

BLOC 40, FIRST FLOOR, 40 HIGH STREET, BRENTWOOD CM14 4AJ

APPENDIX 5

REPRESENTATION

Other Persons

Dr Sasha Millwood

Mrs Greta Millwood

Dominika Jaskolska

From: [REDACTED]
Sent: 02 August 2023 20:42
To: Licensing [REDACTED]
Subject: representation re Bloc 40 23/00015/LAPRE + correspondence [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

==Name and address of persons making representation==

[REDACTED] and [REDACTED], Alfred Road, Brentwood,
[REDACTED]

==Daytime telephone number==

==Name and address of the premises about which a representation is being made==

Bloc 40, First Floor, 40 High Street, Brentwood, CM14 4AJ

==Our representation==

We call for Bloc 40's licence to be revoked. This establishment has a persistent track record of failure to comply with its licensing obligations on multiple fronts, and has already been afforded multiple opportunities to rectify this track record, following complaints from local residents, applications to extend or vary licensing terms, and serious incidents that have necessitated police involvement.

Brentwood Borough Council has shown incredible forbearance in giving second chances to Bloc 40 -- notably, following a stabbing incident in 2021 (which resulted in a summary review of the premises licence with reference 21/00012/LAPRE). Admittedly, there have been some minor improvements: the noise nuisance has reduced somewhat since then, although it seems that this reduction is primarily by virtue of the Council having, after a two-year delay, managed to insist upon the installation of a noise-limiting device as a condition of the re-opening in August 2021. The fact that Bloc 40 failed to comply with a two-year-old demand until two men were stabbed on their premises is indicative of a wider attitude of contempt towards the licensing objectives, an attitude that appears not to have changed fundamentally.

There have still been plenty of occasions when the noise nuisance has reached unacceptable levels: whilst most of these occasions have been too brief to note systematically in a noise diary, the unpredictable and sporadic nature of these noise intrusions has in itself constituted a material impairment to our right of quiet enjoyment at home of an evening and our capacity to sleep at night. On three recent occasions (20th-21st May overnight, 8th-9th July overnight, 22nd-23rd July overnight), the noise nuisance was both protracted (over an hour) and severe enough as to warrant a complaint to the Council (reference 23/000859/NOIMUS -- complaints included below as an Appendix). Judging by the fireworks of strobe lighting visible when looking out of the north-facing window of our home on those and other occasions, it seems that Bloc 40 has been negligent in fulfilling its obligation to ensure the terrace door remains closed, a condition of its licence.

Unfortunately, recent events have demonstrated that this propensity for negligence is not limited to noise-related issues. In January this year, we were astounded to learn that Bloc 40 had never obtained planning permission to operate as a nightclub. Since we are not in the habit of walking on that part of the High Street any longer, we had failed to spot the notices relating to the retrospective planning application, and were relieved to hear (via the Essex

Live online newspaper) that the Council had refused the application, albeit allowing Bloc 40 to continue in the short term pending a potential appeal.

We were hoping that this would herald an improvement in public safety, such that the entirety of the High Street might once again be a comfortable and safe environment at all times of day and night, and that we would no longer feel the need to avoid the section of the High Street outside Bloc 40 in the evening and at night. I sometimes come back home after 22:00 via the 498 bus, alighting at the Crown Street bus stop, which is in the vicinity of some other licensed premises. Although the immediate vicinity of that bus stop is wont to be boisterous of an evening, I have, in general, felt reasonably safe alighting there. Prior to Bloc 40's establishment, I would feel perfectly comfortable proceeding to my home on Alfred Road via the High Street, St Thomas Road, and the churchyard. In the last couple of years, however, I have opted instead to walk via Crown Street and Coptfold Road, a route that feels much safer than walking past Bloc 40, notwithstanding the fact that two boys were killed on Regency Court (off Crown Street) in October

2021 (I still remember walking past the police cordons and floral tributes in the days that followed that tragedy). I trust and hope that the Council does not intend to wait for a similarly fatal incident to occur at or near Bloc 40 before taking decisive action against that establishment, to ensure that all of the town centre is safe at any time of day or night.

In our representations in response to the summary review in 2021 (reference 21/00012/LAPRE) and the licensing application in 2020 (reference 20/00004/LAPRE), we expressed our concerns that Bloc 40 is placing the safety and tranquility of Brentwood town centre in severe jeopardy, explaining that there have been multiple instances where the noise disturbance was not only a nuisance, but also gave rise to serious concern for what may be happening in or around the premises. We understand from the Essex Live online newspaper (<https://www.essexlive.news/news/essex-news/brentwood-nightclub-bloc40-under-review-8627869>) that the event requiring police attendance on 16th June 2023 involved a large number of children, and that Bloc 40 have been uncooperative with police enquiries. We observe that, at the conclusion of the summary review hearing in 2021 (which one of us attended), Bloc 40 was reprimanded for its lack of co-operation with the Council's Licensing Officer, and are perturbed to hear that this uncooperative attitude is manifesting itself more widely. We are also very perturbed to hear, again from the Essex Live (<https://www.essexlive.news/news/essex-news/pedestrian-hit-car-outside-nightclub-8642815>), that a deliberate hit-and-run collision between a car and a pedestrian took place just outside Bloc 40 in the small hours of 23rd July, one of the occasions when we had complained, earlier in the night, about noise nuisance (in an electronic-mail message dated 22nd July at 23:37).

In view of the number of incidents requiring police attendance and the persistent failures to comply with various licensing and even planning requirements, we consider Bloc 40's premises licence to be untenable.

==Appendix: noise complaints submitted to Brentwood Borough Council in 2023==

On Saturday, 22 July 2023 23:37:30 BST [REDACTED] wrote:

> Dear Sir/Madam,

>

> Despite the rain, I can hear unacceptably loud amplified music
> emanating from Bloc 40 at present. I noticed it initially about 45
> minutes ago, and it has been getting louder gradually since then. In
> the last 5-10 minutes, the noise has become really significant and
> impossible to ignore, such that it will be difficult for me to get to
> sleep now. Based on visual observation from the north-facing window in
> my home, it seems that there is substantial activity on the terrace,
> including a lot of agitated movement and large plumes of smoke, as
> well as a lot of strobe lighting visible. This suggests that, yet
> again, the premises may be leaving the terrace door open (despite the
> rain!) in breach of licensing conditions.

>

> This is the 3rd occasion on which I have found myself submitting a
> complaint about Bloc 40 in recent months, although there have been

> further occasions in recent months when I have noticed excessive noise
> from amplified music or rowdy behaviour, usually for shorter periods
> of time.

>
> Yours sincerely,

> [REDACTED]
> [REDACTED]
> [REDACTED]
> Alfred Road, Brentwood, [REDACTED]

> [REDACTED]
> [REDACTED]
> [REDACTED]

> On Saturday, 8 July 2023 22:02:42 BST [REDACTED] wrote:

>> Dear Sir/Madam,

>>
>> Starting about 10 minutes ago (i.e.: at circa 21:50), there has been
>> unacceptably loud amplified music emanating from the High Street,
>> almost certainly from Bloc 40. Based on visual observation from the
>> north-facing window in my home, it seems that the terrace door for
>> Bloc 40 may have been left open (judging by the fireworks of strobe
>> lighting I can see upon looking in that direction), in contravention
>> of the conditions of its licence.

>>
>> This noise nuisance is very similar to that about which I complained
>> in the small hours of 21st May 2023, to which the reference number
>> assigned by you is 23/000859/NOIMUS.

>>
>> Yours sincerely,

>> [REDACTED]
>> [REDACTED]
>> Alfred Road, Brentwood [REDACTED]

>> [REDACTED]
>> [REDACTED]
>> [REDACTED]

>> On 22/05/2023 08:52, hoehpps wrote:

>>> Good morning,

>>>
>>> Thank you for your e-mail.

>>> We are sorry you been subjected to this noise disturbance.

>>> I confirm this has been passed to an officer for investigation and
>>> your reference number is 23/000859/NOIMUS.

>>>
>>>
>>> Dominika Jaskolska | Admin Assistant - Licensing & Environmental
>>> Health | Brentwood Borough Council

----- Original Message -----

Subject: PS: noise complaint
Date: 21/05/2023 01:45
From: [REDACTED]
To: "Environmental Health -- noise (Brentwood Borough Council)"

<envhealth@brentwood.gov.uk>

The noise is still causing serious nuisance and insomnia (with windows closed), and has been doing so consistently since my last message.

[REDACTED]
On Sunday, 21 May 2023 00:41:26 BST, [REDACTED] wrote:

> Dear Sir/Madam,

>

> For the past hour or so (as of the time of writing), there has been
> unacceptably loud amplified music emanating from the High Street. This
> is making it difficult for me to sleep, even after having closed the
> windows. I am not able to confirm the exact address at which the noise
> is occurring, although the direction and nature of the noise is
> consistent with previous incidents of noise pollution from Bloc 40.

>

> Yours sincerely,

>

[REDACTED]

>

> [REDACTED] Alfred Road, Brentwood [REDACTED]

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>