

WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA

APPENDIX 1

APPLICATION FORM

24 JANUARY 2019

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

Reference: PrL95897331

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

Before completing this form please read the guidance notes:

[Premises Licence Application Guidance Notes](#)

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

Cost of Licence

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

What is the Nondomestic rateable value of the premises?: 0-4300

Cost of licence: £100.00

I/We,

Applicant first name: Titas

Applicant surname: Bielskis

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

Premises Details

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

Ordnance survey map reference or description:

Premises Address

Flat number (if any) Windermere

House number/name 47

Road name	Byron Road
Town	Hutton
County	Essex
Post Code	CM13 2SA

Daytime contact telephone number (if any):

Premises email address (optional):

Please state whether you are applying for a Premises Licence as: (a) an individual or individuals

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

Individual Applicants

Title: Mr

First name(s): Titas

Surname: Bielskis

I am 18 years old or older: Yes

Applicant Address

Flat number (if any)

House number/name 47

Road name Byron Road

Town Brentwood

County Essex

Post Code CM13 2SA

Daytime contact telephone number: 07377941738

Application email address (optional):

Second Individual Applicant (if applicable)

Title:

First name(s):

Surname:

I am 18 years old or older:

Applicant Address

Flat number (if any)

House number/name

Road name

Town

County Essex

Post Code

Daytime contact telephone number:

Application email address (optional):

Other Applicants

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

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

Operating Schedule

When do you want the premises licence to start?: 01/12/2018

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

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

Garage

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

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

Provision of regulated entertainment for:

Provision of late night refreshment:

Supply of alcohol:

Yes

a) Plays

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

Standard Days and Timings (please read guidance note 6)

Day Start Finish

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

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

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

b) Films

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

Standard Days and Timings (please read guidance note 6)

<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 exhibition of films (please read guidance note 4):

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

c) Indoor Sporting Events

Standard Days and Timings (please read guidance note 6)

Day Start Finish

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

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

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

d) Boxing or Wrestling

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

Standard Days and Timings (please read guidance note 6)

Day Start Finish

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

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

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

e) Live Music

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

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 live music (please read guidance note 4):

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):

f) Recorded Music

Will the playing of recorded music 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 playing recorded music (please read guidance note 4):

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

g) Performances of Dance

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

Standard Days and Timings (please read guidance note 6)

<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 dances (please read guidance note 4):

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

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

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

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

Standard Days and Timings (please read guidance note 6)

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

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

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

i) Late Night Refreshment

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

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 provision of late night refreshment (please read guidance note 4):

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

j) Supply of Alcohol

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

Standard Days and Timings (please read guidance note 6)

Day **Start** **Finish**

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

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

Garage will be used as a storage place, only a very small amount will be stored and posted

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

It will all be done online, mainly through Amazon, only stored and posted at the premises.

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):

It will just be stored and only sold when a purchase is made online.

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

Name: Titas Bielskis

Address

Flat number (if any)

House number/name 47

Road name Byron Road

Town Brentwood

County Essex

Post Code CM13 2SA

Personal Licence Number (if known):

Issuing Licensing Authority (if known):

I) Hours Premises are open to the public

Standard Days and Timings (please read guidance note 6)

<u>Day</u>	<u>Start</u>	<u>Finish</u>
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Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

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

No activity, all online

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

No other times, only sold online

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):

No entertainment

o) Promoting Licensing Objectives

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

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

There will be no entertainment so we will make sure that when delivering the alcohol, I.D. checks will be made to avoid breaking the law.

b) The prevention of crime and disorder:

I.D. checks will be made to avoid breaking the law and no selling to anyone under the age of 18.

c) Public safety:

Not selling to anyone under the age of 18

d) The prevention of public nuisance:

I will only sell online

e) The protection of children from harm:

I will only be selling to adults over the age of 18, online.

Declaration

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

Alternatively these should be sent by post to:

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

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

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

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

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

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

[Public Notice of Application](#)

(Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships) I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15): I agree

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

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

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

Signatures

(please read guidance note 10)

Signature of applicant 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 (name): TITAS BIELSKIS

Date: 15/11/2018

Capacity:

For joint applications, 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 (name):

Date: 15/11/2018

Capacity: Brentwood

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

Correspondence name: Titas Bielskis

Telephone number: 07377941738

Mobile telephone number: 07377941738

Correspondence Address

Flat number (if any)

House number/name 47

Road name Byron Road

Town Brentwood

County Essex

Post Code CM13 2SA

To receive email confirmation of your application and payment, please provide a correspondence email address: bielskistitas@gmail.com

Consent of Individual to Being Specified as a Premises Supervisor



I (full name of prospective premises supervisor): Titas Bielskis

Supervisor Address:

Flat Number (if any)	House Number / Name	Road Name	Town	County	Post Code
	47	Byron Road	Brentwood	Essex	CM13 2SA

hereby confirm that I give my consent to be specified as a designated premises supervisor in relation to an application to (type of application): Vary a premises licence to specify an individual as a designated supervisor under the Licensing Act 2003

by (name of applicant): Titas Bielskis

relating to a premises at (premises licence number, if any):

for (name of premises): the garage

(Address of premises):

Flat Number (if any)	House Number / Name	Road Name	Town	County	Post Code
	47	Byron Road	Brentwood	Essex	CM13 2SA

and any premises licence to be granted or varied in respect of this application concerning the sale of alcohol made by (name of applicant): Titas Bielskis

concerning the supply of alcohol at (name of premises supplying alcohol): Lithuanian Beer Ltd

(address of premises supplying alcohol):

Flat Number (if any)	House Number / Name	Road Name	Town	County	Post Code
	23a	Thames Road	Barking		IG11 0HN

I also confirm that I am applying for, intend to apply or currently hold a personal licence, details of which are set out below: Yes

Personal licence number (if any):

Personal licence issuing authority (if any):

Personal licence issuing authority address (if any):

Flat Number (if any)	House Number / Name	Road Name	Town	County	Post Code

Personal licence issuing authority telephone number (if any):

Signed (print name): TITAS BIELSKIS

Date: 15/11/2018

Correspondence email address:

Email Address	Re-enter email address
bielskistitas@gmail.com	bielskistitas@gmail.com

Dave Leonard

From: Titas Bielskis <bielskistitas@gmail.com>
Sent: 20 November 2018 19:22
To: Licensing
Subject: Premises License Application
Attachments: IMG_2857.JPG; IMG_2848.JPG; IMG_2856.JPG; IMG_2851.JPG; IMG_2852.JPG

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/ Madam,

I recently spoke to Dave Leonard about my premises license.

My business is an online business through Amazon, where I will be selling the alcohol. I will only be storing the alcohol at my premises and posting it from there, the maximum stored will be around 6 cases of alcohol.

The business will operate 24 hours a day, however I will only accept and post the orders between 9-6 Monday to Saturday. Once again, this will only be an online service.

The garage, which I am applying the premises license to, is connected to the garden. It is in between two houses at the end of a small alley way.

The measurements of the garage are 3 metres by 4 meters and has a height of 2.25 metres.

I have attached some pictures of the garage and what it looks like for neighbours who walk past.

I hope this is all the information you require, if not I am happy to send more.

Kind regards,

Titas Bielskis

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About Age Restrictions

Certain items available on Amazon.co.uk are age restricted.

By placing an order for one of these items you are declaring that you are 18 years of age or over. These items must be used responsibly and appropriately.

Delivery of age restricted items can only be delivered to the address on the shipping label, but this can include the reception of a commercial building. A signature of the recipient will be required upon delivery. Amazon adopts a 'Challenge 25' approach to delivery of age restricted products. Photo identification will be required if a person appears under 25, to prove that they are over 18 years old. An age restricted item can be delivered to another adult over the age of 18 at the same address. Delivery to a neighbour or nominated safe place location is not available for these items. If an adult over the age 18 is not available at the address, or if an adult has not been able to show valid photo identification under the Challenge 25 approach, the item will be returned to Amazon for re-delivery the following day.

List of acceptable photo identification:

- Passport
- Driver License

Dave Leonard

From: Dave Leonard
Sent: 17 December 2018 14:17
To: 'Titas Bielskis'
Subject: WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA - APPLICATION FOR A NEW PREMISES LICENCE
Attachments: 47 BYRON ROAD appln for PL 15NOV18 - POLICE rep 12DEC18.pdf; 11-2018/22 - Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA; Windermere 47 Byron Road - 18/00058/LAPRE

Dear Titas,

In confirmation of our conversation this afternoon, please find attached a copy of the Essex Police representation submitted against your application.

Also attached are copies of the responses from the Quality Assurance & Safeguarding Service and the Planning Department for your information.

I note that the Quality Assurance & Safeguarding Service Designated Officer has requested you respond to their letter to you. You have advised me that you have responded to this and, as requested, I would be grateful if you would kindly provide me with a copy for my records.

Finally, please provide a drawn plan of the garage in question with all the respective measurements shown together with any additional doors/windows/points of entry.

As it stands, the Police representation is valid and, unless resolved between both parties, a Licensing Sub-Committee hearing will need to be convened in the new year to determine the application.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at Brentwood Town Hall on **01277 312523**.

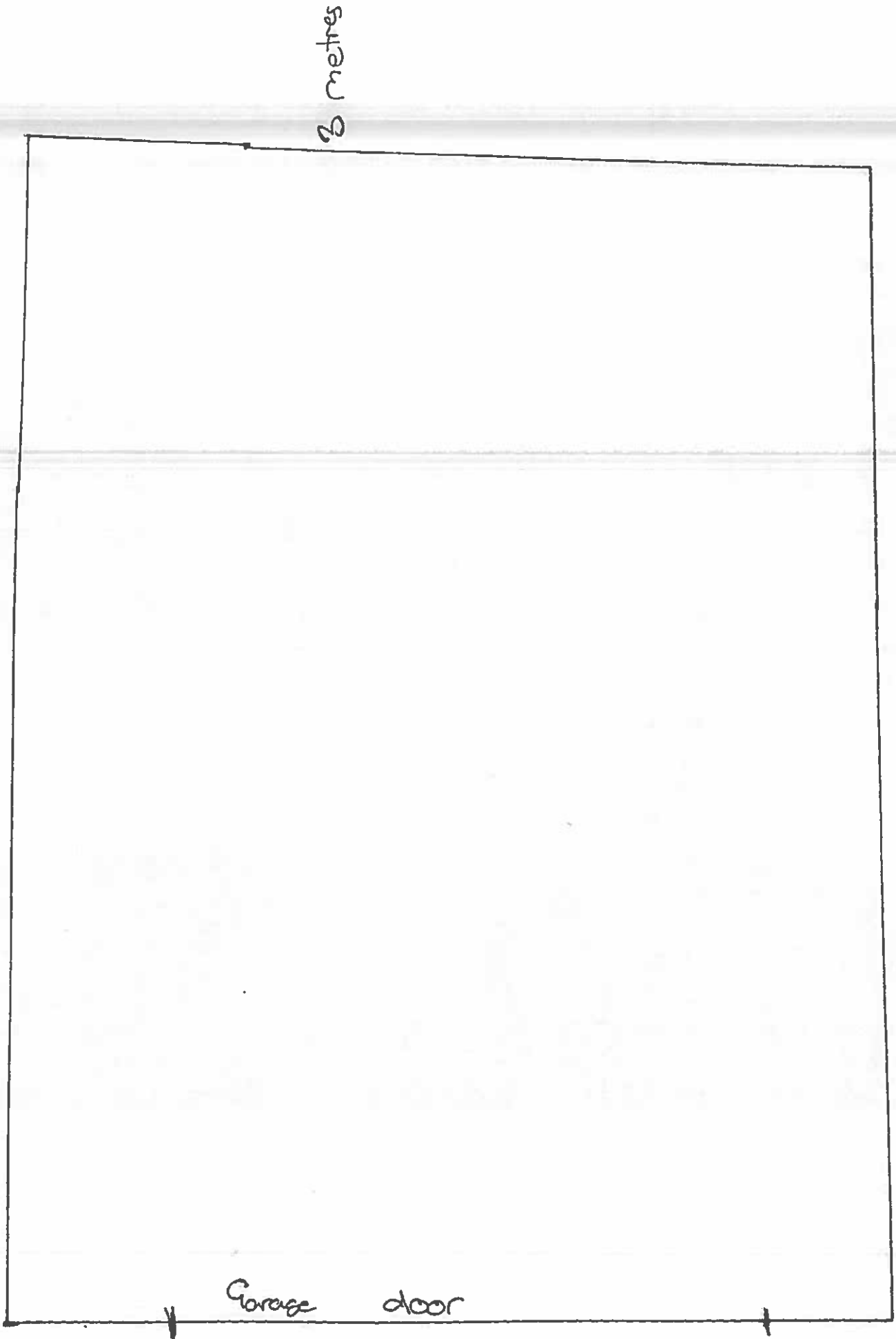
Kind regards and Seasons greetings,



Dave Leonard | Licensing Officer

T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk





3 metres

2.25 metres high

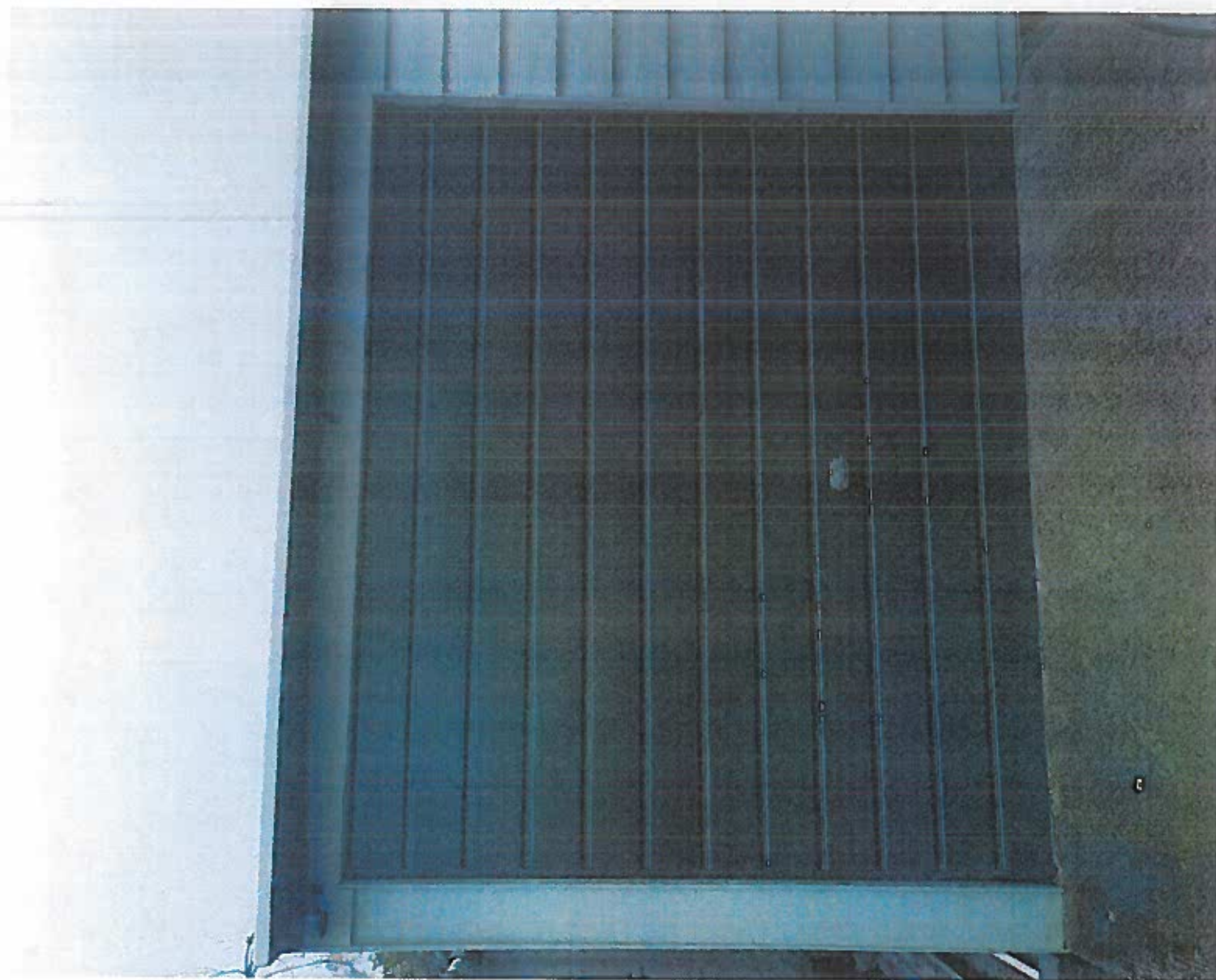
4 metres

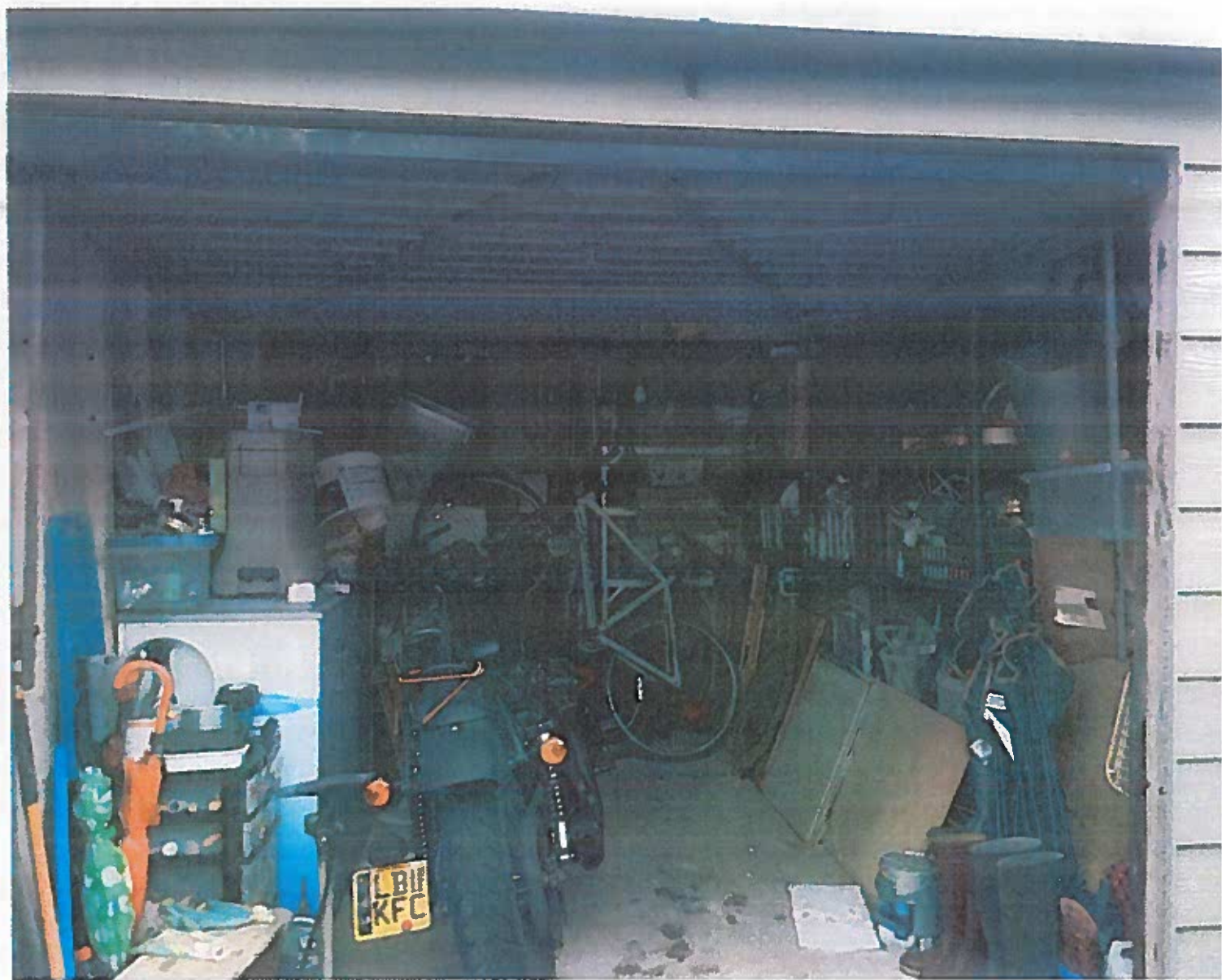
Garage door





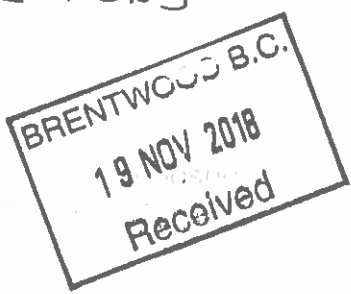






PUBLIC NOTICE OF APPLICATION

APPLICATION FOR A PREMISES LICENCE (Section 17, Licensing Act 2003)

Name of Applicant	TITAS BIELSKIS
Postal address of premises or a description to enable the location to be identified.	47 BYRON ROAD HUTTON BRENTWOOD ESSEX CM13 2SA
Statement of Relevant Licensable Activities which it is proposed will be carried on on or from the premises.	STORAGE OF ALCOHOL IN GARAGE TO BE SOLD ONLINE. THERE WILL BE NO SALE OF ALCOHOL ON THE PREMISES. 

The Licensing Register may be inspected at the Town Hall, Ingrave Road, Brentwood, Essex, CM15 8AY between 8.30 am and 5.00 pm Monday to Thursday and between 8.30 am and 4.30 pm Friday, excluding public holidays. Details are also provided on Brentwood Borough Council's website at www.brentwood.gov.uk.

Any representations by a Responsible Authority or Interested Party must be made in writing to the Licensing Authority at the above address by...14/12/2018.....

It is an offence knowingly or recklessly to make a false statement in connection with an application punishable on summary conviction by a maximum fine of £5,000.

WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA

APPENDIX 2

Representations

Responsible Authorities

Essex Police Licensing – Peter Jones

Quality Assurance & Safeguarding Service – Mechelle DeKock

24 JANUARY 2019

Dave Leonard

From: Peter Jones 42007706 <Peter.Jones@essex.pnn.police.uk>
Sent: 12 December 2018 09:16
To: Licensing
Subject: Garage of Windermere, 47 Byron Road - Premises Licence Application
Attachments: Garage of Windermere, 47 Byron Road.pdf; ATT00001.txt

Follow Up Flag: Follow up
Flag Status: Completed

Good morning,

Please find objection letter attached for the Premises Licence Application at Garage of Windermere, 47 Byron Road.

Regards

Peter Jones (7706) MIOL, MBII
Essex Police Licensing Officer
Epping Forest | Brentwood | Harlow
Direct Tel. 01279 625405 | Internal. 313604
Mob. 07870 909762 (only answered when on duty)

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Mr P Adams
Licensing Department
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY



Licensing Department
Loughton Police Station
158 High Road
Loughton
IG10 4BE
Tel: 01279 625 405
Email: 7706@essex.pnn.police.uk

10th December 2018

Dear Mr Adams,

LICENSING ACT 2003 – GRANT OF PREMISES LICENCE SECTION 17

NEW PREMISE: Garage of Windermere, 47 Byron Road, Brentwood

In relation to the above application for the grant of a Premises Licence received on 21st November 2018; Essex Police make the following representations.

Firstly, we consider this to be an unlawful application. Section 17 of The Licensing Act 2003, states the application must be accompanied by 'a plan of the premises to which the application relates'. The applicant has not complied with the requirements set out within the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 which includes (but is not limited to) a plan of the premises to which the application relates and which shall show (...) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises; the location of points of access to and egress from the premises (and if different) the location of escape routes from the premises.

Secondly, the applicant has failed to identify how he would promote the four licensing objectives and Essex Police objects under all 4 of the licensing objectives of Prevention of Crime & Disorder, Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.

In particular Essex Police is concerned that the applicant:

- has no security to prevent the theft of alcohol from an insecure residential garage premises (given the address will be publicly available) thus potentially allowing stolen alcohol to be made available unlawfully to others;
- has (given the grant of an off sales licence would allow any off sales, not just online sales) provided no explanation how he would prevent sales to the intoxicated persons (a criminal offence) or underage persons at point of sale at the premises. The Sale of Goods Act 1979 (and the Guidance issued under s 182 LA 2003) makes it clear that the

sale takes place at the place and time that the alcohol is appropriated to the contract (not point of delivery).

- has given no indication how he would prevent unlawful sales. In particular he has no procedures or policy in place to prevent internet sales to those under the age of 18 nor has in place steps to protect children from harm (including the unlawful sale to minors) or the prevention of theft (by burglary) of alcoholic beverages kept in an insecure residential garage where alcohol may then be made available to minors.

We would have anticipated a proof of age process at point of sale and a process of deferred sales to prevent an intoxicated person, during the early hours of the morning, placing an order for immediate delivery. Such delivery enables persons to consume alcohol when already intoxicated and where a raft of evidence suggests such consumption leads to an increase in violence, particularly domestic violence.

In short – this application provides for the already drunk to order more alcohol where if they were to present to a traditional off-licence that sale would be refused; essentially if you are too drunk to walk/drive to a legitimate and well managed off-licence you may instead contact the applicant who will take your order and appropriate specific alcohol to you for delivery (at which point the alcohol sale takes place). Essex Police concerns as regards this aspect are intensified by the applicant's hours of sale which specifically are addressed to hours outside the traditional 2300 alcohol sales window. Drunken persons in the early hours cause a public nuisance by contravening social normalities and play music loudly in their residences; shout abuse etc. The applicant gives no indication of how combustible alcohol (especially spirits) is to be stored (during the summer the heat generated by an uninsulated garage roof will reduce the alcohol flashpoint meaning any exterior heat source is more likely to produce an explosion) and gives no indication of fire protection matters – this leads to a public safety concern.

Finally, the application is sought 24 hours a day, 7 days a week, but again the applicant states he will only accept orders 0900-1800 Monday to Saturday. Essex police would seek these hours to be the licensed hours, with a condition stating that deliveries to and from the premises be within these hours also.

For these reasons; Essex Police have no confidence the licensing objectives will be upheld and object to the granting of the licence.

Yours sincerely,



Mr Peter Jones MIOL, MBII
Essex Police Licensing Officer
Epping Forest, Brentwood & Harlow

Dave Leonard

From: Dave Leonard
Sent: 30 November 2018 10:09
To: 'Mechelle DeKock, Local Authority Designated Officer'
Subject: RE: WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA - APPLICATION FOR A NEW PREMISES LICENCE

Hi Mechelle,

I hope that all is well.

No, the applicant has not provided any additional information regarding safeguarding. You are perfectly at liberty to request this information from the applicant and I am expecting that the police will be asking the same. All you have to do is send an e-mail request directly to Mr Bielskis and copy me in. I can then act as a facilitator and amend the application to include any additional recommendations that you both agree to as conditions. If after consultation you are still unhappy with the steps that Mr Bielskis is taking in regard to the protection of children from harm, as a representative of a Responsible Authority you are entitled to make a representation against this application.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at the Warley Depot on 01277 312523.

Kind regards and Seasons greetings,

Dave

From: Mechelle DeKock, Local Authority Designated Officer <Mechelle.DeKock@essex.gov.uk>
Sent: 30 November 2018 09:53
To: Dave Leonard <dave.leonard@brentwood.gov.uk>
Subject: RE: WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA - APPLICATION FOR A NEW PREMISES LICENCE

Dear Dave

Hope you are well

Has the applicant explained to you in more detail how he will be checking id's on-line and also his application says mainly he will be selling through amazon , then later only selling through Amazon

Regards Mechelle

From: Dave Leonard [<mailto:dave.leonard@brentwood.gov.uk>]
Sent: 21 November 2018 17:24
To: David Carter; hoehpp; Elaine Higgins; Richard Bates; Planning Team, Brentwood Borough Council; Garry Owles; Peter Jones 42007706; Licensing Applications Essex; Mechelle DeKock, Local Authority Designated Officer; Business Support - Trading Standards; 'public.healthteam@nhs.net'; alcohol@homeoffice.gsi.gov.uk; Paul Adams
Subject: WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA - APPLICATION FOR A NEW PREMISES LICENCE

Dear Colleagues,

The Licensing Office has received an application from Mr Titas Bielskis for a new premises licence (off-sales) to conduct the online sale of alcohol from

WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA

Mr Bielskis proposes;

My business is an online business through Amazon, where I will be selling the alcohol. I will only be storing the alcohol at my premises and posting it from there, the maximum stored will be around 6 cases of alcohol.

The business will operate 24 hours a day, however I will only accept and post the orders between 9-6 Monday to Saturday. Once again, this will only be an online service.

The garage, which I am applying the premises license to, is connected to the garden. It is in between two houses at the end of a small alley way.

The measurements of the garage are 3 metres by 4 meters and has a height of 2.25 metres.

I HAVE ATTACHED THE APPLICATION TOGETHER WITH IMAGES OF THE PROPOSED OUTSIDE STORAGE AREA BUT THESE DOCUMENTS HAVE NOT BEEN REDACTED AND, THEREFORE, CONTAIN PRIVATE INFORMATION WHICH IS NOT FOR VIEWING BY THE PUBLIC. SHOULD YOU NEED TO RESPOND TO ANY PUBLIC ENQUIRIES I WOULD BE GRATEFUL IF YOU WOULD KINDLY REFER THEM TO ME IN THE LICENSING OFFICE. MANY THANKS.

18/00058/LAPRE refers

The consultation period for this application ends at midnight on **Wednesday, 19th December 2018.**

If you feel compelled to make a representation against this application, or if I can be of any further assistance, please do not hesitate to contact me in the Licensing Office at the Warley Depot on **01277 312523.**

Kind regards,



Dave Leonard | Licensing Officer

T: 01277 312500 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk



Lighting Up Brentwood 2018
Saturday 24 November 12.30-6pm
FREE ENTRY Brentwood High Street
Sponsored by: [Logos: Brentwood Council, Brentwood Chamber of Commerce, Brentwood Football Club, Brentwood Golf Club, Brentwood Rugby Club, Brentwood Tennis Club, Brentwood Cricket Club, Brentwood Badminton Club, Brentwood Table Tennis Club, Brentwood Bowls Club, Brentwood Darts Club, Brentwood Snooker Club, Brentwood Billiards Club, Brentwood Chess Club, Brentwood Fishing Club, Brentwood Gardening Club, Brentwood Reading Club, Brentwood Book Club, Brentwood Music Club, Brentwood Drama Club, Brentwood Theatre Club, Brentwood Dance Club, Brentwood Sports Club, Brentwood Youth Club, Brentwood Scouts, Brentwood Guides, Brentwood Girlguiding, Brentwood Boy Scouts, Brentwood Girl Guides, Brentwood Boy Scouts, Brentwood Girl Guides, Brentwood Boy Scouts]

Shenfield Christmas Fayre
Sunday 9 December 12- 5pm in and around Hutton Road
Sponsored by: [Logos: Brentwood Council, Brentwood Chamber of Commerce, Brentwood Football Club, Brentwood Golf Club, Brentwood Rugby Club, Brentwood Tennis Club, Brentwood Cricket Club, Brentwood Badminton Club, Brentwood Table Tennis Club, Brentwood Bowls Club, Brentwood Darts Club, Brentwood Snooker Club, Brentwood Billiards Club, Brentwood Chess Club, Brentwood Fishing Club, Brentwood Gardening Club, Brentwood Reading Club, Brentwood Book Club, Brentwood Music Club, Brentwood Drama Club, Brentwood Theatre Club, Brentwood Dance Club, Brentwood Sports Club, Brentwood Youth Club, Brentwood Scouts, Brentwood Guides, Brentwood Girlguiding, Brentwood Boy Scouts, Brentwood Girl Guides, Brentwood Boy Scouts]

Dave Leonard

From: Licence Applications CYP <LicenceApplications@essex.gov.uk>
Sent: 04 December 2018 09:43
To: bielskistitas@gmail.com
Cc: Licensing; licensing.applications@essex.pnn.police.uk
Subject: 11-2018/22 - Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

RE: Licensing Act 2003:- Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA

We have received your licence application with regards to the above premises however the following queries have been raised by the LADO:

- This application does not set out how the ID checks will be undertaken to ensure alcohol is not sold to children. How is this done online? Considering in shops Challenge 25 is in place?
- The applicant also states alcohol will be sold mainly through Amazon, and on a separate record states only Amazon, can you please confirm the position please?

The deadline to receive your response is **11/12/2018**. If you either fail to respond within this timeframe or in the event that your response is not deemed satisfactory on a safeguarding basis, we will have no alternative but to inform the Licensing Office that the application is not approved.

When you respond to this email, please also send a copy to the Licensing Officer at the District Council, as above.

Local Authority Designated Officer (LADO)
FAO: Licensing
Quality Assurance & Safeguarding Service
Family Operations
70 Duke Street
Chelmsford
Essex CM1 1JP
Tel: 0333 013 9797 Email: LicenceApplications@essex.gov.uk

Regards

Sent on behalf of Mechelle DeKock, LADO

Jenny Couling
Business Support Assistant
Corporate and Customer Services
Essex County Council | Address: E2 County Hall Chelmsford
☎ | 0333 013 1238 ✉ jennifer.couling@essex.gov.uk | www.essex.gov.uk
Working pattern: Mon, Tues, Thurs and Fri 9am – 2pm

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Dave Leonard

From: Titas Bielskis <bielskistitas@gmail.com>
Sent: 17 December 2018 18:54
To: Dave Leonard
Subject: Fwd: 11-2018/22 - Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA

Hi,

This is the email I sent which I did not get a response from.

Thank you

----- Forwarded message -----

From: Titas Bielskis <bielskistitas@gmail.com>
Date: Tue, Dec 4, 2018 at 12:13 PM
Subject: Re: 11-2018/22 - Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA
To: <LicenceApplications@essex.gov.uk>

Hello,

I apologise for my wording. I will be just selling on Amazon.

Also, Amazon provide an age restriction when selling alcohol, I will be using this to make sure no alcohol is sold to anyone under the age of 18.

Sorry for any inconvenience

Thank you

On Tue, Dec 4, 2018 at 9:42 AM Licence Applications CYP <LicenceApplications@essex.gov.uk> wrote:

RE: Licensing Act 2003:- Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA

We have received your licence application with regards to the above premises however the following queries have been raised by the LADO:

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Local Authority Designated Officer (LADO)

FAO: Licensing

Quality Assurance & Safeguarding Service

Family Operations

70 Duke Street

Chelmsford

Essex CM1 1JP

Tel: 0333 013 9797 Email: LicenceApplications@essex.gov.uk

Regards

Sent on behalf of Mechelle DeKock, LADO

Jenny Couling

Business Support Assistant

Corporate and Customer Services

Essex County Council | Address: E2 County Hall Chelmsford

 0333 013 1238  jennifer.couling@essex.gov.uk | www.essex.gov.uk

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Dave Leonard

From: Mechelle DeKock, Local Authority Designated Officer
<Mechelle.DeKock@essex.gov.uk>
Sent: 20 December 2018 12:58
To: Dave Leonard; Licence Applications CYP
Subject: FW: 11-2018/22 - Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA

Dear Dave

I have considered the response when exploring with the applicant how children will be safeguarded once he is issued with a licence. Unfortunately this response is not sufficient and for me raises safeguarding concerns for children. The application itself is not comprehensive. In light of the potential for safeguarding concerns for children, I would kindly request that this matter is considered at a committee meeting where the applicant can make representation and set out how selling of alcohol from his home will be managed. I would appreciate case examples where licences have been issued to this type of application (if you have any).

Kind regards Mechelle

From: Titas Bielskis [mailto:bielskistitas@gmail.com]
Sent: 04 December 2018 12:13
To: Licence Applications CYP
Subject: Re: 11-2018/22 - Windermere, 47 Byron Road, Brentwood, Essex CM13 2SA

Hello,

I apologise for my wording. I will be just selling on Amazon.

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Thank you

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Regards

Sent on behalf of Mechelle DeKock, LADO

Jenny Couling

Business Support Assistant

Corporate and Customer Services

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☎ | 0333 013 1238 ✉ jennifer.couling@essex.gov.uk | www.essex.gov.uk

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WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA

APPENDIX 3

Responsible Authorities

Advisories

Essex County Fire & Rescue Service – Garry Owles

Brentwood Borough Council Planning – Tracey Balcombe

24 JANUARY 2019

Dave Leonard

From: Tracey Balcombe
Sent: 22 November 2018 15:51
To: Dave Leonard
Subject: Windermere 47 Byron Road - 18/00058/LAPRE

Hello Dave

Further to the above I can clarify that the applicant would be required to submit a planning application for a proposed partial change of use from residential to business, and therefore would request that a planning application be submitted for this.

Kind Regards, Tracey

Tracey Balcombe | Senior Administration Officer | Brentwood Borough Council

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Dave Leonard

From: Titas Bielskis <bielskistitas@gmail.com>
Sent: 18 December 2018 00:06
To: Dave Leonard
Subject: Planning permission

Hello,

I have just submitted a planning permission form.

Please do message me if any more information is required.

Thank you

Titas

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Dave Leonard

From: Garry Owles <garry.owles@essex-fire.gov.uk>
Sent: 27 November 2018 13:37
To: 'Titas Bielskis'
Cc: Dave Leonard; Peter Jones (Peter.Jones@essex.pnn.police.uk)
Subject: RE: Premises Licence Application

Ok thanks for the information I can now progress your application accordingly
Kind Regards
Garry

From: Titas Bielskis <bielskistitas@gmail.com>
Sent: 27 November 2018 13:13
To: Garry Owles <garry.owles@essex-fire.gov.uk>
Subject: Re: Premises Licence Application

Hello,

The extension of the garage is a shed.

Regards,

Titas Bielskis

On Tue, Nov 27, 2018 at 9:22 AM Garry Owles <garry.owles@essex-fire.gov.uk> wrote:

Hello

Thank you for your response.

For my assessment beyond that of the licensing application, can you confirm the use of the extension attached to the garage?

Once approved The Fire Safety Order extends to all un-licenced areas of a business and if applicable I can advise you accordingly.

Kind

Regards

Garry

From: Titas Bielskis <bielskistitas@gmail.com>
Sent: 26 November 2018 18:52
To: Garry Owles <garry.owles@essex-fire.gov.uk>
Subject: Re: Premises Licence Application

Mr Owles,

I can confirm that the extension does not require a premises license. Only the garage requires a license.

Do I need to provide any additional information?

Regards,

Titas Bielskis

On Mon, Nov 26, 2018 at 5:35 PM Garry Owles <garry.owles@essex-fire.gov.uk> wrote:

Hello Mr Bielskis

I am the Fire Safety officer dealing with your licensing application for 47 Byron Road Hutton under the licensing objective of Public Safety.

I'm seeking clarification on one aspect of your application, which is the extent of the premises to be licensed.

I notice from one of the photographs you have supplied there is what appears to be an extension to the rear of the garage with double door side entry, can you confirm that this will not be used in connection with your proposed business

Technically should your licence be granted the licensed premises will fall under the requirements of the Regulatory Reform (Fire Safety) Order 2005, however I will not pursue this if the business is as assumed restricted to just the garage (supported by the dimensions given in the application).

It is a requirement of the Licensing Act that your application is always supported by a 1:100 scale line drawing of the premises to be licensed, which would have clarified this; however, this requirement may have been relaxed based upon the small licensable area involved.

Should my assumption be wrong and the extension to the garage is to be used please confirm by way of such a drawing so that a better assessment of the risk may be made.

Kind

Regards

Garry Owles G.I.F.R.D.

Essex County Fire and Rescue Service

Technical Fire Safety (South West Area Command)

Basildon & Brentwood

Tel: 01376 576700

DD: 01376 576705

Mobile: 07785977317

E-mail: garry.owles@essex-fire.gov.uk



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<http://www.essex-fire.gov.uk>

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Essex County
Fire & Rescue Service

Jo Turton
Chief Fire Officer / Chief Executive

For the attention of Mr Titas Bielskis
Windermere
47 Byron Road
Hutton
Brentwood
Essex
CM13 2SA

South West Group Service Delivery Point
Basildon Fire Station
Broadmayne
Basildon
SS14 1EH
Enquiries to : FSO Garry Owles

☎ 01376576700
✉ southwestgroupsdp@essex-fire.gov.uk
🌐 www.essex-fire.gov.uk

Our Ref: CAS-634596
Your Ref: PrL95897331
Date: 23rd November 2018

Dear Sir

LICENSING ACT 2003
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Re: 47 Byron Road Hutton Brentwood Essex CM13 2SA

Type of Licence: Premises Licence (New Application)

Receipt is acknowledged of the above consultation(s), which will be audited by the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority.

Should there be any significant concerns regarding the application(s) you will be notified in due course.

Yours faithfully

G. Owles
Technical Fire Safety
South West Area Command



Cc David Leonard Brentwood Licensing

WINDERMERE, 47 BYRON ROAD, BRENTWOOD CM13 2SA

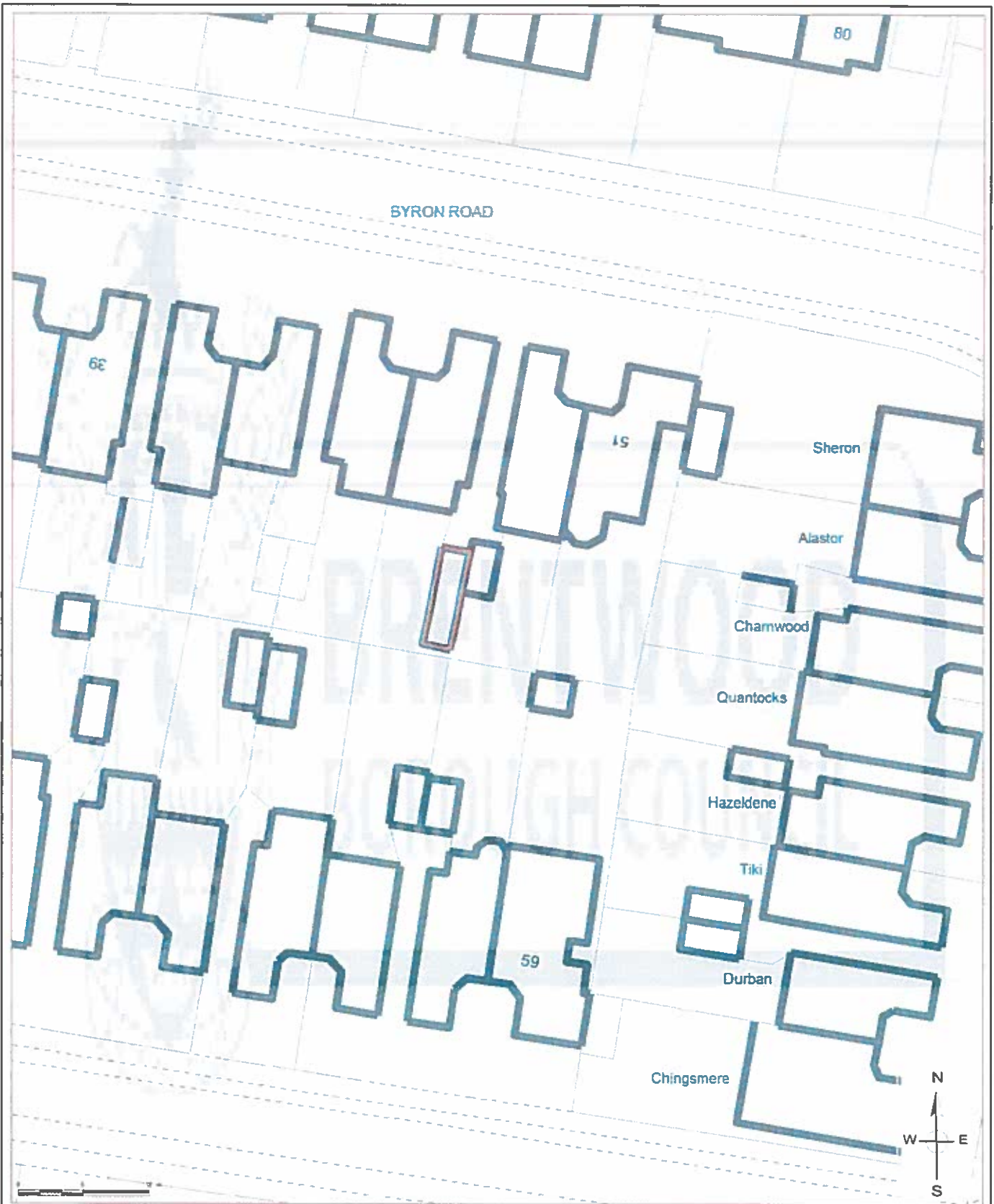
APPENDIX 4

OS Maps

1:500

1:1250

24 JANUARY 2019



**WINDERMERE, 47 BYRON ROAD, HUTTON
CM13 2SA**



Drawing No. :
 Scale at A4 : 1:500
 Drawn by : OSJ
 Service : ICT
 Date : 21st December 2018

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



**WINDERMERE, 47 BYRON ROAD, HUTTON
CM13 2SA**



Drawing No :
 Scale at A4 : 1:1250
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