

**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*



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

**REPRESENTATION**

**Responsible Authorities**

***BBC Environmental Health***

***David Carter & Stephen Blake***

6 NOVEMBER 2018



## Dave Leonard

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

**REPRESENTATION**

**Responsible Authorities**

*BBC Licensing*

*Dave Leonard*

6 NOVEMBER 2018







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

Tuesday, 9<sup>th</sup> 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 16<sup>th</sup> 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, 30<sup>th</sup> 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 5<sup>th</sup> 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 24<sup>th</sup> 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, 30<sup>th</sup> 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 5<sup>th</sup> 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 10<sup>th</sup> 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 20<sup>th</sup> July 2016. On 22<sup>nd</sup> 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 22<sup>nd</sup> and 26<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup> 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, 16<sup>th</sup> 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 27<sup>th</sup> June 2018.**

On Saturday, 30<sup>th</sup> 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 3<sup>rd</sup> July 2018.**

On Thursday, 5<sup>th</sup> 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, 3<sup>rd</sup> 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 6<sup>th</sup> August 2018.**

On Thursday, 13<sup>th</sup> 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, 14<sup>th</sup> 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, 7<sup>th</sup> 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 27<sup>th</sup> 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**

- 20<sup>th</sup> 3.05pm *Call from Ms Jackie Nixon. Advised & referred to EHO Steve Blake*
- 23<sup>rd</sup> 3.50pm *Further call received from Ms Nixon and advice given.*
- 25<sup>th</sup> 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*
- 30<sup>th</sup> 10am *Cllrs Hossack & Sanders propose a meeting with EHO & Licensing officers set for 3<sup>rd</sup> 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**

- 3<sup>rd</sup> 10.20am *Meet w/Steve Blake & Cllrs Hossack & Sanders to update position.*
- 24<sup>th</sup> 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

- 16<sup>th</sup> 11.55pm Licensing enforcement visit conducted with Mr Blake. DPS Mr Leach not available. Manager in charge Mr Hayirola Berkpinar.
- 26<sup>th</sup> 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.
- 27<sup>th</sup> 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.
- 30<sup>th</sup> 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

- 3<sup>rd</sup> 11.30am Contact Mr Leach to advise that a meeting with Cllrs. & residents is proposed to discuss continuing noise nuisance complaints.
- 5<sup>th</sup> 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.
- 10<sup>th</sup> 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

3<sup>rd</sup> 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

13<sup>th</sup> 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.

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

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

## October 2018

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

7<sup>th</sup> 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.

10<sup>th</sup> 10am Advisory warning letter of outcome of latest visit sent to Mr Leach

10<sup>th</sup> 11am Licensing Officer's representation submitted.





## **LICENSING OFFICER'S REPRESENTATION**

### **SUPPORTING DOCUMENTATION**

1. *Copy of Premises Licence & Premises Plan issued 22<sup>nd</sup> November 2017*
2. *Copy of Warning Letters dated 24<sup>th</sup> May 2018, 27<sup>th</sup> June 2018 and 10<sup>th</sup> October 2018 sent to Mr Philip Leach (Skew Bar & Grill)*
3. *Email to EHO, Mr Steve Blake, advising of licensing enforcement visit conducted on 30<sup>th</sup> June 2018*
4. *Email from EHO, Mr Steve Blake, to Mr Philip Leach (Skew Bar & Grill) itemizing points of discussion at meeting held on 3<sup>rd</sup> 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 26<sup>th</sup> 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 25<sup>th</sup> 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 16<sup>th</sup> April 2018*



**LICENSING OFFICER'S REPRESENTATION**

**SUPPORTING DOCUMENTATION**

1. *Copy of Premises Licence & Premises Plan issued 22<sup>nd</sup> November 2017*





## Premises Licence

|                         |                                |
|-------------------------|--------------------------------|
| Premises Licence Number | PRM_0364                       |
| Application Number      | 17/00078/LAPRE                 |
| Date of Issue           | 22 <sup>nd</sup> 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**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>10:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>10:00 - 00:00</b> |
| <b>Wednesday</b> | <b>10:00 - 00:00</b> |
| <b>Thursday</b>  | <b>10:00 - 00:00</b> |
| <b>Friday</b>    | <b>10:00 - 00:00</b> |
| <b>Saturday</b>  | <b>10:00 - 00:00</b> |
| <b>Sunday</b>    | <b>10:00 - 00:00</b> |

**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**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>10:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>10:00 - 00:00</b> |
| <b>Wednesday</b> | <b>10:00 - 00:00</b> |
| <b>Thursday</b>  | <b>10:00 - 00:00</b> |
| <b>Friday</b>    | <b>10:00 - 00:00</b> |
| <b>Saturday</b>  | <b>10:00 - 00:00</b> |
| <b>Sunday</b>    | <b>10:00 - 00:00</b> |

**Performance of Live music**

|                 |                      |
|-----------------|----------------------|
| <b>Thursday</b> | <b>16:00 - 00:00</b> |
| <b>Friday</b>   | <b>16:00 - 00:00</b> |
| <b>Saturday</b> | <b>16:00 - 00:00</b> |
| <b>Sunday</b>   | <b>16:00 - 00:00</b> |

**Playing of Recorded music**

|                 |                      |
|-----------------|----------------------|
| <b>Thursday</b> | <b>16:00 - 00:00</b> |
| <b>Friday</b>   | <b>16:00 - 00:00</b> |
| <b>Saturday</b> | <b>16:00 - 00:00</b> |
| <b>Sunday</b>   | <b>16:00 - 00:00</b> |

**Provision of Late Night Refreshments**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>23:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>23:00 - 00:00</b> |
| <b>Wednesday</b> | <b>23:00 - 00:00</b> |
| <b>Thursday</b>  | <b>23:00 - 01:00</b> |
| <b>Friday</b>    | <b>23:00 - 01:00</b> |
| <b>Saturday</b>  | <b>23:00 - 01:00</b> |
| <b>Sunday</b>    | <b>23:00 - 00:00</b> |

**Sale by Retail of Alcohol**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>11:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>11:00 - 00:00</b> |
| <b>Wednesday</b> | <b>11:00 - 00:00</b> |
| <b>Wednesday</b> | <b>11:00 - 00:00</b> |
| <b>Thursday</b>  | <b>11:00 - 01:00</b> |
| <b>Friday</b>    | <b>11:00 - 01:00</b> |
| <b>Saturday</b>  | <b>11:00 - 01:00</b> |
| <b>Sunday</b>    | <b>11:00 - 00:00</b> |

**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

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>11:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>11:00 - 00:00</b> |
| <b>Wednesday</b> | <b>11:00 - 00:00</b> |
| <b>Thursday</b>  | <b>11:00 - 01:00</b> |
| <b>Friday</b>    | <b>11:00 - 01:00</b> |
| <b>Saturday</b>  | <b>11:00 - 01:00</b> |
| <b>Sunday</b>    | <b>11:00 - 00:00</b> |

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.**

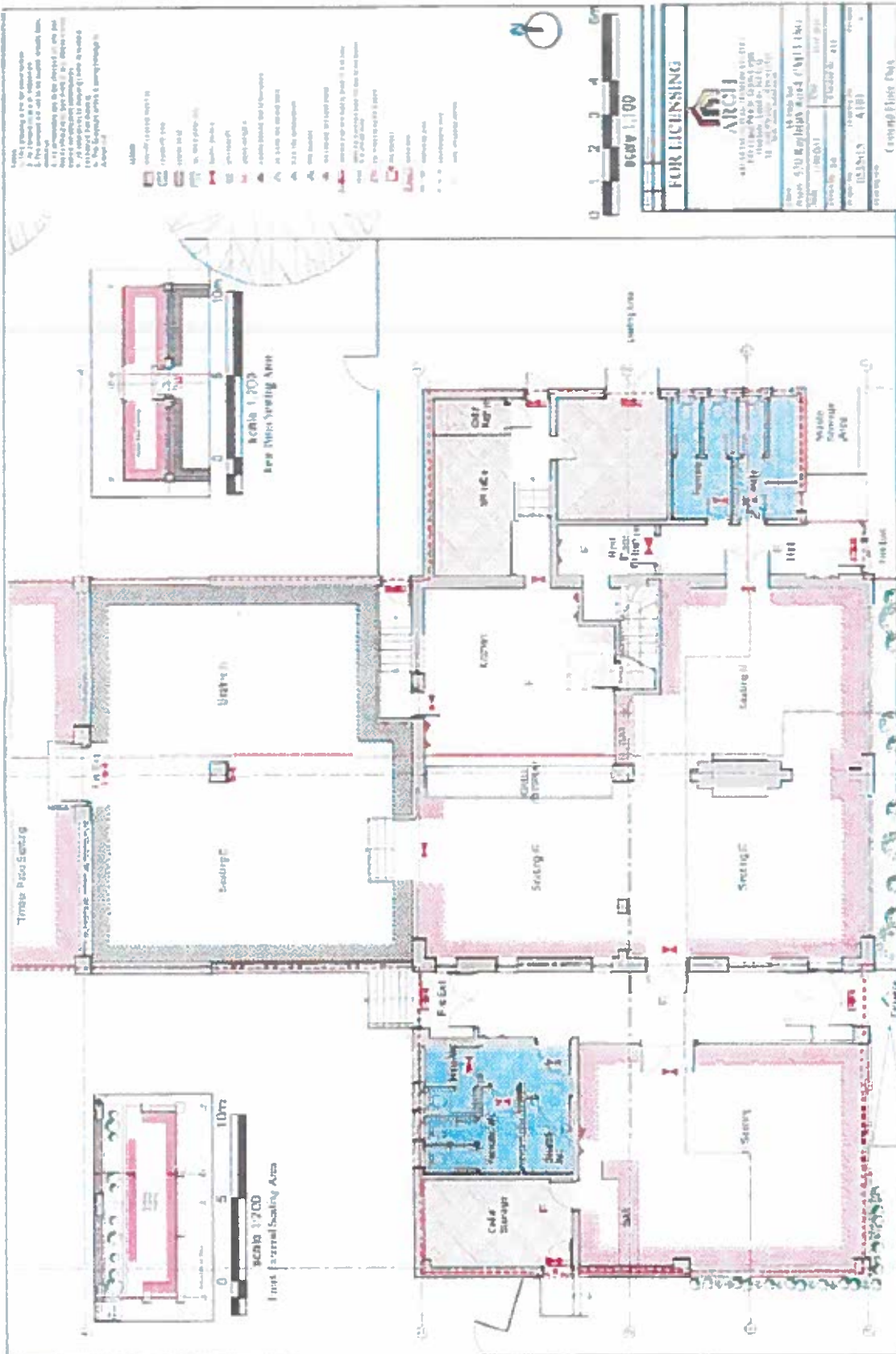
- 15 All training records will be retained for 12 months and made available to Essex Police or other Responsible Authority upon reasonable request.**
- 16 Reasonable and adequate staff training to be carried out and properly documented in relation to:
  - a) Dealing with incidents and prevention of crime 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**

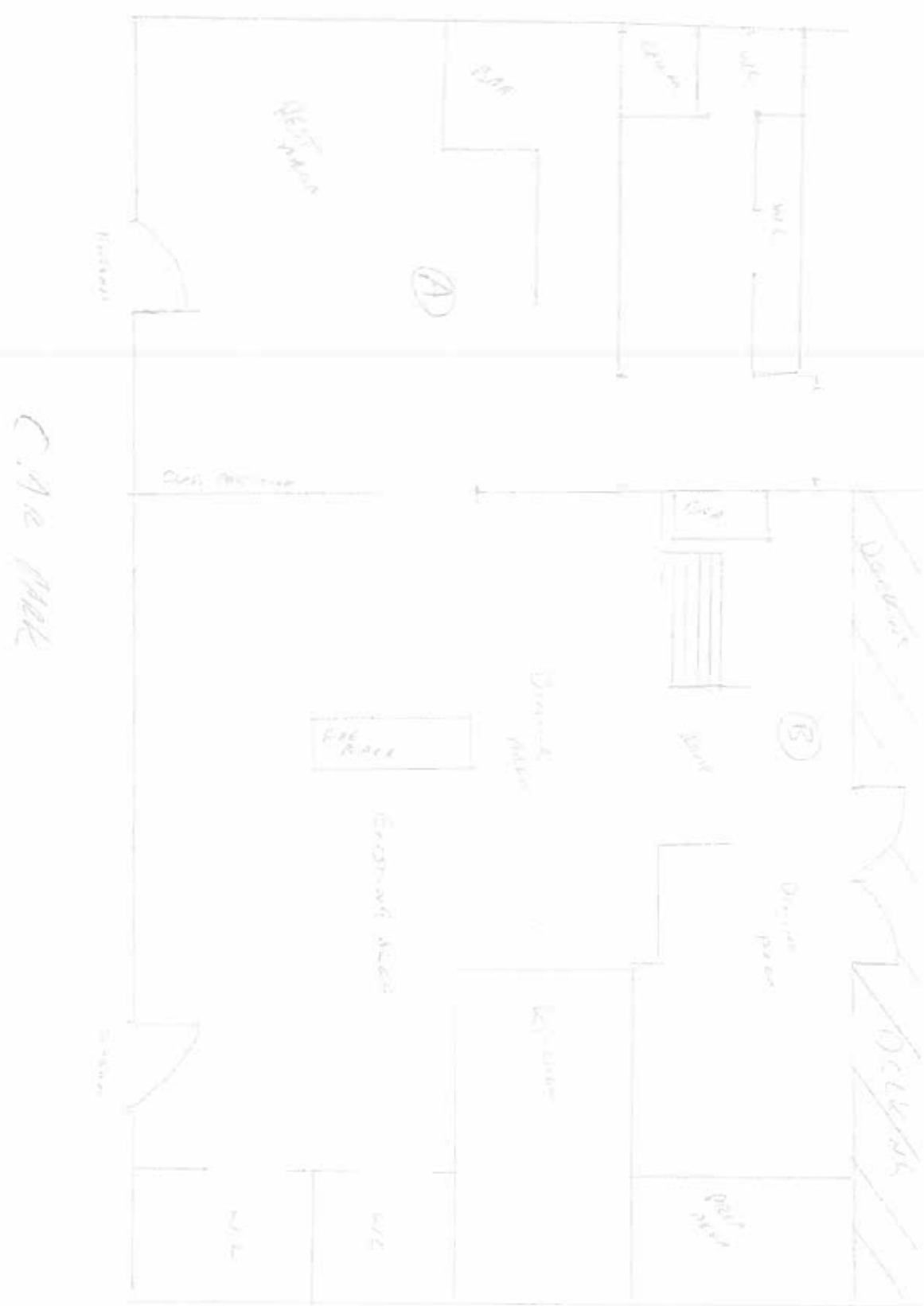
# Annex 4 – Plans

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.



C. M. M. M.







**BRENTWOOD  
BOROUGH COUNCIL**

## Premises Licence Summary

|                                |                                      |
|--------------------------------|--------------------------------------|
| <b>Premises Licence Number</b> | <b>PRM_0364</b>                      |
| <b>Application Number</b>      | <b>17/00078/LAPRE</b>                |
| <b>Date of Issue</b>           | <b>22<sup>nd</sup> November 2017</b> |

### 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**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>10:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>10:00 - 00:00</b> |
| <b>Wednesday</b> | <b>10:00 - 00:00</b> |
| <b>Thursday</b>  | <b>10:00 - 00:00</b> |
| <b>Friday</b>    | <b>10:00 - 00:00</b> |
| <b>Saturday</b>  | <b>10:00 - 00:00</b> |
| <b>Sunday</b>    | <b>10:00 - 00:00</b> |

**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**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>10:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>10:00 - 00:00</b> |
| <b>Wednesday</b> | <b>10:00 - 00:00</b> |
| <b>Thursday</b>  | <b>10:00 - 00:00</b> |
| <b>Friday</b>    | <b>10:00 - 00:00</b> |
| <b>Saturday</b>  | <b>10:00 - 00:00</b> |
| <b>Sunday</b>    | <b>10:00 - 00:00</b> |

**Performance of Live music**

|                 |                      |
|-----------------|----------------------|
| <b>Thursday</b> | <b>16:00 - 00:00</b> |
| <b>Friday</b>   | <b>16:00 - 00:00</b> |
| <b>Saturday</b> | <b>16:00 - 00:00</b> |
| <b>Sunday</b>   | <b>16:00 - 00:00</b> |

**Playing of Recorded music**

|                 |                      |
|-----------------|----------------------|
| <b>Thursday</b> | <b>16:00 - 00:00</b> |
| <b>Friday</b>   | <b>16:00 - 00:00</b> |
| <b>Saturday</b> | <b>16:00 - 00:00</b> |
| <b>Sunday</b>   | <b>16:00 - 00:00</b> |

**Provision of Late Night Refreshments**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>23:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>23:00 - 00:00</b> |
| <b>Wednesday</b> | <b>23:00 - 00:00</b> |
| <b>Thursday</b>  | <b>23:00 - 01:00</b> |
| <b>Friday</b>    | <b>23:00 - 01:00</b> |
| <b>Saturday</b>  | <b>23:00 - 01:00</b> |
| <b>Sunday</b>    | <b>23:00 - 00:00</b> |

**Sale by Retail of Alcohol**

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>11:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>11:00 - 00:00</b> |
| <b>Wednesday</b> | <b>11:00 - 00:00</b> |
| <b>Wednesday</b> | <b>11:00 - 00:00</b> |
| <b>Thursday</b>  | <b>11:00 - 01:00</b> |
| <b>Friday</b>    | <b>11:00 - 01:00</b> |
| <b>Saturday</b>  | <b>11:00 - 01:00</b> |
| <b>Sunday</b>    | <b>11:00 - 00:00</b> |

**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

|                  |                      |
|------------------|----------------------|
| <b>Monday</b>    | <b>11:00 - 00:00</b> |
| <b>Tuesday</b>   | <b>11:00 - 00:00</b> |
| <b>Wednesday</b> | <b>11:00 - 00:00</b> |
| <b>Thursday</b>  | <b>11:00 - 01:00</b> |
| <b>Friday</b>    | <b>11:00 - 01:00</b> |
| <b>Saturday</b>  | <b>11:00 - 01:00</b> |
| <b>Sunday</b>    | <b>11:00 - 00:00</b> |

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**

**LICENSING OFFICER'S REPRESENTATION**

**SUPPORTING DOCUMENTATION**

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





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

Date: 24<sup>th</sup> 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, 30<sup>th</sup> 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: 27<sup>th</sup> 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, 16<sup>th</sup> 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 30<sup>th</sup> 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.***

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,

A handwritten signature in black ink, appearing to read 'Dave Leonard', written over a faint, illegible stamp.

Dave Leonard  
Brentwood Borough Council Licensing Officer



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

Date: 10<sup>th</sup> 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, 7<sup>th</sup> 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 30<sup>th</sup> 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](http://www.brentwood.gov.uk) | [dave.leonard@brentwood.gov.uk](mailto: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 3<sup>rd</sup> 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](mailto: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](mailto: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](mailto: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](mailto: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 24<sup>th</sup> 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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## 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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>  
**To:** 'ploughlandlord@aol.com' <[ploughlandlord@aol.com](mailto:ploughlandlord@aol.com)>  
**CC:** Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>; Paul Adams <[paul.adams@brentwood.gov.uk](mailto:paul.adams@brentwood.gov.uk)>; David Carter <[david.carter@brentwood.gov.uk](mailto: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](mailto: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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>; Paul Adams <[paul.adams@brentwood.gov.uk](mailto:paul.adams@brentwood.gov.uk)>  
**Subject:** FW: the skew

Gentlemen,

FYI

**From:** [ploughlandlord@aol.com](mailto:ploughlandlord@aol.com) <[ploughlandlord@aol.com](mailto:ploughlandlord@aol.com)>  
**Sent:** 16 July 2018 15:37  
**To:** [stepen.blake@brentwood.gov.uk](mailto:stepen.blake@brentwood.gov.uk)  
**Cc:** Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>; [fiatdicle@hotmail.co.uk](mailto: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 6<sup>th</sup> 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](mailto: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](mailto:info@theskew.co.uk)>; 'ploughlandlord@aol.com' <[ploughlandlord@aol.com](mailto:ploughlandlord@aol.com)>

**Cc:** David Carter <[david.carter@brentwood.gov.uk](mailto:david.carter@brentwood.gov.uk)>; Chris Hossack <[chris.hossack@brentwood.gov.uk](mailto:chris.hossack@brentwood.gov.uk)>; Gavin Dennett <[gavin.dennett@brentwood.gov.uk](mailto: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](mailto: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 26<sup>th</sup> 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.

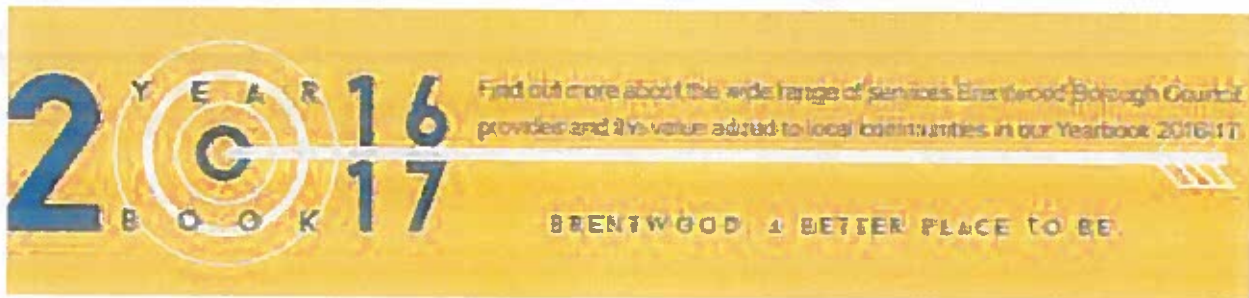
There is also the matter of the changes the Live Music Act, has made to the Licensing Act, which means that any live music, which I am advised the music from this venue is largely from, is not regarded as a licensable activity until 11.00pm, and any conditions associated with this will therefore not 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](http://www.brentwood.gov.uk) |  
[paul.adams@brentwood.gov.uk](mailto:paul.adams@brentwood.gov.uk)



**From:** Dave Leonard  
**Sent:** 26 June 2018 09:09  
**To:** Paul Adams <[paul.adams@brentwood.gov.uk](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>; Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>; Olivia Sanders <[olivia.sanders@brentwood.gov.uk](mailto:olivia.sanders@brentwood.gov.uk)>; David Carter <[david.carter@brentwood.gov.uk](mailto: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](mailto: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 22<sup>nd</sup> I have been away on business for a few weeks, these are my observations on the the weekend of the 23<sup>rd</sup> 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](mailto:stephen.blake@brentwood.gov.uk)  
**Cc:** Dave Leonard; Olivia Sanders; David Carter; martyn white; [chris.hossack@brentwood.gov.uk](mailto: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](mailto: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](mailto: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](mailto:dave.leonard@brentwood.gov.uk)>  
**Cc:** Olivia Sanders <[olivia.sanders@brentwood.gov.uk](mailto: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 25<sup>th</sup> 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](http://www.brentwood.gov.uk) | [david.carter@brentwood.gov.uk](mailto:david.carter@brentwood.gov.uk)



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

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

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

**To:** [stephen.blake@brentwood.gov.uk](mailto:stephen.blake@brentwood.gov.uk)

**Cc:** Dave Leonard; Olivia Sanders; David Carter; martyn white; [chris.hossack@brentwood.gov.uk](mailto: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](mailto: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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>; Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>

**Cc:** Olivia Sanders <[olivia.sanders@brentwood.gov.uk](mailto: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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**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 16<sup>th</sup> 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](http://www.brentwood.gov.uk) | [maria.williams@brentwood.gov.uk](mailto:maria.williams@brentwood.gov.uk)

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

**From:** Jackie Nixon <~~XXXXXXXXXXXXXXXXXXXX@XXXXXX~~>  
**Sent:** 14 April 2018 22:25  
**To:** Licensing <[licensing@brentwood.gov.uk](mailto: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@skewhutton.co.uk~~  
**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.

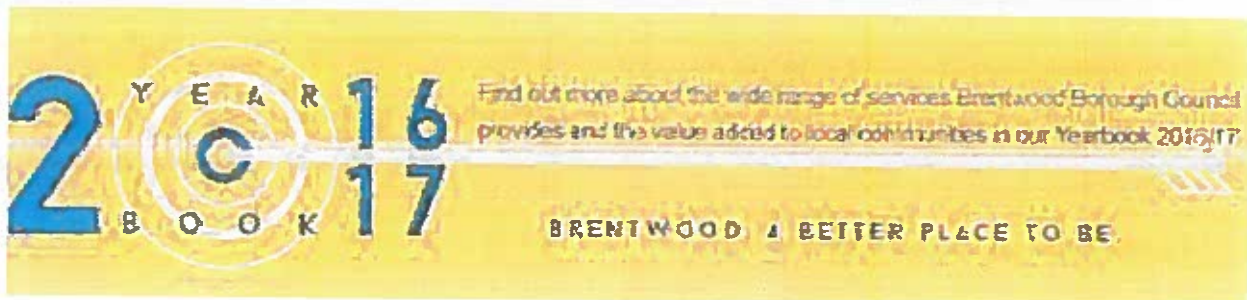


## Dave Leonard

---

**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](http://www.brentwood.gov.uk) | [maria.williams@brentwood.gov.uk](mailto: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](mailto: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

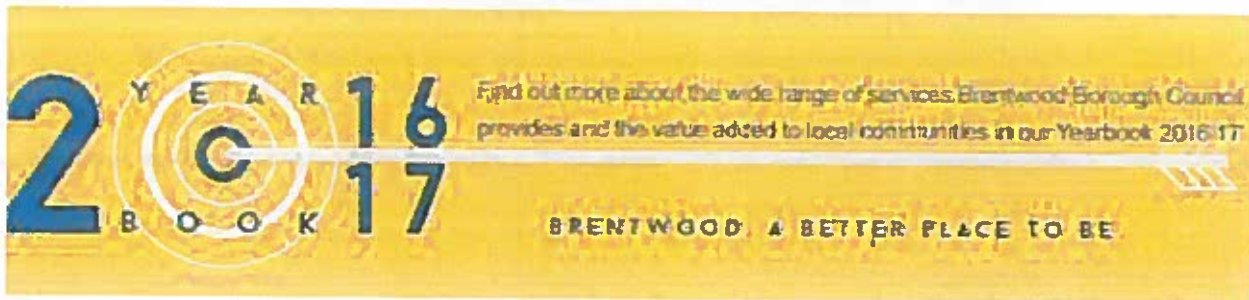
Sent from my iPad

**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](http://www.brentwood.gov.uk) | [maria.williams@brentwood.gov.uk](mailto: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](mailto: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.

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**

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## 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 <~~XXXXXXXXXXXX@XXXXXX~~>  
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 <~~XXXXXXXXXXXX@XXXXXX~~>  
Date: May 6, 2018 at 3:55:03 PM GMT+1  
To: [licensing@brentwood.gov.uk](mailto:licensing@brentwood.gov.uk)  
Cc: [stephen.blake@brentwood.gov.uk](mailto: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](mailto: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 <~~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](mailto: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](mailto: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](http://www.brentwood.gov.uk) |  
[dave.leonard@brentwood.gov.uk](mailto: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](mailto: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  
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**

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



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

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

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## Dave Leonard

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**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 <[REDACTED]>

>> 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.

>>

>>

>> Kind regards

>>

>> Jackie Nixon

>>

>>

>> Sent from my iPad

>



## Dave Leonard

---

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

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.

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Yours Sincerely,

Steve Blake

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

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

**From:** Jackie Nixon ~~<jackie.nixon@brentwood.gov.uk>~~  
**Sent:** 11 June 2018 14:08  
**To:** Stephen Blake <[stephen.blake@brentwood.gov.uk](mailto:stephen.blake@brentwood.gov.uk)>  
**Cc:** Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>; David Carter <[david.carter@brentwood.gov.uk](mailto:david.carter@brentwood.gov.uk)>; Chris Hossack <[chris.hossack@brentwood.gov.uk](mailto: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.

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Jackie Nixon

Sent from my iPad

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>

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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

>

>

> 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.

>



## 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.

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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>  
**Cc:** Chris Hossack <[chris.hossack@brentwood.gov.uk](mailto:chris.hossack@brentwood.gov.uk)>  
**Subject:** Noise at The Skew

Hello Stephen

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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.

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](mailto: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 things 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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>; Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>  
**Cc:** Olivia Sanders <[olivia.sanders@brentwood.gov.uk](mailto: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 <~~XXXXXXXXXXXXXXXXXXXX~~> wrote:

Thank you

Sent from my iPhone

On 9 Jun 2018, at 00:06, Dave Leonard  
<[dave.leonard@brentwood.gov.uk](mailto: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 <~~XXXXXXXXXXXXXXXXXXXX~~>  
**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  
<~~XXXXXXXXXXXXXXXXXXXX~~> 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  
<~~XXXXXXXXXXXXXXXXXXXX~~>  
wrote:

Hi Dave

## 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

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Resolution:

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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

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Good luck in the meantime.  
Kind regards,  
Dave

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

Hi Dave  
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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.  
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Sent from my iPhone

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Thank you

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<[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>  
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Kind regards,

## 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 22<sup>nd</sup> I have been away on business for a few weeks, these are my observations on the the weekend of the 23<sup>rd</sup> 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: ~~01473 444444~~

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](mailto: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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>; Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>

Cc: Olivia Sanders <[olivia\\_sanders@brentwood.gov.uk](mailto: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 22<sup>nd</sup> I have been away on business for a few weeks, these are my observations on the the weekend of the 23<sup>rd</sup> 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 222222~~

Sent from Mail for Windows 10

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**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

On Jun 18, 2018, at 2:43 PM, Chris Hossack <[chris.hossack@brentwood.gov.uk](mailto: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?

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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

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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.
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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.

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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](mailto: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](mailto:stephen.blake@brentwood.gov.uk)>; Dave Leonard <[dave.leonard@brentwood.gov.uk](mailto:dave.leonard@brentwood.gov.uk)>  
**Cc:** Olivia Sanders <[olivia.sanders@brentwood.gov.uk](mailto: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:** 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](mailto:dave.leonard@brentwood.gov.uk)> wrote:

Dear Clive,

Both Steve Blake and I did indeed visit The Skew Bar & Grill on Saturday, 16<sup>th</sup> 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](http://www.brentwood.gov.uk) | [dave.leonard@brentwood.gov.uk](mailto: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](mailto:dave.leonard@brentwood.gov.uk)>  
**Cc:** Stephen Blake <[stephen.blake@brentwood.gov.uk](mailto: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

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**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

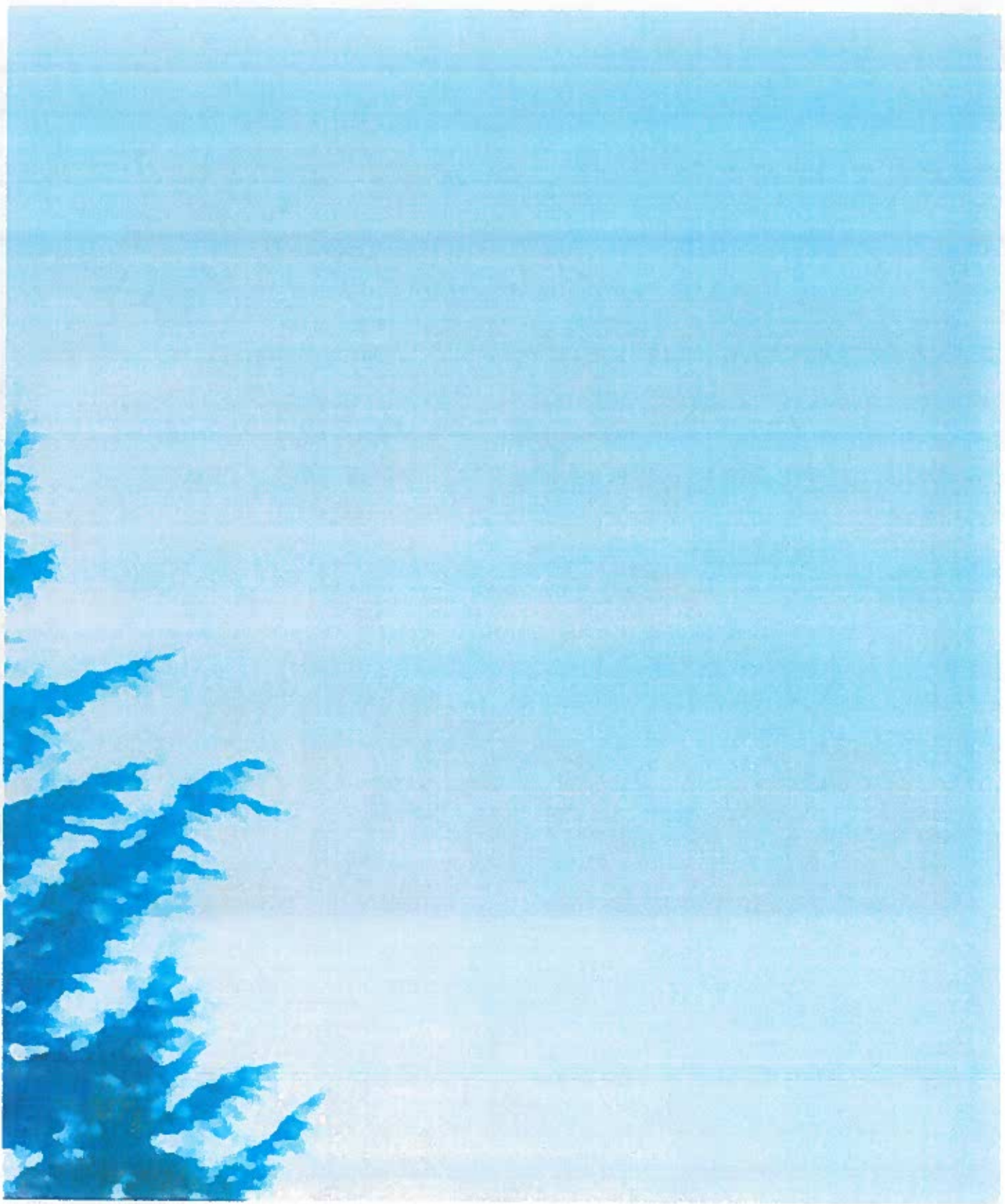
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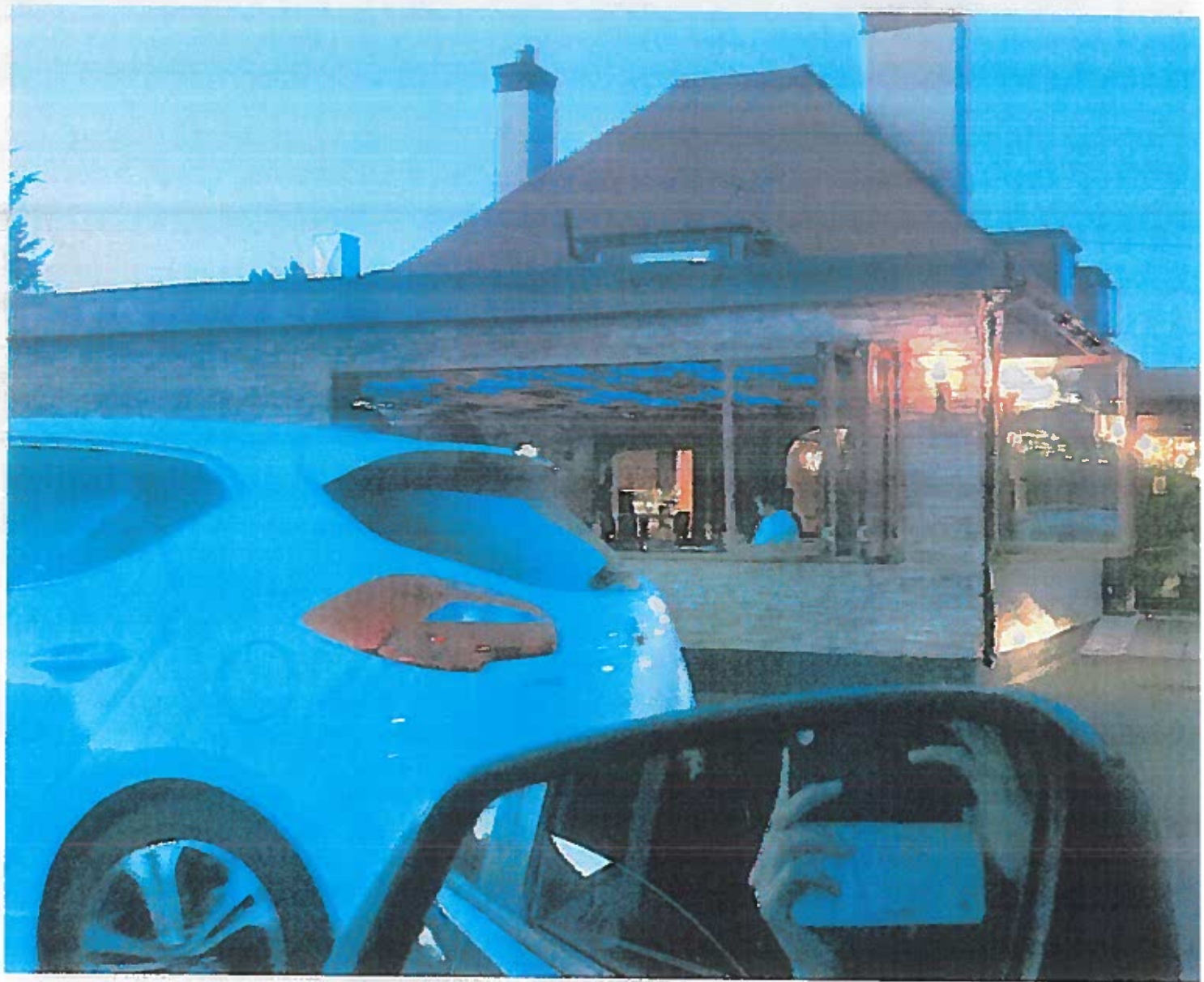
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**Dave Leonard**

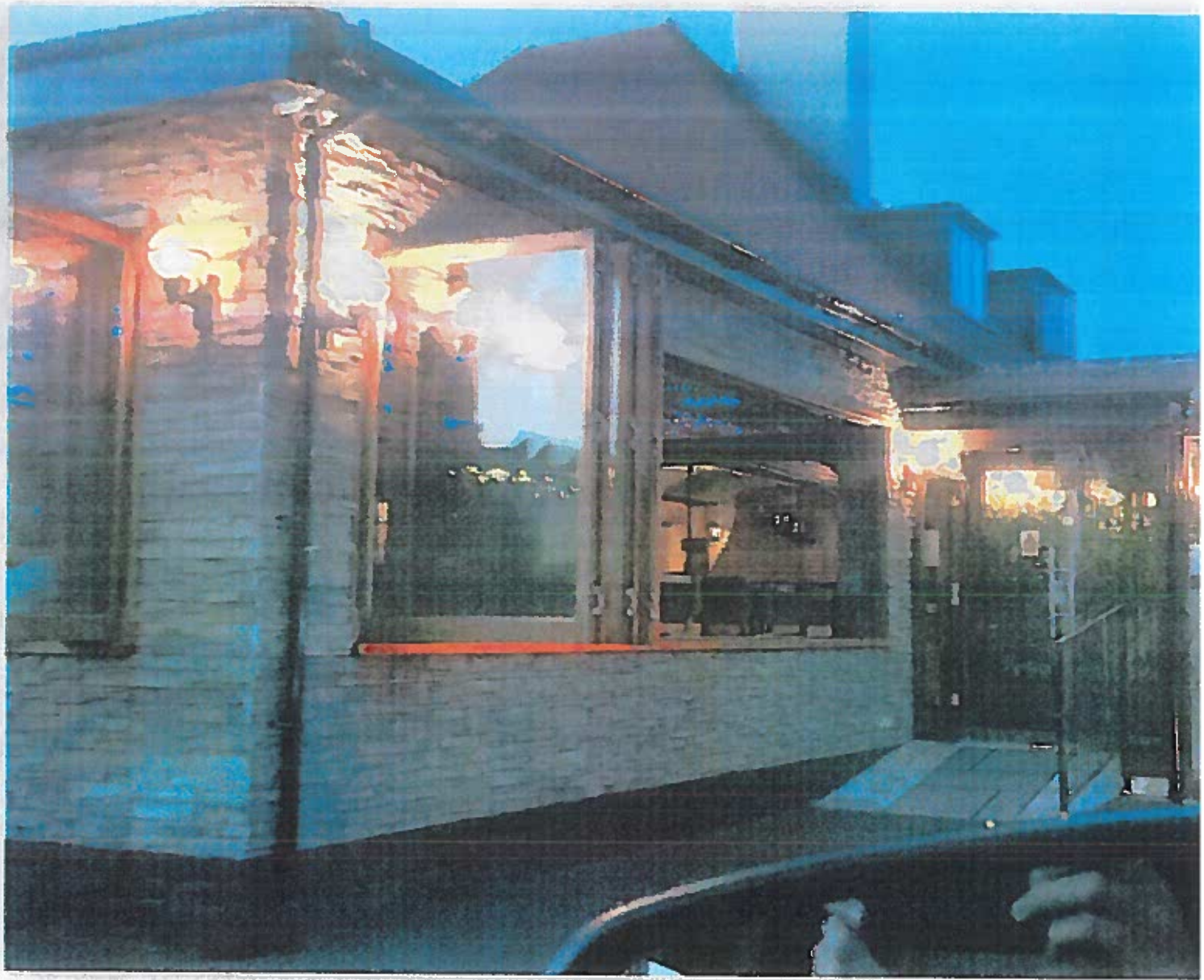
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**From:** Olivia Sanders  
**Sent:** 25 June 2018 22:02  
**To:** David Carter; Dave Leonard  
**Cc:** Chris Hossack  
**Subject:** The Skew















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

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**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

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**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

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**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.

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 it's 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

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**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

Sent from my iPad

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## Dave Leonard

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**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 7<sup>th</sup>.

<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

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**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

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**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](#)

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**From:** Jackie Nixon <~~mailto: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](mailto:Stephen.blake@brentwood.gov.uk) Tel. No. 01277 312500

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## Dave Leonard

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**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

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**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 4<sup>th</sup> 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](mailto: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

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**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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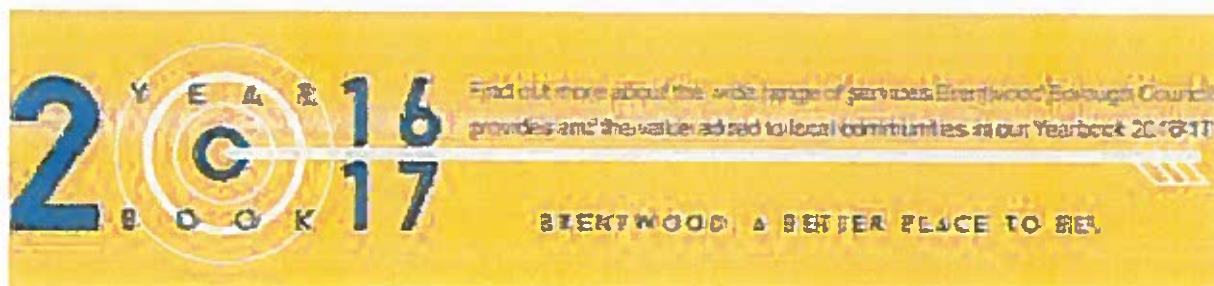


## Dave Leonard

---

**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](http://www.brentwood.gov.uk) |  
[paul.adams@brentwood.gov.uk](mailto: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](mailto: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 26<sup>th</sup> 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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|                      |   |
|----------------------|---|
|                      | <b>Licence review</b><br><b>Mr Phillip Leach</b><br><b>The Skew Bar and Grill</b>                       |
|                      |   |
| <b>Date</b>          | <b>Occurrences &amp; Times</b>  |
| 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<br>Doors & windows open all evening.                          |
| 27th April 2018      | Noise from car park loud voices, last left 01:45<br>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.<br>Doors & windows open.                                     |
| 22nd June 2018       | Noisy all evening, doors open<br>customers leaving noisily.   |

|                |  |
|----------------|--|
| 23rd June 2018 | Noise from music all evening<br>last customer leaves 01:00 the next morning.                 |
| 29th June 2018 | Noisy until late, doors open.  |
| 30th June 2018 | Exterior noisy until 23:15<br>Drunk customers leaving noisily.                               |
| 6th July 2018  | Noisy all evening especially from the rear<br>Customers leaving late and noisily.            |
| 7th July 2018  | Noisy all evening.   |
| 13th July 2018 | Noisy all evening loud music, loud from<br>front and rear.                                   |
| 14th July 2018 | Music finished 00:30, noisy front and rear,<br>customers leaving late & noisily.             |
| 15th July 2018 | Customers leaving Late & noisily.  |
| 18th July 2018 | Garden open until 23:10 Noisy all night, last<br>customer leaves 00:45 sounding horns.       |
| 20th July 2018 | Noisy all day, car park noisy 23:55, 00:27<br>music from restaurant.                         |
| 21st July 2018 | Garden noisy at 23:00,<br>00:25 noise from car park.   |
| 22nd July 2018 | Noisy all day, car park noisy 00:25, garden<br>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 16<sup>th</sup> April 2018 over my concerns after a fracas at around 00:30 on the 14<sup>th</sup>, 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 16<sup>th</sup> 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

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**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 18<sup>th</sup> 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 7

---

**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

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**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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## Dave Leonard

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**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](mailto: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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