

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

APPENDIX 4

REPRESENTATION

Other Person

Mrs. Greta Millwood

Representation concerning premises licence application 20/00004/LAPRE

1. Name and address of persons making representation

- Sasha Valeri Millwood, [REDACTED] Alfred Road
- Greta Millwood, [REDACTED] Alfred Road
- Matt Bell-Watson, [REDACTED] Alfred Road
- Carole Chapman, [REDACTED] Alfred Road
- Lesley Arthur, [REDACTED] Alfred Road
- Hannah Arthur, [REDACTED] Alfred Road
- Amanda Fasham, [REDACTED] Alfred Road
- Ellen Fasham, [REDACTED] Alfred Road

2. Name and address of the premises about which a representation is being made

Bloc 40, First Floor, 40 High Street, Brentwood, CM14 4AJ

3. the licensing objective(s) that will not be met if the application is granted

- the prevention of crime and disorder; and
- the prevention of public nuisance.

4. the reason(s) for this view and supporting evidence

a) Bloc 40's history of disorder and public nuisance, and its failure to rectify it over 12 months of active operation

Since Bloc 40 opened for business on Brentwood High Street in March 2019, it has blighted our neighbourhood with an intolerable and entirely avoidable level of night-time noise from a combination of amplified music, disorderly behaviour of customers (there have been many instances where the screaming and shouting were so severe as to make us wonder whether a crime may be in progress), and the disposal/processing/crushing/collection of glass refuse. During its 12 months of active operation (March 2019 to March 2020, until all nightclubs were required to close due to government 'lockdown' measures in response to COVID-19), Bloc 40 has failed to take adequate action to address the disorder and public nuisance emanating from its premises and customers. Apart from a reduction in glass-related noise at night, there was no appreciable reduction in the public nuisance we suffered over those 12 months. We therefore have no confidence that Bloc 40 would improve its behaviour.

b) inadequacy of Brentwood Borough Council's capacity to enforce licensing conditions -- lack of Environmental Health officers on call during

evenings/weekends

Despite repeated complaints to Brentwood Borough Council and discussion with Environmental Health officers, this blight persisted from March 2019 until all nightclubs were required to close in March 2020 due government 'lockdown' measures in response to COVID-19. Although the Environmental Health officers with whom we have corresponded have been sympathetic to our complaints, they seem to lack the staffing to undertake any effective monitoring or enforcement action. We have, on multiple occasions, telephoned the Council to report public nuisance at the time it was occurring (i.e.: late at night). Even when the telephone was answered, the usual response was that there was nobody available to investigate or take enforcement action at the time. The exception was one occasion when two officers seconded from Thurrock Council responded to our call during the early-May bank-holiday weekend in 2019: they were supportive when we spoke to them, but they had no measuring instruments with them beyond their notepads (they apologised for this, explaining that they had been assigned to assist Brentwood Borough Council on short notice), and so were limited in what evidence they could collect. We feel strongly that the lack of evening and weekend cover in Brentwood Borough Council's Environmental Health department is a serious deficiency that places the licensing objectives in unacceptable jeopardy. It is imperative that this lack of staffing be remedied before any further licence (or renewal thereof) be granted to a nightclub with a history of complaints.

c) inadequacy of the proposed conditions

Whilst many of the proposed conditions (as published at <https://publicaccess.brentwood.gov.uk/online-applications/licencingApplicationDetails.do?activeTab=conditions&keyVal=QBRA52DJ04A00>) are, in principle, welcome, they do not go far enough and do not inspire confidence that the licensing objectives would be met. In particular, the safeguards against disorder and noise are insufficient, as we enumerate below:

- i. there is no reference to the disposal/processing/crushing/collection of glass refuse, a noisy activity that seems to take place after customers have left -- there should be a requirement that such activity not take place at night;
- ii. the "Installation of screen to outside area" makes no reference to minimum standards for sound insulation (even when there is no amplified music whatsoever in the outside area, the noise of customers can carry significantly);
- iii. it is not clear how the provision for "No Speakers in External Areas" will be monitored and enforced, especially if the speakers are brought and operated by customers rather than by the management (battery-operated portable speakers are relatively easy to obtain and can be powerful enough to disrupt neighbours);
- iv. the "Noise Limiter" provision provides for only one monitoring-point (and it is not specified whether that point would be indoors or outdoors, to allow for the fact that residents may want to sleep with windows open in warmer weather), namely "the nearest residential noise sensitive premises", which is insufficient given that noise does not necessarily project in a uniform omnidirectional manner (i.e.: it is possible that "the nearest" may not be "the noisiest") -- there should really be several monitoring-points, each in a different direction;
- v. it is not clear how the "Windows and Doors" provision ("All windows and doors to be kept closed during regulated entertainment, with the exception for access and egress.") will be enforced -- for instance, will all doors be self-closing, and will some sort of alarm sound if a door is left open for too long?
- vi. the provisions for "Display of Notices", whilst useful, do almost nothing to guarantee that

- customers would indeed "leave quietly" or "use the area quietly";
- vii. the "Intervals of Monitoring of the Terrace" are inadequate -- in 30 minutes, a lot of crime, disorder, or public nuisance could easily take place (see also our earlier comment about the anxiety that has been induced by the severe screaming and shouting);
 - viii. we are pleased to see plans for a "Limit of Noise Levels after 11pm", but feel that there should be multiple monitoring-points, not just one (see also §iv above) -- moreover, there is no explanation for how the determination of an acceptable level can be revised if it, subsequent to having been certified initially as "to the satisfaction of Environmental Health Services", proved to be not to the satisfaction of local residents;
 - ix. the provision for "Lighting on the Terrace" does not make any reference to mitigating light pollution (e.g.: by banning strobe lighting on the terrace, and requiring lights to be angled downwards and positioned below the level the 2-metre screen);
 - x. although there are admirably comprehensive provisions in respect of CCTV, no equivalent requirements are imposed for noise monitoring -- why is there no apparent requirement for noise-monitoring data to be retained for "a period of not less than 31 days with correct time and date stamping"?

d) supporting evidence -- noise diaries and an anonymous comment

- noise diaries (two files, attached) kept by Sasha Valeri Millwood and Greta Millwood, [REDACTED] Alfred Road -- NB: many of the times given in the "time finish" are not actual finish times, but simply the last time recorded before I got to sleep (that is to say, the noise may have continued a lot later)
- The following comment from one of the other signatories (who has asked not to have the comment linked to his/her name): "We have been woken up and kept awake multiple times by extremely loud noise from Bloc 40, especially during the summer months when we usually have windows open at night. Sometimes this has not been possible as the noise has been too loud for us and our child. They are not considerate to local residents."

5. daytime telephone number

please call Greta Millwood on + [REDACTED]