



Agenda

Licensing Sub-Committee

Wednesday, 2 August 2023 at 7.00 pm
Council Chamber - Town Hall

Membership (Quorum – 3)

Cllrs Mrs Francois, Munden and M Cuthbert

Substitute Members

Cllrs

Agenda

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Live broadcast

[Live stream to start at 7pm and available for repeat viewing.](#)

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|----|--|---|---------|
| 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. | Application to Vary a Premises Licence - Licensing Act 2003
The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone CM4 9EE | Ingatestone,
Fryerning
and
Mounthesing | 5 - 152 |

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

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
25.07.2023

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

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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.

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COMMITTEE TITLE: Licensing Sub-Committee

DATE 2 August 2023

REPORT TITLE:	Application to Vary a Premises Licence – Licensing Act 2003 <i>The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone CM4 9EE</i>
REPORT OF:	Dave Leonard – Licensing Officer

1. REPORT SUMMARY

This report is to determine an application from Mr Michael Bell, director of The Wine Lounge Ltd., that has been received to vary the premises licence at ***The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone CM4 9EE***. The Licensing Office has received representations against the application from Brentwood Council's Environmental Health Officer and Essex Police's Licensing Officer as consulting responsible authorities. Fifteen Other Persons from ten households, together with a representative from the Ingatestone & Fryerning Parish Council, have also made representations opposing the application whilst a further thirteen valid representations have been received in support of the application.

2. RECOMMENDATIONS

That the Sub Committee:

Considers this report and appendices together with any oral submissions at the hearing and determines the application in line with the options open to the sub-committee under the Licensing Act 2003: The options available are:

- i) To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;
- ii) To grant the application, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives; or
- iii) To refuse the application in whole or in part

3.0 REASONS FOR RECOMMENDATIONS

3.1 These are the options available to the Sub-Committee under the Licensing Act 2003.

4.0 OTHER OPTIONS CONSIDERED

4.1 In line with the Licensing Act 2003 there are no other options to be considered.

5.0 BACKGROUND INFORMATION

5.1 An authorisation is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- Sale of alcohol
- Supply of alcohol (in respect of a club)
- Regulated Entertainment
- Provision of Late-Night Refreshment

5.2 An appropriate authorisation is either, a premises licence, a club premises certificate or a Temporary Event Notice.

5.3 Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains details of the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate, be converted into enforceable conditions on any licence issued.

5.4 The four licensing objectives are;

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

5.5 Any representation must be able to demonstrate that on the balance of probability the application in its current form will fail to adequately promote one or more of the licensing objectives. No other matters may be considered.

The Application

- 5.6 An application from Mr Michael Bell, director of The Wine Lounge Ltd., was received on 1 June 2023 to vary the premises licence at **The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone CM4 9EE**. A copy of the application and amended premises plan is attached at **Appendix 1**.
- 5.7 This premise is a coffee shop and wine bar. A copy of the current premises licence together with a set of OS Street Maps and images to better identify the location are attached at **Appendix 2**.
- 5.8 The application is seeking the following amendments to the current licence;
- Amend the layout of the premises plan to include an additional licenced area and reflect the cosmetic changes.
 - To remove Annex 2, Condition 5 "There will be a maximum capacity of 24 people in the shop at any one time"
 - To increase the sale of alcohol by one hour to 2200hrs on Sunday-Wednesday and 2300hrs Thursday-Saturday.
 - To increase licensable activity by one additional hour on each Bank Holiday weekend Friday & Saturday till 0000hrs & Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs
 - To add Live Music from 1900hrs-2230hrs on Friday & Saturday
 - To add Recorded Music 0800hrs-2200hrs on Sunday-Wednesday and 0800hrs-2300hrs on Thursday-Saturday
 - with one additional hour on each Bank Holiday weekend Friday & Saturday till 0000hrs, Sun 2300hrs, Christmas Eve to 0030hrs & New Year's Eve to 0100hrs
 - To add Late Night Refreshment from 2300hrs-2330hrs on Thursday-Saturday
 - with the following non-standard timings of one additional hour on each Bank Holiday weekend Friday & Saturday to 0030hrs and Sunday to 2330hrs, Christmas Eve to 0100hrs and New Year's Eve to 0130hrs
 - to extend the supply of alcohol from 0800hrs-2200hrs on Sunday-Wednesday and 0800hrs-2300hrs on Thursday-Saturday
 - with one additional hour on each Bank Holiday weekend Friday & Saturday till 0000hrs, Sun 2300hrs, Christmas Eve to 0030hrs & New Years Eve to 0100hr
- 5.9 In addressing the promotion of the four licensing objectives, the applicant has made undertakings within the operating schedule of the application that will be to be attached as the following conditions on any subsequently issued premises licence. Where an undertaking has by agreement been replaced by a condition agreed with a Responsible Authority the originally proposed operating schedule condition has not been included:

- (a) The premises will actively support and promote the "Ask for Angela" campaign or similar.
- (b) A Dispersal Policy shall be operated to eliminate any nuisance when customers leaving the premises.
- (c) Music shall be monitored at all times to ensure that it does not cause a nuisance to the local residents.
- (d) The area around the premises must be maintained to be clean and litter free at all times.

5.10 Two representations have been received from the Responsible Authorities. Mr Allan Wright makes a representation on behalf of Brentwood Council's Environmental Health team and Essex Police Licensing Officer, Mr Simon Barnes' representation makes recommendations that complement the applicant's undertakings and are agreed by all parties.

5.11 The Environmental Health Officer, Mr Allan Wright, is mindful of residential properties at the rear in Clifton Terrace and Woodland Close which is adjacent to the rear yard/car park area. Mr Wright makes representation on the grounds that the application contains insufficient information to demonstrate that the licensing objective of prevention of public nuisance will be achieved. He contends that, with lower ambient noise levels, the impact of noise from customers outside the premises & in the rear courtyard /garden area will likely increase and noise from the premises itself (including amplified music) and from vehicles leaving/collecting customers is likely to be more significant than under the present opening hours. He also points out that the Lounge Wine Bar has only recently opened and the Environmental Health team has already received complaints relating to noise although it has not yet been possible to adequately monitor the alleged noise pollution.

Mr Wright makes the following observations and recommends that conditions be attached to address them:

1. The hours requested for the premises to be open to the public are considered likely to result in disturbance to residents near the premises.
2. The proposed hours for the provision of facilities for live and recorded music are also considered likely to result in disturbance and should be restricted, especially with regard to the courtyard/garden area.
3. Use of the rear courtyard/garden area should be time restricted and sound proofing measures introduced.

Mr. Wright's representation is attached at **Appendix 3**.

5.12 Essex Police Licensing Officer, Mr Simon Barnes, also makes representation on the grounds that, if granted, as per the conditions the application currently sets out, the prevention of crime & disorder and public nuisance objective of the Licensing Act 2003 is likely to be undermined.

Mr Barnes has consulted with the applicant & reached agreement that the following recommendations are to be attached as conditions on the premises licence should it be granted;

1. The premises shall have installed and maintain a closed-circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition;
 - b. CCTV cameras shall cover all entrances, exits and the areas where alcohol sales take place;
 - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
 - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x148mm and clearly legible at all times when the premises conducts licensable activities.
3. An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

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

4. A refusals record shall be maintained at the premises that 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 possible 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 be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
 - a. Proof of age card bearing the PASS Hologram;
 - b. Photocard driving licence;
 - c. Passport; or
 - d. Ministry of Defence Identity Card.
6. The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale such signs shall be a minimum size of 200x 148mm.
7. Customers shall not enter or leave the premises by the external exit in the area marked "Garden area" in the premises plan at any time, except in the event of an emergency.
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 under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. 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.

Mr Barnes' representation, together with the agreement to attach these conditions, is also attached at **Appendix 3**.

- 5.13 Ingatestone & Fryerning Parish Council's Planning & Highway Committee have made a representation on the grounds of the prevention of public nuisance. They have cited the close proximity of residential premises, the impact of extended hours and the playing of music could lead to anti-social behaviour & is of great concern to neighbours. Reference is also made to the small open area at the rear of the shop. The Parish Council's representation is attached at **Appendix 4**.
- 5.14 A further fifteen representations from ten households against the application have been received from Other Persons. The concerns raised by local residents primarily relate to the use of the outside area at the rear of the premises and the noise nuisance generated, particularly to the residents of Clifton Terrace where this area backs on to. The proposed extended hours and increased capacity together with the inclusion of the playing of live and recorded music has led to concerns of the potential for increased anti-social behaviour & noise nuisance being caused. This concern extends to the noise levels and disturbance caused upon patrons leaving the premises at the later hour in the evening. These representations are attached at **Appendix 4**.

- 5.15 There were also thirteen valid representations received in support of the application with many claiming the venue enhances the High Street and citing that the Ingatestone & Fryerning Community Centre almost directly opposite is considerably larger and operates later and without any cause for complaint. These representations have also been attached at **Appendix 4**.

Statement of Licensing Policy

- 5.16 The following Brentwood Borough Council Statement of Licensing Policy control measures relate to the prevention of public nuisance state:

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

22.2 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

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

22.6 When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include-

- (a) The location of premises & proximity to residential and other noise sensitive premises, such as hospitals, hospices & places of worship*
- (b) The hours of opening, particularly between 23.00 and 07.00.*
- (c) The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises.*
- (d) The design and layout of premises and in particular the presence of*
- (e) The occupancy capacity of the premises.*
- (f) The availability of public transport.*
- (g) A 'wind down period' between the end of the licensable activities and closure of the premises.*
- (h) A last admission time.*

Relevant Sections of the Secretary of State's Guidance

5.17 The following sections of the guidance may be relevant to this application:

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. E.g., premises with close proximity to of the licensing objectives, and where there are no known concerns, acknowledge residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion this in their application.

7.0 LEGAL IMPLICATIONS

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

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

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

Name & Title: Claire Mayhew, Joint Acting Director –
People & Governance & Monitoring Officer
Tel & Email 01277 312500 / claire.mayhew@brentwood.gov.uk

10.0 ENGAGEMENT/CONSULTATION

The application has been consulted on in accordance with the requirements of the Licensing Act 2003.

Officers from the Licensing Authority have made checks on the display of public notices and in a local newspaper and are satisfied that these requirements have been met

REPORT AUTHOR: **Name: Dave Leonard**
 Title: Licensing Officer
 Phone: 01277 312523
 Email: dave.leonard@brentwood.gov.uk

APPENDICES

- Appendix 1 - Application Form & Supporting Statement
- Appendix 2 - Current Premises Licence, OS Street Plans & Images
- Appendix 3 - Representations from Responsible Authorities
 Mr Allan Wright - Environmental Health Officer
 Mr Simon Barnes - Essex Police Licensing Office
- Appendix 4 - Representations from Other Parties (For & Against)

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LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

APPENDIX 1

APPLICATION & PLAN

received 1 June 2023

Application to Vary a Premises Licence under the Licensing Act 2003

Reference: VPrL-520598492

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

Before completing this form, please read the guidance notes:

[Application to Vary a Premises Licence Guidance Notes](#)

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

Cost of Licence

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

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

Cost of licence: £190.00

I/We, [REDACTED], being the premises licence holder, apply for to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 - Premises Details

Premises Address

Flat number (if any)	Clifton House
House number/name	40
Road name	High Street
Town	Ingatestone
County	Essex
Post code	CM4 9EE [REDACTED]
Daytime contact telephone number	[REDACTED]
Premises email address (optional):	[REDACTED]

Applicant Address

Flat number (if any)

House
number/name

Road name

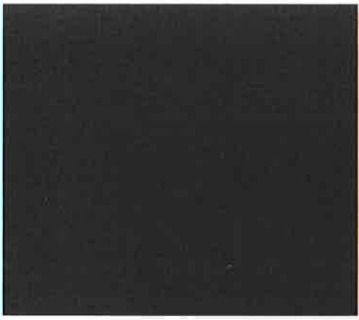
Town

County

Post code

Daytime contact telephone

Applicant email address:



Part 2 - Variation

Do you want the proposed variation to have effect as soon as possible?: Yes

If not, from what date do you want the variation to take effect?:

Please describe briefly the nature of the proposed variation (please see guidance note 1):

We are seeking to:

1. Amend the layout of the premises plan to include an additional licenced area and reflect the cosmetic changes.

2. To remove Annex 2, Condition 5 "There will be a maximum capacity of 24 people in the shop at any one time" and include additional measures listed at Part (0) to promote the licencing objectives.

3. To increase the sale of alcohol by hour to 22:00 hrs on Sunday - Wednesday, and 23:00 hrs Thursday - Saturday.

4. To increase licensable activity by one additional hour on each Bank Holiday, Friday & Saturday till 00:00 hrs & Sunday 23:00 hrs, Christmas Eve 00:30 hrs and New Years Eve 01:00 hrs

If the club's proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 3 - Operating Schedule

Please state those parts of the Operating Schedule which would be subject to change if th application to vary is successful.

Provision of regulated entertainment for:

(e) live music, (f) recorded music

Provision of late night refreshment:

Yes

Supply of alcohol: Yes

a) Plays

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

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
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Please give further details here (please read guidance note 3):

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

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

b) Films

Will the exhibition of films take place indoors or outdoors or both? (please read guidance note 2):
Standard Days and Timings (please read guidance note 6)

Day Start Finish

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

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

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

c) Indoor Sporting Events

Standard Days and Timings (please read guidance note 6)

Day Start Finish

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

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

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

d) Box or Wrestling

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

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
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Please give further details here (please read guidance note 3):

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

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

e) Live Music

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

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	19:00	22:30
Saturday	19:00	22:30
Sunday		

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

The playing of live music will not be a regular event so as to be mindful of the local residents & cause minimal disturbance

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

Bank Holiday weekends, Christmas Eve and New Years Eve while being mindful of the local residents

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

As above or for specific events agreed events

f) Recorded Music

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

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	22:00
Tuesday	08:00	22:00
Wednesday	08:00	22:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	22:00

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

Music is to be recorded background music

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

Bank Holidays weekends, Christmas Eve and New Years Eve with the additional hour
Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed above, please list (please read guidance note 5):

As above or for any specific agreed event

g) Performance of Dance

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

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
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Please give further details here (please read guidance note 3):

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

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

(h) Anything of a similar description to that falling within (e) Live music, (f) Recorded music or (g) Performance of dance

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

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

Standard Days and Timings (please read guidance note 6)

Day Start Finish

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

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

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

i) Late Night Refreshment

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

Standard Days and Timings (please read guidance note 6)

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

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

Late night refreshments for tea/coffee only while customers leave the premises in an acceptable manner, to not cause a disturbance for local residents, or while waiting for transport
State any seasonal variations for the provision of late night refreshment (please read guidance note 4):

Bank Holiday weekends, Christmas Eve and New Years Eve while customers exit the premises in an acceptable manner to not cause a disturbance or while waiting for transport
Non standard timings. Where you intend to use the premises for provision of late night refreshment at different times to those listed above, please list (please read guidance note 5):

As above or for specific agreed events

(j) Supply of Alcohol

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

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	11:00	22:00
Tuesday	11:00	22:00
Wednesday	11:00	22:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	11:00
Sunday	11:00	11:00

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

The sale of alcohol for both on retail & on premises from 11:00 am

Coffee only from 08:00 am

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

Bank Holiday weekends, Christmas Eve & New Years Eve

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

From 11:00 am on Bank Holiday weekends:

Friday, Saturday till 00:00

Sundays with the added hour

Christmas Eve: 00:30

New Years Eve: 01:00

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

Name: [REDACTED]

Address

Flat number (if any)

House number/name

Road name

Town

County

Post code

Personal Licence Number (if known): [REDACTED]

Issuing Licence Authority (if known): [REDACTED]

(I) Hours premises are open to public

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
Monday	08:00	22:00
Tuesday	08:00	22:00
Wednesday	08:00	22:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	22:00

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

Bank Holiday weekends, Christmas Eve and New Years Eve

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

From 11:00 am on Bank Holiday weekends:

Friday, Saturday till 00:00

Sundays with the added hour

Christmas Eve: 00:30

New Years Eve: 01:00

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation that you are seeking:

Annex 2, Condition 5, "There will be a maximum capacity of 24 people in the shop at any one time"

Alternatively, this should be sent by post to:

Licensing, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM16 8AY.

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

If you are not able to provide the premises licence or relevant part of the premises licence, please state the reason why:

(n) Adult Entertainment and Services

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

Not applicable

(o) Promoting Licensing Objectives

Describe any additional steps that you intend to take to promote the four licensing objectives as a result of the proposed variation

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

To adhere to the the requests of all four licencing objects

To display all relevant signage

b) The prevention of crime and disorder:

CCTV is installed and will work with the police with their requirements, have a robust dispersal policy & a clear emergency evacuation policy

We will work with relevant agencies in "The Ask for Angela" campaign

c) Public safety:

We will ensure a correct procedure for exiting the building & evacuation in the event of an emergency, and ensure all exits are highlighted and accessible at all times

We will work with relevant agencies in "The Ask for Angela" campaign

d) The prevention of public nuisance:

We will operate a Dispersal Policy to eliminate any nuisance when customers leaving the premises

We will at all times monitor the music as not to cause a nuisance to the local residents

Maintain the area around the premises to be clean & litter free at all times

e) The protection of children from harm:

We will operate a Challenge 25 scheme to help prevent the sale of alcohol to those underage, signs will be displayed within the premises.

We will work with relevant agencies in "The Ask for Angela" campaign

Declaration

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

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

[Public Notice of Application to Vary](#)


I have attached the premises licence or relevant part of it or an explanation: I agree

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

It is an offence, liable on summary conviction to a fine not exceeding level 5 on the standard scale, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application

Part 4 - Signatures (please read guidance note 10)


Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity

Signature: 

Date: 01/06/2023

Capacity: Director

Where the premises licence is jointly held, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity

Signature: 

Date: 01/06/2023

Capacity: Director

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Correspondence Name:

Correspondence Address

Flat number (if any)


House number/name

Road name

Town

County

Post code

Telephone number: 

Mobile telephone number: [REDACTED]
Email address: [REDACTED]

Dave Leonard

From: Julie Bell [REDACTED]
Sent: 05 June 2023 17:40
To: Dave Leonard
Subject: The Lounge Wine Bar

Good evening

In response to the conversation regarding the application of The Lounge Wine Bar, we can confirm all the below points:

Pt.1 The applicant will be the premises licence holder ie. The Wine Lounge Limited (company registration no.14645505) (not Michael Bell)

The declaration at Pt 4 – Signatures is Michael Bell (Director) and that is fine -Confirmed

Pt.2 4. To increase the licensed activities recorded music and supply of alcohol by one additional hour on each Bank Holiday weekend Friday & Saturday till 00:00hrs & Sunday 23:00hrs, Christmas Eve 00:30hrs and New Year's Eve 01:00hrs - Confirmed

Pt (f) Recorded Music will be 0800hrs-2200hrs on Sunday-Wednesday and 0800hrs-2300hrs on Thursday-Saturday

with one additional hour on each Bank Holiday weekend Friday & Saturday till 0000hrs & Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs - Confirmed

Pt (i) Late Night Refreshment will be 2300hrs-2330hrs on Thursday-Saturday

with the following non-standard timings of one additional hour on each Bank Holiday weekend Friday & Saturday till 0030hrs and Sunday to 2330hrs, Christmas Eve to 0100hrs and New Year's Eve to 0130hrs - Confirmed

Pt (j) Supply of Alcohol – Hours for Saturday & Sunday are not correctly entered (1100-1100). As discussed, request the sale of alcohol to reflect all of the hours that you are open and then add 30 minutes to the terminal hour to allow for drinking up time to keep thing simple. Technically speaking, alcohol should not be on display for sale if it is not licensed at that specific time and clear notices and/or lockable shutters will be asked for (at additional time and expense to you) by the police - Confirmed

Therefore, sale of alcohol will be 0800hrs-2200hrs on Sunday-Wednesday and 0800hrs-2300hrs on Thursday-Saturday

with the following non-standard timings of one additional hour on each Bank Holiday weekend Friday & Saturday till 0000hrs & Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs - Confirmed

and

Pt (l) hours premises are open to the public will be 0800hrs-2230hrs on Sunday-Wednesday and 0800hrs-2330hrs on Thursday-Saturday

with the one additional hour opening on each Bank Holiday Friday & Saturday till 0030hrs and Sunday to 2330hrs, Christmas Eve to 0100hrs and New Year's Eve to 0130hrs - Confirmed

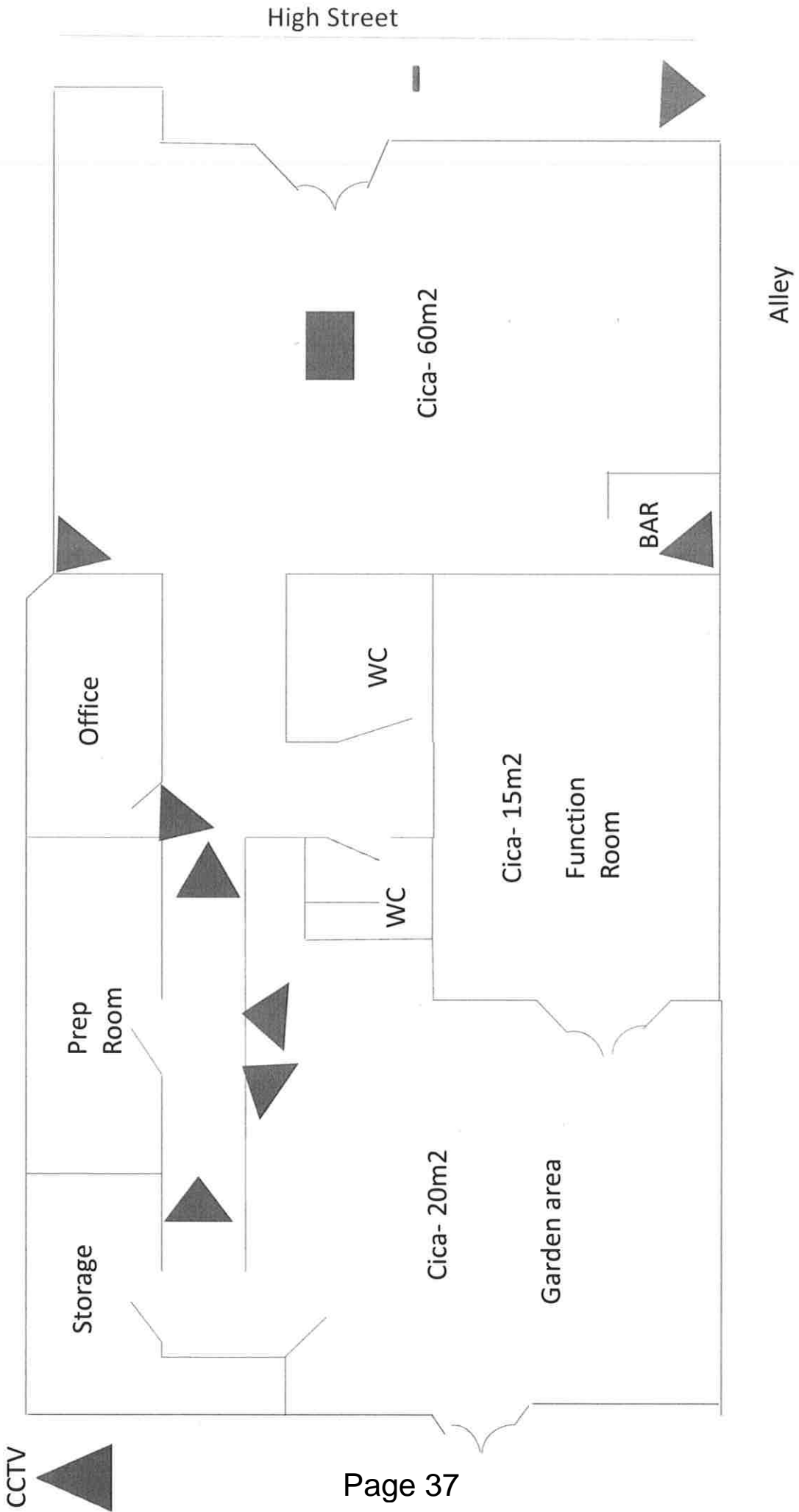
Should you require any further information, please contact me

Warm regards

Julie Bell

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

The lounge, 40 Ingatestone High St, CM4 9EE – Floor Plan



LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

APPENDIX 2

Premises Licence

Issued 16 May 2023

OS Maps & Images

Premises Licence

Premises Licence Number	PRM_0421
Application Number	23/00076/LAVDPS
Date of Issue	16 May 2023

Part 1 – Premises Details

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

The Lounge Wine Bar
40 High Street
Ingatestone
Essex
CM4 9EE

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Monday	10:00 - 21:00
Tuesday	10:00 - 21:00
Wednesday	10:00 - 21:00
Thursday	10:00 - 22:00
Friday	10:00 - 22:00
Saturday	10:00 - 22:00
Sunday	11:00 - 21:00

The opening hours of the premises

Monday	10:00 - 21:00
Tuesday	10:00 - 21:00
Wednesday	10:00 - 21:00
Thursday	10:00 - 22:00
Friday	10:00 - 22:00
Saturday	10:00 - 22:00
Sunday	11:00 - 21:00

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

On and Off supplies

Part 2

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

The Wine Lounge Limited
4 Capricorn Centre
Cranes Farm Road
Basildon
Essex
CM14 3JJ

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

14645505

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

Mr Michael Bell

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

Personal Licence Number:
Licensing Authority:

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under this licence
 - a) At a time when there is no designated supervisor in respect of it or,
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 Every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
- 3 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available

5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

6 The responsible person must ensure that—

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

(i) beer or cider: ½ pint;

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

(iii) still wine in a glass: 125 ml;

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

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

7 (A). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(B).For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula where-

$$P = D + (D \times V)$$

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule

- 1. A CCTV system is installed and will be maintained at all times within the premises. Recordings of the previous 31 days shall be kept and provided to the Police or Licensing Authority upon request.**
- 2. A challenge 21 policy will be operated at the premises. All persons who appear to be under the age of 21 and purchasing or attempting to purchase will be challenged and requested to provide an acceptable proof of age.**

Acceptable proof of age will be

- A Passport**
 - A Card Driving Licence**
 - PASS accredited identification card**
- 3. Staff will be trained as to their responsibilities with regard to the sale of alcohol. Refresher training will be provided as appropriate. A written record of such training shall be kept on the premises and signed by the relevant member of staff.**
 - 4. A refusals book will be maintained to record any refusals of sales of alcohol.**
 - 5. There will be a maximum capacity of 24 people in the shop at any one time.**

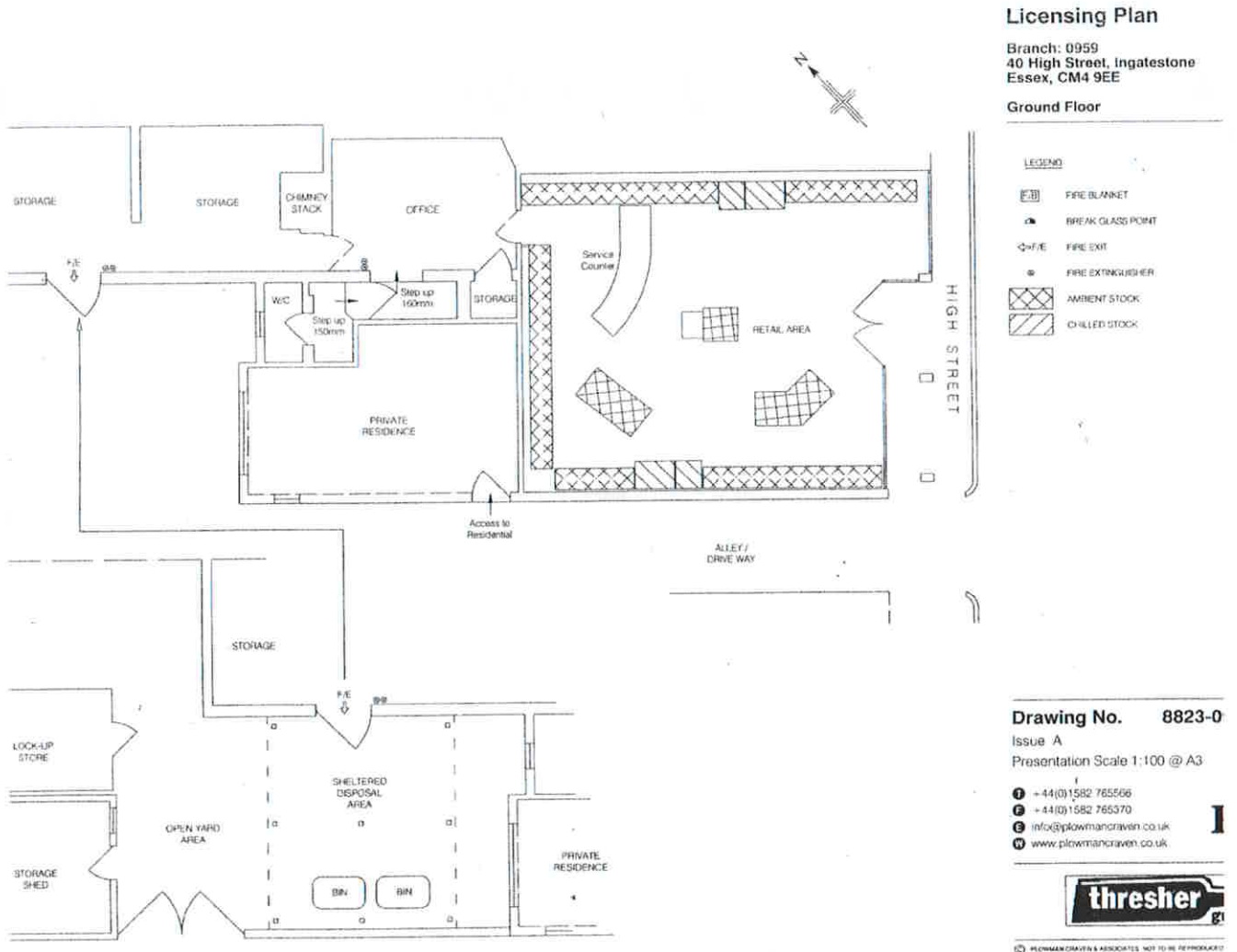
Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

This licence is issued subject to the following attached plans:

Plan marked Branch: 0959, Drawing number.8823-0959-FPG.



Premises Licence Summary

Premises Licence Number	PRM_0421
Application Number	23/00076/LAVDPS
Date of Issue	16 May 2023

Part 1 – Premises Details

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

The Lounge Wine Bar
40 High Street
Ingatstone
Essex
CM4 9EE

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Monday	10:00 - 21:00
Tuesday	10:00 - 21:00
Wednesday	10:00 - 21:00
Thursday	10:00 - 22:00
Friday	10:00 - 22:00
Saturday	10:00 - 22:00
Sunday	11:00 - 21:00

The opening hours of the premises

Monday	10:00 - 21:00
Tuesday	10:00 - 21:00
Wednesday	10:00 - 21:00
Thursday	10:00 - 22:00
Friday	10:00 - 22:00
Saturday	10:00 - 22:00
Sunday	11:00 - 21:00

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

On and Off Supplies

Part 2

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

The Wine Lounge Limited
4 Capricorn Centre
Cranes Farm Road
Basildon
Essex
CM14 3JJ

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

14645505

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

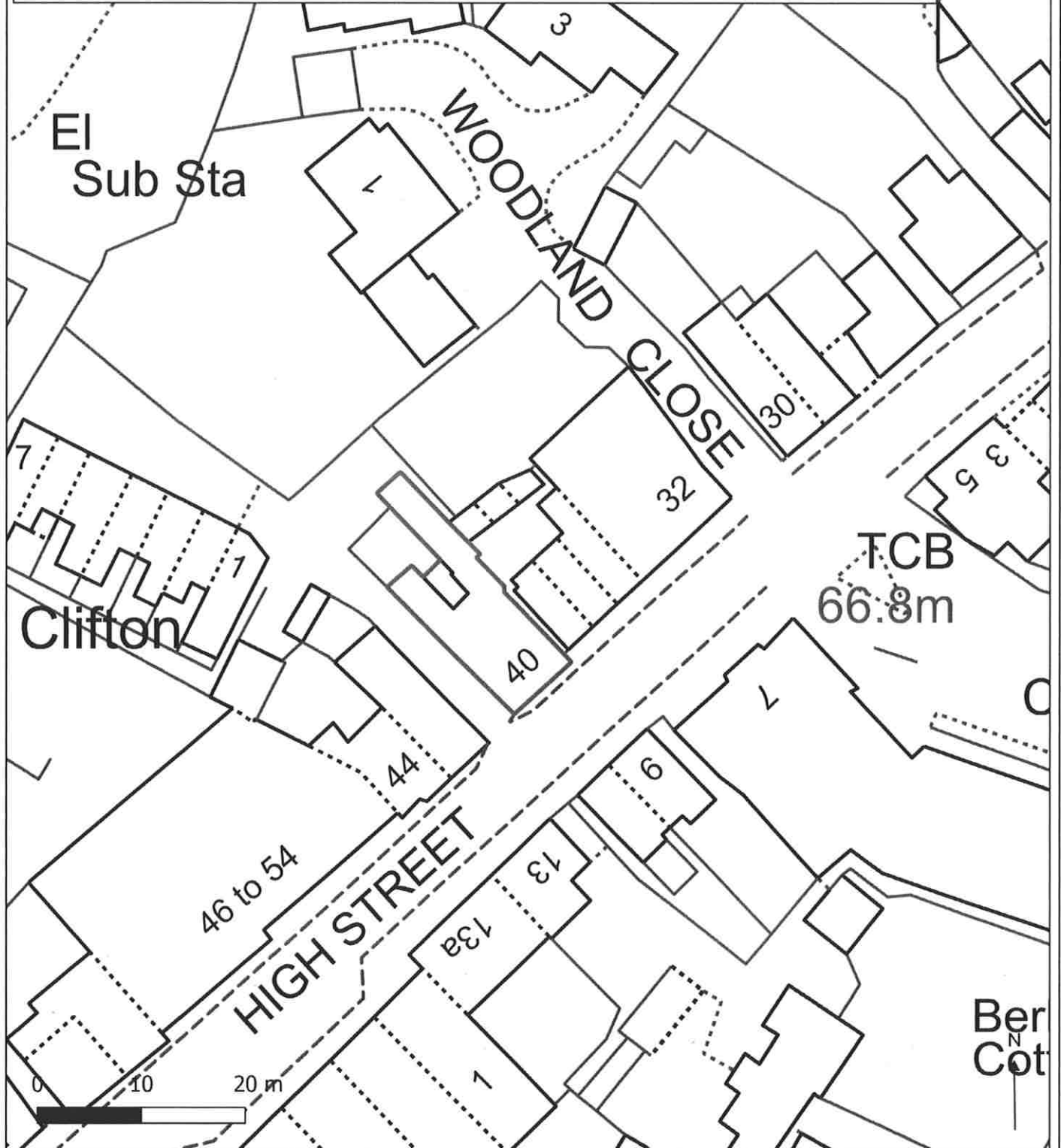
Mr Michael Bell

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:

Legend

LOUNGE WINE BAR, CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE



LOUNGE WINE BAR, CLIFTON HOUSE, 40 HIGH STREET,
INGATESTONE CM4 9EE


Drawing No. :
Scale at A4 : 1:500
Drawn by : OSJ
Service : ICT
Date : 17th July 2022

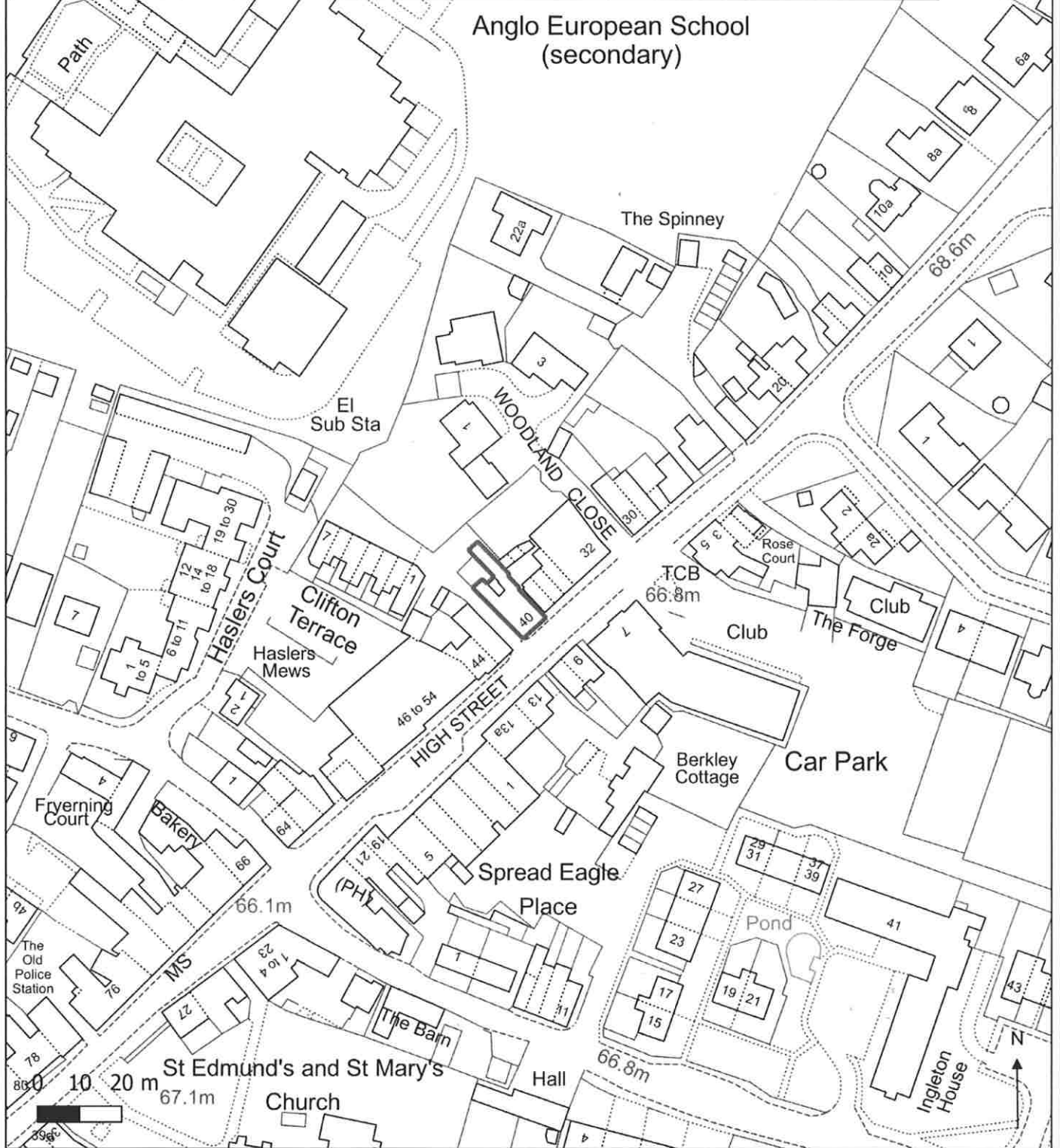
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Jonathan Stephenson
Chief Executive
Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500

Legend

 LOUNGE WINE BAR, CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE



LOUNGE WINE BAR, CLIFTON HOUSE, 40 HIGH STREET,
INGATESTONE CM4 9EE

Drawing No. :
Scale at A4 : 1:1250
Drawn by : OSJ
Service : ICT
Date : 17th July 2022

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









LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

APPENDIX 3

REPRESENTATIONS

Responsible Authorities

Brentwood Borough Council

Mr. Allan Wright – Environmental Health Officer

Essex Police (Licensing)

Mr. Simon Barnes – Essex Police Licensing Officer

LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

REPRESENTATION

Responsible Authority

Brentwood Borough Council

Mr. Allan Wright – Environmental Health Officer



Date: 6th July 2023
Our Reference: 23/000950/LICON

Dear Sirs

Application for a variation to the Premises Licence - Licensing Act 2003

The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone
CM4 9EE

I refer to the above application received on 2 June 2023 by the Pollution Team of the Council.

I wish to make **representation** to the Licensing Authority in respect of this application, as in my opinion the application contains insufficient information to demonstrate that the licensing objective of prevention of public nuisance will be achieved.

The Lounge Wine Bar is situated in the High Street, Ingatestone. To one side of the premises there are commercial premises including shops and to the other side of the premises there are residential properties. There are also residential properties at the rear in Clifton Terrace and Woodland Close which is adjacent to the rear yard/car park area.

The variation requested would primarily result in an extension of the opening hours of the business and this is the principal concern with regard to the prevention of public nuisance objective.

In particular, I would wish to bring to attention the following matters:

The applicant was seeking to:

1. Amend the layout of the premises plan to include an additional licenced area and reflect the cosmetic changes.
2. To remove Annex 2, Condition 5 There will be a maximum capacity of 24 people in the shop at any one time

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex, CM15 8AY
tel 01277 312 500 fax 01277 312 743 minicom 01277 312 809 www.brentwood.gov.uk

3. To increase the sale of alcohol by hour to 2200hrs on Sunday Wednesday and 2300hrs Thursday Saturday.
4. To increase licensable activity by one additional hour on each Bank Holiday weekend Friday Saturday till 0000hrs Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs

The application also seeks the following licensable activities and the applicant's wife, Mrs Julie Bell, has now clarified the definitive hours required –

5. To add Live Music from 1900hrs 2230hrs on Friday Saturday
6. To add Recorded Music 0800hrs 2200hrs on Sunday Wednesday and 0800hrs 2300hrs on Thursday Saturday with one additional hour on each Bank Holiday weekend Friday Saturday till 0000hrs Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs
7. To add Late Night Refreshment from 2300hrs 2330hrs on Thursday-Saturday with the following non-standard timings of one additional hour on each Bank Holiday weekend Friday & Saturday to 0030hrs and Sunday to 2330hrs, Christmas Eve to 0100hrs and New Year's Eve to 0130hrs
8. Part (J) supply of alcohol between 0800hrs 2200hrs on Sunday Wednesday and 0800hrs 2300hrs on Thursday Saturday with one additional hour on each Bank Holiday weekend Friday Saturday till 0000hrs Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs

This will result in the premises being allowed to open until at least 22:00 every day, and later on Friday and Saturday nights. Late at night, with lower ambient noise levels, the impact of noise from customers outside the premises and in the rear courtyard/garden area will likely increase and noise from the premises itself (including amplified music) and from vehicles leaving/collecting customers is likely to be more significant than under the present opening hours.

It is also likely that residents in the vicinity of the premises will be trying to sleep, particularly on Sunday and weekday nights preceding working days, and therefore there is a greater potential for disturbance.

There appear to be few details provided to adequately demonstrate that public nuisance with regard to noise will be prevented, in particular as a result of the extended hours proposed and the performance of live and recorded music.

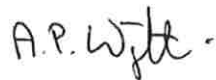
It should be noted that the current premises has only recently opened and Environmental Health have already received complaints relating to noise. To date it has not been possible to adequately monitor the alleged noise pollution.

It is therefore my opinion that in the absence of suitable measures within the operating schedule the Licensing Authority should consider the following matters of concern with regard to the objective of prevention of public nuisance:

1. The hours requested for the premises to be open to the public are considered likely to result in disturbance to residents near the premises.
2. The proposed hours for the provision of facilities for live and recorded music are also considered likely to result in disturbance and should be restricted, especially with regard to the courtyard/garden area.
3. Use of the rear courtyard/garden area should be time restricted and sound proofing measures introduced.

In view of the above concerns the Licensing Committee is requested to consider the application for variation of the licence requested and/or attach agreed operating conditions.

Yours sincerely,



Mr Allan Wright
Environmental Health Technician
Environmental Health & Licensing
Telephone: 01277 312500
Email: allan.wright@brentwood.gov.uk

LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

REPRESENTATION

Responsible Authority

Essex Police (Licensing)

Mr. Simon Barnes – Essex Police Licensing Officer

Dave Leonard

From: Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.police.uk>
Sent: 12 June 2023 15:12
To: Licensing
Subject: Lounge Bar, Ingatestone - Police Representation
Attachments: EXTERNAL - Re: The Lounge Bar, Ingatestone - Full Variation - Police Consultation

FAO: Licensing Authority

I write in relation to an application to vary the premises licence for a premises to be known as The Lounge Bar located in property 40 on the High Street of Ingatestone.

On behalf of the Chief Officer of Police for the county of Essex and the non-metropolitan areas of Southend-on-Sea and Thurrock I make the following representation in regards to this application.

Essex Police note that the applicant seeks to increase the area covered by the licence to include a new event space at the back of the building and a complete redesign of the premises. Prior to this application and ownership the premises was an off licence wine seller, the new owner wishes to operate a wine and coffee seller with wine tasting events. Given the structure of the premises after its refurbishment lends itself to this operation but it can also be used for other purposes including a wine bar structure in the future.

Under the Licensing Act 2003 Essex Police, as a responsible authority is required to consider both current and reasonably foreseeable risks. If the current licence or the details given in the application were to proceed the risk of the crime and disorder or public nuisance objectives under the Act will be undermined and as such it is our position that additional conditions are necessary to uphold the licensing objectives. Essex Police proposes the following conditions:

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition
 - b. CCTV cameras shall cover all entrances and the areas where alcohol sales take place
 - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days
 - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
3. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

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

4. A refusals record shall be maintained at the premises that 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 possible 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 be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
 - a. Proof of age card bearing the PASS Hologram;
 - b. Photocard driving licence;
 - c. Passport; or
 - d. Ministry of Defence Identity Card.
6. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
7. Customers shall not enter or leave the premises by the external exit in the area marked "Garden area" in the premises plan at any time, except in the event of an emergency.
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 under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. 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.

Essex Police has discussed these conditions with the applicant who have indicated that they are content with this wording should their licence be granted, I attach their correspondence to this representation.

Kind Regards



Simon Barnes (82011)

Licensing Officer – Brentwood & Thurrock

☎ 101 (Ext: 42082011)

☎ 07773 935612

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

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Dave Leonard

From: Julie Bell [REDACTED]
Sent: 07 June 2023 21:14
To: Licensing Epping and Brentwood
Subject: EXTERNAL - Re: The Lounge Bar, Ingatestone - Full Variation - Police Consultation

CAUTION: This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe. It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Good evening Simon

Thank you for your email of today, I can confirm the following is agreed:

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition - Confirmed
 - b. CCTV cameras shall cover all entrances and the areas where alcohol sales take place - Confirmed and already in situ
 - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days - Confirmed
 - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities - Confirmed and already ordered
3. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:
 - a. all crimes reported to the venue - Confirmed
 - b. all ejections of patrons - Confirmed
 - c. any complaints received concerning crime and disorder - Confirmed
 - d. any incidents of disorder - Confirmed
 - e. any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence - Confirmed

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 - Confirmed

4. A refusals record shall be maintained at the premises that 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 possible 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 be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry - Confirmed
5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
 - a. Proof of age card bearing the PASS Hologram; - Confirmed and already in situ
 - b. Photocard driving licence; - Confirmed and already in situ
 - c. Passport; or - Confirmed and already in situ

- d. Ministry of Defence Identity Card - Confirmed and already in situ
- 6. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm - Confirmed and already in place
- 7. Customers shall not enter or leave the premises by the external exit in the area marked "Garden area" in the premises plan at any time, except in the event of an emergency - Confirmed
- 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 under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. 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 -Confirmed

Should you require any further details, I will be only too pleased to assist.

Warm regards

Julie Bell

On Wed, Jun 7, 2023 at 10:59 AM Licensing Epping and Brentwood
<licensing.epping.and.brentwood@essex.police.uk> wrote:

Good Morning Ms Bell,

I write in relation to your recent application for a full variation to your premises licence known as The Lounge Bar located in Ingatestone.

I thank you for your time on 25th May, after our meeting and in considering the content of your application I would like to recommend some specified worded conditions to be added to your licence as part of this variation:

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition
 - b. CCTV cameras shall cover all entrances and the areas where alcohol sales take place
 - c. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days
 - d. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
3. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

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

4. A refusals record shall be maintained at the premises that 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 possible 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 be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) and is either a:
 - a. Proof of age card bearing the PASS Hologram;
 - b. Photocard driving licence;
 - c. Passport; or
 - d. Ministry of Defence Identity Card.
6. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
7. Customers shall not enter or leave the premises by the external exit in the area marked "Garden area" in the premises plan at any time, except in the event of an emergency.
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 under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. 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.

Please review the wording of these conditions, if there are any conditions you have concerns regarding or would like to discuss further please do not hesitate to get in touch.

Please can you contact me, either to accept or to discuss these conditions, by 26th June.

Kind Regards

Simon Barnes (82011)

Licensing Officer – Brentwood & Thurrock



☎ 101 (Ext: 42082011)

☎ 07773 935612

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

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LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

APPENDIX 4

REPRESENTATIONS

Other Persons

LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

REPRESENTATIONS

(AGAINST)

Other Persons

1. *Simon Teale*
2. *Keeley Downton*
3. *Guilia Florindo*
4. *Martin Rookard*
5. *Melissa McInerney*
6. *Lesley Wentworth*
7. *Peter Wentworth*
8. *Mark Brown*
9. *Mr & Mrs Sanders*
10. *Patrick Hunt*
11. *Mr A J Dance*
12. *Neil Sumpter*
13. *Matthew & Lisa Devereau*
14. *Councillor Winter (Parish Council)*

1

Licensing Authority
Brentwood Borough Council



By email only: licensing@brentwood.gov.uk

Dear Sir / Madam,

RE: The Lounge Wine Bar
Premises Licence Reference: PRM_0421
Representations relating to the proposed variation of premises licence

My name is [REDACTED] and I own [REDACTED] Clifton Terrace with my wife [REDACTED]. We have owned the property for [REDACTED] having previously owned [REDACTED] High Street [REDACTED]. One of the reasons for purchasing this property was to move out of the flat at [REDACTED] and enjoy the outside garden space set in a rural mews style setting within the terrace. Its proximity from the high street is perfect and just the right distance from the retail outlets to benefit from the peace and tranquillity in a conservation area. Loud music being approved and played from the Lounge Wine Bar would greatly disrupt our private lives and mental wellbeing.

One of my main concerns about the proposed amendments to the licence conditions of The Lounge Wine Bar is the additional noise that it will create. Noise pollution late into most week day evenings will disrupt our sleep even with the window closed. We will no longer be able to benefit from the peace and tranquillity the terrace offers. Anti-social behaviour of customers under the influence of alcohol and the security of myself and my home are also a concern. As non-smokers, the smell of smoke coming from the outside courtyard will force me to close my windows even in the height of summer.

Since the opening of The Lounge Wine Bar, the noise that has come from the venue on the nights that it is open until 22:00 / 23:00 is completely disruptive to our lives and has detrimental to our physical, mental and emotional wellbeing.

Proposed amendments 3 – 6 would likely also mean an increase in the opening hours of the venue, which again raises concerns in relation to the noise that this could create not only with people leaving the venue, but taxis and vehicles waiting outside the venue to collect people and the additional noise and disruption that this could cause. With regards to the opening hours of the venue, it also raises concerns in relation to additional noise after closing hours with the clearing of the bar and the emptying of the bottles into the glass bin that is now located to the rear of the garden area. The smashing of the glass into the bin is a sound that tends to echo, and the concern is that this will be done late into the night if the venue is open later.

Another concern is the potential increase in foot traffic that an extension of The Lounge Wine Bar may bring to Clifton Terrace, especially if the proposed amendment to remove the maximum capacity of 24 is granted. At present, the only people who come up the pathway to the cottages are residents and people visiting residents within these properties, however, if there is no access to the proposed 'function room' via the inside of the bar (as per the plans submitted, it would appear the only entrance is via the double doors in the garden) it would mean people having to enter and exit via the garden and come up Clifton Terrace to do so. This is a concern as that may increase acts of anti-social behaviour in the area, with there being previous incidents of people urinating against the wall along the alleyway, and people walking along

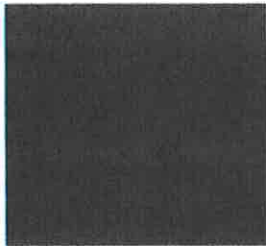
the pathway between the cottages and their gardens. The increase in foot traffic is a concern because it there will be an increased security risk.

I am also concerned that the area is a conservation area and has been since 1969, alongside the cottages neighbouring the bar being Grade II listed buildings, the concern is that The Lounge Wine Bar is not in keeping with that.

While I do not wish to hinder the business, and would welcome new businesses to the area, I am concerned that should the proposed amendments to the licence be granted, it would mean that residents would be unable to enjoy their properties as before. I am also concerned that should the business fail for any reason; any new owners would have a licence that would allow for music to be played without any restrictions on the level of noise that it would create.

Can you please consider and take into account the extremely disruptive effect this proposed licence will have on us as residents and the detriment to our daily lives. We are extremely uneasy that this licence has even been proposed. Having lived in Ingatestone for 18 years and enjoyed all that it has to offer, we are now faced with an infringement on our general health.

Kind Regards



22/06/23

2

Licensing Authority
Brentwood Borough Council

BRENTWOOD B.C.
26 JUN 2023
Received

By email only: licensing@brentwood.gov.uk

Dear Sir / Madam,

RE: The Lounge Wine Bar
Premises Licence Reference: PRM_0421
Representations relating to the proposed variation of premises licence

My name is [redacted] and I live [redacted] Clifton Terrace with my husband [redacted]. We have owned the property for [redacted] having previously owned [redacted] High Street [redacted]. One of the reasons for purchasing this property was to move out of the flat at [redacted] and enjoy the outside garden space set in a rural mews-style setting within the terrace. Its proximity from the high street is perfect and just the right distance from the retail outlets to benefit from the peace and tranquillity in a conservation area. Loud music being approved and played from the Lounge Wine Bar would greatly disrupt our private lives and mental & emotional wellbeing.

One of my main concerns about the proposed amendments to the licence conditions of The Lounge Wine Bar is the additional noise that it will create. Noise pollution late into most week day evenings will disrupt my sleep even with the window closed. I will no longer be able to benefit from the peace and tranquillity the terrace offers. Anti-social behaviour of customers, under the influence of alcohol and the security of myself and my home are also a major concern. As a non-smoker, the smell of smoke coming from the outside courtyard will force me to close my windows even in the height of summer.

Since the opening of The Lounge Wine Bar, the noise that has come from the venue on the nights that it is open until 22:00 / 23:00 is completely disruptive to our lives and has had a detrimental affect to our physical, mental and emotional health.

Proposed amendments 3 – 6 would likely also mean an increase in the opening hours of the venue, which again raises concerns in relation to the noise that this could create, not only with people leaving the venue, but taxis and vehicles waiting outside the venue to collect people and the additional noise and disruption that this could cause. With regards to the opening hours of the venue, it also raises concerns in relation to additional noise after closing hours with the clearing of the bar and the emptying of the bottles into the glass bin that is now located to the rear of the garden area. The smashing of the glass into the bin is a sound that tends to echo, and the concern is that this will be done late into the night if the venue is open later.

Another worry is the potential increase in foot traffic that an extension of The Lounge Wine Bar may bring to Clifton Terrace, especially if the proposed amendment to remove the maximum capacity of 24 is granted. At present, the only people who come up the pathway to the cottages are residents and people visiting residents within these properties, however, if there is no access to the proposed 'function room' via the inside of the bar (as per the plans submitted, it would appear the only entrance is via the double doors in the garden) it would mean people having to enter and exit via the garden and come up Clifton Terrace to do so. This is quite alarming as the concern would be that it may increase acts of anti-social behaviour in the area, particularly with there being previous incidents of people urinating against the wall along the alleyway, and people walking along the pathway between the cottages and their gardens.

The increase in foot traffic is a major concern because there will be an increased security risk to our home.

I am also concerned that the area is a conservation area and has been since 1969, alongside the cottages neighbouring the bar being Grade II listed buildings, the concern is that The Lounge Wine Bar is not in keeping with that.

While I do not wish to hinder the business, and would welcome new businesses to the area, I am concerned that should the proposed amendments to the licence be granted, it would mean that residents would be unable to enjoy their properties as before. I am also concerned that should the business fail for any reason, any new owners would have a licence that would allow for music to be played without any restrictions on the level of noise that it would create.

Can you please consider and take into account the extremely disruptive effect this proposed licence will have on us as residents and the detriment to our daily lives. We are extremely uneasy that this licence has even been proposed. Having lived in Ingatestone for 18 years and enjoyed all that it has to offer, we are now faced with an infringement on our general health, in which we may be affected physically, mentally and emotionally.

Kind Regards



22/6/23

3

Debra Wright

From: [REDACTED]
Sent: 23 June 2023 13:05
Cc: Licensing; Paul Adams; Dave Leonard
Subject: Licencing objections - Lounge Bar, Ingatestone
Attachments: Licencing Objections - Lounge Bar, Ingatestone.docx

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

please find attached my letter of complaint regarding the licence for the Lounge Bar in Ingatestone.

Thank you
[REDACTED]

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3

Licensing Authority
Brentwood Borough Council

By email only: licensing@brentwood.gov.uk

Dear Sir / Madam,

RE: The Lounge Wine Bar
Premises Licence Reference: PRM_0421
Representations relating to the proposed variation of premises licence

I am [REDACTED] and I reside at [REDACTED] Clifton Terrace, [REDACTED] Ingatestone with my husband, [REDACTED] [REDACTED] who is [REDACTED] and my son, [REDACTED] who is [REDACTED] years old. I have lived at this property for [REDACTED]

One of the reasons for purchasing this property was quite road, but still close to the High Street and shops and vicinity to train station.

One of my main concerns about the proposed amendments to the licence conditions of The Lounge Wine Bar is the additional noise that it will create. The Bar will break the quietness of our evenings and the privacy of our front gardens, where we all like to spend some time after work. The noise will also disrupt my young son's sleep, as in summer we have our windows open due to heat.

Since the opening of The Lounge Wine Bar, the noise that has come from the venue on the nights that it is open until 22:00 / 23:00 is quite loud and we cannot leave our doors or windows open without being disturbed. Sometimes the laughed, conversations and music can be so loud that are interfering with our tv volume!

Proposed amendments 3 – 6 would likely also mean an increase in the opening hours of the venue, which again raises concerns in relation to the noise that this could create not only with people leaving the venue, but taxis and vehicles waiting outside the venue to collect people and the additional noise and disruption that this could cause. With regards to the opening hours of the venue, it also raises concerns in relation to additional noise after closing hours with the clearing of the bar and the emptying of the bottles into the glass bin that is now located to the rear of the garden area. The smashing of the glass into the bin is a sound that tends to echo, and the concern is that this will be done late into the night if the venue is open later.

Another concern is the potential increase in foot traffic that an extension of The Lounge Wine Bar may bring to Clifton Terrace, especially if the proposed amendment to remove the maximum capacity of 24 is granted. At present, the only people who come up the pathway to the cottages are residents and people visiting residents within these properties, however, if there is no access to the proposed 'function room' via the inside of the bar (as per the plans submitted, it would appear the only entrance is via the double doors in the garden) it would mean people having to enter and exit via the garden and come up Clifton Terrace to do so. This is a concern as that may increase acts of anti-social behaviour in the area, with there being previous incidents of people urinating against the wall along the alleyway, and people walking along the pathway between the cottages and their gardens. The increase in foot traffic is a concern because my son currently play in the garden which is opposite our front door at the front of the property which can be seen from the garden area of The Lounge Wine Bar. Given that at present it is only usually residents of the cottages who come up the alleyway, we feel safe enough to allow our children to play out there while we remain in our living room, however, we would not feel comfortable allowing the children to play outside

without an adult being present at all times in case someone walks from the garden area of the bar to towards the cottages.]

I am also concerned that the area is a conservation area and has been since 1969, alongside the cottages neighbouring the bar being Grade II listed buildings, and that The Lounge Wine Bar is not in keep with that.

While I do not wish to hinder the business, and would welcome new businesses to the area, I am concerned that should the proposed amendments to the licence being granted would mean that residents would be unable to enjoy their properties as before. I am also concerned that should the business fall for any reason; any new owners would have a licence that would allow for music to be played without any restrictions on the level of noise that it would create.

4

Debra Wright

From: [REDACTED]
Sent: 23 June 2023 14:04
To: Licensing; Paul Adams; Dave Leonard
Subject: The Lounge Wine Bar Premises Licence Reference: PRM_0421 Representations relating to the proposed variation of premises licence
Attachments: Licencing Objections .docx; copy of email sent 24th Febuary.docx; IMG_3893.MOV; IMG_3892.MOV; IMG_3891.MOV
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

please find attached my letter of complaint regarding the licence for the Lounge Bar in Ingatestone

Thank you

[REDACTED]

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4

Licensing Authority
Brentwood Borough Council

By email only: licensing@brentwood.gov.uk

Dear Sir / Madam,

RE: The Lounge Wine Bar
Premises Licence Reference: PRM_0421
Representations relating to the proposed variation of premises licence

I am [redacted] and I reside at [redacted] Clifton Terrace, Ingatestone, [redacted] with my wife [redacted] and my [redacted] son [redacted]. I have lived at this property for [redacted]. One of the reasons for purchasing this property was of its proximity to the High Street, but a significant distance away from the local public houses and bars to ensure that my family and I could enjoy our home without the fear of loud music from these venues. It was a peaceful little terrace when I viewed my house for the first time and was somewhere I would be happy to live.

One of my main concerns about the proposed amendments to the licence conditions of The Lounge Wine Bar is the additional noise that it will create. The bar will break the peacefulness of our evenings and the privacy of our front garden, where we like to spend time after work. The noise will also disrupt my son sleep, as in the summer we have our windows open due to the heat. I have attached with this email several video clips that were taken stood on my doorstep at approximately 22:45 on the 16 June 2023, and as you can hear, conversations from within the bar are audible from my property. As well as being able to hear the conversations from outside of my address, I can hear them within the address too, even more so when I have the windows and doors open. Having our front door open is not an unusual occurrence given the small garden we have to the front of the property. I have also attached a copy of an email I sent to licensing on the 23rd February outlining some of my concerns.

Since the opening of The Lounge Wine Bar, the noise that has come from the venue on the nights that it is open until 22:00 / 23:00 is quite loud, with only a few people in the garden area, I can quite clearly hear the conversations of the people in that area, when it has been full in the past the noise from the garden is very unpleasant and I can not relax in my own home. We cannot leave our doors and windows open without being disturbed.

Proposed amendments 3 – 6 would likely also mean an increase in the opening hours of the venue, which again raises concerns in relation to the noise that this could create not only with people leaving the venue, but taxis and vehicles waiting outside the venue to collect people and the additional noise and disruption that this could cause. With regards to the opening hours of the venue, it also raises concerns in relation to additional noise after closing hours with the clearing of the bar and the emptying of the bottles into the glass bin that is now located to the rear of the garden area. The smashing of the glass into the bin is a sound that tends to echo, and the concern is that this will be done late into the night if the venue is open later.

Another concern is the potential increase in foot traffic that an extension of The Lounge Wine Bar may bring to Clifton Terrace, especially if the proposed amendment to remove the maximum capacity of 24 is granted. At present, the only people who come up the pathway to the cottages are residents and people visiting residents within these properties, however, if there is no access to the proposed 'function room'

via the inside of the bar (as per the plans submitted, it would appear the only entrance is via the double doors in the garden) it would mean people having to enter and exit via the garden and come up Clifton Terrace to do so. This is a concern as that may increase acts of anti-social behaviour in the area, with there being previous incidents of people urinating against the wall along the alleyway, and people walking along the pathway between the cottages and their gardens. The increase in foot traffic is a concern because *my son currently plays in are front garden which is opposite our front door at the front of the property which can be seen from the garden area of the lounge wine bar. Given that at present it is only usually residents of the cottages who come up the alleyway we feel safe enough to allow him to play out there while we remain in our living room, however , we would not comfortable allowing him to play outside with outan adult being present at all times in case someone walks from the garden area of the bar towards the cottages*

I am also concerned that the area is a conservation area and has been since 1969, alongside the cottages neighbouring the bar being Grade II listed buildings, and that The Lounge Wine Bar is not in keep with that.

While I do not wish to hinder the business, and would welcome new businesses to the area, I am concerned that should the proposed amendments to the licence being granted would mean that residents would be unable to enjoy their properties as before. I am also concerned that should the business fail for any reason; any new owners would have a licence that would allow for music to be played without any restrictions on the level of noise that it would create.

(4)

From: [REDACTED]
Sent: 24 February 2023 14:44
To: Licensing <licensing@brentwood.gov.uk>
Subject: 40 High street Ingatestone

Good afternoon, Licensing team

Hope this email finds you well.

I am writing to you with concerns with 40 Ingatestone Highstreet.

Ingatestone wines has now closed, and I have been led to believe that there is going to be a new wine bar/ shop in the premises

The problem I have is with their outside space that they will be using, my main issues is noise. The previous owners used to use the space for their customers to drink and smoke in which became very loud when in use, it backs on to a small terrace of 7 cottages

I knew the previous owners quite well and when it got noisy, I spoke to them and they kindly addressed the problem, on a few occasions it became quite unbearable.

Were we were once a quiet little terrace in a quiet village, that was no longer the case

It was also playing with my mental health, causing myself to become quite anxious and stressed, not being able to relax in the evening because of the noise and the thought of having to go and speak to the owners again about the noise.

In the summer especially, we used to be able to have are doors and window open during the evening but again because of the noise that was no longer possible

Sleeping also is an issue as our bedroom is at the front of the house, I work shift patten and start early so like to try and sleep early and on a few occasions, it has woken our then newly born son.

All my neighbours feel the same and I believe there has already been a complaint made.

When we moved in [REDACTED] it was peaceful with a wonderful neighbourly spirit, but now not so much because of the bar and use of the outside space, if I had move into the house with a bar already there I could only blame myself and would have expected the noise

I believe they had a licence permitted to use this arear just before covid happened and there was never an appeal made by residents as we did not know what was happening.

Many thanks for reading my concerns and I hope you might take them in to consideration when reviewing the licence of 40 Ingatestone Highstreet

Many thanks

[REDACTED]

Telephone number [REDACTED]

details of the premises you wish to complain about

40 High St, Ingatestone CM4 9EE

5

Debra Wright

From: [Redacted]
Sent: 23 June 2023 08:30
To: Licensing
Subject: The Lounge Wine Bar, Ingatestone. Premises Licence Reference: PRM_0421
Attachments: [Redacted] TheLoungeWineBar_Licencing Objections.docx,
[Redacted] TheLoungeWineBar_Licencing Objections.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Please find attached my objection letter re The Lounge Wine Bar, Ingatestone, PRM_0421.

Regards,

[Redacted]
[Redacted] High St
[Redacted] Ingatestone
[Redacted]

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

5

Licencing Authority
Brentwood Borough Council

By email only: licensing@brentwood.gov.uk

Dear Sir / Madam,

RE: The Lounge Wine Bar
Premises Licence Reference: PRM_0421
Representations relating to the proposed variation of premises licence

I am [REDACTED] and I reside at [REDACTED] High Street, Ingatestone [REDACTED]. I purchased this property in [REDACTED] and am due to move in [REDACTED] having carried out considerable work to add to its value. One of the reasons for purchasing my home was because of its quaint location at the quiet end of the high street away from the public houses and the cocktail bar, and the community feel of living amongst the neighbouring residential dwellings.

One of my main concerns about the proposed amendments to the licence conditions of The Lounge Wine Bar (amendments 3 – 6) is the additional late night/early morning noise which neighbours have informed me of. The 'shack' style vicinity at the back of the lounge bar has no sound proofing, with noise easily heard throughout my entire property, particularly the bedroom. My kitchen also has an external cowl which amplifies noise from the passage. I work a strenuous job and am very concerned about how these audibles will affect my sleep. The additional proposal of music adds to this.

I am also concerned about the correlation between longer trading hours and more intoxication, with the likelihood of increased crowds getting louder and the risk of drunken customers to loiter at my doorstep awaiting transport post closure of the wine bar. I am a [REDACTED] occupant and feel very vulnerable to the possibility of this occurrence. When I first purchased my property, there was evidence of litter and carelessness such as cigarette butts along the passage and on my windowsill which I have taken great care to repair in order to take pride in my first purchased home. I have also been informed of previous incidents of intoxicated individuals urinating against my wall which is utterly abhorrent. The proposed increase in capacity to surpass 24 people only amplifies the forementioned problems in my view.

When I first purchased my property, I was aware of the predecessor business trading terms of 'Ingatestone Wines' which was an Off License? Within that, I found acceptable trading terms to reside by but this current proposal appears to be a complete change to the business model. As a new resident to Ingatestone, objecting to these trading terms of The Lounge Wine Bar has made me feel uncomfortable as I wish to keep on friendly terms with neighbours and business owners. I hope the business is a success but that more consideration for neighbouring residents will be approved, as successful application will set a precedent for successive businesses as well.

Regards,

[REDACTED]

6

Debra Wright

From: [REDACTED]
Sent: 26 June 2023 11:28
To: Licensing
Subject: Re: The Lounge Bar

Follow Up Flag: Follow up
Flag Status: Completed

Sorry forgot to add the reference of

23/00097/LAFVAL

Sent from my iPhone

On 26 Jun 2023, at 11:20 am, [REDACTED] wrote:

40 High Street, Ingatestone CM4 9

[REDACTED] Clifton Terrace
Ingatestone
Essex
[REDACTED]

Dear Paul Adams/Dave Leonard,

Re Notice of Application

My name is [REDACTED] and I live at No. [REDACTED] Clifton Terrace and have done so for more than [REDACTED] because it has always been such a quiet,

Safe haven in a conservation area close to the village. We have always been very happy here as was my mother [REDACTED] who owned no. [REDACTED] until her recent sad death, [REDACTED]. Whilst there was an off license at No 40 all was well, however when new owners took it over and changed the license to a wine bar all hell has been let loose! They have turned what was the back storage area for the Off license into an open back yard where people eat and drink alcoholic beverages. Last summer the noise from people just talking and laughing made it impossible for us to open our windows and doors. We have not been able to sell No. [REDACTED] because potential buyers are worried about the noise as it is literally yards from the Lounge back area which is an open space. If any kind of music was allowed, or/and more than 24 people, in my view it would be impossible to live in these Grade 2 listed cottages. The premises at No 40 are totally out of keeping. Also there are plenty of pubs etc in the village serving alcohol and music. Why would another be allowed so very close to a residential area!!

If it were allowed to stay open late there would be all the noise from clearing up ie bottles being thrown into bins is a real loud echoing sound. Customers talking whilst waiting for transport. Customers would no doubt be using the PRIVATE alleyway (which by the way is owned by Lord Peter) used for access to Clifton Terrace. They would be smoking there, waiting for pick up etc and generally disturbing our peace and safety! We have already seen customers urinating on the walls! If the new extension is allowed the double doors would be far too close to Clifton Terrace and

customers would have to come in and out of the Lounge and walk up the private alleyway. These people would be trespassing on private property!

Whilst I do not wish to hinder new business to the area I do not believe that this business is at all in keeping bearing in mind how close the cottages are. As mentioned earlier even people just talking, eating and drinking, talking laughing in the open back area just yards from the cottages bedrooms and front doors makes a noise that can be heard right down the Terrace and beyond. I have videos of this if you would like to see/hear them. There is a [REDACTED] in No. [REDACTED] who is frequently woken up from the noise.

The new owners of the lounge tell me they are using a noise meter and there seems to be little noise right now because obviously they don't want us complaining but if they are given what they are asking for I am sure the noise will be unbearable just as it was with the previous owners. If the council are still going to permit the use of the open outside area perhaps they could insist that it is closed in and sound proofed but fundamentally it is still too close.

The drawings do not really adequately show how close the building is to Clifton Terrace. It might be an idea for the Council to come and have a look for themselves.

I do hope sense prevails in this very worrying situation.

Kind regards,

[REDACTED]

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

7

Debra Wright

From: [REDACTED]
Sent: 28 June 2023 15:13
To: Licensing
Subject: Objections from [REDACTED]

To the Lounge Bar Premises licence representations relating to The proposed variation of premises licence Licence ref PRM_0421

For the attn of Paul Adams,
Dave Leonard and [REDACTED]

Dear Sirs/Madam

My name is [REDACTED] and I live at No. [REDACTED] Clifton Terrace.

I would like to object to the above proposals. I will go through point by point of which there are 7.

1. Have seen no plans or drawings. Are the Council aware of the close proximity of Clifton Terrace to the outside noisy premises for which a license was given only recently. No [REDACTED] are literally yards from the back semi open space.

Objection

2 what revised capacity is proposed? Will it comply to fire and safety regulations? More people, more noise! The proposed extension of this represents a significant nuisance and is completely out of character for this quiet enclave in a conservation area. Customers would use the alleyway leading to Clifton Terrace only!

Objection

3. The proposed times are those consistent with a public house completely out of keeping with the premises surrounding.

Objection

4. Would object to any extension on the basis that the premises are far too close to a residential area. Those living close by would be unable to sleep or feel safe.

Objection

5. Would object to any live music given the very close proximity of the properties abutting. This is NOT a suitable venue for live music. Any noise limits could not be effectively regulated. We understand that there have been similar local licenses withdrawn due to noise.

Objection

6. This would cause considerable disruption to those living in close proximity to Clifton Terrace where No. [REDACTED] and [REDACTED] front doors are just feet from the buildings outside open area! We don't understand why a licence was granted for this area to be used in the first place!

Objection

7. What sort of 'night refreshment'? This needs clarification. It would still cause considerable noise and disruption because there would be the noise of clearing up well into the night. Plus customers would be hanging around in Lord Peter's alleyway smoking, drinking, we have already seen people urinating on the wall, talking and laughing whilst waiting for transport. This would also disrupt the safety and ease of those who are living very close by especially Clifton Terrace. We would no longer feel safe in our properties and the noise would disrupt us immensely probably to the point that we could no longer live here but would also be unable to sell because of the worry of the close proximity of premises such as these.

Thank you for allowing my views to be heard. I hope that sense and justice will prevail.

Kind regards,

[REDACTED]

Sent from my iPhone

8

Debra Wright

From: [REDACTED]
Sent: 28 June 2023 12:00
To: Licensing
Subject: Fwd: Licence ref 0421

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 27 June 2023 at 10:42:49 BST
To: licencing@brentwood.gov.uk
Subject: Licence ref 0421

The Lounge Wine Bar
Premises licence 0421
Representations relating to the proposed variation of premises licence.
Attention Paul Adams
cc Dave Leonard.

Dear Sir/Madam,

My name is [REDACTED] and I am the owner of No [REDACTED] Clifton Terrace Ingatestone [REDACTED]. I am extremely concerned about this application. When a 'beer garden' was originally installed just approximately 2 years ago, the residents of Clifton Terrace expressed their concerns at the potential for this to disrupt an otherwise peaceful location. Those fears have been realised with not only loud noise but also a significant devaluation of property value.

The proposed amendment is only going to increase the discomfort already felt by residents. Access would appear to be via the garden right adjacent to Clifton Terrace. This will mean foot traffic, more noise, security concerns and potential for disruptive behaviour. This of course, not only when the bar is open but when cleaning up is in progress, bottles, Hoover etc.

These properties were once a tranquil haven conveniently situated for the High St. How much more noise and anxiety are the residents to be subjected to?

Whilst I am all for progress, the advancement of just one business to the further detriment of the residents should, in this instance, be refused.

Thank you for your consideration.

Your sincerely [REDACTED]

Sent from my iPhone

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

9.

Debra Wright

From: Zoe Hosking <zoe.hosking@birkettlong.co.uk>
Sent: 28 June 2023 11:39
To: Licensing
Subject: RE: The Lounge Wine Bar, Reference: 23/00097/LAFVAL
Attachments: [REDACTED] Letter of Representation re The Lounge Wine Bar.pdf; [REDACTED] - Consent Document[345].pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir / Madam,

RE: The Lounge Wine Bar
Premises Licence Reference: PRM_0421 / 23/00097/LAFVAL
Representations relating to the proposed variation of premises licence

We are instructed on behalf of [REDACTED] of [REDACTED] Woodland Close, Ingatestone [REDACTED] to submit representations in relation to the proposed variation of the premises licence for The Lounge Wine Bar, 40 High Street, Ingatestone.

Please find attached to this email the following:

- Letter of representations relating to the proposed variation of the premises licence.
- Consent document signed electronically by [REDACTED] confirming we are instructed to submit these on his behalf.
- Exhibits referred to within the representation letter, namely:
 - o IMG_1862 – a video taken on 24 June 2023 at approximately 22:00.
 - o IMG_3893 – a video taken on 16 June 2023 at approximately 22:45.
 - o Image 1.
 - o Image 3.
 - o Letter received from The Lounge Wine Bar.

The exhibits are too large to send via email, and a link has been shared to you via HubShare. This link will come from my colleague, Tim Field. If you have not received this by the end of the day, please do let me know and I will make arrangements for the exhibits to be sent again.

We understand that the consultation period for the application ends at midnight on 9 July 2023.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

Zoe
Zoe Hosking
Solicitor
For and on behalf of Birkett Long LLP
Birkett Long LLP, 1 Amphora Place, Sheepen Road, Colchester, Essex, CO3 3WG
Switchboard: Colchester | DDI: 01206 | Mobile: [REDACTED] | zoe.hosking@birkettlong.co.uk | <https://www.birkettlong.co.uk>
217323

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Our bank details will not change during the course of a transaction with you. We will never call you to tell you our

and sign name - please get in touch with us **BEFORE** you make any payments. Be careful of email or applicability of money transferred into an incorrect account. We recommend you pay all invoices securely via our website at <https://www.bicketlong.co.uk/site/onlinepayment/>

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BIRKETT LONG LLP
1 AMPHORA PLACE
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COLCHESTER
ESSEX CO1 3WG

T: 01206 217300

WWW.BIRKETTLONG.CO.UK

Licensing Authority
Brentwood Borough Council

Your Ref : PRM_0421 / 23/00076/LAVDPS
Our Ref : ZH/139391-2
Phone : 01206 217323
Fax : 01206 598250
E-Mail : zoe.hosking@birkettlong.co.uk
Date : 15 June 2023

By email only: licensing@brentwood.gov.uk

Dear Sir / Madam,

RE: **The Lounge Wine Bar**
Premises Licence Reference: PRM_0421
Representations relating to the proposed variation of premises licence

We are instructed on behalf of [REDACTED] of [REDACTED] Woodland Close, Ingatestone [REDACTED] to submit representations in relation to the proposed variation of the premises licence for The Lounge Wine Bar, 40 High Street, Ingatestone.

On the 01 June 2023, a public notice of application was displayed in relation to an application to vary a premise licence under section 34 of the Licensing Act 2003. The proposed variations are as follows:

1. Amend the layout of the premises plan to include an additional licenced area and to reflect cosmetic changes.
2. To remove Annex 2, Condition 5, *"there will be a maximum capacity of 24 people in the shop at any one time"*.
3. To increase the sale of alcohol by hour to 2200hrs on Sunday-Wednesday and 2300hrs Thursday-Saturday.
4. To add Live Music from 1900hrs-2330hrs on Friday & Saturday.
5. To add Recorded Music from 0800hrs-2200hrs on Sunday-Wednesday and 0800hrs-2300hrs on Thursday-Saturday.
6. To add Late Night Refreshments from 2300hrs-2330hrs on Thursday-Saturday.
7. To increase licensable activity by an additional hour on each Bank Holiday Weekend Friday & Saturday until 0000hrs & Sunday 2300hrs, Christmas Eve to 0030hrs and New Year's Eve to 0100hrs.

[REDACTED]
[REDACTED] When the family moved into the property, 40 High Street was a shop called 'Ingatestone Wine' which was an off-licence selling alcohol for consumption off-premises. One of the reasons for choosing the property in Woodland Close, was the close proximity to the High Street, but a significant distance away from any of the local public houses and bars so their enjoyment of their property and garden were not to be interrupted.

As explained above, [REDACTED] and his wife have [REDACTED] children [REDACTED] and [REDACTED] whom are both in a routine of being in bed by 21:00. At present, their bedroom windows are unable to be opened during the night due to the level of noise that is able to be heard from The Lounge Wine Bar at this time. Due to [REDACTED] employment, he often leaves for work in the early hours of the morning and



Incorporating Asher Prior Bates

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Consent Form
File Number – ZH/139391-2
File Description – Representations relating to Premises Licence of The Lounge Wine Bar
to be returned to Birkett Long LLP

I can confirm that I have instructed Messrs Birkett Long LLP in relation to preparing and submitting representations relating to the amendment of the premises licence submitted to Brentwood Borough Council by The Lounge Wine Bar on the 01 June 2023 on my behalf.

Signed



Name



Date

28 June 2023.....

therefore the nights that The Lounge Wine Bar is open later, he struggles with his sleep due to the noise and [REDACTED] is concerned that this will become worse if the proposed variations, especially **proposed variation 4 and 5** in relation to the playing of music, are granted.

As seen in the video 'IMG_1862' attached, that was taken on Saturday 24 June 2023 from [REDACTED] garden at approximately 22:00, the conversations coming from the garden area of The Lounge Wine Bar can be heard from within the property. This continued late into the evening and meant that [REDACTED] son had an extremely disturbed sleep due to not being able to have his bedroom window open due to the noise. This is a concern for [REDACTED] as although it is coming to the end of the school term, [REDACTED] their bedtimes will still be during The Lounge Wine Bar's opening hours, and therefore given the increased noise coming from the venue, he is concerned that the children's sleep will continue to be disturbed throughout the summer.

[REDACTED] submitted a noise complaint via email to Brentwood Borough Council at 09:16 on 25 June 2023 due to the incident referenced above on the 24 June 2023. The reference for this complaint is 23/001131/NOICOM.

The main concern with **proposed variation 1** listed above is, that having considered the layout plans submitted with the amendment application, it appears that the only way to enter the proposed 'function room' is through the garden area. There is no internal connecting door shown on the plan that would allow access to the 'function room' from inside the venue. Within the application or on the plans submitted, there is no mention on access to the 'function room' as to whether that would be via the front of the venue or whether the entrance would be through the back gate of the garden area and through the double doors. One of the concerns surrounding this is the additional noise that entering / exiting the 'function room' will create if there are no internal doors for access, alongside the potential for this to lead to an increase in anti-social behaviour along the narrow lane which is the only entrance to Clifton Terrace. The size of the proposed 'function room' is also a concern, as from viewing the area via the window overlooking the pathway to Clifton Terrace, the room does not appear to be a sufficient size to host functions in, especially if they are to be confined to inside the venue due to noise outside. The concerns surrounding the increased noise and potential anti-social behaviour is shared by the residents within the cottages and [REDACTED] whose garden gate backs onto the cottages.

The proposed amendments to the premise licence also raise concerns with [REDACTED] in relation to privacy. It is noted that the only way to access Clifton Terrace is via a narrow lane to the right of The Lounge Wine Bar, an image of this is shown at Fig. 16 on page 14 of the Conservation Area Appraisal and Management Plan¹. At present, the only people that use this lane are the residents of Clifton Terrace, those visiting the residents and [REDACTED] family when using their rear garden gate. As these cottages and houses are part of a tight knit community, everyone is known to each other and it is extremely rare for someone unknown to at least one resident to walk down as far as the cottages.

However, as stated above, if the proposed 'function room' is to be allowed, and the entrance is via the garden area, this raises concerns in relation to privacy, additional noise and anti-social behaviour. An entrance via the garden area would mean patrons attending the 'function room' would need to walk up the lane to enter / exit, creating increased foot traffic. One concern is that it may lead to incidents of anti-social behaviour in the narrow lane such as urinating against the walls, smoking or loitering after closing hours while waiting for either taxis or other vehicles to collect patrons.

¹ <https://document.brentwood.gov.uk/pdf/06022009144704u.pdf> - Ingatestone High Street, Conservation Area Appraisal and Management Plan, page 14

Proposed variation 2 does not provide an alternative for a maximum capacity within the venue. As per the 'Brentwood Borough Council Statement of Licencing Policy'² at paragraph 18.7 it states that 'the Licensing Authority will expect the issue of occupancy capacity to be considered and addressed...', however this has not been done in the proposed variation. One concern in removing the maximum capacity of 24 is again the noise that an increased number of patrons within the venue would bring. Attached with this letter is a video file named 'IMG_3893' which was taken from outside Clifton Terrace at approximately 22:45 on 16 June 2023 when there were only approximately 3 patrons (that could be seen) inside the venue. As you will be able to hear, the conversations being had by the patrons are fully audible from the doorstep of the cottage, and that is with a minimal number of patrons inside. [REDACTED] is concerned that if the number of patrons allowed within the venue is increased, then the level of noise audible from the outside will also increase significantly.

Another concern of [REDACTED] and his family was their privacy. As you will see from the attached screenshot taken from Google Maps labelled 'Google Maps Screenshot', the side boundary of [REDACTED] garden is highlighted in magenta. From 'Image 1'³ you will see that there is a wooden fencing that has been erected on top of a brick wall - this was installed by [REDACTED] due to people from The Lounge Wine Bar being able to see into his garden. This concerned him [REDACTED] whose trampoline is in direct eyesight behind the wall and wishing for them to be able to continue to enjoy the privacy of their back garden. To maximum the security of that area, [REDACTED] has also taken steps to plant fast grown conifer trees to a) make the area more secure and private for his family and b) help capture some of the noise from the venue.

Proposed amendments 3-7 all raise the same concern with [REDACTED] the noise level. [REDACTED] garden borders with the concrete area to the rear of The Lounge Wine Bar, and therefore the noise from the venue can be heard both in the garden of the property and within the property if the doors and/or windows are open.

In respect of the neighbours who reside on Clifton Terrace, [REDACTED] is aware that most of the residences in those seven (7) properties have lived in their residences longer than he has, and therefore share [REDACTED] concerns about the increase in noise that a Wine Bar with an outdoor area will cause.

Another noise concern raised not only by [REDACTED] but other residents too, is that of the emptying of the glass bottles into the bins at the end of the night. As shown in 'Image 3'⁴ the glass bins are located directly outside the garden area of The Lounge Wine Bar. While [REDACTED] and other residents, appreciate that the bottles collected within the bar need to be correctly disposed of within a bin to be collected, the time of day at which this is done should be considered. Given the noise that glass smashing onto glass makes, this should ideally not be done in the late hours of the evening, such as after The Lounge Wine Bar has closed to patrons given the noise that it makes and the vicinity to residents.

The Lounge Wine Bar officially opened on 1 June 2023, following Ingatestone Wines, the previous tenants of the premises closing around the 29 January 2023. While [REDACTED] accepts that Ingatestone Wines had the 'Shack at the Back' the opened on the 21 May 2022, he explains that the level of noise was not as much of a concern as it is now given that the venue is now a wine bar with alcohol being consumed on the premises.

Ingatestone High Street was adopted as a Conservation area under the type 'Village Centre' on the 27 November 1969 and amended on the 17 September 1991 and again on the 12 January 2010. It is

² <https://document.brentwood.gov.uk/pdf/04082022123756000000.pdf> - Brentwood Borough Council, Statement of Licencing Policy 2022-2027, page 18

³ Taken on 16 June 2023 at approximately 22:45 using an iPhone

⁴ Take on Wednesday 14 June 2023 at approximately 18:30

⁵ Take on Wednesday 14 June 2023 at approximately 18:30

an area covering 8.5ha⁶ and encompasses the area including 1-7 Clifton Terrace as well as the property of 'Woodland Close'. The area being that of a conservation area means that the Council believe that it is worthy of both preservation and enhancement.

The Conservation area statement, namely 'Ingatestone High Street; Conservation Area Appraisal and Management Plan'⁷ produced by Essex County Council for Brentwood Borough Council in 2008 states that 'any proposals for new developments, including alterations and extensions to existing properties, must preserve or enhance the special character of the conservation area and should respect the contents and surroundings'. Page 7 of the document contains Fig.1 which is a map of Ingatestone centre showing the conservation area, listed buildings and other designations. Within that conservation area is the area in which The Lounge Wine Bar sits along with the neighbouring cottages and properties. Conservation area was established in November 1969.

On page 29 of the document, at Fig.31, it shows the use of the buildings within the conservation area. As shown on the map, there are three residential properties to the left-hand side of The Lounge Wine Bar, the row of cottages at the rear of the bar as well as approximately three (3) other properties that border to the rear. The houses to the left, Nos 34, 36 and 38 are Grade II listed buildings. The list entry number is 1207411 and was first listed on the 20 February 1976⁸. In contrast to Noka at The Lounge further along the high street, the only residential properties in the nearby vicinity are those which are to the rear of The Bell Public House.

Current residents are already concerned in relation to the noise level in the area, and this can be seen in the response to question 17 of the 'Ingatestone & Fryerning Neighbourhood Plan Questionnaire'¹¹. The question asked was 'how important do you consider the following environmental factors' and reducing noise pollution was important (87), very important (94) and extremely important (148) to 329 of the 348 responses, making 94.5% of responses feeling that reducing noise pollution was important in the area.

For comparison, Noka at The Lounge further up the High Street is set away from residential properties with a shop to the front and a Public House across the road. Their licence conditions (shown in 18/00084/LATLAN and 21/00046/LAVDPS) include the following:

- **Outside Areas** - the external decking area and noise break out should be monitored by staff. The external decking area will be cleared of patrons one hour before closing time on any day. Notices will be displayed advising patrons to keep noise to a minimum. No recorded music or live music will be performed from this area.
- **External doors and windows** - all external doors, windows and roof lights will be kept closed after 18:00 on any day.
- **Audible noise at boundary** - any noise from amplified music or speech shall not be audible at the boundary of residential premises in the vicinity (High Street & Summerfields, Ingatestone).

While the conditions on Noka at The Lounge's premises licence are sensible and an attempt to contain the level of noise that is heard from outside of the venue and to neighbouring residents, such conditions are unlikely to substantially reduce the amount of noise that can be heard from

⁶ <https://www.brentwood.gov.uk/conservation-areas>

⁷ <https://document.brentwood.gov.uk/pdf/05092012164930u.pdf> - Ingatestone Conservation Area, date 5 September 2012, Brentwood Borough Council Ordnance Survey 100018309

⁸ [Ingatestone High Street Conservation Area Character Appraisal \(brentwood.gov.uk\)](https://www.brentwood.gov.uk)

⁹ <https://document.brentwood.gov.uk/pdf/06022009144704u.pdf> - Ingatestone High Street, Conservation Area Appraisal and Management Plan, page 47.

¹⁰ 34, 36 AND 38, HIGH STREET, Ingatestone and Fryerning - 1207411 | Historic England

¹¹ [Ingatestone Questionnaire Responses Household.pdf.pdf \(ingatestone-fryerningpc.gov.uk\)](https://document.brentwood.gov.uk/pdf/06022009144704u.pdf)

neighbouring properties if imposed on The Lounge Wine Bar's premises licence. While a condition such as 'all external doors, windows and roof lights will be kept closed after 18:00 on each day' would be a sensible way to minimise the noise that can be heard from outside of the venue, this would greatly depend on the level of noise and the volume of any live or recorded music being played inside as to whether it would be audible still from the neighbouring properties.

The Licensing Act 2003 requires Brentwood Borough Council (The Licensing Authority) to carry out its various licensing functions as to promote the four licensing objections, which are:

- a) Prevention of crime and disorder
- b) Prevention of public nuisance
- c) Public safety
- d) Protection of children from harm

██████████ is particularly concerned in relation to point b) prevention of public nuisance, as from what has been displayed in relation to the proposed amendments to the premises licence, it does not address items (a) - (g) of paragraph 22.6¹² of the Statement of Licensing Policy which include, but are not limited to:

- The location of premises and proximity to residential and other noise sensitive premises.
- The hours of opening, particularly between 23:00 and 07:00.
- The design and layout of the premises and in particular the presence of noise limiting features.
- A 'wind down period' between the end of the licensable activities and closure of the premises.

The additional noise coming from the outside area of The Lounge Wine Bar has begun to 'materially interfere with the average persons use of or enjoyment of a premises or be prejudicial to health'¹³ and a concern of ██████████ is that this will continue if the proposed amendments to the premises licence are granted. It is also noted that the proposed amendments to the premises licence to include additional noise from music (both live and recorded), extended licencing hours and the use of the garden area has the potential for the quality of life of the residents in the vicinity of The Lounge Wine Bar to diminish due to the change in the acoustic character of the area, especially during the evenings, which as per the 'Noise Exposure' document produced by the Government¹⁴, is a significant observed adverse effect to noise.

██████████ wishes to make it abundantly clear that he, his family and other local residents that he has spoken with, are not opposed to The Lounge Wine Bar operating on the High Street, their primary concern is the outside garden area, proposals for live and recorded music up until a latest of 23:30 and the increased noise that will bring. The level of noise audible from outside of the venue is already hindering the local residents enjoyment of their properties, and ██████████ is concerned that should the proposed amendments be granted, this will continue, especially over the upcoming summer months.

To ensure that these representations are presented as a whole, ██████████ is aware that the owners of The Lounge Wine Bar held a meeting on the 26 June 2023 for residents to voice their concerns. Local residents received letters posted through their doors on the 19 June 2023 from the owners of the venue stating that there would be a meeting on the 21 June 2023 at 19:30 to "allay concerns". A copy of the letter put through ██████████ door is provided. Unfortunately, ██████████ was out of the country on business, his wife was unable to attend due to childcare issues and a number of the

¹² <https://document.brentwood.gov.uk/pdf/04082022123756000000.pdf> - Brentwood Borough Council, Statement of Licencing Policy 2022-2027, page 22

¹³ Definition of 'Noise Nuisance' as per the Environmental Protection Act 1990

¹⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/820957/noise-exposure-hierarchy.pdf

residents of Clifton Terrace were unable to attend due to the short notice. Apologies were sent to the owners of the venue asking if a new date could be arranged. The owners of The Lounge Wine Bar set this for 26 June 2023, however, it appeared that a number of local residents were not informed of this new date. Again, [REDACTED] was unable to attend due to being out of the country on business. His wife attended for a short time due to not having anyone to look after their two children. [REDACTED] felt extremely intimidated throughout this meeting, and when she raised her concerns about your young son being unable to sleep due to the noise, she was laughed and sniggered at by the owners of the venue. [REDACTED] feels that at no point during the meeting were the resident's concerns listened to, and that the responses provided by the venue owners were 'we're following government guidelines' and comments such as 'so you're opposed to talking then'. [REDACTED] and one of the residents of Clifton Terrace attempted to explain that their primary concern was the increased noise coming from the garden area and that they were not opposed to the venue as a whole, however the venue owners made comments such as 'so you're opposed to development then' which was not what was being put forward.

[REDACTED] had hoped that a meeting with the owners of The Lounge Wine Bar would allow some dialogue between them and the residents to openly voice their concerns and come to some mutual agreements that would mean The Lounge Wine Bar could operate their business without interrupting the local resident's enjoyment of their properties and gardens.

It is submitted that allowing the proposed amendments to the premises licence as requested by The Lounge Wine Bar will mean that the licensing objections, particularly the prevention of public nuisance, is not met and will significantly hinder not only [REDACTED] and his family's enjoyment of their property and garden space, but all residents in the nearby vicinity too. The potential for the increase in noise from the venue and its patrons is one of the main concerns shared by [REDACTED] and local residents and is something they would hope could be kept to a minimum to ensure that the area they live in can remain a calm and collective space within a long-standing conservation area.

Yours sincerely



Zoe Hosking
Solicitor
For and on behalf of Birkett Long LLP

10

Debra Wright

From: [REDACTED]
Sent: 23 June 2023 18:53
To: Paul Adams
Cc: Dave Leonard
Subject: The Lounge Wine Bar
Attachments: Lounge Wine Bar (1).jpg; Lounge Wine Bar (2).jpg

Ref. 23/00097/LAFVAL

Dear Sir / Madam,
The Licensing Department
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY

I enclose my attached 2-page letter for your attention. I am merely supporting the residents who have been suffering with the noise coming from the Lounge Wine Bar in recent evenings and nights, and who wish to appeal.

[REDACTED]
Clifton Terrace

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

10

Clifton Terrace
Ingatestone
Essex

The Lounge Wine Bar

My name is [REDACTED] [REDACTED] have resided at Clifton Terrace for over [REDACTED]. One of the reasons for choosing this property is that I can be near the shops in the High Street and can enjoy being here without the fear of loud music from these sort of venues. It is enough having to put up with noisy cars and bikes late at night.

My main concern about the proposed amendments to the Licence conditions of the Lounge Wine Bar is the additional noise it will create. Fortunately for me I sleep on the Budgens side and can get to sleep without any disturbance so far, but some of the other neighbours have not been so lucky as they have heard people chatting and bottles clanging together sometimes late at night.

As I understand it, the proposed amendments 3-6 are likely to result in an increase in the opening hours of the venue which again raises concerns in relation to the noise that this would create, not only with people leaving there but with taxis and vehicles waiting outside to collect people plus the additional noise and disruption this could cause. Then there would be the additional noise after closing hours of the clearing of the bar and the emptying of the bottles into the glass bin that is now located to the rear of the garden area. The smashing of glass into the bin is a sound that tends to echo, and the concern is that this will be done late into the night if the venue is open later.

Another concern is the potential increase in foot traffic that an extension of the Lounge Wine Bar may bring to Clifton Terrace, especially if the proposed amendment to remove the maximum capacity of 24 is granted. At present, the only people who come up the pathway to the cottages are residents and people visiting residents within these properties, however, if there is no access to the "function room" via the inside of the bar (as per the plans submitted, it would appear the only entrance is via the double doors in the garden) it would mean people having to enter and exit via the garden and come up Clifton Terrace to do so. I wish to make it clear that this is something that I and the other residents would not be able to tolerate as the land in front is a Conservation area. If that were to happen, there maybe an increase in acts of anti-social behaviour in the area, with there being previous incidents of people urinating against the wall along the alleyway, and people walking along the pathway between the cottages and their gardens.

The front bit of the Terrace has been a Conservation Area since 1969 alongside the cottages neighbouring the bar being Grade II listed buildings, and that the Lounge Wine Bar is not in keep with that.

10

While I do not wish to hinder the business and would welcome new businesses to the area. I am concerned that should the proposed amendments to the Licence be granted this would mean that residents would be unable to enjoy their properties as before. Should the business fail for any reason, then any new owners would have a licence that would allow music to be played without any restrictions on the level of noise that it would create.

Yours sincerely



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Mr [REDACTED]
Clifton Terrace
Ingatestone, Essex
[REDACTED]

The Licensing Department
Brentwood Borough Council Town Hall
Ingrave Road
Brentwood
CM15 8AY

Thursday, 29th June 2023

Reference: 23/00097/LAFVAL - PREMISES: The Lounge Wine Bar, Clifton House, 40 High Street
Ingatestone CM4 9EE

Dear Sir/Madam,

I have lived at [REDACTED] Clifton Terrace for just over [REDACTED]. My property is at the end of Clifton Terrace, closest to the rear of The Lounge Wine Bar and, unlike the rest of Clifton Terrace, **my bedroom and living room windows directly over-look** the outside seating area (garden area) for The Lounge Wine Bar. The distance between my living room window and The Lounge Wine Bar is approximately 7 meters.

Regarding the amendments proposed in the application, my main concerns are excessive additional noise from recorded and (especially) live music and light from the garden area. At present I have moved my bed to the rear of my house in an attempt to mitigate noise from people gathering in the garden area, disposal of bottles and late-night vehicle movements, which my windows directly overlook. This is especially an issue in the summer months when the upstairs window needs to be opened in the evening to cool the house.

Given the vulnerability of timber framed buildings to vibrations, I am deeply concerned that the proposed live music will not just be heard, but also, quite literally, felt.

I am also increasingly concerned about artificial light from the garden area which will presumably increase when the proposed function room is in use. As it is, the transparent roof is covered in flashing lights and a few bright flashing lights are left on throughout the night.

Downstairs, I keep the window closed and a blackout blind down to minimise car/van headlights shining directly into my front room, especially now as the Lounge Bar van leaves late, after closing, and must perform a three-point turn to exit to the High Street. I am very concerned that the proposed extended hours will increase vehicles and vehicle movements, further exacerbating an already challenging situation. Note – I have no front garden, so vehicles manoeuvre directly outside my front window.

In addition, I am greatly concerned that the proposed function room - apparently inaccessible from inside the premises - and removal of the maximum permitted number of customers, will lead to a dramatic increase in the number of non-residents gathering immediately outside my living room window and along the pathway from the High Street to Clifton Terrace, causing unavoidable noise

and potential anti-social behaviour associated with people leaving a licenced premises late at night. I fear too that this will eventually lead to a significant invasion of privacy.

Clifton Terrace has been in a conservation area since 1969 and this was one of my reasons for moving to this area – the proposal outlined in this application is not remotely in keeping with this environment. I am in no doubt that should this application be granted; my quality of life will be immeasurably diminished.

Best Regards,

Mr [REDACTED]

Tel: [REDACTED]

12

Dominika Jaskolska

From: [REDACTED]
Sent: 08 July 2023 20:53
To: Licensing
Subject: Application Reference - PRM_0421
Attachments: The Lounge Licence Objection .pdf

Follow Up Flag: Follow up
Flag Status: Completed

Please find attached my objection to the proposed planning application at 40 High Street, Ingotstone. If you are unable to read the contents for any reason please don't hesitate to contact me on the above address and I will try to provide you with an alternative version.

Thanks

[REDACTED]

Clifton Terrace
Ingatestone
Essex

8th July 2023

FAO: Licencing Authority
Brentwood Borough Council

Email copy: licensing@brentwood.gov.uk

RE: The Lounge Bar Limited
40 High Street
Ingatestone
CM4 9EE
Application Reference - PRM_0421

Dear Sir/Madam,

I am writing to object the the above application specifically with regard to the outside seating area to the rear of the property. I would like to stress that the majority of my objections are primarily related to this specific part of the business and have few problems with those parts of the application that are confined to the interior of the property. This is provided that it does not lead to increased levels of antisocial behaviour of their customers as they both arrive and leave particularly late at night.

As you are no doubt aware the business is located within the High Street Conservation Area immediately next to a location that was described in the Village Design Statement as a hidden gem. I have grave concerns about the impact of noise emanating from The Lounge upon the general character and ambiance of Clifton Terrace and its surrounds.

I have lived in Clifton Terrace for [REDACTED] and and for the vast majority of the time have never had any problems regarding noise or other forms disturbance in the area. In fact the quiet location in the heart of the village was one of the principal reasons why I moved here in the first place.

Unfortunately this all changed when what had previously been a wine shop in Clifton House started allowing drinks to be consumed in the rear exterior area - I do not recall seeing a planning application for this at the time. However since the change occurred during the lockdown period I could well have missed it. Before this time all commercial activities at 40 High Street were confined to inside the shop area and caused no issues for me personally. I view this licence application as my first opportunity to comment on the both the existing business as well as any proposed changes to it. I think is important to avoid a further erosion of a unique location and to try to address some of the problems that already exist.

In the time since it has reopened following a change of ownership and a period of refurbishment the volume of noise I have observed at home originating from The Lounge has steadily increased week by week whilst the business has been open. This is particularly apparent on Fridays and Saturdays when the disturbance is greater both in duration and volume of noise. One particular aspect giving me concern is that during the course of the evening the volume steadily increases presumably as the patrons drunk more. Given that this licence request is for even longer business hours and 7 day a week opening I can only assume that the impact upon the environment will only get significantly worse if the request is granted.

The area around the business is quite densely populated by Ingatestone standards. By my reckoning there are 11 residential properties that either directly border or just have an open area of land between themselves and the outside seating area so this development materially affects quite a few properties. My property is less than 25 meters from the outside seating area across an open garden area and there are 6 properties that are closer than me - I expect that you will receive representation from a number of them in addition to this one.

Regarding this specific application I notice that item 1 of the licence application is to amend the layout of the premises plan. This seems to be a bit vague especially given that we are taking about what I believe is a listed building within the conservation area. I see no reference to a proposed layout or any other details and trust that all suitable permissions have been both sought and obtained.

Items 4 and 5 on the application talk about to playing either live or recorded music. Again there is no indication of specifically where this will be so it is hard to judge what the actual impact of this will be. Assuming the worst case this would be the outside areas of the business and would materially affect the noise levels in the surrounding areas. Given that the application covers all 7 days of the week this has the potential to effectively mean there will be neighbours from hell on my doorstep playing loud music until 10 o'clock at night 4 nights of week and 11 o'clock for the other 3. I, like most of the working population, work Monday to Friday and as a result particularly object to the extended hours being proposed on Thursday. This part of the application has the potential to severely impact my quality of life.

Recently the business owners arranged a meeting with the local residents to discuss their plans for the business. Unfortunately the meeting did not go particularly well and was quite confrontational at times. They seemed to be more interested in shouting down our objections than considering that we might have legitimate concern. That being said things did calm down somewhat and some discussions took place. During these discussions I was told by the business owners that their original intention was for a lower impact licence application but that they were advised by someone to increase them scope of the application to the maximum that they thought they could get away with. So what we have in this application is something that is wanted by neither the business nor the local residents.

The current plans for the business might not be to fully adopt all the caveats in the licence but with open ended nature of the application we could be in a situation where there is a steady increase in the impact the changes particularly if the business is struggling and they move to chase a different type of market. Also most businesses change ownership over time and I am sure that this one will be no different. If someone new were to purchase the business they would basically have a free reign to develop within the terms of the licence causing more impact on the local area.

I think the above is a fair summary of my concerns and feelings regarding the licence application and would be quite willing to further discuss them if required.

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

13

Dominika Jaskolska

From: [REDACTED]
Sent: 09 July 2023 10:27
To: Licensing
Cc: [REDACTED]
Subject: The Lounge Bar, 40 High Street, Ingatestone - 23/00097/LAFVAL

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing Team

We wish to register an objection to the application reference 23/00097/LAFVAL - The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone CM4 9EE. We have structured our email in accordance with the instructions on Brentwood Borough Council's Licensing website:

[REDACTED]

We are interested parties by virtue of being the owners of [REDACTED], [REDACTED] and [REDACTED] High Street, Ingatestone [REDACTED]. This is a terrace of three Grade 2 Listed cottages separated from 40 High Street by a narrow - less than 3 feet - side passage adjacent to [REDACTED] High Street. This side passage is a private shared rear access to [REDACTED] 3 properties. We let all [REDACTED] properties.

We feel that if granted the application will potentially breach the licensing objectives in the following ways:

1. Using the premises for live - or indeed recorded music - will cause a noise nuisance to both our tenants residing in our cottages as well as the other neighbouring residential properties. These properties are occupied by a variety of tenants and include families with young children. The applicant's premises at 40 High Street are in the Ingatestone Conservation Area and as such is subject to a higher level of planning control which means that it will be very difficult to soundproof the premises effectively, particularly the front elevation which has large glass shop windows which in my experience can behave like a giant drum if music is played in an enclosed room behind them. Licensing objectives '**the prevention of public nuisance**' and '**the protection of children from harm**'.
2. The premises is close to the Anglo European School and has a very high level of passing schoolchildren in the morning and afternoon. Granting an alcohol licence that starts at 8am potentially breaches the licensing objective '**the protection of children from harm**'.
3. We note the applicant's request to remove the capacity limit which is currently 24. The premises are relatively small and, irrespective of alterations to the internal layout, allowing capacity to be unlimited has potential to breach two licensing objectives - '**public safety**' and '**the prevention of crime and disorder**'.

4 The premises is on the busiest segment of Ingatestone High Street which regularly experiences both traffic jams and speeding motorists throughout the day. There is a potential risk to customers of the premises when they exit the premises. Licensing objective '*public safety*'.

Best regards



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14

Dominika Jaskolska

From: [REDACTED]
Sent: 04 July 2023 15:52
To: Licensing
Cc: Paul Adams; Dave Leonard
Subject: 23/00097/LAFVAL - Notice of Application to vary a Premises Licence - The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone, CM4 9EE
Attachments: The Lounge Wine Bar Clifton House 40 High Street Ingatestone CM4 9EE -23.00097.LAFVAL.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

The Licensing Department
Brentwood Borough Council
Ingrave Road
Brentwood
CM15 8AY

Ingatestone & Fryerning Parish Council raise Objection to VARY A PREMISES LICENCE reference 23/00097/LAFVAL at The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone, CM4 9EE, as per the attached objection and respectfully request that the application be heard at the next Licensing Sub-Committee meeting where a representative from the Parish Council can address the Committee.

[REDACTED]
Assistant Clerk
Ingatestone and Fryerning Parish Council

Address: Suite 2, 4 The Limes, Ingatestone, Essex, CM4 0BE
Tel: 01277 676759 (office)
www.ingatestone-fryerningpc.gov.uk

Opening Hours: Tuesday -Thursday, 9-5pm (an answer phone facility is available outside of these hours)



For details of our Privacy Policy and your rights under the GDPR, please visit our website:
<http://www.ingatestone-fryerningpc.gov.uk/privacy>

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Objection to VARY A PREMISES LICENCE reference 23/00097/LAFVAL at The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone, Essex, CM4 9EE

The Parish Council's Planning & Highways Committee having considered the Notice of Application to Vary A Premises Licence at The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone, CM4 9EE dated 02/06/23 and the shorter Notice currently displayed in the window of the premises raise OBJECTION to the proposals as follows addressing each bullet point in the current Notice displayed in the window:

- No plan attached to the application showing the amendment to the layout of the premises the additional licenced area and "cosmetic changes" therefore inadequate information supplied for Committee and public.
- Annex 2, Condition 5: The maximum capacity currently set at 24 in the shop at any one time. No number is given for numbers in the shop or the "additional licenced area". This raises concern with regard to fire regulations and toilet facilities.
- Out of character with this part of the High Street which is mainly residential and has 3 adjacent Listed cottages, a row of 7 cottages to the rear, 3 flats and 1 house. 11 pm is an unsuitable time to be open causing noise and disruption to nearby residents' enjoyment of their properties. Extended hours could lead to anti-social behaviour which is of great concern to Neighbours.
- Not a suitable venue for live music as this would impact on nearby residents. It is the Parish Council's understanding that a noise limiter cannot regulate unamplified music.
- Recorded music especially in the small open area at the rear the shop is unacceptable.
- Late night refreshment. No details of the kind of refreshment to be offered. This raises concern regarding kitchen and washing facilities and hygiene standards.
- Impact on neighbouring residents including noise. Extended hours these should only be granted after application for a special licence and having regard to the effect of such late hours on neighbours.

LOUNGE WINE BAR

CLIFTON HOUSE, 40 HIGH STREET, INGATESTONE CM4 9EE

REPRESENTATIONS

(SUPPORT)

Other Persons

1. *Lucy Whittaker*
2. *Jessica Bonnett*
3. *Kenneth Spinks*
4. *Paul & Laura Williams*
5. *Nigel Wagland*
6. *Mandy Butt*
7. *Michelle Hall*
8. *Mark Hall*
9. *Adrian Bonnett*
10. *Charlotte Jeffries*
11. *Mr, from Woodland Close*

Dominika Jaskolska

From: Licensing
Sent: 12 July 2023 09:52
To: Dominika Jaskolska
Subject: FW: The Lounge Wine Bar, Ingatestone

-----Original Message-----

From: [REDACTED]
Sent: 07 July 2023 10:36
To: Licensing <licensing@brentwood.gov.uk>
Subject: Re: The Lounge Wine Bar, Ingatestone

Good morning

My address is [REDACTED] Pine Drive, Ingatestone and both myself and husband were former owners of Ingatestone wines formally at 40 High street. I am happy for this information and my representation to be in the public domain.

Licensing should already be aware of unproven allegations made by these neighbours towards us which were distressing and upsetting when we were running Ingatestone Wines. They impacted enormously on my own mental health and well-being. This should form part of the history to the ridiculous allegations and minor noise complaints they are now making to the new owners.

It should also be noted that Brentwood council did award us with a grant to increase outdoor hospitality space post covid lockdowns at the beginning of 2022.

Kind regards

[REDACTED]

> On 7 Jul 2023, at 09:48, Licensing <licensing@brentwood.gov.uk> wrote:

>

> Dear [REDACTED],

>

> Please see attached acknowledgement letter to your representation to The Lounge Wine Bar and respond accordingly.

>

> Kind Regards

>

> Dominika Jaskolska | Admin Assistant - Licensing & Environmental Health | Brentwood Borough Council

> 01277 312500 | www.brentwood.gov.uk | dominika.jaskolska@brentwood.gov.uk

>

>

>

> -----Original Message-----

> **From:** [REDACTED]
> **Sent:** 06 July 2023 21:31
> **To:** Licensing <licensing@brentwood.gov.uk>
> **Subject:** The Lounge Wine Bar, Ingatestone

>

> Sadly both my husband and I had to say goodbye to Ingatestone Wines earlier this year but were delighted to see it taken over by the lovely Bell family. Since they have taken it over, they have improved the building itself and breathed new life into a business that was struggling to survive.

>

> Previously, we had been successful in obtaining our on-licence in February 2020 (just before Covid hit) and in January 2022, Brentwood Council issued us with a grant to build outdoor hospitality space after the covid pandemic. We were always respectful of the neighbours but continued to experience harassment for incredibly mundane things such as shutting the bin too loudly in the mornings and even an afternoon end of term reception for the local school. It made myself unwell.

>

> Now the harassment begins from these few individuals who are spearheading a campaign against the Bells and The Lounge. We have been accused of operating illegally ourselves, never having had the proper licence and even bribing the council!

>

> Brentwood Council provided us with a grant to create the outside space! And now it seems want to shut it down! This is ludicrous! We were encouraging outdoor hospitality this time last year! Have people got such short memories?!

>

> These two individuals know who they are and what they are doing. They see a world from their own deluded and blinkered existence. I've lived in this village my whole life and am saddened to see the way they have treated this lovely family who have chosen to invest in OUR village, OUR people and OUR high street.

>

> Please do not let the minority make a decision about a wonderful family run business that is an asset to the high street in Ingatestone.

>

> 

>

Find out more about cost of living support | Brentwood Council<<https://www.brentwood.gov.uk/cost-of-living>>

Find out more about cost of living support | Rochford Council<<https://www.rochford.gov.uk/community-and-people/cost-living>>

[Email Footer]

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Dominika Jaskolska

From: [REDACTED]
Sent: 07 July 2023 07:41
To: Licensing
Subject: 23/00097/LAFVAL

Follow Up Flag: Follow up
Flag Status: Completed

Dear sirs

I live in Fryerning lane and love the buzz and vibrancy of our village Ingatestone.
The range of shops and restaurants are what keeps the village great- alive and thriving.

I have frequented The Lounge several times since it opened for coffee and wine.
The owners and staff have been professional & polite and offer something not offered elsewhere.
The clientele I witnessed were more mature , middle aged ladies like myself , couples and all enjoying some food and wine.

I was enjoying wine in the garden area with a friend and was asked if I'd like to move inside at about 10 pm - which we happily did as did the other older couple in the garden at the time .

I truly hope that The Lounge remains open and thrives as every village needs the support of small independents. A closure would mean another empty unit on the high street and the slow death of our village.

Regards

[REDACTED]
[REDACTED] Fryerning Lane
[REDACTED]

Sent from my iPhone

Dominika Jaskolska

From: [REDACTED]
Sent: 07 July 2023 09:45
To: Licensing
Subject: 24/00097/LAFVAL

Follow Up Flag: Follow up
Flag Status: Completed

I am writing regarding The Lounge wine bar in Ingatestone

Myself and my wife are both over [REDACTED] years of age and live in the village.

We are thrilled that this lovely establishment has opened as it caters for a more mature clientele.

Please do not let a few moaners ruin it for us and the village.

I would imagine you would be more concerned with the noise of the traffic speeding through our village than some people enjoying a nice glass of wine and a chat.

We moved to the village a few years ago because it has a collection of independent shops and eateries of class and reputation.

The Lounge supports this and should be allowed to trade.

Regards

[REDACTED]
Fryerning Lane

Sent from my iPhone

Dominika Jaskolska

From: [REDACTED]
Sent: 07 July 2023 11:10
To: Licensing
Subject: Writing to support fully the application reference: 23/00097/LAFVAL

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licencing,

Reference: 23/00097/LAFVAL

We are writing to support fully the application to vary a premises licence for The Lounge Wine Bar, Clifton House, 40 High Street Ingatestone, CM4 9EE [two votes of support in this single letter] We live on Pine Drive, [REDACTED]

The premises is directly over the road from another licenced premises which I suspect will already have much of the permissions that have been sought in this application. There is another premises on the corner of stock road and the high street, within 20 meters, that likely will have the same permissions as well.

As a very local resident we have no complaints with any of the establishments (I know they are not included in this application). The more the merrier in this case :-)

Kind regards,
[REDACTED]

Dominika Jaskolska

From: [REDACTED]
Sent: 07 July 2023 16:39
To: Licensing
Subject: The Lounge Wine Bar, Clifton House, 40 High Street, Ingatestone

Follow Up Flag: Follow up
Flag Status: Completed

As a local resident, I would like to make representations in relation to the application made by the above business and property as I understand that an objection/objections have been raised to a licence being granted.

I should start by saying that I live in the High Street [REDACTED] and that I have visited the new business on a number of occasions since it opened. I have and do also visit the Community Club opposite. The following comments are made in no particular order of importance:

- 1) Firstly, this is a family run business which is what this High Street wants and needs and the proprietors are delightful hosts who are keen to support the village.
- 2) They have done a fantastic job of upgrading the premises which is now a vast improvement on what was there before and helps considerably to improve the appearance of that part of the High Street and the ambience of the area. It will help to attract customers to other retailers as well as their own business.
- 3) They have created a classy and refined wine bar selling fine wines and coffees, clearly aiming at a quality market. Ingatestone is not a rowdy place anyway, but this business does not appear to intend to nor will attract those intent on volume drinking etc.
- 4) If the objection is by a nearby resident which I understand may be the case, I would point out that there are, as is usually the case, a number of licensed premises in the High Street which are close to residential properties (you cannot avoid that here) and it does not seem to be a problem. As I say, Ingatestone is not a rowdy place and I am not aware of incidents here caused by licensed premises.
- 5) There is another licensed property, The Community Association Bar, that is only feet away that has music nights and football nights etc without issue. I am not aware of objections to that even though the Community Bar will appeal to a totally different clientele.
- 6) If the objection is to noise, I must say as somebody living nearby and on the High Street, you cannot realistically expect to live close to an active working High Street and not expect some ambient noise. It is busy and needs to be in order to survive. Not only as a High Street but the road through itself is a busy one day and night anyway and I can speak from experience that heavy lorries can and do thunder through the centre of the village at all times of the night. The likelihood of this business creating any additional noise over and above the existing ambient noise of traffic and other businesses in close proximity, day or night, is minimal if non-existent.

In conclusion therefore, this High Street has long awaited and needed a business like the Lounge Wine Bar to open in it and I strongly urge the committee to grant the licence requested.

Kind regards

[REDACTED]
[REDACTED] High Street
Ingatestone
Essex
[REDACTED]

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Dominika Jaskolska

From: Licensing
Sent: 12 July 2023 10:14
To: Dominika Jaskolska
Subject: FW: 23/00097/LAFVAL

-----Original Message-----

From: [REDACTED]
Sent: 11 July 2023 08:42
To: Licensing <licensing@brentwood.gov.uk>
Subject: Re: 23/00097/LAFVAL

Thank you for your email. My full address is as follows:

[REDACTED] Docklands Ave
Ingatestone
Essex
[REDACTED]

Regards
[REDACTED]

> On 10 Jul 2023, at 08:35, Licensing <licensing@brentwood.gov.uk> wrote:

>

> Dear [REDACTED]

>

> Please find attached your letter of acknowledgment for the Lounge Wine Bar and respond accordingly.

>

>

> Dominika Jaskolska | Admin Assistant - Licensing & Environmental Health | Brentwood Borough Council

> 01277 312500 | www.brentwood.gov.uk | dominika.jaskolska@brentwood.gov.uk

>

>

>

> -----Original Message-----

> From: [REDACTED]

> Sent: 07 July 2023 18:09

> To: Licensing <licensing@brentwood.gov.uk>

> Subject: 23/00097/LAFVAL

>

> Hi

> I'm am a resident of Ingatestone and have lived in the village all my life [REDACTED]

> I'm in great support of the The Lounge Wine Bar. Apart from 2 public houses and a very overpriced cocktail bar our village is in great need of this lovely wine bar/coffee bar. I do not want to see any more empty shops/premises in what once was a very thriving attractive village.

>

> I have been in The Lounge Wine Bar a couple of evenings and it's really nice to experience a well managed establishment. They are obviously very caring about the close residents/village and they made it very clear to us all to be quiet and considerate when leaving the premises.

>

> We had a lovely evening with friends enjoying good wine. It would be such a shame to lose this wonderful bar.

> [REDACTED]
>
>

Find out more about cost of living support | Brentwood Council<<https://www.brentwood.gov.uk/cost-of-living>>
Find out more about cost of living support | Rochford Council<<https://www.rochford.gov.uk/community-and-people/cost-living>>

[Email Footer]

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Dominika Jaskolska

From: [REDACTED]

Sent: 07 July 2023 20:34

To: Licensing

Follow Up Flag: Follow up

Flag Status: Completed

Dear Sir/Madam

As a resident of Ingatstone [REDACTED], Avenue Road [REDACTED] I WHOLEHEARTEDLY support this application. This is a fabulous family that have invested huge amounts of money to bring something special to our high street. With ever increasing cost of living, give this family a break!! They aren't asking for a nightclub just a social area and the ability to serve alcohol with fabulous sharing platters for a casual dining experience!!

Very disappointed this is even under discussion.

Kind regards

[REDACTED]

Dominika Jaskolska

From: Licensing
To: Dominika Jaskolska
Subject: FW: "Applications under consultation Published13 October 2022 Last updated06 July 2023 LICENSING ACT 2003 NOTICE OF APPLICATION TO VARY A PREMISES LICENCE PREMISES: The Lounge Wine Bar, Clifton House, 40 High Street Ingatestone CM4 9EE Notice is give..."

-----Original Message-----

From: [REDACTED]
Sent: 10 July 2023 09:22
To: Licensing <licensing@brentwood.gov.uk>
Subject: Re: "Applications under consultation Published13 October 2022 Last updated06 July 2023 LICENSING ACT 2003 NOTICE OF APPLICATION TO VARY A PREMISES LICENCE PREMISES: The Lounge Wine Bar, Clifton House, 40 High Street Ingatestone CM4 9EE Notice is give..."

Hi My Name is [REDACTED] address [REDACTED], Avenue Road, ingatestone, [REDACTED]

Please let me know if you need any further information.

Regards,

[REDACTED]

Sent from my iPhone

> On 10 Jul 2023, at 10:48, Licensing <licensing@brentwood.gov.uk> wrote:
>
> Dear [REDACTED]
>
> Please find attached your acknowledgment letter for the Lounge Wine Bar and respond accordingly.
>
> Kind regards,
>
> Dominika Jaskolska | Admin Assistant - Licensing & Environmental Health | Brentwood Borough Council
> 01277 312500 | www.brentwood.gov.uk | dominika.jaskolska@brentwood.gov.uk
>
>
>

> -----Original Message-----

> **From:** [REDACTED]
> **Sent:** 07 July 2023 20:49
> **To:** Licensing <licensing@brentwood.gov.uk>
> **Subject:** Fwd: "Applications under consultation Published13 October 2022 Last updated06 July 2023 LICENSING ACT 2003 NOTICE OF APPLICATION TO VARY A PREMISES LICENCE PREMISES: The Lounge Wine Bar, Clifton House, 40 High Street Ingatestone CM4 9EE Notice is give..."

>
>
> This is an absolute travesty!! Such a lovely casual dining setting with a huge investment from the new owners to provide a lovely venue for local residents! This should be allowed and I wholeheartedly support this business.
>

> Have you even checked the noise level at different times of the day. I'm sure a handful of people talking in the outside space would come nowhere near the legal limit.

>

> Have you even discussed with the new owners a settlement on an appropriate time to close the garden.

>

> I'm sure they will have some legal recourse after you granted the licence, allowed them to spend all that money to make the shop and garden a nice place to come to and then revoke it.

>

> Regards

> [REDACTED]

> [REDACTED]

> Avenue Road, Ingatestone, [REDACTED]

>

Dominika Jaskolska

From: [REDACTED]
Sent: 07 July 2023 21:33
To: Licensing
Subject: Fwd: 23/00097/LAFVAL

Follow Up Flag: Follow up
Flag Status: Completed

>> Dear sirs

>>

>> I live in Fryerning lane and think our village Ingatestone is an ideal place to live.

>> The range of shops and restaurants is what sets us apart from others.

>>

>> I've visited The Lounge several times since it opened for coffee and wine.

>

>> The clientele I witnessed were more mature , middle aged couples like myself and my wife, couples all sensibly enjoying some food and wine.

>> I was enjoying wine in the garden area with my wife and a friend and was asked if I'd like to move inside at about 10 pm - which we happily did as did the other older couple in the garden at the time .

>>

>> I truly hope that The Lounge remains open and thrives as every village needs the support of small independents. A closure would mean another empty unit on the high street and the slow death of our village.

>>

>> Regards

>>

>> [REDACTED]
>> Fryerning Lane

>>

>>

>> Sent from my iPhone

Dominika Jaskolska

From: Licensing
Subject: FW: Ref : 23/00097/LAFVAL

From: [REDACTED]
Sent: 10 July 2023 12:47
To: Licensing <licensing@brentwood.gov.uk>
Subject: RE: Ref : 23/00097/LAFVAL

My address is [REDACTED] Willow Green, Ingatestone [REDACTED]
Kind regards [REDACTED]

----- Original message -----

From: Licensing <licensing@brentwood.gov.uk>
Date: 10/07/2023 09:59 (GMT+01:00)
To: [REDACTED]
Subject: RE: Ref : 23/00097/LAFVAL

Dear [REDACTED]

Please find attached your letter of acknowledgment for the Lounge Wine Bar and respond accordingly.

Kind Regards,

Dominika Jaskolska | Admin Assistant - Licensing & Environmental Health | Brentwood Borough Council

01277 312500 | www.brentwood.gov.uk | dominika.jaskolska@brentwood.gov.uk

From: [REDACTED]
Sent: 08 July 2023 20:14
To: Licensing <licensing@brentwood.gov.uk>
Subject: Ref : 23/00097/LAFVAL

Dear Sirs,

I am just writing in support of the lounge wine bar's application to amend and extend their premises licence.

I think the business is a real asset to the village, and is a great new venue to our village. The fact that it is a low key venue, with a calm pleasant atmosphere, makes it very a very friendly place to go, particularly for women I would say, who often find pubs too loud and blokey.

It would be such a shame to curtail this lovely little business based on a few nimbys who seem to complain about everything it seems. If you choose to live at the back of retail premises just off the high street you have to expect a bit of noise and coming and going, it is the bustling high street that attracted them in the first place I'm sure. It's not unlike those who move to the country and then complain about the tractors and smell of the cows.

It's not many months of the year in this country that one can sit outside anyway, and the proprietors are very careful to get everyone inside before 10pm, which is not unreasonable at all. We live in Willow Green, and frequently our

neighbours are in their gardens with friends to much later hours, but that is the nature of rubbing along with living at close quarters, much like living in the centre of the village.

I hope the councillors do look favourably on this fledgling business, and allow the proprietors to show you how responsible they can be in managing their business and their licence.

Kind regards,



Willow Green, Ingatestone

Dominika Jaskolska

From: Licensing
Subject: FW: "The Lounge" Ingatestone planning application

From: [REDACTED]
Sent: 07 July 2023 22:14
To: Dave Leonard <dave.leonard@brentwood.gov.uk>
Subject: "The Lounge" Ingatestone planning application

Dear Mr Leonard,

I am writing regarding the a planning application by "The Lounge" a wine bar on the Ingatestone High St.

It has been brought to my attention that there is a co-ordinated effort by a small group of residents to portray the establishment as noisy and disruptive.

I live at [REDACTED] Woodland Close [REDACTED]. I have never heard any excessive noise emanating from the establishment. If I have been able to hear any noise from the establishment it has been well within the range of what is already generated by the general trade and passing traffic of the Ingatestone village.

I have met the proprietors of the establishment and they seem genuinely concerned to listen to, and consult with, local residents.

I support their application to extend trading hours and support local artists.

Please feel free to contact me if you have any further questions.

Kind Regards

[REDACTED]

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.