

Minutes

**Licensing Sub-Committee
Friday, 11th March, 2022**

Membership/Attendance

Cllr Bridge
Cllr Fryd

Cllr Barber

Substitute Present

Also Present

Officers Present

Paul Adams	- Licensing Manager
Rebecca Page	- Environmental Health Officer
David Carter	- Environmental Health Manager
Christopher Irwin	- Legal Representative for and on behalf of Brentwood Borough Council
Zoe Borman	- Governance and Member Support Officer

LIVE BROADCAST

[Live broadcast to start at 10am and available for repeat viewing.](#)

341. Appointment of Chair

Members resolved that Cllr Bridge would Chair the meeting.

342. Administrative Function

Members were respectfully reminded that, in determining the matters listed below, they are exercising an administrative function with the civil burden of

proof, i.e. 'on the balance of probabilities'. The matter will be determined on the facts before the Sub-Committee and the rules of natural justice will apply.

343. Determination of Objection to Temporary Event Notice - Dusk, Ongar Road, Pilgrims Hatch, CM15 9SS

The Licensing Office had received an objection from the Environmental Health Officer, Miss Rebecca Page, with regards to a Temporary Event Notice (TEN) submitted in relation to a private hire Birthday Party to be held at Dusk, Ongar Road, Pilgrims Hatch, CM15 9SS on Saturday 19 March 2022 from 9pm until 3am on Sunday 20 March 2022. The objection relates to the prevention of public nuisance licensing objective.

Section 104 (2) Licensing Act 2003, allows the Police or Environmental Health to object to a Temporary Event Notice if they believe that allowing the premises to be used in accordance with a Temporary Event Notice will undermine one or more of the licensing objectives.

The licensing objectives are:

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

Mr Paul Adams, Licensing Manager, was present at the meeting and introduced the report.

The committee had given careful consideration to the application and all of the written and verbal evidence presented, including the objection notice from Environmental Health Officer, Rebecca Page, who had concerns regarding the likelihood of noise impact on residents.

The Committee also heard evidence from the Applicant, Mr Nicola, who confirmed that the proposed event would not be taking place in the main Dusk lounge where the previous complaints had related to. Instead, it would be in a separate enclosed hall to the rear of the building, where guests would be restricted.

The Licensing Manager confirmed during the hearing that all of the current conditions on the Premises Licence are being complied with. It was made clear during the hearing that the current TEN application does not allow for the sale of alcohol.

Taking into account all of the evidence, the Committee did not consider that serving a Counter Notice would assist in promoting the licensing objective of the prevention of public nuisance and the licensable activities as stated in the TEN should be allowed to go ahead, and therefore, the application was granted.

However, in order to promote the licensing objectives, all of the conditions on the current Premises Licence was applied to the TEN.

