



Agenda

Licensing Sub-Committee

Friday, 1 July 2022 at 10.00 am

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

Membership (Quorum – 3)

Cllrs Barber, Gelderbloem and Parker

Agenda

Item	Item	Wards(s) Affected	Page No
	Live broadcast		
	Live broadcast to start at 10am and available for repeat viewing.		
	Contents		
1.	Appointment of Chair		
2.	Administrative Function Members are respectfully reminded that, in determining the matters listed below, they are exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter will be determined on the facts before the Sub-Committee and the rules of natural justice will apply.		
3.	DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES - Rumours, 110-112 Kings Road, Brentwood CM14 4EA	Brentwood d South	5 - 46
4.	DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES - The Merchant, 125-127 High Street, Brentwood CM14 4RX	Brentwood d North	47 - 110

A handwritten signature in black ink, appearing to read 'J. Stephenson', is centered on a light blue rectangular background.

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
23.06.2022

Information for Members

Substitutes

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

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

Rights to Attend and Speak

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

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

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

Point of Order/ Personal explanation/ Point of Information

Point of Order

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

Personal Explanation

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

Point of Information or clarification

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

Information for Members of the Public

Access to Information and Meetings

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

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

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

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

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

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

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

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

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

 **Private Session**

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

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 **Access**

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

 **Evacuation Procedures**

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

1 July 2022	ITEM:
Licensing Sub-Committee	
DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES.	
Report of: Dave Leonard, Licensing Officer	
Wards and communities affected: Brentwood South	Key Decision: Non-key
This report is public	
<i>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.</i>	
Date of notice given of exempt or confidential report: not applicable	
Purpose of Report: To determine an objection from Environmental Health for a Temporary Event Notice.	

EXECUTIVE SUMMARY

The Licensing Office has received an objection from the Environmental Health Manager, Mr David Carter, with regards to a Temporary Event Notice (TEN) submitted in relation to a private hire birthday party to be held at ***Rumours, 110-112 Kings Road, Brentwood CM14 4EA*** on Friday 29 July 2022 from 0000hrs-0130hrs. The objection relates to the prevention of public nuisance licensing objective.

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 On 21 June 2022 the Licensing Department received a Temporary Event Notice from Mr Robert Mead, the premises licence holder and the designated premises supervisor, for a private hire birthday party to be held at **Rumours, 110-112 Kings Road, Brentwood CM14 4EA** on Friday 29 July 2022 from 0000hrs-0130hrs. A copy of the TEN is attached at **Appendix A**.
- 2.4 A letter of acknowledgement of the TEN was sent on 21 February 2022 and a copy is attached at **Appendix B**.
- 2.5 The TEN relates to a private hire birthday party for a maximum number of 60 persons (including staff, organisers and performers) on Friday 29 July 2022 from 0000hrs-0130hrs for the purposes of the sale of alcohol and the provision of regulated entertainment. Upon receiving notification of the Environmental Health Manager's representation, Mr Mead responded with an email amending the terminal hour to 0100hrs instead of 0130hrs. This email is also attached at **Appendix A**.
- 2.6 The TEN, in its current submission without any written undertakings attached, effectively removes the conditions attached to the premises licence. A copy of the current premises licence, issued on 8 September 2021, together with a set of OS Street Maps and an image to better identify the location, is attached at **Appendix C**.
- 2.7 On 21 June 2022 the Licensing Department received an objection notice from the Environmental Health Manager, Mr David Carter, being satisfied that the allowing of the premises to be used in accordance with the notice would undermine the licensing objective of the prevention of public nuisance. Mr Carter is currently dealing with complaints against Rumours from a number of residents who are being affected by amplified music and noise coming from inside the premises and from customers outside the venue. He contends that an extension of licensable activities on a weekday evening is very likely to exacerbate matters. Mr Carter's representation is attached at **Appendix D**.

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 the 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.
- 3.5 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.
- 3.6 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.
- 3.7 The Sub-Committee are advised that the final decision should be based on the individual merits of the application and 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 (21 June 2022)
Email offering amended terminal hour (22 February 2022)

Appendix B - Letter of Acknowledgement (21 June 2022)

Appendix C - Premises Licence, OS Maps and Image

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

Report Author Contact Details:

Name: Dave Leonard

Telephone: 01277 312523

E-mail: dave.leonard@brentwood.gov.uk

Determination of Objection to Temporary Event Notice

RUMOURS, 110-112 KINGS ROAD, BRENTWOOD CM14 4EA

APPENDIX A

Temporary Event Notification

Dated 21 June 2022

*Email with Amended Terminal Hour
& Environmental Health Response*

Dated 22 June 2022

RE: Temporary Event Notice Submitted - Reference: TEN431105152 - Message (HTML)

File Message Help

Ignore Delete Archive Reply Forward Meeting IM More Move Send to OneNote Mark Unread Categorize Follow Up Find Related Select Read Aloud Immersive Reader Translate Zoom

RE: Temporary Event Notice Submitted - Reference: TEN431105152

David Carter
To: Rumours Brentwood
Cc: Licensing; Dave Leonard

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Dear Rob – further to my previous email I am sorry that as a result of disturbance caused to residents and complaints received relating to previous TENs granted at the premises, in particular the recent application where the hours were reduced by agreement and the permitted TEN for the Thursday before the Jubilee holiday I would not be prepared to accept a variation by agreement and would therefore wish to object to this application as a result.

This objection can be contested at a hearing should you wish to, please contact the Licensing Team for further information on this process.

Regards

David
David Carter | Environmental Health Manager | Brentwood Borough Council
T 01277 312500 | F 01277 312743 | www.brentwood.gov.uk | david.carter@brentwood.gov.uk

From: Rumours Brentwood <info@rumoursbrentwood.co.uk>
Sent: 22 June 2022 16:36
To: David Carter <david.carter@brentwood.gov.uk>
Cc: Paula Hammond <paula.hammond@brentwood.gov.uk>
Subject: Re: Temporary Event Notice Submitted - Reference: TEN431105152

David,

Can you please let me know whether that is possible as we have a customer wanting to book the venue.

Thanks

Rob

RE: Temporary Event Notice Submitted - Reference: TEN431105152 - Message (HTML)

File Message Help

Ignore Delete Archive Reply Forward Meeting IM More Move Send to OneNote Mark Unread Categorize Follow Up Find Related Select Read Aloud Immersive Reader Translate Zoom

RE: Temporary Event Notice Submitted - Reference: TEN431105152

David Carter
To: Rumours Brentwood
Cc: Licensing; Dave Leonard

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

On 22 Jun 2022, at 09:18, Rumours Brentwood <info@rumoursbrentwood.co.uk> wrote:

David
,

Could we have the license until 1am as a compromise.

Thanks

Rob

Sent from my iPhone

On 22 Jun 2022, at 09:08, Paula Hammond <paula.hammond@brentwood.gov.uk> wrote:

Good morning

Please see attached Objection Notice to the above TEN.

If I can be of any further assistance please do not hesitate to contact me on 01277 312500.

Kind regards,

Paula Hammond | Admin Assistant - Licensing & Environmental Health | Brentwood Borough Council
T | F 01277 312500 | www.brentwood.gov.uk | paula.hammond@brentwood.gov.uk

Temporary Event Notice

Reference: TEN431105152

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: Mr.

First name(s): Robert

Surname: Mead

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?:

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address:

Daytime telephone number:

Evening telephone number:

Mobile telephone number:

Would you like to use an alternative address to the one given above for correspondence?: No

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)

House number/name 110-112

Road name Kings Road

Town Brentwood

County Essex

Post Code CM14 4EA

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_0179

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.

Please describe the nature of the premises:

Wine Bar

Please describe the nature of the event:

Birthday Party

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

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 168 hours (7 days).

29/07/2022

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

00:00 - 01:30

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.

60

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: Harlow

Licenc number: HARLOW/PERS/1033

Date of issue: 19/06/2019

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?: 5

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: Robert Mead

Date: 21/06/2022

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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Determination of Objection to Temporary Event Notice

RUMOURS, 110-112 KINGS ROAD, BRENTWOOD CM14 4EA

APPENDIX B

Temporary Event Notification

Acknowledgement dated 21 June 2022



Mr Robert Mead

Date: 21st June 2022
Our Reference: 22/00102/LATEMP

Dear Mr Robert Mead,

**Licensing Act 2003 - Temporary Event Notice: 110-112 Kings Road Brentwood
Essex CM14 4EA**

EVENT on the 29th July 2022

ACTIVITIES: Sale by Retail of Alcohol and Regulated Entertainment

TIMES: 00:00 - 01:30

LOCATION: Rumours

COMMENTS: Birthday Party

CAPACITY: 60

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 21st June 2022

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.

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

Paula Hammond
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.

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Determination of Objection to Temporary Event Notice

RUMOURS, 110-112 KINGS ROAD, BRENTWOOD CM14 4EA

APPENDIX C

Current Premises Licence

(Redacted)

Dated 8 September 2021

OS Maps & Image

Premises Licence

Premises Licence Number	PRM_0179
Application Number	21/00090/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

**Rumours
110-112 Kings Road
Brentwood
CM14 4EA**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Exhibition of a film
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 01:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Performance of Dance

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Exhibition of a film

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30
Sunday	11:00 - 00:00

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Performance of Live music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Playing of Recorded music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Provision of Late Night Refreshments

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

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Sale by Retail of Alcohol

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

The opening hours of the premises

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

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

Private Hospitality Ltd. T/A Rumours
40 Weald Road
Brentwood
Essex
CM14 4SX

Email Address **info@rumoursbrentwood.co.uk**

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

Company Number **13029416**

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

Robert Mead

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:

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,**
- (iii) still wine in a glass: 125 ml;**
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .**
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."**
- 8 Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:**
- a) Unauthorised access or occupation (eg through door supervision), or**
- b) Outbreaks of disorder, or**
- c) Damage**
- 9 The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made**
- a) By the British Board of Film Classification (BBFC) where the film has been classified by that Board, or**
- b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3)9b) for clubs) of the Licensing Act 2003 applies to the film.**

Annex 2 – Conditions consistent with the Operating Schedule

- 1 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 of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;**
 - ii. CCTV cameras shall cover all public areas including all entrances and exits and all areas where the sale of alcohol takes 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;**
 - iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;**
 - v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;**

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure this will be recorded immediately
- 2 Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises & shall be a minimum size of 200 x 148 mm & clearly legible at all times when the premises conducts licensable activities.**
- 3 An incident log shall be kept at the premises, and made immediately available to police or 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.

- 4 Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:**
 - i. The day and date when door supervisors were deployed;**
 - ii. The name and SIA registration number of each door supervisor on duty at the premises; and**
 - iii. The start and finish time of each door supervisor's worked duty period.**

This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

- 5 Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log.**

This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police or licensing authority staff upon reasonable request.

- 6 All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets/vests/ armbands**
- 7 The premises shall have in place & operate a zero tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means.**

This policy shall specifically include but not be limited to:

- i. Searching practices upon entry;**
- ii. Dealing with patrons suspected of using drugs on the premises;**
- iii. Scrutiny of spaces including toilets or outside areas;**
- iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);**
- v. Staff training regarding identification of suspicious activity and what action to take**
- vi. The handling of items suspected to be illegal drugs or psychoactive substances**
- vii. Steps taken to discourage and disrupt drug use on the premises**
- viii. Steps to be taken to inform patrons of the premises drug policy/practices**

A copy of this policy document shall be lodged with the police and licensing authority.

- 8 The designated smoking area for patrons will be at the front of the venue and front right of the venue and shall be limited to 20 persons at any one time after 23:00 unless patrons are leaving the premises.**

Clear & legible notices must be prominently displayed in the area used for smoking requesting customers to respect local residents and use the area quietly. These signs shall be a minimum size of 200mm x 148 mm.

- 9 At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises into the smoking areas.**

Conspicuous signage (of a minimum size of 200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy.

- 10 Clear & 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.**

- 11 A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:**

**How patrons leaving the premises shall be directed away from the premises;
How patrons will be informed of the services of taxi & private hire operators;
What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
Any 'wind' down periods;
Methods to prevent re-entry to the premises;
How bottles and glasses will be prevented from being removed from the premises at closing time.**

- 12 A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:**

**Proof of age card bearing the PASS Hologram;
Photocard driving licence;
Passport; or Ministry of Defence Identity Card.**

- 13 The premises shall clearly display signs at each point of sale & in areas where alcohol is displayed advising customers that a Challenge 25 policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.**

- 14 Persons under the age of 18 years shall not be allowed entry to the premises save on occasions when either:
An 'under 18' event is held without the sale or supply of alcohol, or
The premises are exclusively used for a private function, for example wedding reception, engagement party employers Christmas party etc. and any person under 18 is accompanied by a responsible adult.**

- 15 No more than 120 customers will be permitted on the premises at any one time**

- 16 Sound emitted from the licensed premises shall be controlled by the Licence Holder to ensure that amplified music entertainment is not at a level likely to cause disturbance to neighbouring dwellings. The Licence Holder shall ensure that noise levels from within the premises is controlled to minimise noise breakout from the building by making regular observations during performance and taking steps to manage music levels where appropriate.**

- 17 Music levels from amplified equipment shall be controlled with a suitable noise limiting device, which shall be maintained in an operational state and set at a level agreed with an officer from the environmental health team of the Council.**

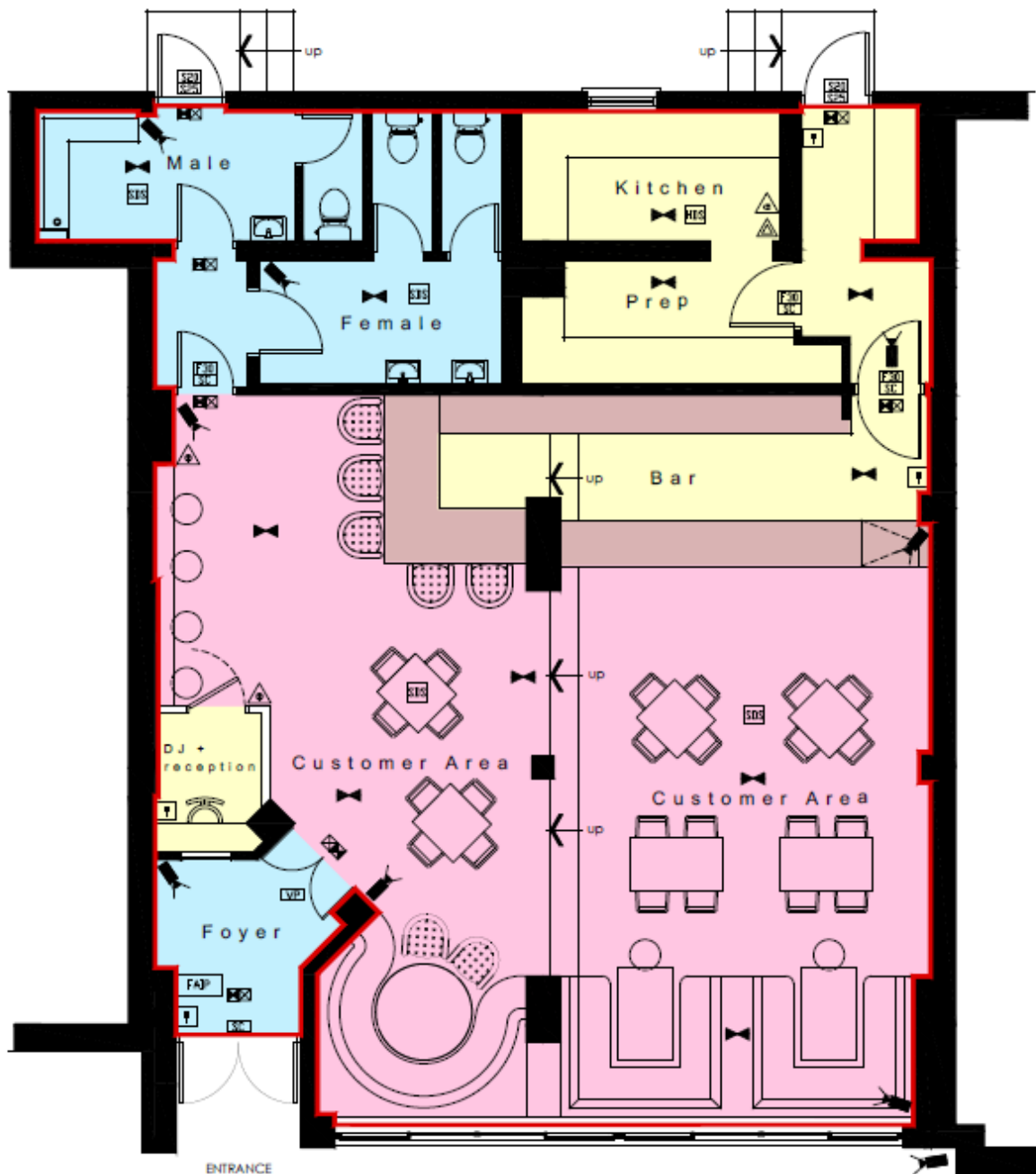
Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

Licence issued subject to attached plans:

Drawing no. 16.154/L01 drawn by srf dated FEB 2017

Rumours Brentwood 110-112 Kings Road Brentwood Essex CM14 4EA



Premises Licence Summary

Premises Licence Number	PRM_0179
Application Number	21/00090/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

**Rumours
110-112 Kings Road
Brentwood
CM14 4EA**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Exhibition of a film
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 01:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Performance of Dance

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Exhibition of a film

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30
Sunday	11:00 - 00:00

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Performance of Live music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Playing of Recorded music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Provision of Late Night Refreshments

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

extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

Sale by Retail of Alcohol

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 23:30
Thursday	11:00 - 00:00
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Extension of one further hour in respect of Christmas Eve, New Year's Eve, New Year's Day, Saints Days (St Patrick, St George and St Andrew) and Burns Night, except if these days fall on a Friday or Saturday, when normal hours will apply

The opening hours of the premises

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

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

Private Hospitality Ltd. T/A Rumours
40 Weald Road
Brentwood
Essex
CM14 4SX

Email Address **info@rumoursbrentwood.co.uk**

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

Company Number **13029416**

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

Robert Mead

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:



rumours

Drawing No. :
 Scale at A4 : 1:1250
 Drawn by : TR
 Service :
 Date : 22nd February 2022

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



rumours

Drawing No. :
 Scale at A4 : 1:500
 Drawn by : TR
 Service :
 Date : 22nd February 2022

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Jonathan Stephenson
 Chief Executive
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 Tel.: (01277) 312500



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Determination of Objection to Temporary Event Notice

RUMOURS, 110-112 KINGS ROAD, BRENTWOOD CM14 4EA

APPENDIX D

Representation

Responsible Authority

Received 21 June 2022

Mr David Carter

*Environmental Health Manager
Brentwood Borough Council*



Mr Robert Mead

Date: 21st June 2022
Our Reference: 22/001290/LITEN
Telephone: 01277 312509
Email: david.carter@brentwood.gov.uk

Dear Mr Robert Mead

ENVIRONMENTAL HEALTH OBJECTION NOTICE to a Temporary Event Notice (TEN) - Section 104 Licensing Act 2003

Name of Premises User: **Mr Robert Mead**
Address of Premises: **110-112 Kings Road Brentwood Essex CM14 4EA**
Date(s) required for TEN(s): **29.07.22**

On **21st June** Environmental Health received the above Notice

Environmental Health are satisfied that the allowing of 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 Public Nuisance.

The reasons for being so satisfied are that: the extension of hours on a weekday evening is likely to cause noise disturbance to nearby residents

Allowing the event to take place under a TEN would essentially: remove the licensing conditions applicable to the premises and extend the hours of performance of regulated entertainment into the early hours of a weekday morning, which has caused complaints on previous occasions from residents.

Yours faithfully,

Mr David Carter
Environmental Health Manager
Environmental Health

CC: licensing@brentwood.gov.uk
licensing.applications@essex.police.uk

1 July 2022	
Licensing Sub-Committee	
DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES.	
Report of: Dave Leonard, Licensing Officer	
Wards and communities affected: Brentwood North	Key Decision: Non-key
This report is public	
<i>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.</i>	
Date of notice given of exempt or confidential report: not applicable	
Purpose of Report: To determine an objection from Essex Police against two Temporary Event Notices.	

EXECUTIVE SUMMARY

The Licensing Office has received an objection from both the Essex Police Licensing Officer, Mr Simon Barnes, and the Brentwood Borough Council Environmental Health Manager, Mr David Carter, with regards to two Temporary Event Notices (TENS) submitted in relation to a pilot scheme to provide late night refreshment on Sunday 17 July 2022 and the August Bank Holiday weekend extension 27-29 August 2022 to be held at ***The Merchant, 125-127 High Street, Brentwood CM14 4RX***. Both events request a one-hour extension to the hours of licensable activity from 0200hrs-0300hrs and 0000hrs-0100hrs (Monday 29 August). The objections relate to the prevention of crime & disorder and 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 On 22 June 2022 the Licensing Department received a Temporary Event Notice from Alison Bracken of the Stonegate Group on behalf of Skotty Winwood to provide late night refreshment on the premises with the aim of assisting with the gradual dispersal of customers from licensed premises in the town centre at The Merchant, 125-127 High Street, Brentwood CM14 4RX on Sunday 17 July 2022 from 0200hrs-0300hrs. A copy of the TEN is attached at **Appendix A**

2.4 A letter of acknowledgement of the TEN was sent on 22 June 2022 and a copy is attached at **Appendix B**.

2.5 On 22 June 2022 the Licensing Department received a Temporary Event Notice from Nita Hill of the Stonegate Group on behalf of Skotty Winwood for the sale of alcohol and the provision of regulated entertainment & late-night refreshment for one additional hour on the August Bank Holiday weekend at The Merchant, 125-127 High Street, Brentwood CM14 4RX on Saturday 27 August & Sunday 28 August 2022 from 0200hrs-0300hrs and on Monday 29 August 2022 from 0000hrs-0100hrs. A copy of the TEN is attached at **Appendix C**.

2.6 A letter of acknowledgement of the TEN was sent on 22 June 2022 and a copy is attached at **Appendix D**.

2.7 The TEN, in its current submission without any written undertakings attached, effectively removes the conditions attached to the premises licence. A copy of the current premises licence, issued on 2 May 2022, together with an OS Street Map and an image to better identify the location, is attached at **Appendix E**.

2.8 On 23 June 2022 the Licensing Department received an objection notice against both Temporary Event Notices from the Essex Police Licensing Officer, Mr Simon Barnes, being satisfied that the allowing of the premises to be used in accordance with the notices would undermine the prevention of crime & disorder and public nuisance licensing objectives. Mr Barnes states that a number of conditions have been agreed to assist with the prevention of crime and disorder and public nuisance 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. Mr Barnes' objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for these events. In doing so, this would satisfy Essex Police that all measures that have been put in place will remain in effect for the entire period of the events. Mr Barnes' objection is attached at **Appendix F**.

2.9 On 24 June 2022 the Licensing Department received objection notices against both Temporary Event Notices from the Brentwood Borough Council Environmental Health Manager, Mr David Carter, being satisfied that the allowing of the premises to be used in accordance with the notices would undermine the public nuisance licensing objectives. As also identified by Essex Police, this objection is made with the view to getting the conditions listed on the premises licence applied to the TEN for the event and this would satisfy Environmental Health that all measures that have been put in place will remain in effect for the entire event. Mr Carter's objections are both attached at **Appendix G**.

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.
- 3.5 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.
- 3.6 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.
- 3.7 The Sub-Committee are advised that the final decision should be based on the individual merits of the application and 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 Notification 17 July 2022 (received 22 June 2022)

Appendix B - Letter of Acknowledgement 22 June 2022

Appendix C - Temporary Event Notification 26-29 August 2022 (received 22 June)

Appendix D - Letter of Acknowledgement 22 June 2022)

Appendix E - Premises Licence, OS Map and Image

Appendix F - Notice of Objection from Mr Simon Barnes (Essex Police Licensing)

Appendix G - Notices of Objection from Mr David Carter (Environmental Health)

Report Author Contact Details:

Name: Dave Leonard

Telephone: 01277 312523

E-mail: dave.leonard@brentwood.gov.uk

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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX A

Temporary Event Notification

17 July 2022

received 22 June 2022

Temporary Event Notice

Reference: TEN431209373

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): Skotty

Surname: Winwood

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?: No

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address: licensing@stonegategroup.co.uk

Daytime telephone number:

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)

House number/name 3

Road name Monkspath Hall Road

Town Solihull

County
Post Code

West Midlands
B90 4SJ

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)

House number/name 125-127

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4RX

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_0152

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.

Within the usual licensed demise of the Merchant

Please describe the nature of the premises:

Public House

Please describe the nature of the event:

To do late night food. Extend trading hours from 2am until 3am Saturday only on 16th July 2022 (into early hours of Sunday 17th July 2022)

From 2am to stop serving Alcohol and extend the service of soft drinks and food until 3am (Saturday only) Food will be in take away boxes, Pizzas pre cut, condiments in sachets, disposable cups, food to be consumed on the premises only.

All premises licence conditions will be adhered to during the TEN

Licensable Activities

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

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 168 hours (7 days).

Sunday 17th July 2022

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

02:00 - 03:00

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.

300

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: Cambridgeshire

Licenc number: PA1962

Date of issue: 01/01/2000

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

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: Alison Bracken on behalf of Skotty Winwood

Date: 21/06/2022

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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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX B

Temporary Event Notification

17 July 2022

Acknowledgement dated 22 June 2022



Ms Skotty Winwood

Date: 22nd June 2022
Our Reference: 22/00103/LATEMP

Dear Ms Skotty Winwood,

**Licensing Act 2003 - Temporary Event Notice: 125-127 High Street Brentwood
Essex CM14 4RX**

EVENT on the 17th July 2022

ACTIVITIES: Provision of Late Night Refreshments and Regulated Entertainment

TIMES: 02:00 - 03:00

LOCATION: The Merchant

**COMMENTS: To do late night food. Extend trading hours from 2am until 3am
Saturday only on 16th July 2022 (into early hours of Sunday 17th July 2022) From
2am to stop serving Alcohol and extend the service of soft drinks and food until
3am (Saturday only) Food will be in take away boxes, Pizzas pre cut, condiments
in sachets, disposable cups, food to be consumed on the premises only. All
premises licence conditions will be adhered to during the TEN**

CAPACITY: 300

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 22nd June 2022

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.

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

Paula Hammond

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.

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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX C

Temporary Event Notification

26-29 August 2022

received 22 June 2022

Temporary Event Notice

Reference: TEN431276434

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: Mr.

First name(s): Skotty

Surname: Winwood

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?: No

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address: Licensing@stonegategroup.co.uk

Daytime telephone number:

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)

House

number/name

3

Road name

Monkspath Hall
Road

Town

Solihull

County

Post Code

B90 4SJ

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)

House number/name 125-127

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4RX

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_0152

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.

Please describe the nature of the premises:

Public House

Please describe the nature of the event:

August Bank holiday, to extend the Licence by 1 hour to continue to serve Food and Drink.
Additional Measures: The Door Staff will be extended by 1 hour, The TENs applicant will be present on site along side the GM also

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 168 hours (7 days).

26th August until 29th August

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

02:00-03:00 (26th Aug extended friday into Saturday)

02:00-03:00(27th AUg extended Saturday into Sunday)

00:00-01:00(28th Aug extended Sunday into Monday)

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.

300

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: Both

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes

Please provide the details of your personal licence below

Issuing licensing authority: Cambridgeshire

Licenc number: PA1692

Date of issue: 01/01/2018

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

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: Nita Hill - on behalf of Skotty Winwood

Date: 21/06/2022

National Fraud Initiative

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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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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX D

Temporary Event Notification

26-29 August 2022

Acknowledgement dated 22 June 2022



Skotty Winwood

Date: 22nd June 2022
Our Reference: 22/00104/LATEMP

Dear Skotty Winwood,

Licensing Act 2003 - Temporary Event Notice: 125-127 High Street Brentwood Essex CM14 4RX

EVENT on the 27th August 2022 02:00 - 03:00

EVENT on the 28th August 2022 02:00 - 03:00

EVENT on the 29th August 2022 00:00 - 01:00

ACTIVITIES: Provision of Late Night Refreshments, Sale by Retail of Alcohol and Regulated Entertainment

LOCATION: The Merchant

COMMENTS: August Bank holiday, to extend the Licence by 1 hour to continue to serve Food and Drink. Additional Measures: The Door Staff will be extended by 1 hour, The TENs applicant will be present on site along side the GM also

CAPACITY: 300

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 22nd June 2022

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.

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

Paula Hammond
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.

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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:-

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'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.

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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX E

Current Premises Licence

(Redacted)

Dated 2 May 2022

OS Map & Image

Premises Licence

Premises Licence Number	PRM_0152
Application Number	22/00068/LAVDPS
Date of Issue	2 May 2022

Part 1 – Premises Details

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

The Merchant
125-127 High Street
Brentwood
Essex
CM14 4RX

Telephone number
01277 240600

Where the licence is time limited the dates

Licensable activities authorised by the licence

Entertainment of a similar description to Live/Recorded Music & Perf. Of Dance
Performance of Dance
Exhibition of a film
Indoor Sporting Event
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live/Recorded Music & Perf. Of Dance

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	11:00 - 00:00

Performance of Dance

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	11:00 - 00:00

Exhibition of a film

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

Indoor Sporting Event

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 01:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	10:00 - 00:00

Performance of Live music

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	11:00 - 00:00

Playing of Recorded music

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

Times for all licensable activities extended by one hour on the following occasions: Bank Holiday weekends (Friday, Saturday & Sunday) St. Patrick's Day, St George's Day, St. Andrew's Day, St. David's Day, Burns' Night, Halloween, Maundy Thursday, Bonfire Night & St. Valentine's Day, 23rd December, Christmas Eve, Christmas Day, Boxing Day, 27th, 28th, 29th, 30th December & New Year's Day. From the start of permitted hours on New Year's Eve to the end of permitted New Year's Day

An additional hour to the standard and non-standard times on the day when British Summertime commences.

The opening hours of the premises

Monday	07:00 - 00:30
Tuesday	07:00 - 00:30
Wednesday	07:00 - 00:30
Thursday	07:00 - 01:30
Friday	07:00 - 02:30
Saturday	07:00 - 02:30
Sunday	07:00 - 00:30

Times for all licensable activities extended by one hour on the following occasions: Bank Holiday weekends (Friday, Saturday & Sunday) St. Patrick's Day, St George's Day, St. Andrew's Day, St. David's Day, Burns' Night, Halloween, Maundy Thursday, Bonfire Night & St. Valentine's Day, 23rd December, Christmas Eve, Christmas Day, Boxing Day, 27th, 28th, 29th, 30th December & New Year's Day. New Year's Eve from the start of permitted hours to the end of permitted New Year's Day

An additional hour to the standard and non-standard times on the day when British Summertime commences.

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

Stonegate Pub Company Limited
3 Monkspath Hall Road
Solihull
B90 4SJ

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

Company Number **FC029833**

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

Mr Rick Live

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: LN/200900119
Licensing Authority: Borough Of Broxbourne 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

9 The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made

a) By the British Board of Film Classification (BBFC) where the film has been classified by that Board, or

b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3)9b) for clubs) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the Operating Schedule

- 1 The premises shall install and maintain a CCTV system. All entry and exit points will be covered enabling 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 shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the reasonable request of Police or authorised officer. 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 Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.**
- 2 Where the premises is open for sale of alcohol beyond 01.00 hours the following day there shall be no admission of customers to the premises after 01:00 hours the following day, save for persons who have stepped outside to smoke.**
- 3 Best endeavours will be used to prevent customers from bringing bottles into the Licence Premises and to prevent them leaving with bottle or open containers (except for genuine off-sales).**
- 4 Only non-shatterable pint and half pint glasses will be used**
- 5 Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
 - i. The day and date when door supervisors were deployed;**
 - ii. The name and SIA registration number of each door supervisor on duty at the premises; and**
 - iii. The duty start and end time for each door supervisor.**This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.**
- 6 Staff and door staff will be instructed to implement the Policies in force for this site for the control of crime and disorder. All staff shall receive suitable training in order to meet with the requirements of the Licensing Act 2003. All bar staff to receive appropriate training in relation to alcohol sales prior to commencing their duties. This will include the premise licence conditions, underage sales policy and other relevant licensing matters. Training documents (which may be in an electronic format) shall be made available to an authorised police officer and licensing authority officer upon request.**
- 7 Any special effects or mechanical installations not already authorised by the council shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to the Council:**

- a. dry ice and cryogenic fog
 - b. smoke machines and fog generators
 - c. pyrotechnics including fireworks
 - d. firearms
 - e. motor vehicles
 - f. lasers
 - g. explosives and highly flammable substances.
- 8 The premises shall maintain a written dispersal policy, which should be made available to Police or an authorised officer of the Council upon request. Notices will be prominently displayed at the exits requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
- 9 No arrangements will be made for any deliveries to or collections from the premises between 23.00 hours and 07.00 hours.
- 10 The existing noise limiter shall be operative throughout the performance of live or recorded music at the Licensed Premises. The electricity supply to all amplification equipment shall at all times be controlled by the noise limiter, which shall be set at a level to be agreed with the Head of Environmental Health and Recreational Open Spaces or his agents.
- 11 Music noise from the premises shall not cause a nuisance in nearby residential premises.
- 12 Staff will be instructed that persons who look under 18 years must be asked for identification before they will be sold alcohol or admitted to the premises on certain occasions. A proof of age scheme such as Challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
- 13 The Designated Premises Supervisor or other responsible person will carry out regular noise checks at the boundary of the Licensed Premises while regulated entertainment is being provided to ensure that this is not a nuisance to local residents and take appropriate remedial action if necessary.
- 14 All doors and windows including the primary and secondary doors making a lobby area at the front of the premises will be kept closed after 21:00 save for entry/exit on all days when regulated entertainment is offered beyond midnight.
- 15 An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
- a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons

- 16 A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available to an authorised police officer and licensing authority officer upon request.**
- 17 The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.**
- 18 Save for exceptional circumstances which will be recorded in the door supervisor's record, each and every door supervisor employed at the premises will have:
 - a . Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers);**
 - b. To have received such training in the last 12 months; and**
 - c. Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working days.****
- 19 All door supervisors supervising the entrance to the premises and the Head Doorman (or person carrying out that function) 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 authorized officer of the licensing authority upon reasonable request.**
- 20 All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets/vests/armbands or similar which clearly identify them as such.**
- 21 Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log. This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police, SIA or licensing authority staff upon reasonable request.**
- 22 A qualified first aider shall be on the premises after 22:00 hours each day when the premises is open for the sale of alcohol. The first aider must have received appropriate first aid training**
- 23 The premises shall have in place, and operate, a zero tolerance policy with regard to the use/possession of controlled drugs & psychoactive substances and advertise the same within the premises on posters and similar means.**

This policy shall specifically include but not be limited to:

- o Searching practices upon entry;**
- o Dealing with patrons suspected of using drugs on the premises;**
- o Scrutiny of spaces including toilets or outside areas;**
- o Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);**

- o Staff training regarding identification of suspicious activity and what action to take;**
- o The handling of items suspected to be illegal drugs or psychoactive substances;**
- o Steps taken to discourage and disrupt drugs use on the premises;**
- o Steps to be taken to inform patrons of the premises drug policy/practices.**

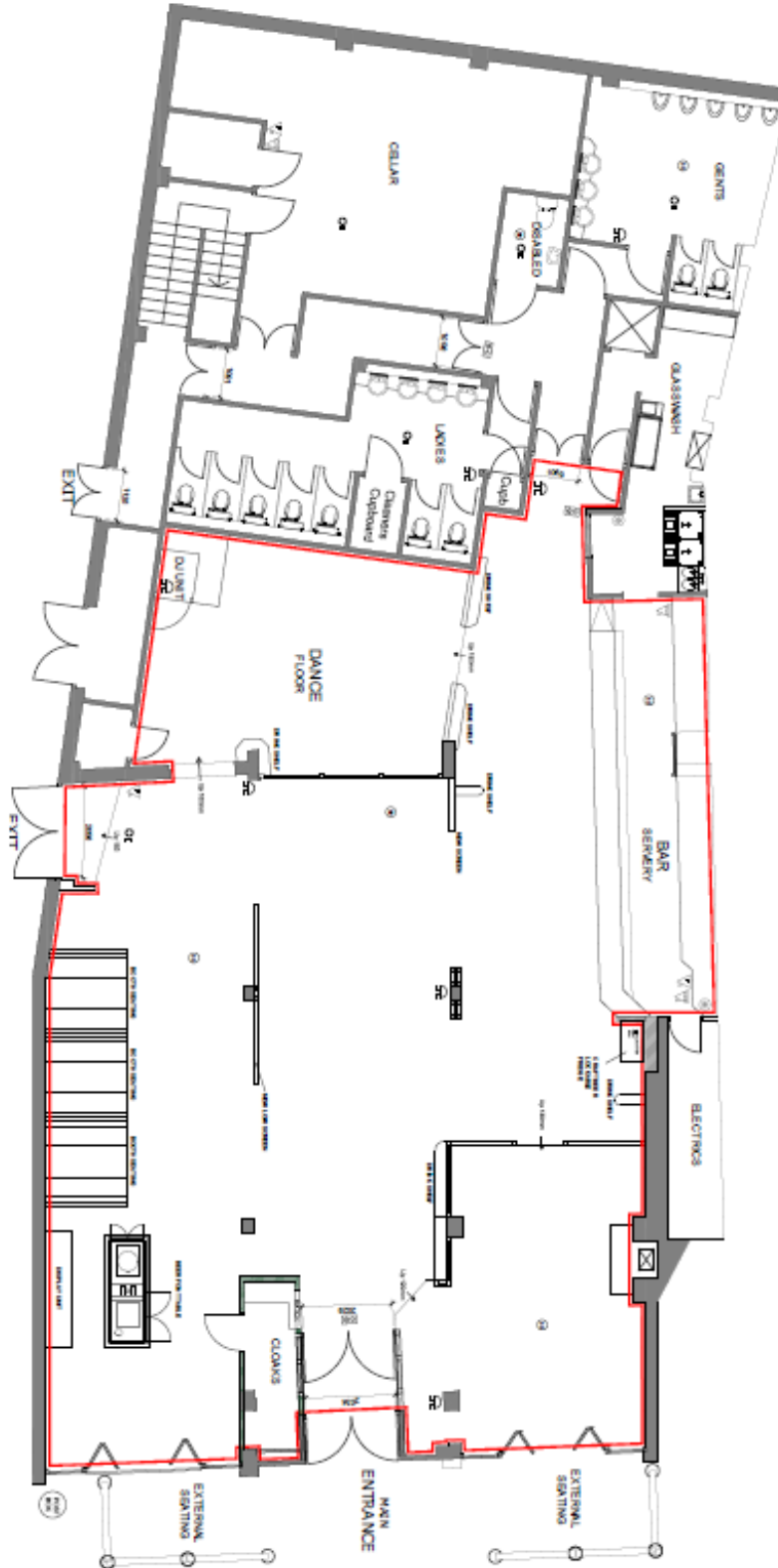
A copy of this policy document shall be lodged with the police and licensing authority.

- 24 When the premises is open for the sale of alcohol beyond midnight, there shall be a minimum of three SIA registered door supervisors on duty. At all other times the need for door supervisors shall be assessed by the way of risk assessment and cognisance will be taken of any Police advice**
- 25 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.**
- 26 (a) The use of the self-service stations will be restricted to groups of at least 8 persons**
- (b) Staff will regularly monitor the self-service stations at least every 30 minutes, to ensure that no issues arise surrounding intoxication or underage consumption of alcohol.**
- A log of these checks shall be kept on the premises available for inspections.**
- (c) An additional CCTV camera shall be installed and in use in the self service area to ensure that there are no blind spots.**
- (d) A CCTV viewing monitor shall be located behind the bar areas so that regular monitoring of the self service area can take place'.**

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

Annex 4 – Plans

This licence is issued subject to the following attached plan, Drawing No.3268-80 Rev C:
Dated October 2019 **The Merchant, 125-127 High Street, Brentwood, Essex CM14 4RX**



Premises Licence Summary

Premises Licence Number	PRM_0152
Application Number	22/00068/LAVDPS
Date of Issue	2 May 2022

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code
The Merchant 125-127 High Street Brentwood Essex CM14 4RX
Telephone number 01277 240600

Where the licence is time limited the dates

Licensable activities authorised by the licence
Entertainment of a similar description to Live/Recorded Music & Perf. Of Dance Performance of Dance Exhibition of a film Indoor Sporting Event Performance of Live music Playing of Recorded music Provision of Late Night Refreshments Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities
Entertainment of a similar description to Live/Recorded Music & Perf. Of Dance
Monday 11:00 - 00:00
Tuesday 11:00 - 00:00
Wednesday 11:00 - 00:00
Thursday 11:00 - 01:00
Friday 11:00 - 02:00
Saturday 11:00 - 02:00
Sunday 11:00 - 00:00

Performance of Dance

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	11:00 - 00:00

Exhibition of a film

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

Indoor Sporting Event

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 01:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	10:00 - 00:00

Performance of Live music

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 02:00
Saturday	11:00 - 02:00
Sunday	11:00 - 00:00

Playing of Recorded music

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

Times for all licensable activities extended by one hour on the following occasions: Bank Holiday weekends (Friday, Saturday & Sunday) St. Patrick's Day, St George's Day, St. Andrew's Day, St. David's Day, Burns' Night, Halloween, Maundy Thursday, Bonfire Night & St. Valentine's Day, 23rd December, Christmas Eve, Christmas Day, Boxing Day, 27th, 28th, 29th, 30th December & New Year's Day. From the start of permitted hours on New Year's Eve to the end of permitted New Year's Day
An additional hour to the standard and non-standard times on the day when British Summertime commences.

The opening hours of the premises

Monday	07:00 - 00:30
Tuesday	07:00 - 00:30
Wednesday	07:00 - 00:30
Thursday	07:00 - 01:30
Friday	07:00 - 02:30
Saturday	07:00 - 02:30
Sunday	07:00 - 00:30

Times for all licensable activities extended by one hour on the following occasions: Bank Holiday weekends (Friday, Saturday & Sunday) St. Patrick's Day, St George's Day, St. Andrew's Day, St. David's Day, Burns' Night, Halloween, Maundy Thursday, Bonfire Night & St. Valentine's Day, 23rd December, Christmas Eve, Christmas Day, Boxing Day, 27th, 28th, 29th, 30th December & New Year's Day. New Year's Eve from the start of permitted hours to the end of permitted New Year's Day
An additional hour to the standard and non-standard times on the day when British Summertime commences.

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

Stonegate Pub Company Limited
3 Monkspath Hall Road
Solihull
B90 4SJ

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

Company Number **FC029833**

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

Mr Rick Live

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: LN/200900119
Licensing Authority: Borough Of Broxbourne Council

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



High Street, Brentwood



Drawing No. :

Scale at A4 : 1:500

Drawn by : OSJ

Service : ICT

Date :

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



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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX F

Representation

Responsible Authority

Received 22 June 2022

Mr Simon Barnes

*Licensing Officer
Essex Police*



Ms Skotty WINWOOD
3 Monkspath Hall Road
Shirley
Solihull B90 4SJ

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

01245 452035

23 June 2022

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

Name of Premises User: Rick Live

Address of Premises: 125-127 High Street, Brentwood CM14 4RX

Date (s) required for TEN(s) 17th July 2022
26th to 29th August 2022

On the 22nd June 2022 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 are crime and disorder and public nuisance.

The reasons for being so satisfied are a number of conditions have been agreed to assist with the prevention of crime and disorder and public nuisance 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 the view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all measures that have been put in place will remain in effect for the entire event.

RESTRICTED

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

Simon Barnes

Licensing.applications@essex.police.uk

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Determination of Objection to Temporary Event Notices
MERCHANT, 125-127 HIGH STREET, BRENTWOOD CM14 4RX

APPENDIX G

Representation

Responsible Authority

Received 24 June 2022

Mr David Carter

*Environmental Health Manager
Brentwood Borough Council*



Skotty Winwood
125-127 High Street
Brentwood
Essex
CM14 4RX

Date: 24th June 2022
Our Reference: 22/001309/LITEN
Telephone: 01277 312509
Email: david.carter@brentwood.gov.uk

Dear Skotty Winwood

ENVIRONMENTAL HEALTH OBJECTION NOTICE to a Temporary Event Notice (TEN) - Section 104 Licensing Act 2003

Name of Premises User: **Skotty Winwood**
Address of Premises: **125-127 High Street Brentwood Essex CM14 4RX**
Date(s) required for TEN(s): **27-29.08.22**

On **22 June 2022** Environmental Health received the above Notice

Environmental Health are satisfied that the allowing of 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 Public Nuisance.

The reasons for being so satisfied are that there are a number of conditions that have been agreed to assist with the prevention of public nuisance 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 the view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Environmental Health that all measures that have been put in place will remain in effect for the entire event.

Yours faithfully,

Mr David Carter
Environmental Health Manager
Environmental Health

CC: licensing@brentwood.gov.uk
licensing.applications@essex.police.uk



Ms Skotty Winwood
125-127 High Street
Brentwood
Essex
CM14 4RX

Date: 24th June 2022
Our Reference: 22/001300/LITEN
Telephone: 01277 312509
Email: david.carter@brentwood.gov.uk

Dear Ms Skotty Winwood

ENVIRONMENTAL HEALTH OBJECTION NOTICE to a Temporary Event Notice (TEN) - Section 104 Licensing Act 2003

Name of Premises User: **Ms Skotty Winwood**
Address of Premises: **125 - 127 High Street Brentwood Essex CM14 4RX**
Date(s) required for TEN(s): **17.07.22**

On **22 June 2022** Environmental Health received the above Notice

Environmental Health are satisfied that the allowing of 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 Public Nuisance.

The reasons for being so satisfied are that there are a number of conditions that have been agreed to assist with the prevention of public nuisance 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 the view to getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Environmental Health that all measures that have been put in place will remain in effect for the entire event.

Yours faithfully,

Mr David Carter
Environmental Health Manager
Environmental Health

CC: licensing@brentwood.gov.uk
licensing.applications@essex.police.uk

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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.