

CHICK N SHACK, 119 HIGH ST, BRENTWOOD CM14 4RX

APPENDIX C

Representations

Responsible Authorities

Mr Paul Adams – Brentwood Borough Council (Licensing)

*Mr David Carter – Brentwood Borough Council
(Environmental Health)*

Mr Gary Burke – Essex Police (Licensing)

Dave Leonard

From: Licensing
Sent: 03 August 2021 08:09
To: Gautam Premchand
Cc: Dave Leonard
Subject: FW: CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX - APPLICATION FOR A NEW PREMISES LICENCE - CONSULTATION PERIOD EXTENDED TO 21ST JULY 2021

Dear Gautam Premchand

I write to advise that a further representation has been received to your application for a premises licence for Late Night Refreshment. Please see the email below for details of the representation and suggested conditions.

Should you wish to discuss, Paul Adams, Licensing Manager, will be happy to liaise with you.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312500**.

Kind regards,

Debra Wright | Licensing Technical Officer | Brentwood Borough Council

T| F 01277 312500 | www.brentwood.gov.uk [REDACTED]

From: Paul Adams [REDACTED]
Sent: 02 August 2021 12:25
To: Dave Leonard [REDACTED]
Cc: Licensing <licensing@brentwood.gov.uk>
Subject: RE: CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX - APPLICATION FOR A NEW PREMISES LICENCE - CONSULTATION PERIOD EXTENDED TO 21ST JULY 2021

Dave,

I wish to make representation with regards to the application in relation to Public Safety licensing objective.

The Premises fronts onto the High Street which is designated as a clearway, with no vehicle parking along its length. The application makes no reference to how delivery drivers (either employed or from third party companies) will leave their vehicles when accessing the premises to collect or wait for deliveries. We currently see up and down the high street vehicles pulling onto what is a narrow pavement to collect deliveries etc., at other similar late night refreshment premises forcing members of the public to walk into the busy road. While it is accepted that the applicant has little control over customers collecting orders, they are in a position to control where delivery drivers park before collecting orders, which will help promote the Public Safety licensing objective.

I would suggest that the conditions along the following lines would need to be attached to the licence in order to adequately promote the licensing objectives:

1. Signage should be placed at the entrance to the premises to ask customers to park lawfully, abiding by the parking restrictions and safely when collecting takeaways.
2. Any website should provide the same message as above and direct customers to the nearest lawful parking areas.
3. All deliver drivers, both employed direct or acting through a third party provider must not park, stop or wait along the length of the parking restrictions of the High Street or adjacent roads unless in a designated

orders.

4. Door staff engaged at the premises should actively engage with customers and delivery drivers that park, stop or wait in breach of parking restrictions.
5. CCTV must be provided that covers the customer areas and the area immediately outside the premises. (The standard Essex Police working could be appropriate here)

If the applicant wishes to discuss the conditions as above, I would be happy to do so.

Many Thanks

Paul Adams | Licensing Manager

T: [REDACTED] | M: [REDACTED] | www.brentwood.gov.uk |
[REDACTED]

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MEMO

From David Carter

To: Licensing
Our ref: 21/001213/LICON
Your ref:
cc:
Date: 21st July 2021

Location	119 High Street, Brentwood, Essex, CM14 4RX
Details	<p>On 12th March 2021 the Licensing Office received an application from Mr Gautam Premchand for a new premises licence at</p> <p>CHICK N SHACK but showing JO-JOs at 119A on an attached plan. OWING TO A NUMBER OF DISCREPANCIES ON THE FORM THE APPLICATION WAS REJECTED.</p> <p>On 15th June 2021 the Licensing Office received an application from Mr Gautam Premchand, Director of Prems Solutions Ltd. T/A Chick N Shack for a new premises licence at</p> <p>CHICK N SHACK, 119 HIGH STREET, BRENTWOOD CM14 4RX</p> <p>Once again, there were discrepancies on the application but, keen to progress with his project, these have now been clarified by Mr Premchand.</p> <p>The application seeks to provide late night refreshment to take away:</p> <p>Thursday - 23:00 to Friday 03:00 Friday - 23:00 to Saturday 03:00 Saturday - 23:00 to Sunday 03:00</p> <p>Plus Bank Holidays, Christmas Eve, New Years Eve and other public holidays 2300hrs until 0300hrs the following morning</p>

On behalf of the Pollution Team of Environmental Health I would wish to object to this application.

The objection is with regard to the licensing objective of prevention of public nuisance, which does not seem to have been addressed by the applicant, other than there will be licenced security on the door from 23:00 until 03:00.

The application seeks to provide late night refreshment for a takeaway food business situated in Brentwood High Street in the vicinity of several late-night licensed premises,

which are likely to provide a significant proportion of the potential clientele, after the licensed premises have closed or for patrons leaving these premises having consumed alcohol. The proposal is to provide late night refreshment until 03:00hrs on Friday, Saturday, and Sunday mornings.

There are relatively few takeaway food premises open late at night in Brentwood High Street, including Subway, Domino's Pizza and Papa John's Pizza.

It is apparent from observations of activity at night that these premises attract customers leaving licensed premises and the activity of customers outside has resulted in noise from people waiting for food and consuming food in the vicinity of the premises and other issues such as urination in the street and adjacent alleyways.

There is also an increase in litter and food debris left on the streets which has to be cleared up by the Council workers on the following morning; there is relatively little action taken by the food premises themselves to ensure that litter in the vicinity of their businesses is cleared up during their opening hours.

It is likely that this business will also attract customers late at night, who would be provided with hot food which is likely to be at a lower cost than the pizza takeaway shops and would possibly be more popular as a result.

The premises as shown on the plan has a very limited customer area inside the building that appears to be less than 8 square metres. There are no customer toilets in the premises and there is no indication of how the behaviour of customers who may be intoxicated will be managed.

The limited space within the premises would be likely to lead to external queuing of customers at peak periods, which are likely to occur after the closure of licensed premises, resulting in late night disturbance to High Street residential occupiers, some of which appear to be located directly opposite the building.

This premises would also be the closest food business to the Sugar Hut, the Slug & Lettuce and Bloc40, all of which operate into the early hours of the morning and would be likely to generate customers.

In my opinion the application does not address the potential issues caused by customers leaving the premises, queuing for food or consuming food outside the shop, other than to say that any large groups would be dispersed by security, (which they would appear to have no lawful authority to do).

The prompt dispersal of patrons from licensed premises at night is impeded by the availability of food businesses, resulting in additional disturbance to residents, anti-social behaviour and litter.

I would wish the Licensing Sub-Committee to refuse this application, or alternatively to reduce the hours for provision of late-night refreshment such that there is not an attraction for customers to remain in the High Street after other venues have closed.

David Carter
Environmental Health Manager

Dave Leonard

From: Licensing Epping and Brentwood

Sent: 04 August 2021 11:21

To: Licensing

Subject: Chick N Shack

Follow Up Flag: Follow up

Flag Status: Completed

Good morning,

I sent an email yesterday (copy below) explaining the need for some additional conditions for the above's new grant and was wondering if you had heard anything from them yet?

Thank you

Gary Burke

Senior Licensing Officer

[REDACTED]
[REDACTED]
Licensing Department (Alcohol & Gambling)
Essex Police | Braintree Police Station | Blyth's Meadow | CM7 3DJ

Good morning,

With regards to the above application for late night refreshment I would like some conditions added to the application. The suggested conditions are in line with both your operating schedule detailed in the application and other similar premises in the vicinity.

The suggested conditions are as follows;

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

Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided

- Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

ways, door supervisors must be on duty from 2000 until at least 00 minutes after the premises has closed.

- All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear a form of high visibility clothing {jackets/vests/ armbands}
- Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. {These signs shall be a minimum size of 200mm x 148 mm}.

If you are happy with the above, can you please email licensing@brentwood.gov.uk to request the addition of the conditions

If you wish to discuss the above, please feel free to contact me by email or on [REDACTED]

Thank you

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

Licensing Team
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

4 August 2021

Objection to Premises Licence Application;

**Chick n Shack 21/00013/LAPRE
119 High Street, Brentwood, CM14 4RX**

Dear sirs,

Essex Police received the latest iteration of the premises licence application for the above premises on 15 June 2021. The details contained within the application concerning the licensing objectives and how the premises would promote them were sparse and concerns were raised around the promotion of those objectives.

Correspondence was sent to the applicant regarding proposed conditions that would assist with promoting the licensing objectives. These conditions were in line with the operating schedule suggested within the application and are similar in nature to other premises providing late night refreshment in the vicinity.

Whilst Essex Police are broadly supportive in encouraging new business across the county, some areas are natural hotspots for potential crime and disorder. A collection of late-night pubs, bars and nightclubs means Brentwood High Street is one such hotspot.

The existence of premises providing late night refreshment in the High Street encourage individuals, many of whom are intoxicated, to remain in the area when the alcohol focused premises close. This congregation often leads to varying degrees of crime and disorder, so it is essential that all premises in the area are doing what they can to prevent such incidents. In its current form, the licence application does not actively prevent, discourage or provide a basis for investigation of any such incidents.

The case of East Lindsey District Council v Abu Hanif (Trading as Zara's Restaurant and Takeaway), [2016] EWHC 1265 (Admin) reaffirmed the principle that responsible authorities need not wait for the licensing objectives to actually be undermined, that crucially in considering whether the crime prevention objective has been engaged a

prospective consideration (i.e. what is likely to happen in the future) of what is warranted is a key factor.

Essex Police therefore give formal notice of their objection as, in their opinion, if this premises licence was granted with no conditions additional to the mandatory ones, the licensing objective of preventing crime and disorder would be undermined.

It should be noted however, that Essex Police will consider the withdrawal of this objection should the application be amended to include the suggested conditions.

Essex Police reserve the right to amplify on their submission and produce supplementary evidence necessary to support our objection, which will be served on each relevant party ahead of a hearing.

Yours sincerely

Gary Burke
Senior Licensing Officer