



# Agenda

## Licensing Sub-Committee

Monday, 28 November 2022 at 2.00 pm  
Council Chamber - Town Hall

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### Membership (Quorum – 3 )

Cllrs Fryd, Gelderbloem and Mrs Murphy

### Substitute Members

Cllrs

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### Agenda

Item	Item	Wards(s) Affected	Page No
	<b>Live broadcast 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 Objection to Temporary Event Notices - Bloc 40, First Floor, 40 High Street, Brentwood, CM14 4AJ</b>		5 - 50

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 crossing through the middle of the letters.

Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
18.11.2022

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### Information for Members

#### Substitutes

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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.

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#### Rights to Attend and Speak

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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.

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#### Point of Order/ Personal explanation/ Point of Information

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##### 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.

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### Information for Members of the Public

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#### 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).

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#### 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

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

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 **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.

<b>28 November 2022</b>	<b>ITEM:</b>
<b>Licensing Sub-Committee</b>	
<b>DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES.</b>	
<b>Report of:</b> Dave Leonard, Licensing Manager	
<b>Wards and communities affected:</b> Brentwood South, Brentwood North	<b>Key Decision:</b> Non-key
<b>This report is public</b>	
<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>	
<b>Date of notice given of exempt or confidential report:</b> not applicable	
<b>Purpose of Report:</b> To determine an objection from Environmental Health and Essex Police (Licensing) for a Temporary Event Notice.	

## **EXECUTIVE SUMMARY**

The Licensing Office has received objections from both consulting responsible authorities - the Essex Police Licensing Officer, Mr Simon Barnes, and the Environmental Health Manager, Mr David Carter - with regards to a Temporary Event Notice (TEN) submitted in relation to Christmas party events to be held at Bloc 40, First Floor 40 High Street Brentwood CM14 4AJ on Saturday 3 December 2022 and Sunday 4 September 2022. The objections relate to the prevention of crime and disorder and the prevention of public nuisance licensing objectives.

## 1. RECOMMENDATIONS:

### 1.1 That the Sub-Committee

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

## 2. INTRODUCTION AND BACKGROUND:

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

2.2 The licensing objectives are:

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

2.3 The Licensing department received a Temporary Event Notice on 16 November 2022 from Dadds LLP on behalf of Leonora Dunne for christmas party events to be held on 3 & 4 December 2022. A copy of the TEN is attached at **Appendix A**

2.4 The TEN relates to christmas party events to be held at Bloc 40, First Floor, 40 High Street, Brentwood CM14 4AJ on Saturday 3 & Sunday 4 December 2022 from 0001hrs to 0200hrs for the purposes of the sale by retail of alcohol and the provision of regulated entertainment and late-night refreshment with a close of premises by 0230hrs. Ms Dunne is the current designated premises supervisor at Bloc 40.

2.5 A letter of acknowledgement of the TEN was sent on 16 November 2022 and a copy is attached at **Appendix B**.

2.6 On Monday 21 November 2022 the Licensing Department received an objection notice from Mr Simon Barnes, a Licensing Officer with Essex Police, outlining his objection that the Police are satisfied that allowing the premises to be used in accordance with the notice would undermine the prevention of crime and disorder licensing objective.

The reasons for being so satisfied are that, following a licensing review hearing last year, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence. The Police objection is made with a view to getting the conditions listed on the premises licence applied to the TEN for the events. This would satisfy Essex Police that all of the measures

that have been put in place following the hearing will remain in effect for the entire event. Mr Barnes' objection notice is attached at **Appendix C**.

- 2.7 On Monday 21 November 2022 the Licensing Department received an objection notice from David Carter, Environmental Health Manager, with regard to the licensing objective of prevention of public nuisance. Mr Carter contends that the applicant has stated that the premises licence holder agrees to comply with the conditions of the premises licence for the duration of the TEN, however, despite several attempts to make arrangements with the premises, condition 18 of Annex 2 and conditions 4 and 16 of Annex 3 relating to prevention of public nuisance still remain to be agreed with Environmental Health and, therefore, currently the operation of the premises does not comply with the requirements of these conditions of the premises licence.

Therefore, Mr Carter states that he does not wish to agree to the TEN with the undertaking to comply with the conditions of the premises licence where these conditions are not being complied with at present. Mr Carter's objection notice is attached at **Appendix D**.

- 2.8 To assist the Sub-Committee, a copy of the current Bloc 40 premises licence, issued on 8 September 2021, and with the Annex conditions referred to in Mr Carter's objection highlighted, is attached at **Appendix E**.

### **3. ISSUES, OPTIONS AND ANALYSIS OF OPTIONS:**

- 3.1 The committee, after considering the objection applications, will need to consider what action, if any, to take in order to ensure that the licensing objectives are complied with.
- 3.2 The power to impose conditions on a TEN is conferred by s106 Licensing Act 2003. This is not a general power to impose conditions and can be exercised only where temporary events are held on premises, or parts of premises, for which a premises licence or Club Premises Certificate is in force and an objection notice is given.
- 3.3 The following options are available to the Licensing Sub-Committee:
- Allow the Temporary Event Notice being determined as applied for;
  - To impose conditions on the TEN being determined as conferred by s106 Licensing Act 2003.
  - To reject the Temporary Event Notice being determined as applied for and issue a Counter Notice, which will prevent the event from going ahead.
- 3.4 The decision made by the Committee will take immediate effect. There is a right of appeal for both the person who has given the TEN and for the relevant person that had submitted the objection notice. However, no appeal may be brought later than 5 working days before the day on which the event period specified in the TEN.

- 3.6 In determining this application for an objection of the Temporary Event Notice by Environmental Health, the Sub-Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003.
- 3.7 The Sub-Committee are advised that the hearing is of a quasi-judicial nature and representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability.
- 3.8 The Sub-Committee are advised that the final decision should be based on the individual merits of the application & findings of fact made at the hearing.

#### **4. REASONS FOR RECOMMENDATION:**

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

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

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

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

- 6.1 The Council has a duty under Section 17 of the Crime & Disorder Act 1998 to do all that it reasonably can to prevent:
- (a) crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment), and;
  - (b) the misuse of drugs, alcohol and other substances in its areas.

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

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



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

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

**APPENDICES TO THIS REPORT:**

**Appendix A** - Temporary Event Notice Application

**Appendix B** - Letter of Acknowledgement

**Appendix C** - Notice of Objection from Simon Barnes (Essex Police Licensing)

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

**Appendix E** - Bloc 40 premises licence issued 8 September 2021

**Report Author Contact Details:**

**Name:** Dave Leonard

**Telephone:** 01277 312523

**E-mail:** paul.adams@brentwood.gov.uk

***DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE***

***BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 4AJ***

***Saturday 3 & Sunday 4 December 2022***

***APPENDICES***

***Appendix A - Temporary Event Notice Application***

***Appendix B - Letter of Acknowledgement***

***Appendix C - Notice of Objection from Simon Barnes (Essex Police Licensing)***

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

***Appendix E - Bloc 40 premises licence issued 8 September 2021***

***DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE***

***BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 5AL***

***Saturday 3 & Sunday 4 December 2022***

***APPENDIX A***

*Temporary Event Notification*

*3<sup>rd</sup> & 4<sup>th</sup> December 2022*

*Received 16 November 2022*

# Temporary Event Notice

Reference: TEN-465884097

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

Cost of Application: £21.00

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

## Personal Details of Premises User

Title: Ms.

First name(s): Leonora

Surname: DUNNE

Date of birth: [REDACTED]

Place of birth: [REDACTED]

National Insurance Number: [REDACTED]

Do you have any previous or maiden names?: No

Forenames:

Surname:

## Current Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Email address: [REDACTED]

Daytime telephone number: [REDACTED]

Evening telephone number:

Mobile telephone number:

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

## Correspondence Address

Flat number (if any)

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

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

Premises Ordnance Survey map reference:

Address Description:

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

If yes, which: Premises Licence

Please enter the necessary information below

Premises Licence number: PRM\_0545

Club Premises Certificate number:

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

Whole Premises

Please describe the nature of the premises:

Licensed bar & Restaurant

Please describe the nature of the event:

Christmas Party Events

The premises licence holder agrees to comply with the conditions of the premises licence for the duration of the TEN

Annex 2 –Conditions consistent with the Operating Schedule

1 The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises which is of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less the 31 days with correct time and date stamping. Recording shall be made available

immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.

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

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

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

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

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

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

8 Reasonable and adequate staff training to be carried out and properly documented in relation to:

(i) Dealing with incidents and prevention of crime and disorder.

(ii) Sale of alcohol (to underage, persons over 18 purchasing for underage, drunks, etc.) prior to being allowed to sell alcohol.

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

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

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

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

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

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

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

o Passport,

o Photo card Driving Licence,

o Photographic ID bearing the 'PASS' hologram.

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

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

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

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

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

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

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

### Annex 3

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

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

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

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

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

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

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

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

9 At all times where, as a condition of the licence, door supervisors are employed at the premises, at least two door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.

a. Any use of force situations.

b. When it may be reasonably supposed a use of force situation is imminent.

c. When conducting a non-intimate consensual search as a condition of entry.

d. When dealing with an individual who is making threats of violence toward any other person or

e. Initial scene capture where a criminal offence appears to have taken place.

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

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

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

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

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder

(e) all seizures of drugs or offensive weapons

(f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a

condition of the licence

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

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

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

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



## 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).

03-04 December 2022

(Friday 2nd going into 3rd and Saturday 3rd going into 4th December)

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

from 00:01 - 02:00 hrs on 03/12/2022 and

from 00:01 - 02:00 hrs on 04/12/2022 for licensable activities with an additional 30minutes for the safe dispersal of customers and the closure of the premises.

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

300

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

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## Personal Licence Holders

Do you currently hold a valid Personal Licence?:

Please provide the details of your personal licence below

Issuing licensing authority

Licenc number

Date of issue

Any further relevant details:

## Previous Temporary Event Notices

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

Yes

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

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

a) Ends 24 hours or less before?: No

or

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

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## Associate and Business Colleagues

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

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

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

a) Ends 24 hours or less before?: No

or

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

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

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

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

a) Ends 24 hours or less before?: No

or

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

## Condition

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

## Declaration

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

I UNDERSTAND THAT IT IS AN OFFENCE

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

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

I agree

Full name: David Dadds

Date: 16/11/2022

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### 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](http://www.brentwood.gov.uk/nfi)

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

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*DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE*

**BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 5AL**

**Saturday 3 & Sunday 4 December 2022**

**APPENDIX B**

*Letter of Acknowledgement*

*16 November 2022*



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

Date: 16th November 2022  
Our Reference: 22/00220/LATEMP

Dear Ms Leonora DUNNE,

**Licensing Act 2003 - Temporary Event Notice: First Floor 40 High Street  
Brentwood Essex CM14 4AJ  
EVENT on the 3rd December 2022  
EVENT to the 4th December 2022  
ACTIVITIES: Provision of Late Night Refreshments  
Sale by Retail of Alcohol  
Regulated Entertainment**

**TIMES: 00:01 - 02:00**

**LOCATION: Licensed bar & Restaurant**

**COMMENTS: Christmas Party Events**

**CAPACITY: 300**

I am writing to acknowledge the receipt of the Temporary Event Notice for the above premise received in this department on 16th November 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

Miss Dominika Jaskolska  
Licensing Technical Officer



## Bouncy castles and other play inflatables: Safety Advice

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

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

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

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

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

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

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

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

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

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





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***DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE***

***BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 5AL***

***Saturday 3 & Sunday 4 December 2022***

***APPENDIX C***

*Notice of Objection from Mr Simon Barnes*

*Essex Police Licensing Officer*

*21 November 2022*



Mr Dadds  
Crescent House  
51 High Street  
Billericay  
CM12 9AX

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

01245 452035

21 November 2022

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

Name of Premises User: Leonora Dunne (Bloc 40)

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

Date(s) required for TEN(s) 03 December 2022  
04 December 2022

On 16 November 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 following a licensing hearing, a number of conditions were agreed to assist with preventing crime and disorder at the premises. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions on the premises licence.

I note that the application is to enable the addition of the licensable activity 'Late Night Refreshment' for the terminal two hours of the licence for these evenings, which in itself would not increase the risk of crime and disorder, but the TEN would

allow the conditions agreed to be put aside for these two hours which would increase the risks for crime and disorder.

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

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

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

Yours sincerely

Simon Barnes

Licensing.applications@essex.police.uk

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***DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE***

***BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 5AL***

***Saturday 3 & Sunday 4 December 2022***

***APPENDIX D***

*Notice of Objection from Mr David Carter*

*Environmental Health Manager*

*21 November 2022*



Ms Leonora Dunne  
Dadds LLP  
51 High Street  
Billericay  
Essex  
CM12 9AX

Date: 21st November 2022  
Our Reference: 22/002369/LITEN  
Telephone: 01277 312509  
Email: david.carter@brentwood.gov.uk

Dear Ms Leonora Dunne

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

Name of Premises User: **Ms Leonora Dunne**  
Address of Premises: **First Floor 40 High Street Brentwood Essex CM14 4AJ**  
Date(s) required for TEN(s): **3.12.2022-4.12.2022**

On **16<sup>th</sup> November 2022** Environmental Health received the above Notice

Environmental Health are satisfied that the allowing of the premises to be used in accordance with the notice(s) would undermine one or more of the licensing objectives. The licensing objective(s) of relevance to this objection notice is the Prevention of Public Nuisance.

The reasons for being so satisfied are that: the applicant has stated that the premises licence holder agrees to comply with the conditions of the premises licence for the duration of the TEN, however despite several attempts to make arrangements with the premises condition 18 of Annex 2 and conditions 4 and 16 of Annex 3 (below) relating to prevention of public nuisance still remain to be agreed with Environmental Health and therefore currently the operation of the premises does not comply with the requirements of these conditions of the premises licence.

These conditions state:

Annex 2

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



Annex 3

- 4 Noise at the premises limited after 11pm to a decibel level to be agreed with Environmental Health Department of the Council. A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.
  
- 16 A written noise management policy which is acceptable to Brentwood Borough Council Environmental Health Team shall be put in place and adhered to. The Policy shall include noise dampening measures such as noise attenuation screens around the outside roof terrace to be installed at the premises.

I would therefore not wish to agree to the TEN with the undertaking to comply with the conditions of the premises licence where these conditions are not being complied with at present.

Yours faithfully,

Mr David Carter  
Environmental Health Manager  
Environmental Health  
CC: [licensing@brentwood.gov.uk](mailto:licensing@brentwood.gov.uk)  
[licensing.applications@essex.police.uk](mailto:licensing.applications@essex.police.uk)

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*DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE*

**BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 5AL**

**Saturday 3 & Sunday 4 December 2022**

**APPENDIX E**

*Bloc 40*

*Premises Licence*

*Issued 8 September 2021*

## Premises Licence

**Premises Licence Number**

**PRM\_0545**

**Application Number**

**21/00089/LAVDPS**

**Date of Issue**

**08 September 2021**

### Part 1 – Premises Details

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

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

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

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

Times the licence authorises the carrying out of licensable activities

### Indoor Sporting Event

<b>Monday</b>	<b>11:00 - 02:00</b>
<b>Tuesday</b>	<b>11:00 - 02:00</b>
<b>Wednesday</b>	<b>11:00 - 02:00</b>
<b>Thursday</b>	<b>11:00 - 02:00</b>
<b>Friday</b>	<b>11:00 - 02:00</b>
<b>Saturday</b>	<b>11:00 - 02:00</b>
<b>Sunday</b>	<b>11:00 - 02:00</b>

### Playing of Recorded music

<b>Monday</b>	<b>11:00 - 02:00</b>
<b>Tuesday</b>	<b>11:00 - 02:00</b>
<b>Wednesday</b>	<b>11:00 - 02:00</b>
<b>Thursday</b>	<b>11:00 - 02:00</b>
<b>Friday</b>	<b>11:00 - 02:00</b>
<b>Saturday</b>	<b>11:00 - 02:00</b>
<b>Sunday</b>	<b>11:00 - 02:00</b>

**Sale by Retail of Alcohol**

<b>Monday</b>	<b>11:00 - 02:00</b>
<b>Tuesday</b>	<b>11:00 - 02:00</b>
<b>Wednesday</b>	<b>11:00 - 02:00</b>
<b>Thursday</b>	<b>11:00 - 02:00</b>
<b>Friday</b>	<b>11:00 - 02:00</b>
<b>Saturday</b>	<b>11:00 - 02:00</b>
<b>Sunday</b>	<b>11:00 - 02:00</b>

The opening hours of the premises

<b>Monday</b>	<b>11:00 - 02:30</b>
<b>Tuesday</b>	<b>11:00 - 02:30</b>
<b>Wednesday</b>	<b>11:00 - 02:30</b>
<b>Thursday</b>	<b>11:00 - 02:30</b>
<b>Friday</b>	<b>11:00 - 02:30</b>
<b>Saturday</b>	<b>11:00 - 02:30</b>
<b>Sunday</b>	<b>11:00 - 02:30</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**

## Part 2

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

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

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

**Company Number**                      **09287224**

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

**Leonora Maria Dunne**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal Licence Number:**  
**Licensing Authority: Swale Borough Council**

## **Annex 1 – Mandatory conditions**

- 1 No supply of alcohol may be made under this licence**
  - a) At a time when there is no designated supervisor in respect of it or,**
  - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended**
  
- 2 Every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.**
  
- 3 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**  
  
**(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.**  
  
**(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—**
  - (a) a holographic mark, or .**
  - (b) an ultraviolet feature.**
  
- 4 (A). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.**  
  
**(B).For the purposes of the condition set out in paragraph 1 -**
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;**
  - (b) "permitted price" is the price found by applying the formula where-**  
  
$$P = D + (D \times V)$$
    - (i) P is the permitted price,**
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and**
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;**
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-**
    - (i) the holder of the premises licence,**
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or**
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;**

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

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

**5 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**

**(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—**

**(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— .**

**(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .**

**(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .**

**(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .**

**(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .**

**(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .**

**(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).**

**6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available**



**7 The responsible person must ensure that—**

**(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—**

**(i) beer or cider: ½ pint;**

**(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and,**

**(ii) still wine in a glass: 125 ml;**

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

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

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

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

**b) Outbreaks of disorder, or**

**c) Damage**

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

- 1 The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises which is of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less the 31 days with correct time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.**
- 2 A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.**
- 3 A plan of the premises identifying the location and direction of CCTV coverage shall be served on Essex Police and the Licensing Authority each time it is altered.**
- 4 When licensable activities are permitted beyond 00:00, a minimum of 2 SIA registered Door Supervisors shall be deployed from 21:00 and remain on duty until closing time and all customers have left the premises.**
- 5 A bound Door Supervisors register shall be kept. Door Supervisors shall sign to record their start and finish times along with their full name and SIA badge number.**
- 6 When SIA registered Door Supervisors are on duty random searching of people and their possessions will be carried out.**
- 7 Security measures shall be installed to the stairs in the outside licensed area so use of the emergency escape is only in an emergency and to prevent access to the residential area being used by customers.**
- 8 Reasonable and adequate staff training to be carried out and properly documented in relation to:  
(i) Dealing with incidents and prevention of crime and disorder.  
(ii) Sale of alcohol (to underage, persons over 18 purchasing for underage, drunks, etc.) prior to being allowed to sell alcohol.**
- 9 All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.**
- 10 The Premises Licence Holder shall have a Dispersal Policy. A copy of which will be made available to Essex Police and Responsible Authority upon request.**

- 11 No persons shall be allowed to leave the Premises whilst in possession of any drinking glass vessel or open glass bottle whether empty or containing any beverage.**
- 12 Notices shall be prominently displayed at all exits requesting patrons to leave quietly.**
- 13 Clear & legible notices shall be prominently displayed in, and at the entrance to any outside licensed area requesting customers to use the area quietly.**
- 14 Customers shall not enter or leave the premises by the stairs into the outside licensed area at any time, except in the event of an emergency.**
- 15 The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce will result in service being refused. Acceptable forms of photographic identification include:**
  - o Passport,**
  - o Photo card Driving Licence,**
  - o Photographic ID bearing the 'PASS' hologram.**
- 16 No licensable activities shall take place in external areas at any time.**
- 17 No speakers shall be installed or used in the external areas.**
- 18 A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.**
- 19 All windows and doors to be kept closed during regulated entertainment, with the exception for access and egress.**
- 20 The External area shall be monitored by a member of staff with the purpose of controlling noise from customers and ensuring public safety.**
- 21 The outside terrace area to be covered by CCTV to the satisfaction of Essex Police.**
- 22 The premises is only to serve drinks in polycarbonate, plastic or other safety glass only.**

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

- 1 The terrace to be monitored by a staff member at intervals of no more than 30 minutes.**
- 2 The maximum capacity for the terrace to be a maximum of 30 people at any given time.**
- 3 No alcohol to be Consumed on the terrace after 11pm.**
- 4 Noise at the premises limited after 11pm to a decibel level to be agreed with Environmental Health Department of the Council. A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.**
- 5 Sufficient lighting to be maintained on the terrace during licensable hours and for the lighting to be monitored and agreed with the Environmental Health Department of the Council.**
- 6 At all times where, as a condition of the licence, door supervisors are employed at the premises, a Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises must provide verifiable ID and have their details recorded on the system.**
- 7 At all times where, as a condition of the licence, door supervisors are employed at the premises, all customers entering the premises will be subject to a scan with a metal detector wand.**
- 8 After midnight, no persons shall be admitted or re-admitted to the premises unless from a designated smoking area. Notices to that effect (of a minimum size of 200mm x 148mm) will be displayed at the premises' exits/entrances.**
- 9 At all times where, as a condition of the licence, door supervisors are employed at the premises, at least two door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.**
  - a. Any use of force situations.**
  - b. When it may be reasonably supposed a use of force situation is imminent.**
  - c. When conducting a non-intimate consensual search as a condition of entry.**
  - d. When dealing with an individual who is making threats of violence toward any other person or**
  - e. Initial scene capture where a criminal offence appears to have taken place.**
- 10 On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded.**

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

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

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

**The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:**

- (a) all crimes reported to the venue**
- (b) all ejections of patrons**
- (c) any complaints received concerning crime and disorder**
- (d) any incidents of disorder**
- (e) all seizures of drugs or offensive weapons**
- (f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence**

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

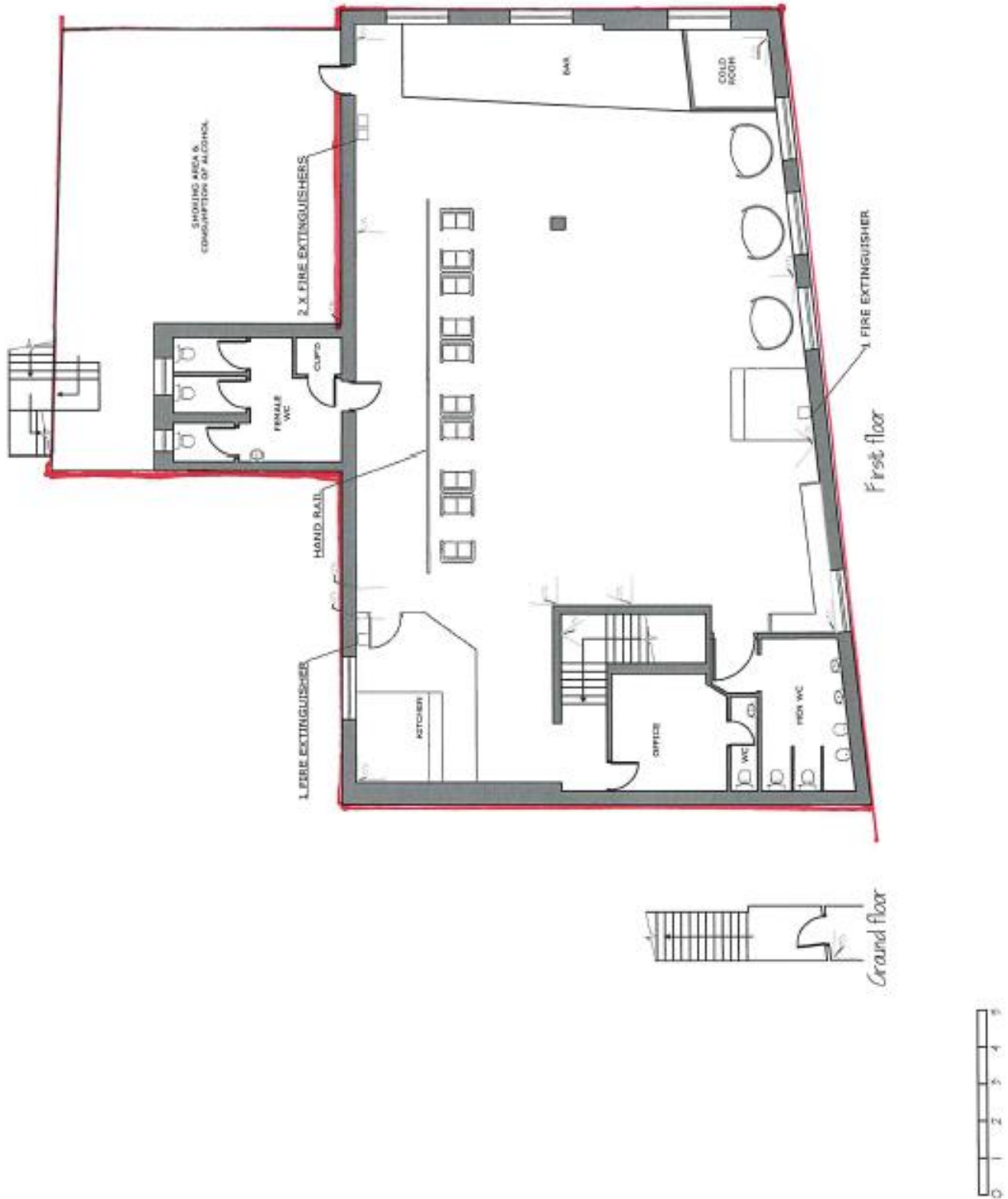
**14 The outside licensed area shall have a screen installed along the wall to be a minimum height of 2 meters or the height specified by building control, whichever is greater, to prevent objects falling off and/or being thrown.**

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

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

# Annex 4 – Plans

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





## Premises Licence Summary

<b>Premises Licence Number</b>	<b>PRM_0545</b>
<b>Application Number</b>	<b>21/00089/LAVDPS</b>
<b>Date of Issue</b>	<b>08 September 2021</b>

### Part 1 – Premises Details

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

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

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

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

Times the licence authorises the carrying out of licensable activities

### **Indoor Sporting Event**

<b>Monday</b>	<b>11:00 - 02:00</b>
<b>Tuesday</b>	<b>11:00 - 02:00</b>
<b>Wednesday</b>	<b>11:00 - 02:00</b>
<b>Thursday</b>	<b>11:00 - 02:00</b>
<b>Friday</b>	<b>11:00 - 02:00</b>
<b>Saturday</b>	<b>11:00 - 02:00</b>
<b>Sunday</b>	<b>11:00 - 02:00</b>



**Playing of Recorded music**

<b>Monday</b>	<b>11:00 - 02:00</b>
<b>Tuesday</b>	<b>11:00 - 02:00</b>
<b>Wednesday</b>	<b>11:00 - 02:00</b>
<b>Thursday</b>	<b>11:00 - 02:00</b>
<b>Friday</b>	<b>11:00 - 02:00</b>
<b>Saturday</b>	<b>11:00 - 02:00</b>
<b>Sunday</b>	<b>11:00 - 02:00</b>

**Sale by Retail of Alcohol**

<b>Monday</b>	<b>11:00 - 02:00</b>
<b>Tuesday</b>	<b>11:00 - 02:00</b>
<b>Wednesday</b>	<b>11:00 - 02:00</b>
<b>Thursday</b>	<b>11:00 - 02:00</b>
<b>Friday</b>	<b>11:00 - 02:00</b>
<b>Saturday</b>	<b>11:00 - 02:00</b>
<b>Sunday</b>	<b>11:00 - 02:00</b>

The opening hours of the premises

<b>Monday</b>	<b>11:00 - 02:30</b>
<b>Tuesday</b>	<b>11:00 - 02:30</b>
<b>Wednesday</b>	<b>11:00 - 02:30</b>
<b>Thursday</b>	<b>11:00 - 02:30</b>
<b>Friday</b>	<b>11:00 - 02:30</b>
<b>Saturday</b>	<b>11:00 - 02:30</b>
<b>Sunday</b>	<b>11:00 - 02:30</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**

## Part 2

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

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

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

**Company Number**                      **09287224**

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

**Leonora Maria Dunne**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal Licence Number:**  
**Licensing Authority: Swale Borough Council**

## **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.