

Minutes

**Licensing Sub-Committee
Tuesday, 8th August, 2023**

Attendance

Cllr Gelderbloem
Cllr Gorton

Cllr Mynott

Apologies

Substitute Present

Also Present

Officers Present

Dave Leonard	- Licensing Officer
Zoe Borman	- Governance and Member Support Officer
Sam Haldane	- For and on behalf of the Council Solicitor
Chris Breen	- Environmental Health Technical Officer
David Carter	- Environmental Health Manager

LIVE BROADCAST

[Live stream to start at 7pm and available for repeat viewing.](#)

118. Appointment of Chair

Members **RESOLVED** that Cllr Mynott should Chair the meeting.

119. Administrative Function

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

proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-Committee and the rules of natural justice would apply.

120. Application for a Premises Licence Peasants Revolt 137A-139 Kings Road, Brentwood CM14 4DR

An application had been received from Mr Mason Nathaniel for a new premises licence at Peasants Revolt 137A -139 Kings Road, Brentwood CM14 4DR.

A representation has been received against the application from Brentwood Council. Environmental Health Officer, Mr Chris Breen, as a consulting responsible authority and a three further valid representations in opposition have been received from Other Persons

Members were requested to determine the application having regard to the operating schedule, the representations received, the Secretary of State's guidance and Brentwood Borough Council's Statement of Licensing Policy and the four Licensing objectives:

- a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

During the course of the hearing the committee heard from the licensing officer, Mr David Leonard, environmental health officer, Mr Chris Breen, and took account of the objections by local residents. The Committee noted that the members of the public who had objected did not attend in person.

The Sub-Committee heard from the Applicant, Mr Mason Nathaniel, who provided a significant amount of detail regarding the business and the manner in which it will be run.

The Sub-Committee commend Mr Nathaniel for the proposed conditions he had considered in regard to monitoring and managing noise.

The Sub-Committee considered this application in accordance with the licensing objectives and disregarded information that was not relevant to that.

Following paragraph 9.12 of the statutory guidance, licensing authorities must consider all representations from responsible authorities carefully and the Sub-Committee did so.

The Sub-Committee also acknowledged that the applicant has engaged in constructive communications with those who have raised concerns. This indicates that the applicant is likely to act reasonably in dealing with any

concerns. However, if there are justified concerns in the future then the licence may be reviewed.

The Sub-Committee **RESOLVED** to grant the application in full as per the final application.

Further the Sub-Committee **RESOLVED** to grant the conditions proposed by Environmental Health .

In making its decision the Sub-Committee considered the Council's own licensing guidance and statement of licensing policy, as well as the Statutory Section 182 guidance,

Any licence is always subject to review if circumstances require it.

Anyone affected by this decision has the right to appeal to the Magistrates' Court within 21 days of receiving notice of the decision.