

Minutes

Licensing Sub-Committee Wednesday, 17th August, 2022

Attendance

Cllr Barber
Cllr Laplain

Cllr Parker

Apologies

Substitute Present

Also Present

Officers Present

Liz Cox - Licensing Officer
David Carter - Environmental Health Manager

LIVE BROADCAST

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

139. Appointment of Chair

Members resolved that Cllr Parker would Chair the meeting.

140. 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.

141. Determination of an Application for a new Premises Licence - McCafferty's Bar, 99 High Street, Brentwood CM14 4RR

This application had been withdrawn.

142. Determination of an Application for a new Premises Licence - Sainsy's Pie Shop, 111 High Street, Brentwood CM14 4RX

Brentwood Borough Council, being the relevant licensing authority, received an application for a new Premises Licence for Sainsy's Pie Shop 111 High Street, Brentwood.

Brentwood Borough Council's Environmental Health Noise Pollution Team Manager had made a representation citing an insufficient address of the prevention of public nuisance licensing objective. Two further representations were received from Responsible Authorities but were resolved through mediation and subsequently withdrawn. There were no representations received from Other Persons.

A hearing was held to consider the application for the new premises licence. The Sub-Committee determined the application with a view to promoting the four licensing objectives. It considered the application on its own merits. In reaching its determination, the Sub-Committee had regard to the following matters:

- The relevant parts of the written and oral evidence before them;
- The Brentwood Borough Council Licensing Policy;
- Statutory Guidance issued under the Licensing Act 2003

The Sub-Committee listened to all the evidence and submissions. It heard from:

- The Licensing Officer
- Environmental Health
- The Applicant did not attend but the committee had sight of the written representations.

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The Licensing Officer, Ms Cox, presented the report and outlined the application which had been submitted and responded to questions from all parties. A copy of the application was attached to the report.

The Applicant did not attend.

Mr David Carter, Environmental Health Officer, addressed the Sub-committee as the responsible authority.

The Sub-committee had due regard to the Licensing Objectives, particularly the prevention of public nuisance. The Sub-committee had regard to the

evidence in the Licensing Officer's report, as well as the written and oral evidence of all parties put forward at the Hearing and the relevant case law.

The Sub-committee were satisfied that granting the application in the terms sought would not undermine the promotion of the licensing objectives. The committee had received a copy of the Noise Management Plan prepared by the applicant which had been approved Environmental Health. The Sub-committee wished the following conditions to be included:-

1. Noise Management Policy to be included as part of the operating schedule. This is to be signed by both parties.

Having regard to the 4 licensing objectives the sub-committee were of the view that it is in the public interest to grant the application.

The meeting concluded at 10:48