



Agenda

Licensing Sub-Committee

Tuesday, 6 November 2018 at 6.30 pm

Becket Keys Church of England School, Sawyers Hall Lane, Brentwood
CM15 9DA

Membership (Quorum – 3)

Cllrs Haigh, Mrs Pound and Reed

Agenda

Item	Item	Wards(s) Affected	Page No
	Contents		
1.	Appointment of Chair		
2.	Administrative Function Members are 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.		
3.	Declarations of Interest		
4.	Application to Review a Premises Licence - The Skew Bar and Grill, Rayleigh Road, Hutton, CM13 1SG	Hutton East	

A handwritten signature in black ink, appearing to read 'P. L. Russell', with a large, sweeping underline.

Chief Executive

Town Hall
Brentwood, Essex
29.10.2018

Information for Members

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

Access to Information and Meetings

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The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Private Session

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

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  **Access**

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 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.

6th November 2018

Licensing and Appeals Committee

**Licensing Sub-Committee Hearing in respect of an
Application to Review a Premises Licence – Licensing Act 2003**

**THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON, CM13
1SG**

Report of: Maria Moses – Licensing Officer

Wards Affected: Hutton

This report is: Public

1. Executive Summary

- 1.1 An application has been received for a review of the premises licence in respect of **The Skew Bar & Grill, Rayleigh Road, Hutton CM13 1SG**. Seven relevant representations have been received during the consultation period. The review relates to two Licensing objectives: **Prevention of Crime and Disorder and Prevention of Public Nuisance.**

2. Recommendation(s)

- 2.1 That the Sub Committee:

Considers this report and appendices together with any oral submissions at the hearing and determines the application for the review of the premises licence.

3. Introduction and Background

- 3.1 An authorisation is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- Sale of alcohol
- Supply of alcohol (in respect of a club)
- Regulated Entertainment
- Provision of Late Night Refreshment

- 3.2 An appropriate authorisation is either, a premises licence, a club premises certificate or a Temporary Event Notice.
- 3.3 Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains details of the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate, be converted into enforceable conditions on any licence issued.
- 3.3 The four licensing objectives are;
- Prevention of crime and disorder
 - Prevention of public nuisance
 - Public safety
 - Protection of children from harm
- 3.5 Any representation must be able to demonstrate that on the balance of Probability the application in its current form will fail to adequately promote one or more of the licensing objectives. No other matters may be considered.

4. The Application

- 4.1 On the 13th September 2018 an application for a Review was received from Martyn White of 576 Rayleigh Road, Brentwood, Essex.

A copy of the Review application is attached as **Appendix 1** relating to noise and anti-social behaviour.

- 4.2 This Premise is currently a Turkish restaurant occupying the ground floor of a substantial building, with a large carpark to one side with residential housing surrounding the building. A copy of the premises licence together with OS street maps and images to better identify the location are attached at **Appendix 2**
- 4.3 Representations have been received from Responsible Authorities - Environmental Health and The Licencing Authority of Brentwood Council. These representations are attached at **Appendix 3**.

Environmental Health refer to noise from customers in the carpark noise from bottle disposal. They also raise concerns of overflowing bins sitting on an unstable surface which causes noise when the bins are moved. They also have concerns from the noise emanating from the kitchen when the kitchen doors are open.

The Licensing Officer has set out an overview of complaints received and detailed them in **Appendix 3**.

- 4.4 Representations have also been received from residents of Rayleigh Road which consist mainly of noise disturbance and anti-social behaviour and the increase of entertainment at weekends these are attached at **Appendix 4**.

Ms Nixon lives next door to the restaurant on the side of the kitchen, bin area and staff rest area, she is disturbed by the noise and violent behaviour from the car park and garden mostly late at night and noise from the refuse and glass disposal area as they are so close to her home. She also experiences noise from the kitchen.

Mr Hussey has put a representation in complains of music noise from the venue and vehicles in the carpark.

Mrs Hailes has also put representation in regarding noise from the air conditioning unit, music, shouting and the slamming of car doors.

Also attached at **Appendix 4** are representations from Councillor Hossack and Councillor Sanders.

Councillor Hossack represents his ward and writes of concerns of the Delivery times of lorries. Noise from the area where the bins are located along with the noise from where the staff congregate, the cooking fumes and the insufficient parking at the venue.

Councillor Sanders makes representation also to the noise from the music and bottle collection and parking. (It should be noted that disabled parking does not fall within the licensing objectives)

5. **Reasons for Recommendation**

These are the options available to the Sub-Committee

- 5.1 The Committee, after considering the review application and all of the relevant representations, will need to consider what action, if any, to take in order to ensure that the Licensing Objectives are complied with.

- 5.2 The following options are available to the Licensing Sub-Committee:
- Do nothing with the licence;
 - To modify the conditions of the premises licence. This can include adding new conditions or alterations to existing conditions e.g. reducing the hours of operation;
 - To exclude a licensable activity from the scope of the licence e.g. to exclude regulated entertainment after a certain hour,
 - To remove the Designated Premises Supervisor e.g. because it is considered that the problems are being caused by poor management;
 - To suspend the licence for a period not exceeding three months;

5.3 The decision made by the committee will not take effect until the end of the period given for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

5.4 In determining this application for review of the premises licence, the Sub-Committee should have regard to the Council's Statement of Licensing Policy and to the guidance issued by the Secretary of State under s182 of the Licensing Act 2003.

5.5 The Sub-Committee are advised that the hearing is a statutory exercise of power delegated by local residents to consider what the public interest requires. The licensing authority, via the Sub-Committee, has a duty, in accordance with the rule of law, to behave fairly in the decision-making procedure. Representations from all parties both written and verbal will form part of matters that are to be considered. Findings on issues of fact should be on the balance of probability.

5.6 The Sub-Committee are advised that the final decision should be based on the individual merits of the application and findings of fact made at the hearing.

5.7 The application must be determined within 5 working days of the conclusion of the hearing, in accordance with paragraph 26 of the Licensing Act 2003 (Hearings) Regulations 2005.

6. Consultation

6.1 The application has been consulted on in accordance with the requirements of the Licensing Act 2003.

7. Statement of Licensing Policy

7.1 Please see Section 22 of Brentwood's policy with reference to 22.2.

Applicants need to be clear the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant reorientations have been received. Conversely, premises for which it can be demonstrated have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.

8. Relevant Section of the Secretary of State's Guidance

8.1 The licensing objectives relating to public nuisance matters arising from this application are covered in Section 2, paragraphs 22.15 to 2.21 (pages 9 & 10) of the Licensing Act 2003, Section 182 Guidance (April 2018).

9. Legal Considerations

9.1 Brentwood Council as Licensing Authority under the Licensing Act 2003 and subordinate legislation, is empowered to determine applications of this nature. Notice must be given of the Licensing Authority's decision on this matter. The decision could be subject to an appeal to a Magistrates Court, which can be instigated by either the applicant or the person who made the representation..

10. Appendices to the report:

- Appendix 1 - Application Form
- Appendix 2 - Premises Licence, OS street maps & images
- Appendix 3 - Representation from Environmental Health
Representation from Licensing Authority
- Appendix 4 - Representation from residents & Councillors

2.2 Report Author Contact Details:

Name: Maria Moses

Telephone: 01277 312642

E-mail: maria.williams@brentwood.gov.uk

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THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

APPENDIX 1

APPLICATION FORM

TO

REVIEW THE PREMISES LICENCE

Mr Martyn Peter White

576 Rayleigh Road, Hutton CM13 1SG

6 NOVEMBER 2018

Application for the Review of a Premises Licence or a Club Premises Certificate

Reference: RP88021018

Before completing this form please read the Review of a Premises Licence or Club Premises Certificate guidance notes.

1. The ground(s) for review must be based on one or more of the licensing objectives.
2. Please list any additional information or details, for example dates or problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant agent (for example a solicitor) may sign on their behalf provided that they have actual authority to do so.
5. This is the address to which we shall use to correspond with you about this application.

I, Martyn Peter White,
apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1

Part 1 - Premises Details

Does the premises have a postal address?: Yes

Ordnance Survey reference or description:

Premises Address

Flat number (if any)

House number / name The Plough

Road name Rayleigh Road

Town Hutton

County Essex

Post Code CM13 1SG

Name of premises licence holder (if known): Mr Phillip Leach

Number of premises licence (if known): 17/00078/LAPRE

Part 2 - Applicant Details

I am: an individual or business other than a responsible authority

I am: a person living in the vicinity of the premises

Details of Individual Applicant or Responsible Authority Applicant or Individual Applicant

Title:

First name:

Surname:

Name:

Address

Flat number (if any)

House number / name

Road name

Town

County

Post Code

Telephone number:

Email address:

I am aged 18 years or over:

This application to review relates to the following licensing objective(s):
the prevention of crime and disorder, the prevention of public nuisance

Please state ground(s) for review (please read guidance note 1):

This former country pub in a residential area, now known as The Skew Bar and Grill where the licence in question is applied, has physically minimally doubled in size and reportedly has circa 250 seats and now operates as a restaurant/nightclub. Since opening in 2017 it has been a constant nuisance particularly during extended licensing hours and weekends, this has progressively worsened more noticeable during the warmer weather. Since the restaurant opened we have been unable to enjoy our home and garden because of the constant anti-social behaviour and noise associated with late opening hours to provide alcohol that are.....

Monday 11:00am-12:00am

Tuesday 11:00am-12:00am

Wednesday 11:00am-12:00am

Sunday 11:00am-12:00am

Thursday 11:00am-01:00am

Friday 11:00am-01:00am

Saturday 11:00am-01:00am

12:00am and performance of live music from 04:00pm-12:00am inside and out of the property. The licensee does not comply with the conditions applied to their licence, namely doors and windows to be closed, vacating the premises quietly and closing external areas by 22:30. Also because of the long licensing hours unacceptable kitchen noise is produced and a large amount of bottles/rubbish are generated, these are nosily disposed of in bins at all hours of the night and early morning. There have been numerous visits from officers from environmental health, including licensing to the property, I have also spoken to them myself to no avail. After numerous noisy weekends I emailed Mr David Leonard, at licensing, on 16th April 2018 over my concerns after a fracas at around 00:30 on the 14th, the previous evening was one of The Skews music events when clientele were loitering in the car park shouting and arguing with each other. The Skew has now had 43 music events to date November 2017- August 2018 (this information is taken from their own Facebook page). A resolution to these problems would be to reduce alcohol licensing hours to 11pm Sunday to Thursday and midnight Friday and Saturday, to close external areas by 9pm and to remove regulated entertainment after 11:00pm also to add a noise limiter to the premises.

Evidence supplied on a USB stick

Please note all AV evidence are taken on amateur handheld video equipment mostly for the audio, please have your volume at full.

Clip 1, Time/Date 00:19am 15th July 2018. Customer leaving, cars leaving and kitchen noise.

Clip 2, Time/Date 00:16 19th July 2018. Customers leaving & loitering in car park.

Clip 3, Time/Date 22:52 14th July 2018. Noise from the verandah.

Clip 4, Date 14th July 2018, Evening, interior of The Skew.

Four Facebook screenshots.

Enviromental Health has other audio evidence.

Please provide as much information as possible to support the application (please read guidance note 2):

Date Occurrences & Times

14th April 2018 Noisy all evening ending with a fracas around 00:30

16th April 2018 Email complaint to Mr David Leonard.

20th April 2018 Noisy all evening and leaving late noisily.

21st April 2018 Noisy all evening and drunk people. leaving late noisily

22nd April 2018 Noisy all evening and leaving late noisily.

23rd April 2018 Music finished after 00:00.

27th April 2018 Noise from car park loud voices etc 00:45 Doors & windows open all evening.

27th April 2018 Noise from car park loud voices, last left 01:45 the next morning, Doors & windows open all evening.

29th April-19th June We are way on holiday and business trips.

21st June 2018 Noise all evening, fracas broke out 23:30. Doors & windows open.

22nd June 2018 Noisy all evening, doors open customers leaving noisily.

23nd June 2018 Noise from music all evening last customer leaves 01:00 the next morning.

29th June 2018 Noisy until late, doors open.

30th June 2018 Exterior noisy until 23:15 Drunk customers leaving noisily.

6th July 2018 Noisy all evening especially from the rear Customers leaving late and noisily.

7th July 2018 Noisy all evening.

13th July 2018 Noisy all evening loud music, loud from front and rear.

14th July 2018 Music finished 00:30, noisy front and rear, customers leaving late & noisily.
15th July 2018 Customers leaving Late & noisily.
18th July 2018 Garden open until 23:10 Noisy all night, last customer leaves 00:45 sounding horns.
20th July 2018 Noisy all day, car park noisy 23:55, 00:27 music from restaurant.
21st July 2018 Garden noisy at 23:00, 00:25 noise from car park.
22nd July 2018 Noisy all day, car park noisy 00:25, garden noisy, car leaving car park noisily at 01:10.
23rd July 2018 Back doors open.
24th July 2018 Back doors open.
25th July 2018 Back doors open.
26th July 2018 Back doors open, garden noise.
27th July 2018 Back doors open, music noise.
28th July 2018 Back doors open, music noise, garden noise, car park noise at 00:45.
29th July 2018 Back doors open, noise from car park.
30th July 2018 Back doors open.
31st July 2018 Back doors open, customers still in garden at 22:50.
1st August 2018 Back doors, open noise from garden.
2nd August 2018 Back doors open, car park noise 00:00.
3rd August 2018 Back doors open, car park noise 23:25.
4th August 2018 Back doors open, customers in the garden at 23.10.
5th August 2018 Back doors open.
6th August 2018 Back doors open.

Have you made an application for review relating to this premises before?: No
If yes, please state the date of that application:

If you have made representations before relating to this premises, please state what they were and when you made them:
none

I understand that copies of this application will be sent by the licensing authority to the responsible authorities and the premises licence holder or club holding the club premises certificate: Yes

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 - Signatures

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 4). If signing on behalf of the applicant, please state in what capacity.

Signature: Martyn Peter White

Date: 13/09/2018

Capacity:

Is the correspondence name and address associated with this application different that which has already been given? (see guidance note 5): No

Please note: You must serve a copy of the application on the licence holder on the day that you made the application.

The Licensing Authority will also serve a copy of the application to each Responsible Authority.

Dave Leonard

From: martyn white ~~martyn.white@brentwood.gov.uk~~
Sent: 13 September 2018 16:57
To: Licensing
Subject: Reference RP88021018 The Skew

Follow Up Flag: Follow up
Flag Status: Completed

RE: Reference RP88021018

Dear Sirs,

I understand due to a technical malfunction of your web site my personal details were not published on my licence review, please find the details below.

Regards.

Martyn White.

Martyn Peter White

576 Rayleigh Road

Hutton

Essex

CM13 1SG

Tele: ~~01279 820040~~

Mail: ~~martyn.white@brentwood.gov.uk~~

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THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

APPENDIX 2

PREMISES LICENCE, OS MAP & IMAGES

6 NOVEMBER 2018



Premises Licence

Premises Licence Number	PRM_0364
Application Number	17/00078/LAPRE
Date of Issue	22 nd November 2017

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Skew Bar & Grill
Rayleigh Road
Hutton
Brentwood
CM13 1SG**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

**An additional one hour to be added to all licensable activity on
Christmas Eve and New Year's Eve into the following morning**

Performance of Dance

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

Performance of Live music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Playing of Recorded music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

An additional one hour to be added to all licensable activity on Christmas Eve and New Year's Eve into the following morning

The opening hours of the premises

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Philip Leach
The Skew Bar & Grill
Rayleigh Road
Hutton
Essex
CM13 1SG**

Email Address **ploughlandlord@aol.com**

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Philip Leach

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Personal Licence Number: PSL0272
Licensing Authority: Brentwood Borough Council**

Annex 1 – Mandatory conditions

- 1 **No supply of alcohol may be made under this licence**
 - a) At a time when there is no designated supervisor in respect of it or,
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

- 2 **every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.**

- 3 **(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - a) a holographic mark, or .
 - b) an ultraviolet feature.

- 4 **(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - a) a holographic mark, or .
 - b) an ultraviolet feature.

- 5 **(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— .

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) 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).

6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available

7 The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and,

(ii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Annex 2 – Conditions consistent with the Operating Schedule

- 1 Doors and windows to remain closed throughout the whole trading hours.**
- 2 Notices to be displayed requesting customers to vacate the premises quietly.**
- 3 The external areas of the premises shall be cleared of customers no later than 2230hrs daily save for those using the designated smoking area.**
- 4 Children will be permitted in the premises in the company of a responsible adult.**
- 5 Children will not be permitted on the premises or in the garden after 22.30.**
- 6 The applicant will provide and maintain a barrier in the car park to preclude its unauthorised use outside licensing hours.**
- 7 Any sound emitted from amplified music or amplified speech within the premises shall be controlled so as to be inaudible at, or within, neighbouring dwellings when assessed by the Director of Parks & Regulatory Services or his agent.**
- 8 The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises which is of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition.**
- 9 The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises.**
- 10 All recordings will be kept in an unedited format for a period of not less the 31 days with correct time and date stamping.**
- 11 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.**
- 12 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.**
- 13 A plan of the premises identifying the location and direction of CCTV coverage shall be served on Essex Police and the Licensing Authority each time it is altered.**
- 14 Staff will be trained as to their responsibilities with regard to the sale of alcohol, with refresher training when required. A written record of such training shall be kept on the premises and signed by the relevant member of staff.**

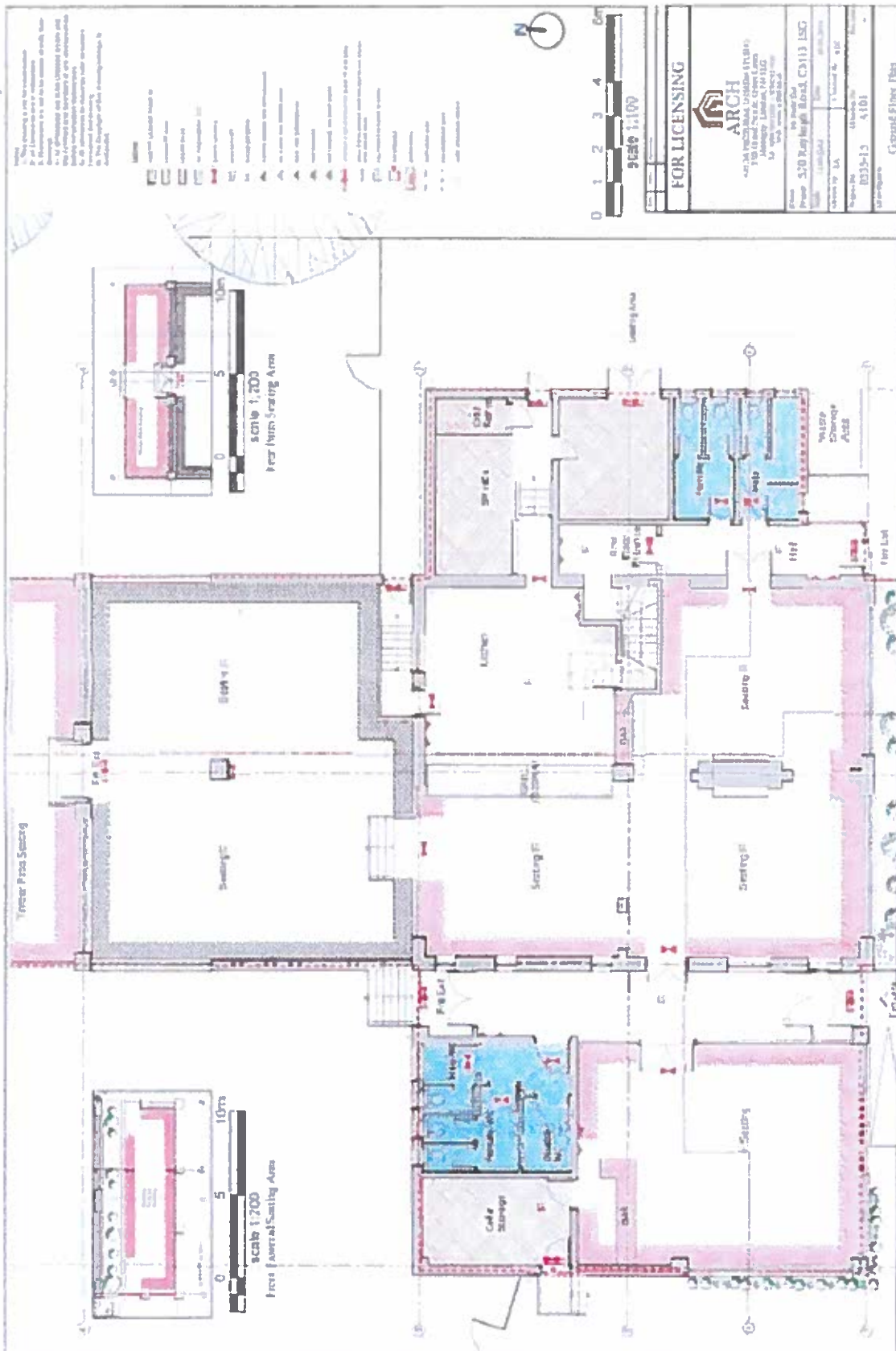
- 15 All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.
- 16 Reasonable and adequate staff training to be carried out and properly documented in relation to:
a) Dealing with incidents and prevention of crime and disorder.
b) Sale of alcohol (to underage, persons over 18 purchasing for underage, drunks, etc.) prior to being allowed to sell alcohol.
- 17 The premises will maintain a bound log book for all incidents, accidents and emergencies which shall include the following information; and will be available to Essex Police or other Responsible Authority immediately upon lawful request.
a) All crimes reported to the venue.
b) All ejections of patrons.
c) All refusals of service.
d) Any complaints received.
e) Seizures of drugs or offensive weapons.
f) The full name of any person who has been involved in dealing with any of the above matters.
- 18 Notices shall be prominently displayed at all exits requesting patrons to leave quietly.
- 19 No drinks or glassware shall be permitted in external areas or outside the premises after 2230hrs daily.
- 20 From 2230hrs the number of persons permitted in the smoking area shall be restricted to 10 at any one time.
- 21 The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce will result in service being refused. Acceptable forms of photographic identification include:
a) Passport,
b) Photo card Driving Licence,
c) Photographic ID bearing the 'PASS' hologram

Annex 3 – Conditions attached after a hearing by the licensing authority

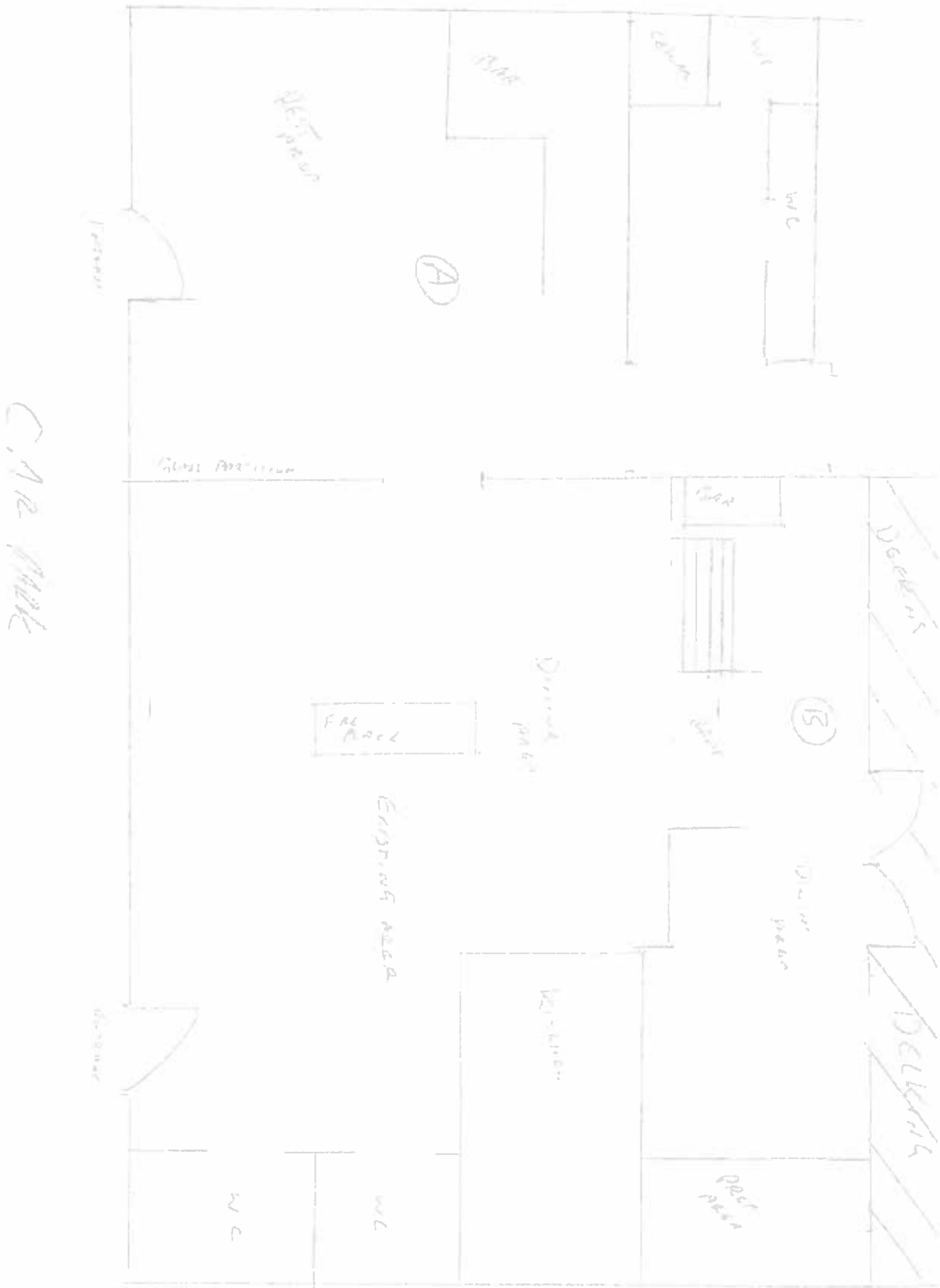
Annex 4 – Plans

Licence issued subject to the attached plan 0535-15 no. A101 dated 23/06/2016
The Plough 570 Rayleigh Road CM13 1SG

The Plough



Amended to hand drawn sketch (below) submitted 18SEP17 indicating slight design change of front bar and additional bar included in the rear dining area.



Premises Licence Summary

Premises Licence Number	PRM_0364
Application Number	17/00078/LAPRE
Date of Issue	22nd November 2017

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Skew Bar & Grill
Rayleigh Road
Hutton
Brentwood
CM13 1SG**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

**An additional one hour to be added to all licensable activity on
Christmas Eve and New Year's Eve into the following morning**

Performance of Dance

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

Performance of Live music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Playing of Recorded music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

An additional one hour to be added to all licensable activity on Christmas Eve and New Year's Eve into the following morning

The opening hours of the premises

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Philip Leach
The Skew Bar & Grill
Rayleigh Road
Hutton
Essex
CM13 1SG

Email Address

ploughlandlord@aol.com

Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Philip Leach

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: PSL0272
Licensing Authority: Brentwood Borough Council



THE SKEW BAR & GRILL, 570 RAYLEIGH ROAD

Drawing No. :

Scale at A4 : 1:2500

Drawn by : OSJ

Service : ICT

Date : 18th October 2018

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Philip Ruck
 Chief Executive
 Brentwood Borough Council
 Town Hall, Ingrave Road
 Brentwood, CM15 8AY
 Tel.: (01277) 312500



THE SKEW BAR & GRILL, 570 RAYLEIGH ROAD



Drawing No. :
 Scale at A4 : 1:1250
 Drawn by : OSJ
 Service : ICT
 Date : 18th October 2018

Philip Ruck
 Chief Executive
 Brentwood Borough Council
 Town Hall, Ingrave Road
 Brentwood, CM15 8AY
 Tel.: (01277) 312500

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THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

APPENDIX 3

REPRESENTATIONS

Responsible Authorities

David Carter – BBC Environmental Health

Stephen Blake – BBC Environmental Health

Dave Leonard – BBC Licensing

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THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

REPRESENTATION

Responsible Authorities

BBC Environmental Health

David Carter & Stephen Blake

6 NOVEMBER 2018

Dave Leonard

From: David Carter
Sent: 11 October 2018 17:16
To: Licensing
Cc: Paul Adams; Stephen Blake
Subject: Licensing Review - Environmental Health Representation
Attachments: RE: RE: Meeting re The Skew; Room 3, 7 Arch's, Ingrave Road, Essex: Held 11:30 3rd August 2018

Follow Up Flag: Follow up
Flag Status: Completed

I confirm that the Environmental Health Pollution team wish to make representation to the review of the premises licence for the Skew Rayleigh Road, Hutton.

The district EHO, Stephen Blake, is away from the office at present, but wishes to raise a number of issues which have been investigated and raised with the premises management previously

1. Noise from Patrons/customers in the Car Park

- a. It was confirmed that regular monitoring of the outside area would be carried out by Mr. Leach on a regular basis and that these checks would be logged in the Monitoring Log book described above. This monitoring would have the dual action of assessing possible noise breakout from the Bar area and control of external noise.
- b. Signage was noted to be in place advising patrons/customers to 'keep quiet' in the interest of nearby residents.

2. Noise from bottle disposal

- a. It was agreed via Mr. Leach that from now on, no bottle will be brought outside until the morning. No earlier than 08:00hrs.
- b. The contract for Veolia to remove the bottles has been cancelled and the collection of same will be carried out by another refuse collection company? Could this 'new' arrangement be confirmed in writing and a copy of the contract be forwarded on to Environmental Protect, for the attention of Steve Blake. As discussed the collection process could either be carried as all at one time or on several occasions. Note any collection of bottles must not be carried out before 08:00hrs.

3. Refuse collection area and bin storage

- a. It was confirmed that the refuse storage containers (Wheelie Bins) must be sufficient in number to cater for the refuse that accumulates. During a recent visit to the refuse area by Elaine Higgins and Steve Blake it was noted that none of the Wheelie bin lids could be closed and one of the bins (out of three that were there at the time) had the lid fully open. This practice was confirmed as unsatisfactory and could easily attract vermin and flies. A fact that was noticed at the time when flies were observed in and around the bins. It was confirmed that the quantity of bins to be made available has now been increased. Confirmation is necessary in the form of a copy of the 'new' refuse collection contract to be forwarded on to Environmental Protection for the attention of Steve Blake.
- b. During the visit to the refuse area it was noted that there was a strip of broken cement between the 'upper' tarmac car park area and the concrete refuse area. This thin area was noted very pitted/holed and defective. When the refuse collection bins passed over this area whether full or empty there was considerable noise created. It was required and was agreed by The Skew that this

area would be filled in and made smooth so that the Wheelie bins could travel over freely and without hindrance/noise. Collection of these bins should not occur before 08:00hrs.

4. Kitchen Doors

- a. It was confirmed that both Kitchen doors to the flank of the building must be kept closed. At the time of the visit by Elaine Higgins and Steve Blake many flies (from the open bins) were noted having access into the food preparation area due to these doors being open. Additionally food preparation noise could also be heard by nearby residents.
- b. To assist in a. above it was agreed that suitable Door Closers be fitted to the two side Kitchen/Food Prep doors. Additionally, as complaints have been received regarding the rapid closing of the doors earlier, with the subsequent banging it is recommended that Soft Closing mechanisms be fitted to the closers.

In view of the above concerns we would wish the Licensing Committee to consider the matters listed above and in the attached email sent to the premises licence holder at the review hearing and determine whether additional conditions need to be imposed in order to meet the licensing objectives of prevention of public nuisance.

David

David Carter | Environmental Health Manager & Deputy GM Corporate Enforcement | Brentwood Borough Council
T 01277 312500 | F 01277 312743 | www.brentwood.gov.uk | david.carter@brentwood.gov.uk



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We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to www.brentwood.gov.uk/privacy.

THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

REPRESENTATION

Responsible Authorities

BBC Licensing

Dave Leonard

6 NOVEMBER 2018

THE UNIVERSITY OF CHICAGO LIBRARY

1927



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

Tuesday, 9th October 2018

Dear Mr Adams,

SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

Application For a Premises Licence to be Reviewed

Representation by a Responsible Authority (Licensing)

I wish to make a representation in support of the Application for a Premises Licence to be Reviewed at ***The Skew Bar & Grill, Rayleigh Road, Hutton CM13 1SG*** made by Mr. Martyn White. 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).

Since 16th April 2018, I have been made aware of complaints of public nuisance relating to ***The Skew Bar & Grill*** raised by local residents, Ms Jackie Nixon, Mr Martin White and Mr Clive Hussey and supported by their ward councillors Mr Chris Hossack and Miss Olivia Sanders.

Many of these complaints relate to the alleged excessive noise nuisance caused by the live entertainment provided or the noise nuisance and anti-social behaviour being caused by customers when they leave the restaurant in the early hours of the morning at weekends. This kind of complaint is generally the remit of the Environmental Health Noise Pollution Team and the matter, in the first instance, was referred to the EHO, Mr Steve Blake, for his initial assessment.

I have provided redacted copies of the e-mail communications received and responses given during this period and they can be found attached to the supplementary documents supporting my representation. Likewise, I have also included a diarised timesheet of my responses and actions.

Having been made aware of these noise nuisance complaints, and accompanied by Mr Blake, on Monday, 30th April 2018 at 3.25pm, I attended ***The Skew Bar & Grill*** and conducted a full premises licence inspection in the presence of the Premises Licence Holder and Designated Premises Supervisor, Mr Philip Leach and his manager and new business partner, Mr Firat Ozkan. I commented that Mr Ozkan was not the business partner I had met with him previously and Mr Leach explained that there had been a lot of "agg" and a very acrimonious split with his former partners which just happened to occur around the time of an arson attack on the building on 5th December 2017.

On this occasion I determined that the management were failing to comply with two minor conditions that did not directly affect the promotion of the licensing objectives and I advised Mr Leach that I would deal with this matter by issuing a warning letter (***see attached warning letter dated 24th May 2018***). It is my feeling that the meeting was very constructive and both Mr Leach & Mr Ozkan appeared to offer practical solutions to the noise nuisance and odour concerns raised. Particular attention was given to addressing a dispersal policy and managing the outside areas.

Footnote:

On Monday, 30th November 2015, at the request of Mr Leach, I visited the premises, a public house formerly known as The Plough, and met with his business partners Mr Jimmy Kyriacou and Mr Nadir Gul. The pub was now closed and in a very delapidated state. The men were seeking to undertake a major renovation and extension of the premises and to re-open the venue as a high quality Turkish Shish Meze restaurant and with no intention to create an entertainment venue. They promoted the project as running similarly to another Shish Meze Restaurant that they owned in my former working district of Emerson Park, Hornchurch. This premises, situated in a residential location, had not created any nuisance concerns during my time in office and I was minded to support their proposals subject to receiving a full and detailed application to vary the licence. On 5th July 2016, Mr Leach applied to vary the premises licence as proposed but initially failed to correctly advertise the application. The consultation period for this application was subsequently extended until 10th August 2016 in order for the requirements of the Licensing Act 2003 to be satisfactorily addressed. I did notify Councillors Hossack and Sanders of this application by email on 20th July 2016. On 22nd August 2016, twelve days after the end of the consultation period, I received an enquiry from Councillor Hossack advising that a number of people, including the Chairperson, from the Haverings Grove Residents' Association had expressed their concerns with this application and, between 22nd and 26th August 2016, I subsequently received enquiries from six local residents. I did respond to and advise each one of them about the application and not one of them had issue with a restaurant opening. It appears that the residents became confused with the public notices being displayed and believed them all to be relating to old planning notifications. I have not received any further communication from any of these residents and, to date, I do not believe that they have made representation to this review application. Ms Nixon contacted me on 10th August 2016 at 2.05pm and enquired about the application. I advised her that the premises intended to re-open as a restaurant with no extension to its current hours of licensable activities and she appeared satisfied with my explanation. Councillor Hossack was subsequently appraised on the outcome on 26th August 2016 at 4.35pm & was happy to report back to the Residents Association. No representations were received and a premises licence was subsequently issued to Mr Leach.

On Saturday, 16th June 2018 at 11.55pm, I conducted a licensing visit together with Mr Blake and upon entering I was greeted by Mr Hayirola Berkpinar who introduced himself as the manager. The DPS, Mr Leach, was unavailable. Both front doors had been secured open by means of tying the door handles to the outside hand rails with string. This not only breached Annex 2 Condition 1 "doors and windows to remain closed throughout the whole trading hours" but it effectively nullified the sound reducing design of the lobby area. There were several people smoking outside and and/or waiting for taxi cabs and one man, who appeared the worse for wear with alcohol, was very loud. No staff members were outside controlling this area and this was pointed out to Mr Berkpinar. **See attached second warning letter to Mr Leach dated 27th June 2018.**

On Saturday, 30th June 2018 at 10.30pm, I conducted another licensing visit. On this occasion I was accompanied by the Principal Licensing Officer, Mr Paul Adams. On entering the car park, I noticed that one of the front windows was open & I could actually smell cooked meat as we passed. By the time we had parked up and approached the premises I had observed the window being closed and there was no longer a smell of food. Once again, Mr Leach was unavailable and Mr Berkpinar was the manager on duty. However, the live music being performed in the dance area was so loud that we could not hear ourselves speak and we had to go outside into the car park with Mr Berkpinar in order to communicate effectively. Admittedly, once outside and with the lobby doors closed & fulfilling their purpose, I did not consider that the noise of the music was excessive. We did witness kitchen staff bringing out empty bottles in large black bin bags and deposit them by the kitchen. Mr Blake has since advised me that this practice breaches planning conditions. **See attached email report to EHO, Mr Steve Blake, dated 3rd July 2018.**

On Thursday, 5th July 2018 at 3.45pm, I attended a meeting at Seven Arches Road organized by Councillor Hossack to meet with aggrieved local residents, Ms Jackie Nixon and Mr Martyn White. Also in attendance were EHO, Mr Steve Blake, Environmental Health Manager & Deputy GM Corporate Enforcement, Mr David Carter, and Principal Licensing Officer, Mr Paul Adams. Both Mr Carter and Mr Adams spoke for their respective departments. Whilst accepting the views of all parties, it was suggested that, perhaps, being resident 24/7, Ms Nixon and Mr White were more likely to have witnessed a sustained failure by the management of The Skew Bar & Grill to promote the licensing objectives with a particular emphasis on the prevention of causing public nuisance. In conclusion, Mr Adams offered guidance on how any interested party may seek to review a premises licence.

On Friday, 3rd August 2018 at 11.30am, I attended a meeting at Seven Arches Road arranged by EHO, Mr Blake, to clarify complaints made and the proposed undertakings carried out to address them, to invited guests, Mr Philip Leach, Mr Firat Ozkan and Mr Hayirola Berkpinar. Also present were Environmental Health Manager & Deputy GM Corporate Enforcement, Mr David Carter, and Food Safety Officer, Mrs Anita Tandon. The following complaints were addressed;

Odour from charcoal cooking, Noise from entertainment, Noise from patrons/customers in the car park, Noise from bottle disposal, Refuse collection area and bin storage and Kitchen doors.

See attached email report by EHO, Mr Steve Blake to Mr Philip Leach dated 6th August 2018.

On Thursday, 13th September 2018, the Licensing Office received an application to review the premises licence at The Skew Bar & Grill submitted by Mr White. I then updated the Council's Licensing web page with details of the application and on Friday, 14th September 2018 at 4pm, together with fellow licensing officer, Mrs Caroline Harrison, I attended the Skew Bar & Grill, served a copy of the review application on the manager in charge and posted on display several blue public notices in accordance with the Licensing Act 2003. Mr Leach was not present at the premises but I did speak with him on the phone and advised him of the action being taken.

On Saturday, 7th October 2018 at 11pm, together with Mr Paul Adams and Mrs Caroline Harrison, I conducted another licensing inspection. On this occasion both Mr Leach and Mr Ozkan were on the premises in a managing capacity. There was a DJ playing to a party of women with the music being of a far more acceptable level that did not appear to be impacting on the enjoyment of the revellers or the comfort of the diners. In fact, we were even able to conduct our enquiries without the need to leave the building or shout at one another. Upon inspection the premises licence the condition failures identified in the first visit and highlighted in the first warning letter had been addressed although they could be improved on. The only fail on this occasion related to being unable to provide a premises plan identifying the location and direction of CCTV coverage (Annex 2, Condition 13). **See attached third advisory letter to Mr Leach dated 27th June 2018.**

Over the past six months I have received a number of complaints relating to the premises opening its doors and windows in direct breach of Annex 2, Condition 1; **"doors and windows to remain closed throughout the whole trading hours"**. On some occasions, these complaints have been quite literal and related to daytime hours where no entertainment or music is being played and bi-fold doors have probably been opened in order to offer an alfresco experience in what has been a quite exceptional summer. In these instances, it is my contention that the management are not failing to promote the licensing objectives in doing so. However, I accept that the opening of doors and windows when no music is being played does not address concerns raised relating to potentially offensive odours being produced. Whilst odours do not come under the remit of licensed activities, I would defer to the expertise of the EHO, Mr Blake, when addressing these complaints. Nevertheless, the wording of this condition and several others offered by the applicant, Mr Leach, in his operating schedule when applying to vary the premises licence back in 2016 highlights exactly why the conditions and hours of licensable activity for this premises licence need to be reviewed. I would ask that appropriate and proportionate conditions are necessary to support the proprietor to succeed in his business but also safeguard the residents who are, after all, expected

to live 24/7 with these terms & conditions. Any conditions attached to a premises licence need to be practical and capable of being regulated and, where necessary, enforced by the responsible authorities entrusted to do so.

It is natural to assume that the later the terminal hour of a licensed premises offering regulated entertainment goes, the more the likelihood of public noise nuisance and disturbance increases. Whilst this might be perfectly acceptable in a High Street with a thriving night time economy, it is never going to be so favourably received in predominantly residential locations. Most of the complaints received against The Skew Bar & Grill relate to noise nuisance caused in the outside car park area and the subsequent dispersal of customers at closing time. Most of those leaving or awaiting the arrival of taxi cabs are in a celebratory mood after an evening of entertainment. Most late-night clubs & bars have a general requirement for the management to have a cooling down period, or chill out time, at the end of the evening and a drinking up time to enable the patrons to leave the premises at a gradual staggered rate and in a more orderly fashion. The tendency for the management at restaurants, catering for people celebrating with live entertainment, is to build the event up into a big crescendo at the end of the evening and to send the patrons away in a merry mood and eager to return. Once the entertainment ends there is a mass exodus outside where persons can suffer from temporary hearing loss caused by being subjected to the loud music in an enclosed area and this causes them to believe that they need to talk louder to be heard.

Mr Leach has previously offered to install a noise limiter and improve staff management to the outside area, including monitoring of the car park, especially in the evenings and at closing time. Producing a comprehensive and robust parking plan and dispersal policy may well serve to reduce noise nuisance & disturbance complaints. Whilst parking on the streets does not fall within the licensing objectives, a more pro-active approach by staff to accommodate customers would, undoubtedly, appease the residents who have to endure inconsiderate parking. I appreciate that waste disposal is also not covered by the LA2003, but I find it incredulous that the management cannot relocate their waste bins away from a fence only a matter of metres from their neighbour's home. I have also suggested that those wishing to smoke are not permitted to take drinks outside after 2200hrs. This will discourage persons from remaining outside any longer than is necessary to satisfy their smoking needs. Adopting a taxi ordering service and setting aside a hospitality area inside the premises for persons waiting for transport to arrive could reduce noise nuisance. To date, none of these proposals has been forthcoming in writing.

If the management at The Skew Bar & Grill are unable, or unwilling, to introduce a far improved customer dispersal policy and it is not a consideration to reduce the hours of licensable activity of a premises situated in a predominantly residential location, perhaps consideration will be given to requiring the employment of SIA registered door supervisors on any occasion that the premises operates past midnight.

I do support the concerns raised by the Mr White and the local residents and I make representation in support of this application to review the premises licence on the grounds that the management team at The Skew Bar & Grill have so far been unable, or unwilling, to adequately promote the licensing objectives relating to the prevention of public nuisance.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at the Brentwood Council Depot at Warley on 01277 312523.

Yours sincerely,

Dave Leonard

Licensing Officer | Brentwood Borough Council

LICENSING OFFICER'S REPRESENTATION

SKEW BAR & GRILL

TIMELINE – CALLS & VISITS

April 2018

- 20th 3.05pm *Call from Ms Jackie Nixon. Advised & referred to EHO Steve Blake*
- 23rd 3.50pm *Further call received from Ms Nixon and advice given.*
- 25th 4.15pm *Mr Phil Leach calls & confirms that he is still very much the PLH/DPS & was seeking advice on Temporary Event Notices (TENs) for the rear garden w/plans to introduce a kids play area. Informed of recent complaints received & advised against the idea*
- 30th 10am *Cllrs Hossack & Sanders propose a meeting with EHO & Licensing officers set for 3rd May to discuss ongoing complaints at The Skew*
- 1.05pm *Contact Mr Leach to arrange visit to conduct a licence inspection.*
- 2.45pm *Contact Ms Nixon to advise of proposed actions.*
- 3.25pm *Together with Mr Steve Blake, visit The Skew Bar & Grill and meet with Mr Phil Leach & manager, Mr Firat Ozkan to discuss ongoing complaints and conduct a full premises licence inspection.*

May 2018

- 3rd 10.20am *Meet w/Steve Blake & Cllrs Hossack & Sanders to update position.*
- 24th 9.30am *Warning letter sent to The Skew & response to Cllr Hossack memo.*
- 1.20pm *After several calls manage to advise Ms Nixon of ongoing actions.*
- 2.05pm *Call Mr Leach to advise of continued complaints & informed that he is completing a written response to my warning letter.*

June 2018

- 16th 11.55pm Licensing enforcement visit conducted with Mr Blake. DPS Mr Leach not available. Manager in charge Mr Hayirola Berkpinar.
- 26th 4.10pm Call from Mr Blake who has witnessed all doors & windows open
- 5.10pm Call Mr Leach and remind of licensing condition Annex 2, cond. 1 and offered suggestions how to appease his neighbours.
- 27th 9.25am Call from Mr Leach who states that his partners do not wish to contemplate reducing the hours of licensing activity.
- 1pm Second Skew Bar warning letter sent to Mr Leach.
- 4.50pm Case conference with EHO Mr Blake to discuss strategy.
- 30th 10.30pm Licensing enforcement visit conducted with Mr Paul Adams, Principal Licensing Officer. DPS Mr Leach once again unavailable and Mr Berkpinar spoken to. Not impressed with his attitude.

July 2018

- 3rd 11.30am Contact Mr Leach to advise that a meeting with Cllrs. & residents is proposed to discuss continuing noise nuisance complaints.
- 5th 3.45pm Meeting at Seven Arches Road with Cllr. Hossack, Ms Nixon and Mr Martyn White re- continued complaints being received about The Skew Bar. Also in attendance from the BBC is Mr Paul Adams, Mr Blake and his manager, Mr David Carter. Options discussed and consideration given to residents seeking a Review of the premises licence.
- 10th 9.50am Contact Mr Leach to advise of the outcome of the meeting held. He is angry that he was not invited & advises that Mr Berkpinar is no longer connected with the premises.

August

3rd 11.25pm Meeting held by EHO, Mr Steve Blake, at Seven Arches Road with Mr Leach, Mr Ozkan and Mr Berkpinar to discuss the address of ongoing nuisance complaints. Also present were EHO Head of Service, Mr David Carter, & Food Safety Officer, Mrs Anita Tandon

September 2018

13th 1.20pm Receive application seeking a Review of the premises licence submitted by Mr White. Contacted him to confirm information.

2.35pm BBC web page updated with application information.

14th 4pm Visit The Skew to serve Review application and display blue public notices. Mr Leach not available but contacted by phone & advised.

25th 12.05pm Call received from Mr Leach alleging of vexatious complaints made & seeking advice on the matter. Advised to seek legal advice

October 2018

4th 3.10pm Email sent to Mr Clive Hussey advising of the Review application.

7th 11pm Licensing enforcement visit conducted with Mr Paul Adams and Mrs Caroline Harrison (Licensing Officer) & full licence inspection completed. Mr Leach present together with Mr Ozkan.

10th 10am Advisory warning letter of outcome of latest visit sent to Mr Leach

10th 11am Licensing Officer's representation submitted.

LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

1. *Copy of Premises Licence & Premises Plan issued 22nd November 2017*
2. *Copy of Warning Letters dated 24th May 2018, 27th June 2018 and 10th October 2018 sent to Mr Philip Leach (Skew Bar & Grill)*
3. *Email to EHO, Mr Steve Blake, advising of licensing enforcement visit conducted on 30th June 2018*
4. *Email from EHO, Mr Steve Blake, to Mr Philip Leach (Skew Bar & Grill) itemizing points of discussion at meeting held on 3rd August 2018.*
5. *Email responses to Local Authority received from Mr Philip Leach.*
6. *Email response to Councillor Hossack (acting on behalf of local residents), dated 26th June 2018, from Principal Licensing Officer, Mr Paul Adams, explaining the Licensing perspective.*
7. *Email response to Mr Martyn White and Councillors Hossack & Sanders, dated 25th June 2018, from Environmental Health Manager & Deputy General Manager Corporate Enforcement, Mr David Carter, detailing his Department's perspective and advising of an alternative remedy.*
8. *Redacted email communications received from residents Ms Jackie Nixon, Mr Martyn White & Mr Clive Hussey and Councillors Hossack & Sanders together with responses made in chronological order from 16th April 2018*

LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

1. *Copy of Premises Licence & Premises Plan issued 22nd November 2017*



Premises Licence

Premises Licence Number	PRM_0364
Application Number	17/00078/LAPRE
Date of Issue	22 nd November 2017

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Skew Bar & Grill
Rayleigh Road
Hutton
Brentwood
CM13 1SG**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

**An additional one hour to be added to all licensable activity on
Christmas Eve and New Year's Eve into the following morning**

Performance of Dance

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

Performance of Live music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Playing of Recorded music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

An additional one hour to be added to all licensable activity on Christmas Eve and New Year's Eve into the following morning

The opening hours of the premises

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Philip Leach
The Skew Bar & Grill
Rayleigh Road
Hutton
Essex
CM13 1SG

Email Address **ploughlandlord@aol.com**

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Philip Leach

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: PSL0272
Licensing Authority: Brentwood Borough Council

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under this licence
 - a) At a time when there is no designated supervisor in respect of it or,
 - b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2 every supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
- 3
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or .
 - (b) an ultraviolet feature.
- 4
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or .
 - (b) an ultraviolet feature.
- 5
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— .
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise); .
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .
- (e) 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).
- 6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available
- 7 The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and,
- (ii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Annex 2 – Conditions consistent with the Operating Schedule

- 1 Doors and windows to remain closed throughout the whole trading hours.**
- 2 Notices to be displayed requesting customers to vacate the premises quietly.**
- 3 The external areas of the premises shall be cleared of customers no later than 2230hrs daily save for those using the designated smoking area.**
- 4 Children will be permitted in the premises in the company of a responsible adult.**
- 5 Children will not be permitted on the premises or in the garden after 22.30.**
- 6 The applicant will provide and maintain a barrier in the car park to preclude its unauthorised use outside licensing hours.**
- 7 Any sound emitted from amplified music or amplified speech within the premises shall be controlled so as to be inaudible at, or within, neighbouring dwellings when assessed by the Director of Parks & Regulatory Services or his agent.**
- 8 The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises which is of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition.**
- 9 The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises.**
- 10 All recordings will be kept in an unedited format for a period of not less the 31 days with correct time and date stamping.**
- 11 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.**
- 12 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.**
- 13 A plan of the premises identifying the location and direction of CCTV coverage shall be served on Essex Police and the Licensing Authority each time it is altered.**
- 14 Staff will be trained as to their responsibilities with regard to the sale of alcohol, with refresher training when required. A written record of such training shall be kept on the premises and signed by the relevant member of staff.**

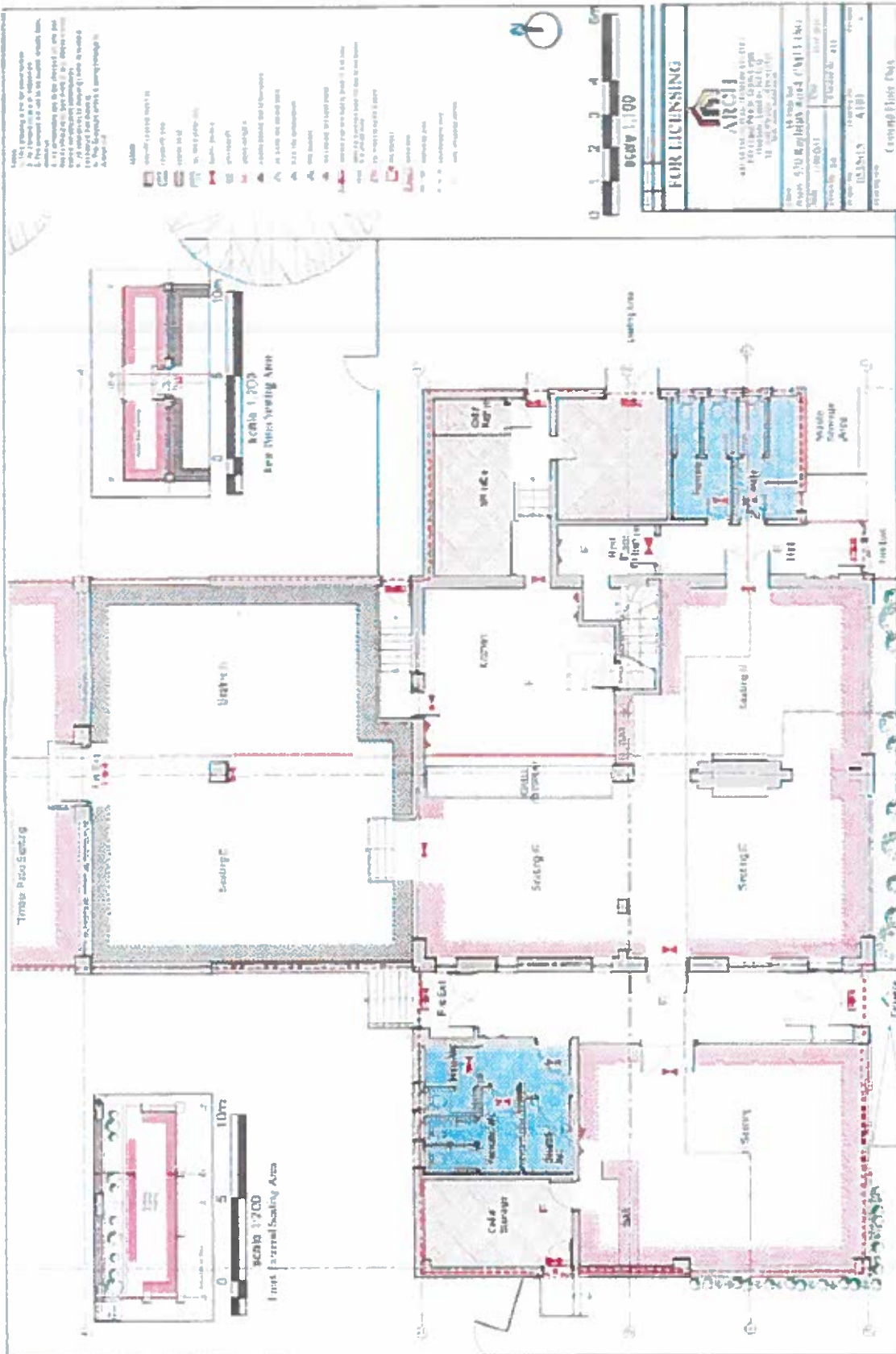
- 15 All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.
- 16 Reasonable and adequate staff training to be carried out and properly documented in relation to:
- a) Dealing with incidents and prevention of crime and disorder.
 - b) Sale of alcohol (to underage, persons over 18 purchasing for underage, drunks, etc.) prior to being allowed to sell alcohol.
- 17 The premises will maintain a bound log book for all incidents, accidents and emergencies which shall include the following information; and will be available to Essex Police or other Responsible Authority immediately upon lawful request.
- a) All crimes reported to the venue.
 - b) All ejections of patrons.
 - c) All refusals of service.
 - d) Any complaints received.
 - e) Seizures of drugs or offensive weapons.
 - f) The full name of any person who has been involved in dealing with any of the above matters.
- 18 Notices shall be prominently displayed at all exits requesting patrons to leave quietly.
- 19 No drinks or glassware shall be permitted in external areas or outside the premises after 2230hrs daily.
- 20 From 2230hrs the number of persons permitted in the smoking area shall be restricted to 10 at any one time.
- 21 The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce will result in service being refused. Acceptable forms of photographic identification include:
- a) Passport,
 - b) Photo card Driving Licence,
 - c) Photographic ID bearing the 'PASS' hologram

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

Licence issued subject to the attached plan 0535-15 no. A101 dated 23/06/2016
The Plough 570 Rayleigh Road CM13 1SG

The Plough



Amended to hand drawn sketch (below) submitted 18SEP17 indicating slight design change of front bar and additional bar included in the rear dining area.





Premises Licence Summary

Premises Licence Number	PRM_0364
Application Number	17/00078/LAPRE
Date of Issue	22nd November 2017

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Skew Bar & Grill
Rayleigh Road
Hutton
Brentwood
CM13 1SG**

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

**Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Performance of Live music
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

**An additional one hour to be added to all licensable activity on
Christmas Eve and New Year's Eve into the following morning**

Performance of Dance

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	10:00 - 00:00

Performance of Live music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Playing of Recorded music

Thursday	16:00 - 00:00
Friday	16:00 - 00:00
Saturday	16:00 - 00:00
Sunday	16:00 - 00:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

Sale by Retail of Alcohol

Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Wednesday	11:00 - 00:00
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Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

An additional one hour to be added to all licensable activity on Christmas Eve and New Year's Eve into the following morning

The opening hours of the premises

Monday	11:00 - 00:00
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Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

2. *Copy of Warning Letters dated 24th May 2018, 27th June 2018 and 10th October 2018 sent to Mr Philip Leach (Skew Bar & Grill)*



Mr Philip Leach
The Skew Bar & Grill
Rayleigh Road
Hutton CM13 1SG

Date: 24th May 2018
Contact: Dave Leonard
01277 312523

Dear Mr Leach,

**Licensing Act 2003 – Premises Licence
The Skew Bar & Grill, Rayleigh Road, Hutton CM13 1SG**

On Monday, 30th April 2018 at 3.25pm, together with Mr Steve Blake (Brentwood Borough Council Environmental Protection Officer), I met with you and Mr Firat Ozkan (partner/manager) at *The Skew Bar & Grill* to discuss a number of alleged public nuisance complaints received relating to the management of the premises.

You confirmed that you are still the current Premises Licence Holder and Designated Premises Supervisor of The Skew Bar & Grill and we discussed in detail the operating schedule of the premises and the conditions attached in Annex 2 to the licence.

As a result of this inspection, it was determined that you are not compliant with the following two Conditions 15 & 17 in Annex 2;

- (15) All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.**
- (17) The premises will maintain a bound log book for all incidents, accidents and emergencies which shall include the following information; and will be available to Essex Police or other Responsible Authority immediately upon lawful request.**
- a) All crimes reported to the venue.**
 - b) All ejections of patrons.**
 - c) All refusals of service.**
 - d) Any complaints received.**
 - e) Seizures of drugs or offensive weapons.**
 - f) The full name of any person who has been involved in dealing with any of the above matters.**

These breaches of the premises licence conditions are easily remedied and you readily undertook to resolve this issue as a matter of priority.

We also had a very positive conversation relating to how you and your staff could manage the dispersal of customers during the course and at the end of the evening to reduce noise disruption in and around the car park and the local vicinity.

However, we continue to receive public nuisance noise complaints, particularly at weekends, that implies that you may be failing to comply with Annex 2 Condition 7 of your licence;

(7) Any sound emitted from amplified music or amplified speech within the premises shall be controlled so as to be inaudible at, or within, neighbouring dwellings when assessed by the Director of Parks & Regulatory Services or his agent.

Both Steve Blake and I are in regular contact with the residents and local Councillors will continue to monitor this situation. Please ensure that you take note of the above information and act upon it immediately. Further action may follow without further warning should the terms and conditions of your premises licence continue to be breached.

If in doubt about your rights and responsibilities you may contact your legal advisor or this office, where any questions can be answered.

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

Yours Sincerely,



Dave Leonard
Licensing Officer



Mr Philip Leach
The Skew Bar & Grill
Rayleigh Road
Hutton CM13 1SG

Date: 27th June 2018

Contact: Dave Leonard
01277 312523

Dear Mr Leach,

**Licensing Act 2003 – Premises Licence
The Skew Bar & Grill, Rayleigh Road, Hutton CM13 1SG**

In confirmation of our telephone conversation today. On Saturday, 16th June 2018 at 11.55pm, together with Mr Steve Blake (Brentwood Borough Council Environmental Protection Officer), I conducted a further licensing visit to your premises. I was greeted by Mr Hayirola Berkpinar who stated that he was the general manager at **The Skew Bar & Grill** and suggested that he had been responsible for undertaking the necessary actions to address nuisance complaints received relating to the premises.

During my visit I noticed that the two glass front doors that form part of a lobbied front entrance had been secured open by means of tying the handles to the outside hand rail. This effectively negated any sound reducing qualities that the lobbied area offers.

I was also aware of a very loud male customer sat in the outside front smoking/seating area engaged in a conversation with a female. Over a fifteen-minute period several people joined them as it also appears to also be a waiting point for minicabs. I did not observe any members of staff monitoring or controlling the customers during this time.

Our last meeting on 30th April 2018 was specifically designed to address how you and your staff could manage the dispersal of customers during the course and at the end of the evening to reduce noise disruption in and around the car park and the local vicinity. Whilst the meeting appeared very positive, we continue to receive noise nuisance complaints, particularly at weekends, that implies that you are still be failing to comply with Annex 2 Condition 7 of your licence;

(7) Any sound emitted from amplified music or amplified speech within the premises shall be controlled so as to be inaudible at, or within, neighbouring dwellings when assessed by the Director of Parks & Regulatory Services or his agent.

You have also been caught on several occasions operating in direct breach of Annex 2 Condition 1

(1) Doors and windows to remain closed throughout the whole of trading hours.

**Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex, CM15 8AY
Tel: 01277 312 500 Fax: 01277 312 743 Minicom: 01277 312 809 www.brentwood.gov.uk**

As discussed, your proposed monitoring measures have to date not satisfactorily addressed the public nuisance issues or allayed the concerns of the local residents. You currently appear unable or unwilling to comply with Annex 2 Conditions 1 and 7 on your premises licence and you need to apply to vary your licence in a manner that will both satisfy the promotion of the four licensing objectives and appease the local interested parties. If you do wish to remove any conditions, you will need to offer a compromise that is both practical and capable of being complied with. The ability to open your doors and bi-fold windows for customers eating during the daytime as opposed to partying and listening to live or recorded music in the evening should absolutely be a facility that you are able to provide. Therefore, Condition 1 should be easily capable of amending to suit all parties concerned.

Your suggestion of installing a noise limiter and improving staff management to the outside area, especially in the evenings and at closing time, by producing a comprehensive dispersal policy, may serve to reduce noise nuisance complaints. I would go so far as to suggest that those wishing to smoke are not permitted to take drinks outside after 2200hrs. This will discourage persons from remaining outside any longer than is necessary to satisfy their smoking needs. Another way of reducing potential outside noise nuisance will be to improve your taxi ordering service and set aside a hospitality area inside the premises for persons waiting for transport to arrive.

I understand that you now intend to vary your premises licence and I ask that you provide a written response to this letter highlighting your proposals before submitting your application. This may allow me the opportunity to offer you best practice guidance

Both Steve Blake and I are in regular contact with the residents & local Councillors and will continue to monitor this situation. Please ensure that you take note of the above information and act upon it immediately. Further action may follow without further warning should the terms conditions of your premises licence continue to be breached.

If in doubt about your rights and responsibilities you may contact your legal advisor or this office, where any questions can be answered.

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

Yours Sincerely,



Dave Leonard
Brentwood Borough Council Licensing Officer



Mr Philip Leach
The Skew Bar & Grill
Rayleigh Road
Hutton CM13 1SG

Date: 10th October 2018

Contact: Dave Leonard
01277 312523

Dear Mr Leach,

**Licensing Act 2003 – Premises Licence
The Skew Bar & Grill, Rayleigh Road, Hutton CM13 1SG**

On Saturday, 7th October 2018 at 11pm, together with Mr Paul Adams (Brentwood Borough Council Joint Licensing Manager) and Mrs Caroline Harrison (Licensing Officer), I conducted a follow-up premises licence inspection at **The Skew Bar & Grill** with you and Mr Firat Ozkan (partner/manager) present. The purpose of the visit was to ascertain whether you had satisfactorily addressed the conditions that you were non-compliant with following April's inspection. As you are aware, throughout the summer we have continued to receive complaints of alleged public nuisance relating to the management of the premises. This has now resulted with an application for a review of the premises licence being submitted by a member of the public.

This inspection identified that you had addressed the following two Conditions 15 & 17 in Annex 2 that you had received a written warning for previously;

- (15) All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.**
- (17) The premises will maintain a bound log book for all incidents, accidents and emergencies which shall include the following information; and will be available to Essex Police or other Responsible Authority immediately upon lawful request.**
 - a) All crimes reported to the venue.**
 - b) All ejections of patrons.**
 - c) All refusals of service.**
 - d) Any complaints received.**
 - e) Seizures of drugs or offensive weapons.**
 - f) The full name of any person who has been involved in dealing with any of the above matters.**

However, your training records appear to only relate to a select number of your staff who are employed behind the bar serverly area. I would advise that **all** staff members should be receiving the relevant licensing training.

We reiterated our previous conversations relating to how you and your staff could manage the dispersal of customers during the course and at the end of the evening to reduce noise disruption in and around the car park and the local vicinity. Whilst I noticed several additional polite notices being displayed outside, I did not see any of your staff supervising the customers who were leaving. Had staff been posted outside from 11pm they would have also been able to ensure that the front doors were not left open in contravention of Annex 2, Condition 1 of your premises licence as, indeed, two of them were upon my arrival.

(1) Doors and windows to remain closed throughout the whole trading hours

When inspecting the CCTV System in your upstairs office, you were unable to provide Mr Adams with a premises plan indicating where each of the CCTV cameras were positioned and directed and the extent of their coverage. That implies that you may be failing to comply with Annex 2 Condition 13 of your licence;

(13) A plan of the premises identifying the location and direction of CCTV coverage shall be served on Essex Police and the Licensing Authority each time it is altered.

Both the Environmental Health Officer, Mr Steve Blake, and I are in regular contact with the residents and local Councillors and will continue to monitor this situation. Please ensure that you take note of the above information and act upon it immediately.

If in doubt about your rights and responsibilities you may contact your legal advisor or this office, where any questions can be answered.

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

Yours Sincerely,



Dave Leonard
Licensing Officer

LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

3. *Email to EHO, Mr Steve Blake, advising of licensing enforcement visit conducted on 30th June 2018*

Dave Leonard

From: Dave Leonard
Sent: 03 July 2018 16:15
To: Stephen Blake; Paul Adams
Subject: THE SKEW BAR & GRILL - LICENSING VISIT - SATURDAY, 30th JUNE 2018 at 10.30PM

Hi Steve,

To update you on my latest licensing visit in company with Paul Adams to THE SKEW BAR & GRILL on SATURDAY, 30th JUNE 2018 at 10.30PM.

Upon turning into the car park, I noticed that one of the window was open on the restaurant side and, as a result, I could clearly smell cooked meat. We parked up and I noticed a male dress in attire similar to that of a waiter, standing in the smoking area by the open window, look in my direction and then push the window closed from the outside. As I approached the front of the restaurant, I could no longer smell food. We went into the reception area where the live music being played was sufficiently loud that we could not hear ourselves speak with the manager, Mr Hayirola BERKPINAR. When I asked to speak with the DPS, I was advised that Mr Philip LEACH had gone home earlier in the evening. The restaurant was pretty full with people eating and so we went outside to hear ourselves talk. The lobby doors were shut and working effectively. Once outside, I could still hear the music but it was not excessively loud. We were then shown around to the side of the premises by Mr BERKPINAR where we were shown that the waste bins had been removed from the side fence and the kitchen doors were closed.

We were then joined by another manager who I know from a previous meeting to be Mr Fizat OZKAN and three other males who waited in nearby proximity. Both gentlemen were very defensive and adamant that they had taken all steps to remove any forms of nuisance for local residents. Paul Adams asked why the entertainment had to be so loud that we couldn't hear ourselves speak. He also pointed out that one of the windows was open when we arrived. Mr BERKPINAR fiercely denied this. I explained that we continue to receive complaints relating to excessive noise nuisance, particularly later into the evenings, and advised that this matter will need to be addressed. At this point, a member of the staff exited through the front fire escape door causing a momentary noise escape that I considered unreasonable. The male was carrying a black bin bag that was clinking with what appeared to be bottles inside. Upon seeing us and the manager, the male slowed considerably and carried the bag as if the contents were so delicate they would break and the only noise I heard from then was when I heard the bottled clink again as he placed the bag down next to five other full black bin bags.

We left the venue at 11pm. Once again, I advised that devising a practical dispersal policy and an outside management policy to reduce public noise nuisance may assist in reducing local angst and subsequent complaints.

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

Kind regards,



Dave Leonard | Licensing Officer
T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk

LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

4. *Email from EHO, Mr Steve Blake, to Mr Philip Leach (Skew Bar & Grill) itemizing points of discussion at meeting held on 3rd August 2018.*

Dave Leonard

From: Stephen Blake
Sent: 06 August 2018 16:44
To: the skew; ploughlandlord@aol.com
Cc: David Carter; Chris Hossack; Gavin Dennett
Subject: Meeting re The Skew; Room 3, 7 Arch's, Ingrave Road, Essex: Held 11:30 3rd August 2018

Importance: High

Dear Mr. Ozkan and Mr. Leach,

I write with regard to the above and the meeting we had between yourselves, Dave Leonard, Anita Tandon, David Carter and myself.

The meeting was called in order to clarify the situation regarding the complaints made and the various actions that have been taken and still need to be carried out.

In order to confirm the matters discussed I will itemize the subjects relating to the Pollution aspects in the order that were discussed:

1. Odour from Charcoal cooking

- a. During discussion it was confirmed that the cooking ventilation system must always have a full set of Grease filters in place in the system at all times. It has been stated that you have three sets of these filters, so one can be in place whilst another set is being cleansed.
- b. It is understood that you have made arrangements for a cleansing company 'Lion' to carry out regular cleansing of the grease filters? *Could you confirm that this is the case with documentation and send copies on to Environmental Protection team for the attention of Steve Blake*
- c. It was also confirmed that there will also be some 'in house' cleaning by The Skews own staff. *A cleansing scheme will need to be confirmed in writing to the Environmental Protection Team. For the attention of Steve Blake*
- d. During discussion it was agreed that Environmental Protection could liaise with 'Purified Air' with regard to their involvement with the ventilation system? *I understand that Don Miller could be the person to contact? Could you confirm this please? It is also understood that 'Purified Air' will only be responsible for the ESP system? If you could confirm this to Steve Blake in writing, this would be appreciated. As a final query, could you confirm who will be servicing the Activated Carbon Filters?*

2. Noise from Entertainment

- a. It was confirmed that all windows and doors to the establishment would be closed whilst amplified music is being played. This would include rear doors.
- b. It was confirmed that the installation of a sound/noise limiter would be an option? It was agreed that as long as regular management of the outside area is carried out and logged in a 'monitoring book' this will be satisfactory. If however, this appears not to work we may have recourse to the installing a Noise Limiter as an option.
- c. Sound Curtain. Mr. Leach discussed this as an option. As with b. above, this too can be an option should monitoring prove unsatisfactory.
- d. The Lobby Doors are to be kept closed (excluding general egress/ingress activities) whilst music is being played.

- e. It was stated that The Skew would consider assessing the noise aspect by employing an independent Sound Engineer (suitably Qualified). *Once this has been done Environmental Protection would require a copy of the report?*

3. Noise from Patrons/customers in the Car Park

- a. It was confirmed that regular monitoring of the outside area would be carried out by Mr. Leach on a regular basis and that these checks would be logged in the Monitoring Log book described above. This monitoring would have the dual action of assessing possible noise breakout from the Bar area and control of external noise.
- b. Signage was noted to be in place advising patrons/customers to 'keep quiet' in the interest of nearby residents.

4. Noise from bottle disposal

- a. *It was agreed via Mr. Leach that from now on, no bottle will be brought outside until the morning. No earlier than 08:00hrs.*
- b. The contract for Veolia to remove the bottles has been cancelled and the collection of same will be carried out by another refuse collection company? *Could this 'new' arrangement be confirmed in writing and a copy of the contract be forwarded on to Environmental Protect, for the attention of Steve Blake. As discussed the collection process could either be carried as all at one time or on several occasions. Note any collection of bottles must not be carried out before 08:00hrs.*

5. Refuse collection area and bin storage

- a. It was confirmed that the refuse storage containers (Wheelie Bins) must be sufficient in number to cater for the refuse that accumulates. During a recent visit to the refuse area by Elaine Higgins and Steve Blake it was noted that none of the Wheelie bin lids could be closed and one of the bins (out of three that were there at the time) had the lid fully open. This practice was confirmed as unsatisfactory and could easily attract vermin and flies. A fact that was noticed at the time when flies were observed in and around the bins. It was confirmed that the quantity of bins to be made available has now been increased. *Confirmation is necessary in the form of a copy of the 'new' refuse collection contract to be forwarded on to Environmental Protection for the attention of Steve Blake.*
- b. During the visit to the refuse area it was noted that there was a strip of broken cement between the 'upper' tarmac car park area and the concrete refuse area. This thin area was noted very pitted/holed and defective. When the refuse collection bins passed over this area whether full or empty there was considerable noise created. It was required and was agreed by The Skew that this area would be filled in and made smooth so that the Wheelie bins could travel over freely and without hindrance/noise. Collection of these bins should not occur before 08:00hrs.

6. Kitchen Doors

- a. It was confirmed that both Kitchen doors to the flank of the building must be kept closed. At the time of the visit by Elaine Higgins and Steve Blake many flies (from the open bins) were noted having access into the food preparation area due to these doors being open. Additionally food preparation noise could also be heard by nearby residents.
- b. To assist in a. above it was agreed that suitable Door Closers be fitted to the two side Kitchen/Food Prep doors. Additionally, as complaints have been received regarding the rapid closing of the doors earlier, with the subsequent banging it is recommended that Soft Closing mechanisms be fitted to the closers.

I thank you for attendance at the meeting and your co-operation regarding these issues. I look forward to you forwarding the various documentation requested above soon.

Should you have any queries, please contact me.

Yours Sincerely

Steve Blake

Stephen Blake Environmental Health Officer

Brentwood Borough Council

Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

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LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

5. *Email responses to Local Authority received from Mr Philip Leach.*

Dave Leonard

From: Stephen Blake
Sent: 31 May 2018 16:48
To: Dave Leonard
Subject: FW: The skew-alleged noise nuisance from empty bottle disposal.

For your info.

Steve

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: info@theskew.co.uk <info@theskew.co.uk>
Sent: 31 May 2018 15:49
To: Stephen Blake <stephen.blake@brentwood.gov.uk>
Subject: Fwd: The skew-alleged noise nuisance from empty bottle disposal.

Sent from my iPhone

Begin forwarded message:

From: "info@theskew.co.uk" <info@theskew.co.uk>
Date: 11 May 2018 at 14:18:28 BST
To: stephen.blake@brentwood.gov.uk
Subject: The skew-alleged noise nuisance from empty bottle disposal.



Good afternoon

Thank you very much for your advice.

I have removed the recycle bins as much as far I can. they have been removed at least 25 metres from where it use to be. Also as we agreed the bottles aren't thrown in to the bins after [8.pm](#) and the bins have been increased to 10.

If there will be any complain again I would love to get daily records to make sure what is the complain time to find out the problem. In addition I have attached the removed bins pictures.



If there is any further request or question, please do not hesitate to contact

Kindest Regards

Firat Ozkan
The Skew Bar and Grill LTD
01277210255

Click [here](#) to report this email as spam.

RECD 4/6/18

Mr Philip Leach
The Skew Bar & Grill
570 Rayleigh Road
Brentwood
CM13 1SG
01277210255
info@theskew.co.uk

Dave Leonard
Licensing Officer
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
Essex
CM15 8AY

Dear Mr Leonard, thank you for your letter dated 24th May 2018, which contend, has been noted. I like to confirm that we have completed your entire request within a week of your visit on 30th April.

We have training records for all members of staff work at our restaurant, including those works at the bar. We do our out most to keep the level of noise at minimum at any time.

Thank you for your kind advice on for obtaining a logbook to keep records of crimes, ejections of patrons, refusal of service, any complaints received, seizure of drugs including person in charge on that day.

We are a fairly new business in the area that created jobs for local people and business and revenue for to many contractors and local council. We are committed to keep our whole operations within permitted and licenced limit and continue to do so.

We do take any complaint very seriously and intend to deal with it immediately to make sure no one is affected. We are constantly monitoring noise levels and we feel that we are doing our up most to keep this to the minimum . We are also looking into having a pianist on a Friday night in the restaurant area which will also cut down on music noise.

I believe that we have clear communication channel that we use and hoping that we keep this channel live and productive.

I like to take this opportunity to thank you very much for your advice and guidance on this matter and looking forward to hear from you in near future.

Philip Leach

The Skew Bar & Grill

Dave Leonard

From: ploughlandlord@aol.com
Sent: 18 June 2018 09:19
To: Dave Leonard
Cc: berkpinar2@aol.com
Subject: the Skew

Hi Dave,

I understand that you and Steve Blake visited The Skew on Saturday.

Sorry I missed you I left about bit before 22.00 hrs as I was up early next morning for fathers day gift to Snetterton .

I believe you was concerned about the smoking area please can you brief me what your concerns are please , I know that there is a limit of 10 people and no glassware after 22.30 , was this being breached.

On Sunday the 17th June I knocked on the two Neighbours to the left of the The Skew to ask them what their concerns where.

unfortunately neither of them was in so I left a card with my mobile number in both their letter boxes offering a meeting on the following Wednesday at 13.30 hours.

Neither neighbour turned up nor did they have the courtesy to phone me to say that they was not available or not interested in discussing any matters.

I had a message from Clive at the end of the car park offering to buy the end of the car park to cut down noise . He approached me when he first brought the property regarding this and I told him then and now that it is not ours to sell and the Brewery will not entertain such purchase.

How this would cut down on music noise I do not know.

It seems to me it is the same neighbours causing unnecessary despair and stress and wondering if there is anything we can do to get this stopped.

We are trying to run a business within all the guide lines set out and do our utmost to achieve this.

Please can you forward this to Steve Blake and ask him to email me with any further issues he may have .

I look forward to your comments on this .

Many Thanks

Phil Leach

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Year	Month	Day	Time	Location	Activity	Remarks
2010	10	10	10:00
2010	10	11	11:00
2010	10	12	12:00	...	...	...
2010	10	13	13:00	...	...	...
2010	10	14	14:00	...	...	...
2010	10	15	15:00	...	...	...
2010	10	16	16:00	...	...	...
2010	10	17	17:00	...	...	...
2010	10	18	18:00	...	...	...
2010	10	19	19:00	...	...	...
2010	10	20	20:00	...	...	...
2010	10	21	21:00	...	...	...
2010	10	22	22:00	...	...	...
2010	10	23	23:00	...	...	...
2010	10	24	24:00	...	...	...
2010	10	25	25:00	...	...	...
2010	10	26	26:00	...	...	...
2010	10	27	27:00	...	...	...
2010	10	28	28:00	...	...	...
2010	10	29	29:00	...	...	...
2010	10	30	30:00	...	...	...
2010	10	31	31:00	...	...	...

Dave Leonard

From: ploughlandlord@aol.com
Sent: 02 July 2018 14:28
To: Dave Leonard
Cc: firatdicle@hotmail.co.uk
Subject: The Skew

Hi Dave ,

I am about to put in an application for minor variation on the premises license with the following ,

Annex 2

Condition (1) Doors and windows to be closed no later than 20.00 hrs or when live music is being played as opposed to remain closed during trading hours. .

Condition (7) to be removed .

Condition (20) increase smoking area to 20 .

We will also appoint a responsible person to monitor noise level outside from 21.00 hrs.
I would welcome your views on this before i proceed to see if there is anything else we can do to eliminate any further disturbances to our neighbours.

Regards

Phil Leach

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Dave Leonard

From: ploughlandlord@aol.com
Sent: 05 July 2018 11:24
To: stephen.blake@brentowwd.go.uk
Cc: Dave Leonard

Hi Stephen ,

In response to your letter regarding disposal of bottles into external receptacles .

We have had a policy in place for several weeks now when it was first brought to our attention by yourselves that after 20.00 hours we do not use the outside receptacles . All bottles are disposed of the following morning at 10.30 when the bar staff arrive. If you are being told this is not the case then please send me the dates and times so we can check our CCTV .

I would like to add all waste bins have been removed from the adjacent neighbours boundary fence .

Dave Leonard can confirm this is our practice as he witnessed this in a recent visit to the premises.

With regard to the waste disposal policy we have recently changed companies from Green Recycling to Viola and will produce the disposal certificate before July 17th.

I hope this meets with your approval and we can continue working together to resolve any further issues if they arise.

Regards

Phil Leach

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Dave Leonard

From: ploughlandlord@aol.com
Sent: 11 July 2018 08:26
To: licencing@brentwood.gov.uk
Cc: firatdicle@hotmail.co.uk; Dave Leonard; stepen.blake@brentwood.gov.uk
Subject: The Skew Bar&Grill

Dear Sir/Madam

I am the D.P.S at The Skew Bar & Grill on the Rayleigh Road Hutton.

I understand that there has been several complaints from residents regarding noise and pollution.

I have had several conversations with Stephen Blake and Dave Leonard regarding these matters and

As far as I was aware they have been dealt with by my manager Hayrola Berkpinar.

However it seems to me that there are still issues that need to be addressed.

Mr Berkpinar is leaving at the end of this week and I am taking on these complaints personally.

I understand a meeting has taken place with yourselves, Mr Hossack and the residents

As we were not invited to attend this meeting then perhaps I could arrange a meeting with yourself to see how we can progress

forward with these matters, if the residents and Mr Hossack would like to attend then they are more than welcome however

I would like a bit of time with yourself prior as I do not want to antagonise them any more than they are already.

Kind Regards

Phil Leach

~~XXXXXXXXXX~~

Phil Leach

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Dave Leonard

From: ploughlandlord@aol.com
Sent: 16 July 2018 15:37
To: stepen.blake@brentwood.gov.uk
Cc: Dave Leonard; firatdicle@hotmail.co.uk
Subject: the skew

Hi Stephen

With response to your letter dated 9th July

I have taken your findings very seriously and have acted accordingly
All windows and doors have been kept closed as requested
I personally carried out constant checks for noise disturbance outside especially whilst live music was being played last weekend.
These checks have been recorded on my phone for evidence and can be viewed by yourself if you wish to do so.
I or a responsible member of Staff will continue to record these checks every weekend .

Going forward we are in the process of getting quotes for acoustic/noise reduction curtains to put in the bar area .
we are also purchasing some bar bottle bins on castors that will be kept within the building after 20.00 hrs and wheeled out to be emptied in to the main bins the following morning after 09.00 hrs.

All bins will be removed from perimeter fence .
I also will be making myself available to the neighbours via a dedicated phone number so if they have any issues with noise coming from The Skew they can call me.

Finally may i stress that all complaints are taken seriously and we will endeavour to deal with them when and if we are made aware of them.

Regards

Phil Leach
D.P.S

Phil Leach

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Dave Leonard

From: Stephen Blake
Sent: 19 July 2018 17:24
To: Dave Leonard; David Carter
Subject: FW: the skew

For information.

Steve

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: ploughlandlord@aol.com <ploughlandlord@aol.com>
Sent: 19 July 2018 15:59
To: Stephen Blake <stephen.blake@brentwood.gov.uk>
Subject: Re: the skew

Hi Stephen,
As I discussed with you on the phone , I have contacted Veolia with regards to the emptying of bottles and they are going to reroute the collection so this doesn't happen again.

With regards to the bins we are only removing them away from the fence to move them to the other side of the building would not be a workable as 99% of our waste comes from that side if the building.

I had this same argument with this person 10 years ago she has to understand that living next to a pub/restaurant is of some disadvantage..

I look forward to our meeting and maybe share some history with yourself.

Regards

Phil Leach

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

From: Stephen Blake <stephen.blake@brentwood.gov.uk>
To: 'ploughlandlord@aol.com' <ploughlandlord@aol.com>
CC: Dave Leonard <dave.leonard@brentwood.gov.uk>; Paul Adams <paul.adams@brentwood.gov.uk>; David Carter <david.carter@brentwood.gov.uk>
Sent: Tue, Jul 17, 2018 04:50 PM
Subject: RE: the skew

Dear Mr. Leach,

I thank you for your response regarding the various matters we have discussed.

Just for information, my email address is stephen.blake@brentwood.gov.uk. Unfortunately, my email address was miss spelt by yourself and as a consequence it would appear that I had not received any of your earlier email correspondence. If you could make the necessary amendment to this address I would be obliged.

Additionally, we have received several recent complaints regarding Veolia turning up at the Skew at 05:00hrs on a Monday morning to collect your bottle refuse. This is clearly unacceptable and I have sent letters to both you and Mr. F Ozkan regarding this matter requesting that you make alternative arrangements with Veolia to have this waste collected at a more reasonable time. This correspondence should reach you tomorrow. It would be appreciated if this could be sorted as soon as possible.

With regard to your comment that all of the bins will be removed from the perimeter fence, can I enquire where they will be going? As stated earlier, as most of the complaints received relate to the present bin 'area' it would remove the problem in toto if the refuse storage area were to be relocated to the other side of the building where a large recessed area (this was noted during one of my visits and would be ideal for such use). If you wish to discuss this, please contact me.

Should you have any queries, please contact me.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Dave Leonard
Sent: 17 July 2018 12:57
To: Stephen Blake <stephen.blake@brentwood.gov.uk>; Paul Adams <paul.adams@brentwood.gov.uk>
Subject: FW: the skew

Gentlemen,

FYI

From: ploughlandlord@aol.com <ploughlandlord@aol.com>
Sent: 16 July 2018 15:37
To: stephen.blake@brentwood.gov.uk
Cc: Dave Leonard <dave.leonard@brentwood.gov.uk>; fiatdicle@hotmail.co.uk
Subject: the skew

Hi Stephen

With response to your letter dated 9th July

I have taken your findings very seriously and have acted accordingly
All windows and doors have been kept closed as requested
I personally carried out constant checks for noise disturbance outside especially whilst live music was being played last weekend.

These checks have been recorded on my phone for evidence and can be viewed by yourself if you wish to do so. I or a responsible member of Staff will continue to record these checks every weekend .

Going forward we are in the process of getting quotes for acoustic/noise reduction curtains to put in the bar area . we are also purchasing some bar bottle bins on castors that will be kept within the building after 20.00 hrs and wheeled out to be emptied in to the main bins the following morning after 09.00 hrs.

All bins will be removed from perimeter fence .

I also will be making myself available to the neighbours via a dedicated phone number so if they have any issues with noise coming from The Skew they can call me.

Finally may i stress that all complaints are taken seriously and we will endeavour to deal with them when and if we are made aware of them.

Regards

Phil Leach
D.P.S

Phil Leach

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Dave Leonard

From: ploughlandlord@aol.com
Sent: 23 July 2018 19:03
To: Stephen Blake
Cc: Dave Leonard
Subject: The Skew

Hi Stephen ,

I was going to give the neighbours a designated direct line phone number but I feel it would be better if you could pass this on, at least then I know they have it .

The number is ~~02030557079~~.

Is there any news on the meeting we spoke about.

Many Thanks

Phil Leach

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Dave Leonard

From: ploughlandlord@aol.com
Sent: 18 September 2018 12:25
To: Stephen Blake; info@theskew.co.uk; ploughlandlord@aol.com
Cc: David Carter; Dave Leonard
Subject: Re: RE: Meeting re The Skew; Room 3, 7 Arch's, Ingrave Road, Essex: Held 11:30 3rd August 2018

Dear Mr Blake,

I feel I should inform you that The Directors are looking to take legal advice with regards to the continued interference with the day to day running of The Skew Bar and Grill.

Today the 18th Of September 2018 Suez our contracted refuse collectors were stopped carrying out thier duties by Mrs Nixon of 572 Rayleigh road .

The collection of general waste (not bottles) was attempted at 7.15 am .

This is not unreasonable as Brentwood council collect their waste in the area from 7am and sometimes before. We now have the problem of waste sitting in our bins and to which these will overflow with the on going waste being produced.

We have done our utmost to appease our neighbours but there is only so much we can do .

Coupled with the license review I feel we may have no option but to seek legal advise .

We look forward to your comments on this matter.

Kind Regards

Phil Leach

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

From: Stephen Blake <stephen.blake@brentwood.gov.uk>
To: the skew <info@theskew.co.uk>; ploughlandlord@aol.com <ploughlandlord@aol.com>
CC: David Carter <david.carter@brentwood.gov.uk>; Dave Leonard <dave.leonard@brentwood.gov.uk>
Sent: Mon, Aug 13, 2018 10:25 AM
Subject: RE: Meeting re The Skew; Room 3, 7 Arch's, Ingrave Road, Essex: Held 11:30 3rd August 2018

Dear Mr. Ozkan and Mr. Leach,

Further to the email of the 6th August 2018 regarding the above I have not received a reply or acknowledgement.

Could you please confirm that you have received this correspondence and clarify what actions you intend to carry out regarding the points 1 to 6?

I would appreciate a response by the end of this week.

If you have any queries, please contact me.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer

Brentwood Borough Council

Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Stephen Blake

Sent: 06 August 2018 16:44

To: 'the skew' <info@theskew.co.uk>; 'ploughlandlord@aol.com' <ploughlandlord@aol.com>

Cc: David Carter <david.carter@brentwood.gov.uk>; Chris Hossack <chris.hossack@brentwood.gov.uk>; Gavin Dennett <gavin.dennett@brentwood.gov.uk>

Subject: Meeting re The Skew; Room 3, 7 Arch's, Ingrave Road, Essex: Held 11:30 3rd August 2018

Importance: High

Dear Mr. Ozkan and Mr. Leach,

I write with regard to the above and the meeting we had between yourselves, Dave Leonard, Anita Tandon, David Carter and myself.

The meeting was called in order to clarify the situation regarding the complaints made and the various actions that have been taken and still need to be carried out.

In order to confirm the matters discussed I will itemize the subjects relating to the Pollution aspects in the order that were discussed:

1. Odour from Charcoal cooking

1. During discussion it was confirmed that the cooking ventilation system must always have a full set of Grease filters in place in the system at all times. It has been stated that you have three sets of these filters, so one can be in place whilst another set is being cleansed.
2. It is understood that you have made arrangements for a cleansing company 'Lion' to carry out regular cleansing of the grease filters? *Could you confirm that this is the case with documentation and send copies on to Environmental Protection team for the attention of Steve Blake*
3. It was also confirmed that there will also be some 'in house' cleaning by The Skews own staff. *A cleansing scheme will need to be confirmed in writing to the Environmental Protection Team. For the attention of Steve Blake*
4. During discussion it was agreed that Environmental Protection could liaise with 'Purified Air' with regard to their involvement with the ventilation system? *I understand that Don Miller could be the person to contact? Could you confirm this please? It is also understood that 'Purified Air' will only be responsible for the ESP system? If you could confirm this to Steve Blake in writing, this would be appreciated. As a final query, could you confirm who will be servicing the Activated Carbon Filters?*

2. Noise from Entertainment

1. It was confirmed that all windows and doors to the establishment would be closed whilst amplified music is being played. This would include rear doors.
2. It was confirmed that the installation of a sound/noise limiter would be an option? It was agreed that as long as regular management of the outside area is carried out and logged in a 'monitoring book' this will be satisfactory. If however, this appears not to work we may have recourse to the installing a Noise Limiter as an option.
3. Sound Curtain. Mr. Leach discussed this as an option. As with b. above, this too can be an option should monitoring prove unsatisfactory.
4. The Lobby Doors are to be kept closed (excluding general egress/ingress activities) whilst music is being played.
5. It was stated that The Skew would consider assessing the noise aspect by employing an independent Sound Engineer (suitably Qualified). *Once this has been done Environmental Protection would require a copy of the report?*

3. Noise from Patrons/customers in the Car Park

1. It was confirmed that regular monitoring of the outside area would be carried out by Mr. Leach on a regular basis and that these checks would be logged in the Monitoring Log book described above. This monitoring would have the dual action of assessing possible noise breakout from the Bar area and control of external noise.
2. Signage was noted to be in place advising patrons/customers to 'keep quiet' in the interest of nearby residents.

4. Noise from bottle disposal

1. *It was agreed via Mr. Leach that from now on, no bottle will be brought outside until the morning. No earlier than 08:00hrs.*
2. *The contract for Veolia to remove the bottles has been cancelled and the collection of same will be carried out by another refuse collection company? Could this 'new' arrangement be confirmed in writing and a copy of the contract be forwarded on to Environmental Protect, for the attention of Steve Blake. As discussed the collection process could either be carried as all at one time or on several occasions. Note any collection of bottles must not be carried out before 08:00hrs.*

5. Refuse collection area and bin storage

1. *It was confirmed that the refuse storage containers (Wheelie Bins) must be sufficient in number to cater for the refuse that accumulates. During a recent visit to the refuse area by Elaine Higgins and Steve Blake it was noted that none of the Wheelie bin lids could be closed and one of the bins (out of three that were there at the time) had the lid fully open. This practice was confirmed as unsatisfactory and could easily attract vermin and flies. A fact that was noticed at the time when flies were observed in and around the bins. It was confirmed that the quantity of bins to be made available has now been increased. Confirmation is necessary in the form of a copy of the 'new' refuse collection contract to be forwarded on to Environmental Protection for the attention of Steve Blake.*
2. *During the visit to the refuse area it was noted that there was a strip of broken cement between the 'upper' tarmac car park area and the concrete refuse area. This thin area was noted very pitted/holed and defective. When the refuse collection bins passed over this area whether full or empty there was considerable noise created. It was required and was agreed by The Skew that this area would be filled in and made smooth so that the Wheelie bins could travel over freely and without hindrance/noise. Collection of these bins should not occur before 08:00hrs.*

6. Kitchen Doors

1. *It was confirmed that both Kitchen doors to the flank of the building must be kept closed. At the time of the visit by Elaine Higgins and Steve Blake many flies (from the open bins) were noted having access into the food preparation area due to these doors being open. Additionally food preparation noise could also be heard by nearby residents.*
2. *To assist in a. above it was agreed that suitable Door Closers be fitted to the two side Kitchen/Food Prep doors. Additionally, as complaints have been received regarding the rapid closing of the doors earlier, with the subsequent banging it is recommended that Soft Closing mechanisms be fitted to the closers.*

I thank you for attendance at the meeting and your co-operation regarding these issues. I look forward to you forwarding the various documentation requested above soon.

Should you have any queries, please contact me.

Yours Sincerely

Steve Blake

Stephen Blake Environmental Health Officer

Brentwood Borough Council

Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

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LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

6. *Email response to Councillor Hossack (acting on behalf of local residents), dated 26th June 2018, from Principal Licensing Officer, Mr Paul Adams, explaining the Licensing perspective.*

Dave Leonard

From: Paul Adams
Sent: 26 June 2018 14:05
To: Chris Hossack
Cc: Stephen Blake; Dave Leonard; Olivia Sanders; David Carter
Subject: FW: The skew

Cllr Hossack,

So far Licensing have made visits to the premises and have discussed the complaints with the management, and checked compliance with the licence conditions and have written an advisory letter to them requesting them to comply with any conditions that it was noted at the time of the visit as not complying with, which did not include the doors and windows being closed, as at the time of the meeting they were compliant with that condition.

We have further written to the premises reminding them of the windows and door condition, following the information provided to us but have not yet had opportunity to witness this ourselves.

We have programmed in some additional unannounced licensing visits to the premises, with one already scheduled for this weekend, so hopefully we will be in a position to witness the breach of conditions. Which we will follow up accordingly.

The reason that the suggestion the residents make an application for a licence review has been made is predominantly because the level of evidence that the resident hold will be far greater than both the Licensing Team and the Noise Team at the moment, and the legislation allows for residents that are impacted by the licensable activities to make an application to have the licence reviewed. If the Licensing team was to witness the windows and doors open this weekend, we would only be likely to issue a warning letter, which would be consistent with our enforcement protocol, and not trigger a review at this stage.

If the residents have asked for a review based on their evidence then it is likely that if we witness issues we will contribute to the review under the consultation process, but we will not have sufficient evidence to ask for the review in our own right, particularly when we take into account the Live Music Act.

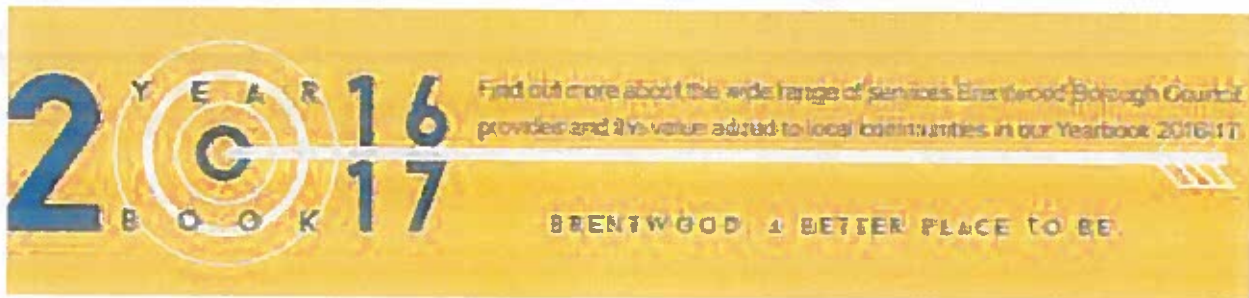
There is also the matter of the changes the Live Music Act, has made to the Licensing Act, which means that any live music, which I am advised the music from this venue is largely from, is not regarded as a licensable activity until 11.00pm, and any conditions associated with this will therefore not take effect until after this time. We will need to consider the windows and door condition in this circumstance against this change to the legislation, this is not saying we can not enforce this condition but there will be an argument to say we can not which we will need to consider after any issues are witnessed.

I would like to attend this meeting next week, and hope I can explain to residents the actions so far by licensing, and the reasons why the suggestion that they request the review is likely to be the most expedient way to look address their issues via the licence. We need to bear in mind that the licence can only deal with matters associated with the licensable activities, so issues like the fumes/smells from cooking, can not be considered by this process, but the sale of alcohol, regulated entertainment and any disorder/public nuisance caused by patrons leaving the premises can be addressed. We can also offer support and advice for residents on how to complete the forms and the evidence that will need to be submitted.

I will leave the David Carter to update you on the Statutory Nuisance side of things as this is not an area that I have responsibility for and he will be best placed to advise of actions taken and any proposed activity.

Monday or Tuesday afternoons next week would be best for Licensing to make a meeting, please let me know if I can assist further at this stage.

Paul Adams | Principal Licensing Officer
T: 01277 312503 | M: 07768 777100 | www.brentwood.gov.uk |
paul.adams@brentwood.gov.uk



From: Dave Leonard
Sent: 26 June 2018 09:09
To: Paul Adams <paul.adams@brentwood.gov.uk>
Subject: FW: The skew

FYI.

From: Chris Hossack
Sent: 26 June 2018 06:50
To: martyn white <~~martyn.white@brentwood.gov.uk~~>
Cc: Stephen Blake <stephen.blake@brentwood.gov.uk>; Dave Leonard <dave.leonard@brentwood.gov.uk>; Olivia Sanders <olivia.sanders@brentwood.gov.uk>; David Carter <david.carter@brentwood.gov.uk>
Subject: Re: The skew

Gentlemen

I'd like to meet for the 3rd time on this. With residents.

Forgive me but the tone of officer responses is a no can do yet when Olivia and I went there last night every door and window was open. Seems pretty easy to catch these guys out to me.

Please advise suitable time next week.

Thanks

Chris

Sent from my iPhone

On 25 Jun 2018, at 17:13, martyn white <~~martyn.white@brentwood.gov.uk~~> wrote:

Apologies, all times written as 13.00 & 13.20 should read 01.00 & 01.20.

Regards.

Martyn White.

Sent from [Mail](#) for Windows 10

From: martyn white <[REDACTED]>
Sent: Monday, June 25, 2018 1:26:17 PM
To: stephen.blake@brentwood.gov.uk
Cc: Dave Leonard; Olivia Sanders; David Carter; Chris Hossack
Subject: RE: The skew

To all concerned

Firstly I would like to thank my neighbour Jackie Nixon for writing the mail on the 22nd I have been away on business for a few weeks, these are my observations on the the weekend of the 23rd June.

Noise from kitchen all evening and emptying bottles up until 13.20 in the morning. The bottle skips should be moved over to the western side of the site, in fact the side where the bar areas are.

Thursday, Friday and Saturday evening noise from customers, shouting/swearing on leaving.

Saturday up until 12.25, from the front of the building music plus noisy customers on veranda.

Odour from the grill extract.

Car parking on verges blocking view of oncoming traffic.

Customers still leaving noisely the premises after 13.00.

Staff area extremely noisy all evening.

It also appears they are not adhering to the restrictions of their alcohol licence, I am happy to discuss this with Mr Leonard.

It seems nothing has changed, in fact it has got worse.

Very interested in your comments.

Martyn White.

576 Rayleigh Road.
<[REDACTED]>

Sent from [Mail](#) for Windows 10

From: Jackie Nixon <[REDACTED]>
Sent: Friday, June 22, 2018 2:48:34 PM
To: stephen.blake@brentwood.gov.uk
Cc: Dave Leonard; Olivia Sanders; David Carter; martyn white; chris.hossack@brentwood.gov.uk
Subject: Re: The skew

Hello Stephen

Thank you for your e mail although I have to say that I am flabbergasted by the contents. I accept that if you did not hear music during your visit or noisy behaviour in the car park then there is little that you can do about it. However, the issue re the noise from the kitchens and the bin area is constant and I am very surprised that you could not hear it. I was at home during the time you

visited The Skew on the 16.6.18 and would have welcomed a visit from you to witness the noise from my property. As I have said to you previously, it is not always that the noise is especially loud, but it is constant - crockery and cutlery clanging, dishwasher running, bell ringing every time an order is ready, bins being used , chopping and banging sounds - presumably food being prepared , staff shouting etc etc. This noise continues way past the restaurant closing hours as they are obviously clearing up. The kitchen doors are always open during warm weather and are open as I write this e mail. When the weather is cold I have the constant banging of the doors to contend with and can still hear noise from the kitchen as there is no soundproofing to the doors. The moving of the bins a few yards has done nothing to mitigate the noise problem. In fact I think I have already pointed out to you in a previous e mail that it not only has not improved the situation for me but is likely to cause a nuisance for my neighbour . The noise from the kitchens is in full swing at lunchtimes and goes on all evening, when they have a break they congregate in the staff area outside which is also very noisy. With regard to the fumes from the extractor, it was very bad at the weekend. You say in your e mail that there was no odour at my property. Where were you on my property ? I can assure you that the fumes were sufficiently noxious that I was unable to use my rear garden and had to keep the back windows and kitchen door closed as the fumes were coming into the house. Obviously the fumes will only be present when they are actually cooking which they would not have been doing at the time of your visit. I can smell the fumes in my kitchen now as I write this e mail. An officer from Env Health has actually smelled the fumes in my kitchen on the 9.5.18 , it wasn't especially bad on that day but could still be smelled. I did send you an e mail regarding this.

The problem of noise from The Skew is far from resolved as far as I am concerned. I have previously invited you to come to my property to witness the noise but you have not done so. Once again I am asking you to visit , preferably on a Friday , Saturday or Sunday afternoon . You will not hear car park or music noise but I can assure you that you will hear the kitchen noise and smell the fumes if the wind is in the right direction.

During this week the kitchen doors have been permanently open from morning till night so the constant crockery ,cutlery sounds continue as does the noise from the food preparation, use of the bin area , staff area and the bell ringing etc etc. As I sit here in my kitchen, which is on the furthest side from the Skew , I am listening to a repetitive banging sound which I believe is meat being prepared.

Also, I would like to know what is the minor variation that you refer to and what will it set right? What conclusions were reached when you analysed the noise monitoring equipment which was in my house for a 13 day period?

Finally, last night at 11.38pm an argument broke out in the car park of The Skew. It was very loud, very abusive and there was lots of bad language . The participants sounded extremely drunk. Not the sort of behaviour one would expect from people who have simply been out for a meal.

I await your response.

Kind regards

Jackie Nixon

Sent from my iPad

On Jun 18, 2018, at 2:43 PM, Chris Hossack <chris.hossack@brentwood.gov.uk> wrote:

Thank you for the update.

A summary of reading tells me the visit did not corroborate the complainants claims in general?

Apart from the doors you have mentioned were no other doors or windows open in breach of licence condition 1?

Re your 2nd last para, if the owners does apply for a variation (I presume this refers to music?) I hope this would not be approved?

Please can someone define if this is a restaurant or a night club? as you say inside the music was very loud.

Jackie Nixon informs me thing we very bad over the weekend re cooking fumes. At the time of you visit, across the midnight hour, it would be highly likely the cooking had all but ceased. Have you identified the peak cooking times for this restaurant and have we assessed the fumes at these times?

Regards

Chris

From: Stephen Blake
Sent: 18 June 2018 14:11:38
To: Chris Hossack; Dave Leonard
Cc: Olivia Sanders; Jackie Nixon; David Carter
Subject: RE: The skew

Dear Councilor Hossack/Sanders and J Nixon,

I confirm that Dave Leonard and I visited The Skew Saturday evening (16:06:18) at 23:45hrs - 00:30hrs Sunday (17:06:18).

With regard to the complaints made I confirm the following

1. **Noise from entertainment:** There was entertainment noise being carried out within the 'Bar' area of the premises (to the left of the building as you face it). Whilst inside the building the music was very loud. Outside however though it could just be heard, it was very low and not a problem. We walked round the building to ensure that there were no 'break-out' areas and found no loud noise emanating the property. It was noted that the 'outer' lobby doors were tied in an open position so that the full use of the lobby (I,e, as a two stage door system to control noise) could not operate as it should.
2. **Odour from cooking:** No odour was observed when we walked round the restaurant. A very slight whiff was noted at 576 Rayleigh Road though this was barely noticeable and for a few seconds. No odour was noticed from 574 Rayleigh Road.
3. **Noise from rowdy behavior at front of premises/car park area:** There was no noisy activity in the car park, though a couple of customers were noted sitting in the front verandah talking loudly

4. Noise from Kitchen door area: It was noted that the rear side door servicing a storage area was wide open, though no noise was heard emanating from there at any time. The side kitchen door was ajar and later when accompanied by the Manager it was noted wide open (this was promptly closed by the Manager)
5. Noise from bottles being deposited in wheelie bins: This activity was not being carried out at our time of visit

After carrying out our observations, Dave Leonard and I entered the restaurant and spoke to the premises manager. Mr. Phillip Leach was not present.

The above matters were discussed and the manager confirmed that noise from 5 has been mitigated to some extent by relocating the bottle store wheelie bins away from the side fence and re-positioning them at the back of the premises slightly round the corner. The manager confirmed that the general refuse bins will soon follow and that a metal screen wall will be erected to further screen of the 'new' refuse bin area. This was confirmed when we accompanied the manager to the 'new' area and inspected. I requested that plans be forwarded on to me to corroborate this.

With regard to 4 the kitchen door being wide open as we walked round to the area, this fact corroborated the allegation and drove home that this was an activity that should cease. He concurred.

Concerning 3, it was suggested that the verandah area at the front was not ideal and that customers who may have temporarily deafness due to the music being played indoors, would be best located to another area more suited to smoking. The manager also commented that the verandah area was made of decking type structure and that smoking activities might in fact ignite material below and under the verandah. He appeared to take on this advice.

On discussion with the manager regarding the ventilation system he confirmed that work cleaning the system had already been done and that a contract had been agreed to have the ventilation system regularly maintained and serviced. I commented that though I had asked several times whether this was so I had not received a written response. Arrangements were made that this documentation be forwarded on to me for perusal.

Regarding entertainment noise the temporary fixing of the outer lobby doors open was discussed and pointed out and it was made clear that the lobby doors should have their doors closed but openable. Managing possible outbreak of noise was emphasized, though at the time, as stated earlier, there was no noise problem at that time. Regular monitoring of this car park area was confirmed and this should be enshrined in their working procedure.

Discussion was held with the manager with regard to confirming the above action in writing and ultimately for the owners to consider addressing these matters in the form of submitting a request for a Minor Variation to set thing right.

Dave is on leave today, but on his return I will liaise with him to confirm the visit/meeting and arrange confirmation from the owners/Licensee regarding the matters that were discussed.

I will keep you apprised as things develop.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Chris Hossack
Sent: 18 June 2018 12:48
To: Stephen Blake <~~XXXXXXXXXXXXXXXXXXXX~~>; Dave Leonard
<dave.leonard@brentwood.gov.uk>
Cc: Olivia Sanders <olivia.sanders@brentwood.gov.uk>; Jackie Nixon
<~~XXXXXXXXXXXXXXXXXXXX~~>
Subject: Re: The skew

Guys, please let me know how Saturday went.

We need this bin location moved, it is no good for them just to reuse to move it, we need to apply pressure now.

I look forward to hearing from you

Regards

Chris

From: Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX~~>
Sent: 18 June 2018 12:45:01
To: Stephen Blake
Cc: Dave Leonard; Chris Hossack
Subject: The skew

Hello Stephen

Just to update you that the noise and smell problems continue as previously reported. Also, on Saturday afternoon a very noisy event was held in the garden - I am not sure what was going on, there was a lot of shouting and general hilarity. It was not noise you could associate with people out having a meal. Again I have been disturbed by a van arriving in the early morning (6.15 am). Today I have had to collect a significant amount of paper rubbish from my garden. When I looked down the side of The Skew I saw a huge pile of loose rubbish which no doubt will continue to come over the fence and down the road if the wind picks up. I have tried to telephone you today but you were out of the office. Can you please let me know what is happening regarding these various issues.

Kind regards

Jackie Nixon
Sent from my iPad
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LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

7. *Email response to Mr Martyn White and Councillors Hossack & Sanders, dated 25th June 2018, from Environmental Health Manager & Deputy General Manager Corporate Enforcement, Mr David Carter, detailing his Department's perspective and advising of an alternative remedy.*

Dave Leonard

From: David Carter
Sent: 25 June 2018 16:49
To: martyn white; Stephen Blake
Cc: Dave Leonard; Olivia Sanders; Chris Hossack
Subject: RE: The Skew

Dear Mr. White – I have noted the recent correspondence from the neighbours of the Skew and have discussed the case with Stephen Blake and Cllr Hossack. It would appear that there are a number of issues with the operation of the premises, which we are endeavouring to resolve, however it seems that officers have so far not been able to capture much evidence of these events.

It is possible for residents to call for a review of the premises licence if you are concerned that the operation of the premises does not promote the licensing objectives, which in this case would primarily be the objective of prevention of public nuisance. It is possible for any local resident or group of residents and/or Ward Members or Responsible Authorities to apply for a review of the licence.

More information and an online application form is provided on the Council website at

<http://www.brentwood.gov.uk/index.php?cid=947>

Whilst a review of the licence would often be instigated by one of the Responsible Authorities, e.g. Police or Environmental Health, this will need to be evidence based. At present it would seem that the nearby residents have amassed a substantial quantity of evidence which could be used if you were to consider making a review application. Whilst Environmental Health officers have been involved in investigating these concerns and we are preparing to take further action on some of the matters reported to us, it is my experience that direct evidence from affected residents is very persuasive at a licensing hearing.

We will of course continue to make observations to substantiate the complaints made, but I am making this suggestion in case neighbours feel that a review of the licence instigated by yourselves would be worth considering at this stage now that the premises has been operating for some months and still seems to be causing concern despite officers involvement with the premises management and staff.

If you need more information on this process please contact our Licensing team and/or the Council website.

Regards

David

David Carter | Environmental Health Manager & Deputy GM Corporate Enforcement | Brentwood Borough Council
T 01277 312500 | F 01277 312743 | www.brentwood.gov.uk | david.carter@brentwood.gov.uk



From: martyn white <mwhite@brentwood.gov.uk>
Sent: 25 June 2018 13:26
To: Stephen Blake <stephen.blake@brentwood.gov.uk>
Cc: Dave Leonard <dave.leonard@brentwood.gov.uk>; Olivia Sanders <olivia.sanders@brentwood.gov.uk>; David

Carter <david.carter@brentwood.gov.uk>; Chris Hossack <chris.hossack@brentwood.gov.uk>

Subject: RE: The skew

To all concerned

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Car parking on verges blocking view of oncoming traffic.

Customers still leaving noisily the premises after 13.00.

Staff area extremely noisy all evening.

It also appears they are not adhering to the restrictions of their alcohol licence, I am happy to discuss this with Mr Leonard.

It seems nothing has changed, in fact it has got worse.

Very interested in your comments.

Martyn White.

576 Rayleigh Road.

Sent from [Mail](#) for Windows 10

From: Jackie Nixon <[REDACTED]>

Sent: Friday, June 22, 2018 2:48:34 PM

To: stephen.blake@brentwood.gov.uk

Cc: Dave Leonard; Olivia Sanders; David Carter; martyn white; chris.hossack@brentwood.gov.uk

Subject: Re: The skew

Hello Stephen

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Also, I would like to know what is the minor variation that you refer to and what will it set right?
What conclusions were reached when you analysed the noise monitoring equipment which was in my house for a 13 day period?

Finally, last night at 11.38pm an argument broke out in the car park of The Skew. It was very loud, very abusive and there was lots of bad language . The participants sounded extremely drunk. Not the sort of behaviour one would expect from people who have simply been out for a meal.

I await your response.

Kind regards

Jackie Nixon

Sent from my iPad

On Jun 18, 2018, at 2:43 PM, Chris Hossack <chris.hossack@brentwood.gov.uk> wrote:

Thank you for the update.

A summary of reading tells me the visit did not corroborate the complainants claims in general?

Apart from the doors you have mentioned were no other doors or windows open in breach of licence condition 1?

Re your 2nd last para, if the owners does apply for a variation (I presume this refers to music?) I hope this would not be approved?

Please can someone define if this is a restaurant or a night club? as you say inside the music was very loud.

Jackie Nixon informs me thing we very bad over the weekend re cooking fumes. At the time of you visit, across the midnight hour, it would be highly likely the cooking had all but ceased. Have you identified the peak cooking times for this restaurant and have we assessed the fumes at these times?

Regards

Chris

From: Stephen Blake
Sent: 18 June 2018 14:11:38
To: Chris Hossack; Dave Leonard
Cc: Olivia Sanders; Jackie Nixon; David Carter
Subject: RE: The skew

Dear Councilor Hossack/Sanders and J Nixon,

I confirm that Dave Leonard and I visited The Skew Saturday evening (16:06:18) at 23:45hrs - 00:30hrs Sunday (17:06:18).

With regard to the complaints made I confirm the following

1. **Noise from entertainment:** There was entertainment noise being carried out within the 'Bar' area of the premises (to the left of the building as you face it). Whilst inside the building the music was very loud. Outside however though it could just be heard, it was very low and not a problem. We walked round the building to ensure that there were no 'break-out' areas and found no loud noise emanating the property. It was noted that the 'outer' lobby doors were tied in an open position so that the full use of the lobby (i.e, as a two stage door system to control noise) could not operate as it should.
2. **Odour from cooking:** No odour was observed when we walked round the restaurant. A very slight whiff was noted at 576 Rayleigh Road though this was barely noticeable and for a few seconds. No odour was noticed from 574 Rayleigh Road.
3. **Noise from rowdy behavior at front of premises/car park area:** There was no noisy activity in the car park, though a couple of customers were noted sitting in the front verandah talking loudly
4. **Noise from Kitchen door area:** It was noted that the rear side door servicing a storage area was wide open, though no noise was heard emanating from there at any time. The side kitchen door was ajar and later when accompanied by the Manager it was noted wide open (this was promptly closed by the Manager)
5. **Noise from bottles being deposited in wheelie bins:** This activity was not being carried out at our time of visit

After carrying out our observations, Dave Leonard and I entered the restaurant and spoke to the premises manager. Mr. Phillip Leach was not present.

The above matters were discussed and the manager confirmed that noise from 5 has been mitigated to some extent by relocating the bottle store wheelie bins away from the side fence and re-positioning them at the back of the premises slightly round the corner. The manager confirmed that the general refuse bins will soon follow and that a metal screen wall will be erected to further screen of the 'new' refuse bin area. This was confirmed when we accompanied the manager to the 'new' area and inspected. I requested that plans be forwarded on to me to corroborate this.

With regard to 4 the kitchen door being wide open as we walked round to the area, this fact corroborated the allegation and drove home that this was an activity that should cease. He concurred.

Concerning 3, it was suggested that the verandah area at the front was not ideal and that customers who may have temporarily deafness due to the music being played indoors, would be best located to another area more suited to smoking. The manager also commented that the verandah area was made of decking type structure and that smoking activities might in fact ignite material below and under the verandah. He appeared to take on this advice.

On discussion with the manager regarding the ventilation system he confirmed that work cleaning the system had already been done and that a contract had been agreed to have the ventilation system regularly maintained and serviced. I commented that though I had asked several times whether this was so I had not received a written response. Arrangements were made that this documentation be forwarded on to me for perusal.

Regarding entertainment noise the temporary fixing of the outer lobby doors open was discussed and pointed out and it was made clear that the lobby doors should have their doors closed but openable. Managing possible outbreak of noise was emphasized, though at the time, as stated earlier, there was no noise problem at that time. Regular monitoring of this car park area was confirmed and this should be enshrined in their working procedure.

Discussion was held with the manager with regard to confirming the above action in writing and ultimately for the owners to consider addressing these matters in the form of submitting a request for a Minor Variation to set thing right.

Dave is on leave today, but on his return I will liaise with him to confirm the visit/meeting and arrange confirmation from the owners/Licensee regarding the matters that were discussed.

I will keep you apprised as things develop.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Chris Hossack
Sent: 18 June 2018 12:48
To: Stephen Blake <stephen.blake@brentwood.gov.uk>; Dave Leonard <dave.leonard@brentwood.gov.uk>
Cc: Olivia Sanders <olivia.sanders@brentwood.gov.uk>; Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Subject: Re: The skew

Guys, please let me know how Saturday went.

We need this bin location moved, it is no good for them just to reuse to move it, we need to apply pressure now.

I look forward to hearing from you

Regards

Chris

From: Jackie Nixon [REDACTED]
Sent: 18 June 2018 12:45:01
To: Stephen Blake
Cc: Dave Leonard; Chris Hossack
Subject: The skew

Hello Stephen

Just to update you that the noise and smell problems continue as previously reported. Also, on Saturday afternoon a very noisy event was held in the garden - I am not sure what was going on, there was a lot of shouting and general hilarity. It was not noise you could associate with people out having a meal. Again I have been disturbed by a van arriving in the early morning (6.15 am). Today I have had to collect a significant amount of paper rubbish from my garden. When I looked down the side of The Skew I saw a huge pile of loose rubbish which no doubt will continue to come over the fence and down the road if the wind picks up. I have tried to telephone you today but you were out of the office. Can you please let me know what is happening regarding these various issues.

Kind regards

Jackie Nixon

Sent from my iPad

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Faint, illegible header information at the top of the page, possibly containing document title, date, and page number.

Faint, illegible text in the upper section of the page, possibly a table or list of items.

LICENSING OFFICER'S REPRESENTATION

SUPPORTING DOCUMENTATION

8. *Redacted email communications received from residents Ms Jackie Nixon, Mr Martyn White & Mr Clive Hussey and Councillors Hossack & Sanders together with responses made in chronological order from 16th April 2018*

Dave Leonard

From: Licensing
Sent: 16 April 2018 09:01
To: Dave Leonard
Subject: FW: The Skew Bar and Grill

Maria Williams | Licensing Officer | Brentwood Borough Council T | F 01277 312519 | www.brentwood.gov.uk | maria.williams@brentwood.gov.uk

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

From: Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX@XXXXXX~~>
Sent: 14 April 2018 22:25
To: Licensing <licensing@brentwood.gov.uk>
Subject: The Skew Bar and Grill

Dear Sir/Madam

I live at 574 Rayleigh Road CM131SG, next door to the above premises. For sometime now there has been a problem with noise which is being dealt with by Stephen Blake. However, I would like to specifically complain about the late night noise and rowdy behaviour which has been happening very late at night in the car park as I believe this is not acceptable under the terms of their license. The problem appears to be escalating. Last night at approximately 12.25am there was a very loud argument in the car park area - it may even have been a fight. I could not see what was happening but could hear. I picked my iPad up and went to the window to try to record what was happening but by the time I got there that particular incident had calmed down. However, the noise and rowdy behaviour in the car park continued until just after 1am. I have a 12 minute recording of some of the noise. I would also like to draw your attention to the fact that Mr Phillip Leach (the license holder) is no longer involved with this business and has not been since September 2017. Could the licensing officer please contact me to discuss this complaint. My telephone number is ~~XXXXXXXXXX~~.

Kind regards

Jackie Nixon

Sent from my iPad

Dave Leonard

From: martyn white ~~martyn.white@bt.com~~
Sent: 16 April 2018 09:54
To: Licensing
Cc: Chris Hossack
Subject: the skew hutton

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Leonard,

I am writing concerning The Skew restaurant Hutton and their late licence. My property is in close proximity to the establishment and we are now suffering (it is affecting our sleep) from the noise created from the clientele leaving the restaurant. This noise is from customers loitering in the car park shouting/arguing with each other, then leaving the premises noisily, we have video evidence of this.

Please can you investigate this as soon as possible.

Kind regards.

Martyn White.

576 Rayleigh Road,
Hutton,
CM13 1SG

Tel: ~~01206 212500~~

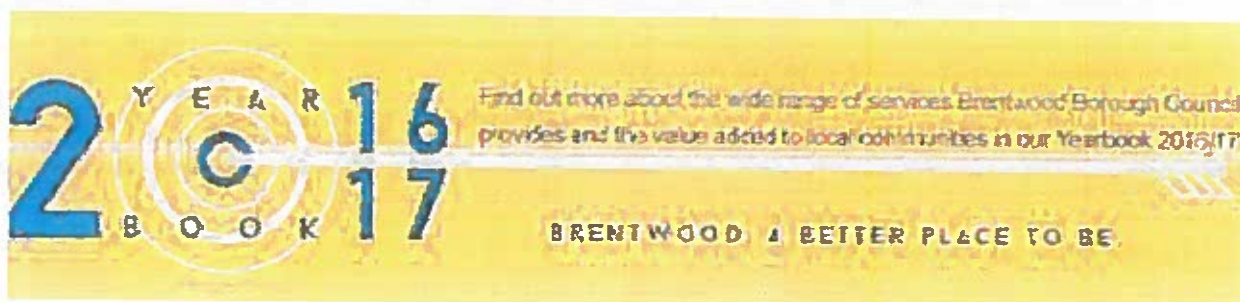
Sent from Mail for Windows 10

Click [here](#) to report this email as spam.

Dave Leonard

From: Licensing
Sent: 30 April 2018 09:35
To: Dave Leonard
Subject: FW: Complaint FAO: Dave Leonard

Maria Moses | Licensing Officer | Brentwood Borough Council
T | F 01277 312519 | www.brentwood.gov.uk | maria.williams@brentwood.gov.uk



From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 28 April 2018 10:32
To: Licensing <licensing@brentwood.gov.uk>
Cc: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Subject: Complaint FAO: Dave Leonard

Name: Clive Hussey

Tel: ~~01277 312519~~

Premises: The Skew Bar & Grill The Skew Bar & Grill Rayleigh Road Hutton Brentwood Essex CM13 1SG. Ref. No: 17/00078/LAPRE | Status: Current Licence | Applicant Name: Mr Philip Leach

Complaint Summary:

We have lived at our property for nearly 4 years, in which time I have had no issues with any of the previous licence holders- it has been approximately the last 4 months where we have been subjected to disturbances mainly on a Friday and Saturday evening. During the week there are acceptable amounts of noise/disruption that can be tolerated- but Friday and Saturday nights have become unacceptable and believe the licence needs to be reviewed. The area is mainly residential and I do not believe the way the restaurant is running on Fri/Sat nights fits to a residential area. I appreciate that we are on a main road, but the traffic lessens around 11.30 pm so any disturbances past this time have greater impact and I really do feel that the licence times need to be reviewed.

Background:

I had monitored the disturbances throughout Jan/Feb 2018 when the disturbance started and as a result contacted the licence holder Philip Leach who I was able to explain the situation and in some instances (not all) resulted in improving some of the noise issues around March. I was then given a direct contact at the restaurant rather than keep liaising through Phil, since then I have had to contact the restaurant on a few occasions. Firstly due to an altercation within their grounds which went on for an extended period of time without the restaurant dealing with the situation, until I contacted them and requested at 1.00am that it be dealt with. I have also had to contact them due to noise levels of music from the pub and I have to say that on several occasions music could be heard past the licensed time of 12.00am.

Complaint Main points:

Basically when the restaurant functions as a restaurant Sun- Thurs I have no real issues, the disturbances are acceptable to what you would expect, but for the past 4 months fri/sat nights have become increasingly disturbing especially when people are leaving the premises due to how late refreshments are being served and the closing time.

I believe the license for the above property is not meeting 1 of the 4 objectives: prevention of public nuisance.

I believe the main causes for this are below:

Activities: Provision of Late Night Refreshments until 1.00am for Fri/Sat Night.

Playing of Recorded music and Performance of Live music until 12.00am

Partly due to the below condition not being met:

Amplified Sound Emissions Any sound emitted from amplified music or amplified speech within the premises shall be controlled so as to be inaudible at, or within, neighbouring dwellings.

I understand that other neighbours in the area have also seen this increase in disturbance too and I was surprised to learn that the restaurant even had a licence to the times stated- I really do not feel that a restaurant warrants being open until 01.00am especially for the small amount of customers this will benefit versus the upset and disturbance to the neighbouring properties. I feel the restaurant should not have been granted a licence to 01.00am and that 12.00am should be the closing time at the weekend.

I believe this should resolve the disturbances and issues to the neighbouring properties and would still allow the restaurant to function effectively. As it can be seen from the background information above the restaurant has been given many chances to try and operate to the licence without causing disruption and this has proven that the current licensing times do not work.

Further to reviewing/requesting that the closing time be 12.00am instead of 01.00am I also ask that the importance of the restaurants condition of Amplified Sound Emissions be highlighted.

If you require more information to the above, please feel free to contact me via email or my phone number above.

Many Thanks

Clive Hussey

Dave Leonard

From: Licensing
Sent: 08 May 2018 01:03
To: Dave Leonard
Subject: FW: Noise at The Skew

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

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: 06 May 2018 15:55
To: Licensing <licensing@brentwood.gov.uk>
Cc: Stephen Blake <stephen.blake@brentwood.gov.uk>
Subject: Noise at The Skew

For the attention of David Leonard

Just to let you know that despite the efforts you have made regarding the noise levels at The Skew, last night (S.S.18) was particularly noisy. I could hear the live music coming from the front of the building and there was a lot of loud behaviour in the car park. I have never heard music from the restaurant before, so far from improving the situation , it seems to be worsening. At one point it was so bad that I went to have a look and saw a police car leaving the car park - this was at 12.25 am (6.S.18) . I do not know if the police car and the behaviour are connected . The noise seemed to be coming from the west side of the car park so other neighbours who are near that side may have called the police. As you are aware, I have noise monitoring equipment in my house at the moment so I am hoping that the equipment has recorded the noise. During the period that I was observing I did not see any of the staff or the licensee in the car park . As I have said before, I believe that Phil Leach is licensee in name only.

Earlier in the evening, whilst I was in my garden, there was a lot of noise coming from the rear verandah area of the restaurant . It wasn't noise you would expect from people out having a meal - more like party noise. I came in from the garden as coinciding with the noise, the fumes from the extractor fan became very acrid. When indoors with the door shut I could not hear the noise. I did not activate the noise monitoring equipment as I couldn't hear the noise when I was in the room where the equipment is. On a pleasant summer evening I should be able to use my garden without interference. However, it is becoming clear to me that I will not be able to have peace and quiet in my own home or garden if there aren't changes at The Skew.

Could you please contact me regarding these matters on your return to work next week. Many thanks.

Kind regards

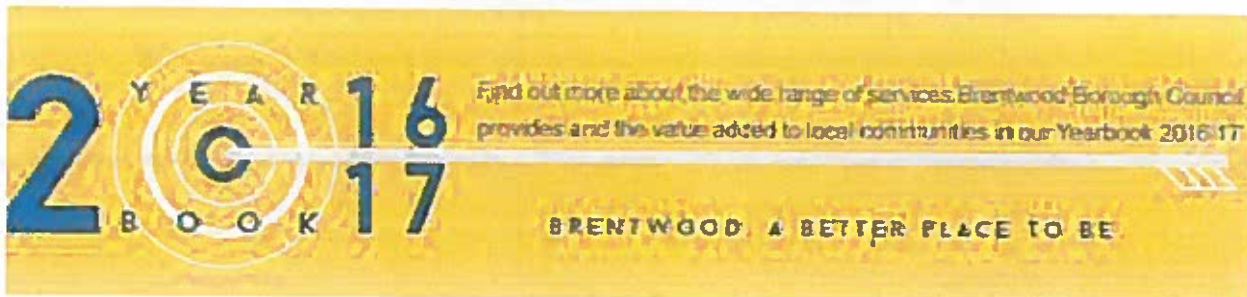
Jackie Nixon

Sent from my iPad

Dave Leonard

From: Licensing
Sent: 21 May 2018 08:31
To: Caroline Harrison; Dave Leonard
Subject: FW: Complaint FAO: Dave Leonard

Maria Moses | Licensing Officer | Brentwood Borough Council
T | F 01277 312519 | www.brentwood.gov.uk | maria.williams@brentwood.gov.uk



From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 19 May 2018 00:10
To: Licensing <licensing@brentwood.gov.uk>
Subject: Re: Complaint FAO: Dave Leonard

Dear Mr Leonard

It is now 00.10 and loud music and vocals can be heard from the premises. There is a total disregard for the conditions of their licence and I do hope that you are going to do something about it. I have on several occasions been willing to try and resolve by speaking liaising directly with them but it is not working.
Thank you

Sent from my iPhone

On 18 May 2018, at 23:54, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Dear Mr Leonard

Could you please confirm that you received my last email. I would like to advise again that the noise from the pub is excessive being Friday night 18th it is 23.55 and the noise from bass and vocals is clearly heard within my property.
Thank you

Sent from my iPhone

On 28 Apr 2018, at 10:32, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Name: Clive Hussey

Tel: ~~XXXXXXXXXX~~

Premises: The Skew Bar & Grill The Skew Bar & Grill
Rayleigh Road Hutton Brentwood Essex CM13 1SG. Ref.
No: 17/00078/LAPRE | Status: Current Licence | Applicant Name: Mr
Philip Leach

Complaint Summary:

We have lived at our property for nearly 4 years, in which time I have had no issues with any of the previous licence holders- it has been approximately the last 4 months where we have been subjected to disturbances mainly on a Friday and Saturday evening. During the week there are acceptable amounts of noise/disruption that can be tolerated- but Friday and Saturday nights have become unacceptable and believe the licence needs to be reviewed. The area is mainly residential and I do not believe the way the restaurant is running on Fri/Sat nights fits to a residential area. I appreciate that we are on a main road, but the traffic lessens around 11.30 pm so any disturbances past this time have greater impact and I really do feel that the licence times need to be reviewed.

Background:

I had monitored the disturbances throughout Jan/Feb 2018 when the disturbance started and as a result contacted the licence holder Philip Leach who I was able to explain the situation and in some instances (not all) resulted in improving some of the noise issues around March. I was then given a direct contact at the restaurant rather than keep liaising through Phil, since then I have had to contact the restaurant on a few occasions. Firstly due to an altercation within their grounds which went on for an extended period of time without the restaurant dealing with the situation, until I contacted them and requested at 1.00am that it be dealt with. I have also had to contact them due to noise levels of music from the pub and I have to say that on several occasions music could be heard past the licensed time of 12.00am.

Complaint Main points:

Basically when the restaurant functions as a restaurant Sun- Thurs I have no real issues, the disturbances are acceptable to what you would expect, but for the past 4 months fri/sat nights have become increasingly disturbing especially when people are leaving the premises due to how late refreshments are being served and the closing time.

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1.00am for Fri/Sat Night.

Playing of Recorded music and Performance
of Live music until 12.00am

Partly due to the below condition not being met:

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I understand that other neighbours in the area have also seen this increase in disturbance too and I was surprised to learn that the restaurant even had a licence to the times stated- I really do not feel that a restaurant warrants being open until 01.00am especially for the small amount of customers this will benefit versus the upset and disturbance to the neighbouring properties. I feel the restaurant should not have been granted a licence to 01.00am and that 12.00am should be the closing time at the weekend.

I believe this should resolve the disturbances and issues to the neighbouring properties and would still allow the restaurant to function effectively. As it can be seen from the background information above the restaurant has been given many chances to try and operate to the licence without causing disruption and this has proven that the current licensing times do not work.

Further to reviewing/requesting that the closing time be 12.00am instead of 01.00am I also ask that the importance of the restaurants condition of Amplified Sound Emissions be highlighted.

If you require more information to the above, please feel free to contact me via email or my phone number above.

Many Thanks

Clive Hussey

Click [here](#) to report this email as spam.

Dave Leonard

From: Jackie Nixon <~~jackie.nixon@skew.co.uk~~>
Sent: 21 May 2018 14:28
To: Stephen Blake
Cc: Licensing; Chris Hossack
Subject: Noise nuisance at The Skew

Follow Up Flag: Follow up
Flag Status: Completed

Hello Stephen

Thank you for your e mail dated 14.5.18. , and thank you for your efforts regarding the various problems. However, despite your efforts, I would like to inform you that there haven't been any improvements in the situation. The restaurant and car park noise continues and is particularly bad on a Friday and Saturday. The noise from the kitchens, bin area and staff area continues and is much worse in the warm weather and during busy periods. There are still noxious fumes coming from the extractor which again is worse during busy periods.

Kinds regards

Jackie Nixon
Sent from my iPad

Dave Leonard

From: Chris Hossack
Sent: 21 May 2018 15:47
To: Jackie Nixon; Stephen Blake
Cc: Licensing; Olivia Sanders
Subject: Re: Noise nuisance at The Skew

Hi Jackie

The skew has been issued a warning. Non compliance strengthens our case to go to the next level.

I am sorry you are suffering in the interim but we are giving them enough rope for the proverbial.

Regards

Chris Hossack
Member - Brentwood BC
Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jackie Nixon ~~<jackie.nixon@brentwood.gov.uk>~~
Date: 21/05/2018 14:28 (GMT+00:00)
To: Stephen Blake <stephen.blake@brentwood.gov.uk>
Cc: Licensing <licensing@brentwood.gov.uk>, Chris Hossack <chris.hossack@brentwood.gov.uk>
Subject: Noise nuisance at The Skew

Hello Stephen

Thank you for your e mail dated 14.5.18. , and thank you for your efforts regarding the various problems. However, despite your efforts, I would like to inform you that there haven't been any improvements in the situation. The restaurant and car park noise continues and is particularly bad on a Friday and Saturday. The noise from the kitchens, bin area and staff area continues and is much worse in the warm weather and during busy periods. There are still noxious fumes coming from the extractor which again is worse during busy periods.

Kinds regards

Jackie Nixon
Sent from my iPad

Dave Leonard

From: Jackie Nixon <~~jackie.nixon@the-skew.co.uk~~>
Sent: 30 May 2018 19:58
To: Stephen Blake
Cc: Licensing; Chris Hossack
Subject: Ongoing problems with noise and fumes at The Skew

Follow Up Flag: Follow up
Flag Status: Completed

Hello Stephen

Just to keep you updated re TheSkew. There have not been any improvements since my e mail to you last week. The recent bank holiday weekend was particularly bad as in addition to everything I have already reported, with the much warmer weather they are now opening the windows and doors at the front and back of the building. The problems are worse during the busier periods of Thursday to Sunday. There is nowhere in my property that I can get peace and quiet for any length of time. I would appreciate an update regarding what action is being taken.

Kind regards

Jackie Nixon

Sent from my iPad

Dave Leonard

From: Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX~~>
Sent: 02 June 2018 15:04
To: Licensing
Subject: Fwd: Noise at The Skew

Hello David

Further to our telephone conversation on the 31.5.18, as agreed I forward the e mail that I sent to you on the 6th of May 18.

Regards

Jackie Nixon

Sent from my iPad

Begin forwarded message:

From: Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX~~>
Date: May 6, 2018 at 3:55:03 PM GMT+1
To: licensing@brentwood.gov.uk
Cc: stephen.blake@brentwood.gov.uk
Subject: Noise at The Skew

For the attention of David Leonard

Just to let you know that despite the efforts you have made regarding the noise levels at The Skew, last night (5.5.18) was particularly noisy. I could hear the live music coming from the front of the building and there was a lot of loud behaviour in the car park. I have never heard music from the restaurant before, so far from improving the situation, it seems to be worsening. At one point it was so bad that I went to have a look and saw a police car leaving the car park - this was at 12.25 am (6.5.18). I do not know if the police car and the behaviour are connected. The noise seemed to be coming from the west side of the car park so other neighbours who are near that side may have called the police. As you are aware, I have noise monitoring equipment in my house at the moment so I am hoping that the equipment has recorded the noise. During the period that I was observing I did not see any of the staff or the licensee in the car park. As I have said before, I believe that Phil Leach is licensee in name only.

Earlier in the evening, whilst I was in my garden, there was a lot of noise coming from the rear verandah area of the restaurant. It wasn't noise you would expect from people out having a meal - more like party noise. I came in from the garden as coinciding with the noise, the fumes from the extractor fan became very acrid. When indoors with the door shut I could not hear the noise. I did not activate the noise monitoring equipment as I couldn't hear the noise when I was in the room where the equipment is. On a pleasant summer evening I should be able to use my garden without interference. However, it is becoming clear to me that I will not be able to have peace and quiet in my own home or garden if there aren't changes at The Skew.

Could you please contact me regarding these matters on your return to work next week. Many thanks.

Kind regards

Jackie Nixon

Sent from my iPad

Click [here](#) to report this email as spam.

Dave Leonard

From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 02 June 2018 21:17
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave

No worries, I wasn't expecting a reply until Monday, but thank you for your response.
Many thanks

Sent from my iPhone

On 2 Jun 2018, at 20:54, Dave Leonard <dave.leonard@brentwood.gov.uk> wrote:

Dear Clive,

I am not working this evening and so I don't have immediate access to a copy of the premises licence. There is a condition relating to all windows and doors being closed but I believe that it only applies when live or recorded music is being played. However, to update you, I did speak with Mr Leach yesterday and informed him of the ongoing complaints that I am currently dealing with and I made him aware of position regarding open windows. He is in the process of drafting a written response to the warning notice I served on him last week. I will take this matter up again with Steve Blake when I return to work on Monday.

Good luck and I hope that you get some R&R this weekend.

Kind regards,

Dave

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From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: Saturday, June 2, 2018 8:41:54 PM
To: Dave Leonard; Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Dear Mr Blake

As highlighted by Dave below I understand that you are able to supply noise monitoring equipment. Unfortunately the restaurant is now trading with all windows and doors open and the noise level from customers is very high. I believe a condition of the restaurants licence is to have all windows and doors shut in trading hours?

Could you please confirm details for the above.

Many thanks

Clive

Sent from my iPhone

On 24 May 2018, at 16:15, Dave Leonard <dave.leonard@brentwood.gov.uk> wrote:

Dear Mr Hussey,

Thank you for your notification. I can confirm that both the Environmental Protection Officer, Mr. Steve Blake, and I are dealing with this matter. We have met with Mr Leach and the restaurant manager, Mr Ozkan, and have discussed the arising public nuisance concerns. We are also liaising with the ward councillors in an effort to address local concerns.

I would urge you to contact Mr Blake, the noise pollution officer, regarding the ongoing noise nuisance aspect and he will be able to assist you with monitoring equipment that may provide supporting evidence to your grievance. Mr Blake can be contacted by email at Stephen.blake@brentwood.gov.uk

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

Kind regards,

<image004.png>

Dave Leonard | Licensing Officer
T: **01277 312523** | www.brentwood.gov.uk |
dave.leonard@brentwood.gov.uk

<image003.jpg>

From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 19 May 2018 00:10
To: Licensing <licensing@brentwood.gov.uk>
Subject: Re: Complaint FAO: Dave Leonard

Dear Mr Leonard

It is now 00.10 and loud music and vocals can be heard from the premises. There is a total disregard for the conditions of their licence and I do hope that you are going to do something about it. I have on several occasions been willing to try and resolve by speaking liaising directly with them but it is not working.

Thank you

Sent from my iPhone

On 18 May 2018, at 23:54, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Dear Mr Leonard

Could you please confirm that you received my last email. I would like to advise again that the noise from the pub is excessive being Friday night 18th it is 23.55 and the noise from bass and vocals is clearly heard within my property.

Thank you

Sent from my iPhone

On 28 Apr 2018, at 10:32, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Name: Clive Hussey

Tel: ~~01277 312523~~

Premises: The Skew Bar &
Grill The Skew Bar & Grill
Raylham Road, Sutton

Brentwood Essex CM13

1SG. Ref. No:

17/00078/LAPRE | Status: Current
Licence: | Applicant Name: Mr Philip
Leach

Complaint Summary:

We have lived at our property for nearly 4 years, in which time I have had no issues with any of the previous licence holders- it has been approximately the last 4 months where we have been subjected to disturbances mainly on a Friday and Saturday evening. During the week there are acceptable amounts of noise/disruption that can be tolerated- but Friday and Saturday nights have become unacceptable and believe the licence needs to be reviewed. The area is mainly residential and I do not believe the way the restaurant is running on Fri/Sat nights fits to a residential area. I appreciate that we are on a main road, but the traffic lessens around 11.30 pm so any disturbances past this time have greater impact and I really do feel that the licence times need to be reviewed.

Background:

I had monitored the disturbances throughout Jan/Feb 2018 when the disturbance started and as a result contacted the licence holder Philip Leach who I was able to explain the situation and in some instances (not all) resulted in improving some of the noise issues around March. I was then given a direct contact at the restaurant rather than keep liaising through Phil, since then I have had to contact the restaurant on a few occasions. Firstly due to an altercation within their grounds which went on for an extended period of time without the restaurant dealing with the situation, until I contacted them and requested at 1.00am that it be dealt with. I have also had to

contact them due to noise levels of music from the pub and I have to say that on several occasions music could be heard past the licensed time of 12.00am.

Complaint Main points:

Basically when the restaurant functions as a restaurant Sun- Thurs I have no real issues, the disturbances are acceptable to what you would expect, but for the past 4 months fri/sat nights have become increasingly disturbing especially when people are leaving the premises due to how late refreshments are being served and the closing time.

I believe the license for the above property is not meeting 1 of the 4 objectives: prevention of public nuisance.

I believe the main causes for this are below:

Activities: Provision of Late Night Refreshments until 1.00am for Fri/Sat Night.

Playing of Recorded music and Performance of Live music until 12.00am

Partly due to the below condition not being met:

Amplified Sound

Emissions Any sound emitted from amplified music or amplified speech within the premises shall be controlled so as to be inaudible at, or within, neighbouring dwellings.

I understand that other neighbours in the area have also seen this increase in disturbance too and I was surprised to learn that the restaurant even had a licence to the times stated- I really do not feel that a restaurant warrants being open until 01.00am especially for the small amount of customers this

will benefit versus the upset and disturbance to the neighbouring properties. I feel the restaurant should not have been granted a licence to 01.00am and that 12.00am should be the closing time at the weekend.

I believe this should resolve the disturbances and issues to the neighbouring properties and would still allow the restaurant to function effectively. As it can be seen from the background information above the restaurant has been given many chances to try and operate to the licence without causing disruption and this has proven that the current licensing times do not work.

Further to reviewing/requesting that the closing time be 12.00am instead of 01.00am I also ask that the importance of the restaurants condition of Amplified Sound Emissions be highlighted.

If you require more information to the above, please feel free to contact me via email or my phone number above.

Many Thanks

Clive Hussey

Click [here](#) to report this email as spam.

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DEPARTMENT OF CHEMISTRY
5408 SOUTH DICKENS STREET
CHICAGO, ILLINOIS 60637

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5408 SOUTH DICKENS STREET
CHICAGO, ILLINOIS 60637

Dave Leonard

From: Clive Hussey <[REDACTED]>
Sent: 09 June 2018 00:24
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Thank you

Sent from my iPhone

On 9 Jun 2018, at 00:06, Dave Leonard <dave.leonard@brentwood.gov.uk> wrote:

Hi Clive,
Steve and I are working next Saturday night and we will endeavour to make this visit a priority. I will speak with Steve and my boss on Monday.
Good luck in the meantime.
Kind regards,
Dave

Get [Outlook for iOS](#)

From: Clive Hussey <[REDACTED]>
Sent: Saturday, June 9, 2018 12:03:01 AM
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave
It is now just past midnight and the bass is still being heard from the restaurant.
Thank you

Sent from my iPhone

On 8 Jun 2018, at 23:35, Clive Hussey <[REDACTED]> wrote:

Hi Dave
It is 23.30 and bass is still ongoing.
(Just to confirm, I'm only updating you on situation- not constantly emailing you to get a response 🙄).
Cheers

Sent from my iPhone

On 8 Jun 2018, at 22:53, Clive Hussey <[REDACTED]> wrote:

Hi Dave
It is 22.50 and bass/vocals still being heard from the premises.
Thank you

Sent from my iPhone

On 8 Jun 2018, at 21:39, Clive Hussey

~~XXXXXXXXXXXXXXXXXXXX~~ wrote:

Hi Dave

Was there any update on this please, it's Friday 21.30 and music can be heard from the restaurant. Have they responded at all to your contact? Thank you

Sent from my iPhone

On 2 Jun 2018, at 20:54, Dave Leonard

<dave.leonard@brentwood.gov.uk> wrote:

Dear Clive,

I am not working this evening and so I don't have immediate access to a copy of the premises licence.

There is a condition relating to all windows and doors being closed but I believe that it only applies when live or recorded music is being played. However, to update you, I did speak with Mr Leach yesterday and informed him of the ongoing complaints that I am currently dealing with and I made him aware of position regarding open windows. He is in the process of drafting a written response to the warning notice I served on him last week. I will take this matter up again with Steve Blake when I return to work on Monday.

Good luck and I hope that you get some R&R this weekend.

Kind regards,

Dave

Get [Outlook for iOS](#)

From: Clive Hussey

<~~XXXXXXXXXXXXXXXXXXXX~~>

Sent: Saturday, June 2, 2018 8:41:54 PM

To: Dave Leonard; Stephen Blake

Subject: Re: Complaint FAO: Dave Leonard

Dear Mr Blake

As highlighted by Dave below I understand that you are able to supply noise monitoring equipment. Unfortunately the restaurant is now trading with all

windows and doors open and the noise level from customers is very high. I believe a condition of the restaurants licence is to have all windows and doors shut in trading hours?

Could you please confirm details for the above.

Many thanks

Clive

Sent from my iPhone

On 24 May 2018, at 16:15, Dave Leonard

<dave.leonard@brentwood.gov.uk

> wrote:

Dear Mr Hussey,
Thank you for your notification. I can confirm that both the Environmental Protection Officer, Mr. Steve Blake, and I are dealing with this matter. We have met with Mr Leach and the restaurant manager, Mr Ozkan, and have discussed the arising public nuisance concerns. We are also liaising with the ward councillors in an effort to address local concerns.

I would urge you to contact Mr Blake, the noise pollution officer, regarding the ongoing noise nuisance aspect and he will be able to assist you with monitoring equipment that may provide supporting evidence to your grievance. Mr

Blake can be contacted by email at Stephen.blake@brentwood.gov.uk

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

Kind regards,

<image004.png>

**Dave Leonard |
Licensing
Officer
T: 01277 312523
|
www.brentwood.gov.uk |
dave.leonard@brentwood.gov.uk**

<image003.jpg>

From: Clive Hussey
<~~clive.hussey@brentwood.gov.uk~~>
Sent: 19 May 2018 00:10
To: Licensing
<licensing@brentwood.gov.uk>
Subject: Re: Complaint FAO: Dave Leonard

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occasions been
willing to try and
resolve by speaking
liaising directly with
them but it is not
working.

Thank you

Sent from my
iPhone

On 18 May 2018, at
23:54, Clive Hussey

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ wrote:

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Dave Leonard

From: Jackie Nixon ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 11 June 2018 15:29
To: Stephen Blake
Cc: Dave Leonard; David Carter; Chris Hossack
Subject: Re: Noise at The Skew

Hello Stephen

Thank you for your e mail and for the clarification of your previous comment. I was unaware that Environmental Health had required The Skew to make the changes that you have outlined. I merely want to make the point that there is no improvement from a noise point of view. I am not sure if I have mentioned to you before , but historically, waste from this building has always been stored in one large bin in the car park.

Kind regards

Jackie Nixon

Sent from my iPad

> On Jun 11, 2018, at 4:03 PM, Stephen Blake <stephen.blake@brentwood.gov.uk> wrote:

>
> Dear Ms Nixon,
>
> At the time of the original meeting with the restaurants management, inspection of the refuse area showed that their rubbish (that included bottles) were stored in a selection of small wheelie bins that were inadequate in number and, additionally, considerable number of black bags were temporarily stored on the floor in a large pile. In response to my comments these 'small' wheelie bins are largely gone, together with the large collection of the black bags and have now have been replaced with large 'lidded' wheelie bins that are on caster wheels. This is an improvement.
>
> As stated to you previously, comment was had that relocation of these bins would be preferable, but it would seem that they didn't wish to do this. Additionally, I did confirm that they must additionally 'manage' their waste activities so that night time activities do not occur. This would include closed doors, no depositing of bottles outside after a certain time in the afternoon/evening, restricting loud conversations after a certain time etc. Although we have agreed that they do this (at the meeting) and I have confirmed it in writing, from your recent email it would appear that though given sufficient time to carry this out, they have not sufficiently complied.
>
> Our formal options (now that they have been given the opportunity) will now be considered and discussed tomorrow. Monitoring will be needed to confirm that a problem continues before any formal action can be contemplated, but because of the earlier actions (see above) we are now in a position to take further formal action.

> Yours Sincerely,

> Steve Blake

> Stephen Blake Environmental Health Officer Brentwood Borough Council
> Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

> -----Original Message-----

> From: Jackie Nixon ~~XXXXXXXXXXXXXXXXXXXX~~

> Sent: 11 June 2018 14:08

> To: Stephen Blake <stephen.blake@brentwood.gov.uk>

> Cc: Dave Leonard <dave.leonard@brentwood.gov.uk>; David Carter

> <david.carter@brentwood.gov.uk>; Chris Hossack

> <chris.hossack@brentwood.gov.uk>

> Subject: Re: Noise at The Skew

>

> Hello Stephen

>

> Thank you for acknowledging my e mail. I would like to make a comment about the third paragraph of your e mail where you state that the refuse area has been improved as far as the waste bins/ wheelie bins are concerned. What do you base this comment on ? There has not been an improvement in the situation regarding the bins. In fact, where they have repositioned the glass waste bins it has made the situation worse. I restate what I have said previously- the bins should be moved from that area completely. I look forward to hearing from you after your meeting tomorrow.

>

> Kind regards

>

> Jackie Nixon

>

> Sent from my iPad

>

>> On Jun 11, 2018, at 1:49 PM, Stephen Blake <stephen.blake@brentwood.gov.uk> wrote:

>>

>> Dear Ms. Nixon.

>>

>> I acknowledge receipt of your email regarding this matter and your comments contained therein.

>>

>> As stated at our last communication, a meeting was held by both myself and Dave Leonard of Licensing with the restaurants management, not that long ago, where these matters were discussed and they were given the opportunity to 'manage' these issues.

>>

>> It would appear that although the refuse area has been improved, as far as the waste bins/wheelie bins are concerned, they have not dealt with the other issues satisfactorily.

>>

>> I will be liaising with Licensing and with Councilor Hossack tomorrow, where we will discuss the next course of action.

>>

>> Once this has been done I will apprise you.

>>

>> Yours Sincerely,

>>

>> Steve Blake

>>

>> Stephen Blake Environmental Health Officer Brentwood Borough Council

>> Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

>>

>> -----Original Message-----

>> From: Jackie Nixon 

>> Sent: 11 June 2018 11:35

>> To: Stephen Blake <stephen.blake@brentwood.gov.uk>

>> Cc: Chris Hossack <chris.hossack@brentwood.gov.uk>

>> Subject: Noise at The Skew

>>

>>

>> Hello Stephen

>>

>> This yet another update regarding the continuing noise problem at The Skew. The situation for me is becoming intolerable and having a truly negative impact on my health. The situation is worse at weekends and during busy

periods. The noise generated from the kitchens , bin area and staff rest area goes on all day and can be heard in my house and garden. It is relentless. Banging and crashing from the kitchens, clanking of cutlery and crockery, bell ringing every time an order is ready, shouting, bins being used , bottles crashing into bins. On Friday 8.6.18 the noise continued until 1.15 am 9.6.18, I managed to get to sleep about half hour later . At 5.30 am a van arrived and it sounded like they were delivering something - I was woken by what sounded like a metal trolley being wheeled about. Immediately after, I heard the bins being moved about! Exactly the same thing happened the next evening and morning! Good health cannot be sustained on less than 4 hours sleep per night. It is not even possible to catch up during the day as the noise levels are so bad. Interspersed with the kitchen , bin area and staff area noise I also have the car park and restaurant noise to contend with. You will have already received a copy e mail that I have sent to Licensing re car park noise this last weekend. I am not sure what suggestions you have made to them about the kitchen and bin area noise but whatever it is they have not made any efforts at all. I restate what I have written in a previous e mail - the bin and bottle area should be moved to the other side of the building, the kitchen doors should be soundproofed and kept shut , the kitchen doors should have a soft close mechanism and a gasket fitted to the frame, the staff area should be relocated. I am getting no peace at any time and this is not acceptable. I would like you to contact me with an update regarding what action is being taken. I look forward to hearing from you.

>>

>>

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>>

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>>

>>

>> Sent from my iPad

>

Dave Leonard

From: Stephen Blake
Sent: 11 June 2018 15:03
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Cc: Dave Leonard; David Carter; Chris Hossack
Subject: RE: Noise at The Skew

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Stephen Blake Environmental Health Officer Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

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Sent: 11 June 2018 14:08
To: Stephen Blake <stephen.blake@brentwood.gov.uk>
Cc: Dave Leonard <dave.leonard@brentwood.gov.uk>; David Carter <david.carter@brentwood.gov.uk>; Chris Hossack <chris.hossack@brentwood.gov.uk>
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Jackie Nixon

Sent from my iPad

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> Once this has been done I will apprise you.

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> Yours Sincerely,

>

> Steve Blake

>

> Stephen Blake Environmental Health Officer Brentwood Borough Council

> Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

>

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> Sent: 11 June 2018 11:35

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> Cc: Chris Hossack <chris.hossack@brentwood.gov.uk>

> Subject: Noise at The Skew

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>

Dave Leonard

From: Stephen Blake
Sent: 11 June 2018 12:50
To: Jackie Nixon
Cc: Dave Leonard; David Carter; Chris Hossack
Subject: RE: Noise at The Skew

Dear Ms. Nixon.

I acknowledge receipt of your email regarding this matter and your comments contained therein.

As stated at our last communication, a meeting was held by both myself and Dave Leonard of Licensing with the restaurants management, not that long ago, where these matters were discussed and they were given the opportunity to 'manage' these issues.

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Once this has been done I will apprise you.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

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

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: 11 June 2018 11:35
To: Stephen Blake <stephen.blake@brentwood.gov.uk>
Cc: Chris Hossack <chris.hossack@brentwood.gov.uk>
Subject: Noise at The Skew

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Kind regards

Jackie Nixon

Sent from my iPad

Dave Leonard

From: Jackie Nixon ~~<jackie.nixon@skew.co.uk>~~
Sent: 22 June 2018 14:49
To: Stephen Blake
Cc: Dave Leonard; Olivia Sanders; David Carter; martyn white; Chris Hossack
Subject: Re: The skew

Hello Stephen

Thank you for your e mail although I have to say that I am flabbergasted by the contents. I accept that if you did not hear music during your visit or noisy behaviour in the car park then there is little that you can do about it. However, the issue re the noise from the kitchens and the bin area is constant and I am very surprised that you could not hear it. I was at home during the time you visited The Skew on the 16.6.18 and would have welcomed a visit from you to witness the noise from my property. As I have said to you previously, it is not always that the noise is especially loud, but it is constant - crockery and cutlery clanging, dishwasher running, bell ringing every time an order is ready, bins being used , chopping and banging sounds - presumably food being prepared , staff shouting etc etc. This noise continues way past the restaurant closing hours as they are obviously clearing up. The kitchen doors are always open during warm weather and are open as I write this e mail. When the weather is cold I have the constant banging of the doors to contend with and can still hear noise from the kitchen as there is no soundproofing to the doors. The moving of the bins a few yards has done nothing to mitigate the noise problem. In fact I think I have already pointed out to you in a previous e mail that it not only has not improved the situation for me but is likely to cause a nuisance for my neighbour . The noise from the kitchens is in full swing at lunchtimes and goes on all evening, when they have a break they congregate in the staff area outside which is also very noisy. With regard to the fumes from the extractor, it was very bad at the weekend. You say in your e mail that there was no odour at my property. Where were you on my property ? I can assure you that the fumes were sufficiently noxious that I was unable to use my rear garden and had to keep the back windows and kitchen door closed as the fumes were coming into the house. Obviously the fumes will only be present when they are actually cooking which they would not have been doing at the time of your visit. I can smell the fumes in my kitchen now as I write this e mail. An officer from Env Health has actually smelled the fumes in my kitchen on the 9.5.18 , it wasn't especially bad on that day but could still be smelled. I did send you an e mail regarding this.

The problem of noise from The Skew is far from resolved as far as I am concerned. I have previously invited you to come to my property to witness the noise but you have not done so. Once again I am asking you to visit , preferably on a Friday , Saturday or Sunday afternoon . You will not hear car park or music noise but I can assure you that you will hear the kitchen noise and smell the fumes if the wind is in the right direction.

During this week the kitchen doors have been permanently open from morning till night so the constant crockery ,cutlery sounds continue as does the noise from the food preparation, use of the bin area , staff area and the bell ringing etc etc. As I sit here in my kitchen, which is on the furthest side from the Skew , I am listening to a repetitive banging sound which I believe is meat being prepared.

Also, I would like to know what is the minor variation that you refer to and what will it set right?
What conclusions were reached when you analysed the noise monitoring equipment which was in my house for a 13 day period?

Finally, last night at 11.38pm an argument broke out in the car park of The Skew. It was very loud, very abusive and there was lots of bad language . The participants sounded extremely drunk. Not the sort of behaviour one would expect from people who have simply been out for a meal.

I await your response.

Kind regards

Jackie Nixon

Sent from my iPad

On Jun 18, 2018, at 2:43 PM, Chris Hossack <chris.hossack@brentwood.gov.uk> wrote:

Thank you for the update.

A summary of reading tells me the visit did not corroborate the complainants claims in general?

Apart from the doors you have mentioned were no other doors or windows open in breach of licence condition 1?

Re your 2nd last para, if the owners does apply for a variation (I presume this refers to music?) I hope this would not be approved?

Please can someone define if this is a restaurant or a night club? as you say inside the music was very loud.

Jackie Nixon informs me thing we very bad over the weekend re cooking fumes. At the time of you visit, across the midnight hour, it would be highly likely the cooking had all but ceased. Have you identified the peak cooking times for this restaurant and have we assessed the fumes at these times?

Regards

Chris

From: Stephen Blake
Sent: 18 June 2018 14:11:38
To: Chris Hossack; Dave Leonard
Cc: Olivia Sanders; Jackie Nixon; David Carter
Subject: RE: The skew

Dear Councilor Hossack/Sanders and J Nixon,

I confirm that Dave Leonard and I visited The Skew Saturday evening (16:06:18) at 23:45hrs - 00:30hrs Sunday (17:06:18).

With regard to the complaints made I confirm the following

1. Noise from entertainment: There was entertainment noise being carried out within the 'Bar' area of the premises (to the left of the building as you face it). Whilst inside the building the music was very loud. Outside however though it could just be heard, it was very low and not a problem. We walked round the building to ensure that there were no 'break-out' areas and found no loud noise emanating the property. It was noted that the 'outer' lobby doors were tied in an open position so that the full use of the lobby (I,e, as a two stage door system to control noise) could not operate as it should.

2. Odour from cooking: No odour was observed when we walked round the restaurant. A very slight whiff was noted at 576 Rayleigh Road though this was barely noticeable and for a few seconds. No odour was noticed from 574 Rayleigh Road.
3. Noise from rowdy behavior at front of premises/car park area: There was no noisy activity in the car park, though a couple of customers were noted sitting in the front verandah talking loudly
4. Noise from Kitchen door area: It was noted that the rear side door servicing a storage area was wide open, though no noise was heard emanating from there at any time. The side kitchen door was ajar and later when accompanied by the Manager it was noted wide open (this was promptly closed by the Manager)
5. Noise from bottles being deposited in wheelie bins: This activity was not being carried out at our time of visit

After carrying out our observations, Dave Leonard and I entered the restaurant and spoke to the premises manager. Mr. Phillip Leach was not present.

The above matters were discussed and the manager confirmed that noise from 5 has been mitigated to some extent by relocating the bottle store wheelie bins away from the side fence and re-positioning them at the back of the premises slightly round the corner. The manager confirmed that the general refuse bins will soon follow and that a metal screen wall will be erected to further screen of the 'new' refuse bin area. This was confirmed when we accompanied the manager to the 'new' area and inspected. I requested that plans be forwarded on to me to corroborate this.

With regard to 4 the kitchen door being wide open as we walked round to the area, this fact corroborated the allegation and drove home that this was an activity that should cease. He concurred.

Concerning 3, it was suggested that the verandah area at the front was not ideal and that customers who may have temporarily deafness due to the music being played indoors, would be best located to another area more suited to smoking. The manager also commented that the verandah area was made of decking type structure and that smoking activities might in fact ignite material below and under the verandah. He appeared to take on this advice.

On discussion with the manager regarding the ventilation system he confirmed that work cleaning the system had already been done and that a contract had been agreed to have the ventilation system regularly maintained and serviced. I commented that though I had asked several times whether this was so I had not received a written response. Arrangements were made that this documentation be forwarded on to me for perusal.

Regarding entertainment noise the temporary fixing of the outer lobby doors open was discussed and pointed out and it was made clear that the lobby doors should have their doors closed but openable. Managing possible outbreak of noise was emphasized, though at the time, as stated earlier, there was no noise problem at that time. Regular monitoring of this car park area was confirmed and this should be enshrined in their working procedure.

Discussion was held with the manager with regard to confirming the above action in writing and ultimately for the owners to consider addressing these matters in the form of submitting a request for a Minor Variation to set thing right.

Dave is on leave today, but on his return I will liaise with him to confirm the visit/meeting and arrange confirmation from the owners/Licensee regarding the matters that were discussed.

I will keep you apprised as things develop.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Chris Hossack
Sent: 18 June 2018 12:48
To: Stephen Blake <stephen.blake@brentwood.gov.uk>; Dave Leonard <dave.leonard@brentwood.gov.uk>
Cc: Olivia Sanders <olivia.sanders@brentwood.gov.uk>; Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX~~>
Subject: Re: The skew

Guys, please let me know how Saturday went.

We need this bin location moved, it is no good for them just to reuse to move it, we need to apply pressure now.

I look forward to hearing from you

Regards

Chris

From: Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX~~>
Sent: 18 June 2018 12:45:01
To: Stephen Blake
Cc: Dave Leonard; Chris Hossack
Subject: The skew

Hello Stephen

Just to update you that the noise and smell problems continue as previously reported. Also, on Saturday afternoon a very noisy event was held in the garden - I am not sure what was going on, there was a lot of shouting and general hilarity. It was not noise you could associate with people out having a meal. Again I have been disturbed by a van arriving in the early morning (6.15 am). Today I have had to collect a significant amount of paper rubbish from my garden. When I looked down the side of The Skew I saw a huge pile of loose rubbish which no doubt will continue to come over the fence and down the road if the wind picks up. I have tried to telephone you today but you were out of the office. Can you please let me know what is happening regarding these various issues.

Kind regards

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: Clive Hussey <~~clive.hussey@bt.com~~>
Sent: 23 June 2018 23:54
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave

Last night (Friday) I had no complaints and believed that something must have resolved as there was no noise from the restaurant. Now tonight the noise level is ridiculous up until 23.30- I could hear every word of the live singer and music inside my property. Although level now reduced it can still be heard. Can I please request the recording equipment that you mentioned previously.

Thank you

Sent from my iPhone

On 17 Jun 2018, at 08:42, Clive Hussey <~~clive.hussey@bt.com~~> wrote:

Hi Dave

Last night between midnight and 01.00am there were 2 occasions of shouting and loud noise from customers exiting the restaurant (the first being arguments). The only way this could be controlled would be to limit the closing time to midnight. It is not pleasant having your family woken up at 01.00am when you have to be up early. Again, I see no reason or justification for a restaurant to be open until 01.00am. I note that other similar restaurants in warley and billericay do not have these opening times. To confirm, This is not about trying to stop the restaurant, as a restaurant it is very nice. Its the way it operates on fri/sat night- simply stopping the nuisances that the extra hour and conditions not being met cause.

Resolution:

Closing time midnight.

Condition of music not being audible strictly adhered too.

Other than the above, the impact from the restaurant (although not great) is acceptable/expected. It's these above points that spoil it.

And lastly it's worth noting again the restaurant has traded since August last year and up until the new year I had absolutely no complaints. I have then on several occasions over Jan- mar tried direct contact and since April with yourselves. The situation still remains unresolved, so can only see the above to be the resolution.

Please Please can you look to address this ASAP as it is now causing my family distress.

Many thanks

Clive

Sent from my iPhone

On 16 Jun 2018, at 00:03, Clive Hussey <~~clive.hussey@bt.com~~> wrote:

Hi Dave

Can I please confirm if you will visiting tomorrow? I was hoping that I was going to report that tonight was fine as it was up until 23.00- but then they decided to start playing bass music and shouting over the microphone which is now on going even

as I write this email- they are really just spoiling themselves for the sake of the last couple of hours and upsetting neighbours for no real reason. I really don't understand it.

Thank you

Sent from my iPhone

On 9 Jun 2018, at 00:23, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Thank you

Sent from my iPhone

On 9 Jun 2018, at 00:06, Dave Leonard
<dave.leonard@brentwood.gov.uk> wrote:

Hi Clive,
Steve and I are working next Saturday night and we will endeavour to make this visit a priority. I will speak with Steve and my boss on Monday. Good luck in the meantime.
Kind regards,
Dave

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From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: Saturday, June 9, 2018 12:03:01 AM
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave
It is now just past midnight and the bass is still being heard from the restaurant.
Thank you

Sent from my iPhone

On 8 Jun 2018, at 23:35, Clive Hussey
<~~clive.hussey@brentwood.gov.uk~~> wrote:

Hi Dave
It is 23.30 and bass is still ongoing.
(Just to confirm, I'm only updating you on situation- not constantly emailing you to get a response 🙏).
Cheers

Sent from my iPhone

On 8 Jun 2018, at 22:53, Clive
Hussey
<~~clive.hussey@brentwood.gov.uk~~>
wrote:

Dave Leonard

From: Clive Hussey <~~clive.hussey@bt.com~~>
Sent: 24 June 2018 00:01
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave

It is now close to midnight and level has increased again.

Could you please email me your telephone number on Monday so I can discuss the ongoing issues.

Thank you

Sent from my iPhone

On 23 Jun 2018, at 23:53, Clive Hussey <~~clive.hussey@bt.com~~> wrote:

Hi Dave

Last night (Friday) I had no complaints and believed that something must have resolved as there was no noise from the restaurant. Now tonight the noise level is ridiculous up until 23.30- I could hear every word of the live singer and music inside my property. Although level now reduced it can still be heard. Can I please request the recording equipment that you mentioned previously.

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Resolution:

Closing time midnight.

Condition of music not being audible strictly adhered too.

Other than the above, the impact from the restaurant (although not great) is acceptable/expected. It's these above points that spoil it.

And lastly it's worth noting again the restaurant has traded since August last year and up until the new year I had absolutely no complaints. I have then on several occasions over Jan- mar tried direct contact and since April with yourselves. The situation still remains unresolved, so can only see the above to be the resolution.

Please Please can you look to address this ASAP as it is now causing my family distress.

Many thanks

Clive

Sent from my iPhone

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Thank you

Sent from my iPhone

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Sent from my iPhone

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Kind regards,
Dave

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Sent: Saturday, June 9, 2018 12:03:01 AM
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

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Thank you

Sent from my iPhone

Dave Leonard

From: Clive Hussey ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 24 June 2018 00:10
To: Dave Leonard
Cc: Stephen Blake
Subject: Re: Complaint FAO: Dave Leonard

Just by way to update you there is now chanting of ogee ogee over the microphone and cheering and it's now well passed midnight.

Sent from my iPhone

On 24 Jun 2018, at 00:00, Clive Hussey ~~XXXXXXXXXXXXXXXXXXXX~~ wrote:

Hi Dave
It is now close to midnight and level has increased again.
Could you please email me your telephone number on Monday so I can discuss the ongoing issues.
Thank you

Sent from my iPhone

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Thank you

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Clive

Sent from my iPhone

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Thank you

Sent from my iPhone

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> wrote:

Hi Clive,
Steve and I are working next Saturday night and we will endeavour to make this visit a priority. I will speak with Steve and my boss on Monday. Good luck in the meantime.

Dave Leonard

From: martyn white ~~martyn.white@brentwood.gov.uk~~
Sent: 25 June 2018 13:26
To: Stephen Blake
Cc: Dave Leonard; Olivia Sanders; David Carter; Chris Hossack
Subject: RE: The skew

To all concerned

Firstly I would like to thank my neighbour Jackie Nixon for writing the mail on the 22nd I have been away on business for a few weeks, these are my observations on the the weekend of the 23rd June.

Noise from kitchen all evening and emptying bottles up until 13.20 in the morning. The bottle skips should be moved over to the western side of the site, in fact the side where the bar areas are.

Thursday, Friday and Saturday evening noise from customers, shouting/swearing on leaving.

Saturday up until 12.25, from the front of the building music plus noisy customers on veranda.

Odour from the grill extract.

Car parking on verges blocking view of oncoming traffic.

Customers still leaving noisely the premises after 13.00.

Staff area extremely noisy all evening.

It also appears they are not adhering to the restrictions of their alcohol licence, I am happy to discuss this with Mr Leonard.

It seems nothing has changed, in fact it has got worse.

Very interested in your comments.

Martyn White.

576 Rayleigh Road.
Tel: ~~01274 244444~~

Sent from Mail for Windows 10

From: Jackie Nixon ~~jackie.nixon@brentwood.gov.uk~~
Sent: Friday, June 22, 2018 2:48:34 PM
To: stephen.blake@brentwood.gov.uk
Cc: Dave Leonard; Olivia Sanders; David Carter; martyn white; chris.hossack@brentwood.gov.uk
Subject: Re: The skew

Hello Stephen

Thank you for your e mail although I have to say that I am flabbergasted by the contents. I accept that if you did not hear music during your visit or noisy behaviour in the car park then there is little that you can do about it. However, the issue re the noise from the kitchens and the bin area is constant and I am very surprised that you could not hear it. I was at home during the time you visited The Skew on the 16.6.18 and would have welcomed a visit from you to witness the noise from my property. As I have said to you previously, it is not always that the noise is especially loud, but it is constant - crockery and cutlery clanging, dishwasher running, bell ringing every time an order is ready, bins being used , chopping and banging sounds - presumably food being prepared , staff shouting etc etc. This noise continues way past the restaurant closing hours as they are obviously clearing up. The kitchen doors are always open during warm weather and are open as I write this e mail. When the weather is cold I have the constant banging of the doors to contend with and can still hear noise from the kitchen as there is no soundproofing to the doors. The moving of the bins a few yards has done nothing to mitigate the noise problem. In fact I think I have already pointed out to you in a previous e mail that it not only has not improved the situation for me but is likely to cause a nuisance for my neighbour . The noise from the kitchens is in full swing at lunchtimes and goes on all evening, when they have a break they congregate in the staff area outside which is also very noisy. With regard to the fumes from the extractor, it was very bad at the weekend. You say in your e mail that there was no odour at my property. Where were you on my property ? I can assure you that the fumes were sufficiently noxious that I was unable to use my rear garden and had to keep the back windows and kitchen door closed as the fumes were coming into the house. Obviously the fumes will only be present when they are actually cooking which they would not have been doing at the time of your visit. I can smell the fumes in my kitchen now as I write this e mail. An officer from Env Health has actually smelled the fumes in my kitchen on the 9.5.18 , it wasn't especially bad on that day but could still be smelled. I did send you an e mail regarding this.

The problem of noise from The Skew is far from resolved as far as I am concerned. I have previously invited you to come to my property to witness the noise but you have not done so. Once again I am asking you to visit , preferably on a Friday , Saturday or Sunday afternoon . You will not hear car park or music noise but I can assure you that you will hear the kitchen noise and smell the fumes if the wind is in the right direction.

During this week the kitchen doors have been permanently open from morning till night so the constant crockery ,cutlery sounds continue as does the noise from the food preparation, use of the bin area , staff area and the bell ringing etc etc. As I sit here in my kitchen, which is on the furthest side from the Skew , I am listening to a repetitive banging sound which I believe is meat being prepared.

Also, I would like to know what is the minor variation that you refer to and what will it set right?
What conclusions were reached when you analysed the noise monitoring equipment which was in my house for a 13 day period?

Finally, last night at 11.38pm an argument broke out in the car park of The Skew. It was very loud, very abusive and there was lots of bad language . The participants sounded extremely drunk. Not the sort of behaviour one would expect from people who have simply been out for a meal.

I await your response.

Kind regards

Jackie Nixon

Sent from my iPad

On Jun 18, 2018, at 2:43 PM, Chris Hossack <chris.hossack@brentwood.gov.uk> wrote:

Thank you for the update.

A summary of reading tells me the visit did not corroborate the complainants claims in general?

Apart from the doors you have mentioned were no other doors or windows open in breach of licence condition 1?

Re your 2nd last para, if the owners does apply for a variation (I presume this refers to music?) I hope this would not be approved?

Please can someone define if this is a restaurant or a night club? as you say inside the music was very loud.

Jackie Nixon informs me thing we very bad over the weekend re cooking fumes. At the time of you visit, across the midnight hour, it would be highly likely the cooking had all but ceased. Have you identified the peak cooking times for this restaurant and have we assessed the fumes at these times?

Regards

Chris

From: Stephen Blake
Sent: 18 June 2018 14:11:38
To: Chris Hossack; Dave Leonard
Cc: Olivia Sanders; Jackie Nixon; David Carter
Subject: RE: The skew

Dear Councilor Hossack/Sanders and J Nixon,

I confirm that Dave Leonard and I visited The Skew Saturday evening (16:06:18) at 23:45hrs - 00:30hrs Sunday (17:06:18).

With regard to the complaints made I confirm the following

1. **Noise from entertainment:** There was entertainment noise being carried out within the 'Bar' area of the premises (to the left of the building as you face it). Whilst inside the building the music was very loud. Outside however though it could just be heard, it was very low and not a problem. We walked round the building to ensure that there were no 'break-out' areas and found no loud noise emanating the property. It was noted that the 'outer' lobby doors were tied in an open position so that the full use of the lobby (I,e, as a two stage door system to control noise) could not operate as it should.
2. **Odour from cooking:** No odour was observed when we walked round the restaurant. A very slight whiff was noted at 576 Rayleigh Road though this was barely noticeable and for a few seconds. No odour was noticed from 574 Rayleigh Road.
3. **Noise from rowdy behavior at front of premises/car park area:** There was no noisy activity in the car park, though a couple of customers were noted sitting in the front verandah talking loudly
4. **Noise from Kitchen door area:** It was noted that the rear side door servicing a storage area was wide open, though no noise was heard emanating from there at any time. The side kitchen door was ajar and later when accompanied by the Manager it was noted wide open (this was promptly closed by the Manager)

- Noise from bottles being deposited in wheelie bins: This activity was not being carried out at our time of visit

After carrying out our observations, Dave Leonard and I entered the restaurant and spoke to the premises manager. Mr. Phillip Leach was not present.

The above matters were discussed and the manager confirmed that noise from 5 has been mitigated to some extent by relocating the bottle store wheelie bins away from the side fence and re-positioning them at the back of the premises slightly round the corner. The manager confirmed that the general refuse bins will soon follow and that a metal screen wall will be erected to further screen of the 'new' refuse bin area. This was confirmed when we accompanied the manager to the 'new' area and inspected. I requested that plans be forwarded on to me to corroborate this.

With regard to 4 the kitchen door being wide open as we walked round to the area, this fact corroborated the allegation and drove home that this was an activity that should cease. He concurred.

Concerning 3, it was suggested that the verandah area at the front was not ideal and that customers who may have temporarily deafness due to the music being played indoors, would be best located to another area more suited to smoking. The manager also commented that the verandah area was made of decking type structure and that smoking activities might in fact ignite material below and under the verandah. He appeared to take on this advice.

On discussion with the manager regarding the ventilation system he confirmed that work cleaning the system had already been done and that a contract had been agreed to have the ventilation system regularly maintained and serviced. I commented that though I had asked several times whether this was so I had not received a written response. Arrangements were made that this documentation be forwarded on to me for perusal.

Regarding entertainment noise the temporary fixing of the outer lobby doors open was discussed and pointed out and it was made clear that the lobby doors should have their doors closed but openable. Managing possible outbreak of noise was emphasized, though at the time, as stated earlier, there was no noise problem at that time. Regular monitoring of this car park area was confirmed and this should be enshrined in their working procedure.

Discussion was held with the manager with regard to confirming the above action in writing and ultimately for the owners to consider addressing these matters in the form of submitting a request for a Minor Variation to set thing right.

Dave is on leave today, but on his return I will liaise with him to confirm the visit/meeting and arrange confirmation from the owners/Licensee regarding the matters that were discussed.

I will keep you apprised as things develop.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Chris Hossack
Sent: 18 June 2018 12:48
To: Stephen Blake <stephen.blake@brentwood.gov.uk>; Dave Leonard <dave.leonard@brentwood.gov.uk> Page 204

Cc: Olivia Sanders <olivia_sanders@brentwood.gov.uk>; Jackie Nixon ~~XXXXXXXXXXXXXXXXXXXX~~
Subject: Re: The skew

Guys, please let me know how Saturday went.

We need this bin location moved, it is no good for them just to reuse to move it, we need to apply pressure now.

I look forward to hearing from you

Regards

Chris

From: Jackie Nixon ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 18 June 2018 12:45:01
To: Stephen Blake
Cc: Dave Leonard; Chris Hossack
Subject: The skew

Hello Stephen

Just to update you that the noise and smell problems continue as previously reported. Also, on Saturday afternoon a very noisy event was held in the garden - I am not sure what was going on, there was a lot of shouting and general hilarity. It was not noise you could associate with people out having a meal. Again I have been disturbed by a van arriving in the early morning (6.15 am). Today I have had to collect a significant amount of paper rubbish from my garden. When I looked down the side of The Skew I saw a huge pile of loose rubbish which no doubt will continue to come over the fence and down the road if the wind picks up. I have tried to telephone you today but you were out of the office. Can you please let me know what is happening regarding these various issues.

Kind regards

Jackie Nixon

Sent from my iPad

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Dave Leonard

From: martyn white ~~martyn.white@brentwood.gov.uk~~
Sent: 25 June 2018 17:13
To: Stephen Blake
Cc: Dave Leonard; Olivia Sanders; David Carter; Chris Hossack
Subject: RE: The skew

Apologies, all times written as 13.00 & 13.20 should read 01.00 & 01.20.

Regards.

Martyn White.

Sent from [Mail](#) for Windows 10

From: martyn white ~~martyn.white@brentwood.gov.uk~~
Sent: Monday, June 25, 2018 1:26:17 PM
To: stephen.blake@brentwood.gov.uk
Cc: Dave Leonard; Olivia Sanders; David Carter; Chris Hossack
Subject: RE: The skew

To all concerned

Firstly I would like to thank my neighbour Jackie Nixon for writing the mail on the 22nd I have been away on business for a few weeks, these are my observations on the the weekend of the 23rd June.

Noise from kitchen all evening and emptying bottles up until 13.20 in the morning. The bottle skips should be moved over to the western side of the site, in fact the side where the bar areas are.

Thursday, Friday and Saturday evening noise from customers, shouting/swearing on leaving.

Saturday up until 12.25, from the front of the building music plus noisy customers on veranda.

Odour from the grill extract.

Car parking on verges blocking view of oncoming traffic.

Customers still leaving noisely the premises after 13.00.

Staff area extremely noisy all evening.

It also appears they are not adhering to the restrictions of their alcohol licence, I am happy to discuss this with Mr Leonard.

It seems nothing has changed, in fact it has got worse.

Very interested in your comments.

Martyn White.

576 Rayleigh Road.
Tel: ~~01276 343434~~

Sent from Mail for Windows 10

From: Jackie Nixon <[REDACTED]>
Sent: Friday, June 22, 2018 2:48:34 PM
To: stephen.blake@brentwood.gov.uk
Cc: Dave Leonard; Olivia Sanders; David Carter; marty white; chris.hossack@brentwood.gov.uk
Subject: Re: The skew

Hello Stephen

Thank you for your e mail although I have to say that I am flabbergasted by the contents. I accept that if you did not hear music during your visit or noisy behaviour in the car park then there is little that you can do about it. However, the issue re the noise from the kitchens and the bin area is constant and I am very surprised that you could not hear it. I was at home during the time you visited The Skew on the 16.6.18 and would have welcomed a visit from you to witness the noise from my property. As I have said to you previously, it is not always that the noise is especially loud, but it is constant - crockery and cutlery clanging, dishwasher running, bell ringing every time an order is ready, bins being used , chopping and banging sounds - presumably food being prepared , staff shouting etc etc. This noise continues way past the restaurant closing hours as they are obviously clearing up. The kitchen doors are always open during warm weather and are open as I write this e mail. When the weather is cold I have the constant banging of the doors to contend with and can still hear noise from the kitchen as there is no soundproofing to the doors. The moving of the bins a few yards has done nothing to mitigate the noise problem. In fact I think I have already pointed out to you in a previous e mail that it not only has not improved the situation for me but is likely to cause a nuisance for my neighbour . The noise from the kitchens is in full swing at lunchtimes and goes on all evening, when they have a break they congregate in the staff area outside which is also very noisy. With regard to the fumes from the extractor, it was very bad at the weekend. You say in your e mail that there was no odour at my property. Where were you on my property ? I can assure you that the fumes were sufficiently noxious that I was unable to use my rear garden and had to keep the back windows and kitchen door closed as the fumes were coming into the house. Obviously the fumes will only be present when they are actually cooking which they would not have been doing at the time of your visit. I can smell the fumes in my kitchen now as I write this e mail. An officer from Env Health has actually smelled the fumes in my kitchen on the 9.5.18 , it wasn't especially bad on that day but could still be smelled. I did send you an e mail regarding this.

The problem of noise from The Skew is far from resolved as far as I am concerned. I have previously invited you to come to my property to witness the noise but you have not done so. Once again I am asking you to visit , preferably on a Friday , Saturday or Sunday afternoon . You will not hear car park or music noise but I can assure you that you will hear the kitchen noise and smell the fumes if the wind is in the right direction.

During this week the kitchen doors have been permanently open from morning till night so the constant crockery ,cutlery sounds continue as does the noise from the food preparation, use of the bin area , staff area and the bell ringing etc etc. As I sit here in my kitchen, which is on the furthest side from the Skew , I am listening to a repetitive banging sound which I believe is meat being prepared.

Also, I would like to know what is the minor variation that you refer to and what will it set right?
What conclusions were reached when you analysed the noise monitoring equipment which was in my house for a 13 day period?

Finally, last night at 11.38pm an argument broke out in the car park of The Skew. It was very loud, very abusive and there was lots of bad language . The participants sounded extremely drunk. Not the sort of behaviour one would expect from people who have simply been out for a meal.

I await your response.

Kind regards

Jackie Nixon

Sent from my iPad

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Dave is on leave today, but on his return I will liaise with him to confirm the visit/meeting and arrange confirmation from the owners/Licensee regarding the matters that were discussed.

I will keep you apprised as things develop.

Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Chris Hossack
Sent: 18 June 2018 12:48
To: Stephen Blake <stephen.blake@brentwood.gov.uk>; Dave Leonard <dave.leonard@brentwood.gov.uk>
Cc: Olivia Sanders <olivia.sanders@brentwood.gov.uk>; Jackie Nixon ~~XXXXXXXXXXXXXXXXXXXX~~
Subject: Re: The skew

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I look forward to hearing from you

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Sent: 18 June 2018 12:45:01
To: Stephen Blake
Cc: Dave Leonard; Chris Hossack
Subject: The skew

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Kind regards

Jackie Nixon
Sent from my iPad
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Dave Leonard

From: Dave Leonard
Sent: 25 June 2018 15:28
To: 'Clive Hussey'
Cc: Stephen Blake
Subject: RE: Complaint FAO: Dave Leonard

Hi Clive.

Thank you for getting back so promptly. You are right and I share your grievance that the management appears to have chosen to ignore our advice. I will be liaising with my manager and Steve Blake this week and we will be seeking to implement a course of action that will positively address this ongoing concern once and for all. In the meantime, I believe that it is essential to the evidence gathering process that Steve's department arrange for you to be provided with the noise recording equipment.

Kind regards,

Dave

From: Clive Hussey <~~dave.leonard@brentwood.gov.uk~~>
Sent: 25 June 2018 15:19
To: Dave Leonard <dave.leonard@brentwood.gov.uk>
Cc: Stephen Blake <stephen.blake@brentwood.gov.uk>
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave

Many thanks for your reply. I would like to confirm that my comments in previous mails tally with your findings of Saturday 16th June as I only complained regards people leaving, not from sound level. Yet even with your visit they felt that the following Saturday 23rd it was fine to ignore the level of music and play at whatever they wanted- which was much higher than that of Saturday 16th. I'm concerned that they have taken your comments that the noise level isn't sufficient as a nuisance to be that it isn't an issue, You can appreciate my frustration that on a night that you visited I agree it wasn't a nuisance from noise level and then the very next Saturday it was again. To note; as confirmed Friday 22nd was a night I consider not being a nuisance so if they could adhere to this Friday just gone and pre the new year why is this an ongoing issue?
Thank you

Sent from my iPhone

On 25 Jun 2018, at 14:48, Dave Leonard <dave.leonard@brentwood.gov.uk> wrote:

Dear Clive,

Both Steve Blake and I did indeed visit The Skew Bar & Grill on Saturday, 16th June 2018 at 11.55pm and spoke with the manager on duty, Mr Berkan. He was left in no uncertain terms of the concerns raised by the local residents relating to the running of the premises. I must confess that, during the hour that we remained at the location, neither Steve nor I could not categorize any noise outbreak as being of a level sufficient to be deemed as a nuisance. However, there were areas in relation to noise escape, a dispersal policy and waste disposal that all parties agreed could be addressed relatively simply by making a few minor adjustments to their operating schedule.

Therefore, it is very disappointing to learn that those areas still do not appear to have been addressed or resolved. I am currently in the process of writing a further notification to the premises licence holder with a view to addressing these concerns and I am in regular contact with local councillors in order to appraise them of the situation.

I will ask Steve Blake to organize providing you with some noise monitoring equipment and I will continue to liaise with both yourself and the management of The Skew. If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at Brentwood Town Hall on **01277 312523**.

Kind regards,

<image004.png>

Dave Leonard | Licensing Officer
T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk

<image003.jpg>

From: Clive Hussey <clive.hussey@brentwood.gov.uk>
Sent: 25 June 2018 14:01
To: Dave Leonard <dave.leonard@brentwood.gov.uk>
Cc: Stephen Blake <stephen.blake@brentwood.gov.uk>
Subject: Re: Complaint FAO: Dave Leonard

Hi Dave
Could I please get an update on the case.
Cheers

Sent from my iPhone

On 24 Jun 2018, at 00:10, Clive Hussey <clive.hussey@brentwood.gov.uk> wrote:

Just by way to update you there is now chanting of ogee ogee over the microphone and cheering and it's now well passed midnight.

Sent from my iPhone

On 24 Jun 2018, at 00:00, Clive Hussey <clive.hussey@brentwood.gov.uk> wrote:

Hi Dave
It is now close to midnight and level has increased again.
Could you please email me your telephone number on Monday so I can discuss the ongoing issues.
Thank you

Sent from my iPhone

On 23 Jun 2018, at 23:53, Clive Hussey <clive.hussey@brentwood.gov.uk> wrote:

Hi Dave
Last night (Friday) I had no complaints and believed that something must have resolved as there was no noise from the restaurant. Now tonight the noise level is ridiculous up until 23.30- I could hear every

Dave Leonard

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: 25 June 2018 15:18
To: Stephen Blake
Cc: Chris Hossack; Olivia Sanders; Dave Leonard
Subject: The Skew - noise complaint

Hello Stephen

This weekend has been another noisy one at The Skew.

Re Kitchen ,bin area and staff area.

The doors to the two kitchen areas have been open from first thing in the morning till last thing at night (they are open as I write this e mail). The noise from food preparation, crockery and cutlery, metal kitchen items clanging, staff talking and shouting and a bell ringing every time an order is ready is incessant. At the same time as all that noise is going on I have to listen to the refuse and bottle bins being used as well as the noise generated from the staff area which at times sounds like a party going on. On Saturday night at 11.30 pm several staff congregated in the staff area and had a very noisy get together. This was in addition to the various gatherings they had during the course of the day. At 00.53 am the trolley which carries the bottles was pushed down the side of the building. The activity of transporting the bottles from the west side of the building to the east side is a noisy activity in itself. The bottles were then transferred into the bin in dribs and drabs in between the staff laughing and joking about very loudly. This activity carried on until 1.10am. At 1.11am the kitchen doors were slammed very loudly and it went quite. I was just drifting into sleep when at 1.25am there was a loud crash which sounded like the final bags of rubbish being thrown into the bin, followed by the kitchen door slamming again.

Re Restaurant and car park noise

On Saturday night a live music event was held in the restaurant. I could hear the music as I sat in my kitchen , which is at the back of my house on the east side. I could also hear a lot of people noise coming from the building. I walked to the front of my house and could see that some of the windows at the front of the Skew were open and there were several noisy people on the front verandah . The windows were eventually shut but the noise from the music was still audible. The music continued until 00.15 am. Also, it was noisy as people were leaving the building and car park.

I again request that the bins should be moved into the car park area which is where historically they have always been positioned. It makes no sense for the bottles to be transferred from one side of their building to the other.

I reiterate, I am not able to have any peace in my own home, including the garden.
The noise and the fumes from the extractor make this impossible.

I fully appreciate that the Council do not have infinite resources to be able to monitor this situation at all times. Given that a CPN warning has already been issued, wouldn't it make sense to install the noise monitoring equipment in my house again to gather the necessary evidence?

I await your response.

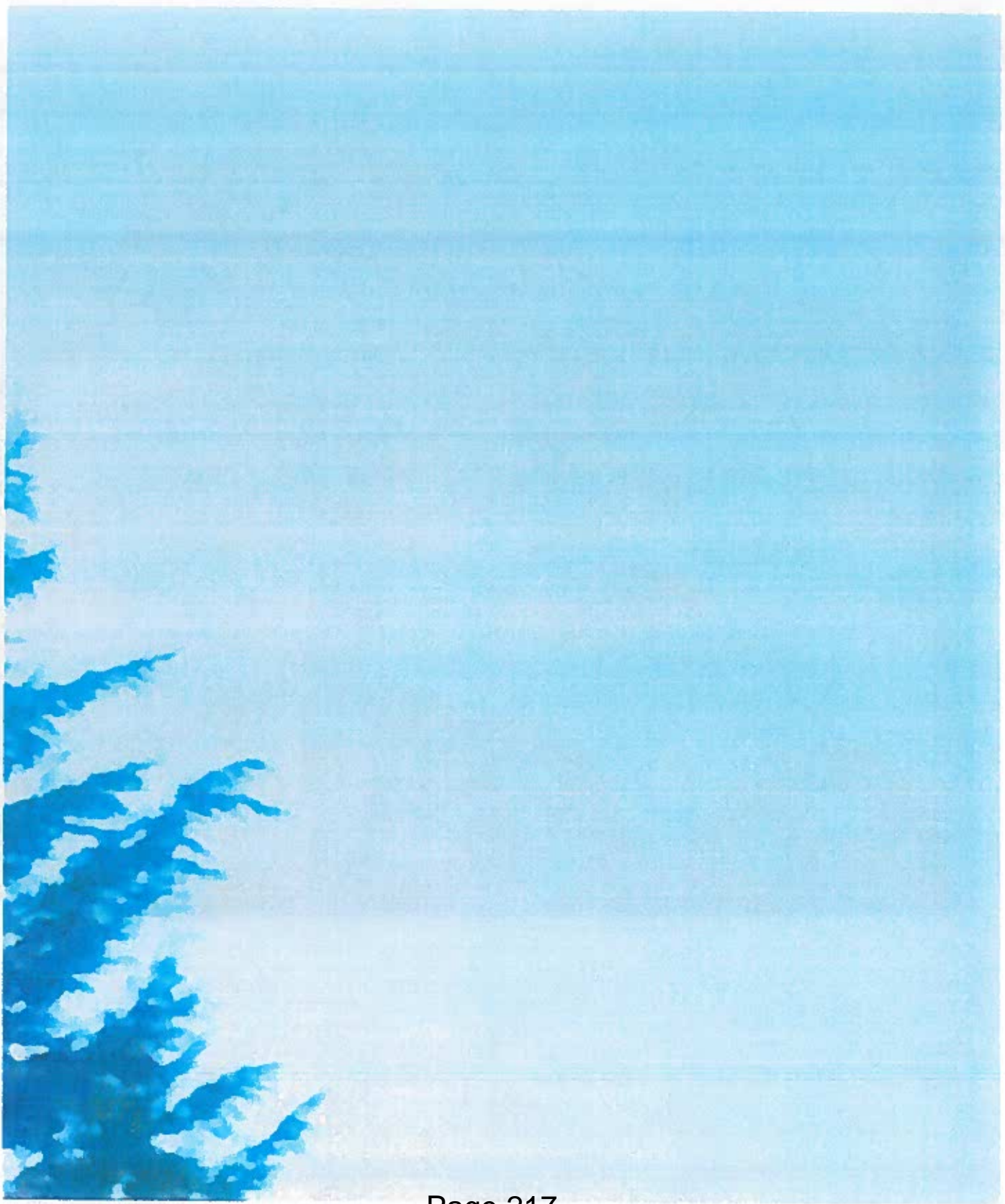
Jackie Nixon

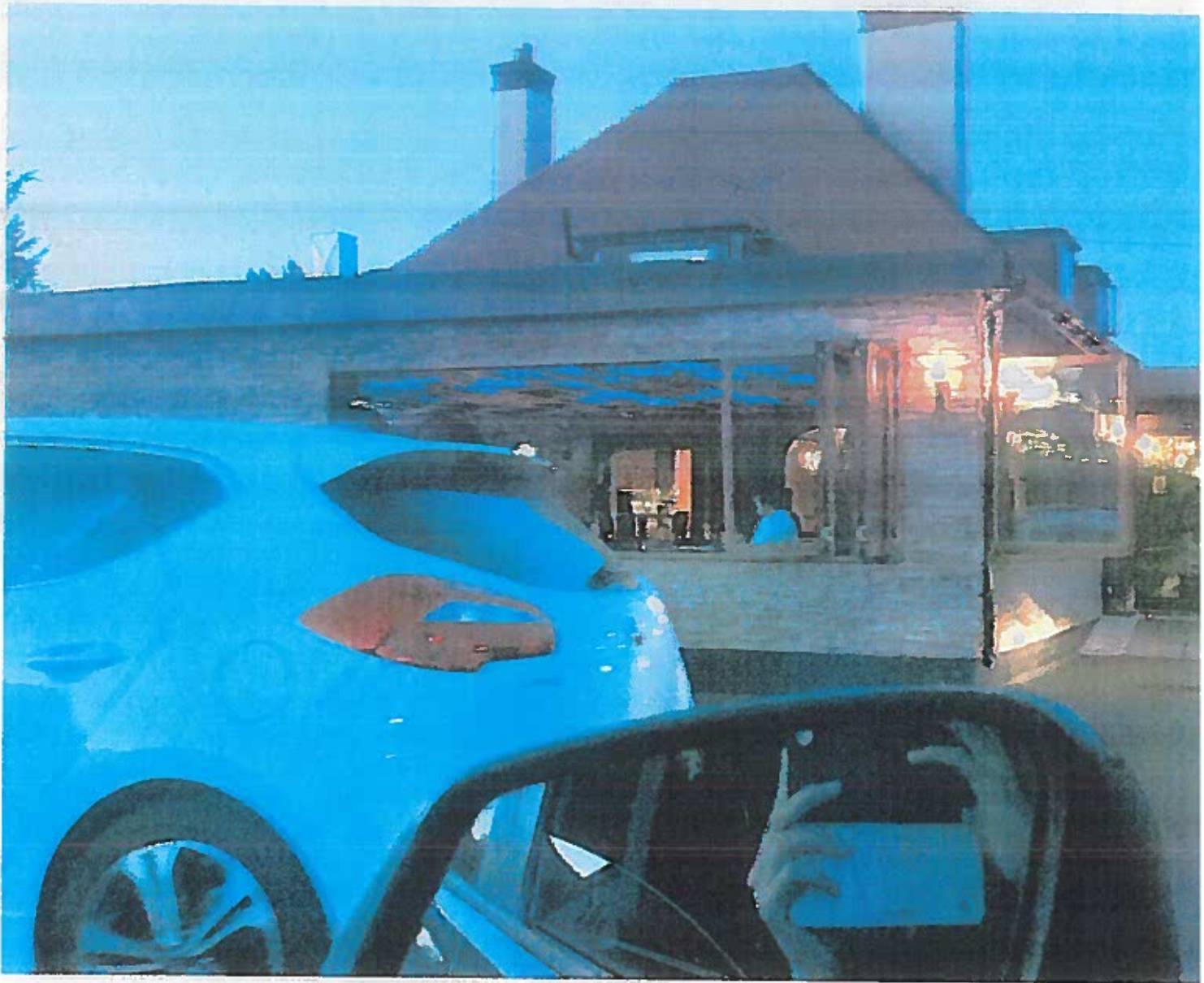
Sent from my iPad

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From: Olivia Sanders
Sent: 25 June 2018 22:02
To: David Carter; Dave Leonard
Cc: Chris Hossack
Subject: The Skew













Just been past The Skew and every window and the front door is wide open.

Literally open plan. Blatant Breach of condition.

Please advise action you will now take and also advise process for change of conditions.

Thank you

Olivia

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Dave Leonard

From: Jackie Nixon ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 02 July 2018 08:29
To: Stephen Blake
Cc: Chris Hossack; Olivia Sanders; David Carter; Dave Leonard
Subject: Noise at The Skew

Hello Stephen

Thank you for attending my property with your colleague on Friday evening 29.6.18. I am pleased that you were able to witness the noise problems, albeit that particular Friday was not an example of the worse noise nuisance that I have to contend with.

The noise nuisance from the kitchen and bin area continues during the day and into the night / early hours. The kitchen doors have been open at all times during the week. On Monday night the bins and kitchen noise continued until 12.45 am and was rounded off by a car arriving tooting its hooter at 12.45am - people noise in the car park, doors slamming etc. On Tuesday night a similar situation finishing at 12.30 am. On Thursday evening at 9.30pm a very loud pressure washer was fired up outside the kitchen area and was being used to clean some large metal kitchen items. On Friday during the day I endured 3 hours and 15 minutes of repetitive banging from meat preparation I think. At night the bins were last used at 12.39 am - bottles and rubbish, the kitchen noise continued till 1.10 am. Saturday was very noisy all day. Tables were set up in the garden and a party was held during the afternoon / early evening. The noise from the verandah and garden area continued until 11.15 pm - I believe the verandah doors were open. The front doors of the restaurant and some, possibly all of the front windows were open. I could hear the noise coming from the front of the restaurant whilst sitting in my kitchen which as you know is about as far away as I can get from that area. At 10.35pm the noise from the front quietened. When I looked out I saw restaurant staff and two men that I assume were from the Environmental Health/ Licensing department. The noise from the front of the restaurant remained inaudible until closing time and then there was noise from the car park - drunken people rowdy type noise, car doors banging etc. The kitchen and bin / bottle area was being used and was noisy until 1.06 am.

I would appreciate some feedback about what action the Council intend to take following the 2 recent visits to The Skew.

I would also like to inform you that according to The Skew Facebook page they are having a Soul Night starting at 8pm on the 14.7.2018. In my opinion, The Skew is not so much a restaurant - more like a night club that serves food.

Kind regards

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: martyn white ~~martyn.white@brentwood.gov.uk~~
Sent: 02 July 2018 09:28
To: Stephen Blake
Cc: Chris Hossack; Olivia Sanders; David Carter; Dave Leonard
Subject: RE: Noise at The Skew

Dear all,

I can not add to Jackie Nixons detailed mail, except to say the management at The Skew pay no attention to suggestions/directives from council officers, It seems to quieten down when they are around and as soon as they leave "normal service is resumed", is it really acceptable this premises is allowed to make noise into the early hours of the morning? I would like to think the council understands the multiple problems here and it is now time something positive is done about it.

As suggested last week I am happy to meet up to discuss this matter.

Martyn White.

Sent from Mail for Windows 10

From: Jackie Nixon ~~jackie.nixon@brentwood.gov.uk~~
Sent: Monday, July 2, 2018 8:28:40 AM
To: stephen.blake@brentwood.gov.uk
Cc: chris.hossack@brentwood.gov.uk; olivia.sanders@brentwood.gov.uk; david.carter@brentwood.gov.uk; dave.leonard@brentwood.gov.uk
Subject: Noise at The Skew

Hello Stephen

Thank you for attending my property with your colleague on Friday evening 29.6.18. I am pleased that you were able to witness the noise problems, albeit that particular Friday was not an example of the worse noise nuisance that I have to contend with.

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Kind regards

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: Jackie Nixon ~~jackie.nixon@skew.com~~
Sent: 09 July 2018 09:48
To: Stephen Blake; David Carter; Dave Leonard; Paul Adams; Chris Hossack; Olivia Sanders
Subject: Noise at The Skew

Hello all,

Just to keep you informed.

Kitchen noise:

Kitchen doors have been open all day every day since my last e mail. The usual cacophony of sounds continue - crockery, cutlery, food preparation, bell ringing, shouting, machinery running etc. Noise continues after restaurant closes .

Bin area noise and smell:

Bin area continues to be noisy and continues after restaurant closes. At 05.05am today I was woken by 5 consecutive incidents of bottles being transferred from one container to another. The bins have begun to smell this week and were giving off a particularly putrid smell on 5.7.18 and 8.7.18. The smell came into my house.

Staff area:

The staff area continues to be noisy at times during the day and late into the night. On the 8.7.18 I was woken at 6.40 am by the sound of a staff member standing by the kitchen door having a very loud conversation on a mobile phone.

Extractor smell:

The extractor continues to give off a noxious smell and affects me when the wind is in my direction.

Restaurant noise:

The noise from the back of the restaurant was very loud on Friday and Saturday night. I could hear music from the venue on both evenings although it seemed louder on the Saturday. I believe the back doors were open at times . On both evenings it sounded like parties going on as there were large groups of people milling around in the garden. Lots of shouting. The overall capacity of the restaurant has increased now that tables and chairs are available in the garden.

Car park noise:

Very noisy in the car park as people were leaving on Friday and Saturday night. Much worse on the Saturday night as there were larger groups of young people in party mode. Lots of shouting.

Jackie Nixon

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Dave Leonard

From: martyn white <~~martyn.white@brentwood.gov.uk~~>
Sent: 09 July 2018 09:51
To: Dave Leonard; Chris Hossack; David Carter; Stephen Blake; Paul Adams
Cc: Olivia Sanders; Jackie Nixon
Subject: RE: Noise at The Skew

Dear All,

I am sure Jackie will be sending you her weekly update, but I have to mention the noise from the "restaurant" on Saturday night. Please look at their Facebook page, link below, and the two videos from that evening of the 7th.

<https://www.facebook.com/TheSkewHutton/>

Also this morning (9th) bottles were collected at 5:05 o'clock in the morning by ECC contractor Veolia (a Skew staff member were waiting for them), a nice wake up call.

Regards.

Martyn.

Sent from [Mail](#) for Windows 10

From: martyn white <~~martyn.white@brentwood.gov.uk~~>
Sent: Thursday, July 5, 2018 12:13:37 PM
To: Dave Leonard; Chris Hossack; David Carter; Stephen Blake; Paul Adams
Cc: Olivia Sanders; Jackie Nixon
Subject: RE: Noise at The Skew

Dear all,

FYI The Skew this morning have put out bins containing what must be putrid meat, the smell is overpowering, they were eventually removed at 12:00, I will interested in your comments at our meeting this afternoon.

Martyn White

Sent from [Mail](#) for Windows 10

From: Dave Leonard <dave.leonard@brentwood.gov.uk>
Sent: Tuesday, July 3, 2018 10:45:33 AM
To: Chris Hossack; martyn white; David Carter; Stephen Blake; Paul Adams
Cc: Olivia Sanders; Jackie Nixon
Subject: RE: Noise at The Skew

Hi Chris,

Dave Leonard

From: Paul Adams
Sent: 17 July 2018 10:35
To: Stephen Blake; Jackie Nixon
Cc: David Carter; Dave Leonard; Chris Hossack
Subject: Re: Noise and smell The Skew

Thanks Jackie,

Noted, look forward for receiving your draft review application.

Paul

Get [Outlook for Android](#)

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: Monday, July 16, 2018 9:44:38 PM
To: Stephen Blake
Cc: David Carter; Dave Leonard; Paul Adams; Chris Hossack
Subject: Noise and smell The Skew

Hello All

Just to update you re the problems at The Skew

The kitchen noise, bin area noise , staff area noise and bottle noise continues.

The restaurant was particularly noisy on Saturday night 14.7.18 The customers in the garden were very noisy. The back doors were open - I have video footage taken at 20.59 hours which shows the noise level and the fact that the back doors are open. At 21.55 hours I heard music coming from the back of the building and there was a lot of people noise in the garden. Just after midnight the noise in the car park began. Again, I have a recording of some of the noise. At about 00.20 hours one of the managers came out of the building , took no notice of the noise , got into his car and left. Similarly, I saw the restaurant owner standing by the pergola chatting to someone- again no effort to quieten the situation. The last lot of bottles were put out at 00.42 hours.

Today at 05.10 hours I was woken when 6 bins of bottles were collected by the contractor Veolia. The staff had opened the gates to enable him to do the collection.

The extract smell has been very bad yesterday and today, both inside the house and in the garden.

Kind regards

Jackie Nixon

Sent from my iPad

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Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

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Dave Leonard

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: 03 August 2018 13:52
To: Chris Hossack; Olivia Sanders
Cc: Stephen Blake; David Carter; Paul Adams; Dave Leonard; Gavin Dennett; martyn.white@live.co.uk
Subject: Noise and odour problems at The Skew

Hello Chris

I have seen your e mail exchange with Martyn so thought I would update you . It is true to say that the weekly bottle collection time has now moved to a more reasonable time. In every other respect there has not been an improvement. If anything the situation has deteriorated. The kitchen doors are open more often than not , the noise generated is persistent. Even when the doors are closed I can hear the noise and have to suffer the doors regularly banging as they are used. The position of the bins has been changed but this has done nothing to mitigate the noise problem , as I predicted, the emptying of the glass can now be heard by Martyn as well as myself. The glass and general rubbish bins are in use constantly , and with the arrival of the warm weather I now have the added problem of the bins smelling on occasions. The noise from the staff area continues. The noise from the car park continues and we now have garden noise until a late hour as The Skew do not observe the terms of their alcohol licence with regard to the garden use. The noise from the rear of the restaurant continues as the back doors are always open in the warm weather. Again, The Skew do not observe the terms of their licence in respect of keeping the doors closed. The fumes from the extract continue . A new addition to the noise nuisance is the frequent use of a pressure washer to clean the kitchen equipment on the concrete outside the kitchen doors. I have a huge heap of loose paper and cardboard rubbish stacked against my fence and am hoping that it doesn't catch light . This is a real possibility as it is where the staff area and smoking activities occur. This particular rubbish is collected weekly by a food delivery driver. I have no idea whether he is a licensed waste carrier , I suspect not. In windy weather some of that rubbish ends up in my garden.

The noise monitoring equipment has been in my house twice now. Some of the problems have been witnessed by Environmental Health. I am struggling to understand why the local authority are not using the full force of their powers in dealing with the various issues.

The stress of the constant noise and the sleep deprivation is taking its toll on my health. Only time will tell what long term effect the fumes from the extract will have . In the short term it is headaches, breathing difficulty and feeling nauseous . It is impossible to have any peace and quiet in my own home.

Finally, I have been reflecting on the meeting that we had at the Council offices recently. During that meeting various names were mentioned in relation to The Skew but interestingly the owners name was not mentioned at all. I mention this because I can see a situation arising where if any action is taken by the Council , the owner will deny any knowledge of problems . The owner is a Mr Ferhat Ozkan. He is the sole Director of the company. Phil Leach is licence holder only and ceased to be a Director in September 2017.

Regards

Jackie Nixon

Sent from my iPad

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Dave Leonard

From: Stephen Blake
Sent: 14 August 2018 16:16
To: Chris Hossack; Jackie Nixon
Cc: David Carter; Gavin Dennett; Olivia Sanders; Dave Leonard
Subject: RE: Problems at The Skew

Dear Ms. Nixon,

I apologies for my delay in response.

I have in fact met with the owners of the Skew and the Licensee Friday last 4th August at the Council Offices and have discussed in detail the various complaints that have been lodged.

There was quite a list and during our discussion points relating to odour, entertainment noise, car park noise, refuse storage, banging side doors, doors being closed, movement of bottles and repair work to refuse storage floor (to ease and quieten movement of the wheelie bins).

Dave Leonard was present at this meeting together with others and it was made clear that managing of their business needed to be improved to resolve these issues. They appeared to accept Environmental Protections comments/advise and recommendations which if/when implemented should resolve nearly all of your concerns.

The purpose of this meeting was to make it clear what needs to be done and how and when to go about resolving these issues. More importantly the meeting was held to ensure that they were made aware of these issues and that the 'ball is now in their court'. If they do nothing, then should formal action be carried out they would not have the defense that they have not been given an opportunity to resolve these issues.

I have additionally send a further email correspondence to the Skew's management/owners recently requiring their confirmation on the agreed actions.

I thank you for your information regarding the bottles and will follow this matter up.

As soon as I have received written confirmation from the Skew concerning these proposed actions I will apprise you (and Cllrs Hossack/Sanders)


Yours Sincerely,

Steve Blake

Stephen Blake Environmental Health Officer
Brentwood Borough Council
Email: Stephen.blake@brentwood.gov.uk Tel. No. 01277 312500

From: Chris Hossack
Sent: 14 August 2018 09:14
To: Jackie Nixon <jacquelinenixon1@sky.com>; Stephen Blake <stephen.blake@brentwood.gov.uk>
Cc: David Carter <david.carter@brentwood.gov.uk>; Gavin Dennett <gavin.dennett@brentwood.gov.uk>; Olivia Sanders <olivia.sanders@brentwood.gov.uk>
Subject: Re: Problems at The Skew

I have requested an update from Env Health

From: Jackie Nixon 
Sent: 08 August 2018 15:02:51
To: Stephen Blake
Cc: David Carter; Gavin Dennett; Chris Hossack; Olivia Sanders
Subject: Problems at The Skew

Hello Stephen

It is now over a week since the noise monitoring equipment was removed from my house. I have continued to keep a written record of noise and odour problems. I won't go into great detail in this e mail but suffice to say that problems continue and in some ways have deteriorated. The weekly bottle collection was at 7.35am this week , the noise starts earlier than that for me as the staff are preparing for the collection. Last night I was woken at 00.12 am by the bottles being emptied and the bin area being used. Can you please tell me what, if any , action is going to be taken by the Council regarding these problems? I realise that various warnings have been given and I appreciate the efforts you have made thus far. However, I think it should be fairly obvious to all by now that the owner of The Skew is not going to take any notice of warnings and general advice .

I look forward to hearing from you.

Kind regards

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: martyn white <~~martyn.white@brentwood.gov.uk~~>
Sent: 18 August 2018 12:40
To: Olivia Sanders; Chris Hossack
Cc: Gary Price-Sampson; Mike Ovenden; David Carter; Paul Adams; Stephen Blake; Dave Leonard
Subject: the skew

Dear all.

I have copied you all in this mail as there is something for all in it.

I was invited to meet the management of the Skew last week to discuss what is going to happen vis a vis the screening of The Skew as per the conditions of the planning. They wanted to site a new building along the fence line, of course this was not acceptable, this new building has now has been erected elsewhere. There is still no screening. During this meeting they told me they had a met with Stephen Blake at the council offices and there are no problems with noise and that the odour level was negligible as they are running two ESPs. Well I can tell you Friday (16th) was one of the noisiest and odourful yet, with noise (shouting) from patrons leaving and from the kitchen, the former lasted past 1 am, the odour which permeated our, and my neighbour Jackie Nixons house was unbearable. The grill smell has started again as I write this mail, around midday, and we now look forward to another day/evening of this farce. On top of all of this we were woken this morning at 07:20 by Veolia collecting rubbish/food waste.

I first put in a complaint to environmental health at the end of last October, I hope this is resolved before its first anniversary.

As always I am looking forward to your comments.

Martyn White.

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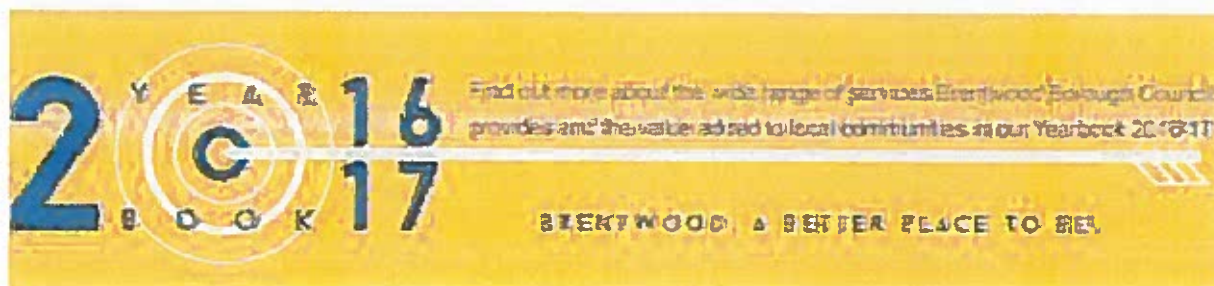
101.01 Purpose and Scope
101.02 Definitions

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Dave Leonard

From: Paul Adams
Sent: 20 August 2018 10:51
To: Dave Leonard
Subject: FW: the skew
Attachments: lic rev opening statement pdf.pdf; review occurrence pdf.pdf

Paul Adams | Principal Licensing Officer
T: 01277 312503 | M: 07768 777100 | www.brentwood.gov.uk |
paul.adams@brentwood.gov.uk



From: martyn white <~~paul.adams@brentwood.gov.uk~~>
Sent: 20 August 2018 10:15
To: Paul Adams <paul.adams@brentwood.gov.uk>
Subject: the skew

Paul

Please find attached the draft material for the licence review for scrutiny, we stopped on the 6th August we could have carried on, this weekend was particularly bad on all fronts.
I will be away from the 26th August for 6 weeks, can you advise me on the best time to publish the review so I can be available, there will also be a memory stick with around four clips on, how does this get summited?

Regards.
Martyn.

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	Licence review Mr Phillip Leach The Skew Bar and Grill
Date	Occurrences & Times
14th April 2018	Noisy all evening ending with a fracas around 00:30
16th April 2018	Email complaint to Mr David Leonard.
20th April 2018	Noisy all evening and leaving late noisily.
21st April 2018	Noisy all evening and drunk people. leaving late noisily
22nd April 2018	Noisy all evening and leaving late noisily.
23rd April 2018	Music finished after 00:00.
27th April 2018	Noise from car park loud voices etc 00:45 Doors & windows open all evening.
27th April 2018	Noise from car park loud voices, last left 01:45 the next morning, Doors & windows open all evening.
29th April-19th June	Away on holiday and business trips.
21st June 2018	Noise all evening, fracas broke out 23:30. Doors & windows open.
22nd June 2018	Noisy all evening, doors open customers leaving noisily.

23rd June 2018	Noise from music all evening last customer leaves 01:00 the next morning.
29th June 2018	Noisy until late, doors open.
30th June 2018	Exterior noisy until 23:15 Drunk customers leaving noisily.
6th July 2018	Noisy all evening especially from the rear Customers leaving late and noisily.
7th July 2018	Noisy all evening.
13th July 2018	Noisy all evening loud music, loud from front and rear.
14th July 2018	Music finished 00:30, noisy front and rear, customers leaving late & noisily.
15th July 2018	Customers leaving Late & noisily.
18th July 2018	Garden open until 23:10 Noisy all night, last customer leaves 00:45 sounding horns.
20th July 2018	Noisy all day, car park noisy 23:55, 00:27 music from restaurant.
21st July 2018	Garden noisy at 23:00, 00:25 noise from car park.
22nd July 2018	Noisy all day, car park noisy 00:25, garden noisy, car leaving car park noisily at 01:10.
23rd July 2018	Back doors open.
24th July 2018	Back doors open.

25th July 2018	Back doors open.
26th July 2018	Back doors open, garden noise.
27th July 2018	Back doors open, music noise.
28th July 2018	Back doors open, music noise, garden noise, car park noise at 00:45.
29th July 2018	Back doors open, noise from car park.
30th July 2018	Back doors open.
31st July 2018	Back doors open, customers still in garden at 22:50.
1st August 2018	Back doors, open noise from garden.
2nd August 2018	Back doors open, car park noise 00:00.
3rd August 2018	Back doors open, car park noise 23:25.
4th August 2018	Back doors open, customers in the garden at 23.10.
5th August 2018	Back doors open.
6th August 2018	Back doors open.

This former country pub in a residential area, now known as The Skew Bar and Grill where the licence in question is applied, has physically minimally doubled in size and reportedly has circa 250 seats and now operates as a "restaurant". Since opening in 2017 it has been a constant nuisance particularly during extended licensing hours and weekends, this has progressively worsened more noticeable during the warmer weather. Since the restaurant opened we have been unable to enjoy our home and garden because of the constant anti-social behaviour and noise associated with late opening hours.

The licensee does not comply with the conditions applied to their licence, namely doors and windows to be closed, vacating the premises quietly and closing external areas by 22:30. Also because of the long licensing hours unacceptable kitchen noise is produced and a large amount of bottles/rubbish are generated, these are nosily disposed of in bins at all hours of the night and early morning.

After numerous noisy weekends I emailed Mr David Leonard, at licensing, on 16th April 2018 over my concerns after a fracas at around 00:30 on the 14th, the previous evening was one of The Skews music events when clientele were loitering in the car park shouting and arguing with each other. The Skew has now had 43 music events to date since 16th November 2017 (this information is taken from their own Facebook page).

Please note all AV evidence are taken on amateur handheld video equipment mostly for the audio, please have your volume at full.

Dave Leonard

From: Jackie Nixon ~~jackie.nixon@brentwood.gov.uk~~ >
Sent: 29 August 2018 22:35
To: Stephen Blake
Cc: David Carter; Gavin Dennett; Paul Adams; Dave Leonard; Chris Hossack; Olivia Sanders
Subject: Continuing problems at The Skew

Hello Stephen

Thank you for your recent e mail and thank you for your continuing efforts to resolve the problems with The Skew. However, I can report that the problems previously outlined to you continue , i.e bin and bottle noise, kitchen noise, car park noise, staff area noise , extract fumes. As an example - on Sunday night (26.B.18) it was fairly quiet as there was heavy rain. The rain stopped at about 11pm. I had managed to get to sleep at a reasonable hour only to be woken at 11.20 pm by two members of staff shouting at each other by the kitchen doors/ bin area. It sounded like an argument . This exchange continued on and off until 11.48pm. During this time there was also banging doors, bins being used, bottle noise and car park noise . Bin use and doors banging continued until 00.10 am . The following morning (bank holiday Monday) I was woken at 7.05am by the staff decanting the bottles into the bins ready for collection by the contractor. The contractor arrived at 7.25am and collected the bottles. This is not an isolated example, these situations continue on a regular basis. The extract fumes have been in my house every day after 11.30 am over this previous weekend.

I restate what I have previously said- the bin / bottle area needs to be moved and something needs to be done with the kitchen doors. Changing the surface of the bin area will do nothing to mitigate the noise. The staff area should be moved.

It is clear to me that the owner of The Skew is not doing anything meaningful to resolve the various problems . Yes, some of the bins have been moved a few yards along , not only has this not solved the problem for me , it now causes noise nuisance to my neighbour. The bottle noise seems worse than ever - twice in the past week I have had to stop telephone conversations that I was having in my kitchen and wait for The Skew to finish their bottle emptying as the level of noise prevented me from hearing what was being said over the telephone.

Can you please let me know what is going to happen regarding these problems. This is an intolerable situation and it has been going on for a long time now. I also think it would be useful to have another meeting as I am having great difficulty in understanding the position of the Council in this matter.

Kind regards

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: martyn white <~~martyn.white@brentwood.gov.uk~~>
Sent: 30 August 2018 07:58
To: Jackie Nixon; Stephen Blake
Cc: David Carter; Gavin Dennett; Paul Adams; Dave Leonard; Chris Hossack; Olivia Sanders
Subject: RE: Continuing problems at The Skew

Dear all,

Although we are now away on holiday I would like to echo Jackie's words, my comments are in a mail to you all on the 18th August. I can confirm the bottle noise is now louder for us now the bins have been moved, I would also like to add they take in deliveries as early as 7-7:30am.

Regards.
Martyn White.

Sent from Mail for Windows 10

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: Wednesday, August 29, 2018 11:34:57 PM
To: stephen.blake@brentwood.gov.uk
Cc: david.carter@brentwood.gov.uk; gavin.dennett@brentwood.gov.uk; paul.adams@brentwood.gov.uk; dave.leonard@brentwood.gov.uk; chris.hossack@brentwood.gov.uk; olivia.sanders@brentwood.gov.uk
Subject: Continuing problems at The Skew

Hello Stephen

Thank you for your recent e mail and thank you for your continuing efforts to resolve the problems with The Skew. However, I can report that the problems previously outlined to you continue , i.e bin and bottle noise, kitchen noise, car park noise, staff area noise , extract fumes. As an example - on Sunday night (26.8.18) it was fairly quiet as there was heavy rain. The rain stopped at about 11pm. I had managed to get to sleep at a reasonable hour only to be woken at 11.20 pm by two members of staff shouting at each other by the kitchen doors/ bin area. It sounded like an argument . This exchange continued on and off until 11.48pm. During this time there was also banging doors, bins being used, bottle noise and car park noise . Bin use and doors banging continued until 00.10 am . The following morning (bank holiday Monday) I was woken at 7.05am by the staff decanting the bottles into the bins ready for collection by the contractor. The contractor arrived at 7.25am and collected the bottles. This is not an isolated example, these situations continue on a regular basis. The extract fumes have been in my house every day after 11.30 am over this previous weekend.

I restate what I have previously said- the bin / bottle area needs to be moved and something needs to be done with the kitchen doors. Changing the surface of the bin area will do nothing to mitigate the noise. The staff area should be moved.

It is clear to me that the owner of The Skew is not doing anything meaningful to resolve the various problems . Yes, some of the bins have been moved a few yards along , not only has this not solved the problem for me , it now causes noise nuisance to my neighbour. The bottle noise seems worse than ever - twice in the past week I have had to stop telephone conversations that I was having in my kitchen and wait for The Skew to finish their bottle emptying as the level of noise prevented me from hearing what was being said over the telephone.

Can you please let me know what is going to happen regarding these problems. This is an intolerable situation and it has been going on for a long time now. I also think it would be useful to have another meeting as I am having great difficulty in understanding the position of the Council in this matter.

Kind regards

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: Jackie Nixon ~~jackie.nixon@brentwood.gov.uk~~
Sent: 03 September 2018 09:29
To: Stephen Blake
Cc: David Carter; Gavin Dennett; Paul Adams; Dave Leonard; Chris Hossack; Olivia Sanders
Subject: Noise at The Skew

Hello Stephen

Friday the 31.8.18 was possibly the worst example of noise I have had to endure since this so called restaurant has opened. In addition to the usual kitchen noise, bin / bottle noise, bell ringing, repetitive banging , staff noise and pressure washer noise, at 4.50pm loud thumping music started to come from the back of the building . This continued until 5.15 pm. I think this was a preparation/ sound check for what was to come for the rest of the evening. At around 7.30pm the music started and continued until 00.10am. It sounded like a combination of live and recorded music. There was a lot of people noise - shouting, cheering etc . As the evening progressed the people noise became louder and more rowdy, lots of shouting and bad language. Also, the music seemed to get even louder. On occasions I could hear a man talking on a loudspeaker. I believe the back doors of the restaurant were open all evening. After the music stopped there was the usual car park noise and clearing up noise which continued until 01.20am.

Last night at 10.47 pm the staff began using and moving the bins about , presumably in preparation for collection today. Just to remind you - the bin / kitchen area is about 6 feet from my bedroom window.

Today at 6.50am I was woken by metal beer barrels being rolled about in the bin area.

I think it is safe to assume that the owner of The Skew is not taking seriously any warnings or advice he is being given by the Council. The owner of The Skew was at the premises on Friday evening 31.8.18.

Jackie Nixon
Sent from my iPad

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Dave Leonard

From: Jackie Nixon <~~jackie.nixon@brentwood.gov.uk~~>
Sent: 04 September 2018 09:37
To: Stephen Blake
Cc: David Carter; Gavin Dennett; Paul Adams; Dave Leonard; Chris Hossack; Olivia Sanders
Subject: Noise at The Skew

Hello Stephen

On the 3.9.18 a further two 1100 litre waste bins were delivered to The Skew. They have been positioned outside the kitchen where the food waste bins were previously positioned. The food waste bins have been put back against my boundary. More bins, even more noise is what I am expecting. Also , with the return of the food waste bins I expect the nasty smells to return.

Today at 6.45am I was woken by a lorry pulling into The Skew car park followed by barrels being delivered and empty barrels being collected. I have taken some video footage of this activity on my I pad. I got back into bed hoping to get a bit more sleep but at 7.15am a dust cart arrived to collect rubbish. Again, I have some video footage.

Jackie Nixon
Sent from my iPad

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Date		Description		Amount	
1890	Jan 1	Balance		100.00	
	Feb 1	Received		50.00	
	Mar 1	Received		75.00	
	Apr 1	Received		100.00	
	May 1	Received		125.00	
	Jun 1	Received		150.00	
	Jul 1	Received		175.00	
	Aug 1	Received		200.00	
	Sep 1	Received		225.00	
	Oct 1	Received		250.00	
	Nov 1	Received		275.00	
	Dec 1	Received		300.00	
	Total			2000.00	

Dave Leonard

From: Chris Hossack
Sent: 05 September 2018 11:19
To: Dave Leonard, Stephen Blake; Olivia Sanders; David Carter
Subject: Fwd: the skew

Sent from my iPhone

Begin forwarded message:

From: martyn white <~~martyn.white@brentwood.gov.uk~~>
Date: 5 September 2018 at 10:59:05 GMT+1
To: Chris Hossack <chris.hossack@brentwood.gov.uk>
Subject: the skew

Chris,

As you might know I am away at the moment Can you organise another meeting with Jackie and the officers involved while I am away? I spoke to Jackie today and I am concerned this situation is beginning to affect her health, we have noticed life is a lot less stressful now we are away. There needs to be big changes at the restaurant, the council in their wisdom have allowed this development even when we predicted the outcome it fell on deaf ears.

These have to be minimum requirements

Kitchen and staff noise to be reduced dramatically, maybe the planners can suggest some changes to the building, after all this is their mess.

All food/bottle waste containers to be removed from neighbours boundaries.

No deliveries/collections before 9am and after 5pm weekdays only.

The correct filtration system that can cope with the charcoal grill, or it is not to be used.

The question of customer noise has to be resolved, I will be publishing the licence review in a week so I will be around for the hearing, I hope this will go some way to resolve the antisocial behaviour shown by the premises clients.

This business is a statutory nuisance and should be given an abatement notice.

Martyn.

Sent from [Mail](#) for Windows 10

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THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

APPENDIX 4

REPRESENTATIONS

Interested Parties

Ms Jackie Nixon - 574 Rayleigh Road, Hutton CM13 1SG

Mr Clive Hussey - 564 Rayleigh Road, Hutton CM13 1SG

Mrs Emily Hailes - 562 Rayleigh Road, Hutton CM13 1SG

Councillor Chris Hossack (Hutton Ward)

Councillor Olivia Sanders (Hutton Ward)

THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

REPRESENTATIONS

Interested Party

Ms Jackie Nixon - 574 Rayleigh Road, Hutton CM13 1SG

6 NOVEMBER 2018

Jackie Nixon
574 Rayleigh Road
Hutton Brentwood
Essex. CM13 1SG

11.10.18

Licensing Department
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood Essex
CM15 8AY

Re: Review of Premises License at The Skew Bar and Grill, Rayleigh Road, Hutton, Essex. CM13 1SG

I would like to make representations regarding the Premises License at The Skew.

I live directly next door to the premises. Their kitchens, bin area, staff rest area and general storage area is approximately 8 feet from my boundary.

The premises were previously a Public House but after extensive building work and reconfiguration, it opened as a restaurant with seating for approximately 250 people, but only parking for 31 cars. To call it a restaurant is somewhat of a misnomer; it operates more like a party venue or night club.

I made my first contact with the Licensing Department to express concerns about the License at the time of the original application in August 2017. I was concerned about the live music and the late night opening elements of the license. I was assured by the Licensing Officer that the owners of the restaurant had no intention of having live music or staying open late. The license being applied for was the same as the license in force when the establishment was a public house and it was just

being continued. At that time I accepted this and did not lodge a formal objection to the license application.

However, since opening in August 2017 there have been numerous incidents of noisy, rowdy and sometimes violent/aggressive behaviour in the car park and garden. Usually, but not exclusively, these incidents have occurred late at night and involve large groups of people who appear to be very drunk. These incidents are mostly, but not exclusively, at weekends when there are live music events and the premises are licensed until 1am. In addition to the nuisance of this behaviour, I also have the nuisance of the excessive noise associated with the clearing up process. The clearing up noise includes – the banging of the bins which are in constant use, glass being emptied, crockery sounds, cutlery sounds, kitchen machinery sounds, staff shouting and talking loudly - sometimes arguing, doors banging, people noise from the staff using their rest area late at night and staff cars being started up and left idling sometimes past 1am. All of these noises can be happening at the same time as noise from the restaurant and noise in the car park. When the premises operated as a much smaller public house, the kitchen was in a different location and the bins were in the car park. Due to the lack of car parking spaces, the customers use the grass verges and pavements along the road. The staff park their cars in the kitchen/ bin area which is only a few feet from my bedroom window. Some of the bins are only a few feet from my bedroom window.

The current licensing hours are Sunday – Wednesday 11am to 12 midnight, Thursday –Saturday 11am to 1am. All doors and windows should remain closed during these hours. The garden should close at 22.30. Live music is permitted Thursday-Sunday, finishing by midnight. There have been numerous breaches of these licensing conditions.

Dates and times of nuisance behaviour:

Friday 13.4.18 Very noisy all evening as people leave the restaurant. At 12.25am a fight broke out – lots of shouting and bad language. Noise from staff clearing up. 12.45am member of staff having very loud telephone conversation outside kitchen door. The noise in the car park continued until approximately 1.15am.

Saturday 14.4.18 Noisy, rowdy behaviour in the car park as people leave the restaurant. Noise from staff clearing up. Noise continued past 1am.

Friday 20.4.18 Noisy, rowdy behaviour in the car park from 12.05am. Continued past 1am.

Saturday 21.4.18 Noisy, rowdy behaviour in the car park as people leave the restaurant. Loud music heard coming from the back of the restaurant. Music continued until 00.15am. Some doors and windows of the restaurant open. Noise from staff clearing up. Noise continued until 01.10am.

Friday 27.4.18 Noisy, rowdy behaviour in car park as people leave the restaurant.

People noise coming from the restaurant - some doors and windows open. Noise from staff clearing up. Noise continued until 01.10am.

Saturday 28.4.18 Noisy, rowdy behaviour in car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 1.48am.

Friday 4.5.18 Noisy, rowdy behaviour in car park as people leave the restaurant. Noise from staff clearing up. Noise continued past 1am.

Saturday 5.5.18 Noisy, rowdy behaviour coming from the rear verandah area/garden of the restaurant. Noisy, rowdy behaviour in car park as people leave the restaurant. Music heard coming from the front of the building. Music continued past Midnight. Some doors and windows open. Noise from staff clearing up. Noise continued until 1.12am. Police car in the car park at 00.25am – not sure why, possibly the rowdy behaviour.

Tuesday 8.5.18 Noisy in car park as people leave the restaurant at 00.32am (this is past closing time). Noise in car park and noise from staff clearing up continued until 1.27am.

Friday 11.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Member of staff starting car up outside kitchen at 1am. Noise continued until 1.15am.

Saturday 12.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up and chatting outside kitchen at 1am. Noise continued until 1.10am.

Friday 18.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.05am.

Saturday 19.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 23.55 pm. Noise continued until 1.15am.

Friday 25.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.10am.

Saturday 26.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Member of staff starting car up outside kitchen at 1am. Noise continued until 1.05am.

Sunday 27.5.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.50 am (closing time is supposed to be midnight on Sunday).

Friday 1.6.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Member of staff starting car up outside kitchen at 1am. Noise continued until 1.15am.

Saturday 2.6.18 Noisy, rowdy behaviour from the rear of the restaurant. Some doors and windows open. Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continues until 1.20 am.

Friday 8.6.18 Very noisy all evening at the front of the restaurant in the pergola area- groups of people drinking and smoking. Doors and windows at the front of the building open. Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1.05am. Noise continues until 1.15am.

Saturday 9.6.18 Very noisy all evening at the front of the restaurant in the pergola area. Some doors and windows open. Noisy, rowdy behaviour as people leave the restaurant. At approximately 11.55pm an argument / fight broke out in the car park, this argument continued on and off for a further 25 minutes. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.15am.

Friday 15.6.18 Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Member of staff starting car up and talking on mobile phone outside kitchen at 1am. Noise continued until 1.05am.

Saturday 16.6.18 Noisy event held in the garden during the afternoon/ early evening. Rear doors and windows open all day and evening. Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.05am.

Thursday 21.6.18 Noisy, rowdy behaviour at rear of building all evening. Doors and windows at rear open. Noisy, rowdy behaviour as people were leaving the restaurant. At 11.38pm an argument broke out in the car park. The participants sounded very drunk, were very loud, abusive and foul mouthed. Noise from staff clearing up. Noise continued until 1.15am.

Friday 22.6.18 Noisy at the front of the building in the pergola area all evening. Some of the doors and windows were open. Noisy as people were leaving the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1am.

Saturday 23.6.18 Music noise and people noise coming from the restaurant all evening. Music did not stop until 00.15am. People noise coming from the pergola at the front. Windows at the front of the building open. Noisy, rowdy behaviour as people were leaving the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.25am.

Monday 25.6.18 Noise from people leaving the restaurant at 12.45am. Noise from staff clearing up. Noise continued until 12.45am

Tuesday 26.6.18 Noise from people leaving the restaurant at 12.30am. Noise from staff clearing up. Noise continued until 12.30am.

Friday 29.6.18 People noise from rear of building. Noisy in the car park as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.10am.

Saturday 30.6.18 Large noisy party held in the garden during the afternoon/ early evening. Noise from the verandah and garden area continued until 11.15pm. Doors and windows at front and back of the building were open. Front of building quietened at 10.35pm, rear remained noisy. Noisy, rowdy behaviour as people were leaving the restaurant. Members of staff starting cars up outside kitchen at 1am. Noise from staff clearing up. Noise continued until 1.06am.

Friday 6.7.18 Loud music heard from the rear of the restaurant all evening. Back doors open. Lot of shouting noise generated by large groups of people in the garden. Noisy, rowdy behaviour as people

leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.10am.

Saturday 7.7.18 Loud music heard from the rear of the building all evening. Back doors open. Lot of shouting noise generated by large groups of young people who appeared to be partying. Noisy, rowdy behaviour as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.20am.

Friday 13.7.18 Music heard from rear of building. People noise from rear of building. Back doors open. Noisy in car park as people leave the restaurant. Noise from staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.10am.

Saturday 14.7.18 Music heard from rear of building which continued until 00.30am. People noise from the rear of building and in the garden. Noisy, rowdy behaviour in the car park as people leave the restaurant. Noise from the staff clearing up. Members of staff starting cars up outside kitchen at 1am. Noise continued until 1.10am.

Sunday 15.7.18 Noisy, rowdy behaviour in the car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.45am.

Tuesday 17.7.18 Large party of noisy people in the garden. Noisy in car park as people leave the restaurant. Noise from staff clearing up.

Wednesday 18.7.18 Noisy at rear of building and in garden all evening. Back doors open. Garden in use until 11.10pm. Noisy in car park as people leave the restaurant. Noise in car park continued until 00.45am. Noise from staff clearing up. Noise continued until 00.55am.

Thursday 19.7.18 Noise from staff clearing up. Noise continued until 00.30am.

Friday 20.7.18 Noisy in car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.54am.

Saturday 21.7.18 Noisy in back garden all evening. Garden in use until 11pm. Back doors open. Noisy in pergola at front of the building. Noisy in car park as people leave the restaurant. Noise from staff clearing up. Staff member revving his car up and chatting to other staff outside kitchen at 1.10am. Noise continued until 1.33am.

Sunday 22.7.18 Back garden noisy all evening. People in garden until 10.55pm. Back doors open. Noise from staff clearing up.

Monday 23.7.18 Back doors open. People noise from restaurant. Noise from staff clearing up. Noise continued until 00.05am.

Tuesday 24.7.18 Back doors open. Noise from staff clearing up. Noise continued until 23.55pm.

Wednesday 25.7.18 Back doors open. Noise from staff clearing up. Noise continued until 00.15am.

Thursday 26.7.18 Back doors open. Noise from staff clearing up. Noise continued until 01.05am.

Friday 27.7.18 Back doors open. Music heard coming from rear of restaurant. Noisy in car park as people leave the restaurant. Noise from staff clearing up. Staff member revving his car up at 01.00am. Noise continued until 1.10am.

Saturday 28.7.18 Music heard coming from rear of restaurant. Back doors open. Noisy in car park as people leave the restaurant. Noise from staff clearing up. Staff member revving car up at 01.00am. Noise continued until 1.10am.

Sunday 29.7.18 Back doors open. Noisy in car park as people were leaving the restaurant. Noise from staff clearing up. Noise continued until 00.10am.

Monday 30.7.18 Back doors open. Noise from staff clearing up. Noise continued until 00.15am.

Tuesday 31.7.18 Back doors open. Noisy in garden all evening. Garden still in use at 10.45pm. Noise from staff clearing up. Noise continued until 00.05am.

Wednesday 1.8.18 Back doors open. Noisy in garden all evening. Noise from staff clearing up. Noise continued until 00.10am.

Thursday 2.8.18 Back doors open. Noisy in car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.55am.

Saturday 4.8.18 Back doors open. People noise from back of restaurant. Garden noisy all evening. Garden still in use at 23.10pm. Noise from staff clearing up. Member of staff revving car up at 01.05am. Noise continued until 01.10am.

Sunday 5.8.18 Back doors open. Noise from staff clearing up. Noise continued until 00.05am.

Monday 6.8.18 Back doors open. Noise from staff clearing up. Noise continued until 00.00am.

Tuesday 7.8.18 Back doors open. Noise from staff clearing up. Noise continued until 00.20am.

Wednesday 8.8.18. Noise from staff clearing up. Noise continued until 00.30am.

Thursday 9.8.18 Back doors open. People noise heard from rear of restaurant. Noisy, rowdy behaviour in car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.35am.

Friday 10.8.18 Back doors open. Noisy, rowdy behaviour in the car park as people leave the restaurant. Noise from staff clearing up. Member of staff revving car up at 00.55am. Noise continued until 01.10am.

Saturday 11.8.18 Back doors open. Rowdy people noise from rear of building and garden. Noisy, rowdy behaviour in the car park as people leave the restaurant. Staff member revving car up at 01.00am. People still in the car park at 01.10am. Loud music heard coming from a car which was waiting in the car park. Noise from staff clearing up. Noise continued until 01.20am.

Sunday 12.8.18 Noisy in the car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.10am.

Tuesday 14.8.18 Noise from staff clearing up. At 11.39pm some members of staff had a heated debate/argument – lots of shouting at each other. Speaking a foreign language but judged it to be an argument by the tones of the voices. Sounded very angry. Noise continued until 00.10am.

Thursday 16.8.18 Back doors open. Music heard coming from the rear of the restaurant. People noise from verandah/ rear of restaurant. Noisy in car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.35am.

Friday 17.8.18 Rowdy, noisy behaviour in car park as people leave the restaurant. People still leaving car park at 01.10am. Noise from staff clearing up. Staff member starting car up at 01.00am. Noise continued until 01.20am.

Saturday 18.8.18 People noise from pergola at front of building- groups of people drinking and smoking there. Back doors open. Music heard coming from the rear of the building. Noise from staff clearing up. Noisy, rowdy behaviour in car park as people leave the restaurant. Staff members starting cars up at 01.00 am. Noise continued until 01.10am.

Sunday 19.8.18 Noise from staff clearing up. Noise continued until 12.55pm.

Monday 20.8.18 Noisy in car park as people leave the restaurant. Noise from staff clearing up. Noise continued until 00.10am.

Tuesday 21.8.18 Noise from staff clearing up. Noise continued until 01.05am.

Wednesday 22.8.18 Noise from staff clearing up. Noise continued until 00.50am.

Thursday 23.8.18 Noise from staff clearing up. Noise continued until 00.45am

Friday 24.8.18 Noisy in car park as people leave the restaurant. Noise from staff clearing up. Staff members revving cars up at 01.00am. Noise continued until 01.10am.

Saturday 25.8.18 Noise from staff clearing up. Members of staff revving cars up at 12.55am. Noise continued until 01.30am.

Sunday 26.8.18 Woken at 23.20pm by the shouting and arguing of two members of staff in the kitchen/bin area. Argument continued on and off until 23.48pm. Noise from staff clearing up continued until 00.10am.

Monday 27.8.18 23.30pm – loud music heard from staff car parked by the kitchen. Noise from staff clearing up. Noise continued until 23.50pm.

Friday 31.8.18 16.50pm – 17.15 pm loud thumping music heard coming from the rear of the restaurant. 7.30pm music resumed and continued until 00.10am. Back doors open. Noisy, rowdy behaviour in the garden. Lots of bad language. Noisy, rowdy behaviour in the car park. Members of staff starting cars up at 01.00am. Noise from staff clearing up. Noise continued until 01.20am.

Saturday 1.9.18 Noisy in car park as people leave the restaurant. Noise from staff clearing up. Member of staff starting car up at 01.00am. Noise continued until 01.05am.

Sunday 2.9.18 Back doors open. People noise from restaurant. Very noisy in garden. Noise from staff clearing up. Noise continued until 00.10am.

I enclose a USB memory stick which has recordings of some of the noise and nuisance. The recordings are not good quality as they were recorded on an I Pad, not professional equipment. They lost further quality when transferred to a laptop. The recordings do not accurately record the high volume of the noise.

1. 14th/15th July 2018. 00.19am Combination of cutlery and crockery sounds, banging from kitchen, bell ringing, and car park noise. Recording 7 minutes 23 seconds.
2. 18th July 2018. 23.26pm Bins being used. Glass being emptied. Noise from staff area. Recording 43seconds.
3. 31st August 2018. 21.02pm Music noise from restaurant. People noise from restaurant. Recording 28 seconds.
4. 31st August 2018. 21.04pm. Music noise from restaurant. People noise from restaurant. Recording 42 seconds.
5. 31st August 2018. 23.28pm. Music from restaurant. Kitchen door banging. People noise. Staff noise. Recording 1 minute 43 seconds.
6. 14th April 2018. 23.56pm. Music from restaurant, crockery and cutlery sounds, banging from kitchen, bottle noise, staff talking, cheering and noise from car park. Recording 6 minutes 6 seconds long.
7. 14th /15th April 2018. 00.45am. Combination of member of staff talking loudly on mobile phone outside my bedroom window, banging from kitchen, cutlery sounds, car park noise including an aggressive argument at the far end of the car park. Recording 12 minutes 50 seconds long.
8. 14th July 2018. 23.24pm. Kitchen door open, staff talking loudly, kitchen noise, bottles being emptied, kitchen door banging. Staff cars parked outside kitchen which will be started up at 1am ish.

These premises as they currently operate are not suitable for a residential area. I have made numerous complaints to the Environmental Health/Licensing Department. I have been told that advice and warnings have been given. However, the advice and warnings have not improved the situation.

I would like to see the following changes to the license-

1. Licensing hours reduced to 11pm with 30 minutes drinking up time on every evening of the week.
2. Provision of live music removed from the license
3. Hours that the garden can be in use reduced to 9pm

Without changes I feel that the premises will continue to be a nuisance.

Jackie Nixon

THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

REPRESENTATIONS

Interested Party

Mr Clive Hussey - 564 Rayleigh Road, Hutton CM13 1SG

6 NOVEMBER 2018

Dave Leonard

From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 04 October 2018 15:48
To: Dave Leonard
Subject: Re: THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG - APPLICATION TO REVIEW THE PREMISES LICENCE

Hi Dave

Many thanks for your email, I was not aware of this and thank you for making me aware. I am currently on holiday but will be back before the review end date. Yes I would like to make a representation as since the last time we discussed I had directly spoke with the manager at the skew whereby I believed the situation to be resolved. As far as I was concerned for a period of a few weeks I was more than happy, but have felt over the last couple of weeks the noise has started to rise again. Further to this it appears that the foliage over hanging my fence (which greatly helped lessen the vehicle noise has been cut back- strangely with no discussion with myself, when I have been up front with them).

I have also been approached by 2 other neighbours recently who had concerns in the summer of how much noise was coming from the rear terrace so will advise them also.

Is there a form or format to make a representation or do I just email across my comments.

Many thanks again.

Cheers

Sent from my iPhone

On 4 Oct 2018, at 15:19, Dave Leonard <dave.leonard@brentwood.gov.uk> wrote:

Dear Clive,

I hope that all is well with you.

You may or may not be aware that a local resident has applied to the Local Authority Licensing Sub-Committee to seek a Review of The Premises Licence at

THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG.

Blue notices advising of the fact have been posted and are displayed on the front of the premises and outside by the public highway.

The closing date for the Review consultation period is **11th October 2018.**

I am mindful that you have had cause to raise concerns about this premises in the past and may wish to submit a representation in support of this Review application.

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

Kind regards,

<image004.png>

Dave Leonard | Licensing Officer

T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk

<image003.jpg>

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Click [here](#) to report this email as spam.

Dave Leonard

From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 05 October 2018 14:05
To: Paul Adams: Licensing
Cc: Dave Leonard
Subject: Re: THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG - APPLICATION TO REVIEW THE PREMISES LICENCE

Follow Up Flag: Follow up
Flag Status: Completed

Many thanks

Please take the below email as my representation.

We have lived at our home for over 4 years and never had any issues when the premises were used as the pub known as the plough or when the restaurant Shish Meze opened in August of 2017 we were still very happy with the operation as we were not disturbed and visited the restaurant on several occasions and got to know the owner at the time, this was the same up until around the new year. Ownership changed and over a period of a couple of months the disturbance from the restaurant was disgraceful both from noise emitted from the premises to people leaving the premises and operating and playing music outside of the licensing hours. This also tied in with the new licence which I was not made aware of (I believe that neighbouring properties should be contacted- not just a blue sign be placed on a lamppost). At this point we tried to resolve through the licence holder Phil and then directly with the restaurant. When this did not work we contacted licensing at Brentwood this had a positive affect but only for a short period of time. I then again contacted the restaurant directly and was assured that it would improve. At this point I can say that for a good period of possibly 3-5 weeks I was again happy that we had resolved. Unfortunately again I have felt over the last couple of weeks the noise has risen again and was about to recontact the restaurant and licensing, but then this review came up anyway so thought a better avenue to bring up the situation. Further to all of the above, we now find that the noise has risen dramatically from car movements as the restaurant has taken it upon themselves to cut back the foliage that was overhanging the boundary fence. This has resulted in the noise from vehicles parking, engines idling, doors slamming, people shouting to be amplified. Further to the above I have been approached by 2 neighbours who have concerns regarding loud noise from the rear terrace, which I have too experienced at peak times. As I have expressed previously, I do not understand why a restaurant needs to operate beyond midnight on any given night as others in the area do not. The licence should be put back to the previous status before all the disturbances started. Ongoing to this with the removal of overhanging foliage I believe a separate sound proofing fence should be erected on the land of the premises to help in reduce the impact of sound now foliage has been removed. I have not brought up the fact previously that the car park space allocations do not match the approved plans, but now with the increased noise from people trying to park in awkward spaces with the removed foliage I now feel the need. Spaces which are at the end of the car park are immediately at the boundary when they should be allocated as shown on the approved planning application. Whilst reviewing the licence it would be appreciated that Brentwood planning review the parking allocation. In summary I think it is a real shame that basically since the new ownership/licence the premises have had a detrimental affect on its immediate neighbouring properties. Further to this I have been upfront on the situation and always looked to try to resolve, but it always seems to lapse and we don't want to spend time going forwards always feeling like we have to keep on top of the situation.

I will advise the other neighbours who raised concerns when I return from holiday so they too can make representations.

Many thanks

Sent from my iPhone

On 5 Oct 2018, at 08:35, Paul Adams <paul.adams@brentwood.gov.uk> wrote:

Clive,

Your representation can take the form of an email to licensing@brentwood.gov.uk we must receive your full representation before the end of the day on the 11th October 2018.

Please let me know if I can assist further

Paul Adams
Joint Licensing Manager

From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 04 October 2018 15:48
To: Dave Leonard <dave.leonard@brentwood.gov.uk>
Subject: Re: THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG - APPLICATION TO REVIEW THE PREMISES LICENCE

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Blue notices advising of the fact have been posted and are displayed on the front of the premises and outside by the public highway.

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

Kind regards,

<image004.png>

Dave Leonard | Licensing Officer

T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk

<image003.jpg>

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Dave Leonard

From: Dave Leonard
Sent: 11 October 2018 15:52
To: 'Clive Hussey'
Cc: Planning Team, Brentwood Borough Council
Subject: RE: THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG - APPLICATION TO REVIEW THE PREMISES LICENCE

Thank you, Clive.

I have forwarded your notification to our Planning Department.

Kind regards,

Dave

From: Clive Hussey <~~clive.hussey@brentwood.gov.uk~~>
Sent: 10 October 2018 18:08
To: Paul Adams <paul.adams@brentwood.gov.uk>; Licensing <licensing@brentwood.gov.uk>
Cc: Dave Leonard <dave.leonard@brentwood.gov.uk>
Subject: Re: THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG - APPLICATION TO REVIEW THE PREMISES LICENCE

Hi

Further to my previous email, please can you pass this further information to your planning department. In regards to the planning application 16/00076/FUL (PP-04762797) the permission is to provide car parking space for a total of 31 cars with 4 disabled persons parking. The car park actually has 40 parking spaces with 4 disabled (this can clearly be seen on google maps satellite). So the car park is not in line with the approved plans and giving rise to the increased noise we are experiencing (due to increased idling, and parking time due to the awkwardness and proximity to our property). Can you please request that a planning officer addresses this and the matter also resolved.

Thank you

Sent from my iPhone

On 5 Oct 2018, at 14:42, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Hi

Forgot to add, could you please confirm receipt of email.

Many thanks

Sent from my iPhone

On 5 Oct 2018, at 14:04, Clive Hussey <~~clive.hussey@brentwood.gov.uk~~> wrote:

Many thanks

Please take the below email as my representation.

We have lived at our home for over 4 years and never had any issues when the premises were used as the pub known as the plough or when the restaurant Shish Meze opened in August of 2017 we were still very happy with the operation as we were not disturbed and visited the restaurant on several occasions and got to know

the owner at the time, this was the same up until around the new year. Ownership changed and over a period of a couple of months the disturbance from the restaurant was disgraceful both from noise emitted from the premises to people leaving the premises and operating and playing music outside of the licensing hours. This also tied in with the new licence which I was not made aware of (I believe that neighbouring properties should be contacted - not just a blue sign be placed on a lamppost). At this point we tried to resolve through the licence holder Phil and then directly with the restaurant. When this did not work we contacted licensing at Brentwood this had a positive affect but only for a short period of time. I then again contacted the restaurant directly and was assured that it would improve. At this point I can say that for a good period of possibly 3-5 weeks I was again happy that we had resolved. Unfortunately again I have felt over the last couple of weeks the noise has risen again and was about to recontact the restaurant and licensing, but then this review came up anyway so thought a better avenue to bring up the situation. Further to all of the above, we now find that the noise has risen dramatically from car movements as the restaurant has taken it upon themselves to cut back the foliage that was overhanging the boundary fence. This has resulted in the noise from vehicles parking, engines idling, doors slamming, people shouting to be amplified. Further to the above I have been approached by 2 neighbours who have concerns regarding loud noise from the rear terrace, which I have too experienced at peak times. As I have expressed previously, I do not understand why a restaurant needs to operate beyond midnight on any given night as others in the area do not. The licence should be put back to the previous status before all the disturbances started. Ongoing to this with the removal of overhanging foliage I believe a separate sound proofing fence should be erected on the land of the premises to help in reduce the impact of sound now foliage has been removed. I have not brought up the fact previously that the car park space allocations do not match the approved plans, but now with the increased noise from people trying to park in awkward spaces with the removed foliage I now feel the need. Spaces which are at the end of the car park are immediately at the boundary when they should be allocated as shown on the approved planning application. Whilst reviewing the licence it would be appreciated that Brentwood planning review the parking allocation.

In summary I think it is a real shame that basically since the new ownership/licence the premises have had a detrimental affect on its immediate neighbouring properties. Further to this I have been upfront on the situation and always looked to try to resolve, but it always seems to lapse and we don't want to spend time going forwards always feeling like we have to keep on top of the situation. I will advise the other neighbours who raised concerns when I return from holiday so they too can make representations.

Many thanks

Sent from my iPhone

On 5 Oct 2018, at 08:35, Paul Adams <paul.adams@brentwood.gov.uk> wrote:

Clive,

Your representation can take the form of an email to licensing@brentwood.gov.uk we must receive your full representation before the end of the day on the 11th October 2018.

Please let me know if I can assist further

THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

REPRESENTATIONS

Interested Party

Mrs Emily Hailes - 562 Rayleigh Road, Hutton CM13 1SG

6 NOVEMBER 2018

Dave Leonard

From: Caroline Harrison
Sent: 15 October 2018 16:31
To: Dave Leonard; Maria Williams; Paul Adams
Subject: Rep for the Skew

This one came in on Report it last Thursday.

REP/213263/2018 (Online Form Ref: QC91452479) 4 days	Member of Public	11 October 2018 at 11:22:08	Mrs Emily Hailes 562 Rayleigh Rd Brentwood Essex CM13 1SG 01277 312508 01277 312508	Enquiry Skew Bar and Grill Application to review above premises Since it has been open my husband and I have been aware of the constant droning on of the air conditioning units. This continues from the time it opens until the early hours when they are turned off. Is it possible to maybe surround these units with some form of baffles which could possibly suppress the constant hum that we suffer from? Every time somebody celebrates a birthday it is always outside and it appears to be in our garden. Sometimes the music is so loud we feel it is our celebration which it definitely is not. We are also aware of the constant slamming of cars doors and general noise e.g. Loud talking, shouting, and sometimes cars screeching in the car park, coming from these premises. We live in a small turning just off Rayleigh Rd and whenever the Skew car park is full our turning seems to be the overspill car park. Cars often fill our turning and not only that, but when home time comes customers decide to stand outside their cars and continue their conversations in a very loud manner. So, not only do we have car doors slamming but also people noise. Our sleep is often disturbed. I hope that you will consider our views
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Caroline Harrison | Licensing Officer
Tel: 01277 312508 | www.brentwood.gov.uk
Email: caroline.harrison@brentwood.gov.uk

View our Yearbook at www.brentwood.gov.uk/yearbook

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THE SKEW BAR & GRILL, RAYLEIGH ROAD, HUTTON CM13 1SG

REPRESENTATIONS

Interested Parties

Councillor Chris Hossack & Councillor Olivia Sanders

(Hutton Ward)

6 NOVEMBER 2018

Dave Leonard

From: Chris Hossack
Sent: 10 October 2018 13:05
To: Dave Leonard
Cc: Olivia Sanders
Subject: Licencing terms for the Skew Restaurant, Rayleigh Rd, Hutton

Dear Dave

I am writing to make representations regarding the licencing terms for the Skew which I understand are being considered for revision. My main objections on behalf of residents centre around the following points:

- 1) Delivery of goods at unsociable hours - i.e. no HGV's should be making deliveries outside of the hours 9am - 5pm
- 2) Removal of commercial waste from the site including glass, again not outside of the hours of 9am - 5pm
- 3) Loading of bins with kitchen waste and glass from the restaurant. Not after 9pm or before 9am
- 4) Location and proper screening of bins away from residential properties
- 5) Kitchen management, that staff do not congregate, socialise or smoke in areas adjoining neighbouring properties
- 6) Parking provision and control - that an assessment is taken to ensure that the level of parking provision outside is commensurate with the scale of dining provision inside, currently it is not which is causing an overflow parking issue. The licence may need to consider restrictions in the number of guests to a level that parking infrastructure supports.
- 7) Noise from exiting guests to be managed effectively
- 8) Cooking fumes to be monitored and an assessment made to the suitability of the current filtration provision

I trust you will be able to take these matters on board for consideration in the licencing review process.

Regards

Chris Hossack

Brentwood Councillor for Hutton East Ward
Chairman - Community Services & Housing Management
Chairman - Brentwood Community Safety Partnership

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Dave Leonard

From: Olivia Sanders
Sent: 11 October 2018 00:29
To: Dave Leonard
Cc: Chris Hossack
Subject: Licensing Sub Committee representation

Hi Dave,

I would like to make a representation regarding The Skew for the upcoming Licensing review at the sub committee.

My representation is on behalf of the residents and from my own observations.

The carpark at The Skew during peak times is not well managed and is often full. Diners are parking on the grass verges, in front of the Adagio dance school and directory in front of the restaurant thereby blocking access to diners requiring the disabled spaces.

The glass bottle collection times are currently inappropriate and should not be before 9am in the morning. The same goes for waste collection. Collections must be conditioned for between 9am - 5pm.

Staff should not be taking glass bottles out in the evenings or early morning due to the excessive noise created. Food waste etc should also be taken to the bins during the day and not in the evenings due to the noise it creates.

Staff should not be congregating for breaks along the fence boarder with the neighbours.

Noise relating to live music and DJ required stricter supervision from management and times should be altered if necessary due to the impact on neighbours.

Kind regards

Olivia

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Licensing Sub-Committees

To hear and determine applications that do not sit within the scope of delegation to officers, usually where representations have been received either by a third party against grant of a license, or from the applicant against intended refusal or revocation of a license/registration.

The Planning and Licensing Committee has delegated all functions other than relevant policies and fees setting to officers, with the exception of those other matters as indicated below, which are heard by licensing sub-committee unless otherwise indicated:

Licensing Act 2003 and Gambling Act 2005

- (a) Determination of any application type where a representation has been received in accordance with the legislation.
- (b) Determination of applications for review or expedited review.

Hackney Carriage vehicles and drivers (including enforcement of ranks) and Private Hire vehicles, drivers and operators, with the exception of:

- (a) Suspension or revocation of drivers' licenses (save for initial suspension under provision of Local Government (Miscellaneous Provisions) Act 1976 S61 (2B) if it appears that the interests of public safety require the suspension to have immediate effect).
- (b) Where representation has been submitted by the applicant/license holder against refusal of any application.
- (c) Where representation has been received from an applicant to vary a licensing or pre-licensing condition.

Scrap Metal Dealing

- (a) Determination of applications where representations have been received against refusal in accordance with legislative requirements; and
- (b) Consideration of revocation of a license where representations have been received in accordance with legislative requirements

Street Collections and House to House Collections

- (a) Appeals against refusal to grant or renew a license.

Licensing of sex establishments

- (a) Determination of all applications, revocations and appeals.

Street Trading

- (a) Determination of applications where representation(s) has been received.
- (b) Determination of applications that fall outside of current policy.
- (c) Determination of matters relating to revocation of a license.

Acupuncture, Tattooing, Skin and Ear Piercing and Electrolysis

- (a) Appeals against refusal to grant or renew a registration.
- (b) Revocation of a registration.

Animal Welfare and Security, except for the following:

- (a) Appeals against refusal to grant or renew a license.
- (b) Revocation of a license.

Exercise of Powers under Caravan Sites and Control of Development Act 1960, except for:

- (a) Refusal and revocation of licenses, (other than urgent refusals which are delegated to officers)

Mobile Homes

- (a) Appeals against revocation of a license and/or conditions attached to the grant of a license.