



# Agenda

## Licensing Sub-Committee

Wednesday, 17 August 2022 at 10.00 am  
Council Chamber - Town Hall

---

### Membership (Quorum – 3 )

Cllrs Barber, Laplain and Parker

### Substitute Members

Cllrs

---

### Agenda

Item	Item	Wards(s) Affected	Page No
<b>Live broadcast</b>			
<a href="#">Live broadcast to start at 10am and available for repeat viewing.</a>			
<b>Contents</b>			
1.	<b>Appointment of Chair</b>		
2.	<b>Administrative Function</b> 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.	<b>Determination of an Application for a new Premises Licence - McCafferty's Bar, 99 High Street, Brentwood CM14 4RR</b>	Brentwood North	5 - 88
4.	<b>Determination of an Application for a new Premises Licence - Sainsy's Pie Shop, 111 High Street, Brentwood CM14 4RX</b>	Brentwood North	89 - 174

A handwritten signature in black ink, reading "Jonathan Stephenson", is centered on a light blue rectangular background. The signature is written in a cursive style with a horizontal line crossing through the middle of the letters.

Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
09.08.2022

---

### 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](http://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.

---

 **modern.gov app**

View upcoming public committee documents on your Apple or Android device with the free modern.gov app.

---

  **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.



<b>Committee(s):</b> Licensing Sub-Committee	<b>Date:</b> 17 August 2022
<b>Subject:</b> Determination of an Application for a New Premises Licence	<b>Wards Affected:</b> Brentwood (North) Brentwood (South)
<b>Report of:</b> Dave Leonard, Licensing Officer	<b>Public</b>
<b>Report Author/s:</b> Name: Dave Leonard Telephone: 01277 312523 E-mail: dave.leonard@brentwood.gov.uk	<b>For Decision</b>

## Summary

The Licensing Office has received an application for a new premises licence to allow for the provision of live music, recorded music, performance of dance, late night refreshment and the supply of alcohol for both on and off the premises at **McCafferty's Bar, 99 High Street, Brentwood CM14 4RR**. Three representations have been received from consulting Responsible Authorities, those being Brentwood Borough Council's Environmental Health Noise Pollution and Health & Food Safety teams and the Planning department. There have been no representations received from Other Persons.

## Recommendation(s)

### **Members are asked to:**

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

- R1.** To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;
- R2.** To grant the application in full, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives; or
- R3.** To reject the application in whole or in part

## Main Report

### Introduction and Background

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

### Issue, Options and Analysis of Options

- 2.1 This application for a new premises licence was received on 23 June 2022 from Ms Lisa Gilligan at Freeths LLP on behalf of the London City Pub Group Limited in respect of **McCafferty's Bar, 99 High Street, Brentwood CM14 4RR**. A copy of the application is attached at **Appendix A**.
- 2.2 The premises was formerly a McDonalds Restaurant but has been a boarded up empty shell for several years now. The applicant is seeking to convert the premises into a themed bar and is seeking the provision of the following licensable activities and opening hours;

**The sale of alcohol for consumption on and off the premises, performance of dance, live music and recorded music as follows;**  
Sunday to Thursday 0800 to 0100 the following morning  
Friday and Saturday 0800 to 0200 the following morning

**Late night refreshment**

Sunday to Thursday 2300 to 0100 the following morning  
Friday and Saturday 2300 to 0200 the following morning

**Opening hours of the premises**

Sunday to Thursday 0800 to 0130 the following morning  
Friday and Saturday 0800 to 0230 the following morning

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

2.3 There were three representations received from the Responsible Authorities.

From Brentwood Borough Council –

Environmental Health (Noise Pollution) Team Manager, Mr David Carter, has concerns relating to the prevention of public nuisance. He notes that there is a proposal to use the first-floor flat roof as a smoking area and for use by customers with a bar. This area is adjacent to a fire escape door of an adjacent residential development, which may result in noise disturbance to the occupiers of the apartments in this building. Mr Carter states that it is also possible that other residential property in the vicinity may be affected by noise from customers using the roof bar area and from amplified music in this area. Mr Carter maintains that noise breakout to adjoining dwellings needs to be considered and appropriate conditions attached to any subsequently granted premises licence in order to control noise levels from amplified music & speech.

Principal Environmental Health (Health & Food Safety) Officer, Ms Elaine Higgins, has raised public safety concerns in relation to the proposed use of the roof terrace. She has been in consultation with the applicant and is seeking a response to questions raised relating to the maximum safe working load, the anticipated capacity and the measures being taken to prevent slip or trip hazards on the roof terrace. Following an on-site meeting with representatives for the applicant, Ms Higgins has raised concerns that the plans submitted with the application do not reflect the on-site discussions that were held. At the on-site meeting it was discussed that the bar would be located in a different position towards the rear staircase and there was the proposal of retractable roof over the roof terrace that had the potential to create a substantially enclosed area that was not suitable for smoking. Ms Higgins is seeking to obtain clarity and reassurance that the public safety licensing objective is satisfied and to agree conditions regarding the use of the roof terrace. The applicant's response to Ms Higgins' representation is also attached.

Planning Officer, Mr Max Gibson, has made a representation relating to the large first floor open terrace, with external bar area and potentially amplified music which is adjacent to residential developments and has the potential to result in noise nuisance impacting on surrounding residential developments. Furthermore, the limited space at the front of the site is in close proximity to a pelican crossing and has potential safety implications in relation to patrons queuing and other users of the public highway.

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

- 2.4 Following consultation with the applicant, Essex Police (Licensing) withdrew their representation having agreed that the application be amended to include seventeen suggested conditions that are in line with both the operating schedule detailed in the application and other similar premises in the vicinity. These recommended conditions and the applicant's acceptance to incorporate them into their operating schedule are attached at **Appendix D**.
- 2.5 There were no representations received from Other Persons.

### **Reasons for Recommendation**

- 3.1 These are the options available to the Sub-Committee

### **Consultation**

- 4.1 The application has been consulted on in accordance with the requirements of the Licensing Act 2003.
- 4.2 Officers from the licensing authority have made several checks on the display of notices to ensure that the blue advertising notice was correctly on display at the front of the building.
- 4.3 Copies of all representations have been served on the applicant.

### **References to Corporate Plan**

None

## Implications

### Financial Implications

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

There are no financial implications for this report.

### Legal Implications

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

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

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

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

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

- 5.1 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

- 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

## 6. Relevant Sections of the Secretary of State's Guidance

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

### ***Steps to promote the licensing objectives***

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

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

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

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

### ***Hours of trading***

*10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities.*

However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

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

## 6.2 Statement of Licensing Policy

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

### **Prevention of Crime & Disorder**

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

### **Public Safety**

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

### **Prevention of Public Nuisance**

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

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

## **Appendices to this report**

***Appendix A - Application for a New Premises Licence (received 23 June 2022)***

***Appendix B - OS Maps and Images***

***Appendix C - Representations from Responsible Authorities;***  
*Environmental Health (Noise Pollution)- Mr David Carter*  
*Environmental Health (Health & Food Safety) - Ms Elaine Higgins*  
*Planning – Mr Max Gibson*

***Appendix D - Essex Police - Agreed Conditions forming Operating Schedule***



***APPLICATION FOR A NEW PREMISES LICENCE***

**McCAFFERTY'S BAR, 99 HIGH STREET, BRENTWOOD CM14 4RR**

**Wednesday 17 August 2022**

**APPENDICES**

***Appendix A*** – *Application for a New Premises Licence received 23 June 2022  
Plus Proposed Conditions & Brentwood Bar Time Comparisons*

***Appendix B*** – *OS Maps & Images*

***Appendix C*** – *Representations from Responsible Authorities*  
*Environmental Health (Noise Pollution) – Mr David Carter*  
*Environmental Health (Health & Food Safety) – Ms Elaine Higgins*  
*Planning – Mr Max Gibson*

***Appendix D*** - *Essex Police (Licensing) Proposed Conditions – Mr Simon Barnes*  
*Plus Applicant's Agreement to Essex Police Proposed Conditions*

This page is intentionally left blank

**Application for a New Premises Licence**

**McCAFFERTY'S BAR, 99 HIGH STREET, BRENTWOOD CM14 4RR**

**APPENDIX A**

*Application for a New Premises Licence*

*received 23 June 2022*





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

---

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

Before completing this form please read the guidance notes:

[Premises Licence Application Guidance Notes](#)

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

---

### Cost of Licence

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

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

Cost of licence: £315

I/We,

Name of the applicant: London City Pub Group Limited

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

---

### Premises Details

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

Ordnance survey map reference or description:

#### Premises Address

Flat number (if any)

House number/name 99

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4RR

Daytime contact telephone number (if any):

Premises email address (optional): lisa.gilligan@freeths.co.uk

---

Please state whether you are applying for a Premises Licence as: (b) a person other than an individual: as a limited company; as a partnership; as an incorporated association; or other (for example, a statutory corporation)

I am: carrying on or proposing to carry on a business which involves the use of premises for licensable activities

## **Individual Applicants**

Title:

First name(s):

Surname:

Date of birth:

I am 18 years old or older:

Nationality:

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

### **Applicant Address**

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Daytime contact telephone number:

Application email address (optional):

### **Second Individual Applicant (if applicable)**

Title:

First name(s):

Surname:

Date of birth:

I am 18 years old or older:

Nationality:

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

note 15 for information):

### **Applicant Address**

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Daytime contact telephone number:

Application email address (optional):

### **Other Applicants**

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

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

Name: London City Pub Group Limited

Flat number  
(if any)

House number/name G204 Weston House,  
Allen House Business  
Centre

Road name The Maltings, Station  
Road

Town Sawbridgeworth

County Essex

Post Code CM21 9FP

Registered number (where applicable): 11877834

Description of Applicant: Company

Telephone: 0116 2481145

Email: lisa.gilligan@freeths.co.uk

---

## Operating Schedule

When do you want the premises licence to start?: 22/07/2022

If you wish the licence to be valid only for a limited period, when do you want it to end?:

General description of the premises (Please read guidance note 1):

Public House

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

What licensable activities do you intend to carry on from the premises? (please see [section 1](#) and [section 14](#) of the Licensing Act 2003 and [Schedule 1](#) and [Schedule 2](#) to the Licensing Act 2003)

Provision of regulated entertainment for:

(e) live music, (f) recorded music, (g) performances of dance

Provision of late night refreshment:

Yes

Supply of alcohol:

Yes



## **a) Plays**

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

**Standard Days and Timings (please read guidance note 6)**

<u>Day</u>	<u>Start</u>	<u>Finish</u>
------------	--------------	---------------

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

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

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

## **b) Films**

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

**Standard Days and Timings (please read guidance note 6)**

Day      Start      Finish

5

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

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

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

## **c) Indoor Sporting Events**

**Standard Days and Timings (please read guidance note 6)**

**Day      Start      Finish**

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

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

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

## **d) Boxing or Wrestling**

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

**Standard Days and Timings (please read guidance note 6)**

Day      Start      Finish

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

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

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

## e) Live Music

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

### Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	01:00
Tuesday	08:00	01:00
Wednesday	08:00	01:00
Thursday	08:00	01:00
Friday	08:00	02:00
Saturday	08:00	02:00
Sunday	08:00	01:00

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

N/A

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

N/A

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

N/A

## f) Recorded Music

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

**Standard Days and Timings (please read guidance note 6)**

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	01:00
Tuesday	08:00	01:00
Wednesday	08:00	01:00
Thursday	08:00	01:00
Friday	08:00	02:00
Saturday	08:00	02:00
Sunday	08:00	01:00

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

N/A

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

N/A

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

N/A

## **g) Performances of Dance**

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

### **Standard Days and Timings (please read guidance note 6)**

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	01:00
Tuesday	08:00	01:00
Wednesday	08:00	01:00
Thursday	08:00	01:00
Friday	08:00	02:00
Saturday	08:00	02:00
Sunday	08:00	01:00

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

N/A

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

N/A

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

N/A

## **h) Anything of a Similar Description to that falling within (e) Live Music, (f) Recorded Music or (g) Performance of Dance**

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

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

**Standard Days and Timings (please read guidance note 6)**

**Day      Start      Finish**

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

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

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



## **i) Late Night Refreshment**

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

### **Standard Days and Timings (please read guidance note 6)**

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

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

N/A

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

N/A

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

N/A

## j) Supply of Alcohol

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

### Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	01:00
Tuesday	08:00	01:00
Wednesday	08:00	01:00
Thursday	08:00	01:00
Friday	08:00	02:00
Saturday	08:00	02:00
Sunday	08:00	01:00

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

N/A

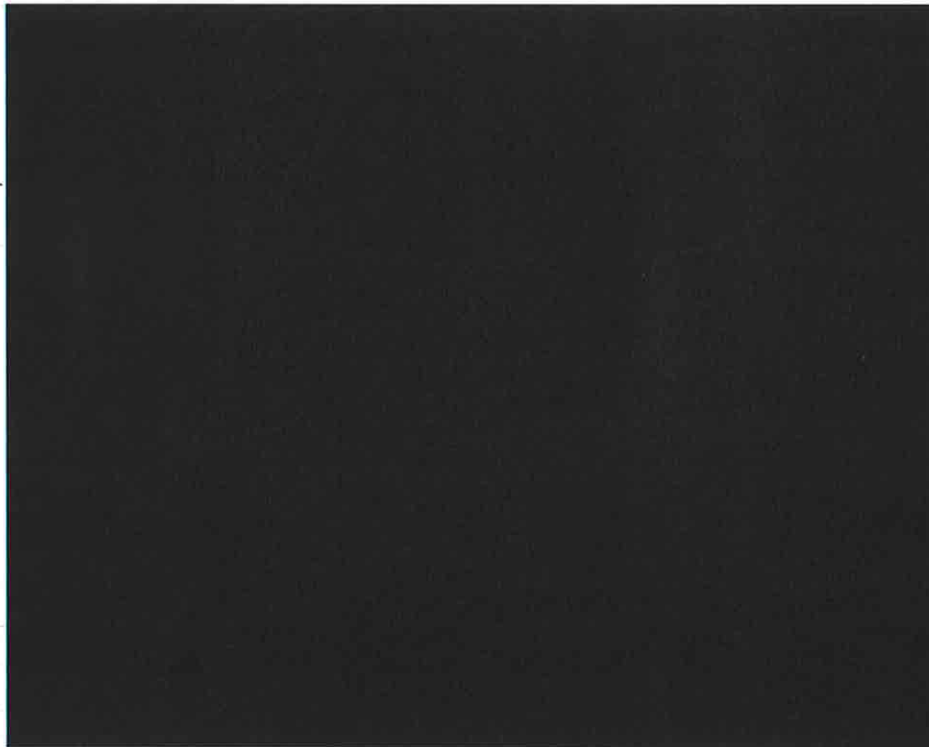
State any seasonal variations for the supply of alcohol (please read guidance note 4):

N/A

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

N/A

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



## I) Hours Premises are open to the public

### Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	01:30
Tuesday	08:00	01:30
Wednesday	08:00	01:30
Thursday	08:00	01:30
Friday	08:00	02:30
Saturday	08:00	02:30
Sunday	08:00	01:30

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

N/A

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

N/A

## **n) Adult Entertainment and Services**

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8):

N/A

---

## **o) Promoting Licensing Objectives**

Describe the steps that you intend to take to promote the four licensing objectives:

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

1. Installed CCTV system that meet the standard in the UK Police requirements for digital CCTV systems shall operate and record video images at all times that the premises are open to the public and any records made shall be retained for not less than 30 days and be made available to a police officer upon request.
2. An incident book shall be kept and maintained at the premises, which shall be made available to a police office or an authorised officer or any responsible authority on request.
3. The licensee shall ensure that all incidents of the following are immediately recorded in the incident book:
  - a. Attempted underage alcohol purchases
  - b. Violence by any person against another
  - c. Criminal damage or attempted criminal damage
  - d. Drug misuse or possession of illegal drugs
  - e. Any other criminal incidents
4. The licensee shall ensure that not less than 2 door supervisors are engaged to keep order and control entry to the premises from 8:00 pm until closing time on any Thursday, Friday or Saturday night where the licensable activities of live music, recorded music or karaoke are taking place at the premises.
5. The licensee shall ensure the name and registration number of all door supervisors to be engaged at the premises is entered in a register maintained by the licensee before any such person begins their shift. The register shall be produced to a Police Officer or Authorised Officer of the Council upon request.
6. The licensee shall ensure that all door supervisors engaged at the premises shall wear high visibility reflective armbands or jackets.
7. The licensee shall become a member of Redbridge Pubwatch and shall regularly attend and contribute to meetings of that organisation.
8. The licensee shall ensure that on any day that the premises is open, refuse is cleared from the front of the premises at least once in the afternoon and at least once in the evening.
9. The licensee shall ensure that patrons do not take glasses, bottles or any other open vessels off the premises after 21:00.
10. There shall be no external disposal of bottles, glasses or other refuse after 21:00 hours or before 08:00 hours the following morning.
11. The licensee shall provide telephone contact numbers for local taxi services and display these on notices at the exit to the premises.
12. Door supervisors shall ensure that patrons awaiting taxis and minicabs are held on the premises until the required transport arrives.

13. The licensee shall post suitably worded prominent notices at the exit of the premises asking patrons to leave quietly and respect neighbours.

14. The premises licence holder shall operate a Challenge 21 scheme that ensures any person attempting to purchase alcohol for appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise of a passport, a photo card driving licence or an industry-approved proof of age identity card.

b) The prevention of crime and disorder:

See box a) above.

c) Public safety:

See box a) above.

d) The prevention of public nuisance:

See box a) above.

e) The protection of children from harm:

See box a) above.



## Declaration

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

**Alternatively these should be sent by post to:**

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

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

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

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

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

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

[Public Notice of Application](#)

(Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships) I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15): I agree

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

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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

# Signatures

(please read guidance note 11)

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

Signature (name): Lisa Gilligan, Freeths LLP

Date: 23/06/2022

Capacity: Solicitor for the Applicant

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

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

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

Signature (name):

Date: 23/06/2022

Capacity:

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

Correspondence name: Lisa Gilligan

Telephone number: 0116 2481145

Mobile telephone number:

Correspondence Address

Flat number (if any)

House number/name One

Road name Colton Square

Town Leicester

County Leicestershire

Post Code LE1 1QH

To receive email confirmation of your application and payment, please provide a correspondence

email address: [lisa.gilligan@freeths.co.uk](mailto:lisa.gilligan@freeths.co.uk)

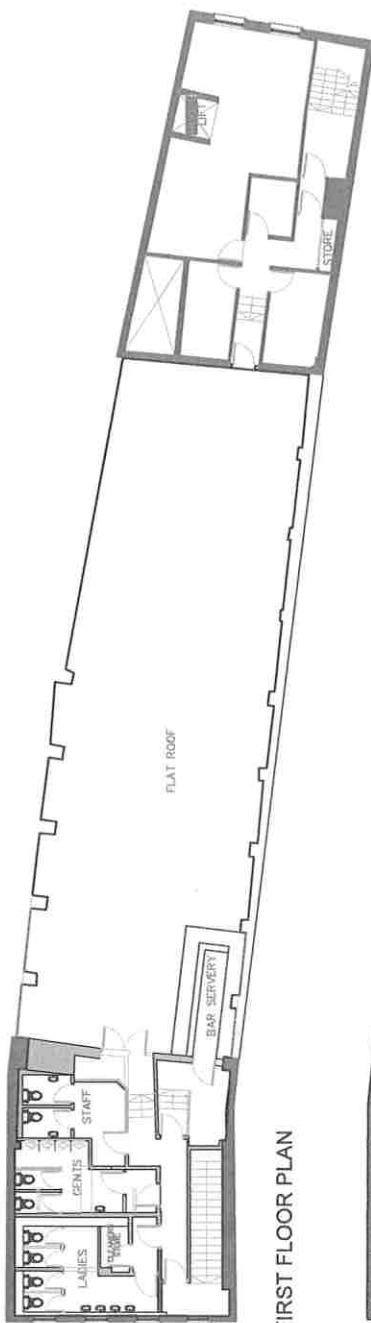


**Notes:**

© Dermot McNamara Design, all rights reserved.  
No part of this material may be reproduced in whole or in  
any form or by any means without permission.  
No dimensions to be scaled from this drawing.  
All dimensions to be checked on site.  
Any errors or discrepancies to be reported in writing to the  
author immediately.  
All work to be in accordance with the relevant Building  
Regulations.

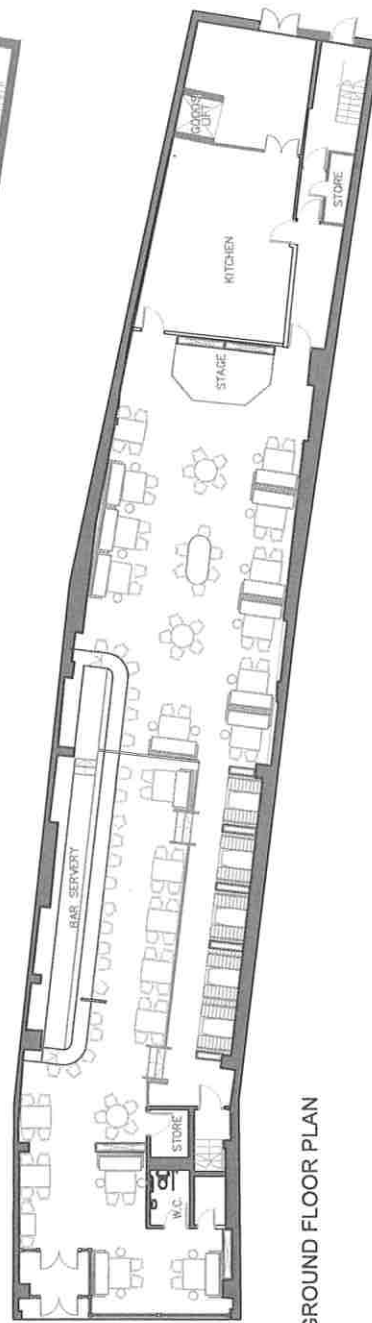


SECOND FLOOR PLAN



FIRST FLOOR PLAN

Proposed Licenced Area outlined in red thus



GROUND FLOOR PLAN

revisions shown thus

No:	Date:	Revision Description

Client:	MCDUFFERTY'S GROUP
Project:	BRENTWOOD HIGH STREET
Drawing:	PROPOSED LICENCE PLAN
Date:	APRIL 22
Scale:	1:100 (B1)
Drawn:	
Checked:	
Dir. No.:	
Rev.:	

**DERMOT MCNAMARA DESIGN**  
Interior architecture & design | project management

221 Limekiln Avenue, Pottersdown, Co. Dublin, Ireland  
t +353 85 649932 | e. info@dermotmcnamara.com | w. dermotmcna.com



## McCafferty's Bar – Proposed Conditions

1. Installed CCTV system that meet the standard in the UK Police requirements for digital CCTV systems shall operate and record video images at all times that the premises are open to the public and any records made shall be retained for not less than 30 days and be made available to a police officer upon request.
2. An incident book shall be kept and maintained at the premises, which shall be made available to a police office or an authorised officer or any responsible authority on request.
3. The licensee shall ensure that all incidents of the following are immediately recorded in the incident book:
  - a. Attempted underage alcohol purchases
  - b. Violence by any person against another
  - c. Criminal damage or attempted criminal damage
  - d. Drug misuse or possession of illegal drugs
  - e. Any other criminal incidents
4. The licensee shall ensure that not less than 2 door supervisors are engaged to keep order and control entry to the premises from 8:00 pm until closing time on any Thursday, Friday or Saturday night where the licensable activities of live music, recorded music or karaoke are taking place at the premises.
5. The licensee shall ensure the name and registration number of all door supervisors to be engaged at the premises is entered in a register maintained by the licensee before any such person begins their shift. The register shall be produced to a Police Officer or Authorised Officer of the Council upon request.
6. The licensee shall ensure that all door supervisors engaged at the premises shall wear high visibility reflective armbands or jackets.
7. The licensee shall become a member of Redbridge Pubwatch and shall regularly attend and contribute to meetings of that organisation.
8. The licensee shall ensure that on any day that the premises is open, refuse is cleared from the front of the premises at least once in the afternoon and at least once in the evening.
9. The licensee shall ensure that patrons do not take glasses, bottles or any other open vessels off the premises after 21:00.
10. There shall be no external disposal of bottles, glasses or other refuse after 21:00 hours or before 08:00 hours the following morning.
11. The licensee shall provide telephone contact numbers for local taxi services and display these on notices at the exit to the premises.
12. Door supervisors shall ensure that patrons awaiting taxis and minicabs are held on the premises until the required transport arrives.
13. The licensee shall post suitably worded prominent notices at the exit of the premises asking patrons to leave quietly and respect neighbours.
14. The premises licence holder shall operate a Challenge 21 scheme that ensures any person attempting to purchase alcohol for appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise of a passport, a photo card driving licence or an industry-approved proof of age identity card.



Name of Premises	Address	Hours for the sale of alcohol	Opening Hours
Bloc 40	40 High Street, Brentwood	Monday to Sunday: 02:00	Monday to Sunday: 02:30
Brentwood Lounge	48 High Street, Brentwood	Sunday to Thursday: 23:00 Friday and Saturday: midnight	Sunday to Thursday: 23:30 Friday and Saturday: 00:30
Dairymen (Wetherspoons)	16-18 High Street, Brentwood	Sunday to Wednesday: midnight Thursday to Saturday: 00:30	Sunday to Wednesday: 00:30 Thursday to Saturday: 01:00
Gardeners Arms	27 High Street, Brentwood	Sunday: 23:00 Monday to Wednesday: 23:30 Friday and Saturday: 01:30	Sunday: 23:30 Monday to Wednesday: midnight Friday and Saturday: 02:00
Merchants	127 High Street, Brentwood	Sunday to Wednesday: midnight Thursday: 01:00 Friday and Saturday: 02:00	Sunday to Wednesday: 00:30 Thursday: 01:30 Friday and Saturday: 02:30
O'Neills	82-86 High Street, Brentwood	Sunday to Wednesday: 23:30 Thursday: 00:30 Friday and Saturday: 01:00	Sunday to Wednesday: midnight Thursday: 01:00 Friday and Saturday: 02:00
Slug & Lettuce	72-82 High Street	Sunday to Thursday: 23:30 Friday and Saturday: 02:00	Sunday to Thursday: 00:30 Friday and Saturday: 02:30
Sugar Hut	93-95 High Street	Sunday: 00:30 Monday to Tuesday: midnight Wednesday: 01:30 Thursday to Saturday: 03:00	Sunday: 01:00 Monday to Tuesday: 00:30 Wednesday: 02:15 Thursday to Saturday: 03:30
Swan	123 High Street	Sunday to Wednesday: midnight Thursday to Saturday: 01:00	Sunday to Wednesday: 00:30 Thursday to Saturday: 01:30
Terriss Bar	Hart Street (just off the High Street)	Sunday and Thursday: <i>we are assuming midnight, but register is silent</i> Monday to Wednesday: 23:00 Friday and Saturday: <i>we are assuming midnight, but register is silent</i>	Sunday and Thursday: 23:30 Monday and Wednesday: 23:30 Friday and Saturday: 00:30
Vine	104 High Street, Brentwood	Monday to Wednesday: midnight Thursday and Sunday: 01:00 Friday and Saturday: 02:00	Monday to Wednesday: 00:30 Thursday and Sunday: 01:30 Friday and Saturday: 02:30



**Application for a New Premises Licence**

**McCAFFERTY'S BAR, 99 HIGH STREET, BRENTWOOD CM14 4RR**


**APPENDIX B**

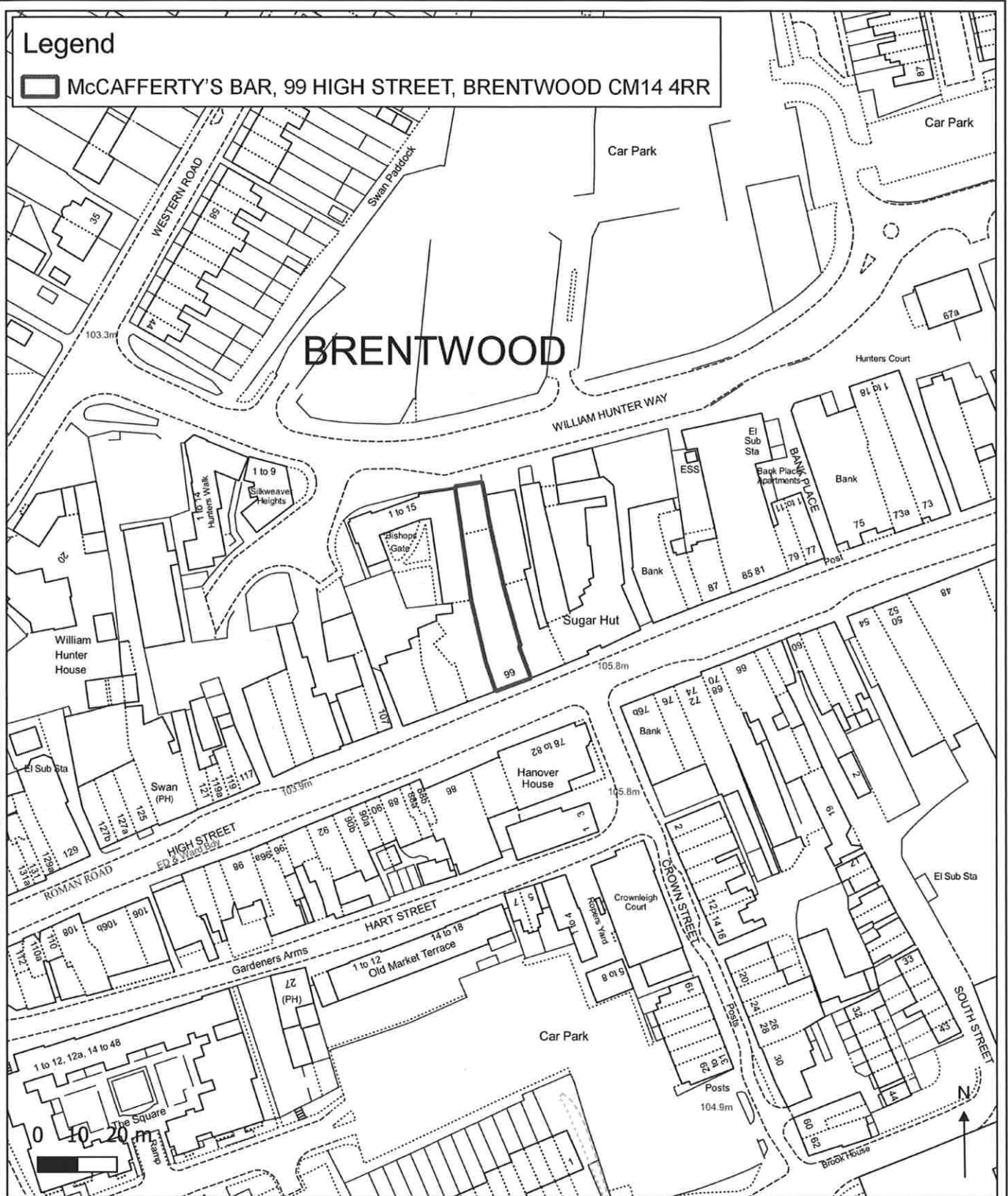
*OS Maps & Images*





# Legend

 McCafferty's Bar, 99 High Street, Brentwood CM14 4RR



McCafferty's Bar, 99 High Street, Brentwood CM14 4RR



Drawing No. :  
Scale at A4 : 1:1250  
Drawn by : OSJ  
Service : ICT  
Date : 28th July 2022

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



# Legend

 Late Night Bars

# BRENTWOOD



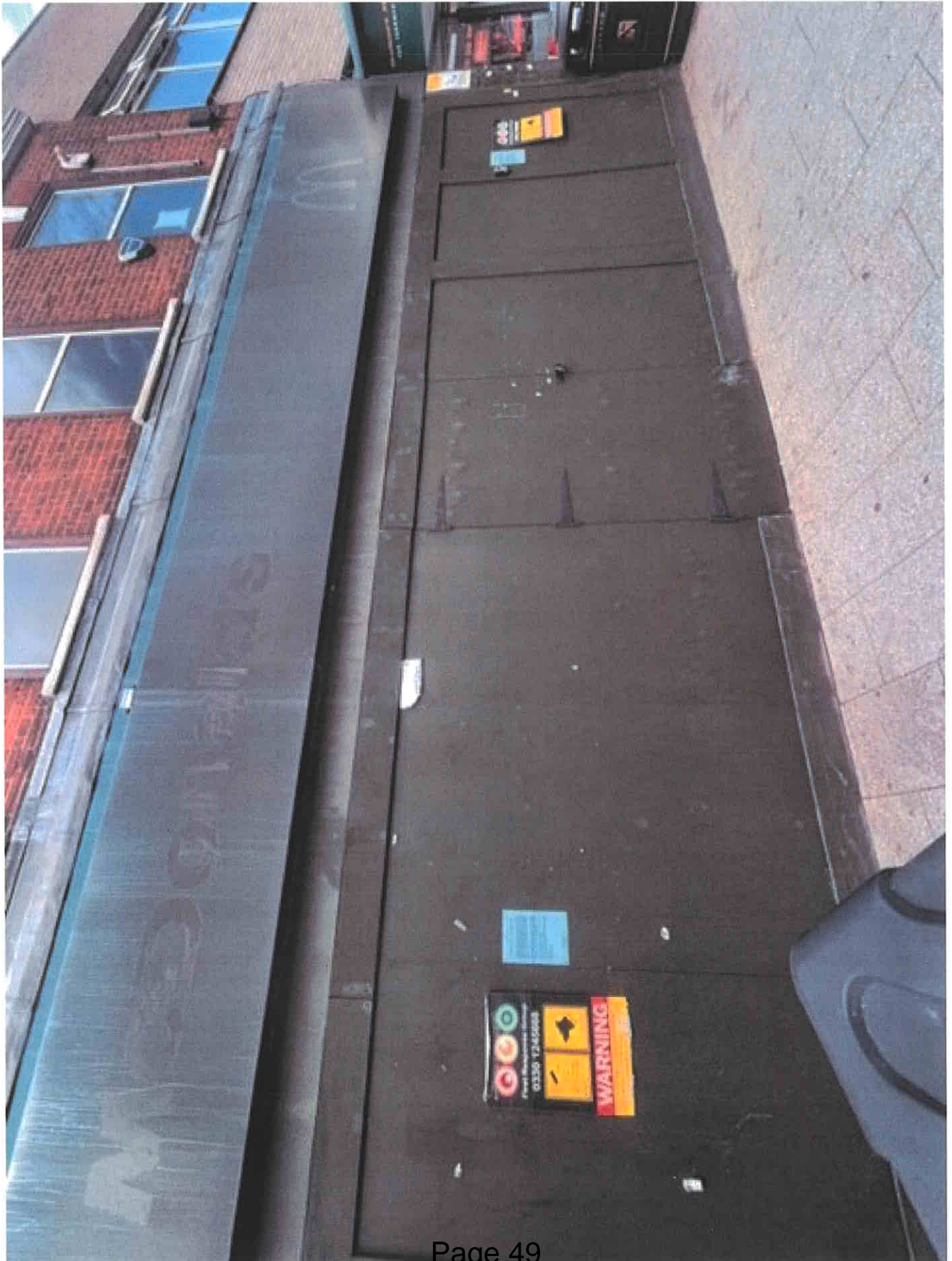
## Late Night Bars

Drawing No. :  
Scale at A4 : 1:1250  
Drawn by : OSJ  
Service : ICT  
Date : 28th July 2022



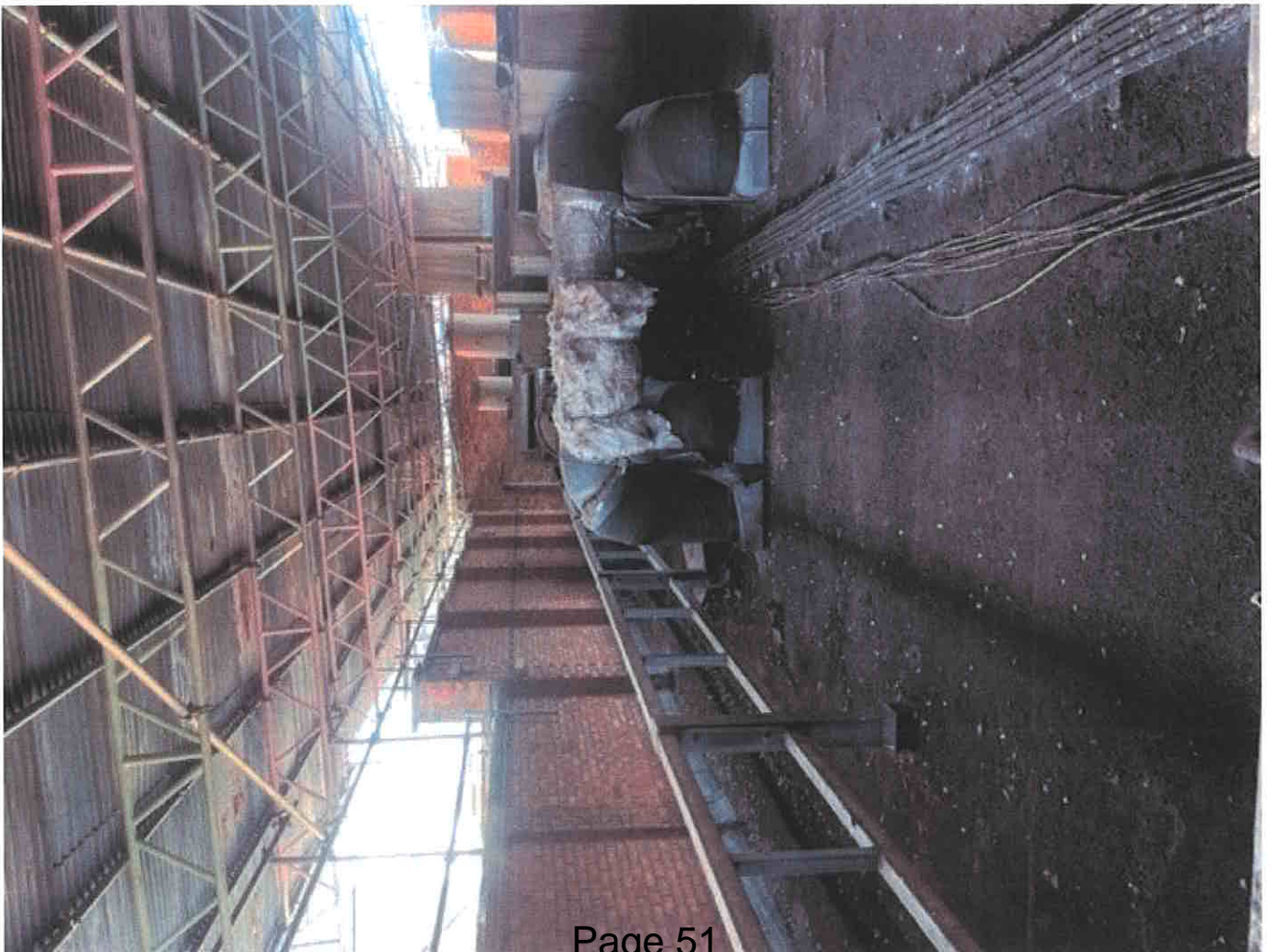
Jonathan Stephenson  
Chief Executive  
Brentwood Borough Council  
Town Hall, Ingrave Road  
Brentwood, CM15 8AY  
Tel.: (01277) 312500





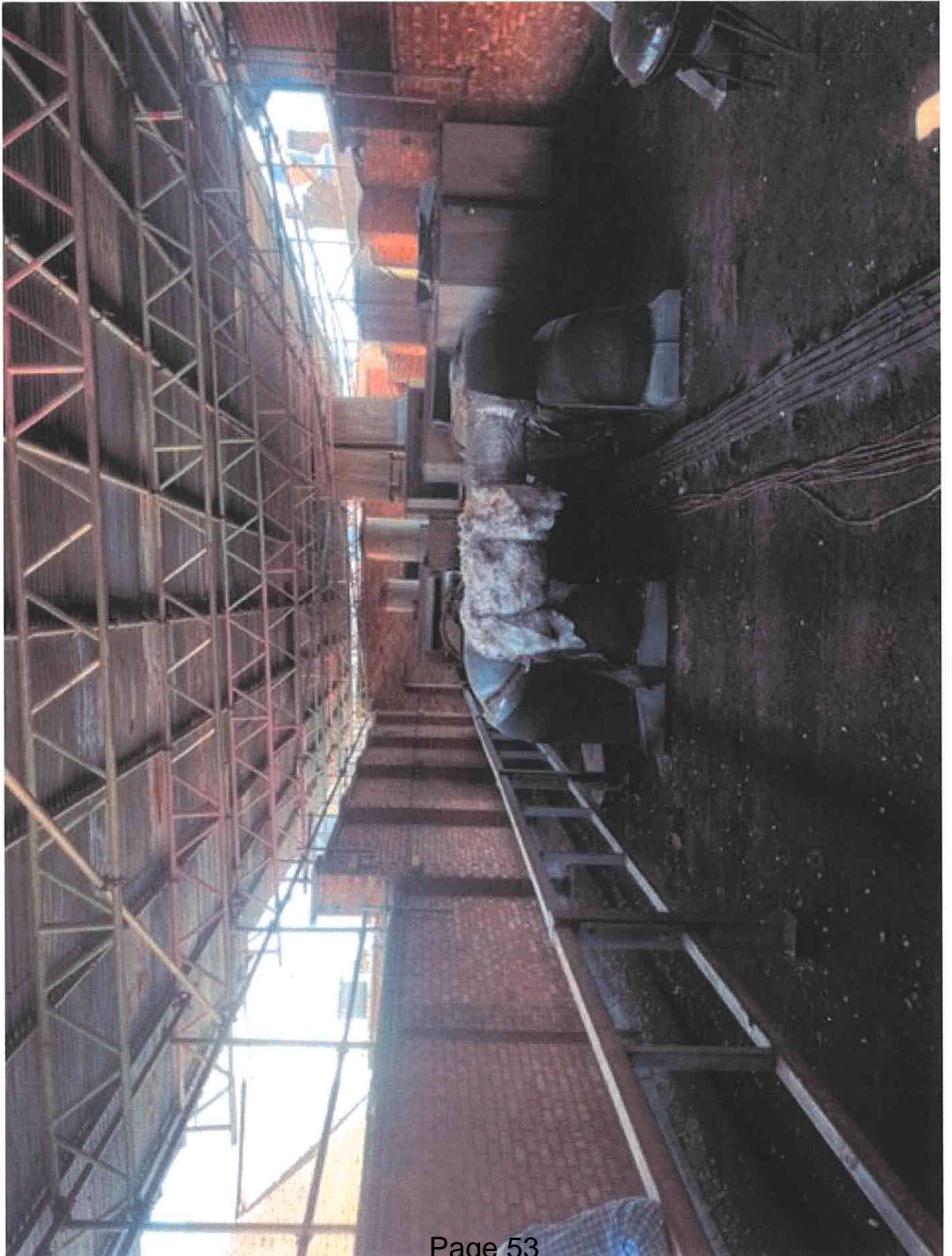




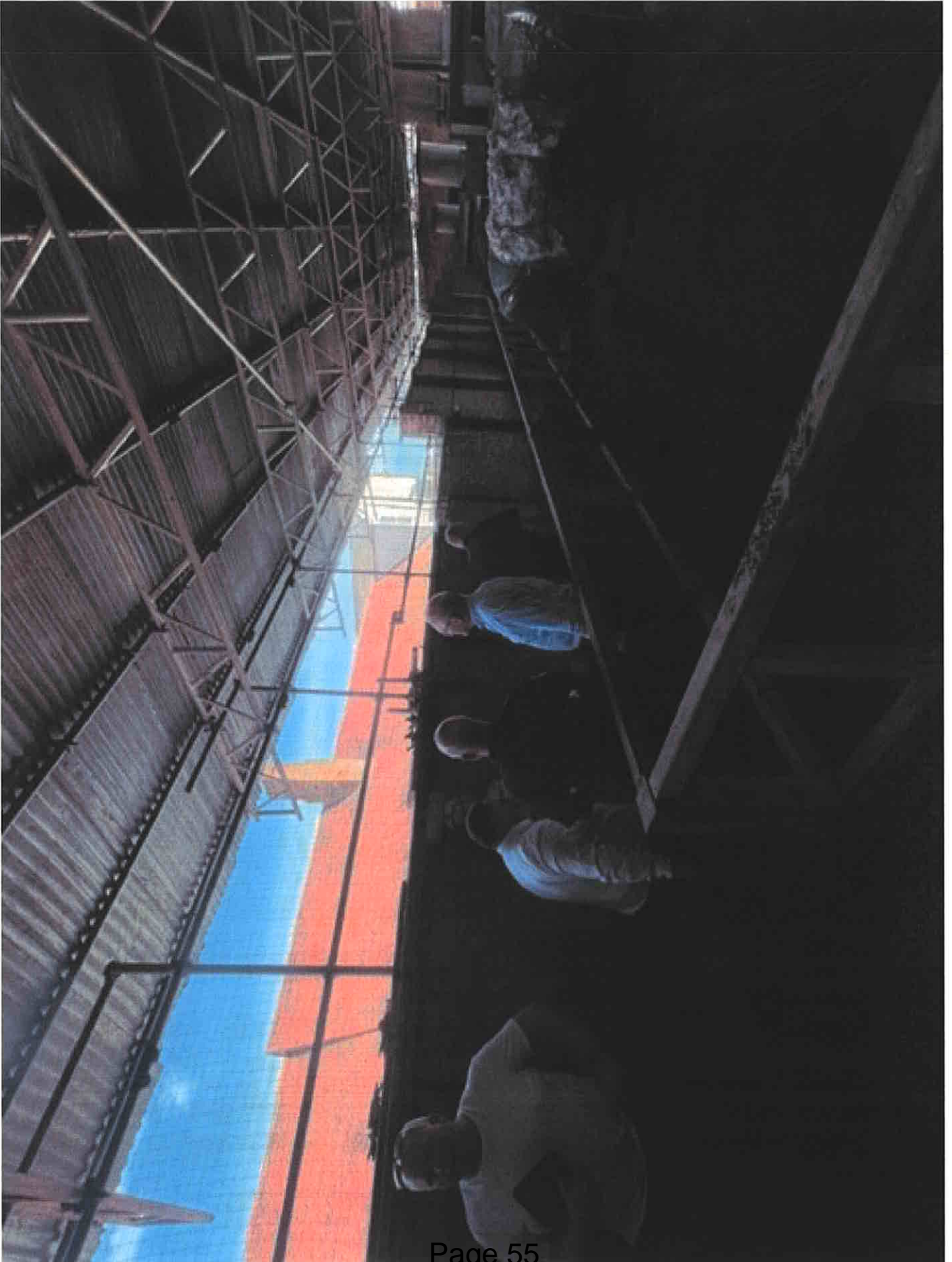






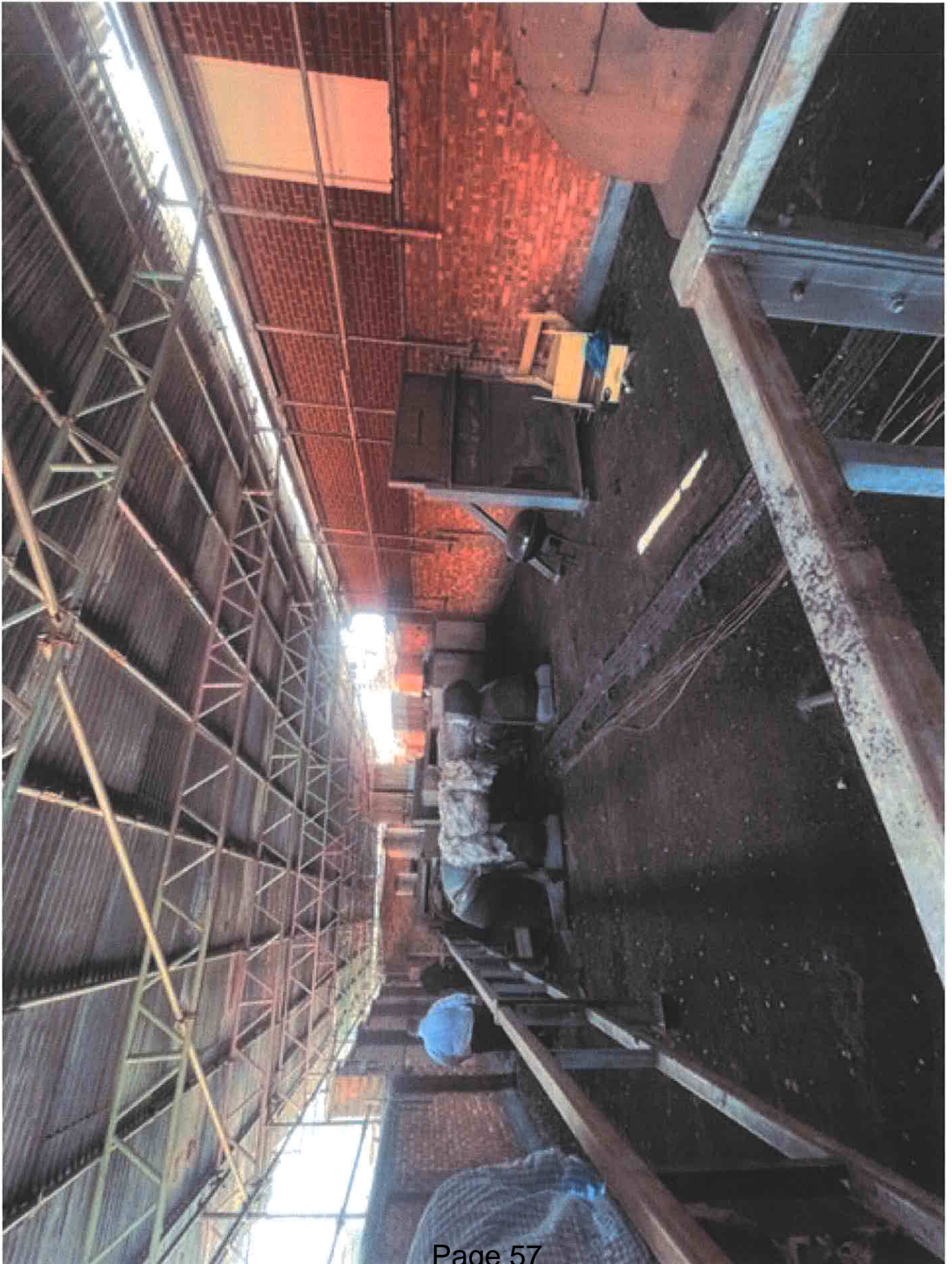














**Application for a New Premises Licence**

**McCAFFERTY'S BAR, 99 HIGH STREET, BRENTWOOD CM14 4RR**

**APPENDIX C**

*Representations*

*Responsible Authorities*

*Brentwood Borough Council*

*Environmental Health -*

*Mr David Carter (Noise Pollution)*

*Ms Elaine Higgins (Health & Food Safety)*

*Planning -*

*Mr Max Gibson*





**MEMO** From Mr David Carter

---

To: Licensing

Our ref 22/001314/LICON

Your ref

cc

Date 14th July 2022

<b>Location</b>	<b>99 High Street, Brentwood, Essex, CM14 4RR</b>
<b>Details</b>	<b>new Prem Licence - McCAFFERTY'S</b>

With regard to this application Environmental Health has concerns on the licensing objective of prevention of public nuisance.

This application is for a premises licence with the performance of live music, recorded music, dance, supply of alcohol and provision of late-night refreshment until 2am on Friday and Saturdays with the premises open until 2.30am at the weekend.

There is a proposal to use the first-floor flat roof as a smoking area and for use by customers with a bar server shown on the plans. This area is adjacent to a fire escape door at the adjacent Bishopsgate residential development, which may result in noise disturbance to the occupiers of the apartments in this building. It is also possible that other residential property in the vicinity may be affected by noise from customers using the roof bar area and from amplified music in this area.

There is also a party wall at ground floor level which is believed to be shared with the Bishopsgate development that may result in noise breakout to the adjoining dwellings, this will also need to be considered and appropriate conditions attached to control noise levels from amplified music and speech should be attached to the premises licence.

**Mr David Carter**  
**Environmental Health Manager**





Ms Lisa Gilligan  
Freeths LLP  
One Colton Square  
Leicester  
Leicestershire  
LE1 1QH

Date: 12 July 2022  
Our reference: 22/001315/LICON  
Your reference: PL429504281

Dear Ms Gilligan

**Application for Premises Licence to be granted under the Licensing Act 2003  
99 High Street, Brentwood, Essex, CM14 4RR**

Further to the above application of the 23 June 2022, I confirm that as Environmental Health (Health and Food Safety) I have a number of concerns. I am therefore making a representation as a responsible authority in accordance with the Licensing Act 2003. This representation is under the licensing objective of Public Safety

There is insufficient detail offered in the premises application under the promotion of the licensing objectives of Public Safety. I require more information in order to be able to satisfy my concerns.

The reasons for my representation are detailed as:

**Public Safety**

Details of the following matters have not been considered in the application as measures to promote the licensing objectives, or been offered up as conditions:

1. What is the maximum safe working load for the roof terrace area?

Are there any design and structural calculations of a safe load for the roof terrace area? Are there any fragile surfaces, such as skylights which have been covered that could permit a fall from height from the terrace area. The construction of the roof is currently asphalt, is this structurally sound to permit the addition of a bar, equipment, tables and chairs, members of the public, staff and contractors that may be present.

2. What is the anticipated capacity of the roof terrace area?

The promotion of the licensing objectives do not specify a capacity of the roof terrace area. This should be supplied by the applicant, taking into account the structural capacity, the weight of the fixtures and other fittings such the proposed furniture.

3. What measures will be taken to prevent a slip or trip hazard on the roof terrace area?

The roof terrace area currently consists of asphalt with air conditioning and extract ventilation equipment. The surface is not level an even and there are tripping hazards, including a gully that runs along the length of the roof. What works will be taken to protect staff, members of the public and others from slipping, tripping and falling?

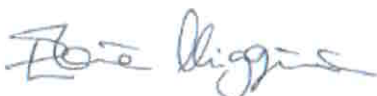
An additional concern from the on-site meeting was that the proposed retractable roof over the roof terrace has the potential to make this a substantially enclosed place and not suitable for smoking. The walls surrounding the roof are less than 50% open and the addition of a roof would cause this to become enclosed. Should you wish to make this area available for smoking, at least 50% of the walls will have to be not enclosed. Should you remove some of the walls to facilitate the retractable roof and smoking area, you may create a health and safety hazard regarding falls from height, which must be prevented.

The plans submitted with the application do not reflect the on-site discussions in that the roof terrace has a bar servery indicated towards the staircase leading from the ground floor. During the meeting it was discussed that the bar would be located in a different position towards the rear staircase.

I request that we look to agree conditions regarding the use of the roof terrace area around my three points above. This area must be compliant with the smoke-free requirements should you wish smoking to be allowed. Furthermore the plans should reflect the proposals.

Whilst I was assured by the on-site meeting I make my representation to obtain clarity and be assured that the licensing objective of public safety is satisfied. If my concerns are satisfied I may withdraw my representation.

Yours sincerely,



Elaine Higgins PGDip, DMS, BSc (Hons), CMIOSH, MCIEH, CEnvH

**Principal Environmental Health Officer**

**Chartered Environmental Health Practitioner**

**Environmental Health**

Telephone: 01277 312667

Email: [elaine.higgins@brentwood.gov.uk](mailto:elaine.higgins@brentwood.gov.uk)



## RR PAICE & CO

Building Surveying Consultants and Project Managers



2 Wested Court Eynsford Road Crockenhill, Swanley, Kent BR8 8EJ

Tel: 01322 668151 Fax: 01322 668114

Email: rrpaiice@globalnet.co.uk

Web: www.rrpaiice.co.uk

### 99 HIGH STREET BRENTWOOD CM14 4RR

#### Response to Brentwood Borough Council

##### Public Safety

1. What is the maximum safe working load for the roof terrace area?

Are there any design and structural calculations of a safe load for the roof terrace area? Are there any fragile surfaces, such as skylights which have been covered that could permit a fall from height from the terrace area. The construction of the roof is currently asphalt, is this structurally sound to permit the addition of a bar, equipment, tables and chairs, members of the public, staff and contractors that may be present.

*The roof is of solid concrete construction, either reinforced concrete or beam and block with a structural screed over covered with two layers of asphalt to a thickness of 19mm, to the east side, there is a drainage channel that connects to internal rainwater pipes.*

*The roof is carrying all the former occupier's A/C and ventilation at present, and it is assessed that this roof is constructed to carry a minimum imposed load of 8.5Kn/M2 (177.52lb/ft2).*

*The proposal is for this area to be used by a maximum of 100 customers, plus bar server and furniture. The current requirement is for a trading area floor construction to carry an imposed of 7.5kNm2 (156.64lb/ft2), therefore the current construction is more than adequate to carry the changes proposed.*

*The attached photographs show this area, there are skylights or no other weak points in this structure, and it is enclosed by 280mm solid masonry walls*



2. What is the anticipated capacity of the roof terrace area?

The promotion of the licensing objectives do not specify a capacity of the roof terrace area. This should be supplied by the applicant, taking into account the structural capacity, the weight of the fixtures and other fittings such the proposed furniture.

*As above the current construction meets the Building Regulation requirements.*

3. What measures will be taken to prevent a slip or trip hazard on the roof terrace area?

The roof terrace area currently consists of asphalt with air conditioning and extract ventilation equipment. The surface is not level an even and there are tripping hazards, including a gully that runs along the length of the roof. What works will be taken to protect staff, members of the public and others from slipping, tripping and falling?

*The plant and asphalt covering will be completely removed, and the concrete construction re-surfaced to provide a level finish.*

*The drainage channel will be infilled to provide a completely level surface and the whole concrete construction covered with a suitable non-slip floor finish.*

*The drainage arrangements will be redesigned to comply with the Building Regulations.*

An additional concern from the on-site meeting was that the proposed retractable roof over the roof terrace has the potential to make this a substantially enclosed place and not suitable for smoking. The walls surrounding the roof are less than 50% open and the addition of a roof would cause this to become enclosed. Should you wish to make this area available for smoking, at least 50% of the walls will have to be not enclosed. Should you remove some of the walls to facilitate the retractable roof and smoking area, you may create a health and safety hazard regarding falls from height, which must be prevented.

*Separate to this response, there are revised design details regarding the retractable roof and the positioning of the bar servery.*



## 99 High Street Brentwood CM14 4RR



Plate No.1  
View of the flat roof facing towards the rear of the building with A/C and other ventilation plant and electrical equipment

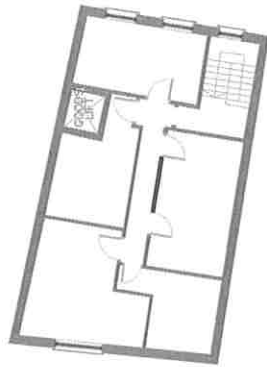


Plate No.2  
Flat roof is of concrete construction over covered with asphalt. Drainage channel to the east side. Area enclosed both sides, 97 and 101 by 280mm soiled masonry wall approx 2.5mm high

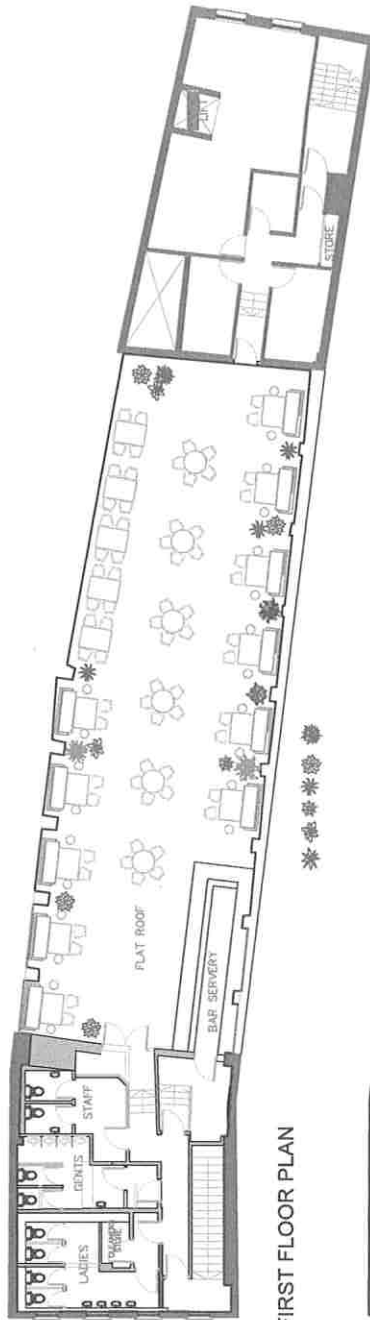


**Notes:**

© Dermot McNamara Design, all rights reserved.  
 No part of this material may be reproduced in whole or in  
 any form or by any means without permission.  
 No dimensions to be scaled from this drawing.  
 All dimensions to be checked on site.  
 Any errors or discrepancies to be reported in writing to the  
 Architect immediately.  
 All work to be in accordance with the relevant Building  
 Regulations.



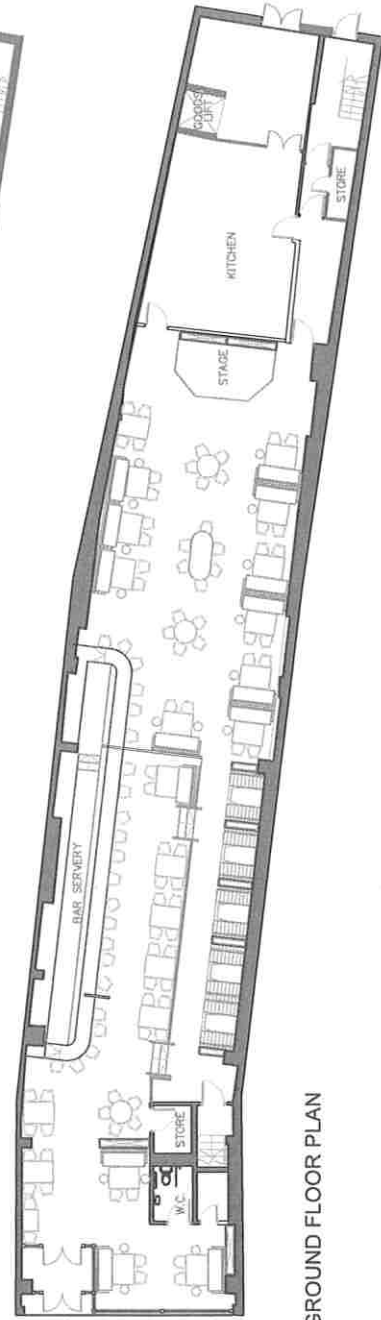
SECOND FLOOR PLAN



FIRST FLOOR PLAN



Proposed Licenced Area outlined in red thus



GROUND FLOOR PLAN

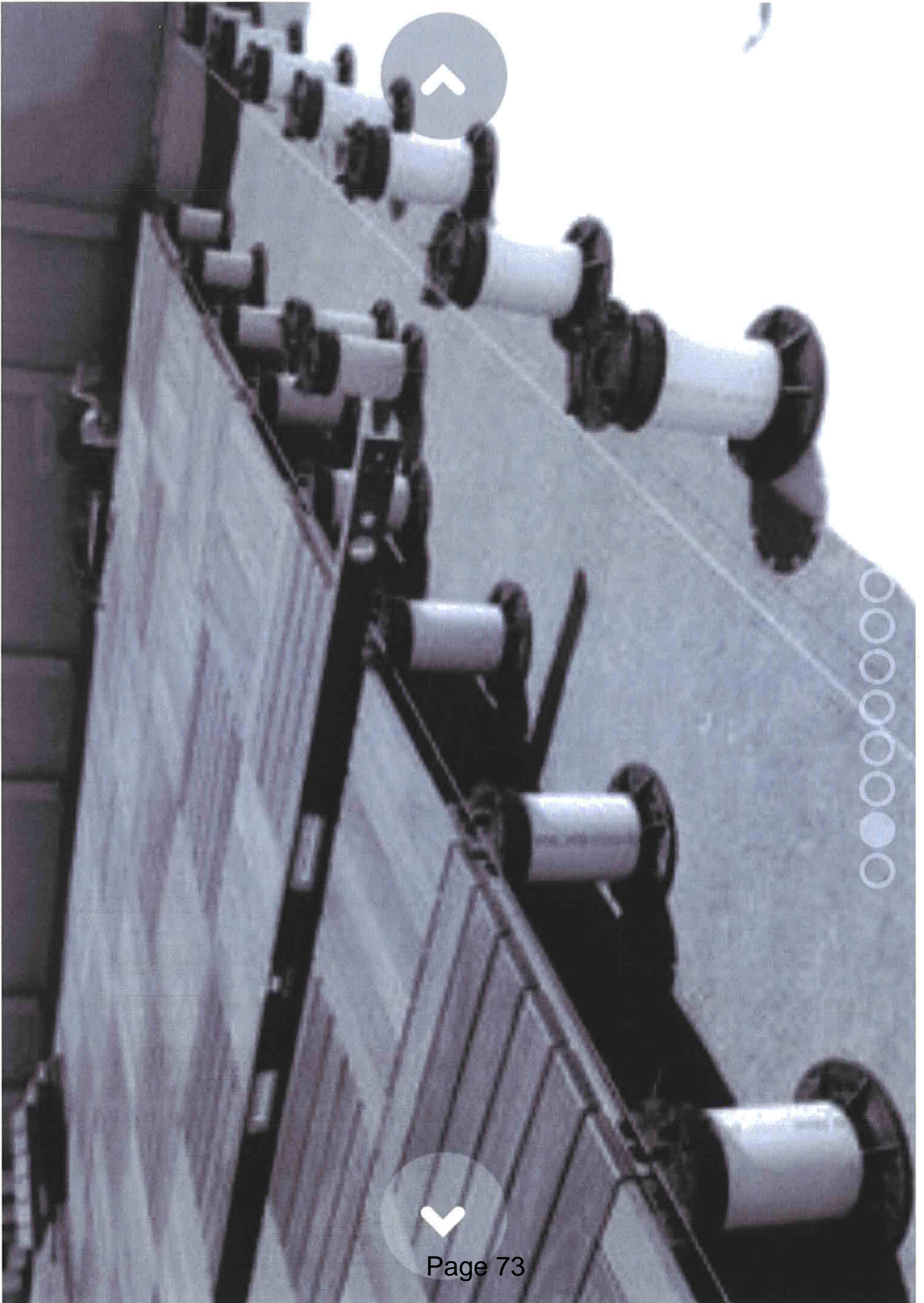
NO. 40  
 HIGH STREET  
 ENTRANCE

No.	Date	Revision Description

Client	MCCAFFERTY'S GROUP
Project	BIRNWOOD HIGH STREET
Drawing	PROPOSED LICENCE PLAN
Date	APR 22
Scale	1:1000
Drawn	Checked
Dwg. No.	Rev

**DERMOT MCNAMARA DESIGN**  
 Interior architecture & design project management  
 203 Lime Avenue Portlaoine, Co. Dublin, Ireland.  
 t +353 85 844982 | e. info@dermotdesign.ie | w. dermotdesign.ie







**MEMO** From Mr Max Gibson

---

To: Licensing

Our ref

Your ref

cc

Date 21st July 2022

<b>Location</b>	<b>99 High Street, Brentwood, Essex, CM14 4RR</b>
<b>Details</b>	<b>New Premises Licence - McCafferty's</b>

This application is for a premises licence with the performance of live music, recorded music, dance, supply of alcohol and provision of late-night refreshment until 2am on Friday and Saturdays with the premises open until 2.30am at the weekend.

Where the proposal includes a large first floor open terrace, with external bar area and potentially amplified music, adjacent to the residential development at Bishops Gate and other residential developments there is potential for this to result in noise disturbance both in the day and into the late evening/ early morning considering the times proposed within the license when in use. Looking at the ground floor, the resultant noise from the bar use as well as both live and recorded music can have a similar impact to surrounding residential developments.

Further, due to the limited space at the front of the site and in close proximity to the High Street and crossing, there is potential for safety implications for pavement users in relation to users queuing and the relationship this has with other bar uses on the High Street e.g. The Sugar Hut.

Finally, the quantum of bar premises in this location of the High Street can give rise to a detriment of the enjoyment of the High Street space where in close proximity to each other, especially in late evening/ early morning hours, which must be managed.

**Mr Max Gibson**  
**Planning Officer**  
**Brentwood Borough Council**





**Application for a New Premises Licence**

**McCAFFERTY'S BAR, 99 HIGH STREET, BRENTWOOD CM14 4RR**

**APPENDIX D**

*Agreed Operating Schedule Conditions*

*Essex Police (Licensing)*

*Mr Simon Barnes*



## Paula Hammond

---

**From:** Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.police.uk>  
**Sent:** 20 July 2022 08:38  
**To:** Licensing  
**Subject:** BRE - NEW GRANT - McCafferty's  
**Attachments:** Re: EXTERNAL - Re: Premises Licence Application - McCafferty's, High Street, Brentwood

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Morning,

I am writing to you in relation to the above noted application for a new Premises Licence. Essex Police has considered this application and have concerns relating to the Crime & Disorder and Public Nuisance licensing objectives in relation to the hours and activities requested.

We have discussed these concerns and have agreed with the applicant (acceptance email attached) the following conditions to be added to the licence.

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:
  - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  - b. CCTV cameras shall cover all public areas including all entrances and exits and all areas where the sale of alcohol takes place;
  - c. 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;
  - d. 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;
  - e. 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;
  - f. 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 and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
3. An incident log shall be kept at the premises, and made immediately available to police or 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. 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 until at least 30 minutes after the premises has closed. One of which must be posted on the terrace area at all times that customers are present. 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.

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 12 months after the last recorded check and be immediately provided to police or licensing authority staff upon reasonable request.
6. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
  - a. The day and date when door supervisors were deployed;
  - b. The name and SIA registration number of each door supervisor on duty at the premises; and
  - c. 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.

7. All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets or armbands.
8. 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.
9. 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.
10. 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. Notices to that effect (of a minimum size of 200mm x 148mm) will be displayed at the premises' exits.
11. The premises shall have in place and 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:

- a. Searching practices upon entry;
- b. Dealing with patrons suspected of using drugs on the premises;
- c. Scrutiny of spaces including toilets or outside areas;
- d. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
- e. Staff training regarding identification of suspicious activity and what action to take;
- f. The handling of items suspected to be illegal drugs or psychoactive substances
- g. Steps taken to discourage and disrupt drug use on the premises
- h. 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).

12. A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:
  - a. How patrons leaving the premises shall be directed away from the premises;
  - b. How patrons will be informed of the services of taxi and private hire operators;
  - c. What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
  - d. Any 'wind' down periods;
  - e. Methods to prevent re-entry to the premises;
  - f. How bottles and glasses will be prevented from being removed from the premises at closing time.
13. 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.
14. No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder. A written record of this consent must be retained on the premises at all times when such an individual

supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

15. 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 (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram;
  - b. Photocard driving licence;
  - c. Passport; or
  - d. Ministry of Defence Identity Card.
16. The premises shall clearly display signs at the each point of sale and 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.
17. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

I therefore wish these representations to be noted, should there be any other objectors for whom knowledge of these conditions may change their position Essex Police give their approval for these to be passed to them to assist in their considerations. This representation is conditional on that, should these conditions be added to the licence, we are content for this representation to be withdrawn.

Kind Regards



**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

**APPLICATION SUMMARY BELOW**



<b>Licence</b>	L4357576, BRENTWOOD BAR, Essex, 99 HIGH STREET, BRENTWOOD, ESSEX, CM144RR
<b>Application Type</b>	Premises Licence
<b>Created By</b>	PSE 42007077 Louise Carroll - 23/06/2022 09:48
<b>Application Act</b>	Licensing Act 2003
<b>Applicant</b>	LONDON CITY PUB GROUP LTD, G204 WESTON HOUSE ALLEN HOUSE BUSINESS CENTRE, MALTINGS STATION ROAD, SAWBRIDGEWORTH, ESSEX, CM219FP
<b>Application Details</b>	Premises Licence Application. Sale of alcohol (Both) Regulated Entertainment and Late Night Re Proposed DPS Michael Boyle
<b>Licensing Authority</b>	Brentwood Borough Council
<b>Notice Received Date</b>	23 Jun 2022
<b>Objection</b>	No
<b>Reply Due</b>	<b>Reply Sent</b>
<b>Hearing Date</b>	
<b>Result Summary</b>	
<b>Application Status</b>	Pending

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information

## Paula Hammond

---

**From:** Lisa Gilligan <Lisa.Gilligan@freeths.co.uk>  
**Sent:** 19 July 2022 14:11  
**To:** Licensing Epping and Brentwood  
**Subject:** Re: EXTERNAL - Re: Premises Licence Application - McCafferty's, High Street, Brentwood  
**Attachments:** image001.jpg; image002.png; image003.png; image004.png; image005.png

Dear Simon,

My client has now confirmed that all of the conditions as set out below are agreed.

Kind regards

Lisa

---

### Lisa Gilligan

Partner

T: 0345 272 5723  
F: 0845 634 2596  
M: 07810 812 019



# FREETHS

Freeths LLP  
One Colton Square  
Leicester LE1 1QH

---

*For a comprehensive range of guidance on Coronavirus in a number of key areas, please visit our Coronavirus Exchange ([www.freeths.co.uk/coronavirus](http://www.freeths.co.uk/coronavirus))*

Legal 500 Guide 2022: **'Top Tier' in 23 categories | 112 'Recommended' Lawyers | 27 'Elite Leading Lawyers'**

Chambers UK Guide 2022: **'Ranked' in 41 categories | 71 Lawyers 'Leaders in the field'**

To see our additional awards, please click [here](#)

Please read our Data Protection Privacy Notice at [www.freeths.co.uk](http://www.freeths.co.uk)

*Please be aware of the increasing risk of cybercrime and online fraud. If you ever receive an email stating a change in bank account details purporting to be from Freeths LLP, do not send any funds to the account and contact us immediately. We will never send you an email telling you that we have changed our bank account details.*

*Freeths LLP is a limited liability partnership, registered in England and Wales, Partnership number OC304688. Registered Office, 80 Mount Street, Nottingham NG1 6HH. We are authorised and regulated by the Solicitors Regulation Authority. You can find a copy of the SRA Handbook, which includes the SRA Code of Conduct at [www.sra.org.uk/handbook](http://www.sra.org.uk/handbook) You can inspect a list of the names of the members of Freeths LLP at our registered office during normal business hours. This message is confidential and may contain legally privileged information. If you have received this in error, please delete this message and let us know by emailing [Postmaster@freeths.co.uk](mailto:Postmaster@freeths.co.uk) telephoning us on +44 (0)115 936 9369. Freeths LLP does not accept the service of documents by email unless by prior agreement.*

On 19 Jul 2022, at 11:04, Licensing Epping and Brentwood  
<[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)> wrote:

Good Morning Lisa,

Thank you for your response.

If we can have a response that will be of course be useful, but if not I will submit an objection which I can withdraw should we reach agreement subsequently.

Kind Regards

**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

<image001.jpg>

**From:** Lisa Gilligan <Lisa.Gilligan@freeths.co.uk>

**Sent:** 19 July 2022 10:53

**To:** Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.police.uk>

**Subject:** EXTERNAL - Re: Premises Licence Application - McCafferty's, High Street, Brentwood

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Morning Simon,

I have chased my client this morning and whilst I await final instructions I anticipate agreement to the conditions you have outlined.

I will revert asap as I'm conscious of the deadline and hope we can agree the position ahead of 21/7z

Kind regards

Lisa

---

**Lisa Gilligan**

Partner

T: 0345 272 5723

F: 0845 634 2596

M: 07810 812 019

Freeths LLP  
One Colton Sc  
Leicester LE1 1

---

*For a comprehensive range of guidance on Coronavirus in a number of key areas, please visit our Coronavirus Exchange ([www.freeths.co.uk/coronavirus](http://www.freeths.co.uk/coronavirus))*

Legal 500 Guide 2022: *'Top Tier' in 23 categories | 112 'Recommended' Lawyers | 27 'Elite Leading Lawyers'*

Chambers UK Guide 2022: *'Ranked' in 41 categories | 71 Lawyers 'Leaders in the field'*

To see our additional awards, please click [here](#)

Please read our Data Protection Privacy Notice at [www.freeths.co.uk](http://www.freeths.co.uk)

Please be aware of the increasing risk of cybercrime and online fraud. If you ever receive an email stating a change in bank account details purporting to be from Freeths LLP, do not send any funds to the account and contact us immediately. We will never send you an email telling you that we have changed our bank account details.

Freeths LLP is a limited liability partnership, registered in England and Wales, Partnership number OC304688. Registered Office, 80 Mount Street, Nottingham NG1 6HH. We are authorised and regulated by the Solicitors Regulation Authority. You can find a copy of the SRA Handbook, which includes the SRA Code of Conduct at [www.sra.org.uk/handbook](http://www.sra.org.uk/handbook). You can inspect a list of the names of the members of Freeths LLP at our registered office during normal business hours. This message is confidential and may contain legally privileged information. If you have received this in error, please delete this message and let us know by emailing [Postmaster@freeths.co.uk](mailto:Postmaster@freeths.co.uk) telephoning us on +44 (0)115 936 9369. Freeths LLP does not accept the service of documents by email unless by prior agreement.

On 15 Jul 2022, at 14:41, Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)> wrote:

Good Afternoon,

My name is Simon Barnes, I am an Essex Police Licensing Officer with responsibility for the Brentwood area.

I am writing to you as the agent responsible for the named application, I have now considered the application in light of the recent site visit completed by my colleague in my absence. At this time I would like to propose the following conditions:

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:



- a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  - b. CCTV cameras shall cover all public areas including all entrances and exits and all areas where the sale of alcohol takes place;
  - c. 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;
  - d. 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;
  - e. 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;
  - f. 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 and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
  3. An incident log shall be kept at the premises, and made immediately available to police or 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. 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 until at least 30 minutes after the premises has closed. One of which must be posted on the terrace area at all times that customers are present. 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.
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 12 months after the last recorded check and be immediately provided to police or licensing authority staff upon reasonable request.
6. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
  - a. The day and date when door supervisors were deployed;
  - b. The name and SIA registration number of each door supervisor on duty at the premises; and
  - c. 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.

7. All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets or armbands.
8. 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.
9. 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.
10. 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.

Notices to that effect (of a minimum size of 200mm x 148mm) will be displayed at the premises' exits.

11. The premises shall have in place and 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:

- a. Searching practices upon entry;
- b. Dealing with patrons suspected of using drugs on the premises;
- c. Scrutiny of spaces including toilets or outside areas;
- d. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
- e. Staff training regarding identification of suspicious activity and what action to take;
- f. The handling of items suspected to be illegal drugs or psychoactive substances
- g. Steps taken to discourage and disrupt drug use on the premises
- h. 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}.

12. A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:
  - a. How patrons leaving the premises shall be directed away from the premises;
  - b. How patrons will be informed of the services of taxi and private hire operators;
  - c. What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
  - d. Any 'wind' down periods;
  - e. Methods to prevent re-entry to the premises;
  - f. How bottles and glasses will be prevented from being removed from the premises at closing time.
13. 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.

14. No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.  
A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.
15. 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 (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram;
  - b. Photocard driving licence;
  - c. Passport; or
  - d. Ministry of Defence Identity Card.
16. The premises shall clearly display signs at the each point of sale and 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.
17. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

In forming these conditions I have taken into account the applicant's operating schedule, the initial plan supplied with this application and licences held in the local area alongside the licensable objectives.

Should your client find these conditions acceptable, please can you confirm by reply to this email with words to that effect. I welcome any discussion should these conditions not be accepted with the hope we can conclude this prior to the closing date of the consultation.

Kind Regards

**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

<image001.jpg> ☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us

immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

<b>Committee(s):</b> Licensing Sub-Committee	<b>Date:</b> 17 August 2022
<b>Subject:</b> Determination of an Application for a New Premises Licence	<b>Wards Affected:</b> Brentwood (North) Brentwood (South)
<b>Report of:</b> Dave Leonard, Licensing Officer	<b>Public</b>
<b>Report Author/s:</b> Name: Dave Leonard Telephone: 01277 312523 E-mail: dave.leonard@brentwood.gov.uk	<b>For Decision</b>

## Summary

The Licensing Office has received an application for a new premises licence to allow for the provision of live music, recorded music, late night refreshment and the supply of alcohol for both on and off the premises at **Sainsy's Pie Shop, 111 High Street, Brentwood CM14 4RX**. Brentwood Borough Council's Environmental Health Noise Pollution Team Manager has made a representation citing an insufficient address of the prevention of public nuisance licensing objective. Two further representations were received from Responsible Authorities but were resolved through mediation and subsequently withdrawn. There were no representations received from Other Persons.

## Recommendation(s)

### **Members are asked to:**

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

- R1.** To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;
- R2.** To grant the application in full, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives; or
- R3.** To reject the application in whole or in part

## Main Report

### Introduction and Background

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

### Issue, Options and Analysis of Options

- 2.1 This application for a new premises licence was received on 22 June 2022 from Mr Paul Uren at TLT Solicitors on behalf of Mr Daniel Barrie Sains in respect of **Sainsy's Pie Shop, 111 High Street, Brentwood CM14 4RX**. A copy of the application is attached at **Appendix A**.
- 2.2 The premises is a pie, mash and liquor shop that currently has a premises licence. The applicant has indicated that that this concept is not financially viable at this time and he is seeking to offer a bar environment in the evening with the provision of the following licensable activities and opening hours;



**The sale of alcohol for consumption on and off the premises, live music and recorded music as follows;**

Monday to Thursday 1000 to 0000

Friday and Saturday 1000 to 0045 the following morning

Sunday 1000 to 2300 Any Sunday before a Bank Holiday Monday 1000 until 0000.

**Proposed hours for late night refreshment**

Monday to Thursday 2300 to 0000

Friday and Saturday 2300 to 0045 the following morning Any Sunday before a Bank Holiday Monday 2300 until 0000

**Proposed opening hours of the premises**

Monday to Thursday 1000 to 0030 the following morning

Friday and Saturday 1000 to 0115 the following morning Any Sunday before a Bank Holiday Monday 1000 until 0030 the following morning

A copy of the current premises licence, together with a set of OS Street Maps and images to better identify the location are attached at **Appendix B**.

- 2.3 There was one representation received from the Responsible Authorities.

Brentwood Borough Council's Environmental Health (Noise Pollution) Team Manager, Mr David Carter states that the operating schedule has limited information on the prevention of public nuisance, relating to noise from deliveries, use of outside areas, signage and monitoring of regulated entertainment at the nearest residential property. No other measures to control noise breakout from the premises or the level or amplified music are proposed. There are residential occupiers in the vicinity of the premises, above other premises and at the rear and it is understood that planning permission for additional residential accommodation has been proposed in this area. The addition of another late-night premises in this location, with a number of similar licensed premises adjacent to this site is likely to increase the number of customers in the High Street late at night, with limited control of customers outside the premises (there are no designated smoking areas within the boundary) and when leaving. There is insufficient detail to determine the likely impact of regulated entertainment in the premises affecting nearby occupiers. Mr Carter's representation is attached at **Appendix C**.

- 2.4 Following consultation with the applicant, the Essex Police Licensing Officer withdrew his representation having agreed that the application be amended to include twenty-two suggested conditions that are in line with both the operating schedule detailed in the application and other similar premises in the vicinity. These recommended conditions and the applicant's acceptance to incorporate them into their operating schedule are attached at **Appendix D**.

- 2.5 Principal Environmental Health (Health & Food Safety) Officer, Ms Elaine Higgins, also withdrew her representation once satisfied with assurances of safe capacity levels and sufficient toilet facilities were being made available to customers. Correspondence between Ms Higgins' and the applicant confirming their undertakings is also attached at **Appendix D**.
- 2.5 There were no representations received from Other Persons.

## **Reasons for Recommendation**

- 3.1 These are the options available to the Sub-Committee

## **Consultation**

- 4.1 The application has been consulted on in accordance with the requirements of the Licensing Act 2003.
- 4.2 Officers from the licensing authority have made several checks on the display of notices to ensure that the blue advertising notice was correctly on display at the front of the building.
- 4.3 Copies of all representations have been served on the applicant.

## **References to Corporate Plan**

None

## **Implications**

### **Financial Implications**

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

There are no financial implications for this report.



## **Legal Implications**

**Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer**

**Tel & Email: 01277 312705/amanda.julian@brentwood.gov.uk**

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

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

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

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

5.1 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**

- 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

## 6. Relevant Sections of the Secretary of State's Guidance

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

### **Steps to promote the licensing objectives**

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

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

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

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

### **Hours of trading**

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

*10.14 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the*

application or grant it with appropriate conditions and/or different hours from those requested.

## 6.2 Statement of Licensing Policy

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

### **Prevention of Crime & Disorder**

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

### **Public Safety**

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

### **Prevention of Public Nuisance**

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

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

## Appendices to this report

**Appendix A** - Application for a New Premises Licence (received 23 June 2022)

**Appendix B** - Current Premises Licence, OS Maps and Images

**Appendix C** - Representation from Responsible Authority;  
Environmental Health (Noise Pollution)- Mr David Carter

**Appendix D** - Resolved Representations & Mediation  
Essex Police - Agreed Conditions forming Operating Schedule  
Environmental Health (Health & Food Safety) - Ms Elaine Higgins

***APPLICATION FOR A NEW PREMISES LICENCE***

***SAINSY'S PIE SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX***

***Wednesday 17 August 2022***

***APPENDICES***

***Appendix A – Application for a New Premises Licence received 22 June 2022***

***Appendix B – Current Premises Licence, OS Maps & Images***

***Appendix C – Representation from Responsible Authority  
Environmental Health (Noise Pollution) – Mr David Carter***

***Appendix D - Essex Police (Licensing) Proposed Conditions – Mr Simon Barnes  
Plus Applicant's Agreement to Essex Police Proposed Conditions***

***Environmental Health (Health & Food Safety) – Ms Elaine Higgins  
Plus Applicant's Undertakings***

**Application for a New Premises Licence**

**SAINSY'S PIE SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**APPENDIX A**

*Application for a New Premises Licence*

*received 22 June 2022*

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

---

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

Before completing this form please read the guidance notes:

[Premises Licence Application Guidance Notes](#)

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

---

## Cost of Licence

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

What is the Nondomestic rateable value of the premises?: 4301-33000

Cost of licence: £190.00

I/We,

Name of the applicant: Daniel Barrie Sains

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

---

## Premises Details

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

Ordnance survey map reference or description:

### Premises Address

Flat number (if any)

House number/name 111

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4RX

Daytime contact telephone number (if any): Page 98

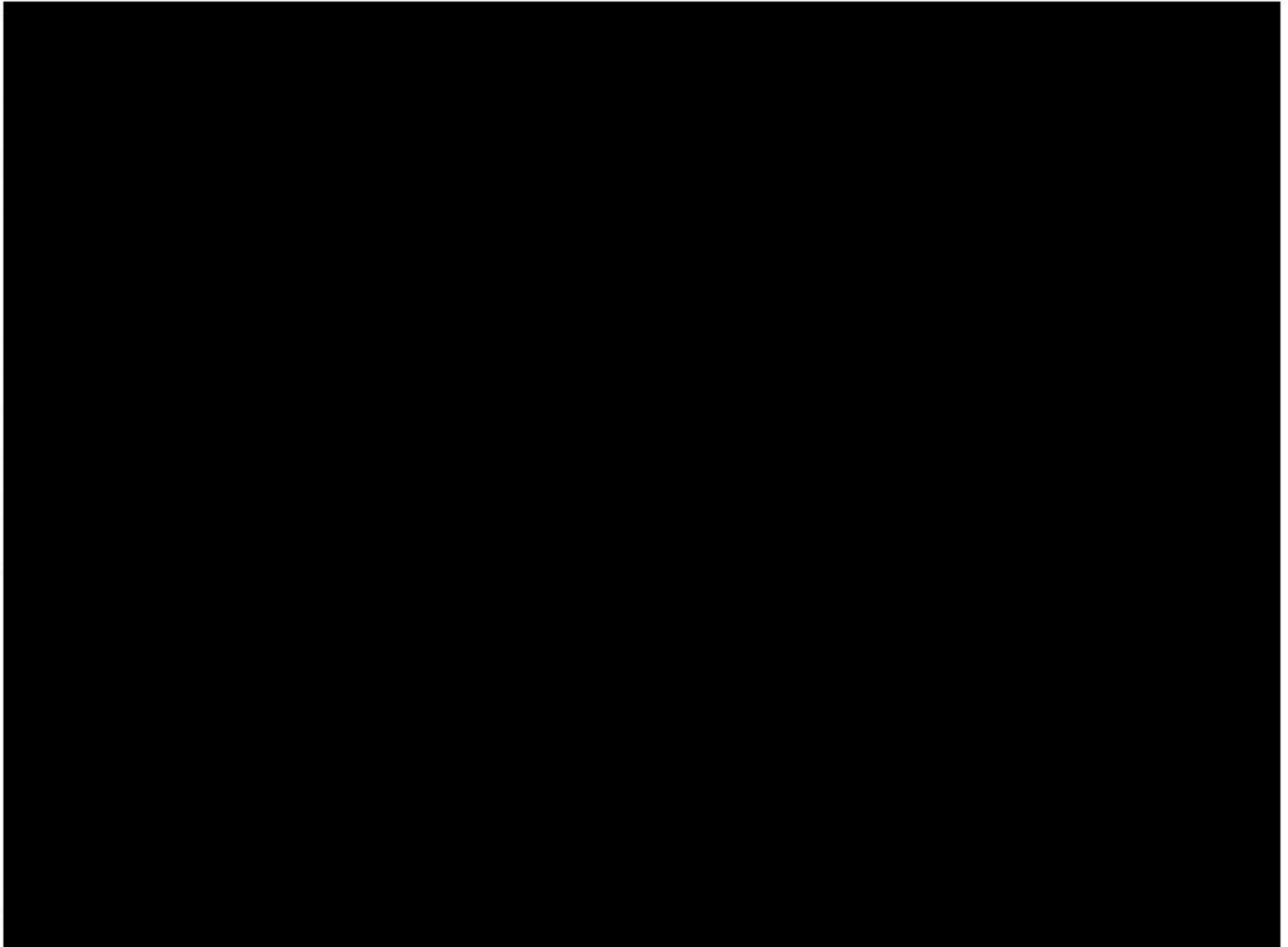
Premises email address (optional): [REDACTED]

---

Please state whether you are applying for a Premises Licence as: (a) an individual or individuals I am: carrying on or proposing to carry on a business which involves the use of premises for licensable activities

## **Individual Applicants**

---



### **Second Individual Applicant (if applicable)**

Title:

First name(s):

Surname:

Date of birth:

I am 18 years old or older:

Nationality:

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



**Applicant Address**

Flat number (if any)

House number/name

Road name

Town

County Essex

Post Code

Daytime contact telephone number:

Application email address (optional):

**Other Applicants**

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

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



## Operating Schedule

When do you want the premises licence to start?: 20/07/2022

If you wish the licence to be valid only for a limited period, when do you want it to end?:

General description of the premises (Please read guidance note 1):

The proposed business is a traditional London Pie Mash and Liquor shop during the day and offering a bar environment into the evening.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

What licensable activities do you intend to carry on from the premises? (please see [section 1](#) and [section 14](#) of the Licensing Act 2003 and [Schedule 1](#) and [Schedule 2](#) to the Licensing Act 2003)

Provision of regulated entertainment for:

(e) live music, (f) recorded music

Provision of late night refreshment:

Yes

Supply of alcohol:

Yes

## **a) Plays**

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

**Standard Days and Timings (please read guidance note 6)**

**Day      Start      Finish**

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

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

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

## **b) Films**

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

**Standard Days and Timings (please read guidance note 6)**

Day      Start      Finish

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

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

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

## c) Indoor Sporting Events

**Standard Days and Timings (please read guidance note 6)**

**Day      Start      Finish**

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

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

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

## d) Boxing or Wrestling

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

**Standard Days and Timings (please read guidance note 6)**

**Day      Start      Finish**

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

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

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

## e) Live Music

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

### Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:45
Saturday	10:00	00:45
Sunday	10:00	23:00

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

Live music performances ancillary to the sale of alcohol, limited to no more than 2 performers.  
State any seasonal variations for the performance of live music (please read guidance note 4):

n/a

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

Any Sunday before a Bank Holiday Monday until 00:00h.

## f) Recorded Music

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

### Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:45
Saturday	10:00	00:45
Sunday	10:00	23:00

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

Recorded music/DJ's ancillary to the sale of alcohol.

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

n/a

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

Any Sunday before a Bank Holiday Monday until 00:00h.

## **g) Performances of Dance**

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

**Standard Days and Timings (please read guidance note 6)**

**Day      Start      Finish**

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

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

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



## **h) Anything of a Similar Description to that falling within (e) Live Music, (f) Recorded Music or (g) Performance of Dance**

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

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

**Standard Days and Timings (please read guidance note 6)**

<u>Day</u>	<u>Start</u>	<u>Finish</u>
------------	--------------	---------------

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

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

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

## i) Late Night Refreshment

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

### **Standard Days and Timings (please read guidance note 6)**

<b><u>Day</u></b>	<b><u>Start</u></b>	<b><u>Finish</u></b>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:45
Saturday	23:00	00:45
Sunday		

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

Hot food/drink served after 11pm

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

n/a

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

Any Sunday before a Bank Holiday Monday from 23:00h until 00:00h.

## j) Supply of Alcohol

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

### Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:45
Saturday	10:00	00:45
Sunday	10:00	23:00

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

Alcohol sales for delivery (off sales), will be part of a substantial food order.

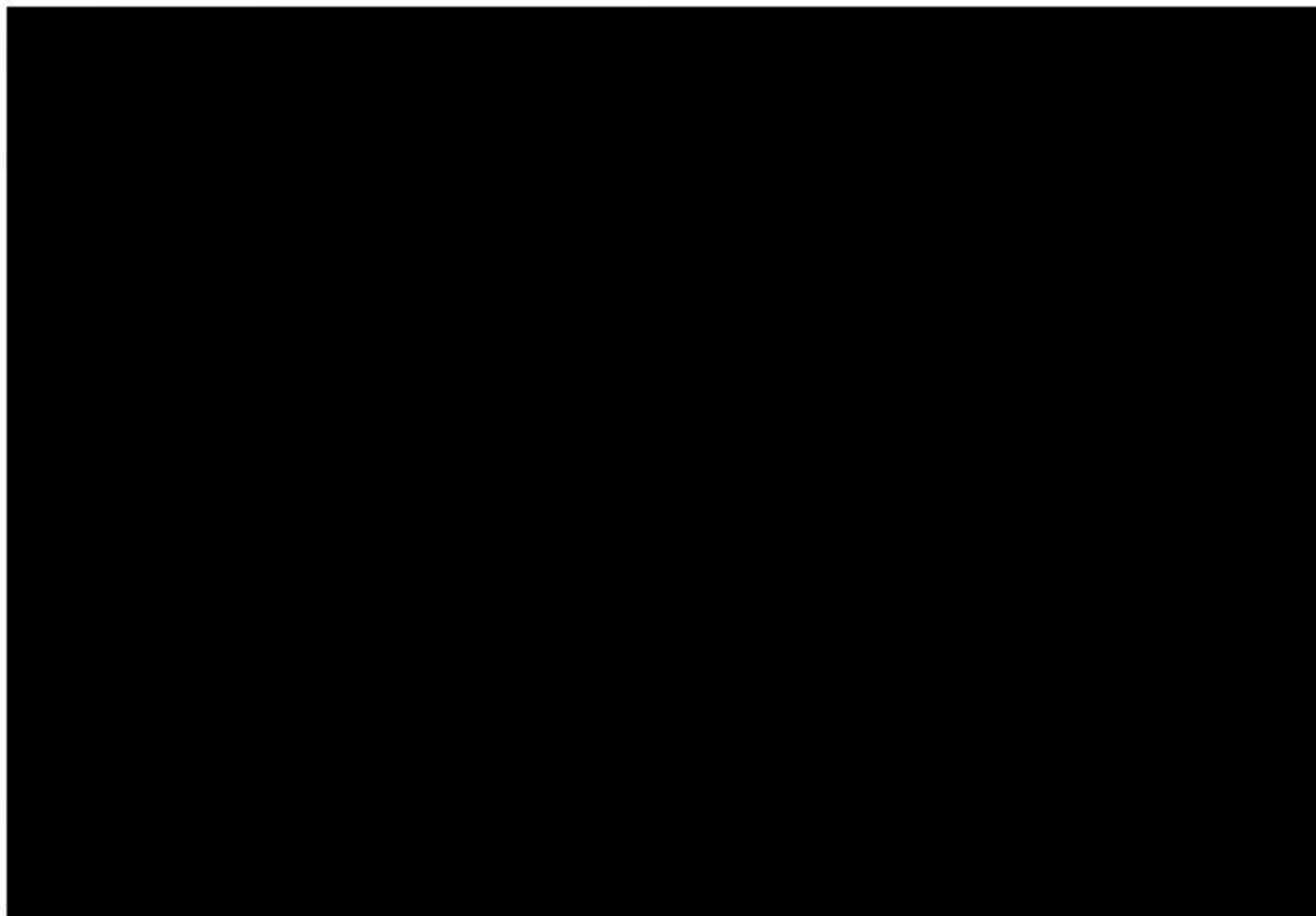
State any seasonal variations for the supply of alcohol (please read guidance note 4):

n/a

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

Any Sunday before a Bank Holiday Monday until 00:00h.

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



# I) Hours Premises are open to the public

## Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	01:15
Saturday	10:00	01:15
Sunday	10:00	23:30

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

n/a

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

Any Sunday before a Bank Holiday Monday until 00:30h the following morning.

## **n) Adult Entertainment and Services**

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8):

None

---

## **o) Promoting Licensing Objectives**

Describe the steps that you intend to take to promote the four licensing objectives:

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

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

The premises licence currently in place for this property (premises licence number PRM\_0587) to be surrendered upon satisfactory grant of this application.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

Food will be available at all times the premises is conducting licensable activity.

Staff shall receive training in relation to the sale of alcohol commensurate with their duties.

Staff training will be refreshed every 6 months.

A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.

b) The prevention of crime and disorder:

The premises shall install a CCTV system which will:

(a) Operate at all times that the premises are open to the public

(b) Capture images digitally and will have date and time stamps on them

(c) Images to be retained for a period of at least 30 days

(d) Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels

(e) External cameras should be capable of giving useable images under a variety of weather and lighting conditions

(f) Copies of CCTV footage to be provided to the police or licensing authority on reasonable request

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.

The premises will install and maintain a security alarm.

On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.

Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).

An incident log shall be kept at the premises, and made available on request to an authorised



officer of the council or the police, which will record the following;

- a. All crimes reported:
- b. All ejections of patrons.
- c. Any complaints received.
- d. Any incidents of disorder.
- e. Seizure of drugs or offensive weapons.
- f. Any faults in the CCTV system.
- g. Any refusal of the sale of alcohol.
- h. Any visit by a relevant authority or emergency service.

Where home deliveries of alcohol are made the following conditions shall apply:

- (a) Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode
  - (b) The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council
  - (c) Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.
  - (d) Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.
- c) Public safety:

Means of escape shall be maintained unobstructed, immediately available and clearly identifiable. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

Exit doors shall be checked before opening each day to ensure they function satisfactorily.

All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

An appropriate number of first aid kits shall be maintained and available at all times.

d) The prevention of public nuisance:

No noise from deliveries that may take place to residential properties will give rise to public nuisance.

The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.

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

Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.

Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property.

Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.

e) The protection of children from harm:

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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:

- (a) Proof of age card bearing the PASS Hologram;
- (b) Photocard driving licence;
- (c) Passport; or
- (d) Ministry of Defence Identity Card.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

No entertainment taking place at the premises will not in any way harm or offend children.



# Declaration

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

**Alternatively these should be sent by post to:**

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

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

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

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

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

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

[Public Notice of Application](#)

(Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships) I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15): I agree

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

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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



# Signatures

(please read guidance note 11)

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

Signature (name): DANIEL BARRIE SAINS

Date: 22/06/2022

Capacity: APPLICANT

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

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

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

Signature (name):

Date: 22/06/2022

Capacity: BRISTOL

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

Correspondence name: Paul Uren

Telephone number: 07919925374

Mobile telephone number: 07919925374

Correspondence Address

Flat number (if any) TLT SOLICITORS

House number/name ONE

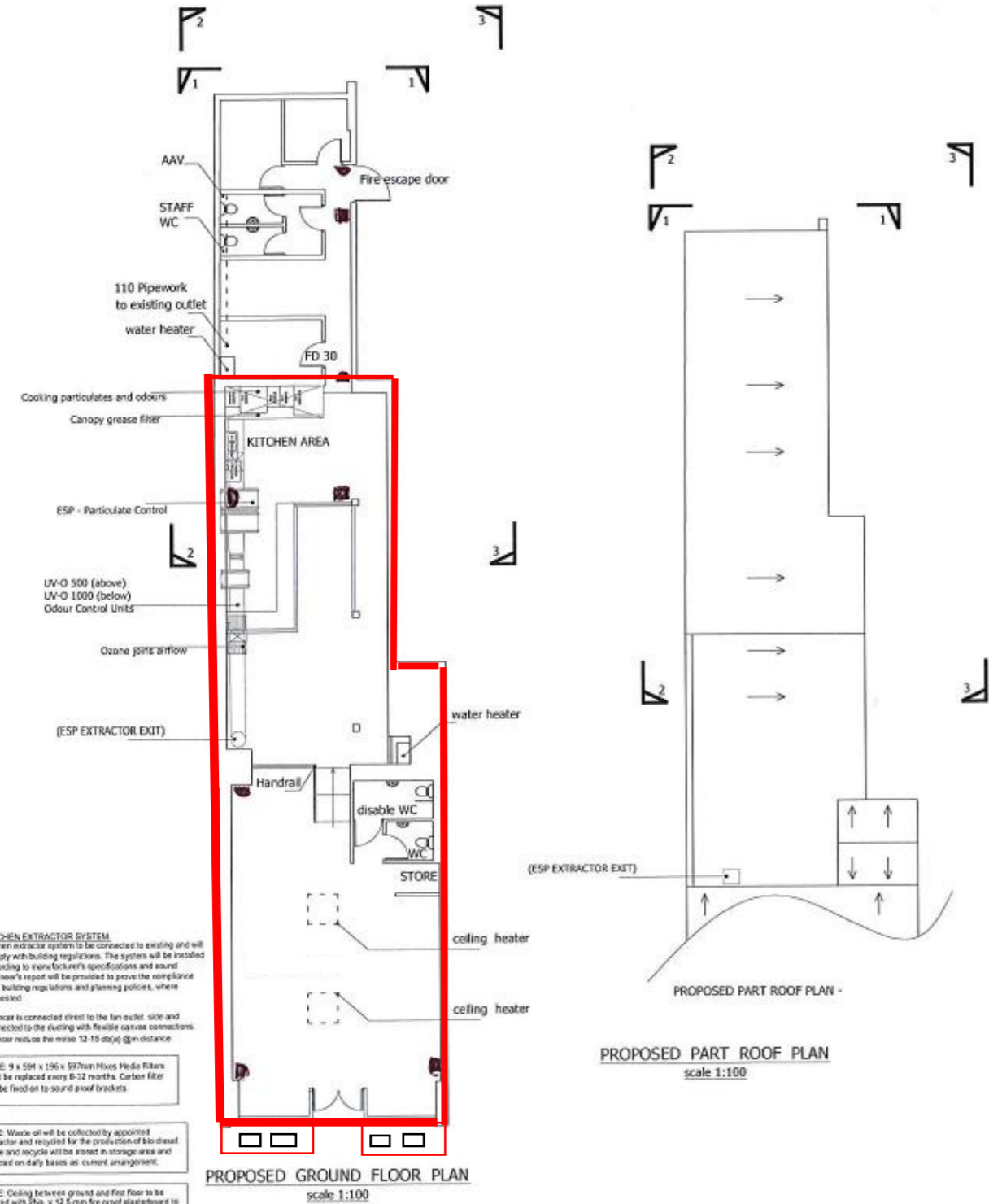
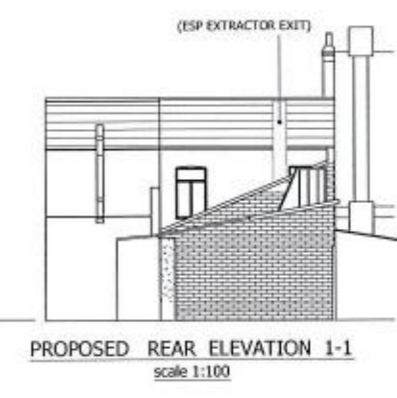
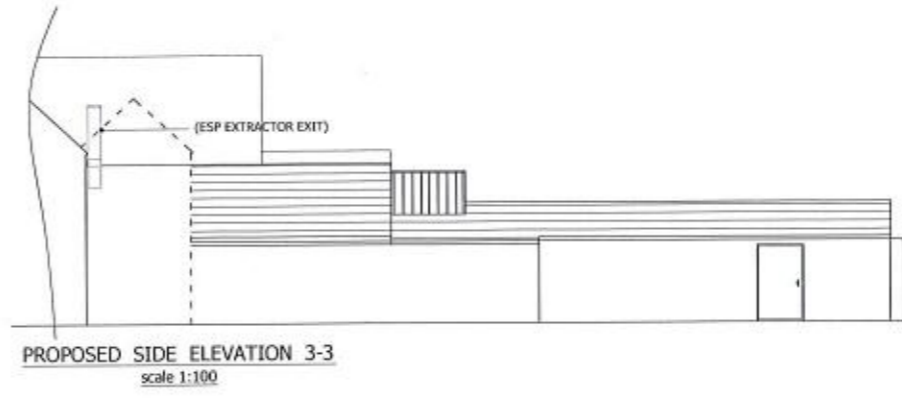
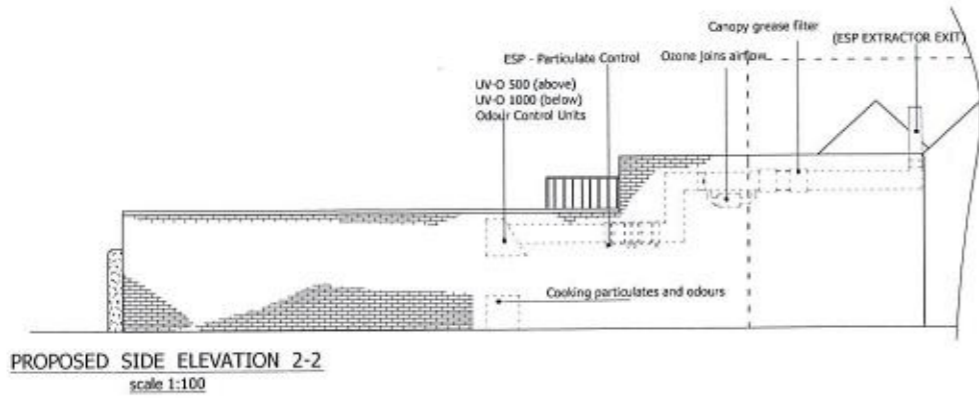
Road name REDCLIFF STREET

Town BRISTOL

County BRISTOL

Post Code BB4 6SP

To receive email confirmation of your application and payment, please provide a correspondence email address: paul.uren@ttsolicitors.com



PROPOSED PART ROOF PLAN scale 1:100

**BUILDING REGULATIONS NOTES**

**CDM REGULATIONS 2015**  
The client must abide by the Construction Design and Management Regulations 2015. The client must appoint a contractor, if more than one contractor is to be involved, the client will need to appoint a principal designer (to plan, manage and coordinate the planning and design work) and a principal contractor (to plan, manage and coordinate the construction and ensure there are arrangements in place for managing and organising the project).

The Health and Safety Executive is to be notified as soon as possible before construction work starts if the works:

- (a) Last longer than 30 working days and has more than 20 workers working simultaneously at any point in the project.
- Or:
- (b) Exceeds 500 person days.

**MATERIALS AND WORKMANSHIP**  
All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certifications of Schemes (like Marked etc. Products conforming to a European technical standard or harmonised European product should have a CE marking).

**EXISTING STRUCTURE**  
The existing structure is intact, the work is to update, tiling, new flooring, plastering and new ceiling tiles. There is not any structural work involved new finishes mainly.

**INTERNAL STUD PARTITIONS**  
Use 100mm x 50mm softwood treated timber studs at 400mm c/c with 50 x 100mm head and sole plates and solid intermediate horizontal noggins at 1/3 height or 450mm. Provide min 10kg/m<sup>3</sup> density acoustic soundproof quilt tightly packed (eg. 100mm Rockwool or Isovol mineral fibre sound insulation) in all voids the full depth of the stud. Partitions built off double up joists where partitions run parallel or provide noggins where at right angles, or built off DPC on thickened concrete slab if solid ground floor. Walls faced throughout with 12.5mm plaster board with skin plaster finish. Taped and jointed complete with beads and stops.

**ELECTRICAL**  
All electrical work required to meet the requirements of Part P (electrical safety) must be designed, installed, inspected and tested by a competent person registered under a competent person self certification scheme such as NICEIC certification Ltd, BS, NICEIC Certification Services or Zurich Ltd. An appropriate BS7671 Electrical Installation Certificate is to be issued for the work by a person competent to do so. A copy of a certificate will be given to Building Control on completion.

**INTERNAL LIGHTING**  
Install low energy light fittings that only take lamps having a luminous efficiency greater than 85 lumens per circuit watt and a total output greater than 400 lumen lumens. Not less than three energy efficient light fittings per four of all the light fittings in the main dwelling spaces to comply with Part L of the current Building Regulations and the Domestic Building Services Compliance Guide.

**SMOKE DETECTION**  
Maine operated linked smoke alarm detection system to BS EN 14604 and BS5819-4:2013 to at least a Grade D category (D3 standard) and to be mains powered with battery back up. Smoke alarms should be sited so that there is a smoke alarm in the circulation space on all levels/storeroys and within 7.5m of the door to every habitable room. If ceiling mounted they should be 300mm from the walls and light fittings. Where the kitchen area is not separated from the stairway or circulation space by a door, there should be an interlinked heat detector in the kitchen.

**SAFETY GLAZING**  
All glazing in critical locations to be toughened or laminated safety glass to BS 6206, BS EN 14479 or BS EN ISO 12543-1:2011 and Part K (Part N in Wales) of the current Building Regulations, i.e. within 1500mm above floor level in doors and side panels within 300mm of door opening and within 800mm above floor level in windows.

**NEW AND REPLACEMENT WINDOWS**  
New and replacement windows to be double glazed with 16mm argon gap and soft coat low-E glass. Window Energy Rating to be Band C or better and to achieve U-value of 1.6 W/m<sup>2</sup>K. The door and window openings should be limited to 25% of the extension floor area plus the area of any existing openings covered by the extension.

**NEW AND REPLACEMENT DOORS**  
New and replacement doors to achieve a U-Value of 1.80W/m<sup>2</sup>K. Glazed areas to be double glazed with 16mm argon gap and soft low-E glass. Glass to be toughened or laminated safety glass to BS 6206, BS EN 14179 or BS EN ISO 12543-1:2011 and Part K (Part N in Wales) of the current Building Regulations.

**EXTRACT TO W.C.**  
Dishroom to have mechanical extract ducted to external air to provide min 15 litres / sec extraction. Vent to be connected to light switch and to have 15 minute over run if no window in room. Internal door should be provided with a 20mm gap below the door to aid air circulation. Ventilation provision in accordance with the Domestic Ventilation Compliance Guide. Intermittent extract fans to BS EN 13143-4. All fixed mechanical ventilation systems, where they can be tested and adjusted, shall be commissioned and a commissioning notice given to the Building Control Body.

**UNDERGROUND FOUL DRAINAGE**  
Underground drainage to consist of 100mm diameter UPVC proprietary pipe work to give a 1:40 fall. Survised pipes in 100mm pea shingle. Provide 600mm suitable cover (100mm under drains). Shallow pipes to be covered with 100mm reinforced concrete slab over compressible material. Provide rodding access at all changes of direction and junctions. All below ground drainage to comply with BS EN 1401-1:2009.

**ABOVE GROUND DRAINAGE**  
All new above ground drainage and plumbing to comply with BS EN 12056-2:2000 for sanitary pipework. All drainage to be in accordance with Part H of the Building Regulations. Wastes to have 75mm deep anti vac bottle traps and rodding eyes to be provided at changes of direction.

Size of waste pipes and max length of branch connections (if max length is exceeded then anti vacuum traps to be sized)  
Wash basin - 1.7m for 32mm pipe 3m for 40mm pipe  
W/C - 6m for 100mm pipe for single WC  
All branch pipes to connect to 110mm soil and vent pipe terminating min 900mm above any openings within 3m.  
Or to 100mm up cast pipe with accessible internal air admission valve complying with BS EN 12280, placed at a height so that the outlet is above the trap of the highest fitting.  
Waste pipes not to connect on to SVP within 200mm of the WC connection.  
Supply hot and cold water to all fittings as appropriate.

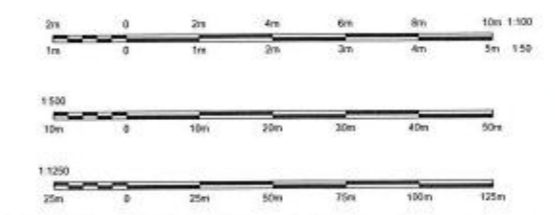
so that lights switch off when daylight is sufficient.

- WALL FINISHES**  
12.5mm plasterboards and skim prior to tiling or water based paints.
- DOOR OPENINGS**  
Front doors to open outwards
- FIRE RESISTANCE**  
Restaurant area with above are 2 x 12.5mm plasterboards 60mins fire resistance  
Pitched roof to rear 1x 12.5mm plasterboards 30mins fire resistance
- REGULATION 38**  
Fire assessment will be provided with all certification required.
- SOUND INSULATION**  
Sound insulation to equal to existing as no changes made
- PART M**  
Table service only - Counter purely for table service and delivery collection.

**KEY:**

- EMERGENCY CALL POINT
- FIRE EXTINGUISHER
- CCTV

— Area for licensable activities



<p>Jason Elmer A/CIOB 01773 565205</p> <p>Architectural Consulting Group Residential Building Construction Residential Fire Protection Head Office 111 High Street Brentwood Essex S14 4RX</p>	<p><b>BUILDING REGS.</b></p> <p>SITE ADDRESS 111 HIGH STREET, BRENTWOOD, ESSEX, CM14 4RX</p> <p>DRAWING TITLE PROPOSED DRAWINGS</p> <p>SCALE: as shown</p> <p>DATE: 01 June 2021</p> <p>REVISION BR.02</p>
--	--

\* NO ALTERATIONS TO FRONT ELEVATION

**D Sainsy's Pie Shop**  
**111 High Street**  
**Brentwood**  
**CM14 4RX**

### **Schedule of proposed opening hours and operating schedule**

#### **Proposed hours for the sale of alcohol for consumption on and off the premises, live music and recorded music as follows;**

Monday to Thursday 1000 to 0000

Friday and Saturday 1000 to 0045 the following morning

Sunday 1000 to 2300 Any Sunday before a Bank Holiday Monday 1000 until 0000.

#### **Proposed hours for late night refreshment**

Monday to Thursday 2300 to 0000

Friday and Saturday 2300 to 0045 the following morning Any Sunday before a Bank Holiday

Monday 2300 until 0000

#### **Proposed opening hours of the premises**

Monday to Thursday 1000 to 0030 the following morning

Friday and Saturday 1000 to 0115 the following morning Any Sunday before a Bank Holiday

Monday 1000 until 0030 the following morning

### **Proposed Operating Schedule**

#### **General – all four licensing objectives**

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

The premises licence currently in place for this property (premises licence number PRM\_0587) to be surrendered upon satisfactory grant of this application.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

Food will be available at all times the premises is conducting licensable activity.

Staff shall receive training in relation to the sale of alcohol commensurate with their duties.

Staff training will be refreshed every 6 months.

A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.

#### **The Prevention of Crime and Disorder**

The premises shall install a CCTV system which will:

(a) Operate at all times that the premises are open to the public

(b) Capture images digitally and will have date and time stamps on them

(c) Images to be retained for a period of at least 30 days

(d) Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels

(e) External cameras should be capable of giving useable images under a variety of weather and lighting conditions

(f) Copies of CCTV footage to be provided to the police or licensing authority on reasonable request

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.

The premises will install and maintain a security alarm.

On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.

Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).

An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following;

- a. All crimes reported:
- b. All ejections of patrons.
- c. Any complaints received.
- d. Any incidents of disorder.
- e. Seizure of drugs or offensive weapons.
- f. Any faults in the CCTV system.
- g. Any refusal of the sale of alcohol.
- h. Any visit by a relevant authority or emergency service.

***Where home deliveries of alcohol are made the following conditions shall apply:***

- (a) Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode
- (b) The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council
- (c) Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.
- (d) Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.

### **The Prevention of Public Nuisance**

No noise from deliveries that may take place to residential properties will give rise to public nuisance.

The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.

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

Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.

Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property.

Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.



**Public Safety**

Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.

Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

Exit doors shall be checked before opening each day to ensure they function satisfactorily.

All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

An appropriate number of first aid kits shall be maintained and available at all times.

**The Protection of Children from Harm**

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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:

(a) Proof of age card bearing the PASS Hologram;

(b) Photocard driving licence;

(c) Passport; or

(d) Ministry of Defence Identity Card.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

No entertainment taking place at the premises will not in any way harm or offend children.

**Application for a New Premises Licence**

**SAINSY'S PIE SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**APPENDIX B**

*Current Premises Licence*

*issued 12 November 2021*

*OS Maps & Images*





## Premises Licence

<b>Premises Licence Number</b>	<b>PRM_0587</b>
<b>Application Number</b>	<b>21/00017/LAPRE</b>
<b>Date of Issue</b>	<b>12 November 2021</b>

### Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code
<b>Sainsy's Pie Shop 111 High Street Brentwood Essex CM14 4RX</b>
Telephone number
<b>01277 295943</b>

Where the licence is time limited the dates
---

Licensable activities authorised by the licence
<b>Provision of Late-Night Refreshments Sale by Retail of Alcohol</b>

Times the licence authorises the carrying out of licensable activities
<b>Provision of Late-Night Refreshments</b>
<b>Saturday</b> <b>23:00 - 00:00</b>
<b>Sale by Retail of Alcohol</b>
<b>Monday-Friday</b> <b>10:00 - 23:00</b>
<b>Saturday</b> <b>10:00 - 00:00</b>
<b>Sunday</b> <b>11:00 - 22:00</b>

The opening hours of the premises
<b>Monday-Friday</b> <b>10:00 - 23:30</b>
<b>Saturday</b> <b>10:00 - 00:30</b>
<b>Sunday</b> <b>11:00 - 22:30</b>

Where the licence authorises supplies of alcohol whether these are on and / or off supplies
<b>Alcohol is supplied for consumption both on and off the Premise</b>

## Part 2

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

**D Sainsy's Pie Shop Ltd.**  
**95 Western Road**  
**Billericay**  
**CM12 9DT**

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

**Company Number**                      **12736216**

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

**Daniel Barrie Sains**

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: BAS/PM 6332**  
**Licensing Authority: Basildon Borough Council**

## Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under this licence
  - a) At a time when there is no designated supervisor in respect of it or,
  - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 Every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
- 3 (1) The 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).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- 5 (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
- 6 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."
- 7 (A). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (B).For the purposes of the condition set out in paragraph 1 -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula where-
- $$P = D + (D \times V)$$
- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

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

a) Unauthorised access or occupation (e.g. through door supervision), or

b) Outbreaks of disorder, or

c) Damage



## **Annex 2 – Conditions consistent with the Operating Schedule**

- 1 The premises shall install a CCTV system which will:**
  - (a) Operate at all times that the premises are open to the public**
  - (b) Capture images digitally and will have date and time stamps on them**
  - (c) Images to be retained for a period of at least 30 days**
  - (d) Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels**
  - (e) External cameras should be capable of giving useable images under a variety of weather and lighting conditions**
  - (f) Copies of CCTV footage to be provided to the police or licensing authority on reasonable request**
- 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 The premises will install and maintain a security alarm.**
- 4 On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.**
- 5 All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).**
- 6 Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. These signs shall be a minimum size of 200mm x 148 mm.**
- 7 Where home deliveries of alcohol are made the following conditions shall apply:**
  - (a) Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode**
  - (b) The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council**
  - (c) Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.**
  - (d) Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.**

- 8 An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following;
  - a. All crimes reported:
  - b. All ejections of patrons.
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system.
  - g. Any refusal of the sale of alcohol.
  - h. Any visit by a relevant authority or emergency service.
- 9 The premises will be predominantly laid out to tables and chairs.
- 10 Substantial food will be available at all times the premises is conducting licensable activity.
- 11 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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:
  - (a) Proof of age card bearing the PASS Hologram;
  - (b) Photocard driving licence;
  - (c) Passport; or
  - (d) Ministry of Defence Identity Card.
- 12 Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
- 13 An appropriate number of first aid kits shall be maintained and available at all times.
- 14 No noise from deliveries that may take place to residential properties will give rise to public nuisance.
- 15 Staff shall receive training in relation to the sale of alcohol commensurate with their duties.

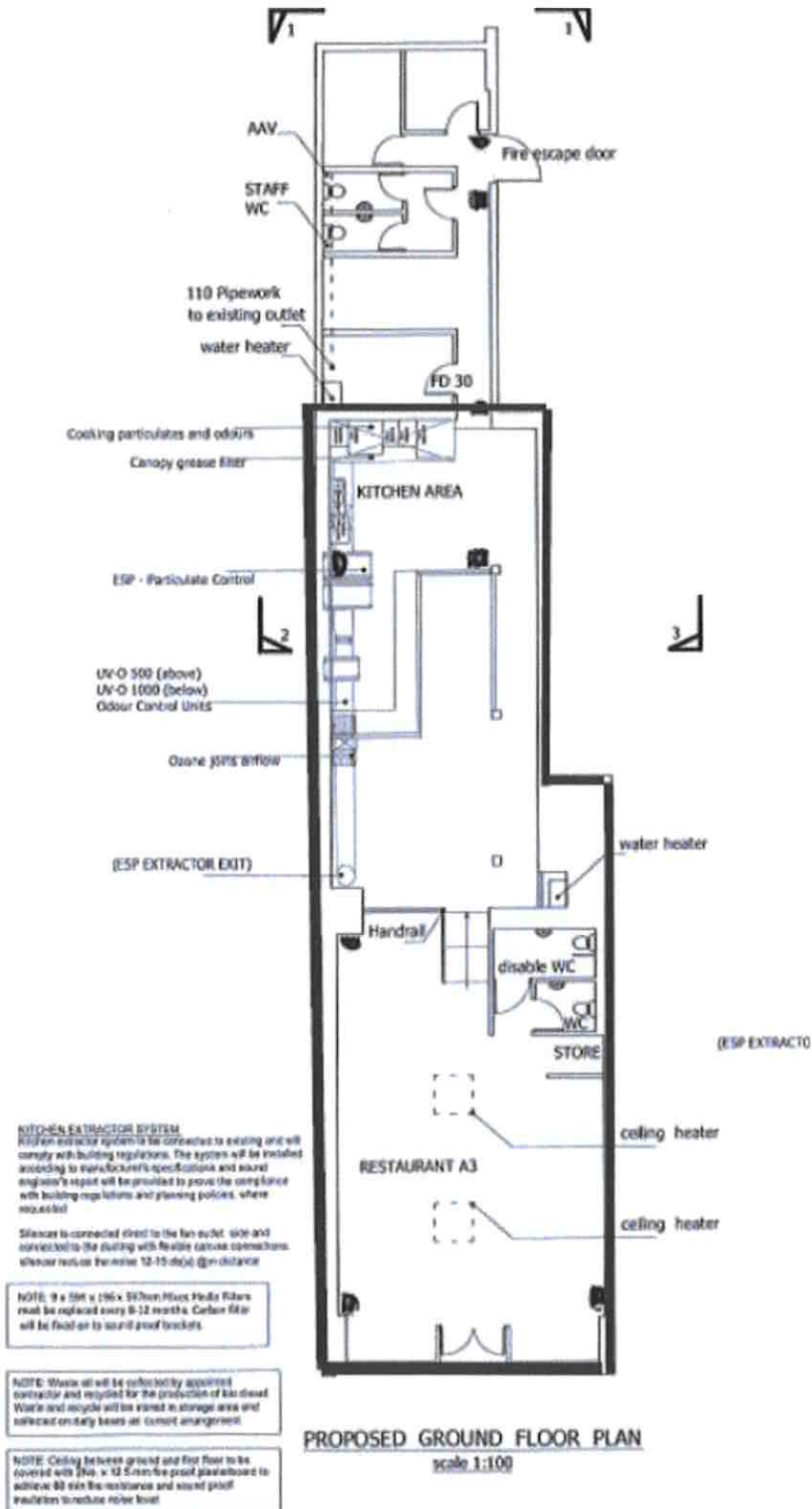
Staff training will be refreshed every 6 months.
- 16 A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.



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

## Annex 4 – Plans

This licence is issued subject to the following attached plan dated 20 July 2021 and marked **111 HIGH STREET, BRENTWOOD, ESSEX CM14 4RX**







## Premises Licence Summary

<b>Premises Licence Number</b>	<b>PRM_0587</b>
<b>Application Number</b>	<b>21/00017/LAPRE</b>
<b>Date of Issue</b>	<b>12 November 2021</b>

### Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code
<b>Sainsys Pie Shop 111 High Street Brentwood Essex CM14 4RX</b>
Telephone number <b>01277 295943</b>

Where the licence is time limited the dates
---

Licensable activities authorised by the licence
<b>Provision of Late-Night Refreshments Sale by Retail of Alcohol</b>

Times the licence authorises the carrying out of licensable activities
<b>Provision of Late Night Refreshments</b>
<b>Saturday</b> <b>23:00 - 00:00</b>
<b>Sale by Retail of Alcohol</b>
<b>Monday-Friday</b> <b>10:00 - 23:00</b>
<b>Saturday</b> <b>10:00 - 00:00</b>
<b>Sunday</b> <b>11:00 - 22:00</b>

The opening hours of the premises

<b>Monday-Friday</b>	<b>10:00 - 23:30</b>
<b>Saturday</b>	<b>10:00 - 00:30</b>
<b>Sunday</b>	<b>11:00 - 22:30</b>

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**

Name, (registered) address of holder of premises licence

**D Sainsy's Pie Shop Ltd.  
95 Western Road  
Billericay  
CM12 9DT**

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

**Company Number                      12736216**

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

**Daniel Barrie Sains**

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: BAS/PM 6332  
Licensing Authority: Basildon Borough Council**

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











# Legend

 SAINSY'S PIE & MASH SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX

# BRENTWOOD



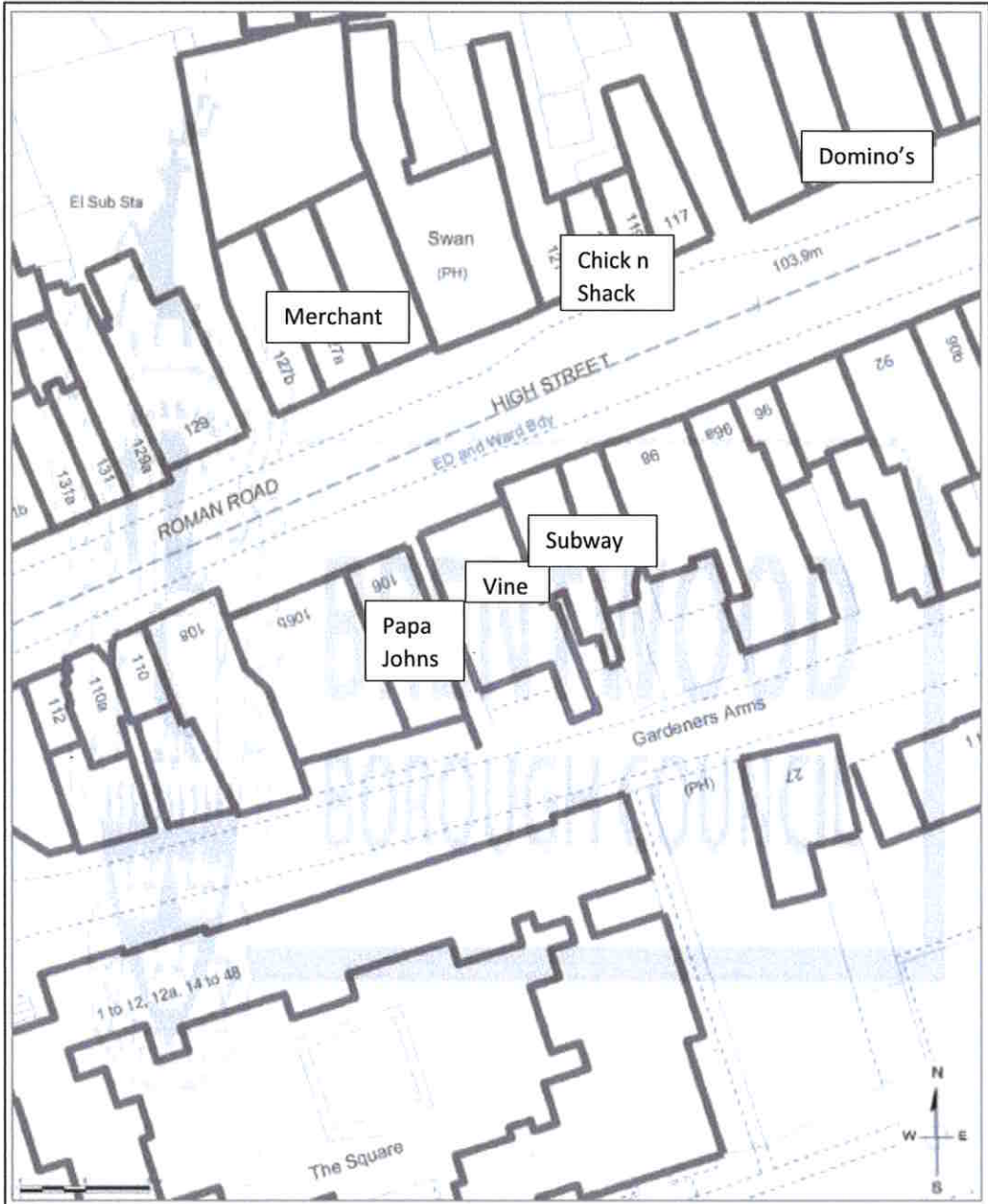
## SAINSY'S PIE & MASH SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX


Drawing No. :  
Scale at A4 : 1:1250  
Drawn by : OSJ  
Service : ICT  
Date : 28th July 2022



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





<input type="text"/> High Street, Brentwood		 <b>BRENTWOOD</b> BOROUGH COUNCIL
Drawing No. : Scale at A4 : 1:500 Drawn by : OSJ Service : ICT Date : <input type="text"/>	<input type="text"/> Chief Executive Brentwood Borough Council Town Hall, Ingrave Road Brentwood, CM15 8AY Tel.: (01277) 312500	
<small>© Crown copyright and database rights 2017 Ordnance Survey 100016309</small>		



**Application for a New Premises Licence**

**SAINSY'S PIE SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**APPENDIX C**

***Representation***

*Responsible Authorities*

*Brentwood Borough Council*

*Environmental Health (Noise Pollution) - Mr David Carter*





**MEMO** From Mr David Carter

---

To: Licensing

Our ref 22/001311/LICON

Your ref

cc

Date 14th July 2022

<b>Location</b>	<b>111 High Street, Brentwood, Essex, CM14 4RX</b>
<b>Details</b>	<b>Premises Licence</b>

Environmental Health has the following comments on this application.

The premises is currently operating as a pie and mash restaurant, with limited sale of alcohol associated with the restaurant business.

The application seeks to extend the opening hours from 23:30 Monday-Friday, 00:30 on Saturday and 22:30 on Sunday to allow opening until 00:30 Monday-Thursday, 01:15 Friday and Saturday and 23:30 on Sunday.

In addition to the sale of alcohol and provision of late-night refreshments, the times of both of which are extended in the application, the operator also wishes to add the licensable activities of live music and recorded music until 00:45 at weekends.

The operating schedule has limited information on the prevention of public nuisance, relating to noise from deliveries, use of outside areas, signage and monitoring of regulated entertainment at the nearest residential property. No other measures to control noise breakout from the premises or the level or amplified music are proposed.

There are residential occupiers in the vicinity of the premises, above other premises and at the rear and it is understood that planning permission for additional residential accommodation has been proposed in this area.

The addition of another late-night premises in this location, with a number of similar licensed premises adjacent to this site is likely to increase the number of customers in the High Street late at night, with limited control of customers outside the premises (there are no designated smoking areas within the boundary) and when leaving. There is insufficient detail to determine the likely impact of regulated entertainment in the premises affecting nearby occupiers.

I would therefore wish to object to the grant of this application on the grounds that the licensing objective of prevention of public nuisance has not been adequately demonstrated and there are insufficient controls proposed.

**Mr David Carter**  
**Environmental Health Manager**



## Paula Hammond

---

**From:** Paul Uren <paul.uren@TLTsolicitors.com>  
**Sent:** 28 July 2022 11:33  
**To:** David Carter  
**Cc:** Licensing; 'danny sains'  
**Subject:** D Sainsy Pie Shop - Licensing Hearing 22/00007/LAPRE  
**Attachments:** SAINSY'S PIE SHOP appln for PL 22JUN22 - EH REP (CARTER) 15JUL22.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi David,

I am writing to you as a representative of the applicant for the above application, for which we have been notified of your attached objection.

I thought it might be helpful to give you a bit of background to this application. The venue already benefits from a premises licence which contains a condition that all alcohol has to be served ancillary to food however, essentially, the pie shop business is failing and losing money therefore the applicant has plans to diversify the business to turn it into a more of a bar/ evening venue. That is not to say it is to become a vertical drinking "pub" but a venue for the more mature crowd and less of a food-led business, albeit food will still be available.

The applicant sought advice from local officers who steered him in the direction of applying for a "clean" new premises licence, which is where we are. If an approved premises licence is granted now, the existing licence is proposed to be surrendered.

Your objection raises concerns regarding the potential for public nuisance. We been in a dialogue with the local Police Licensing Officer and Health & Safety and have agreed a revised operating schedule of conditions, in order to support the licensing objectives, including of the prevention of public nuisance. There have been no objections received from any other responsible authority or residents.

The revised conditions are;

1. The premises shall install a CCTV system which will:
  - a. Operate at all times that the premises are open to the public
  - b. Capture images digitally and will have date and time stamps on them
  - c. Images to be retained for a period of at least 31 days
  - d. Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels
  - e. External cameras should be capable of giving useable images under a variety of weather and lighting conditions
  - f. Copies of CCTV footage to be provided to the police or licensing authority on reasonable request.
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. On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.
4. Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).
5. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:

- a. The day and date when door supervisors were deployed;
- b. The name and SIA registration number of each door supervisor on duty at the premises; and
- c. 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.

6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following;
  - a. All crimes reported
  - b. All ejections of patrons
  - c. Any complaints received
  - d. Any incidents of disorder
  - e. Seizure of drugs or offensive weapons
  - f. Any faults in the CCTV system
  - g. Any refusal of the sale of alcohol
  - h. Any visit by a relevant authority or emergency service
  
7. Where home deliveries of alcohol are made the following conditions shall apply:
  - a. Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode
  - b. The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council
  - c. Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.
  - d. Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.
  
8. No noise from deliveries that may take place to residential properties will give rise to public nuisance.
9. The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.
10. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. These signs shall be a minimum size of 200mm x 148 mm.
11. Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.
12. Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.
13. Public Safety Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.
14. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff. Exit doors shall be checked before opening each day to ensure they function satisfactorily.
15. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed. An appropriate number of first aid kits shall be maintained and available at all times.
16. 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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram
  - b. Photocard driving licence
  - c. Passport
  - d. Ministry of Defence Identity Card.
  
17. The premises shall clearly display signs at the each point of sale and 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.
18. No entertainment taking place at the premises will not in any way harm or offend children.
19. A food offering will be available at all times the premises is conducting licensable activities
20. The premises will be predominantly laid out to tables and chairs.

21. Staff shall receive training in relation to the sale of alcohol commensurate with their duties. Staff training will be refreshed every 6 months
22. A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.

We hope you agree that this is a fairly comprehensive operating schedule for the type of business proposed.

I would like to discuss with you any further conditions that you would seek to add to the operating schedule which would alleviate any concerns that you might have which, in turn, would negate the requirement for a licensing committee hearing.

If you would like to meet with the applicant, Danny Sains, I have copied him in so that you can both agree a mutually agreeable date/time to discuss the proposals for the venue and give you a greater understanding of what is being put forward.

I am on annual leave this afternoon and all day tomorrow, returning on Monday so if you can back to me with a response by Monday for me to take to the applicant to see if we can get to a position to agree, that would be much appreciated. Alternatively, if you would like to discuss over the phone, please contact me on my mobile number below from 9am on Monday.

I look forward to hearing from you.

Kind regards

Paul Uren  
Senior Paralegal  
for TLT LLP  
D: +44 (0)333 006 0213  
M: +44 (0)7919 925374  
F: +44 (0)3330 061492  
[www.tlt.com](http://www.tlt.com)  
[Twitter](#) [LinkedIn](#)

Manchester Legal Awards 'Large Law Firm of the Year' 2022

The Home Office has confirmed that they will be extending the temporary "off sales" easement introduced under the Business and Planning Act 2020 to allow licensed premises in England and Wales that only permit sales of alcohol for consumption on the premises to permit sales of alcohol for consumption off the premises until at least the end of September 2023

In the coming months the Home Office will seek the views of the licensed sector, local authorities and other interested parties on a permanent extension of the off sales relaxation

**TLT. For what comes next.**

**Keep up to date with our latest [insights and events](#)**

**Please consider the environment before printing this email.**

Please be aware of the increase in cybercrime and fraud.  
TLT will not send you information about changes to bank account details by email.  
If you receive an email purporting to be from someone at TLT advising you of a change to bank account details it is not genuine. Do not reply to the email or act on any information it may contain. Instead please contact the person dealing with your matter immediately.  
TLT accepts no responsibility if you transfer money to a bank account which is not ours.  
Please note we do not accept service by email.

The information in this email is confidential and may be privileged. It is for use by the addressee only. If you are not the addressee or if this email is sent to you in error, please let us know by return and delete the email from your computer. You may not copy it, use its contents or disclose them to another person. No liability is accepted for viruses and it is your responsibility to scan any attachments. TLT LLP, and TLT NI LLP (a separate practice in Northern Ireland) operate under the TLT brand and are together known as 'TLT'. Any reference in this communication or its attachments to 'TLT' is to be construed as a



reference to the TLT entity based in the jurisdiction where the advice is being given. TLT LLP is a limited liability partnership registered in England & Wales number OC308658 whose registered office is at One Redcliff Street, Bristol, BS1 6TP. TLT LLP is authorised and regulated by the Solicitors Regulation Authority under ID 406297. In Scotland TLT LLP is a multi national practice regulated by the Law Society of Scotland. TLT (NI) LLP is a limited liability partnership registered in Northern Ireland under ref NC000856 whose registered office is at River House, 48 - 60 High Street, Belfast, BT1 2BE. TLT (NI) LLP is regulated by the Law Society of Northern Ireland under ref 9330.

TLT LLP and TLT (NI) LLP are recognised as Data Controllers under data protection legislation. If you would like to find out more about how we use personal data and your rights in relation to your personal data please see read our [privacy notice](#) which is available on our website.

TLT LLP is authorised and regulated by the Financial Conduct Authority under reference number FRN 780419. TLT (NI) LLP is authorised and regulated by the Financial Conduct Authority under reference number 807372. Details of our FCA permissions can be found on the Financial Services Register at <https://register.fca.org.uk>

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

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



**Application for a New Premises Licence**

**SAINSY'S PIE SHOP, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**APPENDIX D**

***Resolved Representations***

***Responsible Authorities***

*Brentwood Borough Council*

*Environmental Health (Health & Food Safety)*

*Ms Elaine Higgins*

*Essex Police Licensing*

*Mr Simon Barnes*



## Paula Hammond

---

**From:** Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.police.uk>  
**Sent:** 19 July 2022 12:01  
**To:** Licensing  
**Subject:** BRE - NEW GRANT - Sainsy's  
**Attachments:** RE: EXTERNAL - RE: Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Afternoon,

I am writing in relation to the below application for a new Premises Licence to replace a current licence on the same premises.

I have considered the application on behalf of Essex Police and have requested that the following conditions are added to the Licence:

1. The premises shall install a CCTV system which will:
  - a. Operate at all times that the premises are open to the public
  - b. Capture images digitally and will have date and time stamps on them
  - c. Images to be retained for a period of at least 31 days
  - d. Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels
  - e. External cameras should be capable of giving useable images under a variety of weather and lighting conditions
  - f. Copies of CCTV footage to be provided to the police or licensing authority on reasonable request.
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. On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.
4. Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).
5. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
  - a. The day and date when door supervisors were deployed;
  - b. The name and SIA registration number of each door supervisor on duty at the premises; and
  - c. 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.

6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following;
  - a. All crimes reported
  - b. All ejections of patrons
  - c. Any complaints received
  - d. Any incidents of disorder

- e. Seizure of drugs or offensive weapons
  - f. Any faults in the CCTV system
  - g. Any refusal of the sale of alcohol
  - h. Any visit by a relevant authority or emergency service
7. Where home deliveries of alcohol are made the following conditions shall apply:
- a. Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode
  - b. The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council
  - c. Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.
  - d. Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.
8. No noise from deliveries that may take place to residential properties will give rise to public nuisance.
9. The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.
10. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. These signs shall be a minimum size of 200mm x 148 mm.
11. Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.
12. Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.
13. Public Safety Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.
14. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff. Exit doors shall be checked before opening each day to ensure they function satisfactorily.
15. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed. An appropriate number of first aid kits shall be maintained and available at all times.
16. 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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:
- a. Proof of age card bearing the PASS Hologram
  - b. Photocard driving licence
  - c. Passport
  - d. Ministry of Defence Identity Card.
17. The premises shall clearly display signs at the each point of sale and 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.
18. No entertainment taking place at the premises will not in any way harm or offend children.
19. A food offering will be available at all times the premises is conducting licensable activities
20. The premises will be predominantly laid out to tables and chairs.
21. Staff shall receive training in relation to the sale of alcohol commensurate with their duties. Staff training will be refreshed every 6 months
22. A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.

These conditions have been accepted by the applicant, via their agent, of which a copy of this acceptance is attached. As such I place a conditional representation onto file subject to the above conditions being added to the licence, in the event this is confirmed we are content for these representations to be withdrawn. Should there be any objections where knowledge of our agreed conditions may assist the respondent, Essex Police is supportive of the detail of the conditions being passed to them to consider their objection in light of our agreement and to continue should they feel our conditions to not allay their concerns or to withdraw as they are now satisfied.

Kind Regards



**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

**APPLICATION SUMMARY BELOW**

Bacchus Licensing Database - A: x +

← → ↻ 🏠 🔒 <https://app.ecis.police.uk/bacchus/restrict/viewApplication.seam?cid=2849> A<sup>9</sup>

📁 \_Managed Links 📁 <https://kpep.sharep...> 📁 Bacchus Licensing... 📁 Classic Extra PNC lo...

---

<b>Licence</b>	L135114, D SAINSYS PIE SHOP LTD, Essex, 111 HIGH STREET, BRENTWOOD, ESSEX, CM1	
<b>Application Type</b>	Premises Licence	
<b>Created By</b>	PSE 42007077 Louise Carroll - 23/06/2022 07:37	
<b>Application Act</b>	Licensing Act 2003	
<b>Applicant</b>	Mr DANIEL BARRIE SAINS [REDACTED]	
<b>Application Details</b>	Premises Licence Application - Sale of alcohol (both) Live and Recorded Music. Late Night Refre DPS Daniel Sains. Mr Sains currently has a premises licence but recently stated that his daytime business is not succeeding and he needs to evolve the licence in an effort to survive.	
<b>Licensing Authority</b>	Brentwood Borough Council	
<b>Notice Received Date</b>	22 Jun 2022	
<b>Objection</b>	No	
<b>Reply Due</b>	20 Jul 2022	<b>Reply Sent</b>
<b>Hearing Date</b>		
<b>Result Summary</b>		
<b>Application Status</b>	Pending	

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>.



Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

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



## Paula Hammond

---

**From:** Paul Uren <paul.uren@TLTsolicitors.com>  
**Sent:** 19 July 2022 11:46  
**To:** Licensing Epping and Brentwood  
**Cc:** 'danny sains'  
**Subject:** RE: EXTERNAL - RE: Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

Hi Simon,

Thanks for this and the cooperative approach, we are happy to agree these conditions.

If you need anything further, please let me know.

Kind regards

Paul Uren  
Senior Paralegal  
for TLT LLP  
D: +44 (0)333 006 0213  
M: +44 (0)7919 925374  
F: +44 (0)3330 061492  
[www.tlt.com](http://www.tlt.com)  
[Twitter](#) [LinkedIn](#)

Manchester Legal Awards '[Large Law Firm of the Year](#)' 2022

Draft regulations to extend the pavement licensing regime through to 30 September 2023 have now been issued and can be found [here](#)

The extension will provide the Government with sufficient time to consult on, and develop, the process and operation of the permanent pavement licence scheme which will come into effect from September 2023.

---

**From:** Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.police.uk>  
**Sent:** 19 July 2022 11:39  
**To:** Paul Uren <paul.uren@TLTsolicitors.com>  
**Subject:** RE: EXTERNAL - RE: Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

Hello Paul,

Thank you for the clarification.

I have considered this carefully and would propose dropping condition 18 in exchange for the condition "A food offering will be available at all times the premises is conducting licensable activities". The other condition noted in your reply is already within my conditions (3/4).

To be clear, the conditions we are agreeing are:

1. The premises shall install a CCTV system which will:
  - a. Operate at all times that the premises are open to the public
  - b. Capture images digitally and will have date and time stamps on them
  - c. Images to be retained for a period of at least 31 days



- d. Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels
  - e. External cameras should be capable of giving useable images under a variety of weather and lighting conditions
  - f. Copies of CCTV footage to be provided to the police or licensing authority on reasonable request.
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. On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.
  4. Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).
  5. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
    - a. The day and date when door supervisors were deployed;
    - b. The name and SIA registration number of each door supervisor on duty at the premises; and
    - c. 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.

6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following;
  - a. All crimes reported
  - b. All ejections of patrons
  - c. Any complaints received
  - d. Any incidents of disorder
  - e. Seizure of drugs or offensive weapons
  - f. Any faults in the CCTV system
  - g. Any refusal of the sale of alcohol
  - h. Any visit by a relevant authority or emergency service
7. Where home deliveries of alcohol are made the following conditions shall apply:
  - a. Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode
  - b. The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council
  - c. Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.
  - d. Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.
8. No noise from deliveries that may take place to residential properties will give rise to public nuisance.
9. The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.
10. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. These signs shall be a minimum size of 200mm x 148 mm.
11. Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.
12. Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.
13. Public Safety Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.

14. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff. Exit doors shall be checked before opening each day to ensure they function satisfactorily.
15. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed. An appropriate number of first aid kits shall be maintained and available at all times.
16. 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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram
  - b. Photocard driving licence
  - c. Passport
  - d. Ministry of Defence Identity Card.
17. The premises shall clearly display signs at the each point of sale and 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.
18. No entertainment taking place at the premises will not in any way harm or offend children.
19. A food offering will be available at all times the premises is conducting licensable activities
20. The premises will be predominantly laid out to tables and chairs.
21. Staff shall receive training in relation to the sale of alcohol commensurate with their duties. Staff training will be refreshed every 6 months
22. A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.

Please can you confirm you accept the above in full.

Kind Regards



**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

---

**From:** Paul Uren <[paul.uren@TLTsolicitors.com](mailto:paul.uren@TLTsolicitors.com)>

**Sent:** 19 July 2022 10:47

**To:** Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)>

**Subject:** FW: EXTERNAL - RE: Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

Hi Simon,

I have now had chance to speak with Danny this morning.

Essentially, his plan is to run the business mostly as a bar. The Pie/Mash offer is losing money on a daily basis, so the whole idea as for him to turn it into a bar/restaurant style of operation.

Save for proposed condition 18 in your email, we would be happy to agree the rest of your conditions.

We did offer the following conditions as part of our application operating schedule;

- Food will be available at all times the premises is conducting licensable activity
- On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.  
Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).

I hope that this clarifies matters. Danny simply cannot commit to a condition which requires all alcohol to be served ancillary to a table meal/food as this will make the business unviable and defeat the objective of the application in the first place.

I welcome any further comments you may have.

Kind regards

Paul Uren  
Senior Paralegal  
for TLT LLP  
D: +44 (0)333 006 0213  
M: +44 (0)7919 925374  
F: +44 (0)3330 061492  
[www.tlt.com](http://www.tlt.com)  
[Twitter](#) [LinkedIn](#)

Manchester Legal Awards '[Large Law Firm of the Year](#)' 2022

Draft regulations to extend the pavement licensing regime through to 30 September 2023 have now been issued and can be found [here](#)

The extension will provide the Government with sufficient time to consult on, and develop, the process and operation of the permanent pavement licence scheme which will come into effect from September 2023.

---

**From:** Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)>  
**Sent:** 15 July 2022 14:55  
**To:** Paul Uren <[paul.uren@TLTsolicitors.com](mailto:paul.uren@TLTsolicitors.com)>; Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)>  
**Cc:** 'Danny Sains' [REDACTED]  
**Subject:** RE: EXTERNAL - RE: Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

Hello Paul,

Thank you for your swift response.

To enable me to consider this carefully, can your client please confirm his thinking regarding the shift between restaurant and bar, is there a time they will be looking to convert over to being a more bar led business?

Kind Regards

**Simon Barnes (82011)**



Licensing Officer – Brentwood & Thurrock

07773 935612

Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY



---

**From:** Paul Uren <[paul.uren@TLTsolicitors.com](mailto:paul.uren@TLTsolicitors.com)>

**Sent:** 15 July 2022 14:35

**To:** Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)>

**Cc:** 'Danny Sains' [REDACTED]

**Subject:** EXTERNAL - RE: Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Simon,

Thanks for the email.

I will need to take instructions from the application however, essentially, I do not see any issue with agreeing these conditions, with the only exception of the following proposed conditions, which we cannot agree;

18. The premises must operate as a restaurant:

- a. In which customers must be seated at a table
- b. Which provides substantial table meals that are prepared on the premises and are served and consumed at the table
- c. Which do not provide any take away service of food or drink for immediate consumption; and
- d. Where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

19. The premises will be predominantly laid out to tables and chairs.

The rationale behind this application is that a licence already exists for this premises as a food-led business with an alcohol to be served ancillary to alcohol condition already in place.

The food business is unviable therefore the operator is seeking a new premises licence to reflect the changing position of the business, which will retain being predominantly food-led during the day then converting to a more bar environment in the evenings.

We believe all other conditions offered as part of the application reflect the promotion of the licensing objectives and would respectfully ask for you to reconsider your request for a condition stipulating the premises operating as a restaurant with alcohol served ancillary to a table meal.

With regards to condition 19, essentially the premises will be predominantly laid out to mixture of tables and chairs but the operator would like a degree of flexibility and this condition would appear that the premises is again operating as more of a food led restaurant.

Food will be available during opening hours (and has been put forward as a condition) but restricting alcohol to be ancillary to food defeats the objective of applying for the licence in the first place [REDACTED]

I look forward to hearing from you.

Kind regards

Paul Uren  
Senior Paralegal  
for TLT LLP  
D: +44 (0)333 006 0213  
M: +44 (0)7919 925374  
F: +44 (0)3330 061492  
[www.tlt.com](http://www.tlt.com)  
[Twitter](#) [LinkedIn](#)

Manchester Legal Awards '[Large Law Firm of the Year](#)' 2022

Draft regulations to extend the pavement licensing regime through to 30 September 2023 have now been issued and can be found [here](#)

The extension will provide the Government with sufficient time to consult on, and develop, the process and operation of the permanent pavement licence scheme which will come into effect from September 2023.

---

**From:** Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)>  
**Sent:** 15 July 2022 14:15  
**To:** Paul Uren <[paul.uren@TLTsolicitors.com](mailto:paul.uren@TLTsolicitors.com)>  
**Subject:** Premises Licence Application - Sainsy's Pie and Mash Shop, High Street, Brentwood

Good Afternoon,

My name is Simon Barnes, I am an Essex Police Licensing Officer with responsibility for the Brentwood area.

I am writing to you today as the applicant's agent for the above noted application, I have considered the application in relation to the licensable objectives and would like to discuss conditions to be placed upon the licence. I thank the applicant for the conditions already offered (1-17) which I have included within my representations, I have reworded 2 of these conditions to match with best practice which I have marked in red. In addition I would like to propose additional conditions to be added to the licence (18-22):

1. The premises shall install a CCTV system which will:
  - a. Operate at all times that the premises are open to the public
  - b. Capture images digitally and will have date and time stamps on them
  - c. Images to be retained for a period of at least 31 days
  - d. Cameras must be of sufficient sensitivity to enable them to operate as required under their normal working conditions and lighting levels
  - e. External cameras should be capable of giving useable images under a variety of weather and lighting conditions
  - f. Copies of CCTV footage to be provided to the police or licensing authority on reasonable request.
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. On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request.
4. Any SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing (jackets/vests/armbands).
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
  - a. All crimes reported
  - b. All ejections of patrons
  - c. Any complaints received
  - d. Any incidents of disorder
  - e. Seizure of drugs or offensive weapons
  - f. Any faults in the CCTV system
  - g. Any refusal of the sale of alcohol
  - h. Any visit by a relevant authority or emergency service
6. Where home deliveries of alcohol are made the following conditions shall apply:
  - a. Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode
  - b. The premises licence holder shall maintain a record of all delivery companies used and such record shall be made available for inspection by the Police or an authorized officer of the council
  - c. Where Internet /telephone sales are placed, age verification must be obtained before the sale takes place.
  - d. Acceptable forms of ID must be checked on point of delivery and notice of this will be advertised on the company website.
7. No noise from deliveries that may take place to residential properties will give rise to public nuisance.
8. The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.
9. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. These signs shall be a minimum size of 200mm x 148 mm.
10. Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.
11. Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated

entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.

12. Public Safety Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.
13. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff. Exit doors shall be checked before opening each day to ensure they function satisfactorily.
14. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed. An appropriate number of first aid kits shall be maintained and available at all times.
15. 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 (photo, name, date of birth & either a holographic mark or ultraviolet feature) and is either a:
  - a. Proof of age card bearing the PASS Hologram
  - b. Photocard driving licence
  - c. Passport
  - d. Ministry of Defence Identity Card.
16. The premises shall clearly display signs at the each point of sale and 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.
17. No entertainment taking place at the premises will not in any way harm or offend children.
18. The premises must operate as a restaurant:
  - a. In which customers must be seated at a table
  - b. Which provides substantial table meals that are prepared on the premises and are served and consumed at the table
  - c. Which do not provide any take away service of food or drink for immediate consumption; and
  - d. Where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
19. The premises will be predominantly laid out to tables and chairs.
20. Staff shall receive training in relation to the sale of alcohol commensurate with their duties. Staff training will be refreshed every 6 months
21. A record of staff training shall be kept on the premises and made available to a designated member of the responsible authorities on request.
22. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
  - a. The day and date when door supervisors were deployed;
  - b. The name and SIA registration number of each door supervisor on duty at the premises; and
  - c. 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.

If you client finds these conditions agreeable, please can you confirm in writing in reply to this email with words to that effect, I will pass the agreed conditions to the Council as part of my representations. If you wish to discuss this further please can you let me know preferable by COP Monday so that we can conclude this prior to the close of the consolation.

Kind Regards





**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

**TLT. For what comes next.**

**Keep up to date with our latest insights and events**

**Please consider the environment before printing this email.**

Please be aware of the increase in cybercrime and fraud.

TLT will not send you information about changes to bank account details by email.

If you receive an email purporting to be from someone at TLT advising you of a change to bank account details it is not genuine. Do not reply to the email or act on any information it may contain. Instead please contact the person dealing with your matter immediately.

TLT accepts no responsibility if you transfer money to a bank account which is not ours.

Please note we do not accept service by email.

The information in this email is confidential and may be privileged. It is for use by the addressee only. If you are not the addressee or if this email is sent to you in error, please let us know by return and delete the email from your computer. You may not copy it, use its contents or disclose them to another person. No liability is accepted for viruses and it is your responsibility to scan any attachments. TLT LLP, and TLT NI LLP (a separate practice in Northern Ireland) operate under the TLT brand and are together known as 'TLT'. Any reference in this communication or its attachments to 'TLT' is to be construed as a reference to the TLT entity based in the jurisdiction where the advice is being given. TLT LLP is a limited liability partnership registered in England & Wales number OC308658 whose registered office is at One Redcliff Street, Bristol, BS1 6TP. TLT LLP is authorised and regulated by the Solicitors Regulation Authority under ID 406297. In Scotland TLT LLP is a multi national practice regulated by the Law Society of Scotland. TLT (NI) LLP is a limited liability partnership registered in Northern Ireland under ref NC000856 whose registered office is at River House, 48 - 60 High Street, Belfast, BT1 2BE. TLT (NI) LLP is regulated by the Law Society of Northern Ireland under ref 9330.

TLT LLP and TLT (NI) LLP are recognised as Data Controllers under data protection legislation. If you would like to find out more about how we use personal data and your rights in relation to your personal data please see read our [privacy notice](#) which is available on our website.

TLT LLP is authorised and regulated by the Financial Conduct Authority under reference number FRN 780419. TLT (NI) LLP is authorised and regulated by the Financial Conduct Authority under reference number 807372. Details of our FCA permissions can be found on the Financial Services Register at <https://register.fca.org.uk>

This email and any other accompanying document(s) contain information from Kent Police and/or Essex Police, which is confidential or privileged. The information is intended to be for the exclusive use of the individual(s) or bodies to whom it is addressed. The content, including any subsequent replies, could be disclosable if relating to a criminal investigation or civil proceedings. If you are not the intended recipient, be aware that any disclosure, copying, distribution or other use of the contents of this information is prohibited. If you have received this email in error, please notify us immediately by contacting the sender or telephoning Kent Police on 01622 690690 or Essex Police on 01245 491491, as appropriate. For further information regarding Kent Police's or Essex Police's use of personal data please go to <https://www.kent.police.uk/hyg/privacy/> or <https://www.essex.police.uk/hyg/privacy/>. Additionally for our Terms and Conditions please go to <https://www.kent.police.uk/hyg/terms-conditions/> or <https://www.essex.police.uk/hyg/terms-conditions/>

**TLT. For what comes next.**

**Keep up to date with our latest insights and events**

**Please consider the environment before printing this email.**





Mr Paul Uren  
TLT Solicitors  
One Redcliff Street  
Bristol  
BB4 6SP

Date: 13 July 2022  
Our reference: 22/001310/LICON  
Your reference: PL431564636

Dear Mr Uren

**Application for Premises Licence to be granted under the Licensing Act 2003**  
**111 High Street, Brentwood, Essex, CM14 4RX**

Further to the above application of the 22 June 2022, I confirm that as Environmental Health (Health and Food Safety) I have concerns. I am therefore making a representation as a responsible authority in accordance with the Licensing Act 2003. This representation is under the licensing objective of Public Safety

There is insufficient detail offered in the premises application under the promotion of the licensing objectives of Public Safety. I require more information in order to be able to satisfy my concerns.

The reasons for my representation are detailed as:

**Public Safety**

Details of the following matters have not been considered in the application as measures to promote the licensing objectives, or been offered up as conditions:

1. What is the anticipated capacity of the premises?

I have received a copy of Fire Risk Assessment dated 24 September 2021 by Redwood Fire. This indicates that there will be a maximum of 68 persons plus 9 staff present on the premises. If this is the maximum capacity, there will be insufficient sanitary provision for members of public.

Calculated as a 50:50 split, using the Sanitary Accommodation Standards in BS. 6465: Part 1:1994, Table 10, there should be two WC's and two wash hand basins for females and one WC and wash hand basin for males. The plan highlights one

**Brentwood Borough Council**, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY  
tel 01277 312 500 [www.brentwood.gov.uk](http://www.brentwood.gov.uk)

WC and one disabled WC available for the public. Therefore, an additional WC and Wash hand basin is required.

You may wish to satisfy this by re-designating one of the staff facilities for public use.

I request that we look to agree conditions regarding the use of the sanitary accommodation. I make my representation to obtain clarity and be assured that the licensing objective of public safety is satisfied. If my concerns are satisfied, I may withdraw my representation.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Elaine Higgins', written in a cursive style.

Elaine Higgins PGDip, DMS, BSc (Hons), CMIOSH, MCIEH, CEnvH

**Principal Environmental Health Officer**

**Chartered Environmental Health Practitioner**

**Environmental Health**

Telephone: 01277 312667

Email: [elaine.higgins@brentwood.gov.uk](mailto:elaine.higgins@brentwood.gov.uk)

## Paula Hammond

---

**From:** Elaine Higgins  
**Sent:** 18 July 2022 09:21  
**To:** Paul Adams; Dave Leonard  
**Subject:** FW: 111 High Street Brentwood  
**Attachments:** Sainsys representation .docx

Good morning

With regards to my Sainsy's representation the below will satisfy my concerns and it is my intention to withdraw my representation. I understand that David Carter has also made a representation for this premises.

Kind regards

Elaine

---

**From:** Paul Uren <paul.uren@TLTsolicitors.com>  
**Sent:** 14 July 2022 12:46  
**To:** Elaine Higgins <elaine.higgins@brentwood.gov.uk>  
**Subject:** FW: 111 High Street Brentwood

Hi Elaine,

Further to your email, please see below confirmation from the applicant that;

- Staff toilets to be made available
- Two ladies downstairs, one being accessible with a gentleman's toilet to the rear.

I hope this alleviates any concerns.

I look forward to hearing from you.

Kind regards


Paul Uren  
Senior Paralegal  
for TLT LLP  
D: +44 (0)333 006 0213  
M: +44 (0)7919 925374  
F: +44 (0)3330 061492  
[www.tlt.com](http://www.tlt.com)  
[Twitter](#) [LinkedIn](#)

Manchester Legal Awards '[Large Law Firm of the Year](#)' 2022

Draft regulations to extend the pavement licensing regime through to 30 September 2023 have now been issued and can be found [here](#)

The extension will provide the Government with sufficient time to consult on, and develop, the process and operation of the permanent pavement licence scheme which will come into effect from September 2023.

---

**From:** Danny Sains   
**Sent:** 14 July 2022 12:27

To: Paul Uren <[paul.uren@TLTsolicitors.com](mailto:paul.uren@TLTsolicitors.com)>

Subject: Re: 111 High Street Brentwood

Hi Paul.

Yes I was going to make those available anyway.

Two ladies down the bottom, one being disabled. Gentleman can go at the back.

---

**From:** Elaine Higgins <[elaine.higgins@brentwood.gov.uk](mailto:elaine.higgins@brentwood.gov.uk)>

**Sent:** 14 July 2022 08:39

**To:** Paul Uren <[paul.uren@TLTsolicitors.com](mailto:paul.uren@TLTsolicitors.com)>

**Cc:** 'Danny Sains' <[REDACTED]>; Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>

**Subject:** RE: 111 High Street Brentwood

Good morning Paul and Danny

Please find my attached representation regarding your licence application at 111 High Street Brentwood.

Kind regards

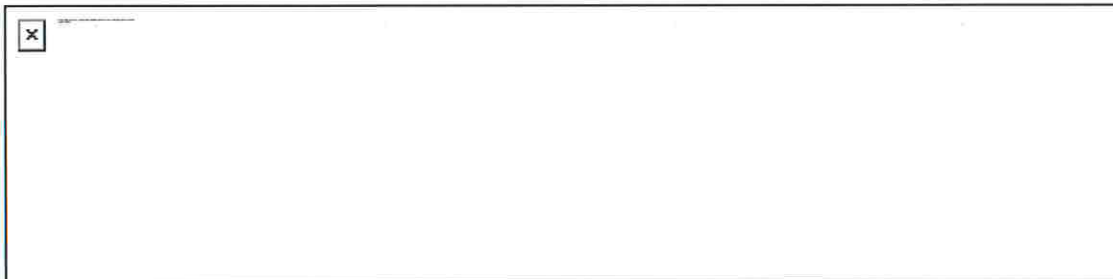
Elaine

Elaine Higgins | PGDip, DMS, BSc (Hons), CMIOSH, MCIEH, CEnvH, Chartered Environmental Health Practitioner | Principal Environmental Health Officer  
Brentwood Borough Council | Town Hall | Ingrave Road | Brentwood | Essex | CM15 8AY

T 01277 312667 | M 07809105486 | [www.brentwood.gov.uk](http://www.brentwood.gov.uk)



Chartered Environmental Health Practitioner  
Health Protection Specialist



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.



Mr Paul Uren  
TLT Solicitors  
One Redcliff Street  
Bristol  
BB4 6SP

Date: 19 July 2022  
Our reference: 22/001310/LICON  
Your reference: PL431564636

Dear Mr Uren

**Application for Premises Licence to be granted under the Licensing Act 2003**  
**111 High Street, Brentwood, Essex, CM14 4RX**

Further to my letter of 13 July 2022 and your subsequent email of 14 July 2022 allaying my concerns raised to the application, I am satisfied that the licensing objective of Public Safety can be met.

You confirmed that the two toilets marked on the plan for public will be available for female customers and a further toilet is to be made available for male customers to the rear of the premises.

I therefore withdraw my representation to your application.

Yours sincerely,

Elaine Higgins PGDip, DMS, BSc (Hons), CMIOSH, MCIEH, CEnvH

**Principal Environmental Health Officer**

**Chartered Environmental Health Practitioner**

**Environmental Health**

Telephone: 01277 312667

Email: elaine.higgins@brentwood.gov.uk

**Brentwood Borough Council**, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY  
tel 01277 312 500 [www.brentwood.gov.uk](http://www.brentwood.gov.uk)





## **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.