



- Prevention of public nuisance
- Public safety
- Protection of children from harm

The Sub-Committee took those objectives into account in determining the matters before it, together with the following:

- Guidance Notes on the Conduct of Hearings before the Licensing/ Appeals Committee
- Brentwood Borough Council's Statement of Licensing Policy
- The statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003

The application for a premises license was received on 5 August 2015 in respect of Charlie's Deli, 88 High Street, Brentwood CM14 4AP and a copy of the application was before Members. The premises was a delicatessen and provided food and non-alcoholic beverages and the application was for a premises license for the sale of alcohol for the hours of 10.00 to 23.00 hours daily.

The application had been advertised in accordance with the Licensing Act 2003 regulations.

Two valid representations had been made which related to potential public nuisance concerns emanating from the additional hours the applicant intended to operate.

The sub-committee was addressed by the applicant and a representative of the objector and both parties were encouraged to discuss their positions. The applicant heard the concerns of the objector and provided clarification on how he intended to address them, including not starting work in the kitchen until 09:00 and advised that planning permission had been obtained for a commercial ventilation system to assist with kitchen smells and vapour.

The applicant agreed that, in respect of his application, the hours of 10:00 to 18:00 on a Sunday would be fair in the circumstances.

The sub-committee considered in detail the reports presented to it and the representations for and against the application and noted that the objections mainly came down to issues of public nuisance. Upon consideration, the sub-committee **RESOLVED UNANIMOUSLY** to grant the application as applied for, with the following amendments to the agreed conditions set out in full below.

- 1) No drinks or glassware shall be permitted outside the premises at any time
- 2) The licensable hours on Sundays are to be 10:00 to 18:00

Members took the view that the above conditions were necessary in order to meet the licensing objectives, specifically for the prevention of public nuisance.

In addition to the above conditions and as outlined in 5.1 of the report, the applicant had after consultation with the Police stated that:

- The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises. 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 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 than 28 days with 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.
- 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.
- Alcohol sales shall only be ancillary to a table meal.
- Reasonable and adequate staff training to be carried out and properly documented in relation to;
  - (a) dealing with incidents and prevention of crime and disorder
  - (b) sale of alcohol prior to being allowed to sell alcohol
- All training records will be retained for 12 months and made available to Essex Police or other responsible Authority upon reasonable request.
- No persons under the age of 18 will be permitted to remain on the premises after 22:00hrs
- The premises shall operate a Challenge 25 age verification policy. Failure to produce will result in service being refused.

Acceptable forms of photographic identification include:

- (a) Passport
- (b) Photo card Driving License
- (c) Photographic ID bearing the 'PASS' hologram

All of the recommendations listed in 5.1 of the report (set out above) and the amendments made at the hearing would be converted into conditions on the license granted.

The parties were reminded that should they be dissatisfied with the decision of the licensing sub-committee, they had a right to appeal to the Magistrates' Court.

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