



Agenda

Licensing Sub-Committee

Friday, 7 October 2022 at 9.30 am
Council Chamber - Town Hall

Membership (Quorum – 3)

Cllrs Barber, Laplain and Parker

Substitute Members

Cllrs

Agenda

Item	Item	Wards(s) Affected	Page No
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Live broadcast

[Live broadcast to start at 9:30am and available for repeat viewing.](#)

Contents

- 1. Appointment of Chair**
- 2. Administrative Function**

Members are respectfully reminded that, in determining the matters listed below, they are exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter will be determined on the facts before the Sub-Committee and the rules of natural justice will apply.
- 3. Determination of Objection to Temporary Event Notices The Vine 104 High Street Brentwood CM14 4RX** Brentwood d North 5 - 74

A handwritten signature in black ink, reading "Jonathan Stephenson", is centered at the top of the page. The signature is written in a cursive style with a horizontal line striking through the middle of the letters.

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
29.09.2022

Information for Members

Substitutes

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

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

Rights to Attend and Speak

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

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

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

Point of Order/ Personal explanation/ Point of Information

Point of Order

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

Personal Explanation

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

Point of Information or clarification

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

Information for Members of the Public

Access to Information and Meetings

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

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

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

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

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

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

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

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

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

 **Private Session**

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

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  **Access**

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

 **Evacuation Procedures**

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

7th October 2022	ITEM: 3
Licensing Sub-Committee	
DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES.	
Report of: Maria Moses, Licensing Officer	
Wards and communities affected: Brentwood North	Key Decision: Non-key
This report is public	
<i>If the report, or a part of this, has been classified as being either confidential or exempt by reference to the descriptions in Schedule 12A of the Local Government Act 1972, it is hereby marked as being not for publication. The press and public are likely to be excluded from the meeting during consideration of any confidential or exempt items of business to which the report relates.</i>	
Date of notice given of exempt or confidential report: not applicable	
Purpose of Report: To determine objection from Essex Police (Licensing) against four Temporary Event Notices.	

EXECUTIVE SUMMARY

The Licensing Office has received an objection from Essex Police, Mr Simon Barnes, with regards to four Temporary Event Notices (TENs) submitted in relation to extension of hours on Sunday 9th October 2022, Sunday 16th October 2022, Sunday 23rd October 2022 and Sunday 30th October 2022 to be held at **The Vine, 104 High Street, Brentwood CM14 4RX**. All four events request a one-hour extension to the hours for the provision of the Sale by retail of alcohol, The provision of regulated entertainment and The provision of late night refreshment from 0200hrs-0300hrs. The objections relate to the prevention of crime & disorder.

1. RECOMMENDATIONS:

1.1 That the Sub-Committee

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

2. INTRODUCTION AND BACKGROUND:

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

2.2 The licensing objectives are:

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

2.3 On 23 September 2022 the Licensing Department received four separate Temporary Event Notices from Matthew Bell on behalf of Andreas Artemi to provide the Sale of Alcohol, Regulated Entertainment and Late-night Refreshment on the premises as the operators perceive a significant change in market habits and wish to explore these changes, these TENS are to explore options and may lead to a formal change to the premises licence this will be on four consecutive Sundays on Sunday 9th October 2022, Sunday 16th October 2022, Sunday 23rd October 2022 and Sunday 30th October 2022. Copies of all four TENS are attached at **Appendix A**.

2.4 Letters of acknowledgement for all four of the TENS were sent on 23rd September 2022 and copies are attached at **Appendix B**.

2.5 The TENS, in their current submission, despite written undertakings being attached, effectively remove the conditions attached to the premises licence. A copy of the current premises licence, issued on 22nd February 2022, together with an OS Street Map to better identify the location, is attached at **Appendix C**.

2.6 On 26th September 2022 the Licensing Department received objection notices against all four Temporary Event Notices from the Essex Police Licensing Officer, Mr Simon Barnes, being satisfied that the allowing of the premises to be used in accordance with the notices would undermine the prevention of crime & disorder objective. Mr Barnes states that allowing the events to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence. Mr Barnes' objection is made with a view as a minimum to getting the conditions listed on the premises licence applied to each TEN for these events. In doing so, this would satisfy Essex

Police that all measures that have been put in place will remain in effect for the entire period of the events. Mr Barnes letter of objection is attached at **Appendix D.**

3. ISSUES, OPTIONS AND ANALYSIS OF OPTIONS:

- 3.1 The committee, after considering the objection application, will need to consider what action, if any, to take in order to ensure that the licensing objectives are complied with.
- 3.2 The power to impose conditions on a TEN is conferred by s106 Licensing Act 2003. This is not a general power to impose conditions and can be exercised only where temporary events are held on premises, or parts of premises, for which a premises licence or Club Premises Certificate is in force and an objection notice is given.
- 3.3 The following options are available to the Licensing Sub-Committee:
 - Allow each Temporary Event Notice being determined as applied for;
 - To impose conditions on the TEN being determined as conferred by s106 Licensing Act 2003.
 - To reject the Temporary Event Notice being determined as applied for and issue a Counter Notice, which will prevent the event from going ahead.
- 3.4 The decision made by the Committee will take immediate effect. There is a right of appeal for both the person who has given the TEN and for the relevant person that had submitted the objection notice. However, no appeal may be brought later than 5 working days before the day on which the event period specified in the TEN.
- 3.5 In determining this application for an objection of the Temporary Event Notice by Environmental Health, the Sub-Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003.
- 3.6 The Sub-Committee are advised that the hearing is of a quasi-judicial nature and representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability.
- 3.7 The Sub-Committee are advised that the final decision should be based on the individual merits of the application and findings of fact made at the hearing.

4. REASONS FOR RECOMMENDATION:

- 4.1 These are the options available to the Sub-Committee.

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

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

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

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

- (a) crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment), and;
- (b) the misuse of drugs, alcohol and other substances in its areas.

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

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

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

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

APPENDICES TO THIS REPORT:

Appendix A - Temporary Event Notifications received 23 September 2022

Appendix B - Letters of Acknowledgement sent 6 July 2022

Appendix C - Premises Licence, OS Map

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

Report Author Contact Details:

Name: Maria Moses

Telephone: 01277 312500

E-mail: licensing@brentwood.gov.uk

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Temporary Event Notice

Appendix A

Reference: TEN453665147

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

Cost of Application: £21.00

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

Personal Details of Premises User

Title: Mr.

First name(s): Andreas

Surname: Artemi

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?:

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address:

Daytime telephone number:

Evening telephone number:

Mobile telephone number:

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

Correspondence Address

Flat number (if any)

House number/name

Road name

Town

County
Post Code



The Premises

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

Premises Address

Flat number (if any)

House number/name 104

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4AP

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

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes

If yes, which: Premises Licence

Please enter the necessary information below

Premises Licence number: PRM_0570

Club Premises Certificate number:

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

Please describe the nature of the premises:

Bar

Please describe the nature of the event:

The operators perceive a significant change in market habits and are forced to explore changes to their offering. This TEN is one of a series to explore options (in this case an additional trading hour) and which may inform formal changes to their premises licence.

Licensable Activities

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

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

Are you giving a late temporary event notice?:No

Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (7 days).

9th October 2022

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

02.00 to 03.00 (premises closure 30 minutes later)

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

180

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

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes

Please provide the details of your personal licence below

Issuing licensing authority: Southend

Licenc number: 10904

Date of issue: 30/10/1985

Any further relevant details:

The operators are aware of a request via the Licensing Officer to discuss TENs in advance of submission however this has not proven possible

This TEN adds an hour to existing trading and all premises licence conditions will be adhered to during this time.

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:

Yes

Please state the number of temporary event notices you have given for events in that same calendar year?: 1

Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

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

Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Condition

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

Declaration

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

I UNDERSTAND THAT IT IS AN OFFENCE

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

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

I agree

Full name: Matthew Bell on behalf of Andreas Artemi

Date: 23/09/2022

National Fraud Initiative

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

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

Temporary Event Notice

Reference: TEN453671021

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

Cost of Application: £21.00

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

Personal Details of Premises User

Title: Mr.

First name(s): Andreas

Surname: Artemi

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?:

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address:

Daytime telephone number:

Evening telephone number:

Mobile telephone number:

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

Correspondence Address

Flat number (if any)

House number/name

Road name

Town

County
Post Code



The Premises

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

Premises Address

Flat number (if any)

House number/name 104

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4AP

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

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes

If yes, which: Premises Licence

Please enter the necessary information below

Premises Licence number: PRM_0570

Club Premises Certificate number:

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

Please describe the nature of the premises:

Bar

Please describe the nature of the event:

The operators perceive a significant change in market habits and are forced to explore changes to their offering. This TEN is one of a series to explore options (in this case an additional trading hour) and which may inform formal changes to their premises licence.

Licensable Activities

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

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

Are you giving a late temporary event notice?:No

Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (7 days).

16th October 2022

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

02.00 to 03.00

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

180

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

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes

Please provide the details of your personal licence below

Issuing licensing authority: Southend

Licenc number: 10904

Date of issue: 30/10/1985

Any further relevant details:

The operators are aware of a request via the Licensing Officer to discuss TENs in advance of submission however this has not proven possible

This TEN adds an hour to existing trading and all premises licence conditions will be adhered to during this time

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:

Yes

Please state the number of temporary event notices you have given for events in that same calendar year?: 2

Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

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

Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Condition

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

Declaration

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

I UNDERSTAND THAT IT IS AN OFFENCE

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

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

I agree

Full name: Matthew Bell on behalf of Andreas Artemi

Date: 23/09/2022

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

Temporary Event Notice

Reference: TEN453672906

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

Cost of Application: £21.00

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

Personal Details of Premises User

Title: Mr.

First name(s): ANdreas

Surname: Artemi

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?:

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address:

Daytime telephone number:

Evening telephone number:

Mobile telephone number:

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

Correspondence Address

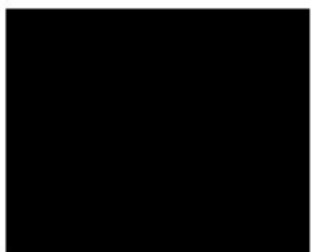
Flat number (if any)

House number/name

Road name

Town

County
Post Code



The Premises

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

Premises Address

Flat number (if any)

House number/name 104

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4AP

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

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes

If yes, which: Premises Licence

Please enter the necessary information below

Premises Licence number: PRM_0570

Club Premises Certificate number:

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

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Please describe the nature of the event:

The operators perceive a significant change in market habits and are forced to explore changes to their offering. This TEN is one of a series to explore options (in this case an additional trading hour) and which may inform formal changes to their premises licence.

Licensable Activities

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

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

Are you giving a late temporary event notice?:No

Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (7 days).

23rd October 2022

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

02.00 to 03.00 (premises closure 30 minutes later)

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

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

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Please provide the details of your personal licence below

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Licenc number: 10904

Date of issue: 30/10/1985

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The operators are aware of a request via the Licensing Officer to discuss TENs in advance of submission however this has not proven possible

This TEN adds an hour to existing trading and all premises licence conditions will be adhered to during this time

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:

Yes

Please state the number of temporary event notices you have given for events in that same calendar year?: 3

Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

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

Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

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or

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

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Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Condition

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

Declaration

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

I UNDERSTAND THAT IT IS AN OFFENCE

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

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

I agree

Full name: Matthew Bell on behalf of Andreas Artemi

Date: 23/09/2022

National Fraud Initiative

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

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

Temporary Event Notice

Reference: TEN453675158

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

Cost of Application: £21.00

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

Personal Details of Premises User

Title: Mr.

First name(s): Andreas

Surname: Artemi

Date of birth:

Place of birth:

National Insurance Number:

Do you have any previous or maiden names?:

Forenames:

Surname:

Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address

Daytime telephone number:

Evening telephone number:

Mobile telephone number:

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

Correspondence Address

Flat number (if any)

House number/name

Road name

Town

County
Post Code



The Premises

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

Premises Address

Flat number (if any)

House number/name 104

Road name High Street

Town Brentwood

County Essex

Post Code CM14 4AP

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

Premises Ordnance Survey map reference:

Address Description:

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?: Yes

If yes, which: Premises Licence

Please enter the necessary information below

Premises Licence number: PRM_0570

Club Premises Certificate number:

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

Please describe the nature of the premises:

Bar

Please describe the nature of the event:

The operators perceive a significant change in market habits and are forced to explore changes to their offering. This TEN is one of a series to explore options (in this case an additional trading hour) and which may inform formal changes to their premises licence.

Licensable Activities

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

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

Are you giving a late temporary event notice?:No

Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (7 days).

30th October 2022

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

02.00 to 03.00 (premises closure 30 minutes later

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

180

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

Personal Licence Holders

Do you currently hold a valid Personal Licence?: Yes

Please provide the details of your personal licence below

Issuing licensing authority: Southend

Licenc number: 10904

Date of issue: 30/10/1985

Any further relevant details:

The operators are aware of a request via the Licensing Officer to discuss TENS in advance of submission however this has not proven possible

This TEN adds an hour to existing trading and all premises licence conditions will be adhered to during this time

Note: It is possible that one of the TENS submitted for October 2022 were incorrectly flagged as a 'late'

Previous Temporary Event Notices

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:

Yes

Please state the number of temporary event notices you have given for events in that same calendar year?: 4

Have you already given a temporary event notice for the same premises in which the event period

a) Ends 24 hours or less before?: No

or

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

Associate and Business Colleagues

Has any associate of yours given a temporary event Nothing selected notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?: No

Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year:

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before?: No

or

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

Condition

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

Declaration

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

I UNDERSTAND THAT IT IS AN OFFENCE

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

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

I agree

Full name: Matthew Bell on behalf of Andreas Artemi

Date: 23/09/2022

National Fraud Initiative

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

Mr Andreas Artemi

Date: 23rd September 2022

Our Reference: 22/00153/LATEMP

Dear Mr Andreas Artemi,

Licensing Act 2003 - Temporary Event Notice: 104 High Street Brentwood Essex CM14 4AP

EVENT on the 9th October 2022

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

TIMES: 02:00 - 03:00

LOCATION: The Vine

COMMENTS: additional trading hour

CAPACITY: 180

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 23rd September 2022

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

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

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

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

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

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

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

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

Yours sincerely

Paula Hammond
Licensing Technical Officer



Bouncy castles and other play inflatables: Safety Advice

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

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

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

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

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

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

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

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

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

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



Mr Andreas Artemi

Date: 23rd September 2022

Our Reference: 22/00154/LATEMP

Dear Mr Andreas Artemi,

Licensing Act 2003 - Temporary Event Notice: 104 High Street Brentwood Essex CM14 4AP

EVENT on the 16th October 2022

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

TIMES: 02:00 - 03:00

LOCATION: The Vine

COMMENTS: additional trading hour

CAPACITY: 180

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 23rd September 2022

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

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

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

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

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Yours sincerely

Paula Hammond
Licensing Technical Officer



Bouncy castles and other play inflatables: Safety Advice

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

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



Mr Andreas Artemi

Date: 23rd September 2022

Our Reference: 22/00155/LATEMP

Dear Mr Andreas Artemi,

Licensing Act 2003 - Temporary Event Notice: 104 High Street Brentwood Essex CM14 4AP

EVENT on the 23rd October 2022

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

TIMES: 02:00 - 03:00

LOCATION: The Vine

COMMENTS: additional trading hour

CAPACITY: 180

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 23rd September 2022

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

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

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Yours sincerely

Paula Hammond
Licensing Technical Officer



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

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



Mr Andreas Artemi

Date: 23rd September 2022

Our Reference: 22/00156/LATEMP

Dear Mr Andreas Artemi,

Licensing Act 2003 - Temporary Event Notice: 104 High Street Brentwood Essex CM14 4AP

EVENT on the 30th October 2022

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

TIMES: 02:00 - 03:00

LOCATION: The Vine

COMMENTS: additional trading hour

CAPACITY: 180

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 23rd September 2022

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

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

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Paula Hammond
Licensing Technical Officer



Bouncy castles and other play inflatables: Safety Advice

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

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



High Street, Brentwood



Drawing No. :

Scale at A4 : 1:500

Drawn by : OSJ

Service : ICT

Date :

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

Premises Licence

Premises Licence Number

PRM_0570

Application Number

22/00028/LAVDPS

Date of Issue

22 February 2022

Part 1 – Premises Details

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

**The Vine
104 High Street
Brentwood
Essex
CM14 4AP**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Performance of Dance
Exhibition of a film
Performance of Live music
Playing of Recorded music
Other Entertainment falling within Act
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Performance of Dance

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

**Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays
and 03.00 on 23rd to 26th (inclusive) and 31st December**

Exhibition of a film

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December.

Performance of Live music

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Playing of Recorded music

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Other Entertainment falling within Act

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Provision of Late Night Refreshments

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Sale by Retail of Alcohol

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

The opening hours of the premises

Monday	10:00 - 00:30
Tuesday	10:00 - 00:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 01:30
Friday	10:00 - 02:30
Saturday	10:00 - 02:30
Sunday	10:00 - 01:30

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

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

Alcohol is supplied for consumption both on and off the Premise

Part 2

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

Andreas Artemi

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

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

Miss Marianna Sophia Artemi

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: 13/01155/LAPERS
Licensing Authority: Southend On Sea 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,**
- (ii) still wine in a glass: 125 ml;**

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

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

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

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

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

a) Unauthorised access or occupation (eg through door supervision), or

b) Outbreaks of disorder, or

c) Damage

Annex 2 – Conditions consistent with the Operating Schedule

- 1 The maximum capacity of the premises shall not exceed 180 people (patrons and staff combined).**
- 2 The licensee shall risk assess the use of polycarbonate drinking vessels for each style of trading session. Where a risk is highlighted polycarbonate glasses shall be used in place of 'regular' stock and all non-polycarbonate will be removed from the bar area during that session. Any risk assessment made will include the provision for taking police advice on local event crowd profiling.**
- 3 No glasses or other drinking vessels shall be allowed to leave the licensed area. In the case of genuine off sales the bottle will be wrapped and bagged.**
- 4 A suitable drugs safe/cabinet shall be fitted in the office and any seized items shall be deposited in it. Only the police shall have the access keys. Any seized items shall be placed in a clear bag with a label stating the circumstances of why it is in the safe.**
- 5 During the period in which the premises is open for licensable activities, toilets shall be checked on at least an hourly basis for the purpose:
a) of detecting and deterring the use of controlled drugs and psychoactive substances; and
b) maintaining public safety.**

A record of these checks shall be maintained with the date, time, and condition of the toilets and staff member conducting the check.

These records shall be made contemporaneously, retained at the premises for at least 3 months and made available immediately upon demand to police or licensing authority staff.

- 6 There shall be a personal licence holder on duty on the premises at all times when alcohol is offered for sale.**
- 7 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.

- 8 All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including underage sales), how to recognise drunkenness & the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.**

- 9 Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request**
- 10 On those days listed below, where the premises conducts or intends to conduct licensable activity past 23.00 hours, the following numbers of SIA licensed door supervisors must be on duty from 20:00 hours until at least 30 minutes after the premises closes:**
- a) 2 on a Thursday (not being a Christmas Eve or New Year's Eve);**
 - b) 4 on a Friday (not being Christmas Eve or New Year's Eve);**
 - c) 5 on a Saturday, Christmas Eve and New Year's Eve;**

- 11 Save for exceptional circumstances (which will be recorded in the door supervisors' record) door supervisors employed at the premises shall have:**
- a. Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers);**
 - b. To have received such training in the last 12 months; and**
 - c. Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working days.**

Within one month of the grant of this licence 50% of door supervisors on duty at any one time shall have received the training shown at a) above rising to 100% within two months thereafter.

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

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

- 13 Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log. This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police, SIA or licensing authority staff upon reasonable request.**

- 14 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.**

- 15 At all times when SIA door supervisors are required to be on duty by virtue of a condition of this licence, SIA licensed door supervisors shall supervise any queue to enter the premises that forms outside the premises and the smoking area**
- 16 There shall be no admittance or re-admittance to the premises after 00:30hrs except for patrons using the designated smoking area.**
- 17 Door supervisors will be visible outside the premises for 30 minutes after closing time until all the groups of customers have left the vicinity. The door supervisors will encourage the customers to either move onto other premises or towards the taxi rank.**
- 18 At all times when a door supervisors are required to be on duty by virtue of a condition of this licence, SIA licensed door supervisors will be present to control entry for the purpose of compliance with the capacity limit and to deny entry to individuals who appear drunk or disorderly or both.**
- 19 The outside area shall be cleared of customers no later than 23:00 hours. Between the hours of 23:00 and close the outside area shall be used only as a smoking area which will be supervised by door staff.**
- 20 When employed externally door staff shall wear Hi-Viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff by way of a uniform agreed by the Premises Licence Holder.**
- 21 The premises shall not directly employ door supervisors, rather any door supervisors deployed at the premises must be employed via a third party contractor who is a member of the SIA Approved Contractor Scheme (and approved for door supervision) and where the door supervisors are not self-employed operatives.**
- 22 All door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.
These devices will be capable of continuous recording for at least 6 hours and will be used in a continuous recording mode whilst a door supervisor is performing licensable activities.**
- 23 The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;**
 - ii. CCTV cameras shall cover all public entrances and exits, publicly accessible stairways, the alleyway adjacent to the premises and all areas where the sale of alcohol takes place;**
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;****

- iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
- v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
- vi. 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.
- vii. Signs no smaller than A5 shall be displayed at all entrances/exits informing patrons of the operation of CCTV

- 24 A qualified first-aider shall be on the premises after 22:00 hours each day when the premises is open for the sale of alcohol. The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher.

Compliance with this requirement may be deferred until 30 days after the issue of this licence at the latest to enable sufficient staff training.

- 25 Inside the premises, there shall be a minimum of 7 tables and 30 seats available for patrons at all times.

- 26 A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
- o Proof of age card bearing the PASS Hologram;
 - o Photocard driving licence;
 - o Passport; or
 - o Ministry of Defence Identity Card.

- 27 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.

- 28 A Clubscan/IDSCAN or similar networked electronic validation system shall be operated at the premises. At those times and days when door supervisors are required to be at the premises as a condition of the licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.

- 29 A refusals record shall be maintained which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as practicable and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. The refusals record shall retained for at least 12 months from the date of the last entry.

30 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) the use of significant force by a door supervisor**
- (g) 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.

31 The premises shall have in place, and operate a formal drugs policy which shall specifically include but not be limited to:

- I. Searching practices upon entry;**
- II. Dealing with patrons suspected of using drugs on the premises;**
- III. Scrutiny of spaces including toilets or outside areas;**
- IV. Staff roles including the DPS, managers/supervisors and door supervisors;**
- V. Staff training regarding identification of suspicious activity and what action to take;**
- VI. The handling of items suspected to be illegal drugs or psychoactive substances**
- VII. Steps taken to discourage and disrupt drug use on the premises**
- VIII. Steps to be taken to inform patrons of the premises drug policy/practices**

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

32 A suitable noise limiter of a type and specification to the approval of the Licensing Authority shall be installed & operate throughout the performance of live or recorded music at the premises. The electricity supply to all amplification equipment shall at all times be controlled by the noise limiter, which shall be set at a level to be agreed with the Pollution Team.

33 Except when being used for entry or egress by a patron, all external windows & doors shall be kept shut each day between 21:00 & 10:00 the following day.

34 Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

35 Commercial rubbish bins shall not be used or emptied between 21:00 hours and 07:00 the following day.

36 No music shall be provided to external areas at any time.

- 37 The smoking area is to be defined by the use of barriers at all times to prevent pavement blockage. The smoking area will have a limit of 20 people at all times and be actively supervised by door staff. Signage will be displayed asking patrons to respect residents regarding noise levels.**
- 38 The premises shall have a written dispersal and door control policy that outlines the procedure for management, door supervisors and staff. The policy shall contain procedures on:**
- a) Supervising queues to avoid any unacceptable behaviour;**
 - b) Door supervisors ensuring no loitering outside the premises;**
 - c) Procedures on refusing entry or banning those who repeatedly cause a nuisance by noise or rowdy behaviour;**
 - d) How door staff will prevent overcrowding both inside and outside the premises;**
 - e) Searching procedures;**
 - f) Preventing patrons leaving with alcohol;**
 - g) Providing written statements to Police of any criminal investigation as and when required;**
- The dispersal policy shall be submitted to the Police and the Licensing Authority which shall be reviewed annually.**

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

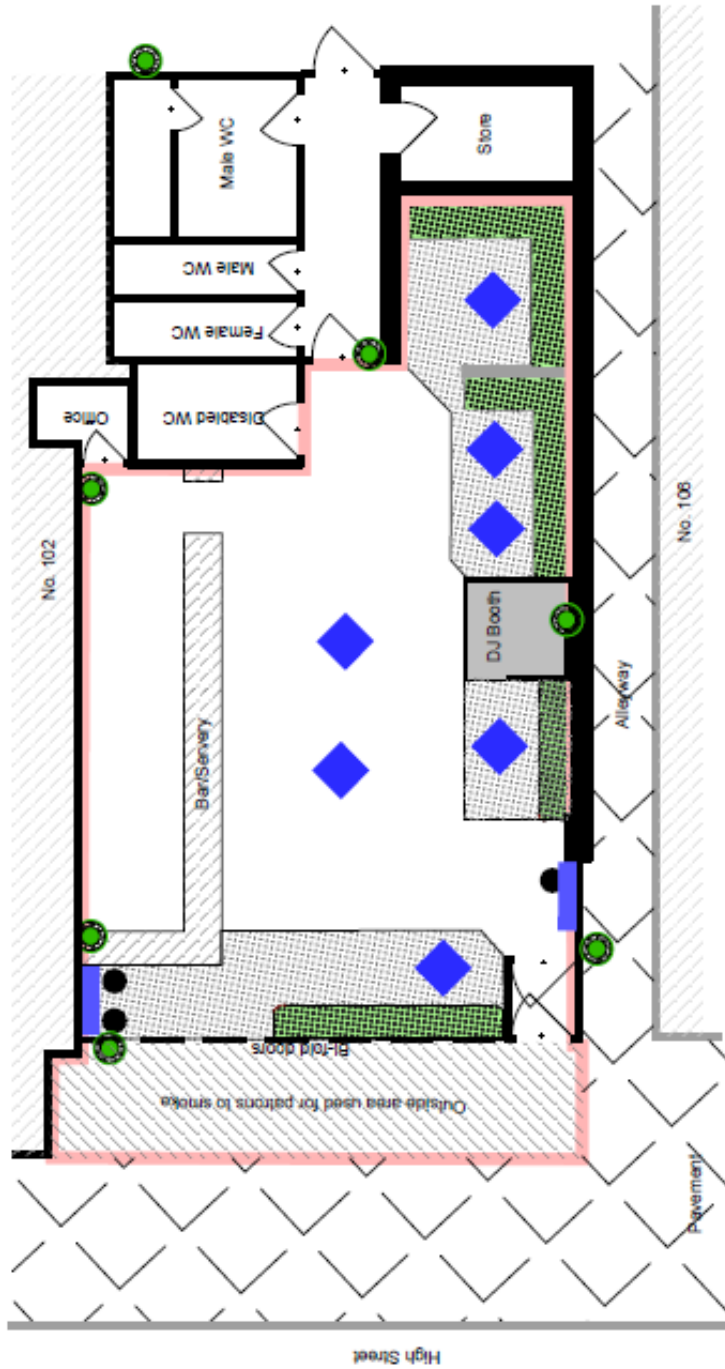
Annex 4 – Plans

This licence is issued subject to the following attached plan drawing no.001/A/2021 marked **The Vine 104, High Street, Brentwood, Essex CM14 4AP**



Scale 1:100 @A4
Drawing No: 001/A/2021

The Vine,
104, High Street, Brentwood, Essex. CM14 4AP



	= Licensed Area		= Bench seating (29 seats @450mm)		= Stool type seats (location not fixed)
	= Raised area		= Tables (location not fixed)		= CCTV camera

Premises Licence Summary

Premises Licence Number	PRM_0570
Application Number	22/00028/LAVDPS
Date of Issue	22 February 2022

Part 1 – Premises Details

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

**The Vine
104 High Street
Brentwood
Essex CM14 4AP**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Performance of Dance
Exhibition of a film
Performance of Live music
Playing of Recorded music
Other Entertainment falling within Act
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Performance of Dance

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Exhibition of a film

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December.

Performance of Live music

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Playing of Recorded music

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Other Entertainment falling within Act

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Provision of Late Night Refreshments

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

Sale by Retail of Alcohol

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

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

The opening hours of the premises

Monday	10:00 - 00:30
Tuesday	10:00 - 00:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 01:30
Friday	10:00 - 02:30
Saturday	10:00 - 02:30
Sunday	10:00 - 01:30

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

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

Andreas Artemi

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

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

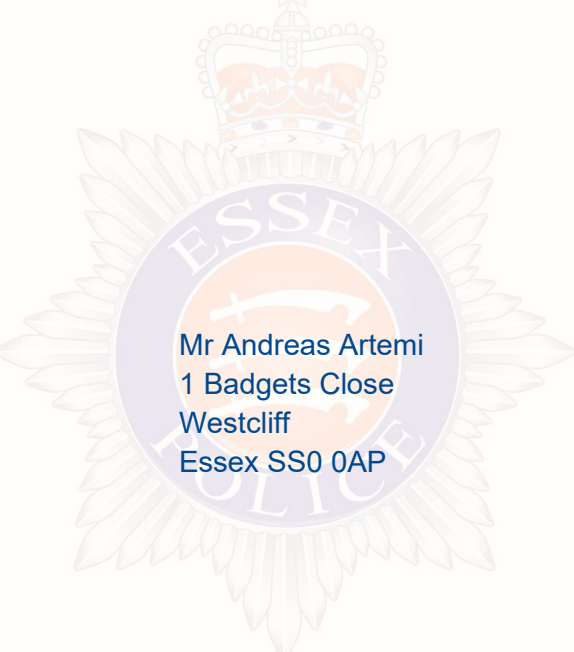
Miss Marianna Sophia Artemi

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: 13/01155/LAPERS
Licensing Authority: Southend On Sea Borough Council

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

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Mr Andreas Artemi
1 Badgets Close
Westcliff
Essex SS0 0AP

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

01245 452035

23 September 2022

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

Name of Premises User:	Andreas Artemi
Address of Premises:	Vine, 104 High Street, Brentwood
Date(s) required for TEN(s)	09 October 2022 16 October 2022 23 October 2022 30 October 2022

On 23 September 2022 Essex Police received the above Notice(s).

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

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

The reasons for being so satisfied are that there are a number of conditions which have been agreed to assist with preventing crime and disorder at the premises. In addition, by allowing the premises to remain open longer selling alcohol to the public will cause a delay in the safe dispersal for the High Street which is of growing concern. By allowing the extension to take place under a TEN would essentially

allow the premises to operate outside of the conditions on the premises licence for the period of the Temporary Event Notice.

This objection is made with a view to, as a minimum, getting the conditions listed on the premises licence applied to the TEN for the event. This would satisfy Essex Police that all of the measures that have been put in will remain in effect for any extension of the licence.

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

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

Yours sincerely

Simon Barnes

Licensing.applications@essex.police.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.