

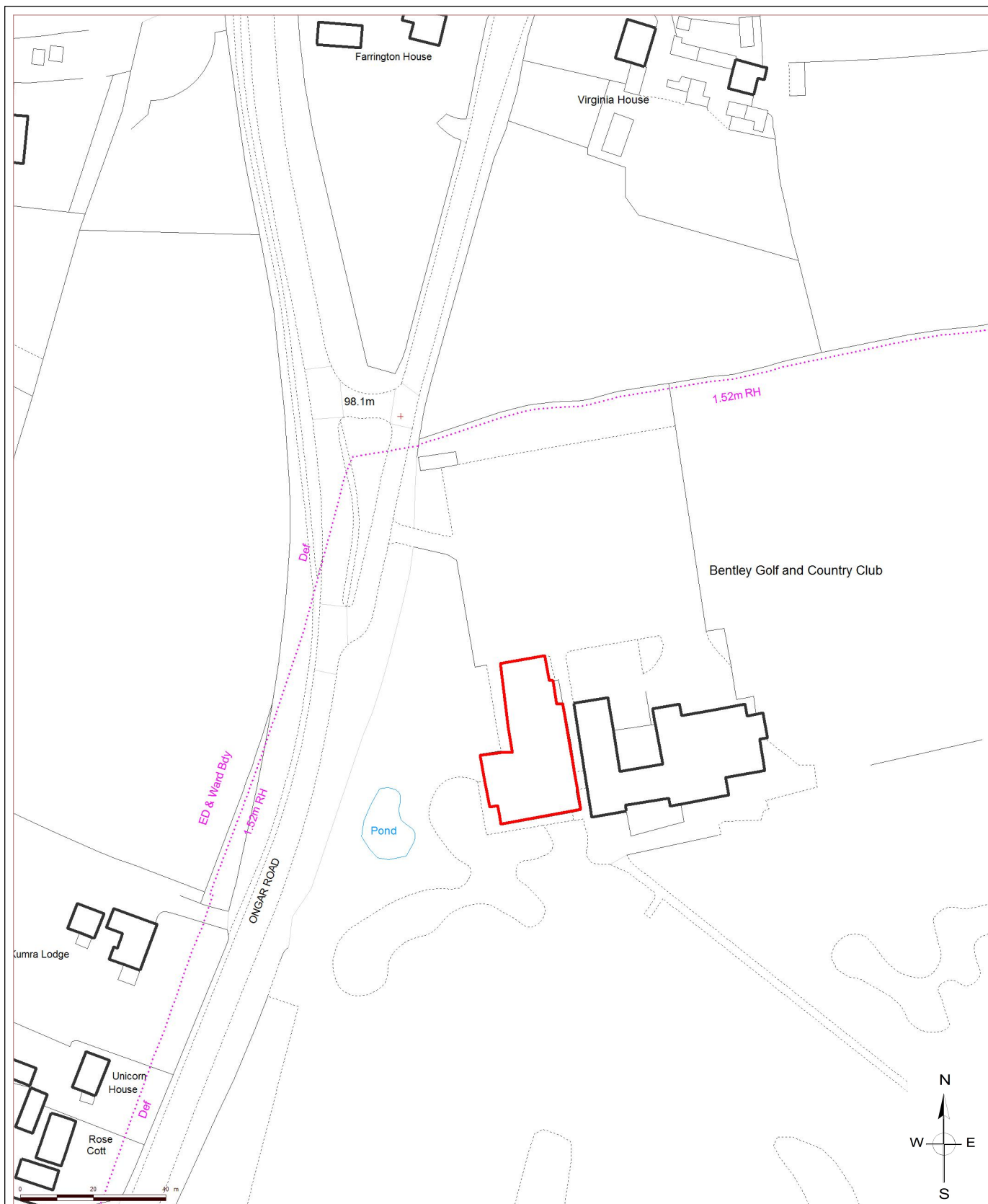
DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS

APPENDIX B

Premises Licence 27 November 2020

OS Maps & Images

Application History



DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS



Drawing No. :

Scale at A4 : 1:1500

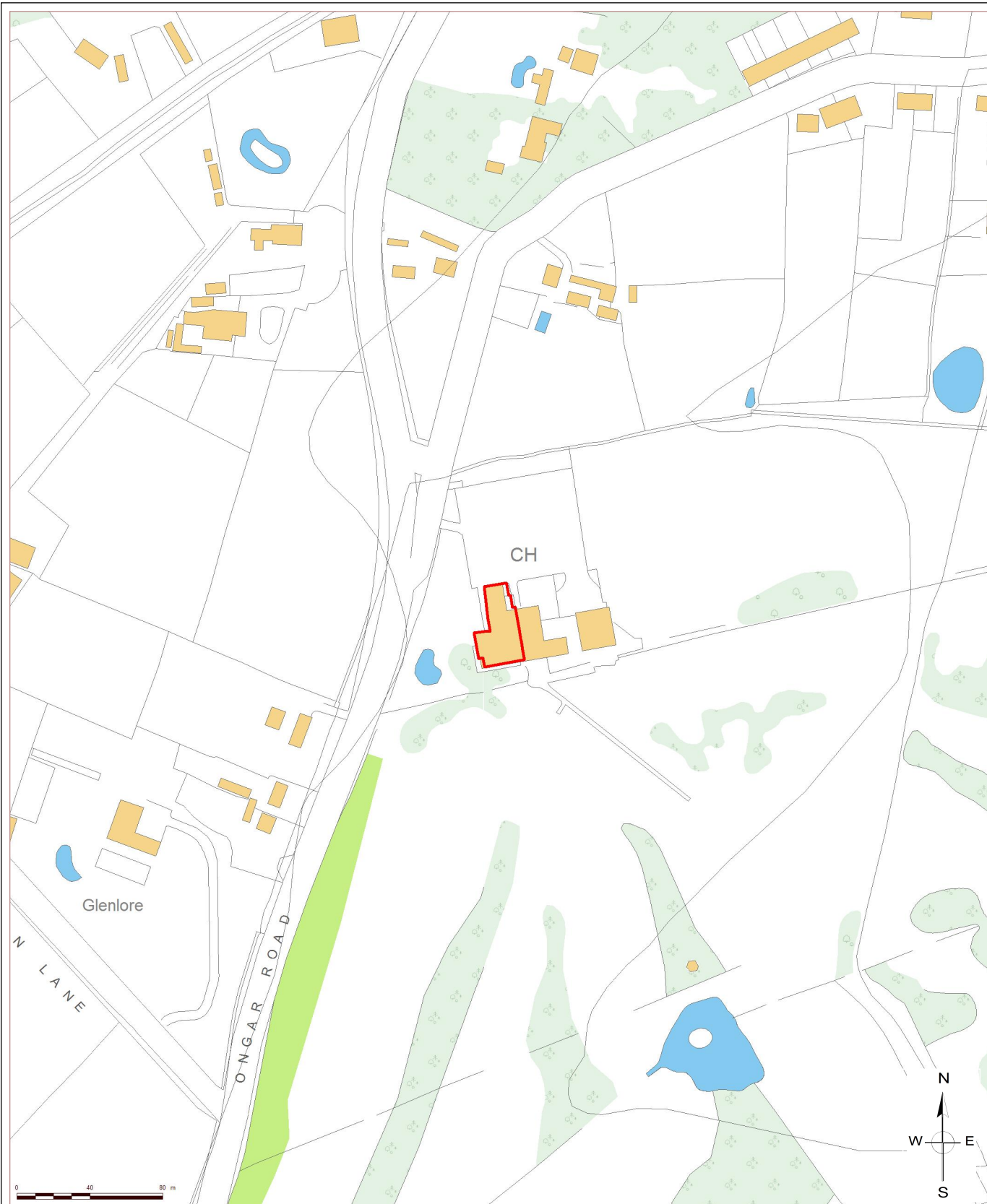
Drawn by : OSJ

Service : ICT

Date : 19th August 2019

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



DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS



Drawing No. :

Scale at A4 : 1:3000

Drawn by : OSJ

Service : ICT

Date : 19th August 2019

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DUSK

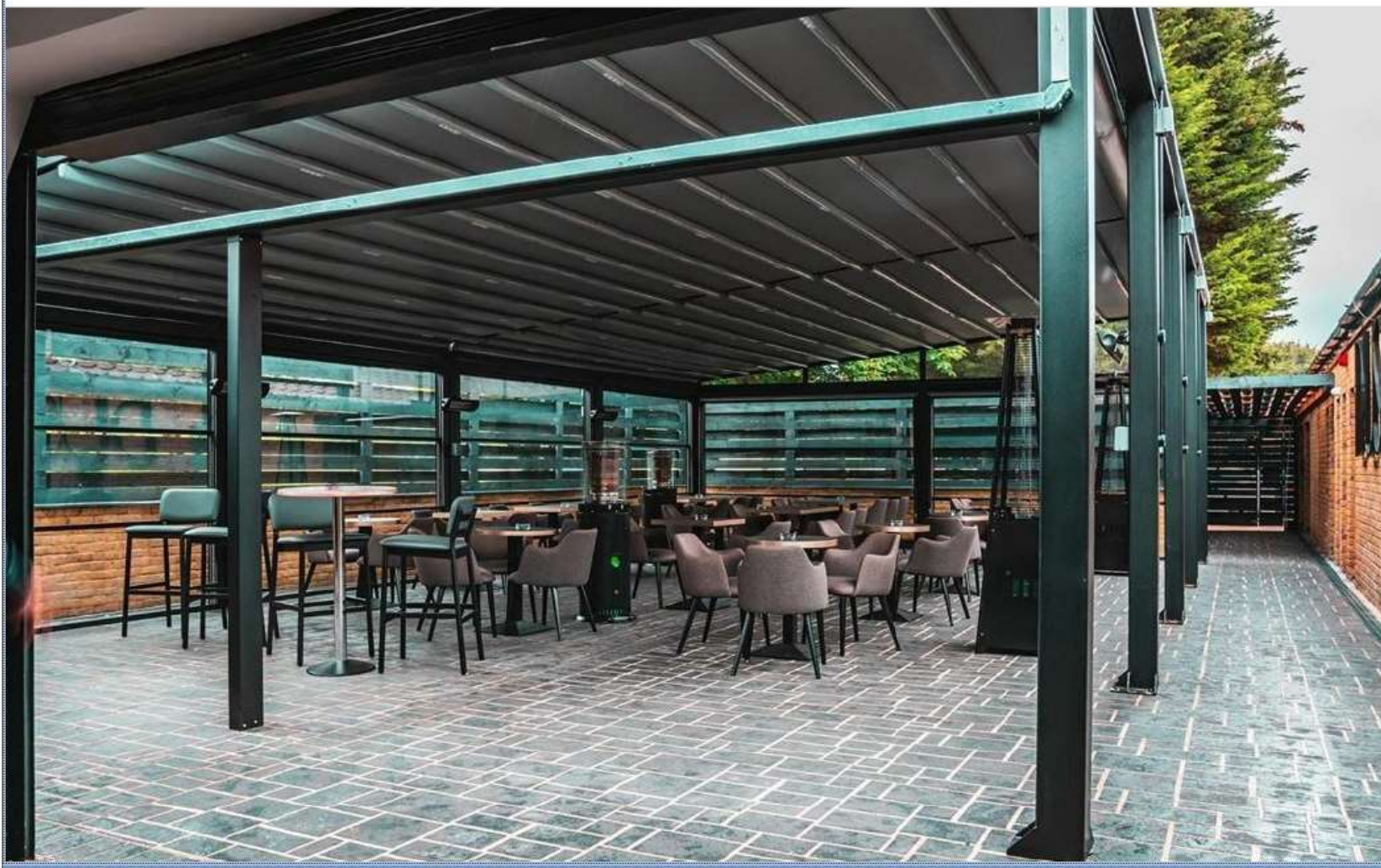


DUSK





duskloungeessex
DUSK Brentwood





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DUSK Brentwood





duskloungeessex
DUSK Brentwood



Premises Licence

Premises Licence Number

PRM_0569

Application Number

20/00014/LAPRE

Date of Issue

27 November 2020

Part 1 – Premises Details

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

**Dusk
Ongar Road
Pilgrims Hatch
Essex CM15 9SS**

Telephone number

01277 424987

Where the licence is time limited the dates

Licensable activities authorised by the licence

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

Times the licence authorises the carrying out of licensable activities

Performance of Dance

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	13:00 - 00:00

Exhibition of a film

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Performance of Live music

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	13:00 - 00:00

Playing of Recorded music

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 01:30
Saturday	16:00 - 01:30
Sunday	13:00 - 00:00

Other Entertainment falling within Act

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 01:30
Saturday	16:00 - 01:30
Sunday	13:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	12:00 - 23:30
Tuesday	12:00 - 23:30
Wednesday	12:00 - 23:30
Thursday	12:00 - 23:30
Friday	12:00 - 01:30
Saturday	12:00 - 01:30
Sunday	12:00 - 23:30

The opening hours of the premises

Monday	12:00 - 00:00
Tuesday	12:00 - 00:00
Wednesday	12:00 - 00:00
Thursday	12:00 - 00:00
Friday	12:00 - 02:00
Saturday	12:00 - 02:00
Sunday	12:00 - 00:00

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

Alcohol is supplied for consumption on the Premise

Part 2

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

**Sisu Enterprises Limited
County Service Station
Essex Gardens
Hornchurch
RM11 3EH**

Email Address **info@duskbrentwood.co.uk**

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

Company Number **11278657**

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

No DPS nominated

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

NO SALE OF ALCOHOL MAY BE MADE UNTIL A DPS HAS BEEN ASSIGNED

Annex 1 – Mandatory conditions

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

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

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

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

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

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

- (a) a holographic mark, or**
- (b) an ultraviolet feature**

6 The responsible person must ensure that—

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

- (i) beer or cider: ½ pint;**
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and,**
- (ii) still wine in a glass: 125 ml;**

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

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

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

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

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

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

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

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

b) Outbreaks of disorder, or

c) Damage

Annex 2 – Conditions consistent with the Operating Schedule

- 1 The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:**
 - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;**
 - ii. CCTV cameras shall cover all entrances and exits;**
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;**

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) all seizures of drugs, offensive weapons or alcohol**
- (f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence**

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

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

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

- 5 Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log.**

This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police or licensing authority staff upon reasonable request.

- 6 At all times drinks must only be served in polycarbonate/plastic and/or toughened glass containers.**
- 7 Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.**

These signs shall be a minimum size of 200mm x 148 mm.

- 8 A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:**
- o Proof of age card bearing the PASS Hologram;**
 - o Photocard driving licence;**
 - o Passport; or**
- Ministry of Defence Identity Card.**
- 9 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.

- 10 All staff 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.

- 11 On leaving patrons will be chaperoned to their vehicles to minimise disruption and noise outside.**

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

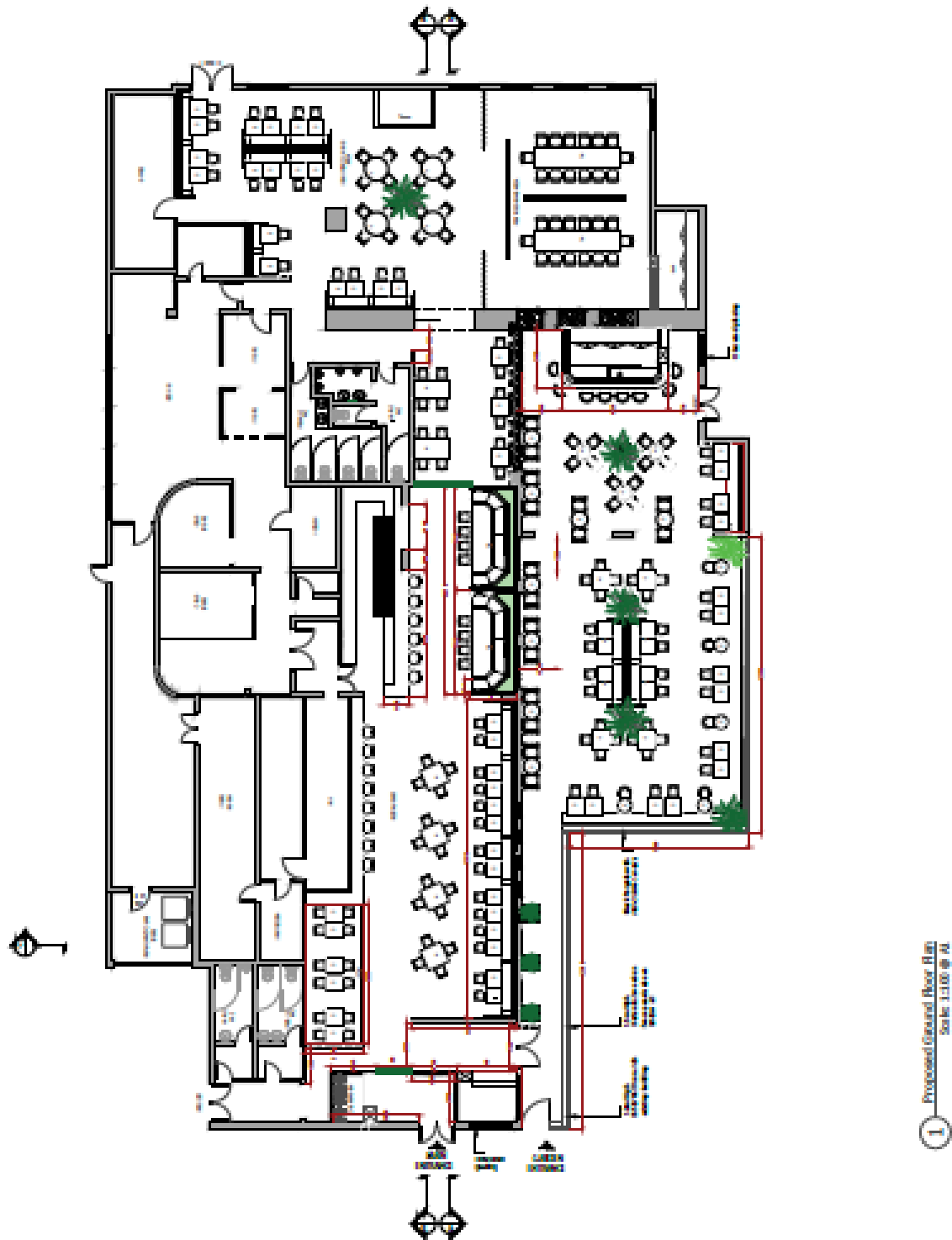
- 1 There should be a second interior door installed at the front entrance.**
- 9 Customers must not be permitted to consume any alcohol on the premises other than alcohol sold or supplied under the authorisation of this licence.**
- 10 A written noise management policy which is acceptable to Brentwood Borough Council Environmental Health Team shall be put in place and adhered to.**

In reference to the outside area there shall be the following additional conditions

- 2 The retractable roof will be completely shut/closed by 2100hrs each day.**
- 3 There shall be no use of the outside space on Sunday to Thursday after 2230hrs and on Friday and Saturday after 0000hrs except for the purpose of smoking.**
- 4 The area is to be staffed when it is being used.**
- 5 No live or recorded music shall be played in the outside (lounge) area after 2230hrs**
- 6 The passageway will be staffed at times of use.**
- 7 There shall be no live or recorded music shall be played in the outside (lounge) area between 12noon and 2230hrs until a noise limiting device has been installed and a noise limit agreed with Brentwood Borough Councils Environmental Health Team, such noise limit must not to be exceeded at any time.**
- 8 Signage to be displayed requesting patrons to use courtesy and respect to neighbours.**

Annex 4 – Plans

This licence is issued subject to the following attached plan dated 13.07.18 (amended & submitted 10SEP20) marked **Joy Fook, Ongar Road, Essex CM15 9SS**





Premises Licence Summary

Premises Licence Number	PRM_0569
Application Number	20/00014/LAPRE
Date of Issue	27 November 2020

Part 1 – Premises Details

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

Dusk
Ongar Road
Pilgrims Hatch
Essex CM15 9SS

Telephone number
01277 424987

Where the licence is time limited the dates

Licensable activities authorised by the licence

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

Times the licence authorises the carrying out of licensable activities

Performance of Dance

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	13:00 - 00:00

Exhibition of a film

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Saturday	16:00 - 00:00

Performance of Live music

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	13:00 - 00:00

Playing of Recorded music

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 01:30
Saturday	16:00 - 01:30
Sunday	13:00 - 00:00

Other Entertainment falling within Act

Monday	16:00 - 00:00
Tuesday	16:00 - 00:00
Wednesday	16:00 - 00:00
Thursday	16:00 - 00:00
Friday	16:00 - 01:30
Saturday	16:00 - 01:30
Sunday	13:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	12:00 - 23:30
Tuesday	12:00 - 23:30
Wednesday	12:00 - 23:30
Thursday	12:00 - 23:30
Friday	12:00 - 01:30
Saturday	12:00 - 01:30
Sunday	12:00 - 23:30

The opening hours of the premises

Monday	12:00 - 00:00
Tuesday	12:00 - 00:00
Wednesday	12:00 - 00:00
Thursday	12:00 - 00:00
Friday	12:00 - 02:00
Saturday	12:00 - 02:00
Sunday	12:00 - 00:00

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

Alcohol is supplied for consumption on the Premise

Name, (registered) address of holder of premises licence

**Sisu Enterprises Limited
County Service Station
Essex Gardens
Hornchurch
RM11 3EH**

Email Address

info@duskbrentwood.co.uk

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

Company Number

11278657

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

No DPS nominated

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

NO SALE OF ALCOHOL MAY BE MADE UNTIL A DPS HAS BEEN ASSIGNED

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

DUSK – PREVIOUS APPLICATION HISTORY

On 5 August 2019 Sisu Enterprises Ltd. applied for a new premises licence at Dusk, Ongar Road, Pilgrims Hatch CM15 9SS

Following a Licensing Sub-Committee hearing on 1 October 2019, a new premises licence was granted together with 8 additional conditions attached including;

6. *There should be a second interior door installed at the front entrance.*
7. *Noise limiters shall be installed in the outside space in discussion and agreement of the Licensing Department of the Council.*

On 3 July August 2020 Sisu Enterprises Ltd. applied to vary the premises licence to extend the opening hours, add supply of alcohol to licensable activities and remove the following Annex 3 conditions;

6. *There should be a second interior door installed at the front entrance.*
7. *Noise limiters shall be installed in the outside space in discussion and agreement of the Licensing Department of the Council.*

On 10 September 2020 Sisu Enterprises Ltd. applied for a minor variation to the premises licence for minor structural changes to the floor plan. This included a second interior door installed at the entrance to create a lobby and a noise limiter was fitted in the outside area. This application was approved and, as a result allowed the applicant to amend the application to vary, dated 3 July 2020, to just relate to the extension of hours and the additional licensable activity to supply alcohol.

On 11 November 2020 after a couple of false starts not assisted by IT difficulties and a pandemic, the 3 July 2020 application to vary the premises licence was finally determined at a Licensing Sub-Committee hearing where a licence was granted extending hours and adding the licensable activity to supply alcohol together with the following attached condition;

"Customers must not be permitted to consume any alcohol on the premises other than alcohol sold or supplied under the authorisation of this licence."

On 27 September 2020, a local resident applied to Brentwood Borough Council to review the premises licence at Dusk on the grounds of the venue causing a persistent public noise nuisance. The consultation period saw two responsible authorities & a further 11 representations from 6 households support the application.

On 23 November 2020 the review was heard by a Licensing Sub-Committee who determined that the following conditions would be placed on the licence;

1. *That no live or recorded music shall be played in the outside (lounge) area after 22:30 hrs. (This should replace condition 5 of Annex 3 already imposed on the licence.)*
2. *That no live or recorded music shall be played in the outside (lounge) area between 12 noon and 22:30 hrs. until a noise limiting device has been installed, and a noise limit agreed with Brentwood Borough Councils Environmental Health Team, such noise limit must not to be exceeded at any time. (This should replace condition 7 of Annex 3 already imposed on the licence.)*

3. *That a written noise management policy which is acceptable to Brentwood Borough Council Environmental Health Team be put in place and adhered to.*

On 27 November 2020 Sisu Enterprises Ltd. applied for a minor variation to the premises licence requesting the following;

1. *To vary the committee's decision at the meeting dated 11th November 2020 permitting the applicant to sell alcohol and to bring to an end its 'Bring your own' scheme where customers bring their own alcohol to the venue.*
2. *That the applicant's customers be permitted to bring their own alcohol to the premises should they choose to do so under the applicant's 'Bring your own' scheme.*
3. *The applicant does not wish to sell alcohol at the venue owing to religious beliefs and its business plans. The applicant will be happy to comply with any reasonable requirements set for the regulated consumption of alcohol on the premises if customers bring their own alcohol.*

On 18 December 2020 the application was rejected by this office after a significant number of representations were received.

On 26 March 2021 Sisu Enterprises Ltd. applied to vary the premises licence requesting the following;

1. *To remove the licensable activity of allowing the sale of alcohol.*
2. *To remove Condition 9 of Annex 3 of the license: "Customers must not be permitted to consume any alcohol other than alcohol sold or supplied under the authorisation of this license."*
3. *To remove Condition 5 of Annex 3 of the license: "That no live or recorded music shall be played in the outside (lounge) area after 22.30."*