

PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX

# APPENDIX C

## REPRESENTATION

### ***Responsible Authority***

*Received 25 October 2023*

*Mr Dave Leonard*

*Licensing Officer*

*Brentwood Borough Council*

*Plus*

*Supplementary Documents*

*Received 1 November 2023*



## Dave Leonard

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**From:** Dave Leonard  
**Sent:** 25 October 2023 18:02  
**To:** Licensing  
**Cc:** Paul Adams  
**Subject:** PINK - APPLICATION TO REVIEW A PREMISES LICENCE - LICENSING REPRESENTATION (DAVE LEONARD)  
**Attachments:** PINK appln to review PL - LIC REP 25OCT23.docx; PINK - APPENDICES LIST.docx; PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX - SITE VISIT & LICENCE INSPECTION - 23RD MAY 2023 - APPLICATION FOR A VARIATION OF THE PREMISES LICENCE; APPENDIX B - PINK -BREACH OF MANDATORY CONDITION - WRITTEN WARNING 14JUN23.pdf; Pink - MINOR VARIATION - Police response; Re: EXTERNAL - Re: Pink - Minor Variation - Police Enquiry

### To The Brentwood Licensing Team

**Licensing Act 2003 – Application to Review a Premises Licence  
Pink, 111 High Street, Brentwood CM14 4RX**

#### Representation by a Responsible Authority (Licensing)

I wish to make a representation in support of the application submitted by the Chief of Essex Police to review the premises licence at **Pink, 111 High Street, Brentwood CM14 4RX**. I make this representation as a Responsible Authority (Licensing) in my capacity as the Brentwood Borough Council Licensing Officer as permitted by virtue of the Licensing Act 2003 (as amended).

It is also my contention that the management at Pink has failed to adequately promote the licensing objectives relating to the prevention of crime and disorder. I am also concerned that the management are not currently operating to a schedule that satisfactorily promotes public safety to a level expected of a late-night vertical drinking establishment in the High Street.

A premises licence was first issued to **111 High Street, Brentwood CM4 4RX** on 12<sup>th</sup> November 2021 when the venue was primarily operating as a pie and mash shop. In an effort to save a floundering business, the licence holder attempted to evolve the unit into a late-night drinking establishment. However, following two failed attempts by that management, firstly operating as 'A La Mode' and then 'Sauce', an application to take transfer of the premises licence was made by the current licence holder, Mr Conor Latham, on 21<sup>st</sup> February 2023. A premises licence, with Mr Latham also nominated as the designated premises supervisor, was issued on 24<sup>th</sup> March 2023.

As a result of concerns being raised about the apparently very young age band of the customer base attending the venue, I took my first opportunity to meet with Mr Latham and his business partner, Mr David Wilcox, in an arranged site visit on 23<sup>rd</sup> May 2023. I also conducted a full licence inspection and went through the attached conditions with both gentlemen. I noted that the premises was now being promoted as 'Pink' and that the premises plan attached at Annex 4 of the licence did not accurately reflect the current floor layout. As a result, I advised both men that a minor variation to reflect the changes to the premises licence was required and this was followed up with a confirmation email sent to Mr Latham on 26<sup>th</sup> May 2023. I have attached a copy of this email at **Appendix A**.

Following the viewing of a video recording posted on social media showing the apparent breach of a mandatory licence taking place at an event in Pink on 2<sup>nd</sup> June 2023, once again by appointment, on 9<sup>th</sup> June 2023 I attended the premises in company with Police Licensing Officer, Mr Simon Barnes, and Essex Fire & Rescue Service Officer, Mr Garry Owles, and met with Mr Latham. A number of public safety issues in respect of capacities were candidly discussed and it was confirmed that the following mandatory licensing condition had been breached on 2<sup>nd</sup> June 2023;

*Annex 1 Condition 3e states:*

*“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).”*

This is a criminal offence under s131 Licensing Act 2003.

This matter was dealt with by way of a police warning letter sent by Mr Barnes on 13<sup>th</sup> June 2023. I also reiterated the offence in a written warning letter to Mr Latham, dated 14<sup>th</sup> June 2023, that also included our discussions around public safety & convenience and a polite reminder of his requirement to apply for a minor variation to the premises licence in respect of the floor layout plan as pointed out previously in my letter, dated 26<sup>th</sup> May 2023, and to date still outstanding. I attach a copy of this warning letter, dated 14<sup>th</sup> June 2023 at **Appendix B**.

Mr Latham finally submitted an application to vary the premises licence to amend the floor layout plan & change the premises name from 'Sauce' to 'Pink' on 30<sup>th</sup> June 2023. During this consultation process, the Police Licensing Officer, Mr Barnes proposed a number of recommendations to be attached as conditions to the updated licence in order for it to reflect the current operating nature of the venue which had evolved significantly since being a pie and mash shop when the premises licence was originally granted back in 2021. I attach a copy of these proposed recommendations, dated 14<sup>th</sup> July 2023, at **Appendix C**.

I also attach a copy of the written response from Mr Latham to Mr Barnes, dated 14<sup>th</sup> July 2023, indicating that he was happy to accept the police recommendations to be attached as conditions to his updated premises licence at **Appendix D**.

The police make reference to three (3) alleged incidents of disorder where fighting has broken out in or around the vicinity of Pink on 12<sup>th</sup> & 18<sup>th</sup> August 2023 and again on 2<sup>nd</sup> September 2023. In each instance, when conducting follow-up enquiries, and despite repeated requests, the cooperation they have received from the management at Pink has been unsatisfactory or non-existent.

The premises licence holder, Mr Latham, has submitted six (6) temporary event notifications (TENs) for extended hours to cover events in August and September 2023 of which four (4) were rejected as invalid because the minimum of five working days' notice required had not been provided. This, together with previously failing to comply with a mandatory licensing condition, shows a disturbing ignorance, or disregard, of the Licensing Act. The admission that the premises was operating outside of its permitted hours in one of the incidents highlighted by the police (20<sup>th</sup> August) and an unwillingness to comply with attached licence conditions previously agreed with the police is also a cause for great concern. I will be guided by, and hope to support, the police recommendations in what they are hoping to achieve when calling this review.

My concern emanates from how this premises has evolved from a licensed daytime pie and mash shop into a late-night party venue, perhaps without the stringent consultation process that would ordinarily apply to a licence that has evolved so dramatically. That is not necessarily the fault of Mr Latham as he took on the venue when it was known and operating as 'Sauce'. However, he has been fully appraised of all that is expected of him and of his business in my meetings held with him on 23<sup>rd</sup> May and 9<sup>th</sup> June 2023 and confirmed in writing in the subsequent letters dated 26<sup>th</sup> May & 14<sup>th</sup> June 2023 respectively (see copies attached at **Appendix A** and **Appendix B** respectively).

In my meetings with Mr Latham, he has always come across as an amiable and respectful young man but it does concern me that he does not appear to fully understand the gravity of some of the issues being raised and of the potential impact on public safety if he continues to get it wrong.

**An application to review a premises licence is generally applied for when all means of remedial action have failed and there is no other course of action available to take. This premises has not previously been subject of a licence review. Having said that, Mr Latham has only held the current licence for seven months and has already had his fair share on incidents that have required necessary intervention from the police and the Licensing Office. And, unlike another late-night licensed premises recently reviewed, the licensee has at least responded to lawful requests made to him by the police and local authority albeit not within the timescale required.**

**It appears that the reported incidents of disorder have all occurred around, or after, Pink's terminal hour of operation. This, together with the apparent inability to apply for temporary event extensions**

in the correct manner, may convince the Licensing Sub-Committee that a reduction to the terminal hours of trading, thus alleviating any potential conflict between patrons dispersing from other nearby licensed premises, may be a logical compromise to imposing a heavier penalty.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Kind regards,

A handwritten signature in black ink, appearing to read 'Dave Leonard', written in a cursive style.

**Dave Leonard | Licensing Officer**

T: 01277 312523 | [www.brentwood.gov.uk](http://www.brentwood.gov.uk) | [dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)





**BRENTWOOD  
BOROUGH COUNCIL**

*Paul Adams  
Licensing Manager,  
Brentwood Borough Council Depot  
The Drive  
Warley CM13 3BH*

**Date: 25 October 2023**

**Contact: Dave Leonard  
01277 312523**

**Licensing Act 2003 – Application to Review a Premises Licence  
Pink, 111 High Street, Brentwood CM14 4RX**

**Representation by a Responsible Authority (Licensing)**

I wish to make a representation in support of the application submitted by the Chief of Essex Police to review the premises licence at ***Pink, 111 High Street, Brentwood CM14 4RX***. I make this representation as a Responsible Authority (Licensing) in my capacity as the Brentwood Borough Council Licensing Officer as permitted by virtue of the Licensing Act 2003 (as amended).

It is also my contention that the management at Pink has failed to adequately promote the licensing objectives relating to the prevention of crime and disorder. I am also concerned that the management are not currently operating to a schedule that satisfactorily promotes public safety to a level expected of a late-night vertical drinking establishment in the High Street.

A premises licence was first issued to ***111 High Street, Brentwood CM4 4RX*** on 12<sup>th</sup> November 2021 when the venue was primarily operating as a pie and mash shop. In an effort to save a floundering business, the licence holder attempted to evolve the unit into a late night drinking establishment. However, following two failed attempts by that management, firstly operating as 'A La Mode' and then 'Sauce', an application to take transfer of the premises licence was made by the current licence holder, Mr Conor Latham, on 21<sup>st</sup> February 2023. A premises licence, with Mr Latham also nominated as the designated premises supervisor, was issued on 24<sup>th</sup> March 2023.

As a result of concerns being raised about the apparently very young age band of the customer base attending the venue, I took my first opportunity to meet with Mr Latham and his business partner, Mr David Wilcox, in an arranged site visit on 23<sup>rd</sup> May 2023. I also conducted a full licence inspection and went through the attached conditions with both gentlemen. I noted that the premises was now being promoted as 'Pink' and that the premises plan attached at Annex 4 of the licence did not accurately reflect the current floor layout. As a result, I advised both men that a minor variation to reflect the changes to the premises licence was required and this was followed up with a confirmation email sent to Mr Latham on 26<sup>th</sup> May 2023. I have attached a copy of this email at ***Appendix A***.

Following the viewing of a video recording posted on social media showing the apparent breach of a mandatory licence taking place at an event in Pink on 2<sup>nd</sup> June 2023, once again by appointment, on 9<sup>th</sup> June 2023 I attended the premises in company with Police Licensing Officer, Mr Simon Barnes, and Essex Fire & Rescue Service Officer, Mr Garry Owles, and met with Mr Latham. A number of public safety issues in respect of capacities were candidly discussed and it was confirmed that the following mandatory licensing condition had been breached on 2<sup>nd</sup> June 2023;

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Mr Latham finally submitted an application to vary the premises licence to amend the floor layout plan & change the premises name from 'Sauce' to 'Pink' on 30<sup>th</sup> June 2023. During this consultation process, the Police Licensing Officer, Mr Barnes proposed a number of recommendations to be attached as conditions to the updated licence in order for it to reflect the current operating nature of the venue which had evolved significantly since being a pie and mash shop when the premises licence was originally granted back in 2021. I attach a copy of these proposed recommendations, dated 14<sup>th</sup> July 2023, at **Appendix C**.

I also attach a copy of the written response from Mr Latham to Mr Barnes, dated 14<sup>th</sup> July 2023, indicating that he was happy to accept the police recommendations to be attached as conditions to his updated premises licence at **Appendix D**.

The police make reference to three (3) alleged incidents of disorder where fighting has broken out in or around the vicinity of Pink on 12<sup>th</sup> & 18<sup>th</sup> August 2023 and again on 2<sup>nd</sup> September 2023. In each instance, when conducting follow-up enquiries, and despite repeated requests, the cooperation they have received from the management at Pink has been unsatisfactory or non-existent.

The premises licence holder, Mr Latham, has submitted six (6) temporary event notifications (TENs) for extended hours to cover events in August and September 2023 of which four (4) were rejected as invalid because the minimum of five working days' notice required had not been provided. This, together with previously failing to comply with a mandatory licensing condition, shows a disturbing ignorance, or disregard, of the Licensing Act. The admission that the premises was operating outside of its permitted hours in one of the incidents highlighted by the police (20<sup>th</sup> August) and an unwillingness to comply with attached licence conditions previously agreed with the police is also a cause for great concern. I will be guided by, and hope to support, the police recommendations in what they are hoping to achieve when calling this review.



My concern emanates from how this premises has evolved from a licensed daytime pie and mash shop into a late-night party venue, perhaps without the stringent consultation process that would ordinarily apply to a licence that has evolved so dramatically. That is not necessarily the fault of Mr Latham as he took on the venue when it was known and operating as 'Sauce'. However, he has been fully appraised of all that is expected of him and of his business in my meetings held with him on 23<sup>rd</sup> May and 9<sup>th</sup> June 2023 and confirmed in writing in the subsequent letters dated 26<sup>th</sup> May & 14<sup>th</sup> June 2023 respectively (see copies attached at **Appendix A** and **Appendix B** respectively).

In my meetings with Mr Latham, he has always come across as an amiable and respectful young man but it does concern me that he does not appear to fully understand the gravity of some of the issues being raised and of the potential impact on public safety if he continues to get it wrong.

**An application to review a premises licence is generally applied for when all means of remedial action have failed and there is no other course of action available to take. This premises has not previously been subject of a licence review. Having said that, Mr Latham has only held the current licence for seven months and has already had his fair share on incidents that have required necessary intervention from the police and the Licensing Office. And, unlike another late-night licensed premises recently reviewed, the licensee has at least responded to lawful requests made to him by the police and local authority albeit not within the timescale required.**

**It appears that the reported incidents of disorder have all occurred around, or after, Pink's terminal hour of operation. This, together with the apparent inability to apply for temporary event extensions in the correct manner, may convince the Licensing Sub-Committee that a reduction to the terminal hours of trading, thus alleviating any potential conflict between patrons dispersing from other nearby licensed premises, may be a logical compromise to imposing a heavier penalty.**

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Yours sincerely,



**Dave Leonard | Licensing Officer**  
T: 01277 312523 | [www.brentwood.gov.uk](http://www.brentwood.gov.uk) | [dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)



Dave Leonard  
Licensing Officer



**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

# **APPENDICES**

*Supporting Documentation*

- A. *Email Request dated 26 May 2023*
- B. *Licensing Offence Warning Letter dated 14 June 2023*
- C. *Simon Barnes email Police recommended conditions dated 14 July 2023*
- D. *Conor Latham email accepting police recommended conditions 14 July 2023*



**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**REPRESENTATION**

***Responsible Authority***

***Mr Dave Leonard***

*Licensing Officer*

*Brentwood Borough Council*

*Supporting Documents*

*Appendix A*

*Email request dated 26 May 2023*



## Dave Leonard

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**From:** Dave Leonard  
**Sent:** 26 May 2023 15:23  
**To:** 'enquiries@pinkbrentwood.com'  
**Subject:** PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX - SITE VISIT & LICENCE INSPECTION - 23RD MAY 2023 - APPLICATION FOR A VARIATION OF THE PREMISES LICENCE

Dear Mr Latham & Mr Wilcox,

This letter is sent in confirmation of our meeting at **PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX** on Tuesday, 23<sup>rd</sup> May 2023. The purpose of the site visit was to allow me to introduce myself to you as your local Licensing Officer, to advise you of recent concerns reported to me suggesting that you may not be applying your Challenge 25 policy effectively and to assist you with a full licence inspection in order to ensure that your operating schedule matches your business objectives and the conditions attached to your current premises licence.

I draw your attention to the current premises licence (attached) issued to you on 24<sup>th</sup> March 2023 which relates to **SAUCE** and not **PINK**. In normal circumstances, when there is a change of premises name, the matter may be easily dealt with administratively online at a cost of £10.50.

However, as discussed, there is a small area marked 'store' on the premises plan at Annex 4 that shows a stud wall next to the public toilets. I noted that this store is no longer there and the stud wall has been removed. I appreciate that you have stated that you have merely applied a cosmetic makeover since acquiring the premises and that you have carried out no structural changes. Unfortunately, this change to the floor plan, however insignificant that you may feel it is, requires an application for a minor variation to the floor plan to be submitted to the Licensing Office for consideration and consultation with the relevant responsible authorities. A failure to do this will result in you breaching the terms and conditions of your premises licence and may lead to further enforcement action being taken.

As advised, this is a straightforward process which may be applied for online and I see no reason why a minor variation would not be approved. However, you may also wish to use this application as an opportunity to amend your operating schedule and the conditions attached to your premises licence if you are of the opinion that they don't best serve your operational needs. Should you wish to extend your operating hours you will need to submit an application for a full variation to the premises licence.

In respect of the current conditions attached to your premises licence I offer the following recommendations that may assist with protecting your integrity when under scrutiny

### Annex 2

#### CCTV;

Storage: a sterile and accessible area to store, operate and view the monitor would be beneficial. And knowing the right password to gain access to the system is also very important.

Coverage: ensure that any decorative features - including plants - are not obscuring the camera coverage or interfering with the recordings

Fit for Purpose: without the benefit of viewing your playback coverage on the day, I cannot comment on the quality or content of overall coverage but I did note that there is no camera positioned to capture frontal head and shoulders images of all persons entering the premises. The requirement to produce images of an evidential quality covering the entrance is usually a must for late night vertical drinking establishments and I would be very surprised if the police do not recommend/insist that you cover this access/egress point satisfactorily (Condition 1)

#### Signage:

Your signage was all compliant and we discussed the best positioning for each notice to provide optimum impact (Conditions 2, 10, 11 & 17)

#### Door Supervision

*"On occasions when licensable activity takes place on the premises beyond 10pm on any day, the management will risk assess the requirement for SIA doorstaff to be employed at the premises. Evidence of this risk assessment to be made available for inspection by police or licensing authority on reasonable request."* Once again, this recommendation was originally offered by the police when the venue was operating as a hybrid pie and mash shop and not a late night bar. Please ensure that you have a written risk assessment available for inspection should the police or licensing authority wish to see it (Condition 3)

#### SIA Licensed Door Supervisors

As discussed, the onus is on you, Mr Latham, as the premises licence holder and DPS to ensure that only correctly registered door staff are employed and you will need to show that you have a badge checking and signing in/out policy that fully records this information (Condition 5). I suggested that an A4 sized stitched diary can act as both a door supervisors' register, incident log and a management on duty record would be a good way to protect your operating integrity (Condition 6). You were also reminded of the need to record the full details of all door supervisor's badges and of the need to keep a record of staff training (Conditions 21 & 22). High visibility clothing for doorstaff is a requirement designed to ensure that they are readily identifiable at all times (Condition 4)

#### Noise Management Policy

*"No noise from deliveries that may take place to residential properties will give rise to public nuisance"* (Condition 8) and *"Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents"* (Condition 12) are ambiguous but, as we have discussed, you are the only venue of your kind operating without some form of a front lobbied entrance designed to help with noise suppression. As you also have a condition attached at **Annex 3**, which is set by the Licensing Committee, that requires a signed noise management policy, I have referred you to Brentwood Council's Environmental Health Manager, David Carter, in order to address this. **This condition requires strict compliance** and you have assured me that you would be contacting Mr Carter as a matter of priority.

#### Challenge 25 Policy

I have pointed out to you that my office has received information that some of your customer base appears very young and we discussed that all of the other late-night High Street venues have adopted the use of ID Scan and, where necessary, have adapted their entry area to accommodate the system accordingly. You also acknowledged the benefits that ID Scan does offer to assist with your Challenge 25 policy and the potential deterrent for fake IDs being presented (Condition 16).

#### Food and Furniture

*"The premises will be predominantly laid out to tables and chairs"* (Condition 20). I'm not sure that the word 'predominantly' can be used but you will appreciate that this condition was attached to the Pie and Mash conversion to Sauce. Likewise, with *"a food offering will be available at all times the premises is conducting licensable activities"* (Condition 19), as the condition does not refer to 'substantial refreshment' as with the premises' previous restaurant status, you are confident that a working arrangement with the sushi bar next door satisfies this requirement. You may wish to consider removing these requirements if your business module is looking to steer away from food offerings and more towards a vertical drinking establishment in the future.

**You now need to apply to vary your premises licence and submit a new plan that accurately reflects the current layout.** As discussed, should you also wish to change the conditions attached to your operational schedule and formally advise us of the change of your business name to Pink, you may do so in the form of a minor variation. This also streamlines the process. Should you wish to increase your hours of licensable activity, you will need to submit an application for a full variation. I have attached the online links to assist you with this process for your convenience (below). I have also attached the online link to the application for a pavement licence for you.

[Variation, transfer or make a change to a premises licence | Brentwood Council](#)

<https://www.brentwood.gov.uk/pavement-licence>



I hope that this helps.

Please submit the application as a matter of priority as **To conduct any licensable activity in breach of the premises licence is an offence and may result upon conviction in an unlimited fine and/or 6 Months Imprisonment.**

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Kind regards,

A handwritten signature in black ink, appearing to read 'Dave Leonard', written in a cursive style.

Dave Leonard | Licensing Officer



**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**REPRESENTATION**

***Responsible Authority***

***Mr Dave Leonard***

*Licensing Officer*

*Brentwood Borough Council*

*Supporting Documents*

*Appendix B*

*Licensing Offence Warning Letter dated 14 June 2023*





**BRENTWOOD  
BOROUGH COUNCIL**

**Mr Conor Latham**

**Date: 14<sup>th</sup> June 2023**

**Contact: Dave Leonard  
01277 312523**

Dear Mr Latham,

**Licensing Act 2003 – Premises Licence  
Sauce aka Pink, 111 High Street, Brentwood CM14 4RX**

This letter is sent in confirmation of our meeting together with the Essex Police Licensing Officer, Mr Simon Barnes, and Mr Garry Owles from the Essex Fire & Rescue Service at **PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX** on Friday, 9<sup>th</sup> June 2023. The meeting was called because a video that appeared to have been filmed on your premises on Friday 2<sup>nd</sup> June, an event known as Pink Fridays, and posted on social media, had come to the attention of the police and local authority. We viewed the video posted on Instagram in your presence and you confirmed that these events had indeed taken place on your premises. The video shows some of your patrons being given large sparklers whilst others were having alcohol dispensed directly into their mouths from bottles poured by persons who appeared to be your bar staff.

The dispensing of alcohol directly into the mouth is currently banned in England & Wales under the Licensing Act 2003 and is reflected in the mandatory conditions required to be imposed by all Licensing Authorities by Parliament.

***Annex 1 Condition 3e states:***

***“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).”***

It doesn't not appear in this situation that this activity would fall under the exception of this condition.

**This is a criminal offence under s131 Licensing Act 2003**

In respect of the sparklers being supplied, I invited the Fire Safety Officer, Mr Garry Owles, along to the meeting to check and advise you on your Fire Safety Policy. It was noted during our conversation that, due to the current premises layout, Mr Owles determined that the maximum capacity for customer safety should not exceed sixty (60) persons. Mr Owles then went on to show you how, with minor adjustments to the bar servery counter and doorway access to the rear exit, you could adapt the venue to accommodate the capacity you are seeking to achieve.

Whilst dealing with safe capacity numbers, I am concerned that you only have two toilets (one toilet plus one toilet for the disabled) available to cater for all your patrons. Mr Barnes informed you that the police have received complaints from several of the other High Street bars claiming that your customers have been attempting to enter their venues merely to use the toilet facilities. My concerns have been heightened by the fact that, as accredited identification does not appear to be enforced at your venue, these patrons are quite rightly being refused entry to the other bars for being unable to present acceptable ID. This leads me to question where these people are then attempting to relieve themselves in a public place. I am copying this warning letter into Brentwood Council's Lead Health & Safety Officer, Mr James Talbot, for his information.

This brings me back to our original meeting and licence inspection on 23<sup>rd</sup> May 2023, and the subsequent advisory letter that I sent you on 26<sup>th</sup> May 2023, where it was noted that the premises plan attached at Annex 4 of your premises licence did not match that of the current floor layout. I informed you that the change to the floor plan, however insignificant that you may feel it is, requires an application for a minor variation to the floor plan to be submitted to the Licensing Office for consideration and consultation with the relevant responsible authorities. I also advised you that a failure to do this will result in you breaching conditions of your premises licence and may lead to further enforcement action being taken. I accept that you finally responded to me on 6<sup>th</sup> June and indicated that you will be submitting your application to vary the premises licence to amend the floor layout plan and change the business name as necessary. You have been aware of this requirement since 23<sup>rd</sup> May 2023 and this office now needs to be reassured that you are taking the matter seriously. The police have issued you with an official warning regarding your breach of a mandatory condition (Annex 1 condition 3e) and this office has warned you of the premises licence breach in respect of the Annex 4 floor layout plan.

Please submit the application as a matter of priority and by the end of this month. A failure to do so may see this office take further action which may include prosecution and or seeking a review of your licence.

Please acknowledge receipt of this warning letter.

**To conduct any licensable activity in breach of the premises licence is an offence and may result upon conviction in an unlimited fine and/or 6 Months Imprisonment.**

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Kind regards,

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Dave Leonard | Licensing Officer

**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**REPRESENTATION**

***Responsible Authority***

***Mr Dave Leonard***

*Licensing Officer*

*Brentwood Borough Council*

*Supporting Documents*

*Appendix C*

*Simon Barnes' email Police Recommended Conditions*

*dated 14 July 2023*







Licensing Authority  
Brentwood Borough Council  
Town Hall  
Ingrave Road  
Brentwood CM15 8AY

14<sup>th</sup> July 2023

### **Police Representation – Pink Minor Variation**

I write in relation to an application to make a minor variation for a premises known as Pink located at number 111 of High Street in Brentwood.

This application was triggered by concerns raised by both Essex Police and Brentwood Council's licensing officers regarding the plan of the premises, the business being significantly different to the original business that the licence was granted for and the commissioning of activities prohibited by the mandatory conditions as laid out by Parliament.

Mr Conor LATHAM, the applicant, has requested as part of the variation for the plan to be amended the name of the premises to be renamed to his business and for conditions 7, 19 & 20 to be removed.

On behalf of the Chief Officer of Police for the County of Essex and the non-metropolitan areas of Southend-on-Sea and Thurrock I would like to place this representation in regards to this application.

Essex Police have discussed the conditions on the licence with the applicant, there are a number of conditions applied to support the licensing objectives but are no longer in keeping with a prosecco bar which Pink appears to be, the conditions were worded for a Pie and Mash shop with some changes made when the premises looked to become an event space on occasion. There are also several conditions that were on the original licence which are covered by statute and the licence does not require these and could, in the future, be at odds with any amendment passed by Parliament and as such should be removed at this time to avoid conflict.

As such Essex Police have proposed for the current Annex 2 conditions the following changes:

- Condition 1 to be revised to read:  
"The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:  
a) CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;  
b) CCTV cameras shall cover all public areas including all entrances and exits and all areas

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Essex Police Licensing Unit, Blyths Meadow Braintree, Essex CM7 3DJ

Email: [licensing.applications@essex.police.uk](mailto:licensing.applications@essex.police.uk) Tel: 01245 452035

In an emergency always dial **999**. For non emergencies dial **101**

[www.essex.police.uk](http://www.essex.police.uk)



where the sale of alcohol takes place;

c) Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;

d) At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;

e) The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;

f) An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately."

- Condition 2 to have the words "and exits" removed
- Condition 3 to be reworded to:

"On Friday & Saturdays at least one SIA licensed door supervisors shall be on duty at the premises from 21:00 whilst the premises is open and for at least 30 minutes after the premises has closed. At all other times the Designated Premises Supervisor shall risk assess the need for door supervisors, a copy of this risk assessment shall be retained on the premises, or accessible from the premises, for a period of 3 months."
- Condition 6 to be reworded to:

"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."
- Condition 11 to be reworded to:

"Clear notices must be displayed at exits requesting customers respect the needs of local residents and leave the area quietly."
- Conditions 13-15 are covered by other legislation and should be deleted from the licence
- Condition 21 to be reworded to:

"All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months."

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Essex Police Licensing Unit, Blyths Meadow Braintree, Essex CM7 3DJ

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Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.”

- Condition 22 can be deleted as a consequence of the changes to condition 21

In addition Essex Police have requested further conditions are added to further uphold the licensing objectives of prevention of crime and disorder and protection of children from harm:

- A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.  
All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.  
The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
- A Clubscan/IDSCAN or similar system shall be operated at the premises. Whilst SIA door supervisors are deployed at the premises as required by this licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.
- At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises, with the exception of plastic and polycarbonate vessels.  
Conspicuous signage (of a minimum size of 200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy.

Negotiation with the applicant was completed on 14<sup>th</sup> July with the applicant accepting all changes outlined above alongside the changes that they have proposed. I attach to this representation the written negotiations and acceptance.

Yours faithfully,

Simon Barnes  
Essex Police Licensing Officer  
Brentwood & Thurrock



**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**REPRESENTATION**

***Responsible Authority***

***Mr Dave Leonard***

*Licensing Officer*

*Brentwood Borough Council*

*Supporting Documents*

*Appendix D*

*Conor Latham's email accepting Police Recommended Conditions*

*dated 14 July 2023*



## Dave Leonard

---

**From:** Pink Brentwood <enquiries@pinkbrentwood.com>  
**Sent:** 14 July 2023 13:19  
**To:** Licensing Epping and Brentwood  
**Subject:** Re: EXTERNAL - Re: Pink - Minor Variation - Police Enquiry  
**Attachments:** image001.jpg; image001.jpg

Hi Simon,

Yes perfect, happy to proceed.

Thanks  
Conor

On Fri, 14 Jul 2023, 09:16 Licensing Epping and Brentwood, <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)> wrote:

Good Morning Conor,

Thank you for your reply.

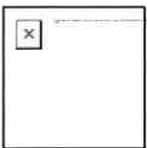
Would the following wording be acceptable:

1. At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises, with the exception of plastic and polycarbonate vessels.  
Conspicuous signage (of a minimum size of 200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy.

Please can you confirm this wording is acceptable by 1400 today.

Kind Regards

**Simon Barnes (82011)**



Licensing Officer – Brentwood & Thurrock

☎ 101 (Ext: 42082011)

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15 8AY

---

**From:** Pink Brentwood <enquiries@pinkbrentwood.com>  
**Sent:** 12 July 2023 15:54  
**To:** Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)>  
**Subject:** EXTERNAL - Re: Pink - Minor Variation - Police Enquiry

**CAUTION:** This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe.  
It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Hi Simon,

I am happy to proceed with all the variations you have suggested.

As per our conversation earlier though, I would to add an alteration to the use of drinking vessels outside of the premises, as plastic and polycarbonate cups should be acceptable for use outside.

Other than that I am happy to proceed.

Thanks

Conor

On Thu, Jul 6, 2023, 15:41 Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.police.uk](mailto:licensing.epping.and.brentwood@essex.police.uk)> wrote:

Good Afternoon Mr Latham,

I have reviewed your application and considered carefully the new premises use that you have proposed, I also note the recent warning I issued in relation to breaching of the mandatory conditions. As such I would like to do some tidying of your conditions and to add additional conditions to reduce the risks against the licensing objectives.

I will begin with your current conditions.

- I would like to reword condition 1 (CCTV) to read:

“The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:

- i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
- ii. CCTV cameras shall cover {all public areas including} all entrances and exits and all areas where the sale of alcohol takes place;
- iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;
- iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
- v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
- vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately.”

- Condition 2 to have “(and exits)” removed as this is not necessary for your premises
- Condition 3 to be re-worded:

“On Friday & Saturdays at least one SIA licensed door supervisors shall be on duty at the premises from 21:00 whilst the premises is open and for at least 30 minutes after the premises has closed. At all other times the Designated Premises Supervisor shall risk assess the need for door supervisors, a copy of this risk assessment shall be retained on the premises, or accessible from the premises, for a period of 3 months.”



- Conditions 4-5 to remain as is.
- Condition 6 to be reworded to:
 

“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.”
- Condition 7 you have requested be deleted – I am content with this given the business model you have suggested.
- Conditions 8-10 to remain as is (unless suggested by Environmental Health)
- Condition 11 to be reworded to:
 

“Clear notices must be displayed at exits requesting customers respect the needs of local residents and leave the area quietly.”
- Condition 12 is an environmental health conditions so please speak to them if you wish this one changed.
- Conditions 13-15 should be deleted, these are covered under other legislation and are not appropriate for a premises licence
- Conditions 16-18 can be left alone unless the Essex Council LADO suggests any changes
- Conditions 19-20 have been requested to be deleted – I have suggested a number of other changes to reflect the removal of these conditions and change of business.
- Condition 21 to be reworded to:
 

“All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.”
- Condition 22 can be deleted as a consequence of the change to 21

In addition to the above changes I would like to propose the following additional conditions:

- 1.A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.
 

All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
- 2.A Clubscan/IDSCAN or similar system shall be operated at the premises. Whilst SIA door supervisors are deployed at the premises as required by this licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.
- 3.At all times no persons shall be permitted to take bottles, glasses or drinking vessels from the premises.
 

Conspicuous signage (of a minimum size of 200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy.

This is a lot of changes and tinkering so please take your time to go through all the suggested changes and then get in touch with me to discuss/negotiate. Please can you come back to me early next week, the sooner the better particularly if we need to negotiate any of the above details as we only have a short amount of time to reach an agreement before the consultation ends.

If you would like to have a meeting on teams or a phone call please do let me know. I have copied the council in for their reference so they are aware of our progress.

Kind Regards

**Simon Barnes (82011)**

Licensing Officer – Brentwood & Thurrock

☎ 101 (Ext: 42082011)

☎ 07773 935612

📍 Brentwood Police Hub, Town Hall, Ingrave Road, Brentwood CM15  
8AY

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**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

**REPRESENTATION**

***Responsible Authority***

***Mr Dave Leonard***

*Licensing Officer*

*Brentwood Borough Council*

*Supporting Documents*

*Supplementary Documents*

*Appendix E*

*Licensing Offences Warning Letter*

*plus email & updated Appendices List*

*dated 1 November 2023*



## Dave Leonard

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**From:** Dave Leonard  
**Sent:** 01 November 2023 14:30  
**To:** Licensing  
**Cc:** Paul Adams  
**Subject:** PINK - APPLICATION TO REVIEW A PREMISES LICENCE - LICENSING REPRESENTATION (DAVE LEONARD) - SUPPLEMENTARY DOCUMENTS  
**Attachments:** PINK - breach of conditions - WRITTEN WARNING 01NOV23.msg; PINK - breach of conditions - WRITTEN WARNING 01NOV23.pdf; PINK - APPENDICES LIST.pdf

### To The Brentwood Licensing Team

**Licensing Act 2003 – Application to Review a Premises Licence  
Pink, 111 High Street, Brentwood CM14 4RX**

### Representation by a Responsible Authority (Licensing)

Please find attached the following supplementary documents to further support my representation at the forthcoming Licensing Sub-Committee Review hearing:

- Licensing Offences (27 October 2023) Warning Letter to Premises Licence Holder dated 1 November 2023
- Licensing Offences (27 October 2023) Warning Letter to Premises Licence Holder emailed 1 November 2023
- Updated Appendices List to include Appendix E – Supplementary Documents

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Kind regards,



**Dave Leonard | Licensing Officer**

T: 01277 312523 | [www.brentwood.gov.uk](http://www.brentwood.gov.uk) | [dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)





**BRENTWOOD  
BOROUGH COUNCIL**

Mr Conor Latham

Date: 1<sup>st</sup> November 2023

Contact: Dave Leonard  
01277 312523

Dear Mr Latham,

**Licensing Act 2003 – Premises Licence  
Pink, 111 High Street, Brentwood CM14 4RX**

This letter is sent in confirmation of my visit together with Brentwood Council's Licensing manager, Mr Paul Adams, and the Essex Police Licensing Officer, Mr Simon Barnes, and meeting with you at **PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX** on Friday, 27<sup>th</sup> October 2023 at 9.20pm.

Upon approaching your premises it was apparent that the noise level coming from within was clearly audible and could easily be heard from some distance away. It was noted that both the front entrance doors were propped open outward, and this was exacerbating the level of noise breakout from within. It was also noted that an electrical cable connecting the ID Scan machine outside of the building was draped precariously over the tops of the front doors and was preventing them from closing. With the noise emanating from your premises that was witnessed, it would be difficult to see how you are compliant with Annex 2 condition 11 of your premises licence which states;

***11. Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.***

In addressing the matter of noise management, I draw your attention to Annex 3 condition 1 (a condition attached after a hearing by the licensing authority) of your premises licence;

***1. A Noise Management Policy that has been approved by the Environmental Health manager is to be included as part of the operating schedule. This is to be signed by both parties.***

Having since discussed this issue with Environmental Health manager, Mr David Carter, it appears that you do not currently have an agreed Noise Management Policy signed by both parties.

**This is a breach of Annex 3 condition 1 of your licence condition.**

There was one SIA registered female door supervisor working on the front door and a second SIA registered male member of security working inside the premises. Information provided by the two members of security staff raises concerns that the door supervision had been hired directly by the owners of Pink without that person having the appropriate licence from the SIA.

We were also concerned that only having two members of security working appeared insufficient. Even with the limited numbers in attendance, there didn't appear to be a positive control of patrons entering, exiting and re-entering the premises during the time of our visit. Checks of the ID Scan equipment indicated that 57 persons had been scanned upon entry and yet there were 82 people in the premises implying that 25 persons already in the premises had not been scanned upon entry. Annex 2 condition 17 of your current premises licence states;

***17. A Clubscan/IDSCAN or similar system shall be operated at the premises. Whilst SIA door supervisors are deployed at the premises as required by this licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.***

There needs to be some clarity in respect of who is subject of the requirement to be scanned upon entry and a policy for persons who do not e.g those employed or hired by the management and those admitted prior to the deployment of door supervisors.

It was noted that one of your associates connected with the management of the business was making regular trips to an Audi motor vehicle illegally parked nearby in the High Street. Notwithstanding that it is an offence, this is not a good example to lead especially when the threat to public safety caused by illegally parked vehicles in the High Street is a topic frequently raised at the BASLE / Pubwatch meetings.

Your inability to effectively access your CCTV system to the satisfaction of Essex Police is one of the leading factors why they are currently seeking to review your premises licence. This visit also enabled you the opportunity to show both Mr Barnes and the licensing authority that you had resolved the issues previously hindering your ability to comply with Annex 2 condition 1 on your premises licence that states;

- 1 The premises shall have installed and maintain a closed-circuit television surveillance (CCTV) system that at all times complies with the below requirements;***
- i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition***
  - ii. CCTV cameras shall cover (all public areas including) all entrances and exits and all areas where the sale of alcohol takes place***
  - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of (31) days***



- iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request*
- v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with*
- vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately.*

Once again, you were unable to enter the correct password information and access the CCTV system to the satisfaction of the police or the licensing authority as required in the condition on your licence.

**This is a breach of Annex 3 condition 1 of your licence condition.**

As I have indicated in my representation supporting the police review application, in our previous meetings you have always come across as an amiable and respectful young man. However, it concerns me that you do not appear to fully understand and appreciate the gravity of some of the issues being raised and of the potential impact on public safety, and crime and disorder if you continue to get things wrong. With an imminent review hearing currently looming over your business, Friday night's visit has only highlighted my concerns, and amplifies my decision to make a supporting representation.

Please acknowledge receipt of this warning letter.

**To conduct any licensable activity in breach of the premises licence is an offence and may result upon conviction in an unlimited fine and/or 6 Months Imprisonment.**

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Kind regards,



Dave Leonard | Licensing Officer



## Dave Leonard

---

**From:** Dave Leonard  
**Sent:** 01 November 2023 14:14  
**To:** Pink Brentwood; Conor Latham  
**Subject:** PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX - BREACH OF LICENCE CONDITIONS - WRITTEN WARNING  
**Attachments:** PINK - breach of conditions - WRITTEN WARNING 01NOV23.pdf

Dear Mr Latham,

### **Licensing Act 2003 – Premises Licence Pink, 111 High Street, Brentwood CM14 4RX**

This letter is sent in confirmation of my visit together with Brentwood Council's Licensing manager, Mr Paul Adams, and the Essex Police Licensing Officer, Mr Simon Barnes, and meeting with you at **PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX** on Friday, 27<sup>th</sup> October 2023 at 9.20pm.

Upon approaching your premises it was apparent that the noise level coming from within was clearly audible and could easily be heard from some distance away. It was noted that both the front entrance doors were propped open outward, and this was exacerbating the level of noise breakout from within. It was also noted that an electrical cable connecting the ID Scan machine outside of the building was draped precariously over the tops of the front doors and was preventing them from closing. With the noise emanating from your premises that was witnessed, it would be difficult to see how you are compliant with Annex 2 condition 11 of your premises licence which states;

***11. Whenever regulated entertainment is taking place at the premises, staff will monitor the external area to ensure noise is not audible at the boundary of the nearest residential property. Whenever regulated entertainment is taking place, a contact number will be readily available at the premises for management to be contacted by any nearby residents.***

In addressing the matter of noise management, I draw your attention to Annex 3 condition 1 (a condition attached after a hearing by the licensing authority) of your premises licence;

***1. A Noise Management Policy that has been approved by the Environmental Health manager is to be included as part of the operating schedule. This is to be signed by both parties.***

Having since discussed this issue with Environmental Health manager, Mr David Carter, it appears that you do not currently have an agreed Noise Management Policy signed by both parties.

### **This is a breach of Annex 3 condition 1 of your licence condition.**

There was one SIA registered female door supervisor working on the front door and a second SIA registered male member of security working inside the premises. Information provided by the two members of security staff raises concerns that the door supervision had been hired directly by the owners of Pink without that person having the appropriate licence from the SIA.

We were also concerned that only having two members of security working appeared insufficient. Even with the limited numbers in attendance, there didn't appear to be a positive control of patrons entering, exiting and re-entering the premises during the time of our visit. Checks of the ID

Scan equipment indicated that 57 persons had been scanned upon entry and yet there were 82 people in the premises implying that 25 persons already in the premises had not been scanned upon entry. Annex 2 condition 17 of your current premises licence states;

**17. A Clubscan/IDSCAN or similar system shall be operated at the premises. Whilst SIA door supervisors are deployed at the premises as required by this licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.**

There needs to be some clarity in respect of who is subject of the requirement to be scanned upon entry and a policy for persons who do not e.g those employed or hired by the management and those admitted prior to the deployment of door supervisors.

It was noted that one of your associates connected with the management of the business was making regular trips to an Audi motor vehicle illegally parked nearby in the High Street. Notwithstanding that it is an offence, this is not a good example to lead especially when the threat to public safety caused by illegally parked vehicles in the High Street is a topic frequently raised at the BASLE / Pubwatch meetings.

Your inability to effectively access your CCTV system to the satisfaction of Essex Police is one of the leading factors why they are currently seeking to review your premises licence. This visit also enabled you the opportunity to show both Mr Barnes and the licensing authority that you had resolved the issues previously hindering your ability to comply with Annex 2 condition 1 on your premises licence that states;

- 1 The premises shall have installed and maintain a closed-circuit television surveillance (CCTV) system that at all times complies with the below requirements;**
- i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition**
  - ii. CCTV cameras shall cover (all public areas including) all entrances and exits and all areas where the sale of alcohol takes place**
  - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of (31) days**
  - iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request**
  - v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with**
  - vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately.**

Once again, you were unable to enter the correct password information and access the CCTV system to the satisfaction of the police or the licensing authority as required in the condition on your licence.

**This is a breach of Annex 3 condition 1 of your licence condition.**

As I have indicated in my representation supporting the police review application, in our previous meetings you have always come across as an amiable and respectful young man. However, it concerns me that you do not appear to fully understand and appreciate the gravity of some of the

issues being raised and of the potential impact on public safety, and crime and disorder if you continue to get things wrong. With an imminent review hearing currently looming over your business, Friday night's visit has only highlighted my concerns, and amplifies my decision to make a supporting representation.

Please acknowledge receipt of this warning letter.

**To conduct any licensable activity in breach of the premises licence is an offence and may result upon conviction in an unlimited fine and/or 6 Months Imprisonment.**

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office on **01277 312523**.

Kind regards,

A handwritten signature in black ink, appearing to read 'Dave Leonard', written in a cursive style.

Dave Leonard | Licensing Officer



**PINK, 111 HIGH STREET, BRENTWOOD CM14 4RX**

# **APPENDICES**

*Supporting Documentation*

- A. *Email Request dated 26 May 2023*
- B. *Licensing Offence Warning Letter dated 14 June 2023*
- C. *Simon Barnes email Police recommended conditions dated 14 July 2023*
- D. *Conor Latham email accepting police recommended conditions 14 July 2023*

## **Supplementary Documents**

- E. *Licensing Offences Warning Letter & email dated 1 November 2023*

