

Minutes

Licensing Sub-Committee Friday, 1st July, 2022

Attendance

Cllr Gelderbloem (Chair)
Cllr Barber

Cllr Parker

Apologies

Substitute Present

Also Present

Officers Present

Paul Adams	- Licensing Manager
David Carter	- Environmental Health Manager
Zoey Foakes	- Governance & Member Support Officer
Dave Leonard	- Licensing Officer

LIVE BROADCAST

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

62. Appointment of Chair

Members resolved that Cllr Gelderbloem would Chair the meeting.

63. Administrative Function

Members were respectfully reminded that, in determining the matters listed below, they are exercising an administrative function with the civil burden of 327 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.

64. DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES - Rumours, 110-112 Kings Road, Brentwood CM14 4EA

Since publication of this agenda, the Determination of Objection for a Temporary Event Notice for Rumours had been withdrawn by the applicant and would not be heard at this meeting.

65. DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICES - The Merchant, 125-127 High Street, Brentwood CM14 4RX

There were two separate TEN applications for the Committee to determine.

In relation to the TEN for 17th July 2022:

The Committee noted the contents of the application and considered the oral representations of the Applicant who was present at the hearing.

The Committee noted the objection from Essex police who opposed the application on the basis that the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance, would be undermined.

Essex Police submitted that a number of conditions had been agreed to assist with the prevention of crime and disorder and the prevention of public nuisance at the premises. Essex Police therefore sought that the conditions on the current premises licence be applied to the Temporary Event Notice.

The Committee noted the objection from Environmental Health who opposed the application on the basis that the licensing objective, the prevention of public nuisance, would be undermined.

Environmental Health submitted that a number of conditions had been agreed to assist with the prevention of public nuisance at the premises. Environmental Health therefore sought that the conditions on the current premises licence be applied to the Temporary Event Notice.

The Applicant informed the Committee that they were content to accept the existing conditions on its premises licence being imposed on the Temporary Event Notice.

It was noted by the Committee that Essex Police, Environmental Health and Licensing Officers commented that the premises was fully compliant with the conditions on the premises licence and that no complaints had been received attributed to the premises.

The Committee, in making its determination, had regard to the Authority's own licensing statement and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

Having sought legal advice the Committee resolved to allow the Temporary Event Notice with full conditions of the existing premises licence being imposed upon it.

In relation to the TEN for the August Bank Holiday weekend:

The Committee noted the contents of the application and considered the oral representations of the Applicant who was present at the hearing.

The Committee noted the objection from Essex police who opposed the application on the basis that the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance, would be undermined.

Essex Police submitted that a number of conditions had been agreed to assist with the prevention of crime and disorder and the prevention of public nuisance at the premises. Essex Police therefore sought that the conditions on the current premises licence be applied to the Temporary Event Notice.

The Committee noted the objection from Environmental Health who opposed the application on the basis that the licensing objective, the prevention of public nuisance, would be undermined.

Environmental Health submitted that a number of conditions had been agreed to assist with the prevention of public nuisance at the premises. Environmental Health therefore sought that the conditions on the current premises licence be applied to the Temporary Event Notice.

The Applicant informed the Committee that they were content to accept the existing conditions on its premises licence being imposed on the Temporary Event Notice.

It was noted by the Committee that Essex Police, Environmental Health and Licensing Officers commented that the premises was fully compliant with the conditions on the premises licence and that no complaints had been received attributed to the premises.

The Committee noted that the Temporary Event Notice application did not specify anything in addition to that which is already permitted on the current premises licence.

The Committee, in making its determination, had regard to the Authority's own licensing statement and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

Having sought legal advice the Committee resolved to allow the Temporary Event Notice with full conditions of the existing premises licence being imposed upon it. For the avoidance of doubt licensable activities in relation to closing times must be adhered to in accordance with the original licence.

