email confirmation of your application and payment, please provide a correspondence

Dave Leonard

From: Gautam Premchand [redacted]
Sent: 23 June 2021 17:37
To: Licensing
Cc: Dave Leonard
Subject: Re: CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX - APPLICATION FOR A NEW PREMISES LICENCE

Hi Dave,

Following our phone call yesterday, Im am just informing you that Prem's Solutions is the applicant. 119 High Street, cm14 4RX is the correct address. The address shown on Companies House is the address for our Accountant.

For late night refreshments , the days that we would like are below.

Thursday - 23:00 to Friday 03:00

Friday - 23:00 to Saturday 03:00

Saturday - 23:00 to Sunday 03:00

Could we also have the late night refreshments for the following days.

Bank Holidays

Christmas Eve

New Years Eve

Other public Holiday

Please let me know if there is any more information that you need from me.

Many Thanks

On Thu, Jun 17, 2021 at 4:38 PM Licensing <licensing@brentwood.gov.uk> wrote:

> Dear Gautam Premchand

I acknowledge receipt of your application for a Premises Licence at:

CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4R

There are a few anomalies on the application form that require clarification as follows:

Other Applicants:

The Other Applicant details e.g the company business address for Prem's Solutions Ltd does not match that as registered with Companies House. Please amend this by email.

Provision of Late Night Refreshment:

You have stated Outdoors – is this correct

The times for Late Night Refreshment is from 23:00 hours to 05:00 hours. You have stated extended times as:

Monday- 23:00 to Friday 03:00

Tuesday- 23:00 to Friday 03:00

Wednesday- 23:00 to Friday 03:00

Thursday - 23:00 to Friday 03:00

Friday - 23:00 to Saturday 03:00

Saturday - 23:00 to Sunday 03:00

Sunday - 23:00 to Monday 03:00

Please clarify that these are the hours you are applying for Provision of Late Night Refreshment.

I have included a copy of the plan that was submitted with your previous application. Is this plan correct.

The plan you have submitted Jo-Jos 119 High Street, Brentwood, Essex shows 119A highlighted on the plan. Is this correct?

Can you please forward a copy of your public notice that you intend to display at the premises and publish in the newspaper.

Thanks in advance.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312500**.

Kind regards,

Debra Wright | Licensing Technical Officer | Brentwood Borough Council

T| F 01277 312500 | www.brentwood.gov.uk | [redacted]

From: Gautam Premchand [redacted]
Sent: 15 June 2021 17:29
To: Licensing <licensing@brentwood.gov.uk>
Cc: Debra Wright <[redacted]
Subject: Re: CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX - APPLICATION FOR A NEW PREMISES LICENCE - REJECTED

Hi Dave ,

I have resubmitted the application. Please could you take a look and let me know if you require any more information.

The Reference is : PL342357317.

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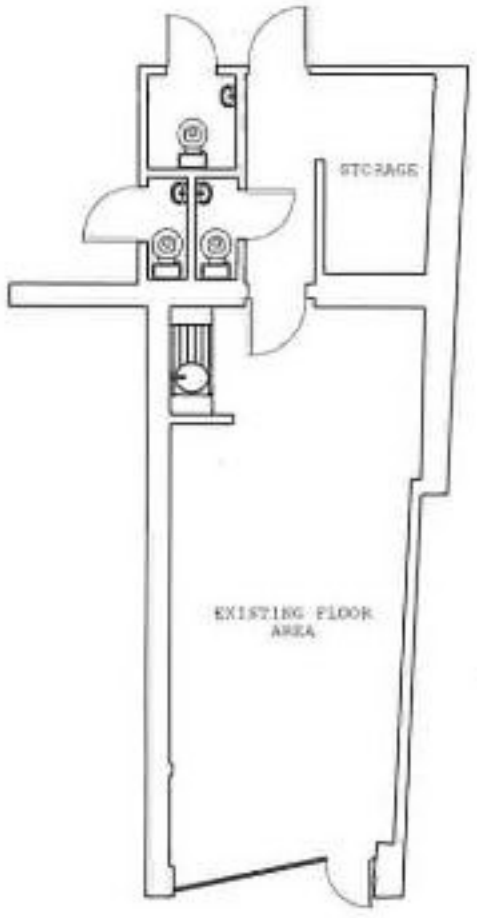
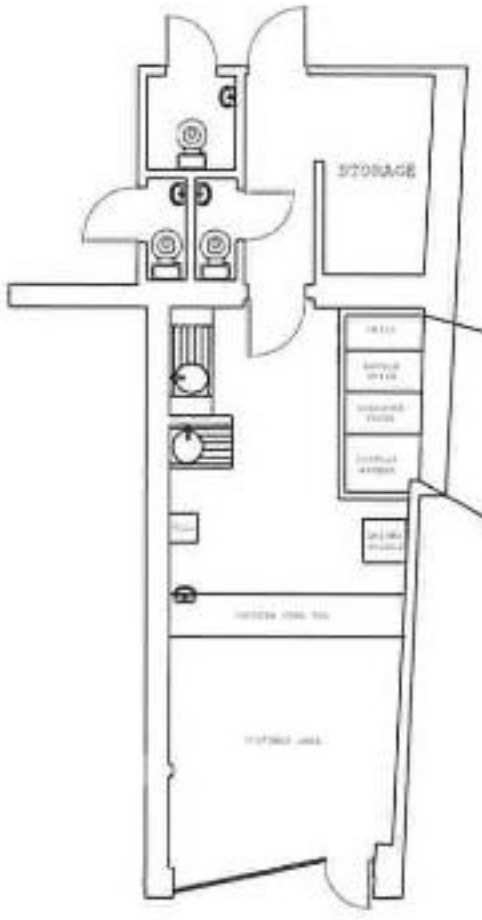


EXISTING GROUND FLOOR PLAN



EXTRACTION CANOPY

A stainless steel wall mounted extraction canopy 2700mm long x 1200mm deep x 480mm high at the rear 200mm high at the front to be fitted internally.

STAINLESS STEEL CLADDING

To install stainless steel wall cladding:
- 2700mm long x 2000mm high below canopy.
- 1200mm long x 2000mm high to the left of the canopy.

PROPOSED GROUND FLOOR PLAN

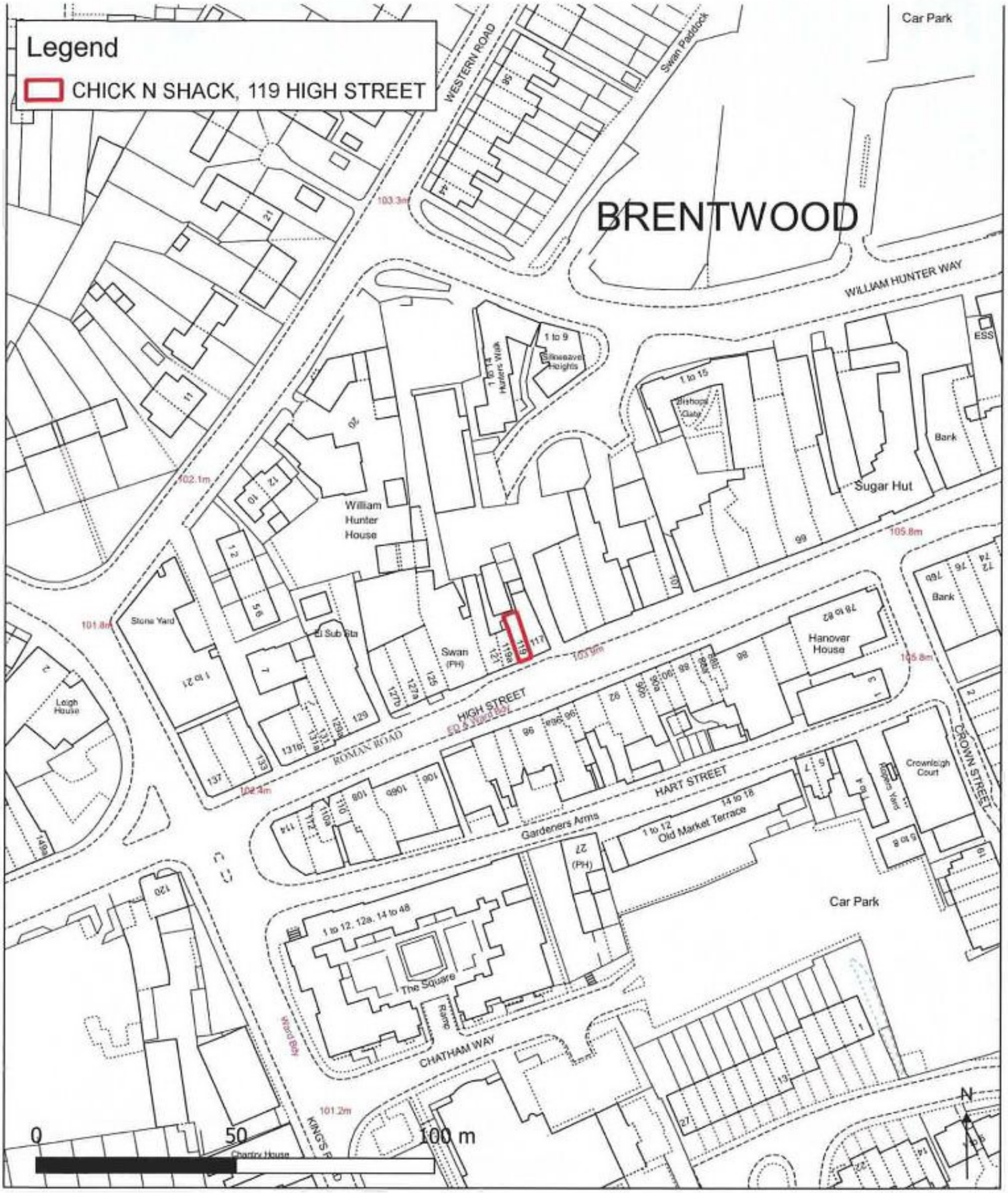
0 5
METRIC Scale: 1:100

JOB TITLE 119 HIGH STREET BRENTWOOD ESSEX. CM14 4RX	NOTE DO NOT SCALE OFF THIS DRAWING
	PAPER SIZE: A3 — SCALE: 1 : 100
DRAWING TITLE CHANGE OF BUSINESS FROM A1 TO A5 - ADDITION OF EXTRACTOR HOOD & VENTILATION SYSTEM - REPLACEMENT OF EXISTING ASBESTOS ROOF.	STATUS: PLANNING — DATE: 09/2018
	DRAWING No. 119HIGHSTREET/REV-A/100/1

CHICK N SHACK, 119 HIGH ST, BRENTWOOD CM14 4RX

APPENDIX B

OS Maps & Images



CHICK N SHACK, 119 HIGH STREET, BRENTWOOD, CM14 4RX

BRENTWOOD BOROUGH COUNCIL

Drawing No. :
Scale at A4 : 1:1250
Drawn by : OSJ
Service : ICT
Date : 10th August 2021

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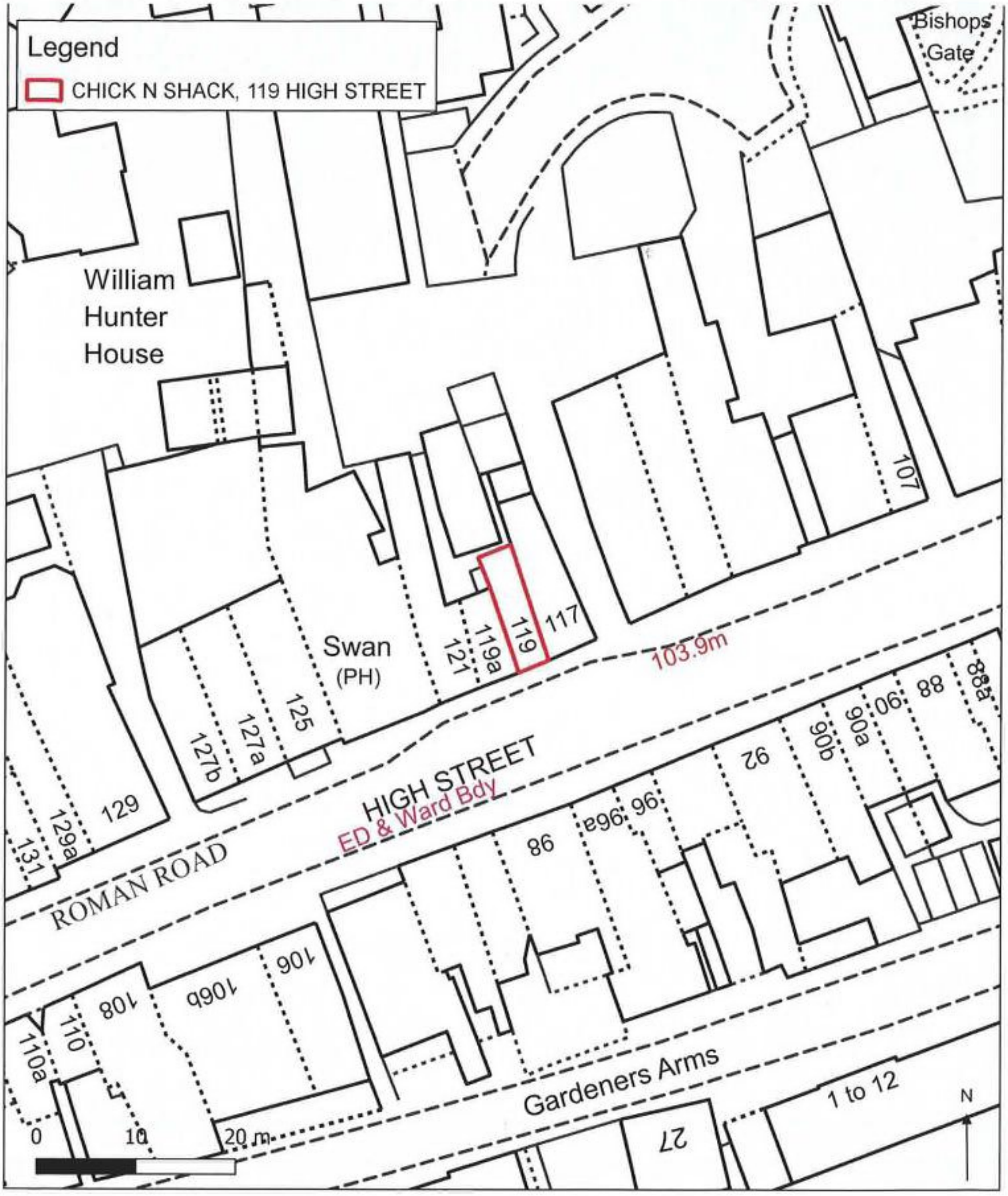
Jonathan Stephenson
Chief Executive
Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500



CHICK N SHACK, 119 HIGH STREET, BRENTWOOD, CM14 4RX

BRENTWOOD BOROUGH COUNCIL

Drawing No. :
Scale at A4 : 1:500
Drawn by : OSJ
Service : ICT
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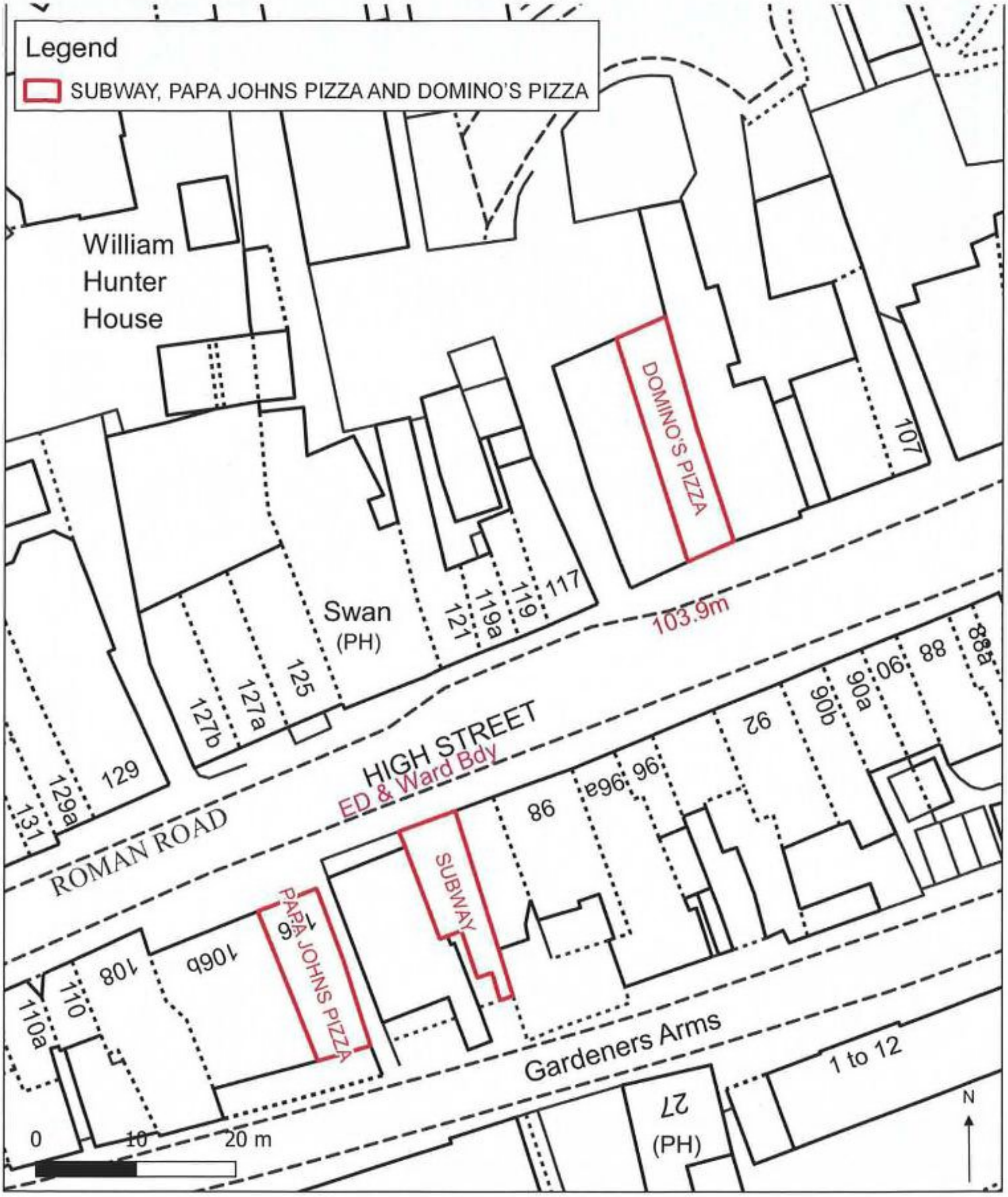

SUBWAY 102 HIGH STREET, PAPA JOHNS PIZZA 106 HIGH STREET AND DOMINO'S PIZZA 113 HIGH STREET

BRENTWOOD BOROUGH COUNCIL

Drawing No. :
Scale at A4 : 1:500
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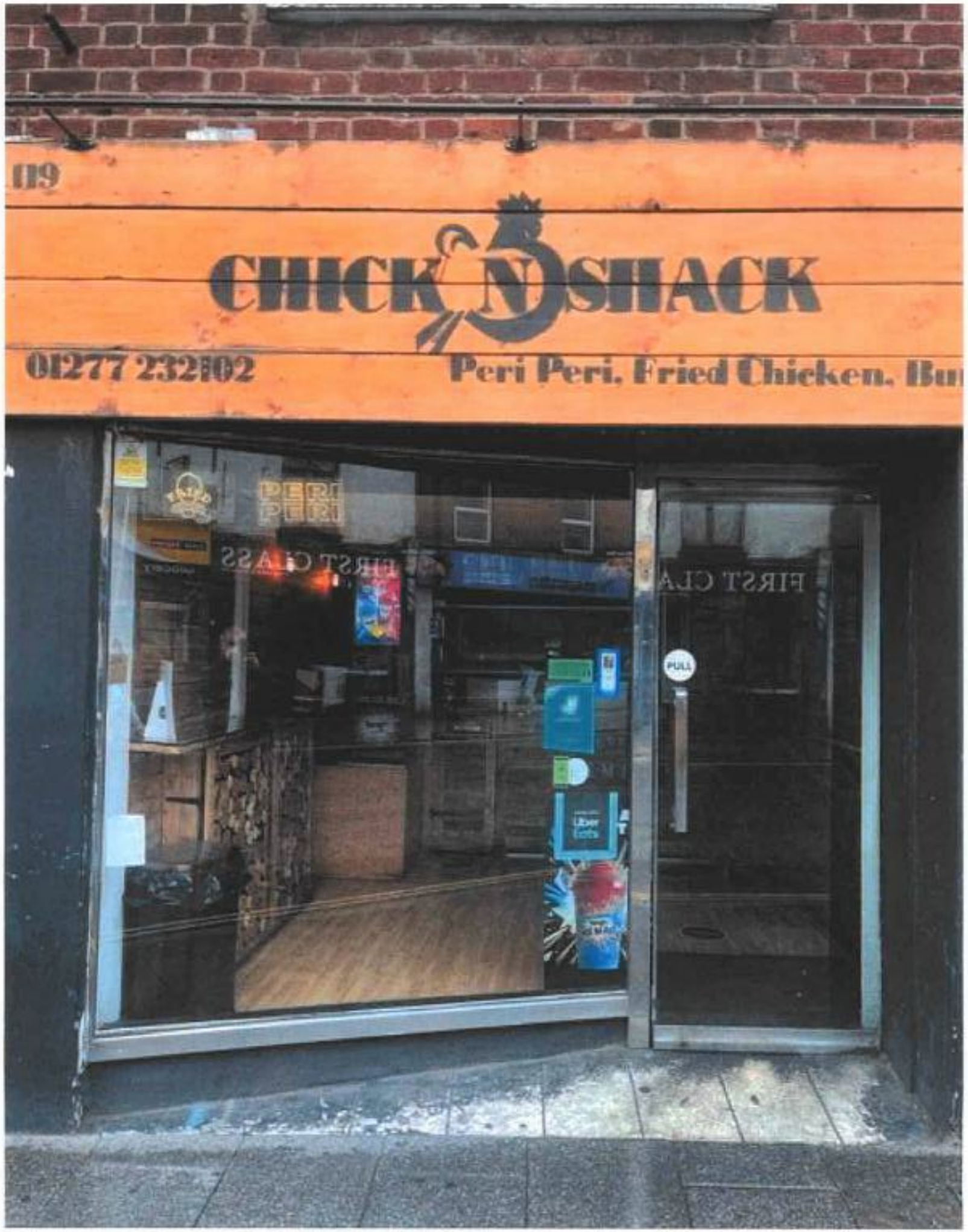
119
CHICK N SHACK
01277 232102
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PENING TIMES
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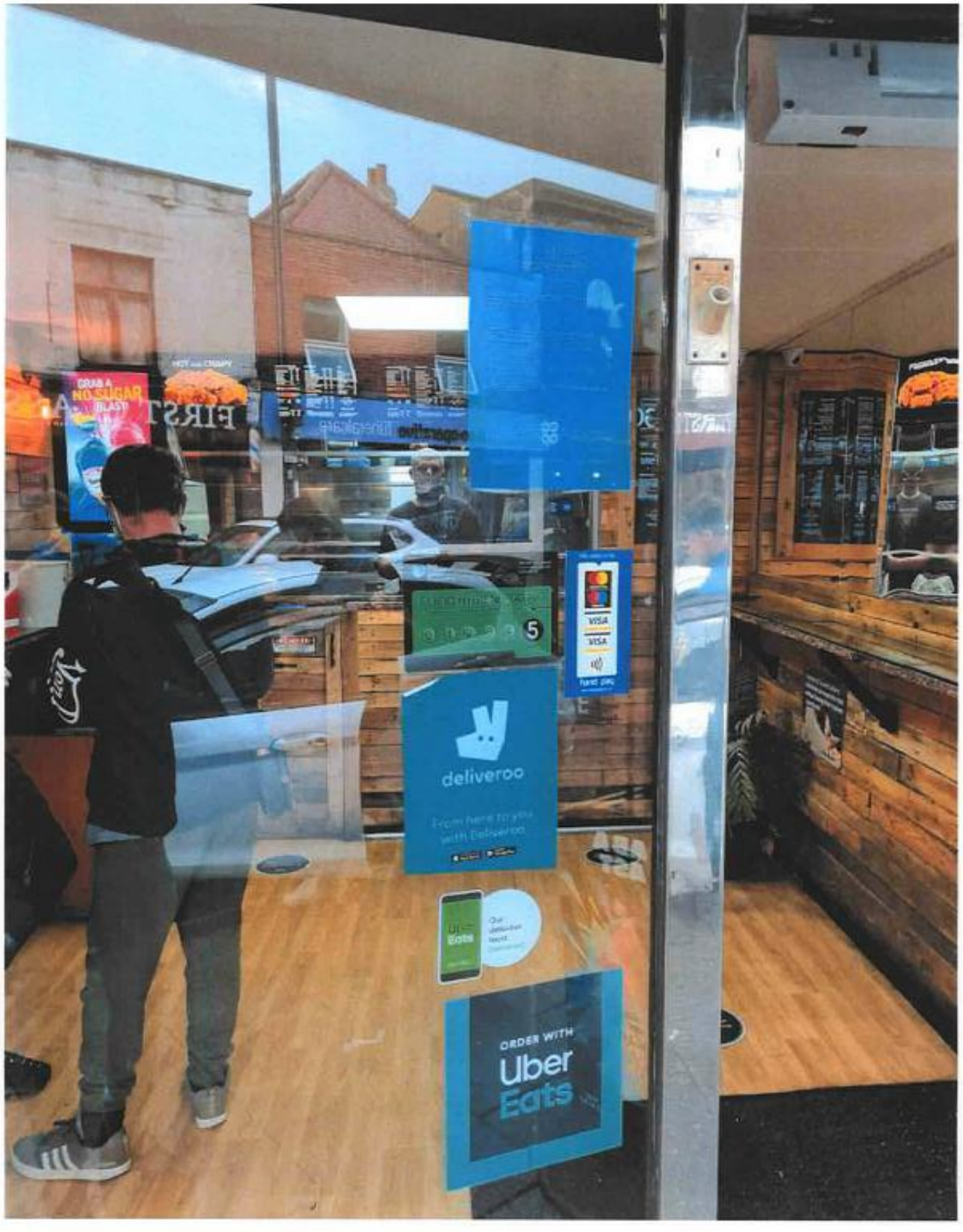
01277 232402
PULL


HOT and CRISPY
deliveroo
From here to you with Deliveroo
ORDER WITH
Uber
Eats

CHICK N SHACK, 119 HIGH ST, BRENTWOOD CM14 4RX

APPENDIX C

Representations

Responsible Authorities

Mr Paul Adams – Brentwood Borough Council (Licensing)

Mr David Carter – Brentwood Borough Council (Environmental Health)

Mr Gary Burke – Essex Police (Licensing)

Dave Leonard

From: Licensing
Sent: 03 August 2021 08:09
To: Gautam Premchand
Cc: Dave Leonard
Subject: FW: CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX - APPLICATION FOR A NEW PREMISES LICENCE - CONSULTATION PERIOD EXTENDED TO 21ST JULY 2021

Dear Gautam Premchand

I write to advise that a further representation has been received to your application for a premises licence for Late Night Refreshment. Please see the email below for details of the representation and suggested conditions.

Should you wish to discuss, Paul Adams, Licensing Manager, will be happy to liaise with you.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312500**.

Kind regards,

Debra Wright | Licensing Technical Officer | Brentwood Borough Council

T| F 01277 312500 | www.brentwood.gov.uk | [redacted]

From: Paul Adams [redacted]
Sent: 02 August 2021 12:25
To: Dave Leonard [redacted]
Cc: Licensing <licensing@brentwood.gov.uk>
Subject: RE: CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX - APPLICATION FOR A NEW PREMISES LICENCE - CONSULTATION PERIOD EXTENDED TO 21ST JULY 2021

Dave,

I wish to make representation with regards to the application in relation to Public Safety licensing objective.

The Premises fronts onto the High Street which is designated as a clearway, with no vehicle parking along its length. The application makes no reference to how delivery drivers (either employed or from third party companies) will leave their vehicles when accessing the premises to collect or wait for deliveries. We currently see up and down the high street vehicles pulling onto what is a narrow pavement to collect deliveries etc., at other similar late night refreshment premises forcing members of the public to walk into the busy road. While it is accepted that the applicant has little control over customers collecting orders, they are in a position to control where delivery drivers park before collecting orders, which will help promote the Public Safety licensing objective.

I would suggest that the conditions along the following lines would need to be attached to the licence in order to adequately promote the licensing objectives:

1. Signage should be placed at the entrance to the premises to ask customers to park lawfully, abiding by the parking restrictions and safely when collecting takeaways.
2. Any website should provide the same message as above and direct customers to the nearest lawful parking areas.
3. All deliver drivers, both employed direct or acting through a third party provider must not park, stop or wait along the length of the parking restrictions of the High Street or adjacent roads unless in a designated

orders.

4. Door staff engaged at the premises should actively engage with customers and delivery drivers that park, stop or wait in breach of parking restrictions.
5. CCTV must be provided that covers the customer areas and the area immediately outside the premises. (The standard Essex Police working could be appropriate here)

If the applicant wishes to discuss the conditions as above, I would be happy to do so.

Many Thanks

Paul Adams | Licensing Manager
T: [redacted] | M: [redacted] | www.brentwood.gov.uk |
[redacted]

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MEMO From David Carter

To: Licensing

Our ref 21/001213/LICON

Your ref

cc

Date 21st July 2021

Location	119 High Street, Brentwood, Essex, CM14 4RX
Details	**On 12th March 2021 the Licensing Office received an application from Mr Gautam Premchand for a new premises licence at** **CHICK N SHACK but showing JO-JOs at 119A on an attached plan. OWING TO A NUMBER OF DISCREPANCIES ON THE FORM THE APPLICATION WAS REJECTED.** **On 15th June 2021 the Licensing Office received an application from Mr Gautam Premchand, Director of Prems Solutions Ltd. T/A Chick N Shack for a new premises licence at** **CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX** **Once again, there were discrepancies on the application but, keen to progress with his project, these have now been clarified by Mr Premchand.** **The application seeks to provide late night refreshment to take away:** **Thursday - 23:00 to Friday 03:00** **Friday - 23:00 to Saturday 03:00** **Saturday - 23:00 to Sunday 03:00** **Plus Bank Holidays, Christmas Eve, New Years Eve and other public holidays 2300hrs until 0300hrs the following morning**

On behalf of the Pollution Team of Environmental Health I would wish to object to this application.

The objection is with regard to the licensing objective of prevention of public nuisance, which does not seem to have been addressed by the applicant, other than there will be licenced security on the door from 23:00 until 03:00.

The application seeks to provide late night refreshment for a takeaway food business situated in Brentwood High Street in the vicinity of several late-night licensed premises,

which are likely to provide a significant proportion of the potential clientele, after the licensed premises have closed or for patrons leaving these premises having consumed alcohol. The proposal is to provide late night refreshment until 03:00hrs on Friday, Saturday, and Sunday mornings.

There are relatively few takeaway food premises open late at night in Brentwood High Street, including Subway, Domino's Pizza and Papa John's Pizza.

It is apparent from observations of activity at night that these premises attract customers leaving licensed premises and the activity of customers outside has resulted in noise from people waiting for food and consuming food in the vicinity of the premises and other issues such as urination in the street and adjacent alleyways.

There is also an increase in litter and food debris left on the streets which has to be cleared up by the Council workers on the following morning; there is relatively little action taken by the food premises themselves to ensure that litter in the vicinity of their businesses is cleared up during their opening hours.

It is likely that this business will also attract customers late at night, who would be provided with hot food which is likely to be at a lower cost than the pizza takeaway shops and would possibly be more popular as a result.

The premises as shown on the plan has a very limited customer area inside the building that appears to be less than 8 square metres. There are no customer toilets in the premises and there is no indication of how the behaviour of customers who may be intoxicated will be managed.

The limited space within the premises would be likely to lead to external queuing of customers at peak periods, which are likely to occur after the closure of licensed premises, resulting in late night disturbance to High Street residential occupiers, some of which appear to be located directly opposite the building.

This premises would also be the closest food business to the Sugar Hut, the Slug & Lettuce and Bloc40, all of which operate into the early hours of the morning and would be likely to generate customers.

In my opinion the application does not address the potential issues caused by customers leaving the premises, queuing for food or consuming food outside the shop, other than to say that any large groups would be dispersed by security, (which they would appear to have no lawful authority to do).

The prompt dispersal of patrons from licensed premises at night is impeded by the availability of food businesses, resulting in additional disturbance to residents, anti-social behaviour and litter.

I would wish the Licensing Sub-Committee to refuse this application, or alternatively to reduce the hours for provision of late-night refreshment such that there is not an attraction for customers to remain in the High Street after other venues have closed.

David Carter
Environmental Health Manager

Dave Leonard

From: Licensing Epping and Brentwood
[redacted]
Sent: 04 August 2021 11:21
To: Licensing
Subject: Chick N Shack

Follow Up Flag: Follow up
Flag Status: Completed

Good morning,

I sent an email yesterday (copy below) explaining the need for some additional conditions for the above's new grant and was wondering if you had heard anything from them yet?

Thank you

Gary Burke
Senior Licensing Officer

[redacted]

Licensing Department (Alcohol & Gambling)
Essex Police | Braintree Police Station | Blyth's Meadow | CM7 3DJ

Good morning,

With regards to the above application for late night refreshment I would like some conditions added to the application. The suggested conditions are in line with both your operating schedule detailed in the application and other similar premises in the vicinity.

The suggested conditions are as follows;

- The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
  i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
  ii. CCTV cameras shall cover all entrances {and exits} and the areas where alcohol sales take place;
  iii. 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 period of {31} days;

  Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided

- Signs must be displayed at all entrances {and exits} 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.

premises has closed.

- All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing {jackets/vests/ armbands}

- Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. {These signs shall be a minimum size of 200mm x 148 mm}.

If you are happy with the above, can you please email licensing@brentwood.gov.uk to request the addition of the conditions

If you wish to discuss the above, please feel free to contact me by email or on [redacted]

Thank you

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Licensing Team
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY

Licensing Team
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

4 August 2021

Objection to Premises Licence Application;

Chick n Shack 21/00013/LAPRE
119 High Street, Brentwood, CM14 4RX

Dear sirs,

Essex Police received the latest iteration of the premises licence application for the above premises on 15 June 2021. The details contained within the application concerning the licensing objectives and how the premises would promote them were sparse and concerns were raised around the promotion of those objectives.

Correspondence was sent to the applicant regarding proposed conditions that would assist with promoting the licensing objectives. These conditions were in line with the operating schedule suggested within the application and are similar in nature to other premises providing late night refreshment in the vicinity.

Whilst Essex Police are broadly supportive in encouraging new business across the county, some areas are natural hotspots for potential crime and disorder. A collection of late-night pubs, bars and nightclubs means Brentwood High Street is one such hotspot.

The existence of premises providing late night refreshment in the High Street encourage individuals, many of whom are intoxicated, to remain in the area when the alcohol focused premises close. This congregation often leads to varying degrees of crime and disorder, so it is essential that all premises in the area are doing what they can to prevent such incidents. In its current form, the licence application does not actively prevent, discourage or provide a basis for investigation of any such incidents.

The case of East Lindsey District Council v Abu Hanif (Trading as Zara's Restaurant and Takeaway), [2016] EWHC 1265 (Admin) reaffirmed the principle that responsible authorities need not wait for the licensing objectives to actually be undermined, that crucially in considering whether the crime prevention objective has been engaged a

prospective consideration (i.e. what is likely to happen in the future) of what is warranted is a key factor.

Essex Police therefore give formal notice of their objection as, in their opinion, if this premises licence was granted with no conditions additional to the mandatory ones, the licensing objective of preventing crime and disorder would be undermined.

It should be noted however, that Essex Police will consider the withdrawal of this objection should the application be amended to include the suggested conditions.

Essex Police reserve the right to amplify on their submission and produce supplementary evidence necessary to support our objection, which will be served on each relevant party ahead of a hearing.

Yours sincerely

Gary Burke
Senior Licensing Officer

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11 October 2021	**ITEM:**
Licensing Sub-Committee	
DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES.	
Report of: Dave Leonard, Licensing Officer	
Wards and communities affected: Brentwood South, Brentwood North	**Key Decision:** Non-key
This report is public	
If the report, or a part of this, has been classified as being either confidential or exempt by reference to the descriptions in Schedule 12A of the Local Government Act 1972, it is hereby marked as being not for publication. The press and public are likely to be excluded from the meeting during consideration of any confidential or exempt items of business to which the report relates.	
Date of notice given of exempt or confidential report: not applicable	
Purpose of Report: To determine objections from Essex Police (Licensing) and Environmental Health for three Temporary Event Notices.	

EXECUTIVE SUMMARY

The Licensing Office has received objections from both consulting responsible authorities - the Essex Police Senior Licensing Officer, Mr Gary Burke, and the Environmental Health Manager, Mr David Carter - with regards to three Temporary Event Notices (TENs) submitted in relation to in-house events to be held at Bloc 40, First Floor, 40 High Street, Brentwood CM14 4AJ on Sunday 17 October 2021, Saturday 23 October 2021 and Sunday 24 October 2021 & Saturday, 25 December 2021. The objections relate to the prevention of crime & disorder and the prevention of public nuisance licensing objectives.

1. RECOMMENDATIONS:

1.1 That the Sub-Committee
a) Considers this report and appendices together with any oral submissions at the hearing and determines the application for the objection of a Temporary Event Notice.

2. INTRODUCTION AND BACKGROUND:

2.1 Section 104 (2) Licensing Act 2003, allows the Police or Environmental Health to object to a Temporary Event Notice if they believe that allowing the premises to be used in accordance with a Temporary Event Notice will undermine one or more of the licensing objectives.

2.2 The licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm.

2.3 The Licensing Department received a Temporary Event Notice on 30 September 2021 from Dadds LLP on behalf of Ms Leonora Dunne for an in-house event to be held on 17 October 2021. A copy of the TEN is attached at **Appendix A.**

2.4 The TEN relates to an in-house event to be held at Bloc 40, First Floor, 40 High Street, Brentwood CM14 4AJ on Sunday, 17 October 2021 from 0001hrs to 0300hrs, for the purposes of the sale by retail of alcohol, the provision of regulated entertainment & the provision of late-night refreshment. Ms Dunne is the current designated premises supervisor at Bloc 40.

2.5 A letter of acknowledgement of the TEN was sent on 30 September 2021 and a copy is attached at **Appendix B.**

2.6 On Friday 1 October 2021 the Licensing Department received an objection notice from Mr Gary Burke, a Senior Licensing Officer with Essex Police, outlining his objection that the Police are satisfied that the allowing the premises to be used in accordance with the notice would undermine the prevention of crime and disorder licensing objectives.

The reasons for being so satisfied are that following a recent licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

This objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex

Police that all of the measures that have been put in place following the hearing will remain in effect for the entire event.
The objection notice is attached at **Appendix C**.

2.7 On Monday 4 October 2021 the Licensing Department received an objection notice from David Carter, Environmental Health manager, with regard to the licensing objective of prevention of public nuisance. Mr Carter contends that the notification seeks to remove the condition on last entry time and also proposes an extension of the opening hours until 3.30am, with an extension of licensable activities beyond the currently licensed times, which have already resulted in complaints from residents in the area. Additionally, the noise management policy required by a review hearing on 28th June 2021 has not yet been provided and he has not been made aware of any noise dampening measures that have been implemented, which was also a requirement of the review hearing decision.
The objection notice is attached at **Appendix D**.

2.8 The Licensing Department received a Temporary Event Notice on 30 September 2021 from Dadds LLP on behalf of Ms Leonora Dunne for in-house pre-Halloween events to be held on both 23 October 2021 and 24 October 2021. A copy of the TEN is attached at **Appendix E.**

2.9 The TEN relates to in-house pre-Halloween events to be held at Bloc 40, First Floor, 40 High Street, Brentwood CM14 4AJ on Saturday, 23 October 2021 from 0001hrs to 0300hrs & Sunday, 24 October 2021 from 0100hrs-0300hrs, for the purposes of the sale by retail of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club & the provision of late-night refreshment.

2.10 A letter of acknowledgement of the TEN was sent on 30 September 2021 and a copy is attached at **Appendix F.**

2.11 On Friday 1 October 2021 the Licensing Department received an objection notice from Mr Gary Burke, a Senior Licensing Officer with Essex Police, outlining his objection that the Police are satisfied that the allowing the premises to be used in accordance with the notice would undermine the prevention of crime and disorder licensing objectives.

The reasons for being so satisfied are that following a recent licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

This objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all of the measures that have been put in place following the hearing will remain in effect for the entire event.
The objection notice is attached at **Appendix G**.

2.12 On Monday 4 October 2021 the Licensing Department received an objection notice from David Carter, Environmental Health manager, with regard to the licensing objective of prevention of public nuisance. Mr Carter contends that the notification seeks to remove the condition on last entry time and also proposes an extension of the opening hours until 3.30am, with an extension of licensable activities beyond the currently licensed times, which have already resulted in complaints from residents in the area. Additionally, the noise management policy required by a review hearing on 28th June 2021 has not yet been provided and he has not been made aware of any noise dampening measures that have been implemented, which was also a requirement of the review hearing decision.

Mr Carter adds that this application also extends over two days, Saturday 23 October and Sunday 24 October, extending until 3.30am on Monday morning, which will be a normal working day. This event is described as a 'pre-Halloween event', which takes place on the following weekend and is also likely to be a busy evening with the potential for disturbance to residents.
The objection notice is attached at **Appendix H.**

2.13 The Licensing Department received a Temporary Event Notice on 30 September 2021 from Dadds LLP on behalf of Ms Leonora Dunne for a Christmas Eve event to be held on 25 December 2021. A copy of the TEN is attached at **Appendix I.**

2.14 The TEN relates to a Christmas Eve event to be held at Bloc 40, First Floor, 40 High Street, Brentwood CM14 4AJ on Saturday, 25 December 2021 from 0001hrs to 0300hrs, for the purposes of the sale by retail of alcohol, the provision of regulated entertainment & the provision of late-night refreshment.

2.15 A letter of acknowledgement of the TEN was sent on 30 September 2021 and a copy is attached at **Appendix J.**

2.16 On Friday 1 October 2021 the Licensing Department received an objection notice from Mr Gary Burke, a Senior Licensing Officer with Essex Police, outlining his objection that the Police are satisfied that the allowing the premises to be used in accordance with the notice would undermine the prevention of crime and disorder licensing objectives.

The reasons for being so satisfied are that following a recent licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

This objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all of the measures that have been put in place following the hearing will remain in effect for the entire event.
The objection notice is attached at **Appendix K**.

2.17 On Monday 4 October 2021 the Licensing Department received an objection notice from David Carter, Environmental Health manager, with regard to the licensing objective of prevention of public nuisance. Mr Carter contends that the notification seeks to remove the condition on last entry time and also proposes an extension of the opening hours until 3.30am on Christmas Day morning, with an extension of licensable activities beyond the currently licensed times, which have already resulted in complaints from residents in the area. Additionally, the noise management policy required by a review hearing on 28th June 2021 has not yet been provided and he has not been made aware of any noise dampening measures that have been implemented, which was also a requirement of the review hearing decision.
The objection notice is attached at **Appendix L**.

2.18 To assist the Sub-Committee, a copy of the current Bloc 40 premises licence, issued on 8 September 2021, is attached at **Appendix M.**

3. ISSUES, OPTIONS AND ANALYSIS OF OPTIONS:

3.1 The committee, after considering the objection application, will need to consider what action, if any, to take in order to ensure that the licensing objectives are complied with.

3.2 The power to impose conditions on a TEN is conferred by s106 Licensing Act 2003. This is not a general power to impose conditions and can be exercised only where temporary events are held on premises, or parts of premises, for which a premises licence or Club Premises Certificate is in force and an objection notice is given.

3.3 The following options are available to the Licensing Sub-Committee:

- Allow each Temporary Event Notice being determined as applied for;
- To impose conditions on the TEN being determined as conferred by s106 Licensing Act 2003.
- To reject the Temporary Event Notice being determined as applied for and issue a Counter Notice, which will prevent the event from going ahead.

3.4 The decision made by the Committee will take immediate effect. There is a right of appeal for both the person who has given the TEN and for the relevant person that had submitted the objection notice. However, no appeal may be brought later than 5 working days before the day on which the event period specified in the TEN.

3.6 In determining this application for an objection of the Temporary Event Notice by Environmental Health, the Sub-Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003.

3.7 The Sub-Committee are advised that the hearing is of a quasi-judicial nature and representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability.

3.8 The Sub-Committee are advised that the final decision should be based on the individual merits of the application & findings of fact made at the hearing.

4. REASONS FOR RECOMMENDATION:

4.1 These are the options available to the Sub-Committee

5. CONSULTATION (including Overview and Scrutiny, if applicable)

5.1 Copies of both objections have been served on the premises user.

6. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

6.1 The Council has a duty under Section 17 of the Crime & Disorder Act 1998 to do all that it reasonably can to prevent:

(a) crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment), and;

(b) the misuse of drugs, alcohol and other substances in its areas.

In considering this duty the Sub-Committee should have due regard to the Licensing Act 2003, the Guidance issued by the Secretary of State under Section 182 of the Act and the Council's own Statement of Licensing Policy.

The Licensing Sub-Committee is of a quasi-judicial nature and whilst the Licensing Committee should ensure equality of treatment for all groups in the granting of licences, due regard should be given to its responsibility to promote the licensing objectives and its duties under Section 17 of the Crime and Disorder Act 1998. This includes full consideration of the need to prevent crime and disorder, ensure public safety, the prevention of public nuisance and the protection of children from harm. Where it finds that the need to comply with those duties is reasonably inferred, it must determine the application appropriately.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT (include their location and identify whether any are exempt or protected by copyright):

- The Licensing Act 2003
- The Secretary of State's Guidance issued under section 182 Licensing Act 2003
- Brentwood Borough Council's Statement of Licensing Policy

APPENDICES TO THIS REPORT:

Appendix A - Temporary Event Notice Application (17 October 2021)

Appendix B - Letter of Acknowledgement

Appendix C - Notice of Objection from Gary Burke (Essex Police Licensing)

Appendix D - Notice of Objection from David Carter (Environmental Health)

Appendix E - Temporary Event Notice Application (23 & 24 October 2021)

Appendix F - Letter of Acknowledgement

Appendix G - Notice of Objection from Gary Burke (Essex Police Licensing)

Appendix H - Notice of Objection from David Carter (Environmental Health)

Appendix I - Temporary Event Notice Application (25 December 2021)

Appendix J - Letter of Acknowledgement

Appendix K - Notice of Objection from Gary Burke (Essex Police Licensing)

Appendix L - Notice of Objection from David Carter (Environmental Health)

Appendix M - Bloc 40 premises licence issued 8 September 2021

Report Author Contact Details:

Name: Dave Leonard
Telephone: 01277 312523
E-mail: dave.leonard@brentwood.gov.uk

DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES

BLOC 40,

FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 4AJ

Sunday 17 October 2021,

Saturday 23 October 2021 & Sunday 24 October 2021

Saturday 25 December 2021

APPENDICES

Appendix A - *Temporary Event Notice Application (17 October 2021)*

Appendix B - *Letter of Acknowledgement*

Appendix C - *Notice of Objection from Gary Burke (Essex Police Licensing)*

Appendix D - *Notice of Objection from David Carter (Environmental Health)*

Appendix E - *Temporary Event Notice Application (23 & 24 October 2021)*

Appendix F - *Letter of Acknowledgement*

Appendix G - *Notice of Objection from Gary Burke (Essex Police Licensing)*

Appendix H - *Notice of Objection from David Carter (Environmental Health)*

Appendix I *- Temporary Event Notice Application (25 December 2021)*

Appendix J - *Letter of Acknowledgement*

Appendix K - *Notice of Objection from Gary Burke (Essex Police Licensing)*

Appendix L - *Notice of Objection from David Carter (Environmental Health)*

Appendix M – *Bloc 40 premises licence issued 8 September 2021*

Appendix A

BRENTWOOD BOROUGH COUNCIL

Ms Leonora Maria DUNNE
Crescent House
51 High Street
Billericay
Essex
CM12 9AX

Date: 30th September 2021
Our Reference: 21/00090/LATEMP

Dear Ms Leonora Maria DUNNE,

Licensing Act 2003 - Temporary Event Notice: First Floor 40 High Street Brentwood Essex CM14 4AJ
EVENT on the 17th October 2021
EVENT to the 17th October 2021
ACTIVITIES: Provision of Late Night Refreshments
Sale by Retail of Alcohol
Regulated Entertainment

TIMES: 00:01 - 03:00
LOCATION: Bar & Restaurant
COMMENTS: In house event
CAPACITY: 499

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 30th September 2021

The fee of £21 has been receipted and paid with thanks.

If the Police or Environmental Health believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice within the period of three working days following the day on which they received the TEN.

You will need to display a copy of this acknowledgment in a prominent position at the premises. It is your responsibility as the applicant to do this.

If the Acknowledgment letter is not displayed a constable or authorised officer may require the premises user or nominated person to produce a copy of it. A constable or authorised officer may, at any reasonable time, enter the premises to which a TEN relates. A person commits an offence if he/she fails, without reasonable excuse, to produce either a copy of the Temporary Event Notice or acknowledgment letter upon request, or intentionally obstructs an authorised officer exercising these powers.

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY
Email: Licensing@brentwood.gov.uk **www.brentwood.gov.uk**

A Temporary Event Notice maybe withdrawn by the premises user, giving the Licensing Authority no less than 24 hours notice before the beginning of the temporary event. Should you cancel an event, but fail to withdraw the notice, the TEN will still count towards the limited number available per premises and applicant.

Where a Temporary Event Notice acknowledged by the Licensing Authority is lost, stolen, damaged or destroyed, the premises user may apply to the Licensing Authority for a copy of the notice. Any such application must be accompanied by the prescribed fee of £10.50.

We have also attached at page 2 some safety guidance from our Health and Safety team around bouncy castles, should you be considering use of them at this event.

Should you have any queries with regard to the above, please do not hesitate to contact this office.

Yours sincerely

Miss Dominika Jaskolska

Licensing Technical Officer

Bouncy castles and other play inflatables: Safety Advice

Serious incidents have occurred where inflatables have collapsed or blown away in windy conditions.

Simple precautions can help you avoid serious incidents, whether you supply or buy bouncy castles and inflatables, are hiring one for an event, or operate them.

Health and safety law applies to the supply, hire and use of inflatables for commercial purposes. It does not apply to private, domestic buyers and users.

The Health and Safety Executive have produced guidance that applies to inflatables devices used both outside and inside.

If you are intending to have a bouncy castle or a play inflatable at your event you need to have regard to the guidance which can be found using the following link:-

http://www.hse.gov.uk/entertainment/fairgrounds/inflatables.htm

The guidance details what you should do before you hire or buy a device and how it should be set up and used at the event. It is important to note that the guidance states:-

'When the inflatable is being operated outside, use an anemometer to measure the wind speed at regular intervals. If one of these is not available, the inflatable should not be operated outside.'

*'Do **not** use smartphone weather applications to measure wind speed as they do not take localised wind conditions into account'*

You need to ensure that you make suitable arrangements for the safe use of any bouncy castle or other play inflatable at your event.

Temporary Event Notice

Reference: TEN366665108

Please Note: You must provide payment for this licence after completing the form. You do this online. 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.
Cost of Application: £21.00

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User

Title: Ms.
First name(s): Leonora Maria
Surname: DUNNE
Date of birth: [redacted]
Place of birth: [redacted]
National Insurance Number: [redacted]
Do you have any previous or maiden names?: [redacted]

Forenames:
Surname:

Current Address

Flat number (if any)
House number/name
Road name
Town
County
Post Code
[redacted]
Email address: office@dadds.co.uk
Daytime telephone number: [redacted]
Evening telephone number:
Mobile telephone number:

Would you like to use an alternative address to the one given above for correspondence?: Yes

Correspondence Address

Flat number (if any)	Crescent House
House number/name	51
Road name	High Street
Town	Billericay

County	Essex
Post Code	CM12 9AX

The Premises

Are you able to provide a postal address for the premises where you intend to carry out the licensable activities?: Yes

Premises Address

Flat number (if any)	First Floor
House number/name	40
Road name	High Street
Town	Brentwood
County	Essex
Post Code	CM14 4AJ

If not, please provided a detailed description and Ordnance Survey references

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes
If yes, which: Premises Licence
Please enter the necessary information below

Premises Licence number: PRM_0545

Club Premises Certificate number:

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a brief description and details. Please describe the nature of the premises.

Whole Premises

Please describe the nature of the premises:

Bar & Restaurant

Please describe the nature of the event:

In house event

Licensable Activities

Please state the licensable activities that you intend to carry on at the premises for

The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment

Are you giving a late temporary event notice?: No
Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days).

17/10/2021

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

from 00:01 until 03:00hrs for licensable activities
The premises licence holder agrees to comply with the conditions of the premises licence for the duration of the TEN - save for condition 8 Annex 3 regarding admittance after midnight. The premises licence holder agrees to volunteer the replacement condition that there is no admission to the premises after 01:30 hrs for the duration of the temporary event.

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers.

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both: On the premises only

---

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes
Please provide the details of your personal licence below

Issuing licensing authority: [redacted]

Licenc number: [redacted]

Date of issue: [redacted]

Any further relevant details:

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?: No
Please state the number of temporary event notices you have given for events in that same calendar year?:
Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

---

Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No
Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:
Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No
Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

Condition

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declaration

The information contained in this form is correct to the best of my knowledge and belief.

I UNDERSTAND THAT IT IS AN OFFENCE

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months, or to both.

I agree

Full name: David Dadds - Applicant's Solicitor
Date: 30/09/2021

National Fraud Initiative

The Council is under a duty to protect the public funds it administers and may use or share the information it holds about you for the prevention and detection of fraud, and to aid the administration of other Council services. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see www.brentwood.gov.uk/nfi

This form is to be used to serve a Standard Temporary Event Notice. It must be served at least 10 working days prior to the event, not including date of event, date of service or Bank Holidays.

Appendix C

Mr Dadds
Crescent House
51 High Street
Billericay
CM12 9AX

Essex Police Licensing Unit
Blyth's Meadow
Braintree
Essex CM7 3DJ

01245 452035

01 October 2021

POLICE OBJECTION NOTICE To a Temporary Event Notice (TEN)
Section 104 Licensing Act 2003

Name of Premises User: Leonora Dunne (Bloc 40)

Address of Premises: First Floor, 40 High Street, Brentwood, CM14 4AJ

Date (s) required for TEN(s) 17 October 2021

On 30 September 2021 Essex Police received the above Notice(s).

The Police are satisfied that the allowing the premises to be used in accordance with the notice(s) would undermine one or more of the licensing objectives.

The licensing objective(s) of relevance to this objection notice is the prevention of crime and disorder.

The reasons for being so satisfied are that following a recent licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

This objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all of the measures that have been put in place following the hearing will remain in effect for the entire event.

A copy of this objection notice has been served upon the premises user (or agent making application), the local Environmental Health Department and the relevant licensing authority.

On receipt of this notice the licensing authority will issue a ‘Counter Notice’ and provide further information on related procedures.

Yours faithfully

Gary Burke

Licensing.applications@essex.police.uk

MEMO From Mr David Carter

To: Licensing

Our ref 21/001820/LITEN

Your ref

cc

Date 4th October 2021

Location	**First Floor, 40 High Street, Brentwood, Essex**
Details	**Please describe the nature of the premises:** **Bar & Restaurant** **Please describe the nature of the event:** **In house event** **Licensable Activities** **Please state the licensable activities that you intend to carry on at the premises fo:r** **The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night** **refreshment** **Are you giving a late temporary event notice?: No** **Please state the dates on which you intend to use these premises for licensable activities.** **The maximum period for using premises for licensable activities under the authority of a** **temporary event notice is 96 hours (four days).** **17/10/2021** **Please state the times during the event period that you propose to carry on licensable** **activities (please give times in 24 hour clock).** **from 00:01 until 03:00hrs for licensable activities** **The premises licence holder agrees to comply with the conditions of the premises licence for the** **duration of the TEN - save for condition 8 Annex 3 regarding admittance after midnight. The** **premises licence holder agrees to volunteer the replacement condition that there is no admission to** **the premises after 01:30 hrs for the duration of the temporary event.** **Please state the maximum number of people at any one time that you intend to allow to be** **present at the premises during the times when you intend to carry on licensable activities,** **including any staff, organisers or performers.** **499**

I wish to object on behalf of the Environmental Health Pollution Team to this application with regard to the licensing objective of prevention of public nuisance. This TEN seeks to remove the condition on last entry time and also proposes an extension of the opening hours

until 3.30, with an extension of licensable activities beyond the currently licensed times, which have already resulted in complaints from residents in the area. In addition, the noise management policy required by the review hearing on 28th June 2021 has not yet been provided and we are not aware of any noise dampening measures that have been implemented, which was also a requirement of the review hearing decision.

Mr David Carter
Senior EHO (Team Leader)

Temporary Event Notice

Reference: TEN366695424

Please Note: You must provide payment for this licence after completing the form. You do this online. 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.
Cost of Application: £21.00

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User

Title: Ms.
First name(s): Leonora
Surname: Dunne
Date of birth: [redacted]
Place of birth: [redacted]
National Insurance Number [redacted]
Do you have any previous or maiden names?: [redacted]

Forenames:
Surname:

Current Address

Flat number (if any)
House number/name [redacted]
Road name
Town
County
Post Code
Email address: office@dadds.co.uk
Daytime telephone number: [redacted]
Evening telephone number:
Mobile telephone number:

Would you like to use an alternative address to the one given above for correspondence?: Yes

Correspondence Address

Flat number (if any)	Crescent House
House number/name	51
Road name	High Street
Town	Billericay
County	Essex
Post Code	CM12 9AX

The Premises

Are you able to provide a postal address for the premises where you intend to carry out the licensable activities?: Yes

Premises Address

Flat number (if any)	First Floor
House number/name	40
Road name	High Street
Town	Brentwood
County	Essex
Post Code	CM14 4AJ

If not, please provided a detailed description and Ordnance Survey references

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes
If yes, which: Premises Licence
Please enter the necessary information below

Premises Licence number: PRM_0545

Club Premises Certificate number:

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a brief description and details. Please describe the nature of the premises.

Whole Premises

Please describe the nature of the premises:

Bar & Restaurant

Please describe the nature of the event:

In house pre-Halloween event

Licensable Activities

Please state the licensable activities that you intend to carry on at the premises for

The sale by retail of alcohol, The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, The provision of late night refreshment

Are you giving a late temporary event notice?: No
Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days).

23/10/2021-24/10/2021

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

from 00:01 until 03:00hrs for licensable activities on each of the above dates. Close of premises by 03:30hrs on both dates
The premises licence holder agrees to comply with the conditions of the premises licence for the duration of the TEN - save for condition 8 Annex 3 regarding admittance after midnight. The premises licence holder agrees to volunteer the replacement condition that there is no admission to the premises after 01:30hrs on any day for the duration of the temporary event.

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers.

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both: On the premises only

---

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes
Please provide the details of your personal licence below

Issuing licensing authority: [redacted]

Licenc number: [redacted]

Date of issue: [redacted]

Any further relevant details:

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?: Yes
Please state the number of temporary event notices you have given for events in that same calendar year?: 1
Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

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Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No
Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:
Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No
Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

Condition

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declaration

The information contained in this form is correct to the best of my knowledge and belief.

I UNDERSTAND THAT IT IS AN OFFENCE

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months, or to both.

I agree

Full name: David Dadds - Applicant's Solicitor
Date: 30/09/2021

National Fraud Initiative

The Council is under a duty to protect the public funds it administers and may use or share the information it holds about you for the prevention and detection of fraud, and to aid the administration of other Council services. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see www.brentwood.gov.uk/nfi

This form is to be used to serve a Standard Temporary Event Notice. It must be served at least 10 working days prior to the event, not including date of event, date of service or Bank Holidays.

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BRENTWOOD BOROUGH COUNCIL

Ms Leonora Dunne
Crescent House
51 High Street
Billericay
Essex
CM12 9AX

Date: 30th September 2021
Our Reference: 21/00091/LATEMP

Dear Ms Leonora Dunne,

Licensing Act 2003 - Temporary Event Notice: First Floor 40 High Street Brentwood Essex CM14 4AJ
EVENT on the 23rd October 2021
EVENT to the 24th October 2021
ACTIVITIES: Supply of Alcohol to Club Member or Guests
Provision of Late Night Refreshments
Sale by Retail of Alcohol

TIMES: 00:01 - 03:00
LOCATION: Bar & Restaurant
COMMENTS: In house pre-Halloween event
CAPACITY: 499

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 30th September 2021

The fee of £21 has been receipted and paid with thanks.

If the Police or Environmental Health believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice within the period of three working days following the day on which they received the TEN.

You will need to display a copy of this acknowledgment in a prominent position at the premises. It is your responsibility as the applicant to do this.

If the Acknowledgment letter is not displayed a constable or authorised officer may require the premises user or nominated person to produce a copy of it. A constable or authorised officer may, at any reasonable time, enter the premises to which a TEN relates. A person commits an offence if he/she fails, without reasonable excuse, to produce either a copy of the Temporary Event Notice or acknowledgment letter upon request, or intentionally obstructs an authorised officer exercising these powers.

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY
Email: Licensing@brentwood.gov.uk **www.brentwood.gov.uk**

A Temporary Event Notice maybe withdrawn by the premises user, giving the Licensing Authority no less than 24 hours notice before the beginning of the temporary event. Should you cancel an event, but fail to withdraw the notice, the TEN will still count towards the limited number available per premises and applicant.

Where a Temporary Event Notice acknowledged by the Licensing Authority is lost, stolen, damaged or destroyed, the premises user may apply to the Licensing Authority for a copy of the notice. Any such application must be accompanied by the prescribed fee of £10.50.

We have also attached at page 2 some safety guidance from our Health and Safety team around bouncy castles, should you be considering use of them at this event.

Should you have any queries with regard to the above, please do not hesitate to contact this office.

Yours sincerely

Miss Dominika Jaskolska

Licensing Technical Officer

Bouncy castles and other play inflatables: Safety Advice

Serious incidents have occurred where inflatables have collapsed or blown away in windy conditions.

Simple precautions can help you avoid serious incidents, whether you supply or buy bouncy castles and inflatables, are hiring one for an event, or operate them.

Health and safety law applies to the supply, hire and use of inflatables for commercial purposes. It does not apply to private, domestic buyers and users.

The Health and Safety Executive have produced guidance that applies to inflatables devices used both outside and inside.

If you are intending to have a bouncy castle or a play inflatable at your event you need to have regard to the guidance which can be found using the following link:-

http://www.hse.gov.uk/entertainment/fairgrounds/inflatables.htm

The guidance details what you should do before you hire or buy a device and how it should be set up and used at the event. It is important to note that the guidance states:-

'When the inflatable is being operated outside, use an anemometer to measure the wind speed at regular intervals. If one of these is not available, the inflatable should not be operated outside.'

*'Do **not** use smartphone weather applications to measure wind speed as they do not take localised wind conditions into account'*

You need to ensure that you make suitable arrangements for the safe use of any bouncy castle or other play inflatable at your event.

Mr Dadds
Crescent House
51 High Street
Billericay
CM12 9AX

Essex Police Licensing Unit
Blyth's Meadow
Braintree
Essex CM7 3DJ

01245 452035

01 October 2021

POLICE OBJECTION NOTICE To a Temporary Event Notice (TEN)
Section 104 Licensing Act 2003

Name of Premises User: Leonora Dunne (Bloc 40)

Address of Premises: First Floor, 40 High Street, Brentwood, CM14 4AJ

Date (s) required for TEN(s) 23 & 24 October 2021

On 30 September 2021 Essex Police received the above Notice(s).

The Police are satisfied that the allowing the premises to be used in accordance with the notice(s) would undermine one or more of the licensing objectives.

The licensing objective(s) of relevance to this objection notice is the prevention of crime and disorder.

The reasons for being so satisfied are that following a recent licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

This objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all of the measures that have been put in place following the hearing will remain in effect for the entire event.

A copy of this objection notice has been served upon the premises user (or agent making application), the local Environmental Health Department and the relevant licensing authority.

On receipt of this notice the licensing authority will issue a ‘Counter Notice’ and provide further information on related procedures.

Yours faithfully

Gary Burke

Licensing.applications@essex.police.uk

MEMO From Mr David Carter

To: Licensing

Our ref 21/001821/LITEN

Your ref

cc

Date 4th October 2021

Location	**First Floor, 40 High Street, Brentwood, Essex**
Details	**Please describe the nature of the premises:** **Bar & Restaurant** **Please describe the nature of the event:** **In house pre-Halloween event** **Licensable Activities** **Please state the licensable activities that you intend to carry on at the premises fo:r** **The sale by retail of alcohol, The supply of alcohol by or on behalf of a club to, or to the order of, a** **member of the club, The provision of late night refreshment** **Are you giving a late temporary event notice?: No** **Please state the dates on which you intend to use these premises for licensable activities.** **The maximum period for using premises for licensable activities under the authority of a** **temporary event notice is 96 hours (four days).** **23/10/2021-24/10/2021** **Please state the times during the event period that you propose to carry on licensable** **activities (please give times in 24 hour clock).** **from 00:01 until 03:00hrs for licensable activities on each of the above dates. Close of premises by** **03:30hrs on both dates** **The premises licence holder agrees to comply with the conditions of the premises licence for the** **duration of the TEN - save for condition 8 Annex 3 regarding admittance after midnight. The** **premises licence holder agrees to volunteer the replacement condition that there is no admission to** **the premises after 01:30hrs on any day for the duration of the temporary event.** **Please state the maximum number of people at any one time that you intend to allow to be** **present at the premises during the times when you intend to carry on licensable activities,** **including any staff, organisers or performers.** **499**

I wish to object on behalf of the Environmental Health Pollution Team to this application with regard to the licensing objective of prevention of public nuisance. This TEN seeks to remove the condition on last entry time and also proposes an extension of the opening hours until 3.30am, with an extension of licensable activities beyond the currently licensed times, which have already resulted in complaints from residents in the area.

This application also extends over two days, Saturday 23 October and Sunday 24 October, extending until 3.30am on Monday morning, which will be a normal working day. This event is described as a 'pre-Halloween event', which takes place on the following weekend and is also likely to be a busy evening with the potential for disturbance to residents.

In addition, the noise management policy required by the review hearing on 28th June 2021 has not yet been provided and we are not aware of any noise dampening measures that have been implemented, which was also a requirement of the review hearing decision.

Mr David Carter
Senior EHO (Team Leader)

Mr David Carter
Senior EHO (Team Leader)

Temporary Event Notice

Reference: TEN366713267

Please Note: You must provide payment for this licence after completing the form. You do this online. 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.
Cost of Application: £21.00

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User

Title: Ms.
First name(s): Leonora
Surname: DUNNE
Date of birth: [redacted]
Place of birth: [redacted]
National Insurance Number: [redacted]
Do you have any previous or maiden names?: [redacted]

Forenames:

Surname:

Current Address

Flat number (if any)
House number/name [redacted]
Road name
Town
County
Post Code
Email address: office@dadds.co.uk
Daytime telephone number [redacted]
Evening telephone number:
Mobile telephone number:

Would you like to use an alternative address to the one given above for correspondence?: Yes

Correspondence Address

Flat number (if any)	Dadds LLP
House number/name	Crescent House
Road name	51 High Street
Town	Billericay
County	Essex
Post Code	CM12 9AX

The Premises

Are you able to provide a postal address for the premises where you intend to carry out the licensable activities?: Yes

Premises Address

Flat number (if any)	First Floor
House number/name	38
Road name	High Street
Town	Brentwood
County	Essex
Post Code	CM14 4AJ

If not, please provided a detailed description and Ordnance Survey references

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes
If yes, which: Premises Licence

Please enter the necessary information below

Premises Licence number: PRM_0545

Club Premises Certificate number:

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a brief description and details. Please describe the nature of the premises.

Whole Premises

Please describe the nature of the premises:

Licenced bar and restaurant

Please describe the nature of the event:

Christmas Eve event

Licensable Activities

Please state the licensable activities that you intend to carry on at the premises for

The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment

Are you giving a late temporary event notice?: No
Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days).

25/12/2021

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

from 00:01 until 03:00hrs for licensable activities on the above date. Close of premises by 03:30hrs.
The premises licence holder agrees to comply with the conditions of the premises licence for the duration of the TEN - save for condition 8 Annex 3 regarding admittance after midnight. The premises licence holder agrees to volunteer the replacement condition that there is no admission to the premises after 01:30hrs for the duration of the temporary event.

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers.

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both: On the premises only

---

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes
Please provide the details of your personal licence below

Issuing licensing authority: [redacted]

Licenc number: [redacted]

Date of issue: [redacted]

Any further relevant details:

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?: Yes
Please state the number of temporary event notices you have given for events in that same calendar year?: 2
Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

---

Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No
Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:
Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No
Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

b) Begins 24 hours or less after the event period proposed in this notice?: No

Condition

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declaration

The information contained in this form is correct to the best of my knowledge and belief.

I UNDERSTAND THAT IT IS AN OFFENCE

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months, or to both.

I agree

Full name: David Dadds - Applicant's Solicitor
Date: 30/09/2021

National Fraud Initiative

The Council is under a duty to protect the public funds it administers and may use or share the information it holds about you for the prevention and detection of fraud, and to aid the administration of other Council services. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see www.brentwood.gov.uk/nfi

This form is to be used to serve a Standard Temporary Event Notice. It must be served at least 10 working days prior to the event, not including date of event, date of service or Bank Holidays.

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BRENTWOOD BOROUGH COUNCIL

Ms Leonora DUNNE
Dadds LLP
Crescent House
51 High Street
Billericay
Essex
CM12 9AX

Date: 30th September 2021
Our Reference: 21/00092/LATEMP

Dear Ms Leonora DUNNE,

Licensing Act 2003 - Temporary Event Notice: First Floor 40 High Street Brentwood Essex CM14 4AJ
EVENT on the 25th December 2021
EVENT to the 25th December 2021
ACTIVITIES: Provision of Late Night Refreshments
Sale by Retail of Alcohol
Regulated Entertainment

TIMES: 00:01 - 03:00
LOCATION: Licenced bar and restaurant
COMMENTS: Christmas Eve event
CAPACITY: 499

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 30th September 2021

The fee of £21 has been receipted and paid with thanks.

If the Police or Environmental Health believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice within the period of three working days following the day on which they received the TEN.

You will need to display a copy of this acknowledgment in a prominent position at the premises. It is your responsibility as the applicant to do this.

If the Acknowledgment letter is not displayed a constable or authorised officer may require the premises user or nominated person to produce a copy of it. A constable or authorised officer may, at any reasonable time, enter the premises to which a TEN relates. A person commits an offence if he/she fails, without reasonable excuse, to

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY
Email: Licensing@brentwood.gov.uk **www.brentwood.gov.uk**

produce either a copy of the Temporary Event Notice or acknowledgment letter upon request, or intentionally obstructs an authorised officer exercising these powers.

A Temporary Event Notice maybe withdrawn by the premises user, giving the Licensing Authority no less than 24 hours notice before the beginning of the temporary event. Should you cancel an event, but fail to withdraw the notice, the TEN will still count towards the limited number available per premises and applicant.

Where a Temporary Event Notice acknowledged by the Licensing Authority is lost, stolen, damaged or destroyed, the premises user may apply to the Licensing Authority for a copy of the notice. Any such application must be accompanied by the prescribed fee of £10.50.

We have also attached at page 2 some safety guidance from our Health and Safety team around bouncy castles, should you be considering use of them at this event.

Should you have any queries with regard to the above, please do not hesitate to contact this office.

Yours sincerely

Miss Dominika Jaskolska

Licensing Technical Officer

Bouncy castles and other play inflatables: Safety Advice

Serious incidents have occurred where inflatables have collapsed or blown away in windy conditions.

Simple precautions can help you avoid serious incidents, whether you supply or buy bouncy castles and inflatables, are hiring one for an event, or operate them.

Health and safety law applies to the supply, hire and use of inflatables for commercial purposes. It does not apply to private, domestic buyers and users.

The Health and Safety Executive have produced guidance that applies to inflatables devices used both outside and inside.

If you are intending to have a bouncy castle or a play inflatable at your event you need to have regard to the guidance which can be found using the following link:-

http://www.hse.gov.uk/entertainment/fairgrounds/inflatables.htm

The guidance details what you should do before you hire or buy a device and how it should be set up and used at the event. It is important to note that the guidance states:-

'When the inflatable is being operated outside, use an anemometer to measure the wind speed at regular intervals. If one of these is not available, the inflatable should not be operated outside.'

*'Do **not** use smartphone weather applications to measure wind speed as they do not take localised wind conditions into account'*

You need to ensure that you make suitable arrangements for the safe use of any bouncy castle or other play inflatable at your event.

Mr Dadds
Crescent House
51 High Street
Billericay
CM12 9AX

Essex Police Licensing Unit
Blyth's Meadow
Braintree
Essex CM7 3DJ

01245 452035

01 October 2021

POLICE OBJECTION NOTICE To a Temporary Event Notice (TEN)
Section 104 Licensing Act 2003

Name of Premises User: Leonora Dunne (Bloc 40)

Address of Premises: First Floor, 40 High Street, Brentwood, CM14 4AJ

Date (s) required for TEN(s) 25 December 2021

On 30 September 2021 Essex Police received the above Notice(s).

The Police are satisfied that the allowing the premises to be used in accordance with the notice(s) would undermine one or more of the licensing objectives.

The licensing objective(s) of relevance to this objection notice is the prevention of crime and disorder.

The reasons for being so satisfied are that following a recent licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

This objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all of the measures that have been put in place following the hearing will remain in effect for the entire event.

A copy of this objection notice has been served upon the premises user (or agent making application), the local Environmental Health Department and the relevant licensing authority.

On receipt of this notice the licensing authority will issue a ‘Counter Notice’ and provide further information on related procedures.

Yours faithfully

Gary Burke

Licensing.applications@essex.police.uk

MEMO From Mr David Carter

To: Licensing

Our ref 21/001823/LITEN

Your ref

cc

Date 4th October 2021

Location	**First Floor, 40 High Street, Brentwood, Essex**
Details	**Please describe the nature of the premises:** **Licenced bar and restaurant** **Please describe the nature of the event:** **Christmas Eve event** **Licensable Activities** **Please state the licensable activities that you intend to carry on at the premises fo:r** **The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night** **refreshment** **Are you giving a late temporary event notice?: No** **Please state the dates on which you intend to use these premises for licensable activities.** **The maximum period for using premises for licensable activities under the authority of a** **temporary event notice is 96 hours (four days).** **25/12/2021** **Please state the times during the event period that you propose to carry on licensable** **activities (please give times in 24 hour clock).** **from 00:01 until 03:00hrs for licensable activities on the above date. Close of premises by** **03:30hrs.** **The premises licence holder agrees to comply with the conditions of the premises licence for the** **duration of the TEN - save for condition 8 Annex 3 regarding admittance after midnight. The** **premises licence holder agrees to volunteer the replacement condition that there is no admission to** **the premises after 01:30hrs for the duration of the temporary event.** **Please state the maximum number of people at any one time that you intend to allow to be** **present at the premises during the times when you intend to carry on licensable activities,** **including any staff, organisers or performers.** **499**

I wish to object on behalf of the Environmental Health Pollution Team to this application with regard to the licensing objective of prevention of public nuisance.

This TEN application seeks to amend the condition on last entry time and also proposes an extension of the opening hours until 3.30am on Christmas Day morning, with an extension of licensable activities beyond the currently licensed times, which have already resulted in complaints from residents in the area and would be likely to cause additional disturbance.

In addition, the noise management policy required by the review hearing on 28th June 2021 has not yet been provided and we are not aware of any noise dampening measures that have been implemented, which was also a requirement of the review hearing decision.

Mr David Carter
Environmental Health Manager

BRENTWOOD BOROUGH COUNCIL

Premises Licence

Premises Licence Number	**PRM_0545**
Application Number	**21/00089/LAVDPS**
Date of Issue	**08 September 2021**

Part 1 – Premises Details

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

Bloc 40
First Floor
40 High Street
Brentwood
Essex CM14 4AJ

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Indoor Sporting Event
Playing of Recorded music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Indoor Sporting Event

Monday	**11:00 - 02:00**
Tuesday	**11:00 - 02:00**
Wednesday	**11:00 - 02:00**
Thursday	**11:00 - 02:00**
Friday	**11:00 - 02:00**
Saturday	**11:00 - 02:00**
Sunday	**11:00 - 02:00**

Playing of Recorded music

Monday	**11:00 - 02:00**
Tuesday	**11:00 - 02:00**
Wednesday	**11:00 - 02:00**
Thursday	**11:00 - 02:00**
Friday	**11:00 - 02:00**
Saturday	**11:00 - 02:00**
Sunday	**11:00 - 02:00**

Sale by Retail of Alcohol

Monday	**11:00 - 02:00**
Tuesday	**11:00 - 02:00**
Wednesday	**11:00 - 02:00**
Thursday	**11:00 - 02:00**
Friday	**11:00 - 02:00**
Saturday	**11:00 - 02:00**
Sunday	**11:00 - 02:00**

The opening hours of the premises

Monday	**11:00 - 02:30**
Tuesday	**11:00 - 02:30**
Wednesday	**11:00 - 02:30**
Thursday	**11:00 - 02:30**
Friday	**11:00 - 02:30**
Saturday	**11:00 - 02:30**
Sunday	**11:00 - 02:30**

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

Alcohol is supplied for consumption both on and off the Premise

Part 2

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

A A Trading Ltd
389C High Road
London
N22 8JA

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

Company Number 09287224

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

Leonora Maria Dunne

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:
Licensing Authority: Swale 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.

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,

(ii) 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 install and maintain a comprehensive CCTV system covering the internal and external of the premises which is of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less the 31 days with correct time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.

2 A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.

3 A plan of the premises identifying the location and direction of CCTV coverage shall be served on Essex Police and the Licensing Authority each time it is altered.

4 When licensable activities are permitted beyond 00:00, a minimum of 2 SIA registered Door Supervisors shall be deployed from 21:00 and remain on duty until closing time and all customers have left the premises.

5 A bound Door Supervisors register shall be kept. Door Supervisors shall sign to record their start and finish times along with their full name and SIA badge number.

6 When SIA registered Door Supervisors are on duty random searching of people and their possessions will be carried out.

7 Security measures shall be installed to the stairs in the outside licensed area so use of the emergency escape is only in an emergency and to prevent access to the residential area being used by customers.

8 Reasonable and adequate staff training to be carried out and properly documented in relation to:
(i) Dealing with incidents and prevention of crime and disorder.
(ii) Sale of alcohol (to underage, persons over 18 purchasing for underage, drunks, etc.) prior to being allowed to sell alcohol.

9 All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.

10 The Premises Licence Holder shall have a Dispersal Policy. A copy of which will be made available to Essex Police and Responsible Authority upon request.

11 No persons shall be allowed to leave the Premises whilst in possession of any drinking glass vessel or open glass bottle whether empty or containing any beverage.

12 Notices shall be prominently displayed at all exits requesting patrons to leave quietly.

13 Clear & legible notices shall be prominently displayed in, and at the entrance to any outside licensed area requesting customers to use the area quietly.

14 Customers shall not enter or leave the premises by the stairs into the outside licensed area at any time, except in the event of an emergency.

15 The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce will result in service being refused. Acceptable forms of photographic identification include:

- **Passport,**
- **Photo card Driving Licence,**
- **Photographic ID bearing the 'PASS' hologram.**

16 No licensable activities shall take place in external areas at any time.

17 No speakers shall be installed or used in the external areas.

18 A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.

19 All windows and doors to be kept closed during regulated entertainment, with the exception for access and egress.

20 The External area shall be monitored by a member of staff with the purpose of controlling noise from customers and ensuring public safety.

21 The outside terrace area to be covered by CCTV to the satisfaction of Essex Police.

22 The premises is only to serve drinks in polycarbonate, plastic or other safety glass only.

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

1 **The terrace to be monitored by a staff member at intervals of no more than 30 minutes.**

2 **The maximum capacity for the terrace to be a maximum of 30 people at any given time.**

3 **No alcohol to be Consumed on the terrace after 11pm.**

4 **Noise at the premises limited after 11pm to a decibel level to be agreed with Environmental Health Department of the Council. A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.**

5 **Sufficient lighting to be maintained on the terrace during licensable hours and for the lighting to be monitored and agreed with the Environmental Health Department of the Council.**

6 **At all times where, as a condition of the licence, door supervisors are employed at the premises, a Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises must provide verifiable ID and have their details recorded on the system.**

7 **At all times where, as a condition of the licence, door supervisors are employed at the premises, all customers entering the premises will be subject to a scan with a metal detector wand.**

8 **After midnight, no persons shall be admitted or re-admitted to the premises unless from a designated smoking area. Notices to that effect (of a minimum size of 200mm x 148mm) will be displayed at the premises' exits/entrances.**

9 **At all times where, as a condition of the licence, door supervisors are employed at the premises, at least two door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.**
a. Any use of force situations.
b. When it may be reasonably supposed a use of force situation is imminent.
c. When conducting a non-intimate consensual search as a condition of entry.
d. When dealing with an individual who is making threats of violence toward any other person or
e. Initial scene capture where a criminal offence appears to have taken place.

10 **On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded.**

11 When door supervisors are engaged and/or working at the premises, non-intimate searches of patrons or proposed patrons, will take place in areas where searching will be recorded on CCTV

12 All SIA licensed door supervisors engaged at the premises for the purpose of supervising customers must wear high visibility armbands and those deployed outside must also where high visibility jackets or vests. Door supervisors are prohibited from concealing their heads or faces by the use of balaclavas/hoodies or similar items of clothing.

13 An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 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 licence

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

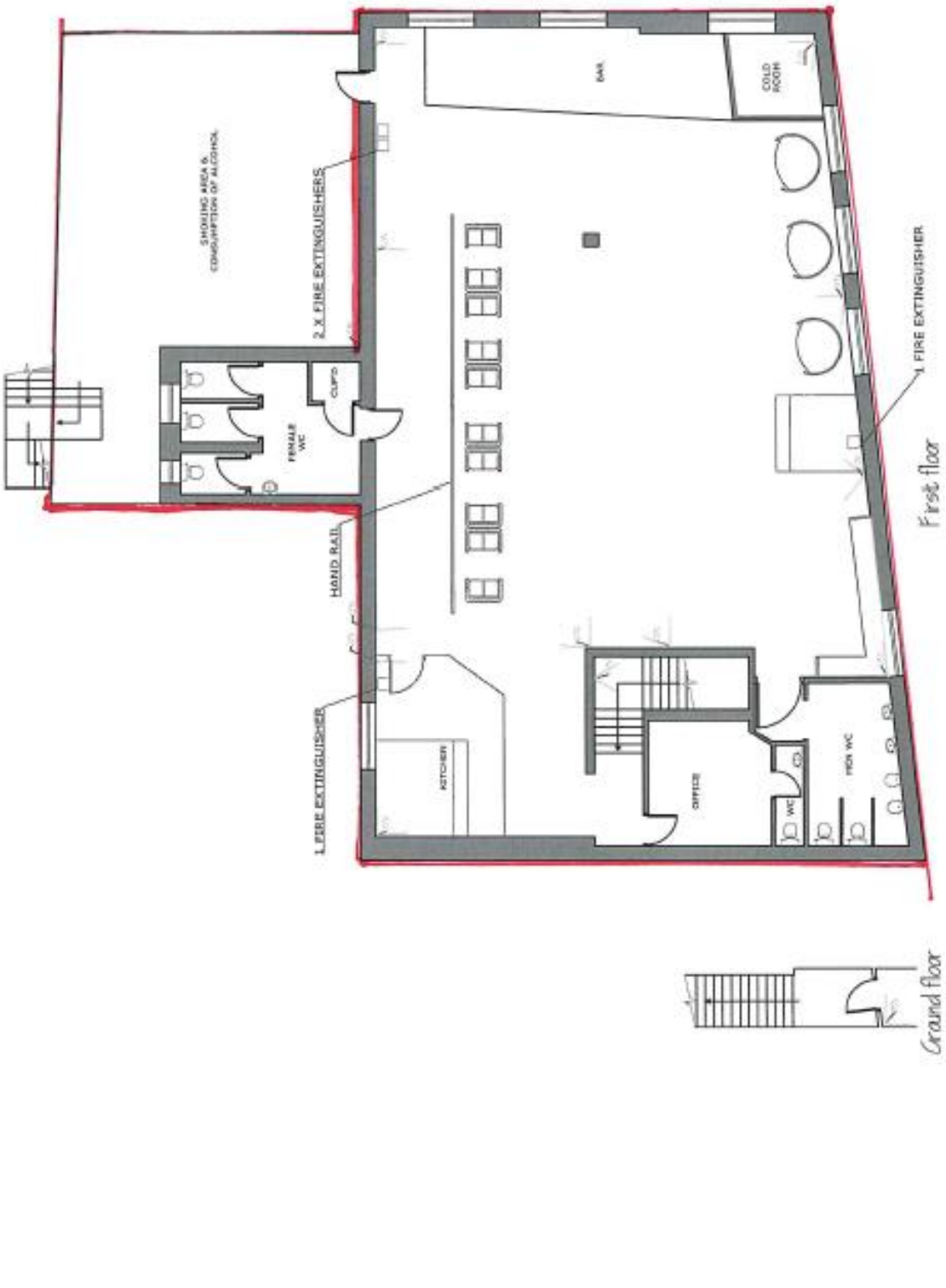
14 The outside licensed area shall have a screen installed along the wall to be a minimum height of 2 meters or the height specified by building control, whichever is greater, to prevent objects falling off and/or being thrown.

15 At least one member of SIA licensed door staff to be on the terrace at all times after 11pm on Fridays, Saturdays and public holiday eves until closing if members of the public are present.

16 A written noise management policy which is acceptable to Brentwood Borough Council Environmental Health Team shall be put in place and adhered to. The Policy shall include noise dampening measures such as noise attenuation screens around the outside roof terrace to be installed at the premises.

Annex 4 – Plans

This licence is issued subject to the attached plan dated 21/20/2020 marked
40 High Street, Brentwood CM14 4AJ



Premises Licence Summary

Premises Licence Number	**PRM_0545**
Application Number	**21/00089/LAVDPS**
Date of Issue	**08 September 2021**

Part 1 – Premises Details

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

Bloc 40
First Floor
40 High Street
Brentwood
Essex
CM14 4AJ

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Indoor Sporting Event
Playing of Recorded music
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Indoor Sporting Event

Monday	**11:00 - 02:00**
Tuesday	**11:00 - 02:00**
Wednesday	**11:00 - 02:00**
Thursday	**11:00 - 02:00**
Friday	**11:00 - 02:00**
Saturday	**11:00 - 02:00**
Sunday	**11:00 - 02:00**

Playing of Recorded music

Monday	**11:00 - 02:00**
Tuesday	**11:00 - 02:00**
Wednesday	**11:00 - 02:00**
Thursday	**11:00 - 02:00**
Friday	**11:00 - 02:00**
Saturday	**11:00 - 02:00**
Sunday	**11:00 - 02:00**

Sale by Retail of Alcohol

Monday	**11:00 - 02:00**
Tuesday	**11:00 - 02:00**
Wednesday	**11:00 - 02:00**
Thursday	**11:00 - 02:00**
Friday	**11:00 - 02:00**
Saturday	**11:00 - 02:00**
Sunday	**11:00 - 02:00**

The opening hours of the premises

Monday	**11:00 - 02:30**
Tuesday	**11:00 - 02:30**
Wednesday	**11:00 - 02:30**
Thursday	**11:00 - 02:30**
Friday	**11:00 - 02:30**
Saturday	**11:00 - 02:30**
Sunday	**11:00 - 02:30**

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

Alcohol is supplied for consumption both on and off the Premise

Part 2

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

A A Trading Ltd
389C High Road
London
N22 8JA

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

Company Number 09287224

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

Leonora Maria Dunne

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:
Licensing Authority: Swale Borough Council

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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.