

# Minutes

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**Licensing Sub-Committee  
Friday, 15th July, 2022**

## **Attendance**

Cllr Barber  
Cllr Gelderbloem

Cllr Parker

## **Also Present**

Gary Burke - Essex Police Licensing Officer

## **Officers Present**

Paul Adams - Licensing Manager  
Zoey Foakes - Governance & Member Support Officer  
Dave Leonard - Licensing Officer

## **LIVE BROADCAST**

[Live broadcast to start at 10am and available for repeat viewing.](#)

### **97. Appointment of Chair**

Members resolved that Cllr Parker would Chair the meeting.

### **98. Administrative Function**

Members were 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.

### **99. DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES - The Merchant, 125-127 High Street, Brentwood CM14 4RX**

**Determination of Objection to Temporary Event Notice on Sunday 24  
July 2022; Sunday 31 July 2022; Sunday 7 August 2022 and Sunday 14  
August 2022: The Merchant**

**Licensing Sub-Committee of Brentwood Borough Council: 15 July 2022  
Councillors: Barber, Gelderbloem and Parker (Chair)**

## **Decision of the Committee**

The Committee imposed conditions on the Temporary Event Notice pursuant to s106 of the Licensing Act 2003.

## **Statement of Reasons**

The Committee noted the contents of the application and considered the oral representations of the Applicant who was present at the hearing.

The Committee noted the objection from Essex police who opposed the application on the basis that the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance, would be undermined.

Essex Police submitted that a number of conditions had been agreed to assist with the prevention of crime and disorder and the prevention of public nuisance at the premises. Essex Police therefore sought that the conditions on the current premises licence be applied to the Temporary Event Notice.

The Committee noted the objection from Environmental Health who opposed the application on the basis that the licensing objective, the prevention of public nuisance, would be undermined.

Environmental Health submitted that a number of conditions had been agreed to assist with the prevention of public nuisance at the premises. Environmental Health therefore sought that the conditions on the current premises licence be applied to the Temporary Event Notice.

The Applicant informed the Committee that they were content to accept the existing conditions on its premises licence being imposed on the Temporary Event Notice.

It was noted by the Committee that Essex Police, Environmental Health and Licensing Officers commented that the premises was fully compliant with the conditions on the premises licence and that no complaints had been received attributed to the premises.

The Committee, in making its determination, had regard to the Authority's own licensing statement and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

Having sought legal advice the Committee resolved to allow the Temporary Event Notice with full conditions of the existing premises licence being imposed upon it.