

DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS

APPENDIX D

REPRESENTATIONS AGAINST *Other Persons*

Kevin & Karen Addison

Richard, Rachel, Jennifer & Toby Austin

Michael & Jemma Ballard

Michael & Shirley Ballard

Brian & Carolyn Billington

Nigel & Catherine Bourbery

Nick & Kay Hart

Lawrence Morrison

Councillor Vicky Davies

Councillor Keith Parker

Councillor Cliff Poppy

Sue West

Mr & Mrs +1, residents of Brentwood
(including supplementary statement & petition)

Mr & Mrs +3, residents of Brentwood

Mr & Mrs, residents of Brentwood

Mr & Mrs, residents of Brentwood

Mrs, resident of Brentwood

Mr & Mrs, residents of Brentwood

From: [REDACTED]
Sent: 20 April 2021 17:23
To: Dave Leonard; Paul Adams
Cc: Keith Parker; Cliff Poppy; Vicky Davies; David Carter; [REDACTED]
Subject: Comments on Dusk latest Licensing Application Ref. No: 21/00028/LAFVAL
Attachments: Licensing App Ref No 2100028LAFVAL [REDACTED] Comments 20210420.pdf

Dear Mr Leonard & Mr Adams,

Please see the attached pdf document that contains my comments in respect of Dusk Restaurant and Lounge latest licencing application request, for yours and the Licensing Sub Committee's consideration.

I would kindly appreciate acknowledgment of your receipt of these comments.

Kind Regards,



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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

Dear Mr Leonard & Mr Adams,

I am writing to register my formal objections to all three proposed changes that are outlined in the latest licensing application (Ref No. 21/00028/LAFVAL) from Dusk restaurant and Lounge dated 26/03/2021.

I have lived in the surrounding area around Dusk for the last 37 years. I would like to state that any restaurant business has always been welcomed by the local residents in the area, having been a very popular Chinese restaurant in the past. It has also been clearly established in the past, and again late last year (2020) by Brentwood Borough Council Environmental Health Team in all the Sub Committee Licensing Meetings held to discuss Dusk that the building, which has been standing for over 37 years, is not soundproof, and with the recent addition of a 50% open air structure to facilitate smoking, that runs along the Ongar Road, which is definitely not soundproof and allows any loud amplified music (live or recorded) along with singing through a microphone and raised patrons' voices can be clearly heard from my parents' house. The Environment Health Team also acknowledged that late at night the area that surrounds Dusk, being semi-rural unlike a town, is very quiet and that any sound made will quickly travel far and wide as there are no other large buildings nearby to absorb all the noise this establishment has been allowed to generate.

I note that Dusk are operating three very separate business streams within these premises:

- A high-end fine dining restaurant that is only taking bookings/open for three nights a week, which I understand is now due to re-open for bookings from 17/05/2021;
- An events/business conference venue that is open to host all types of events, which Dusk are currently actively advertising;
- A shisha and (now also) cigar lounge which is open every day, but appears to be closed at the moment under current Covid restrictions banning the smoking of Shisha.

According to Dusk's website all these ventures have their own separate booking process, pricing structures and procedures, where it is very clearly stated in their terms and conditions that the 'restaurant and lounge bookings need to be made separately'.

Since Dusk opened in 2019, this business has constantly caused noise and other nuisance effecting the local area and residents, some like myself have lived in the area for decades. This noise nuisance has been mainly occurring in the late evenings, late into night and into the early hours of the following morning. I have heard loud amplified music and strained singing over the sound of the television in our sitting room on numerous occasions, notably on Thursday, Friday and Saturday nights when this music appears to get louder the later in the night it gets. It is not very pleasant to hear 'chant like' music being banged out of a sound system after 22:30hrs several late nights on the trot every single weekend. During the latter half of 2020, this same loud music could be heard regularly on Tuesday nights as well. I understand that this music is being generated from a sound system/DJ station that has been installed near to the open lounge area of this establishment, with speakers fixed at various points in the open lounge area. The music is akin to what DJs play and what one would expect to hear from any London or town high street late night adult entertainment establishment; but not the type of music you would expect to hear playing in any high end Michelin star 'fine dining' restaurant.

From the 4th July 2020, when the first lockdown ended and hospitality venues re-opened, noise could be heard from Dusk's sound system every weekend for weeks during the summer months. I have even listened to music blaring out from Dusk's sound system from

outside my parent's back door at the back of their house at 18:00hrs on a Saturday evening in mid/late October 2020, the music clearly being heard over the passing traffic noise of a busy Ongar Road.

I have also had to listen to very heavily amplified music blasting from a sound system that was playing from a privately held Garage Event Dusk was 'hosting' over a Saturday afternoon and late into the night in February 2020. I confirmed that establishment 'banged' away that day/night and the entire neighbourhood had no choice but experience this Event from the comfort of their own homes.

In early December 2020, prior to the commencement of Essex's tier 3 lockdown on 16/12/2020, after the establishment had closed for the night under the Covid curfew rules, an argument by one of the patrons waiting in the dark in Dusk's car park could be clearly be heard across the open fields and deserted roadway. The patron was clearly, in my view, heavily under the influence of alcohol and in need of 'a substantial meal'. The argument was not very pleasant and was full a very crude language. The noise they were generating was clearly traveling over the surrounding silent area. As this individual clearly could not walk anywhere as Dusk is about 4 miles from Brentwood High Street, there are no shops, train station or taxi rank nearby they had to wait in the dark to be picked up. The very vocal one sided 'argument' went on for a few minutes and it was very clear to me that no one from within the now closed establishment was managing the ongoing situation. I could also hear the empty glass bottles being binned outside, someone was there clearing up. It is fair to say, sucking on a lollipop would not have stopped this departing patron's outburst. It is very concerning that departing patrons, who are not legally fit to drive and do not have ready means to immediately leave, have to wait for taxis outside this establishment in the dark, often for quite a considerable amount of time given Dusk's location in middle of the countryside with no other shops or food outlets open nearby. The stretch of Ongar Road outside Dusk is not lit so walking back to Brentwood is not really advisable.

Allowing every patron to bring in one bottle of either wine or spirits to consume on the premises is not a very wise option, given that the booking period for a table in the shisha lounge is two hours only. This gives rise to rapid intoxication resulting in nuisance and anti-social behaviour

All calls to Dusk to complain about noise and any other issues have been met with open hostility from the establishment. I witnessed a very concerning call, where my mother phoned to ask for a very flimsy advertising banner, which had been tied between two trees adjacent to Ongar Road to be repositioned, **(not removed)**, as any drivers passing were distracted by this banner flapping in the wind and took their eyes off this very busy and quite dangerous stretch of road to look at it. When my mother phoned to politely explain why this sign needed to be immediately repositioned, the gentleman from Dusk was very rude to her accusing her of being 'like other local residents, who are just trying ruin my business' and then quickly stating that 'I can do what I like on my own property', it took my mother a further 10 minutes to explain why this was a road safety issue and she was not trying to ruin his business before he agreed to move the sign in two days when he had staff available. I was shocked and staggered by the level of aggression. It seemed to me that this gentleman showed no concern for the safety of others; completely failing or refusing to understand my mother's concern about the positioning of this sign and the potential danger it posed to road users. I advised my mother never to phone/engage with this establishment directly again.

The changes to Dusk's license that were brought in by 11/11/2020, 23/11/2020 Licensing Sub Committees respectively, and Mr Adams's decision to reject a further application on 18/12/2020 covering bring your own alcohol, were all in response to a catalogue of issues, complaints of persistent noise nuisance and anti-social behaviour emanating from Dusk and their departing patrons. Only the UK Government Covid Nationwide/Tier 3 lockdowns has completely stopped this establishment causing such nuisance as Dusk has been operating three take away food offerings (Indian, Chinese and Peri Peri Chicken) only during this lockdown period. As far as I am aware these take away services have not generated any nuisance complaints.

If these restrictions are taken off then the entire neighbourhood would be again be blighted by the previous well documented misconduct emanating from this establishment and some of its patrons. Offering adults a lollipop to suck while departing these premises, is quite frankly feeble and will not prevent antisocial behaviour occurring.

It is very clear that this establishment is offering more than a 'fine dining' restaurant experience and it is these other ventures that are the ones that are causing the persistent noise and anti-social behaviour nuisance.

I attach a recent screenshot of their most recent 'duskloungeessex' open access social media page which has been dated and time stamped accordingly for your information and awareness as an example of this establishment's current online advertising for their Lounge business.

11:37



instagram.com

Instagram

Log In

Open App



duskloungeessex • Follow

DUSK Lounge Essex



86 likes

duskloungeessex #tbt ❤️

#nightsatdusk 🎉

#wewillsoonbeback

#wemissyou dusk #goawaycovid

#whenwewererefreetomingle 🎉

#goodvibesonly #goodtimes

.

👉 Tag your friends. 👈

.

.

#wednesdaymotivation #londonrestaurant

#londonvibes #londonnightout

#londonfoodies #foodstagram

#greatrestaurants #londoncitylife

#londonrestaurants #Londonshisha

#nightoutwithfriends #girlsnightout

#shishavibes #goodvibes #shishatime

#shishalounge #shishalove #shishalife

#shishalovers #shishagram #shishalondon

#ladiesofdusk

allanshugz Chicks fest 🔥🔥🔥😄😄😄

7 DAYS AGO

See More Posts

Apr 15, 2021, 11:37 am



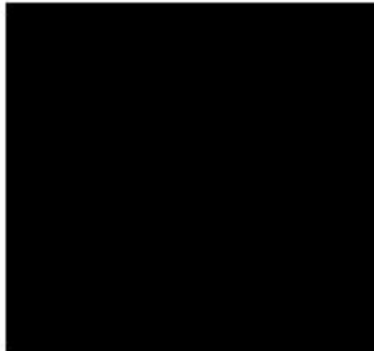
duskloungeessex

Open App



I appreciate if you kindly submit my comments into the Licensing Sub Committee for their consideration.

Kind Regards,



From: [REDACTED]
Sent: 03 April 2021 14:17
To: Dave Leonard
Cc: Paul Adams; Keith Parker; Cliff Poppy; Vicky Davies; Enquiries
Subject: Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application
Reference Number: 21/00028/LAFVAL
Attachments: [REDACTED]

Mr David Leonard
Licensing Department
Brentwood Borough Council

3 April 2021

Dear Mr Leonard,

**Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application Reference Number:
21/00028/LAFVAL**

It has come to our attention that the proprietors of the above named premises are once again seeking to vary the terms of the licence granted to them on 23 November 2020 at a Full Licence Review, following various hearings conducted by the Licensing Sub Committee of Brentwood Borough Council.

We wish to object in the strongest terms to any changes or variations to their current licence and the conditions attached thereto.

Whenever the main premises has been open for business since 2019, especially the Lounge, open air areas, private events, and when the patrons are leaving the premises, be it day or night, we have been subjected to appalling noise nuisance from loud music and raucous behaviour on the part of some patrons, including obscenities and littering, (broken and discarded glass and plastic alcohol bottles). This behaviour has contravened all objectives of the Licensing Act 2003:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm;

The proprietors continued to ignore repeated requests to reduce the noise nuisance and prevent anti-social behaviour on the part of their patrons. In fact they have treated all our complaints with open hostility to the point that we no longer communicate with them directly and we have come to rely on the intervention of the Officers of Brentwood Borough Council, the local Councillors and the decisions taken by the Licensing Sub Committee listed below:

- 11 November 2020: The Licensing Sub Committee approved an application from the proprietors of Dusk to sell alcohol at the premises. The Sub Committee granted the application to sell alcohol so that the amount of alcohol consumed could be appropriately controlled. At this meeting Dusk's legal representative also asked for permission for their patrons to bring their own alcohol as well, which was rejected.
- 23 November 2020: This Full License Review, which I requested, the Licencing Sub Committee felt 'that imposing conditions to curb noise emanating from the premises was an appropriate and proportionate action in order to promote the prevention of public nuisance which on the basis of the representations, Members determined was occurring.' And approved the measures:
 - No live or recordable music to be played in the outside (lounge) area after 22:30hrs. **Current Condition 5 on Annex 3.**
 - No live or recorded music to be played in the outside (lounge) area between 12:00hrs and 22:30hrs until an automatic noise limiting device has been installed and a noise limit agreed with Brentwood Borough Council's Environmental Health Team, such noise limit must not be exceeded at any time. **Current Condition 7 of Annex 3.**
 - A written noise management policy which was acceptable to Brentwood Borough Council's Environmental Health Team be put in place and adhered to.
- 18 December 2020: Mr David Leonard published the Licensing Manager's rejection of a further application from the Proprietors of Dusk to allow their patrons to bring their own alcohol, alongside their current licence to sell alcohol. Clearly stating in his ruling: **'that there is no provision for appealing this decision, and the applicant may want to apply for a full variation if they wish to progress this matter further. If further representation is received to a full variation then the application would then be referred to a licensing hearing for determination.'**

In conclusion, we would like to point out that during the period 23 November 2020 until commencement of Essex Tier 3/UK Lockdown (16 / 20 December 2020), the noise nuisance emanating from Dusk continued.

- To suggest that their patrons' noise can be prevented by the supply of lollipops to stop their mouths is quite frankly silly.
- Dusk's legal representative advised the Licencing Sub Committee (held on 23 November 2020) that the 'Unique Selling Point' for this business is the (Shisha) Lounge; not the Restaurant nor the Events venue. In their application the Proprietors have stated that the trained licenced door staff and DPS will ensure that the 'dining experience' is safely policed, there is no mention of the Lounge and Events businesses.
- There are young children living in very close proximity to Dusk. Their sleep has been repeatedly disturbed and their young ears and minds have been assaulted by foul language and noise nuisance on a regular basis.
- **It is imperative that all the conditions currently attached to Dusk's licence be retained and enforced.**

Would you kindly ensure that the above comments are placed before the Licensing Sub Committee for their consideration in determining this application.



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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Licensing
Sent: 06 April 2021 08:58
To: Dave Leonard
Subject: FW:
Attachments: Dusk application [REDACTED]

Dominika Jaskolska | Admin Assistant, Brentwood Borough Council T 01277
312510 |
www.brentwood.gov.uk | Dominika.jaskolska@brentwood.gov.uk

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

From: [REDACTED]
Sent: 04 April 2021 01:22
To: Licensing <licensing@brentwood.gov.uk>
Subject:

Good evening Mr Leonard,

Please find attached an opposition to Dusk's variations from our family.

[REDACTED]

Of [REDACTED]

Please let me know if you wish the attached to be sent to you four times or whether the one letter with our names on is enough for four objections. Please also note we do not wish our names and address to be in the public domain.

Thank you again for informing us.

Stay well.

[REDACTED]

[Coronavirus Message - Hands Face Space - Fresh Air.]<<https://www.gov.uk/coronavirus>>

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless

express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 06 April 2021 14:35
To: Dave Leonard
Subject: DUSK appln to vary - [REDACTED] Rep 06APR21

Mr David Leonard
Licensing Department Brentwood Borough Council
6 April 2021

Dear Mr Leonard,

Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application Reference Number:
21/00028/LAFVAL

Thank you for your email outlining that the above named premises are applying for variations of the licence granted to them on 23 November 2020 at a Full Licence Review, which was itself subsequent to many meetings and hearings over the last couple of years under the Licensing Sub Committee of Brentwood Borough Council.

We feel that the last licence granted and indeed were informed by the Council subsequently that this would be the last, and as such we were satisfied that the Committee had listened to both sides and had come to a sensible conclusion, to support the business and residents alike.

We firmly object to any suggested changes to the variation of the current licence granted.

We have previously sent much video evidence, all date stamped and prior to the granted of the Premises license. We have also sent the many crime reference numbers when we have reported it to the police on numerous occasions. Listening and witnessing girls barely able to stand (in fact some lying on the ground) shouting their heads off swearing uncontrollably, listening to arguments, to loud music (whereby the music dj was inside but music piped through speakers outside to get around the council rules on no live music outside) was truly and utterly unbearable. Notwithstanding, the screeching of cars around the car park, the discarded glass and plastic bottles, which were frequently slung over our fence. We regularly had to go around our perimeter collecting empty bottles that had been slung over. Whilst we could not prove it was from Dusk, it had never previously happened and has subsequently since it has been closed due to covid happened, but frankly people who have taken their own alcohol and are drunk don't really take empty bottles home with them.

Our already traumatised children and ourselves (one of us a teacher, two keyworkers, who also do community work) were left sleep deprived and stressed and worried about when it will all end. I note that Dusk say they are protecting children from harm by saying they adapt the look under 25 policy. They are not thinking of the many children aged 4-16 that live in the immediate vicinity whatsoever, again they evidence here they are only thinking of the patrons. I know several eighteen year olds that go there and not one has been asked for any form of ID ever. Indeed one nearby resident has not complained because his son says "its the only place I can get to and get served without being questioned" and he doesn't want

[REDACTED]
to go against his son, so the suggestion that they ask under 25s for ID is simply very untrue. I read a suggestion regarding handing out lollipops to those leaving, yet at the same time they propose that people can take one bottle of alcohol each! A bottle of spirit or wine is an incredible amount for one person to drink whilst having a fine dining meal with background music. A bottle of spirit could kill someone.

With the sheer number of alcohol consumption referrals in this current period, are the council really wanting to encourage people to drink a bottle of vodka/gin whatever when they go for a meal? A

substantial meal to be encouraged - but not necessary. We know from previous photos that substantial meal can include a portion of chips... but that Dusk will then allow that person to consume a bottle of spirit. Sizing of bottles? There is simply absolutely no control whatsoever.

Hence why the Council granted the licence and indeed as yourself and David Carter both said that it will be easier to monitor and action should they break their conditions. As yet, no-one has knocked at the door to discuss the noise limiters.

This behaviour has contravened all objectives of the Licensing Act 2003:

• • • •

Without exception, not once have the proprietors apologised for any noise. We are in fact scared of them, hence why none of us will give our addresses for fear of retribution. We have had cars drive past slowly coming from the car park, stopping outside our premises. We have had people jump the fence into our alpaca field in the past.

The golf club have retarmaced their side of the car park. Dusk did not wish to contribute and have theirs done. We have spoken with the golf club, being members. They have put white car park spaces down and Dusk are not allowed to use them. Thus Dusk's own parking is limited. This creates limited turning space for cars and alongside extremely drunk and disorderly patrons now wandering around a car park. I reported to the police a long time ago, I left my home to collect my daughter one evening. A person walked straight in front of my car from the side of Dusk. They leant on the bonnet swearing away absolutely hammered. I beeped my horn loudly. A car overtook me. The person was holding their bottle of drink still. As they swaggered off the car I could drive round and continue my journey. I reported to the police as felt the person could get run over. Now this was one man, this is what will happen with tons of people each consuming one bottle of drink and Dusk really do not monitor it whatsoever despite what they have said in the past and as witnessed by Councillors visiting the premises.

We are extremely thankful for the Council support. In particular, yourself and David Carter, alongside Vicky Davies have really been very empathetic and we hope that your continued support and sensibility prevails. To clarify:

the prevention of crime and disorder; public safety;

the prevention of public nuisance; the protection of children from harm;

- 11 November 2020: The Licensing Sub Committee approved an application from the proprietors of Dusk to sell alcohol at the premises. This was granted so that the alcohol consumption could be monitored. Indeed at this meeting Dusk were not satisfied with that and we heard that they wish for people to bring their own alcohol as well! This in itself would create even further noise, as all the pubs in Brentwood close and people would make their way there. Thankfully, The Sub Committee saw much sense in the opposition to this and denied the request.

•

23 November 2020: This Full License Review, the Licencing Sub Committee felt 'that imposing conditions to curb noise emanating from the premises was an appropriate and proportionate action in order to promote the prevention of public nuisance which on the basis of the representations, Members determined was occurring.' And approved the measures:

- o Noliveorrecordablemusic to be played in the outside (lounge) area after 22:30hrs. Current Condition 5 on Annex 3.

- o Noliveorrecordedmusic to be played in the outside (lounge) area between 12:00hrs and 22:30hrs until an automatic noise limiting device has been installed and a noise limit agreed with Brentwood Borough Council's Environmental Health Team, such noise limit must not be exceeded at any time. Current Condition 7 of Annex 3.

- o A written noise management policy which was acceptable to Brentwood Borough Council's Environmental Health Team be put in place and adhered to.

o

18 December 2020: Mr David Leonard published the Licensing Manager's rejection of a further application from the Proprietors of Dusk to allow their patrons to bring their own alcohol, alongside their current licence to sell alcohol. Clearly stating in his ruling: 'that there is no provision for appealing this decision, and the applicant may want to apply for a full variation if they wish to progress this matter further. If further representation is received to a full variation then the application would then be referred to a licensing hearing for determination.'

I am still struggling to understand that the Dusk experience is meant to be a fine dining restaurant with background music, which must have a noise limitation package in place prior to any music being played whereby that music travels to the outdoor area. As such until someone has come in and knocked and heard the music from here very late at night then no music can be played.

How are Dusk stopping patrons from entering golf club car park spaces which are the other side of our boundary? Are they erecting a fence? Have they done as suggested two years ago that they put some form of screen up, or car park barrier? No when the golf club asked they refused. Equally, they have refused to pay their share contribution to pay for recent repair of the alarm at the entrance. Thus the golf club had to pay. My husband is a part owner of the club.

We have always supported a fine dining experience similar to Alec's, but also to pubs such as the Nags Head, whereby patrons go for a meal, have a chat in the garden, but neither have any music whatsoever playing outside. Whilst we would like no music whatsoever, we appreciate and have come to an agreement with the Sub Licensing Committee that music

•

can be played as background music after the installation of a noise management policy. This has not happened as yet.

Having checked with two family friends, who run pubs, we understand that currently when Dusk open they cannot sell alcohol unless they have a licensee, but also cannot let people bring their own, so currently as they have no licensee, then no alcohol whatsoever can be on the premises.

We understand from yourself that the Licensing Sub Committee will be informed of all comments prior to decision, but we really strongly oppose the variations. As said many times before, this is affecting all the immediate surrounding residential properties of which there are sixteen minimum that hear the music loudly, notwithstanding those that hear it occasionally.

People are so fed up with the constant changes, with the constant disregard for any rules placed on them when they had the bring your own. When we used to ring them they used to say "our patrons don't think its loud" and slam the phone down. Indeed when you have visited with David Carter and one of you stood in the car park and could clearly hear the noise, as soon as one of you went to the premises, they turned it down as knew you were there.

I fail to see how lollipops, when someone has drunk a bottle of vodka is either alive or sucking quietly on a lollipop so they don't make noise. How absolutely ridiculous and how lack of regard for the general health of their patrons they have. To encourage people to drink as much as they can in a bottle of spirit is absolutely disgusting and I hope that the council do not support such behaviour.

Would you kindly ensure that the above comments are placed before the Licensing Sub Committee for their consideration in determining this application. Shisha in itself is extremely unhealthy, a shish pipe the equivalent to 80 cigarettes. Add bring your own alcohol to this and you have an absolutely recipe for disaster. Shisha bars are being closed down up and down the country due to the lack of respect for the rules by the proprietors. Evidence is all on google. In an ideal world we seek that the experience next door is what they say, a fine dining restaurant with gentle background music, indeed the initial application said a harpist!! I don't support a shisha bar whatsoever due to the dangers of smoking the pipes. However, we do support the fine dining with the current licence. Surely the council cannot add to

the dangers of shisha smoking, that people can bring their own bottle of alcohol. Vodka can be 40-50 per cent pure alcohol. That is enough to kill you. I doubt very much the council supports that, but we find ourselves in this situation whereby Dusk are asking for permission for that to be consumed on their premises.

Your body processes one unit of alcohol an hour. Drinking a bottle in a short space of time slows brain function so you lose count of how much you are drinking and your sense of balance suffers, irritates the stomach to cause vomiting which you can choke on as the vomit gets into your lungs, affect nerves that control breathing and can stop your heartbeat and breathing, dehydrates you to cause permanent brain damage, lowers temperature which can cause hypothermia, lower blood sugars so leads to seizures... This is what Dusk are asking for, but are saying "bring your own". At no point in the past when it was bring your own did they stop people drinking witnessed by the noise, the very drunk people in the car park and the ambulances that have been there in the past when people have become unwell.

[REDACTED]

Thus four of us opposing.

Get [Outlook for iOS](#)



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 20 April 2021 21:26
To: Dave Leonard
Subject: URGENT

[REDACTED]
Mr David Leonard

Licensing Department
Brentwood Borough Council

20th April 2021

Dear Mr Leonard,

Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application Reference Number: 21/00028/LAFVAL

Thank you for informing our household of the application as above. I haven't sent in my objections separately before as despite going backwards and forwards, it seemed that this was all agreed upon. However, we now find ourselves in the position whereby the proprietors, despite saying they wish to work alongside the many neighbouring properties, are indeed wishing to go back to a kind of square one.

I firmly object to any suggested changes to the variation of the current licence granted.

Being in my early twenties, I am aware of the venue and the fact that it's a very predominantly "young" place to visit. At the same time I am very aware of the extreme health risks associated with smoking a shish pipe. One pipe equivalent to 100 cigarettes as quoted by British Heart Foundation, 80 cigarettes World Health Organisation. Despite this, and the fact the venue has many neighbouring properties, Brentwood Council allowed this type of venue to open in a residential area.

I hope now that Brentwood Council in particular the Licensing Committee, sees sense that a Bring Your Own Alcohol venue, with late opening hours, is not acceptable. Nor so are any of the other variations Dusk seeks.

They are advertising through much media marketing that they will be offering Prom Packages this year, alongside wedding packages. This is extremely irresponsible, beyond a doubt. All the prom places such as Stock Brook, Orsett Hall etc are all licensed premises and as such when 150-300 children turn up for their prom, they have pre drunk and are not in receipt of alcohol at the premises. The law states that if accompanied by an adult a child can have wine or beer. Now having been to these proms, children frequently pour vodka into Evian bottles for after parties. Dusk have absolutely no way of controlling how much drink is taken in. Girls hide it in their bras etc and it also goes into Capri Sun drinks as they fit into handbags easily. So you now have 150-300 people each having drinks. Secondly Dusk say they have use of the extensive grounds (wonder if golf club are aware) for "photos". This is fantastic for the children! They will now be able to walk around a golf course completely drunk taking photos with their phones. Dusk again cannot control this whatsoever as they cannot control the very few patrons they received when they are open at the current time, admitted by themselves at last meeting when they said they encourage people to leave quietly but they cannot control people's actions. Thus how can they control 150-300 kids. Let's just add in that this is by a very busy road A128 which is busy night and day.

This would be beyond irresponsible of the council to grant the bring your own. Let's now add in that the venue closes later than the high street pubs. This is a magnet for trouble waiting to happen as the venues close and people descend on Dusk as happened previously at the venue.

The proprietors when first opened said the venue was fine dining. Fine dining does not have loud music, extended hours and advertise for Proms and wedding parties, again with wedding parties saying use of extensive outside grounds for photos. Either its false advertising or Dusk are not telling the truth as they do not have extensive grounds there as far as we are aware. The venue also put up a sign saying they wished the live music for a Harpist or a guitarist when they first opened. At no point prior to this did they say they wanted a DJ with loud music most nights of the week.

Again I am a young person, fully aware of the reputation Dusk has amongst my age group, and it is not fine dining whatsoever. It's a place where the young can get in, have a smoke and get drunk. If they wanted fine dining, perhaps they should visit Alec's, Felix and other fine dining restaurants as they seem to have misunderstood the meaning of fine dining.

The outside area which we assumed was for a few guests to smoke a cigarette is the main attraction for the young to their venue.

With the Government saying a substantial meal is now not needed nor a curfew, this venue seriously needs to keep its current licensing as agreed and finalised at the last meeting which I was privy to watch alongside my family.

I truly hope that the licensing committee sees sense and the Board don't agree with Dusks latest requests that are challenging the committee's last decisions. Giving lollipops to 150-300 children when they leave a prom will not keep them quiet. The fact that Dusk thinks it will is laughable and confirms also that they are not thinking of child safety. Indeed, Dusk have also mentioned that they are keeping child safety and children free from harm, by offering these lollipops and doing the 'Thing 25' policy. Again this confirms they are not thinking of the 15 plus children aged 0-16 that live within the area that can hear the noise disturbing their sleep, thus not thinking of neighbours and certainly not thinking of children within the immediate area.

Please reject the current variations to the existing licence, you are ruining a beautiful countryside village.

Kind regards.



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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 20 April 2021 17:26
To: Dave Leonard
Cc: [REDACTED]
Subject: Licensing application ref. 21/00028/LAFVAL re. Dusk restaurant, Ongar Road, Brentwood CM15 9SS (amended to show correct application number)

Good afternoon,

I am contacting you to register objections to licence change proposals by the proprietors of Dusk restaurant, which I understand will soon be reviewed.

My wife and I have lived in [REDACTED] for many years and have seen the comings and goings of various enterprises on the site during that time.

Our objections are focussed on point 3 of the current application - the proposal to remove restrictions on live or recorded music being played in the outside (lounge) area after 22.30hrs, our reason being that Frog Street and the surrounding area is a quiet residential location that would be greatly affected by any such noise as would inevitably be generated were such proposals to be allowed.

There are no other commercial enterprises in the area and certainly none that generate noise pollution during evenings and early morning hours, as the approval of this application would certainly cause.

Points 1 & 2 of the application seem odd and illogical from a business point of view, especially as the proprietors have previously petitioned to be allowed the very conditions they now seek to revoke. No doubt they have their own reasons, but one cannot help but be suspicious of the motives.

To summarise our objections ... Noise pollution in a quiet residential area allowed solely because a commercial enterprise wishes to generate profit cannot be right. The rights of residents, taxpayers and voters surely must take precedence.

I hope you will register and take note of our objection.

Kind regards,

[REDACTED]

[REDACTED] for reference

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 20 April 2021 16:05
To: Dave Leonard
Subject: Application ref 21/00028/LAFVAL

Importance: High

[REDACTED]

Mr Leonard

I write to you with great concern as a direct neighbour of 'Dusk', the last 2 years has seen unacceptable public behaviour in the conduct of their business, and to hear they now want to loosen the terms of their business which will allow more noise and disruption only fills me with horror.

'removal of licence to sell alcohol' – why do they want this removed and after asking and getting permission? please can they explain why? surely with own license they can monitor the age of drinkers (who I hear and know for a fact, are under age)?

creates – yet more noise / drunk and disorderly behaviour – why would anyone on the board of approval tick this box?

condition 5 if annex 3 suggests to remove the clause to state 'no live or recorded music be played in the outside area after 2230', that must be a joke right?
They have caused us nothing but aggravation when playing loud music after 10pm – people chanting, girls screaming as well as in the car park after hours

they are meant to have 2 doormen to control the patrons – they rarely ever have 1, patrons are meant to be shown to their cars or taxis – that was the original terms of the deal – they are never done so.

shisha smoking is proven by the 'world wide health org' to be very harmful, more so than cigarettes – why do I want this on my doorstep and why do we want to put an additional burden on the NHS
World health are a better reference than me but must surely be listened to by all considering this ludicrous business request.

THIS BUSINESS IS RUN WITH UTTER DISREGARD FOR THE LOCAL NEIGHBOURS – IT IS A SET UP THAT MIGHT BE GOOD FOR THE WEST END UNDER 'WC1' POSTCODE OF LONDON BUT UNDER NO CIRCUMSTANCES FOR 'CM15' – IT IS COMPLETELY INAPPROPRIATE ON EVERY LEVEL – PLEASE MAKE SURE IT IS OPERATED IN A PROPER WAY THAT SUITS A SEMI RURAL LOCATION

dusk can enjoy operating a high end restaurant but this is not the area for a night club – please, please, please do not let this happen

let's not waste yet more time on this, either close the business or allow them some sensible guidelines and operating times to suit all local residents and allow them to build a high end restaurant

thankyou Mr Leonard



This communication is for informational purposes only. It is not intended as an offer or solicitation for the purchase or sale of any financial instrument or as an official confirmation of any transaction. All market prices, data and other information are not warranted as to completeness or accuracy and are subject to change without notice. Any comments or statements made herein do not necessarily reflect those of Linear Investments Limited, its subsidiaries and affiliates.

Additionally, the information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material.

Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited.

If you received this in error please contact the sender and delete the material from any computer.

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 21 April 2021 09:01
To: Dave Leonard
Subject: Application 21/00028/AFVAL. Licensing DUSK

Dear Sir

I wish to object completely against the three Application details

1. To remove the licensable activity to allow the sale of alcohol
2. To remove Condition 9 of Annex 3 etc
3. To remove Condition 5 of Annex 3 of the license

We have lived in the semi rural village of Kelvedon hatch for 35 years, and that is what it should remain, and living within 300m of DUSK , we will be in audio range of any live or recorded music if this is allowed. Initially DUSK was a restaurant not a "night club" and this should not alter.

DUNE was given an acceptable license to commence their project and should not be allowed to change these conditions. It was created as a non Alcohol establishment and therefore this Condition should not be changed.

We hope that the views of residents in very close proximity of DUSK will be recognised rather than the no doubt profit making Application of DUSK, we listen to and enjoy the sounds, sights and delights of the countryside , and do not wish to hear loud music each evening and the concerns we have of alcohol consuming visitors driving on our local roads.

Thank you for your attention

[REDACTED]
[REDACTED]

[Sent from the all-new AOL app for iOS](#)

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 12 April 2021 12:39
To: Dave Leonard
Subject: Dusk restaurant

Dear Mr Leonard,

I write to state my strong objection to the proposed variations to the current licence as below:

DUSK, ONGAR ROAD, PILGRIMS HATCH [CM15 9SS](#)

The applicant is seeking to remove the following from the premises licence:

- 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."**

In all other respects the licence remains the same.

Reference: [21/00028/LAFVAL](#)

I object to any change to items 1 and 2, Dusk applied and were granted the license to sell alcohol and removed the bring your own option, this in my opinion is far more suitable and permits the license holder more ability to control consumption which in turn reduces the risk of people consuming too much then causing a disturbance outside when leaving.

I also very strongly object to any change to item 3 as music played outside beyond 10.30pm is unacceptable as causes a nuisance to surrounding neighbours with us having to sleep with windows closed and at times ear plugs in which is not acceptable when [REDACTED] that can cry out distressed at night needing reassurance and comfort.

Kind Regards

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]



Sent from my iPad

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Licensing
Sent: 12 April 2021 08:55
To: Dave Leonard
Subject: [REDACTED]
Attachments: Dusk application [REDACTED]

Dominika Jaskolska | Admin Assistant, Brentwood Borough Council
T 01277 312510 | www.brentwood.gov.uk | Dominika.jaskolska@brentwood.gov.uk

From: [REDACTED]
Sent: 09 April 2021 18:33
To: Licensing <licensing@brentwood.gov.uk>
Subject: Dusk application [REDACTED]

Hi,

Please see attached my letter of opposition to Dusk.

Thanks,
[REDACTED]

[Coronavirus Message - Hands Face Space - Fresh Air.]<<https://www.gov.uk/coronavirus>>

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 06 April 2021 14:35
To: Dave Leonard
Subject: DUSK appln to vary - [REDACTED] Rep 06APR21

Mr David Leonard
Licensing Department Brentwood Borough Council
6 April 2021

Dear Mr Leonard,

Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application Reference Number:
21/00028/LAFVAL

Thank you for your email outlining that the above named premises are applying for variations of the licence granted to them on 23 November 2020 at a Full Licence Review, which was itself subsequent to many meetings and hearings over the last couple of years under the Licensing Sub Committee of Brentwood Borough Council.

We feel that the last licence granted and indeed were informed by the Council subsequently that this would be the last, and as such we were satisfied that the Committee had listened to both sides and had come to a sensible conclusion, to support the business and residents alike.

We firmly object to any suggested changes to the variation of the current licence granted.

We have previously sent much video evidence, all date stamped and prior to the granted of the Premises license. We have also sent the many crime reference numbers when we have reported it to the police on numerous occasions. Listening and witnessing girls barely able to stand (in fact some lying on the ground) shouting their heads off swearing uncontrollably, listening to arguments, to loud music (whereby the music dj was inside but music piped through speakers outside to get around the council rules on no live music outside) was truly and utterly unbearable. Notwithstanding, the screeching of cars around the car park, the discarded glass and plastic bottles, which were frequently slung over our fence. We regularly had to go around our perimeter collecting empty bottles that had been slung over. Whilst we could not prove it was from Dusk, it had never previously happened and has subsequently since it has been closed due to covid happened, but frankly people who have taken their own alcohol and are drunk don't really take empty bottles home with them.

Our already traumatised children and ourselves (one of us a teacher, two keyworkers, who also do community work) were left sleep deprived and stressed and worried about when it will all end. I note that Dusk say they are protecting children from harm by saying they adapt the look under 25 policy. They are not thinking of the many children aged 4-16 that live in the immediate vicinity whatsoever, again they evidence here they are only thinking of the patrons. I know several eighteen year olds that go there and not one has been asked for any form of ID ever. Indeed one nearby resident has not complained because his son says "its the only place I can get to and get served without being questioned" and he doesn't want

[REDACTED]

to go against his son, so the suggestion that they ask under 25s for ID is simply very untrue. I read a suggestion regarding handing out lollipops to those leaving, yet at the same time they propose that people can take one bottle of alcohol each! A bottle of spirit or wine is an incredible amount for one person to drink whilst having a fine dining meal with background music. A bottle of spirit could kill someone.

With the sheer number of alcohol consumption referrals in this current period, are the council really wanting to encourage people to drink a bottle of vodka/gin whatever when they go for a meal? A

substantial meal to be encouraged - but not necessary. We know from previous photos that substantial meal can include a portion of chips... but that Dusk will then allow that person to consume a bottle of spirit. Sizing of bottles? There is simply absolutely no control whatsoever.

Hence why the Council granted the licence and indeed as yourself and David Carter both said that it will be easier to monitor and action should they break their conditions. As yet, no-one has knocked at the door to discuss the noise limiters.

This behaviour has contravened all objectives of the Licensing Act 2003:

• • • •

Without exception, not once have the proprietors apologised for any noise. We are in fact scared of them, hence why none of us will give our addresses for fear of retribution. We have had cars drive past slowly coming from the car park, stopping outside our premises. We have had people jump the fence into our alpaca field in the past.

The golf club have retarmaced their side of the car park. Dusk did not wish to contribute and have theirs done. We have spoken with the golf club, being members. They have put white car park spaces down and Dusk are not allowed to use them. Thus Dusk's own parking is limited. This creates limited turning space for cars and alongside extremely drunk and disorderly patrons now wandering around a car park. I reported to the police a long time ago, I left my home to collect my daughter one evening. A person walked straight in front of my car from the side of Dusk. They leant on the bonnet swearing away absolutely hammered. I beeped my horn loudly. A car overtook me. The person was holding their bottle of drink still. As they swaggered off the car I could drive round and continue my journey. I reported to the police as felt the person could get run over. Now this was one man, this is what will happen with tons of people each consuming one bottle of drink and Dusk really do not monitor it whatsoever despite what they have said in the past and as witnessed by Councillors visiting the premises.

We are extremely thankful for the Council support. In particular, yourself and David Carter, alongside Vicky Davies have really been very empathetic and we hope that your continued support and sensibility prevails. To clarify:

the prevention of crime and disorder; public safety;

the prevention of public nuisance; the protection of children from harm;

- 11 November 2020: The Licensing Sub Committee approved an application from the proprietors of Dusk to sell alcohol at the premises. This was granted so that the alcohol consumption could be monitored. Indeed at this meeting Dusk were not satisfied with that and we heard that they wish for people to bring their own alcohol as well! This in itself would create even further noise, as all the pubs in Brentwood close and people would make their way there. Thankfully, The Sub Committee saw much sense in the opposition to this and denied the request.

•

23 November 2020: This Full License Review, the Licencing Sub Committee felt 'that imposing conditions to curb noise emanating from the premises was an appropriate and proportionate action in order to promote the prevention of public nuisance which on the basis of the representations, Members determined was occurring.' And approved the measures:

- o Noliveorrecordablemusic to be played in the outside (lounge) area after 22:30hrs. Current Condition 5 on Annex 3.

- o Noliveorrecordedmusic to be played in the outside (lounge) area between 12:00hrs and 22:30hrs until an automatic noise limiting device has been installed and a noise limit agreed with Brentwood Borough Council's Environmental Health Team, such noise limit must not be exceeded at any time. Current Condition 7 of Annex 3.

- o A written noise management policy which was acceptable to Brentwood Borough Council's Environmental Health Team be put in place and adhered to.

o

18 December 2020: Mr David Leonard published the Licensing Manager's rejection of a further application from the Proprietors of Dusk to allow their patrons to bring their own alcohol, alongside their current licence to sell alcohol. Clearly stating in his ruling: 'that there is no provision for appealing this decision, and the applicant may want to apply for a full variation if they wish to progress this matter further. If further representation is received to a full variation then the application would then be referred to a licensing hearing for determination.'

I am still struggling to understand that the Dusk experience is meant to be a fine dining restaurant with background music, which must have a noise limitation package in place prior to any music being played whereby that music travels to the outdoor area. As such until someone has come in and knocked and heard the music from here very late at night then no music can be played.

How are Dusk stopping patrons from entering golf club car park spaces which are the other side of our boundary? Are they erecting a fence? Have they done as suggested two years ago that they put some form of screen up, or car park barrier? No when the golf club asked they refused. Equally, they have refused to pay their share contribution to pay for recent repair of the alarm at the entrance. Thus the golf club had to pay. My husband is a part owner of the club.

We have always supported a fine dining experience similar to Alec's, but also to pubs such as the Nags Head, whereby patrons go for a meal, have a chat in the garden, but neither have any music whatsoever playing outside. Whilst we would like no music whatsoever, we appreciate and have come to an agreement with the Sub Licensing Committee that music

•

can be played as background music after the installation of a noise management policy. This has not happened as yet.

Having checked with two family friends, who run pubs, we understand that currently when Dusk open they cannot sell alcohol unless they have a licensee, but also cannot let people bring their own, so currently as they have no licensee, then no alcohol whatsoever can be on the premises.

We understand from yourself that the Licensing Sub Committee will be informed of all comments prior to decision, but we really strongly oppose the variations. As said many times before, this is affecting all the immediate surrounding residential properties of which there are sixteen minimum that hear the music loudly, notwithstanding those that hear it occasionally.

People are so fed up with the constant changes, with the constant disregard for any rules placed on them when they had the bring your own. When we used to ring them they used to say "our patrons don't think its loud" and slam the phone down. Indeed when you have visited with David Carter and one of you stood in the car park and could clearly hear the noise, as soon as one of you went to the premises, they turned it down as knew you were there.

I fail to see how lollipops, when someone has drunk a bottle of vodka is either alive or sucking quietly on a lollipop so they don't make noise. How absolutely ridiculous and how lack of regard for the general health of their patrons they have. To encourage people to drink as much as they can in a bottle of spirit is absolutely disgusting and I hope that the council do not support such behaviour.

Would you kindly ensure that the above comments are placed before the Licensing Sub Committee for their consideration in determining this application. Shisha in itself is extremely unhealthy, a shish pipe the equivalent to 80 cigarettes. Add bring your own alcohol to this and you have an absolutely recipe for disaster. Shisha bars are being closed down up and down the country due to the lack of respect for the rules by the proprietors. Evidence is all on google. In an ideal world we seek that the experience next door is what they say, a fine dining restaurant with gentle background music, indeed the initial application said a harpist!! I don't support a shisha bar whatsoever due to the dangers of smoking the pipes. However, we do support the fine dining with the current licence. Surely the council cannot add to

the dangers of shisha smoking, that people can bring their own bottle of alcohol. Vodka can be 40-50 per cent pure alcohol. That is enough to kill you. I doubt very much the council supports that, but we find ourselves in this situation whereby Dusk are asking for permission for that to be consumed on their premises.

Your body processes one unit of alcohol an hour. Drinking a bottle in a short space of time slows brain function so you lose count of how much you are drinking and your sense of balance suffers, irritates the stomach to cause vomiting which you can choke on as the vomit gets into your lungs, affect nerves that control breathing and can stop your heartbeat and breathing, dehydrates you to cause permanent brain damage, lowers temperature which can cause hypothermia, lower blood sugars so leads to seizures... This is what Dusk are asking for, but are saying "bring your own". At no point in the past when it was bring your own did they stop people drinking witnessed by the noise, the very drunk people in the car park and the ambulances that have been there in the past when people have become unwell.

[REDACTED]

Thus four of us opposing.

Get [Outlook for iOS](#)



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 17 April 2021 11:16
To: Dave Leonard
Subject: Objection letter
Attachments: Dusk application [REDACTED]

Dear Mr Leonard,

Please find attached letter as you discussed with my father [REDACTED]
raising my objection to
Licensing Application ref: 21/00028/LAFVAL.

Kind Regards.

[REDACTED]
[Coronavirus Message - Hands Face Space - Fresh
Air.]<<https://www.gov.uk/coronavirus>>

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15
8AY. This email
(including any attachments) is intended only for the recipient(s) named
above. It may contain restricted
or privileged information and should not be read, copied or otherwise used
by any other person unless
express permission is given. If you are not a named recipient, please
contact the sender and delete the
email from the system. It is the recipient's responsibility to ensure that
appropriate measures are in
place to check for software viruses.

We will use your information to provide the service requested. We may
share your personal data
between our services and with partner organisations, such as government
bodies and the police. We will
do so when it is of benefit to you, or required by law, or to prevent or
detect fraud. To find out more, go
to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 28 April 2021 12:16
To: Dave Leonard; Debra Wright
Subject: DUSK Appln to vary PL - REP [REDACTED] 17APR21

Mr David Leonard
Licensing Department Brentwood Borough Council
10th April 2021

Dear Mr Leonard,
Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application Reference Number:
21/00028/LAFVAL

Thank you for your email outlining that the above named premises are applying for variations of the licence granted to them on 23 November 2020 at a Full Licence Review, which was itself subsequent to many meetings and hearings over the last couple of years under the Licensing Sub Committee of Brentwood Borough Council.

We feel that the last licence granted and indeed were informed by the Council subsequently that this would be the last, and as such we were satisfied that the Committee had listened to both sides and had come to a sensible conclusion, to support the business and residents alike.

We firmly object to any suggested changes to the variation of the current licence granted.

We have previously sent much video evidence, all date stamped and prior to the granted of the Premises license. We have also sent the many crime reference numbers when we have reported it to the police on numerous occasions. Listening and witnessing girls barely able to stand (in fact some lying on the ground) shouting their heads off swearing uncontrollably, listening to arguments, to loud music (whereby the music dj was inside but music piped through speakers outside to get around the council rules on no live music outside) was truly and utterly unbearable. Notwithstanding, the screeching of cars around the car park, the discarded glass and plastic bottles, which were frequently slung over our fence. We regularly had to go around our perimeter collecting empty bottles that had been slung over. Whilst we could not prove it was from Dusk, it had never previously happened and has subsequently since it has been closed due to covid happened, but frankly people who have taken their own alcohol and are drunk don't really take empty bottles home with them.

Our already traumatised children and ourselves (one of us a teacher, two keyworkers, who also do community work) were left sleep deprived and stressed and worried about when it will all end. I note that Dusk say they are protecting children from harm by saying they adapt the look under 25 policy. They are not thinking of the many children aged 4-16 that live in the immediate vicinity whatsoever, again they evidence here they are only thinking of the patrons. I know several eighteen year olds that go there and not one has been asked for any form of ID ever. Indeed one nearby resident has not complained because his son says "its the only place I can get to and get served without being questioned" and he doesn't want

[REDACTED]

to go against his son, so the suggestion that they ask under 25s for ID is simply very untrue. I read a suggestion regarding handing out lollipops to those leaving, yet at the same time they propose that people can take one bottle of alcohol each! A bottle of spirit or wine is an incredible amount for one person to drink whilst having a fine dining meal with background music. A bottle of spirit could kill someone.

With the sheer number of alcohol consumption referrals in this current period, are the council really wanting to encourage people to drink a bottle of vodka/gin whatever when they go for a meal? A

substantial meal to be encouraged - but not necessary. We know from previous photos that substantial meal can include a portion of chips... but that Dusk will then allow that person to consume a bottle of spirit. Sizing of bottles? There is simply absolutely no control whatsoever.

Hence why the Council granted the licence and indeed as yourself and David Carter both said that it will be easier to monitor and action should they break their conditions. As yet, no-one has knocked at the door to discuss the noise limiters.

This behaviour has contravened all objectives of the Licensing Act 2003:

• • • •

Without exception, not once have the proprietors apologised for any noise. We are in fact scared of them, hence why none of us will give our addresses for fear of retribution. We have had cars drive past slowly coming from the car park, stopping outside our premises. We have had people jump the fence into our alpaca field in the past.

The golf club have retarmaced their side of the car park. Dusk did not wish to contribute and have theirs done. We have spoken with the golf club, being members. They have put white car park spaces down and Dusk are not allowed to use them. Thus Dusk's own parking is limited. This creates limited turning space for cars and alongside extremely drunk and disorderly patrons now wandering around a car park. I reported to the police a long time ago, I left my home to collect my daughter one evening. A person walked straight in front of my car from the side of Dusk. They leant on the bonnet swearing away absolutely hammered. I beeped my horn loudly. A car overtook me. The person was holding their bottle of drink still. As they swaggered off the car I could drive round and continue my journey. I reported to the police as felt the person could get run over. Now this was one man, this is what will happen with tons of people each consuming one bottle of drink and Dusk really do not monitor it whatsoever despite what they have said in the past and as witnessed by Councillors visiting the premises.

We are extremely thankful for the Council support. In particular, yourself and David Carter, alongside Vicky Davies have really been very empathetic and we hope that your continued support and sensibility prevails. To clarify:

the prevention of crime and disorder; public safety;

the prevention of public nuisance; the protection of children from harm;

- 11 November 2020: The Licensing Sub Committee approved an application from the proprietors of Dusk to sell alcohol at the premises. This was granted so that the alcohol consumption could be monitored. Indeed at this meeting Dusk were not satisfied with that and we heard that they wish for people to bring their own alcohol as well! This in itself would create even further noise, as all the pubs in Brentwood close and people would make their way there. Thankfully, The Sub Committee saw much sense in the opposition to this and denied the request.

•

23 November 2020: This Full License Review, the Licencing Sub Committee felt 'that imposing conditions to curb noise emanating from the premises was an appropriate and proportionate action in order to promote the prevention of public nuisance which on the basis of the representations, Members determined was occurring.' And approved the measures:

- o Noliveorrecordablemusic to be played in the outside (lounge) area after 22:30hrs. Current Condition 5 on Annex 3.

- o Noliveorrecordedmusic to be played in the outside (lounge) area between 12:00hrs and 22:30hrs until an automatic noise limiting device has been installed and a noise limit agreed with Brentwood Borough Council's Environmental Health Team, such noise limit must not be exceeded at any time. Current Condition 7 of Annex 3.

- o A written noise management policy which was acceptable to Brentwood Borough Council's Environmental Health Team be put in place and adhered to.

o

18 December 2020: Mr David Leonard published the Licensing Manager's rejection of a further application from the Proprietors of Dusk to allow their patrons to bring their own alcohol, alongside their current licence to sell alcohol. Clearly stating in his ruling: 'that there is no provision for appealing this decision, and the applicant may want to apply for a full variation if they wish to progress this matter further. If further representation is received to a full variation then the application would then be referred to a licensing hearing for determination.'

I am still struggling to understand that the Dusk experience is meant to be a fine dining restaurant with background music, which must have a noise limitation package in place prior to any music being played whereby that music travels to the outdoor area. As such until someone has come in and knocked and heard the music from here very late at night then no music can be played.

How are Dusk stopping patrons from entering golf club car park spaces which are the other side of our boundary? Are they erecting a fence? Have they done as suggested two years ago that they put some form of screen up, or car park barrier? No when the golf club asked they refused. Equally, they have refused to pay their share contribution to pay for recent repair of the alarm at the entrance. Thus the golf club had to pay. My husband is a part owner of the club.

We have always supported a fine dining experience similar to Alec's, but also to pubs such as the Nags Head, whereby patrons go for a meal, have a chat in the garden, but neither have any music whatsoever playing outside. Whilst we would like no music whatsoever, we appreciate and have come to an agreement with the Sub Licensing Committee that music

•

can be played as background music after the installation of a noise management policy. This has not happened as yet.

Having checked with two family friends, who run pubs, we understand that currently when Dusk open they cannot sell alcohol unless they have a licensee, but also cannot let people bring their own, so currently as they have no licensee, then no alcohol whatsoever can be on the premises.

We understand from yourself that the Licensing Sub Committee will be informed of all comments prior to decision, but we really strongly oppose the variations. As said many times before, this is affecting all the immediate surrounding residential properties of which there are sixteen minimum that hear the music loudly, notwithstanding those that hear it occasionally.

People are so fed up with the constant changes, with the constant disregard for any rules placed on them when they had the bring your own. When we used to ring them they used to say "our patrons don't think its loud" and slam the phone down. Indeed when you have visited with David Carter and one of you stood in the car park and could clearly hear the noise, as soon as one of you went to the premises, they turned it down as knew you were there.

I fail to see how lollipops, when someone has drunk a bottle of vodka is either alive or sucking quietly on a lollipop so they don't make noise. How absolutely ridiculous and how lack of regard for the general health of their patrons they have. To encourage people to drink as much as they can in a bottle of spirit is absolutely disgusting and I hope that the council do not support such behaviour.

Would you kindly ensure that the above comments are placed before the Licensing Sub Committee for their consideration in determining this application. Shisha in itself is extremely unhealthy, a shish pipe the equivalent to 80 cigarettes. Add bring your own alcohol to this and you have an absolutely recipe for disaster. Shisha bars are being closed down up and down the country due to the lack of respect for the rules by the proprietors. Evidence is all on google. In an ideal world we seek that the experience next door is what they say, a fine dining restaurant with gentle background music, indeed the initial application said a harpist!! I don't support a shisha bar whatsoever due to the dangers of smoking the pipes. However, we do support the fine dining with the current licence. Surely the council cannot add to

the dangers of shisha smoking, that people can bring their own bottle of alcohol. Vodka can be 40-50 percent pure alcohol. That is enough to kill you. I doubt very much the council supports that, but we find ourselves in this situation whereby Dusk are asking for permission for that to be consumed on their premises.

Your body processes one unit of alcohol an hour. Drinking a bottle in a short space of time slows brain function so you lose count of how much you are drinking and your sense of balance suffers, irritates the stomach to cause vomiting which you can choke on as the vomit gets into your lungs, affect nerves that control breathing and can stop your heartbeat and breathing, dehydrates you to cause permanent brain damage, lowers temperature which can cause hypothermia, lower blood sugars so leads to seizures... This is what Dusk are asking for, but are saying "bring your own". At no point in the past when it was bring your own did they stop people drinking witnessed by the noise, the very drunk people in the car park and the ambulances that have been there in the past when people have become unwell.

Kind regards.



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 22 April 2021 09:03
To: Dave Leonard
Cc: [REDACTED]
Subject: Dusk ref: 21/00028/LAFVAL

Dear sir

It has recently been brought to our attention that "Dusk" have applied for a variation to the terms of their licence.

We have signed a local petition which expresses the concerns of our local community, we have also had a number of concerned borough candidates calling and chatting with us explaining the situation.

My wife and I would formally like to object to the application submitted by "Dusk"

We live in a quiet hamlet in [REDACTED], we are able to hear and are affected by the sounds of loud voices and music coming from outside of the premises.

Their customers consuming their own alcohol will become a nuisance, people will be wandering around outside shouting, screaming and generally not a good image for our village. We already have issues with parking and have already witnessed cars from Dusk parking along our quiet lane.

If the application is granted in their favour, we will be devastated as a local community, not just us in [REDACTED] but also residents opposite and within earshot of the premises. This will be seen as a major blow allowing an outside business to operate with no respect for the local people.

We all trust that the right decision will be made.

Yours faithfully

[REDACTED]

[Coronavirus Message - Hands Face Space - Fresh Air.]<<https://www.gov.uk/coronavirus>>

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email

(including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Kevin Addison [REDACTED]
Sent: 21 April 2021 10:01
To: Dave Leonard; Licensing
Subject: Application reference 21/00028/LAFVAL (Dusk)

Hi

We strongly object to the is change in license conditions. Since Dusk opened they have shown a total disregard for the local residents causing noise disturbance and not listening to our concerns.

Our reasons for the objection are:-

Allowing customers to consume their own alcohol will lead to an uncontrolled amount of alcohol being consumed leading to more anti- social behaviour

Noise is our biggest concern; music must not be allowed after 22.30, and strict limits on noise need to be maintained. We have already had enough issues with noise with the current restrictions in place so we don't need any further relaxation of restrictions

Regards
Kevin and Karen Addison
[REDACTED]

Ongar Road
Brentwood
Essex
[REDACTED]

Sent from my iPhone
[Coronavirus Message - Hands Face Space - Fresh Air.]<<https://www.gov.uk/coronavirus>>

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will

do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: AUSTIN, Richard [REDACTED]
Sent: 16 April 2021 18:50
To: Licensing; Vicky Davies; David Carter; Dave Leonard;
cliff.poppy@brentwood.gov.uk
Cc: [REDACTED]
Subject: RE: Dusk Restaurant objection to change of licence

Dear Mr Leonard

I understand that despite Dusk being granted a licence to serve alcohol and operate with the legal boundaries, they now wish to amend it to one with almost no restrictions.

I am totally against this request and enclose once again my reasons for this objection.

I have also CC'd on behalf of my wife Rachel Austin, son Toby Austin [REDACTED] and daughter Jessica Austin [REDACTED] all who have the same objection and reside with me at the same address.

[REDACTED]
Frog Street
Kelvedon hatch
Essex [REDACTED]

Kind regards

Richard Austin
[REDACTED]

From: AUSTIN, Richard
Sent: 25 July 2020 09:08
To: licensing@brentwood.gov.uk <licensing@brentwood.gov.uk>; vicky.davies@brentwood.gov.uk <vicky.davies@brentwood.gov.uk>; david.carter@brentwood.gov.uk <david.carter@brentwood.gov.uk>; dave.leonard@brentwood.gov.uk <dave.leonard@brentwood.gov.uk>; Cliff Poppy <cliff.poppy@btinternet.com>; BURGHART, Alex <alex.burghart.mp@parliament.uk>
Subject: Dusk Restaurant

Dear Brentwood Councillors

In 2004 I purchased my home in Frog Street for one main reason, I wanted to live in the countryside where you can open your windows and listen to the lovely birds of a morning.

I now find myself unable to do so of a weekend, due to the unacceptable noise coming from a restaurant that is in close proximity to my home during the early hours of a morning and unacceptable chanting and behavior from people leaving the property along the country roads. Bottles of beer have also been found in the ditches near to the location, but appreciate these could be from any person, third party and not connected to the venue.

For the last 5 months my wife and I have worked tirelessly keeping our family business running "The Brentwood Day Nursery" and open to allow Key worker parents to attend to their occupations of Doctors, Nurses, Police, Hospital staff, Council and local Government workers etc during COVID 19 and save people's lives. We now have a scenario where a local establishment is not practicing the basic laws of social distancing and the encouragement of large groups to attend, with unacceptable levels of noise and music is being encouraged. I understand that it was agreed that 2 door staff would be employed to not only check patrons attending but also to make sure people leaving the venue do so in a quiet and respectable manner. This is currently not the case.

I am now writing to request that you seriously consider and further extension of a licence that may be granted to an establishment that is failing to keep to the current guidelines and would dread to think what the disruption and disturbance will become to the little hamlet where we live.

There may be times where a restaurant does need to seek to have a late night extension for one off events such as New Years Eve, but this can not become a rule and must remain the exception.

My family and I are not the only people being affected and trust that my fellow neighbours will also be writing in, expressing their concerns.

I look forward to hearing back from you in due course.

My address is [REDACTED] Frog Street, Kelvedon Hatch, Essex [REDACTED] should you wish to correspond via post.

Richard S. Austin



UK Parliament Disclaimer: this e-mail is confidential to the intended recipient. If you have received it in error, please notify the sender and delete it from your system. Any unauthorised use, disclosure, or copying is not permitted. This e-mail has been checked for viruses, but no liability is accepted for any

damage caused by any virus transmitted by this e-mail. This e-mail address is not secure, is not encrypted and should not be used for sensitive data.

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Jemma Dimambro [REDACTED]
Sent: 21 April 2021 07:39
To: Dave Leonard
Subject: Dusk

Dear Mr Leonard and the Licensing Department at Brentwood Borough Council,

Licence Application Number 21/00028/LAFVAL

We strongly object to any variations whatsoever to the conditions attached to the licence currently held by the proprietors/managers of the above named premises, as granted by the Licensing Sub Committee on the 23rd November 2020. The Licensing Sub Committee acknowledged and confirmed that local residents were being subjected to nuisance from noise and anti social behaviour and attached these conditions accordingly. It is essential that these conditions are retained and most importantly ENFORCED. Local residents have not had reason to object to a well run restaurant, with usual restaurant hours, operating from these premises. We enjoyed an harmonious relationship with the previous proprietors of Joy Fook Restaurant who enjoyed the patronage of local residents.

Yours sincerely

Jemma & Michael Ballard

[REDACTED]
Frog Street
[Brentwood Essex](#)
[REDACTED]

Sent from my iPhone

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Mick Ballard [REDACTED]
Sent: 20 April 2021 10:05
To: Dave Leonard
Subject: Dusk

Dear Mr Leonard and the Licensing Department at Brentwood Borough Council,

Licence Application Number 21/00028/LAFVAL

We strongly object to any variations whatsoever to the conditions attached to the licence currently held by the proprietors/managers of the above named premises, as granted by the Licensing Sub Committee on the 23rd November 2020. The Licensing Sub Committee acknowledged and confirmed that local residents were being subjected to nuisance from noise and anti social behaviour and attached these conditions accordingly. It is essential that these conditions are retained and most importantly ENFORCED. Local residents have not had reason to object to a well run restaurant, with usual restaurant hours, operating from these premises. We enjoyed an harmonious relationship with the previous proprietors of Joy Fook Restaurant who enjoyed the patronage of local residents.

Yours sincerely

Mr and Mrs Ballard
[REDACTED]

Ongar road
Brentwood Essex
[REDACTED]

Sent from [Mail](#) for Windows 10

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: brian [REDACTED]
Sent: 16 April 2021 09:38
To: Dave Leonard
Subject: Dusk

To Mr Leonard and the Licensing Department at Brentwood Borough Council. Re: Licence Application 21/00028/LAFVAL. We Brian and Carolyn Billington are strongly objecting to any changes to the current Licence which was approved in November last year. At that hearing it was acknowledged that the local residents were subjected to unacceptable noise, nuisance and unruly behaviour from those leaving Dusk late at night. It would be unacceptable to all the local residents if it went back to as it was before. Because of Covid we have not even had the chance to see how the newly agreed licence will improve the behaviour of people frequenting Dusk. To change back is ridiculous and will take us back to square one. Thank you, Brian and Carolyn Billington, [REDACTED] Frog Street, Brentwood, [REDACTED]

[Sent from the all-new AOL app for iOS](#)

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Nigel Bourbery [REDACTED]
Sent: 23 April 2021 14:01
To: Licensing
Subject: Licensing application 21/00028/LAFVAL Dusk Ongar Road

Follow Up Flag: Follow up
Flag Status: Completed

As a resident of Frog Street I wish to register my objection to all 3 points of the above application to vary the premises licence of Dusk.

The venue is situated in a rural location and relatively open countryside. Noise from the venue travels to the adjacent residential properties including our own. This is particularly the case in summer when windows need to be kept open overnight to lower temperatures and increase ventilation within homes. It would not be appropriate to remove any restriction of the hours during which music can be played outdoors at the venue, as is being requested, which would create a public nuisance to local residents . The applicant is a business. Any application they make can only be for the purpose of increasing the profitability of that business. If they cease to sell alcohol then they must be seeking to replace that revenue from other sources one of which would be to increase the numbers attending the venue. With that will come the risk of greater public nuisance to local residents from their arrival at, attending and departing the venue.

The applications in respect of the sale of alcohol will lessen/remove the operator's obligations as to the amounts and times during which alcohol is consumed by their customers on the premises. It will leave the decision with those attending the venue, removing the operators responsibility/accountability for their behaviour. I believe that this will lead to increased noise and disruptive behaviour linked to excessive alcohol consumption. Again this would create a public nuisance to local residents.

I believe that the changes to the premises licence sought combined with it's rural location, which means it is subject to less supervision/scrutiny than an urban location, has the potential to draw those under 18 who seek to drink alcohol away from parental control and not protect them from harm.

Nigel Bourbery
[REDACTED]
Frog Street
Kelvedon Hatch
Brentwood
[REDACTED]

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the

email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 23 April 2021 14:15
To: Licensing
Subject: Licensing application 21/00028/LAFVAL Dusk Ongar Road

Follow Up Flag: Follow up
Flag Status: Completed

Catherine Bourbery
[REDACTED] Frog Street,
Kelvedon Hatch,
Essex.
[REDACTED]

As a resident of Frog Street I wish to register my objection to all 3 points of the above application to vary the premises licence of Dusk.

The venue is situated in a rural location and relatively open countryside. Noise from the venue travels to the adjacent residential properties including our own. This is particularly the case in summer when windows need to be kept open overnight to lower temperatures and increase ventilation within homes. It would not be appropriate to remove any restriction of the hours during which music can be played outdoors at the venue, as is being requested, which would create a public nuisance to local residents. The applicant is a business. Any application they make can only be for the purpose of increasing the profitability of that business. If they cease to sell alcohol then they must be seeking to replace that revenue from other sources one of which would be to increase the numbers attending the venue. With that will come the risk of greater public nuisance to local residents from their arrival at, attending and departing the venue.

The applications in respect of the sale of alcohol will lessen/remove the operator's obligations as to the amounts and times during which alcohol is consumed by their customers on the premises. It will leave the decision with those attending the venue, removing the operators responsibility/accountability for their behaviour. I believe that this will lead to increased noise and disruptive behaviour linked to excessive alcohol consumption. Again this would create a public nuisance to local residents.

I believe that the changes to the premises licence sought combined with it's rural location, which means it is subject to less supervision/scrutiny than an urban location, has the potential to draw those under 18 who seek to drink alcohol away from parental control and, therefore, not protect them from harm.

--

Catherine Bourbery
[REDACTED]

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Nick Hart [REDACTED]
Sent: 22 April 2021 08:55
To: Dave Leonard
Cc: Nick Hart
Subject: Dusk Application 21/00028/LAFVAL

Dear Dave,

I write with regard to the above application. I find it hard to believe that a business has moved into the area stating that they will not sell alcohol. Then they apply of a licence, then try and remove that licence so people can bring their own and carry on drinking after the permitted times.

They now also want to remove the condition that states they are not allowed to play music outside after 22.30 pm. These conditions were put in place to safeguard the local residents, the same as the condition the walk customers to their cars.

Dusk were granted a licence on these conditions (conditions they choose to ignore) and they decide to keep returning to the table until they get exactly what they want. As local residents we have witnessed first hand, the noise after hours, people shouting and screaming in the carpark and late night music. If BBC give into their new requests, I believe they will further continue to do exactly what they want i.e. disregard the exact stipulations in which they were allowed to trade from day one!

Kind regards

Nick
Nick Hart
[REDACTED]
Ongar Road
Pilgrims Hatch
Brentwood
Essex
[REDACTED]



Any opinions expressed in the email are those of the individual and not necessarily of the Company. This e-mail, and any files transmitted with it, are confidential and solely for the use of the intended recipient. If you are not the intended recipient (or the person responsible for delivering to the intended recipient) be advised that you have received this e-mail in error and that any use is strictly prohibited. If you have received this email in error please notify the Security Manager by telephone on 01277 372779 or by email to accounts@nickstyres.co.uk

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: kayhart [REDACTED]
Sent: 22 April 2021 12:29
To: Dave Leonard
Subject: Dusk

Reference: 21/00028/LAFVAL

Dear Mr Leonard I refer to the above application, and note that the applicant is seeking to remove the following from the premises licence:

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 music shall be played in the outside (lounge) area after 22.30."

As a local resident I totally OBJECT to all three points listed above.

Regards,
Kay Hart

[REDACTED]
Ongar Rd
[REDACTED]

Sent from my iPad

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: kayhart [REDACTED]
Sent: 22 April 2021 13:44
To: Dave Leonard
Subject: Dusk

Dear Mr. Leonard,
Reference: 21/00028/LAFVAL

Further to my previous email with reference to the above, my reason for objecting is the prevention of public nuisance caused from noise.

Kay Hart
[REDACTED]

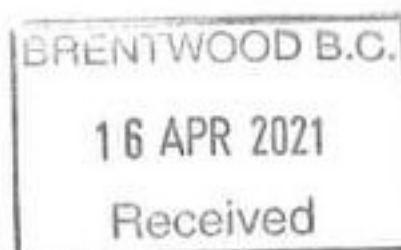
Ongar Rd
[REDACTED]


[Coronavirus Message - Hands Face Space - Fresh Air.]<<https://www.gov.uk/coronavirus>>

Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

Licensing Authority
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY




Frog Street
Kelvedon Hatch
Brentwood
Essex


11th April 2021

Dear Sir/Madam

I have been made aware that the owners of the Dusk Restaurant in the Ongar Road, Brentwood, CM15 9SS are unhappy with the restrictions placed on them by the Council's Licensing Sub-Committee and have now applied:

- to be allowed to play music in the outdoor lounge area after 10:30pm, and
- allow customers to bring in and consume their own alcohol on the premises

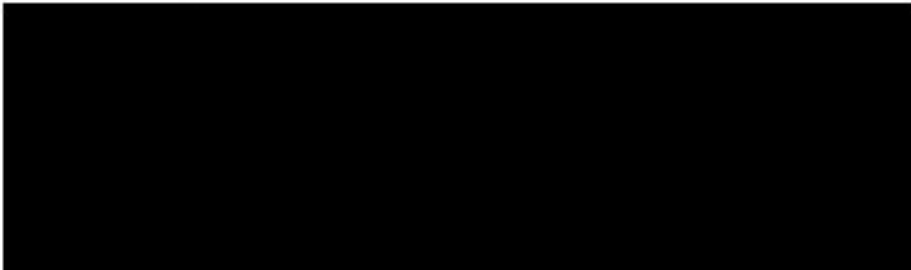
The previous ruling by the Council was made because the owners, despite assuring the council that they would be considerate, appeared to have no regard for their neighbours; and insisted on playing loud music late at night and into the small hours of the morning, causing misery and immense distress to those living in the vicinity. It was also considered that the late night antisocial behaviour experienced in the area was a result of uncontrolled alcohol consumption. This, of course, was caused by allowing customers to drink their own unrestricted alcohol on the premises.

Nothing has changed since the Council's last ruling. The restaurant is still in a semi-rural area with houses close by. Council Members deliberated long and hard before arriving at their previous decisions, even visiting the restaurant and adjacent area to obtain a clear understanding of the problems faced by local residents. I therefore do not see that there could be any valid reasons to ease any of the previous restrictions placed upon the operation of the premises.

It will be extremely deleterious on the lives of local residents if this latest application by the owners of Dusk is approved. I also have no doubt that any relaxation in the current restrictions would result in increased late night antisocial behaviour and, inevitably, more complaints to the Council and increased demands on the hard working Police Service.

Please do not succumb to pressure from these people, despite their continual pushing to get their own way at the expense of the well-being of the local community.

Yours faithfully


Lawrence Morrisson

From: Sue West [REDACTED]
Sent: 12 April 2021 12:15
To: Vicky Davies; Licensing
Subject: Re: Dusk Restaurant

Follow Up Flag: Follow up
Flag Status: Completed

Dear all

I am writing to state my strong objection to any change to the licensing of Dusk Restaurant.

I live in Frog street and have previously expressed my concern about the noise levels emanating from Dusk when it is open.

I am concerned to hear that they have applied to resume allowing customers to bring their own alcohol again. I wish to state my strong objection to this as I believe the consumption of relatively cheap liquor seriously adds to the problem of anti-social behaviour that has been experienced by locals including people screaming and yelling when leaving the premises and cars screeching down what was once a quiet country lane. I find it unfair that as a resident living in a rural area I cannot have my windows open in the summer months due to the noise nuisance caused.

I also previously noticed a sharp increase in the amount of litter in the hedge rows at the top of Frog street since the opening of Dusk which included large quantities of beer and wine bottles, which may have been linked to people bringing their own alcohol.

I do not recall the Joy Fook causing this much nuisance to local people. I would hear music occasionally but never until the early hours or on weekdays as is now the case.

Kind Regards

Sue West
[REDACTED] frog Street
[REDACTED]

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will

do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Vicky Davies
Sent: 29 March 2021 17:33
To: Dave Leonard
Cc: Barry Aspinell; David Kendall
Subject: Dusk variation of license

I wish to register my objection to Sisu Enterprises Ltd to vary the premises license

1.To remove the licensable activity of allowing the sale of alcohol.

Objection: I object to the license being rescinded as the sale of alcohol provides the licensee the ability to restrict and control client's alcohol consumption.

2.To remove condition 9 of Annex3 of the license " customers must not be permitted to consume any alcohol other than alcohol sold or supplied under the authorisation of this license

Objection: Allowing a bring your own drink policy encourages excess alcohol consumption without any landlord control

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

Objection: this condition was imposed to protect neighbouring residents from noise nuisance late into the evening. To remove this condition would cause noise pollution in a green belt residential area and would detrimentally impact on the health and wellbeing of residents and breach of their human rights .

Cllr Vicky Davies
Pilgrims Hatch ward



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: Keith Parker [REDACTED]
Sent: 22 April 2021 14:49
To: Dave Leonard
Cc: Paul Adams
Subject: RE: DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS - APPLICATION TO VARY THE PREMISES LICENCE

Good afternoon,

Thank you for your email I would confirm that I wish to make representation at the forthcoming hearing as I believe that the time requested for opening and the consumption of alcohol in the outdoor area needs to be looked at to prevent a public nuisance.

Regards Cllr Keith Parker

Deputy Leader Brentwood Borough Council



Fabrication - Architectural Metalwork - Blacksmith
Doddington Road, Brentwood, Essex [REDACTED]
E: [REDACTED] Vat Reg No : 791 5883 79
Co Reg No : 10046332 - Directors : K Parker & F Parker

From: Dave Leonard <dave.leonard@brentwood.gov.uk>
Sent: 21 April 2021 16:58
To: Keith Parker <keith.parker@brentwood.gov.uk>
Cc: Paul Adams <paul.adams@brentwood.gov.uk>
Subject: RE: DUSK, ONGAR ROAD, PILGRIMS HATCH CM15 9SS - APPLICATION TO VARY THE PREMISES LICENCE

Good afternoon, Councillor.

In confirmation of our conversation yesterday, in order for to speak at any subsequently convened Licensing Sub-Committee hearing, you will need to identify, in a written representation, why you believe that the applicant has failed to satisfactorily address the promotion of one or more of the four licensing objectives in relation to their application;

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

I would suspect that, based on previous history, the prevention of public nuisance from noise caused would be the subject most likely to cause concern amongst local residents.

Alternatively, as a ward councillor, you may be nominated to speak on behalf of a local resident (or residents) who has already submitted a valid written representation. However, in this

instance, you are obliged to adhere to the points that they raise and so, cannot introduce any additional material that you may personally feel is appropriate.

I hope that this helps.

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

Kind regards and stay safe,



Dave Leonard | Licensing Officer

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

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

From: Cliff Poppy
Sent: 19 April 2021 19:01
To: Paul Adams
Cc: Dave Leonard
Subject: Dusk.

Dear Paul

Can I ask that I be allowed to speak at the hearing for the changes requested by Dusk on the 26/3/21

I realise its difficult to stop someone wishing to give up their License to sell alcohol, but I would like to object to the noise and the request to continue the loud music past 10.30

It is unacceptable for the loud music to be played in the open part of the building where The smoking area is . It's disturbing to the houses close to the building as you know

I assumed they may have attempted to fit noise dampening equipment whilst they have been closed during lockdown.

I realise you have a list of speakers so in someways pointless to all go over the same points But this is a real problem for the residents of Frog st and Parts of the Ongar road.

Regards

Cliff.

Get [Outlook for iOS](#)



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

From: [REDACTED]
Sent: 10 April 2021 16:27
To: Dave Leonard; Paul Adams
Cc: David Carter; Keith Parker; Cliff Poppy; Chris Hossack;
alex.burghart.mp@parliament.uk; [REDACTED] Vicky Davies
Subject: Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application
Reference Number: 21/00028/LAFVAL
Attachments: Application Ref No 27 00028 LAFVA Local Residents Representation
20210410 (1).pdf

Dear Mr Leonard and Mr Adams, ■

Please find the attached signed and dated comments from 50 local residents, (Addresses provided as per your request), in respect of the above Application, for the attention and consideration of the Licensing Team and the Licensing Sub-Committee.

I have been asked by all the signatories to send this to you on their behalf.

Yours sincerely

[REDACTED]

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



Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex. CM15 8AY. This email (including any attachments) is intended only for the recipient(s) named above. It may contain restricted or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from the system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses.

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

Mr David Leonard
Licensing Department
Brentwood Borough Council

3rd April 2021

Dear Mr Leonard,

Dusk, Ongar Road, Brentwood, Essex CM15 9SS - Licensing Application Reference Number: 21/00028/LAFVAL

It has come to our attention that the proprietors of the above named premises are once again seeking to vary the terms of the licence granted to them on 23rd November 2020 at a Full Licence Review, following various hearings conducted by the Licensing Sub Committee of Brentwood Borough Council.

We the undersigned object in the strongest terms to any changes or variations to their current licence and the conditions attached to it.

Whenever the main premises has been open for business since 2019, especially the Lounge, open air areas, private events, and when the patrons are leaving the premises, we have been subjected to appalling noise nuisance from loud music and raucous behaviour on the part of some patrons, including obscenities and littering, (broken and discarded glass and plastic alcohol bottles).

The proprietors continued to ignore repeated requests to reduce the noise nuisance and prevent anti-social behaviour on the part of their patrons. They have treated all our complaints with open hostility to the point that we no longer communicate with them directly. We now rely on the intervention of the Officers of Brentwood Borough Council, the local Councillors and the decisions taken by the Licensing Sub Committee listed below:

- 11th November 2020: The Licensing Sub Committee approved an application from the proprietors of Dusk to sell alcohol at the premises. The Sub Committee granted the application to sell alcohol so that the amount of alcohol consumed could be appropriately controlled. At this meeting Dusk's legal representative also asked for permission for their patrons to bring their own alcohol as well. This was rejected.
- 23rd November 2020: At the Full License Review, requested by a neighbour, the Licencing Sub Committee felt 'that imposing conditions to curb noise emanating from the premises was an appropriate and proportionate action in order to promote the prevention of public nuisance which, on the basis of the representations, Members determined was occurring.' And approved the measures:
 - No live or recordable music to be played in the outside (lounge) area after 22:30hrs. **Current Condition 5 on Annex 3.**
 - No live or recorded music to be played in the outside (lounge) area between 12:00hrs and 22:30hrs until an automatic noise limiting device has been installed and a noise limit agreed with Brentwood Borough Council's Environmental Health Team, such noise limit must not be exceeded at any time. **Current Condition 7 of Annex 3.**
 - A written noise management policy which was acceptable to Brentwood Borough Council's Environmental Health Team be put in place and adhered to.
- 18th December 2020: Mr David Leonard published the Licensing Manager's rejection of a further application from the Proprietors of Dusk to allow their patrons to bring their own

alcohol, alongside their current licence to sell alcohol. Clearly stating in his ruling: 'that there is no provision for appealing this decision, and the applicant may want to apply for a full variation if they wish to progress this matter further. If further representation is received to a full variation then the application would then be referred to a licensing hearing for determination.'

In conclusion, we would like to point out that during the period 23rd November 2020 until commencement of Essex Tier 3/UK Lockdown (16th / 20th December 2020), the noise nuisance emanating from Dusk continued.

- The suggestion that the supply of lollipops to patrons leaving the premises at the end of an evening is ludicrous.
- The proprietors state in their application that they will limit the amount of alcohol brought on to the premises to 'one bottle per person'. The average 75cl bottle of wine contains between 11-13 units of alcohol; the average litre bottle of spirits contains 37.5 units of alcohol.
- Dusk's legal representative advised the Licencing Sub Committee (held on 23rd November 2020) that the 'Unique Selling Point' for this business is the (Shisha) Lounge; not the Restaurant nor the Events venue. In their application the Proprietors have stated that the trained licenced door staff and DPS will ensure that the 'dining experience' is safely policed, there is no mention of the Lounge and Events businesses. **There are three separate business ventures being run at these premises, and they all have individual booking processes/policies.**
- There are young children living in very close proximity to Dusk. Their sleep has been repeatedly disturbed by noise nuisance and bad language in the car park and from those patrons who often park in Frog Street.
- **It is imperative that all the conditions currently attached to Dusk's licence be retained and enforced.**

Would you kindly ensure that the above comments are placed before the Licensing Sub Committee for their consideration in determining this application.

Names and addresses of persons making this representation:

| | | |
|--|---|--|
| Brian Billington, [REDACTED] Frog Street | Matthew Reid, [REDACTED] Frog Street | Lewis Smith, [REDACTED] Frog Street |
| Carolyn Billington, [REDACTED] Frog Street | Eileen Fox, [REDACTED] Frog Street | Wendy Winter, [REDACTED] Frog Street |
| Michael Ballard, [REDACTED] Ongar Road | Colin Fox, [REDACTED] Frog Street | [REDACTED] |
| Jemma Ballard, [REDACTED] Ongar Road | Catherine Bourberry, [REDACTED] Frog Street | [REDACTED] |
| Mrs S Ballard, [REDACTED] Ongar Road | Nigel Bourberry, [REDACTED] Frog Street | Krysztal Alabastle, [REDACTED] Frog Street |
| Mr M Ballard, [REDACTED] Ongar Road | Kirsty Cook, [REDACTED] Frog Street | Tracey Hamilton, [REDACTED] Frog Street |
| Esther Reid, [REDACTED] Frog Street | Danny Cook, [REDACTED] Frog Street | James Hamilton, [REDACTED] Frog Street |

| | | |
|--|---------------------------------------|--|
| Peter O'Dowd, [REDACTED] Frog Street | Roy Ryan, [REDACTED] Frog Street | Nick Hart, [REDACTED] Ongar Road |
| Kay Hart, [REDACTED] Ongar Road | [REDACTED] | Ricky Kelly, [REDACTED] Frog Street |
| John Armstrong, [REDACTED] Ongar Road | Keeley Howard, [REDACTED] Frog Street | William Howard, [REDACTED] Frog Street |
| [REDACTED] | [REDACTED] | Juliet French, [REDACTED] Frog Street |
| Jay French, [REDACTED] Frog Street | Joe French, [REDACTED] Frog Street | Imogen French, [REDACTED] Frog Street |
| Nicholas Kelly, [REDACTED] Frog Street | [REDACTED] | [REDACTED] |
| Roy Bellett, [REDACTED] Frog Street | Josh Bellett, [REDACTED] Frog Street | Richard Malan, [REDACTED] Frog Street |
| Rachel Austin, CM15 0JL | Richard Austin, CM15 0JL | Toby Austin, CM15 0JL |
| Jessica Austin, CM15 0JL | Sylvie Hansen, [REDACTED] Frog Street | Carole Scott, [REDACTED] Frog Street |
| Debbie Davies, [REDACTED] Frog Street | Steve Mills, [REDACTED] Frog Street | |