

DETERMINATION OF OBJECTION TO TEMPORARY EVENT NOTICE

BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 5AL

Saturday 3 & Sunday 4 December 2022

APPENDIX E

Bloc 40

Premises Licence

Issued 8 September 2021

Premises Licence

Premises Licence Number	PRM_0545
Application Number	21/00089/LAVDPS
Date of Issue	08 September 2021

Part 1 – Premises Details

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

**Bloc 40
First Floor
40 High Street
Brentwood
Essex CM14 4AJ**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Indoor Sporting Event
Playing of Recorded music
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Indoor Sporting Event

Monday	11:00 - 02:00
Tuesday	11:00 - 02:00
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The opening hours of the premises

Monday	11:00 - 02:30
Tuesday	11:00 - 02:30
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Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Part 2

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

**A A Trading Ltd
389C High Road
London
N22 8JA**

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

Company Number 09287224

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

Leonora Maria Dunne

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

**Personal Licence Number:
Licensing Authority: Swale Borough Council**

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under this licence**
 - a) At a time when there is no designated supervisor in respect of it or,**
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended**

- 2 Every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.**

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

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

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

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

(B).For the purposes of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;**
 - (b) "permitted price" is the price found by applying the formula where-**

$$P = D + (D \times V)$$
 - (i) P is the permitted price,**
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and**
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;**
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-**
 - (i) the holder of the premises licence,**
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or**
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;**

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

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

5 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— .

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available

7 The responsible person must ensure that—

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

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and,

(ii) still wine in a glass: 125 ml;

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

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

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

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

b) Outbreaks of disorder, or

c) Damage

Annex 2 – Conditions consistent with the Operating Schedule

- 1 The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises which is of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less the 31 days with correct time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.**
- 2 A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.**
- 3 A plan of the premises identifying the location and direction of CCTV coverage shall be served on Essex Police and the Licensing Authority each time it is altered.**
- 4 When licensable activities are permitted beyond 00:00, a minimum of 2 SIA registered Door Supervisors shall be deployed from 21:00 and remain on duty until closing time and all customers have left the premises.**
- 5 A bound Door Supervisors register shall be kept. Door Supervisors shall sign to record their start and finish times along with their full name and SIA badge number.**
- 6 When SIA registered Door Supervisors are on duty random searching of people and their possessions will be carried out.**
- 7 Security measures shall be installed to the stairs in the outside licensed area so use of the emergency escape is only in an emergency and to prevent access to the residential area being used by customers.**
- 8 Reasonable and adequate staff training to be carried out and properly documented in relation to:
(i) Dealing with incidents and prevention of crime and disorder.
(ii) Sale of alcohol (to underage, persons over 18 purchasing for underage, drunks, etc.) prior to being allowed to sell alcohol.**
- 9 All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.**
- 10 The Premises Licence Holder shall have a Dispersal Policy. A copy of which will be made available to Essex Police and Responsible Authority upon request.**

- 11 No persons shall be allowed to leave the Premises whilst in possession of any drinking glass vessel or open glass bottle whether empty or containing any beverage.**
- 12 Notices shall be prominently displayed at all exits requesting patrons to leave quietly.**
- 13 Clear & legible notices shall be prominently displayed in, and at the entrance to any outside licensed area requesting customers to use the area quietly.**
- 14 Customers shall not enter or leave the premises by the stairs into the outside licensed area at any time, except in the event of an emergency.**
- 15 The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce will result in service being refused. Acceptable forms of photographic identification include:**
 - o Passport,**
 - o Photo card Driving Licence,**
 - o Photographic ID bearing the 'PASS' hologram.**
- 16 No licensable activities shall take place in external areas at any time.**
- 17 No speakers shall be installed or used in the external areas.**
- 18 A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.**
- 19 All windows and doors to be kept closed during regulated entertainment, with the exception for access and egress.**
- 20 The External area shall be monitored by a member of staff with the purpose of controlling noise from customers and ensuring public safety.**
- 21 The outside terrace area to be covered by CCTV to the satisfaction of Essex Police.**
- 22 The premises is only to serve drinks in polycarbonate, plastic or other safety glass only.**

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

- 1 The terrace to be monitored by a staff member at intervals of no more than 30 minutes.**
- 2 The maximum capacity for the terrace to be a maximum of 30 people at any given time.**
- 3 No alcohol to be Consumed on the terrace after 11pm.**
- 4 Noise at the premises limited after 11pm to a decibel level to be agreed with Environmental Health Department of the Council. A noise limiter shall be fitted and set to the satisfaction of Environmental Health Services. The level of the noise limiter shall be set with the rear fire exit door open and monitored at the nearest residential noise sensitive premises.**
- 5 Sufficient lighting to be maintained on the terrace during licensable hours and for the lighting to be monitored and agreed with the Environmental Health Department of the Council.**
- 6 At all times where, as a condition of the licence, door supervisors are employed at the premises, a Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises must provide verifiable ID and have their details recorded on the system.**
- 7 At all times where, as a condition of the licence, door supervisors are employed at the premises, all customers entering the premises will be subject to a scan with a metal detector wand.**
- 8 After midnight, no persons shall be admitted or re-admitted to the premises unless from a designated smoking area. Notices to that effect (of a minimum size of 200mm x 148mm) will be displayed at the premises' exits/entrances.**
- 9 At all times where, as a condition of the licence, door supervisors are employed at the premises, at least two door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.**
 - a. Any use of force situations.**
 - b. When it may be reasonably supposed a use of force situation is imminent.**
 - c. When conducting a non-intimate consensual search as a condition of entry.**
 - d. When dealing with an individual who is making threats of violence toward any other person or**
 - e. Initial scene capture where a criminal offence appears to have taken place.**
- 10 On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded.**

11 When door supervisors are engaged and/or working at the premises, non-intimate searches of patrons or proposed patrons, will take place in areas where searching will be recorded on CCTV

12 All SIA licensed door supervisors engaged at the premises for the purpose of supervising customers must wear high visibility armbands and those deployed outside must also wear high visibility jackets or vests. Door supervisors are prohibited from concealing their heads or faces by the use of balaclavas/hoodies or similar items of clothing.

13 An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder

(e) all seizures of drugs or offensive weapons

(f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

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

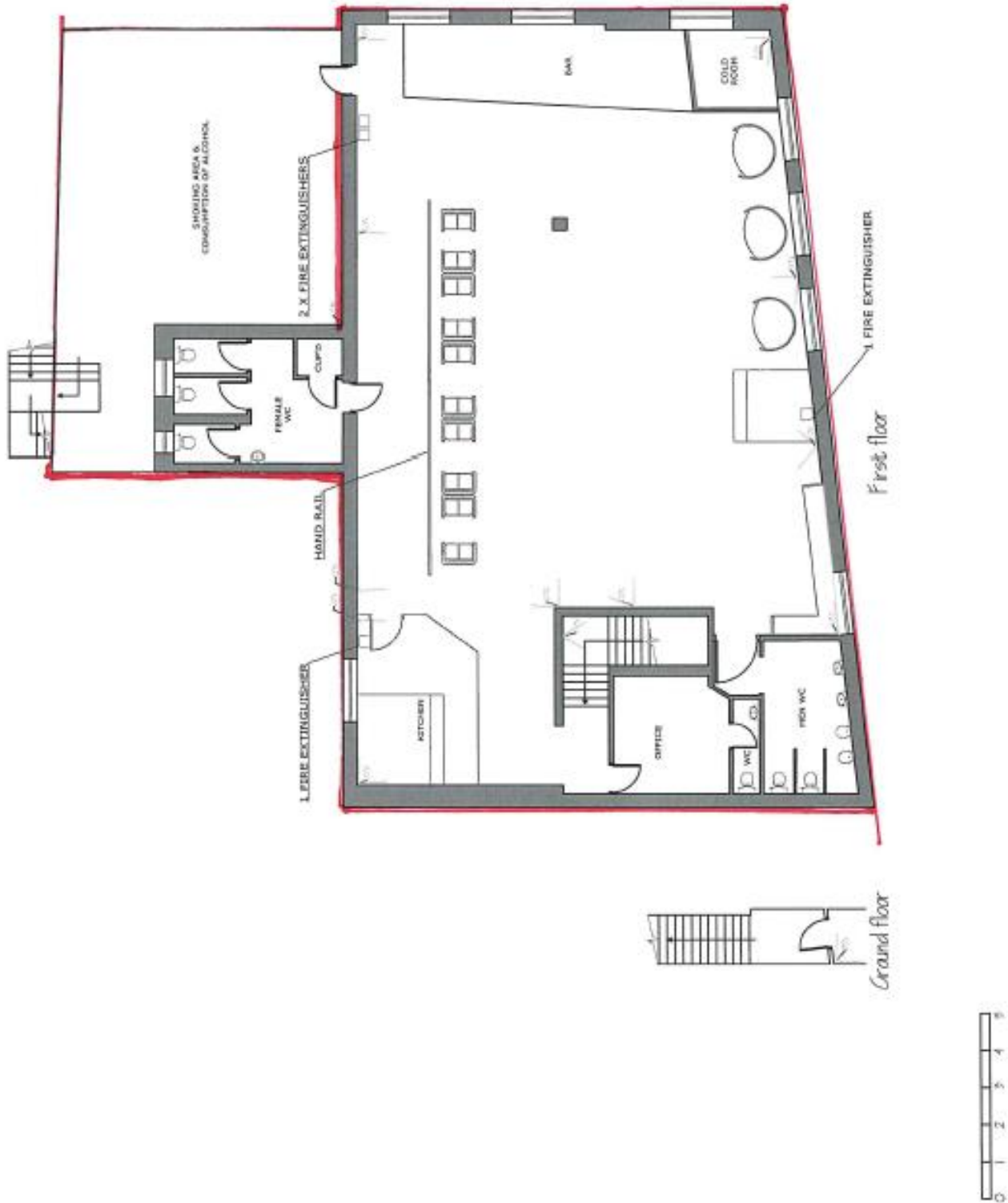
14 The outside licensed area shall have a screen installed along the wall to be a minimum height of 2 meters or the height specified by building control, whichever is greater, to prevent objects falling off and/or being thrown.

15 At least one member of SIA licensed door staff to be on the terrace at all times after 11pm on Fridays, Saturdays and public holiday eves until closing if members of the public are present.

16 A written noise management policy which is acceptable to Brentwood Borough Council Environmental Health Team shall be put in place and adhered to. The Policy shall include noise dampening measures such as noise attenuation screens around the outside roof terrace to be installed at the premises.

Annex 4 – Plans

This licence is issued subject to the attached plan dated 21/20/2020 marked **40 High Street, Brentwood CM14 4AJ**





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

Company Number **09287224**

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

Leonora Maria Dunne

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

Personal Licence Number:
Licensing Authority: Swale Borough Council