



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE ARRAY AGENDA

10.30 am

**Thursday
1 December 2022**

**Council Chamber -
Town Hall**

Members 3: Quorum 2

COUNCILLORS:

Natasha Summers (Chairman)
Jane Keane (Vice-Chair)
Christine Smith

**For information about the meeting please contact:
Luke Phimister 01708 434619
luke.phimister@onesource.co.uk**

Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.

Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REPORT OF THE CLERK (Pages 1 - 6)

Procedure for hearing – Licensing Act 2003 (Attached)

5 APPLICATION TO REVIEW A PREMISES LICENSE - ARRAY ESSEX (Pages 7 - 130)

Application to vary a premises licence made by ward Councillors Martin Goode, Darren Wise and Brian Eagling under section 51 of the Licensing Act 2003. (Papers attached)

Zena Smith
Democratic and Election Services Manager



LICENSING SUB-COMMITTEE 16 NOVEMBER 2022

REPORT

Subject Heading:

Procedure for the Hearing
Licensing Act 2003

Report Author and contact details:

Luke Phimister – Democratic Services
Officer
01708 434619
Luke.phimister@onesource.co.uk

REPORT OF THE CLERK

PROCEDURE FOR THE HEARING: LICENSING ACT 2003 (REVIEW OF LICENCE)

This is a hearing to consider an application for a review of a licence under section 51 of the Licensing Act 2003. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A member of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;

1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Location and facilities:

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

4. Notification of attendance:

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

5. Procedural matters:

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The party requesting the review will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The Chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points on which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the party requesting the review of the licence
- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local Environmental Health Authority;
- the Local Weights and Measures Authority;

- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party whose premises is the subject of the licence review.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

- The prevention of crime and disorder;**
- Public safety;**
- The prevention of public nuisance; and**
- The protection of children from harm.**

6. Failure of parties to attend the hearing:

- 6.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

7. Adjournments and extension of time:

- 7.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:

- Review of premises licences following closure orders made under the Licensing Act 2003 where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.
- Other reviews of premises licenses where the Sub-Committee must make a determination within 28 days of the end of the statutory consultation period.

8. Sub-Committee's determination of the hearing:

- 8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

9. Power to exclude people from hearing:

- 9.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
 - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

10. Recording of proceedings:

- 10.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

11. Power to vary procedure:

- 11.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

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Licensing Officer's Report

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LICENSING SUB-COMMITTEE

REPORT

16 NOVEMBER 2022

Subject heading:

Array Essex

91 Shepherds Hill Romford RM3 0NP

Premises licence review application

Paul Jones, Public Protection Officer

licensing@havering.gov.uk

01708 432777

Report author and contact details:

This application to review a premises licence is made by ward councillors Brian Eagling, Martin Goode and Darren Wise under s.51 of the Licensing Act 2003. Havering's Licensing Authority received the application on 7th October 2022.

Geographical description of the area

Array Essex is a large detached premises located on Shepherds Hill. It is surrounded on all sides by residential properties.



Details of the application

The applicants for the review contend that for a *protracted period of time* – over 18 months – the residents in a *half mile radius* from the premises have been *continually affected* by the premises' alleged failure to promote the licensing objectives.

The applicants for the review suggest that the hours during which the premises may operate should be reduced to a 23:00 terminal hour to address the issues which have attended the operation of the premises.

Comments and observations on the application

Upon receipt of the application the licensing authority advertised the application appropriately further to the requirements of regulations 38 and 39 of *The Licensing Act 2003 (premises licences and club premises certificates) Regulations 2005*.

Summary

There were 43 representations supporting this application from residents in the vicinity of the premises.

There were four representations supporting this application from responsible authorities, namely Havering's health and safety team, Havering's Environmental Health noise team, Havering's licensing authority and Havering Borough Police licensing team.



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Copy of Application

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Part A

Premises licence number

22465

Part 1 – premises details

Postal address of premises

**Array Essex
91 Shepherds Hill Romford RM3 0NP
01708 377717**

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

**Indoors only: plays, films, live music, recorded music, performances of dance,
anything of a similar description to live music or recorded music,
late night refreshment, supply of alcohol**

The times the licence authorises the carrying out of licensable activities

**Late night refreshment
Sunday to Wednesday – 23:00 to 00:00
Thursday to Saturday – 23:00 to 01:00**

**Plays, films, live music, recorded music, performances of dance,
anything of a similar description to live music or recorded music, supply of alcohol
Sunday to Wednesday – 08:00 to 00:00
Thursday to Saturday – 08:00 to 01:00**

The opening hours of the premises

**Sunday to Wednesday – 08:00 to 00:30
Thursday to Saturday – 08:00 to 01:30**

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

On and off supplies

1 of 7

Part 2

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

CETGUL Ltd
c/o 263-265 Hackney Road London E2 8NA
[REDACTED] / [REDACTED]

Registered number of holder

12142494

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

Mr Bilal Nadir Gul
[REDACTED]

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

[REDACTED]

Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, 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 under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must 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);

2 of 7

Mandatory conditions – contd.

- (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).**
- 4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.**
- 5. (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.**
- 6. 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**
 - (iii) 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.**
- 7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.**

8. For the purposes of the condition set out in paragraph 7 —
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —
$$P=D+(D \times V)$$
- where —
- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence —
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
9. Where the permitted price given by paragraph (b) of paragraph 8 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
10. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 8 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
11. The admission of children, that is persons aged under 18, to the exhibition of any film shall be restricted in accordance with any recommendation made by the film classification body designated by section 4 of the Video Recordings Act 1984.
12. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 2 – conditions consistent with the operating schedule

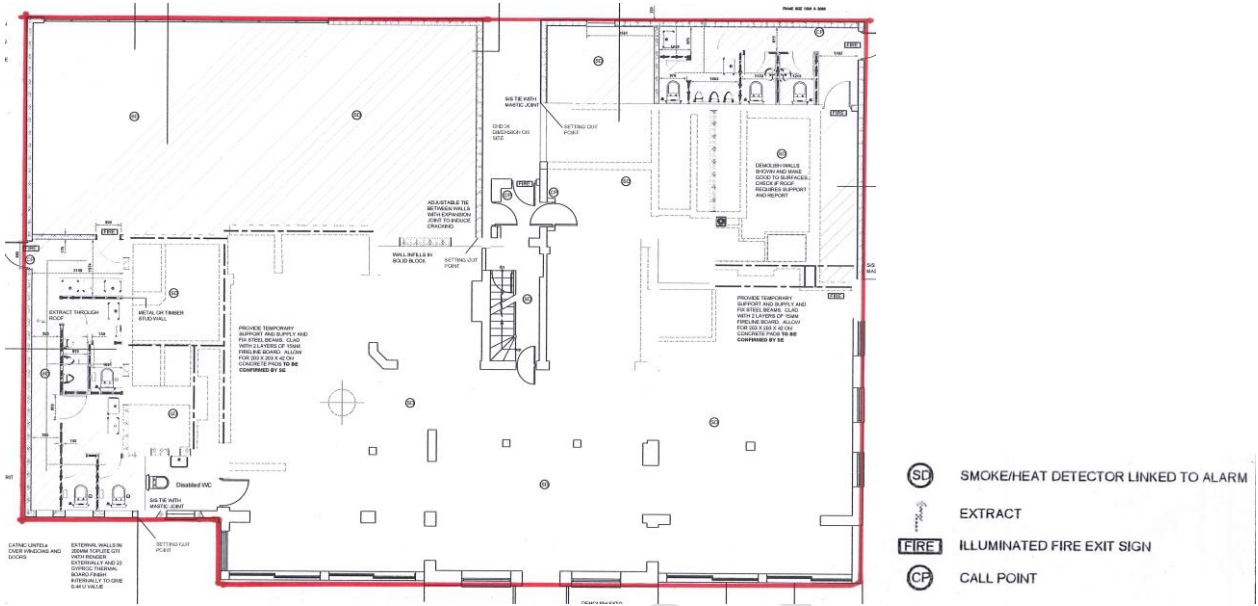
- 1. Any security person shall be employed at the premises at the discretion of the designated premises supervisor/premises licence holder and shall display his name badge at all times whilst on duty.**
- 2. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.**
- 3. All drinking vessels shall be either toughened glass or polycarbonate.**
- 4. A CCTV system shall be installed at the premises and shall have cameras monitoring the outside area; the front and rear exits to the premises; and cameras monitoring inside the public area of the premises that shall include coverage of the front and rear entrances and bar servery area.**
- 5. The CCTV system serving the premises shall be installed to the satisfaction of the Police and shall:**
 - a) be maintained fully operational and in good working order at all times;**
 - b) make and retain clear images; and**
 - c) show an accurate date and time that the images were made.**
- 6. All CCTV images shall be retained for a period of not less than 31 days in a format that can be viewed on readily available equipment without the need for specialist software. The original CCTV images, or a copy, shall be provided upon demand to Police or an authorised officer of the London Borough of Havering. Taking a copy of any CCTV images away must be subject to data protection requirements.**
- 7. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the London Borough of Havering. The log shall record the following:**
 - All crimes reported to the venue**
 - All ejections of customers**
 - Any incidents of disorder (disturbance caused by either one person or a group of people). (There is no requirement to record the above incidents where they do not relate to a licensable activity).**
 - Seizures of drugs or offensive weapons**
 - Any faults in the CCTV system or searching equipment or scanning equipment**
 - Any refusal of the sale of alcohol during the hours the premises is licensed to sell it.**
- 8. All staff whose responsibilities include the retail sale of alcohol shall receive training on induction and every twelve months thereafter on the prevention of underage sales of alcohol which shall include:**
 - i. the operation of the "Challenge 25" scheme;**
 - ii. types of acceptable ID;**
 - iii. the method of recording challenges; and**
 - iv. the likely consequence of making an underage sale.**

Such training shall be recorded and these records shall, on request, be made available to Police or an authorised officer of the London Borough of Havering on reasonable request.

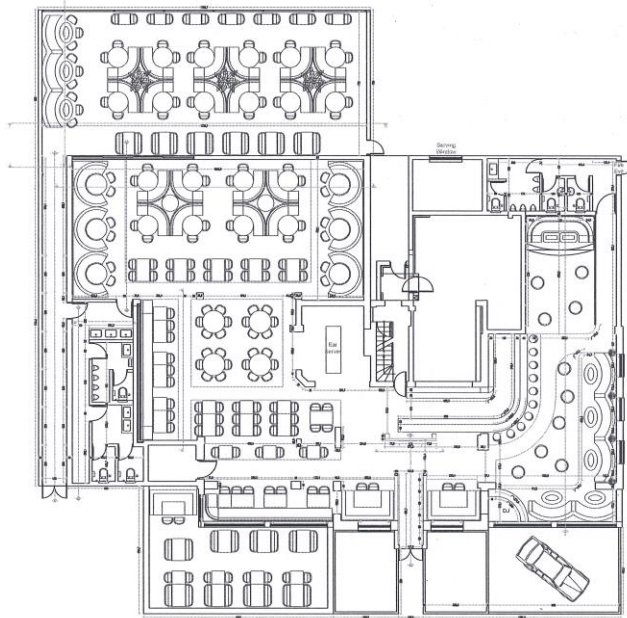
9. When the premises are open for licensable activities a member of staff shall be on duty who has received training in crime scene management.
10. The premises shall install a noise limiting device within any room where recorded/live music is to be played. Details of the noise limiting device are to be submitted to the Local Authority for approval prior to its installation. Once approved the unit shall be installed by a competent electrician. The unit shall then be set and sealed by officers from Havering's Environmental Health Service.
11. Non standard timings:
 - On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day.
 - On the following days the permitted hours may be extended for an additional hour:
Thursday, Friday, Saturday and Sunday of the Easter weekend. Friday, Saturday and Sunday of both May Bank Holidays and the August Bank Holiday, Christmas Eve, Boxing Day, Burns Night, St Valentine's Day, St David's Day, St Patrick's Day, St George's Day, St Andrew's Day and Halloween, provided that day is not followed by a normal working day.

Annex 4 – premises plans

Original premises plans are held by the Licensing Authority of the London Borough of Havering.



The red line delineates the area within which licensable activities may be undertaken.





Part B

Premises licence summary

Premises licence number

22465

Premises details

Postal address of premises

Array Essex
91 Shepherds Hill Romford RM3 0NP
01708 377717

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Indoors only: plays, films, live music, recorded music, performances of dance,
anything of a similar description to live music or recorded music,
late night refreshment, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Late night refreshment

Sunday to Wednesday – 23:00 to 00:00
Thursday to Saturday – 23:00 to 01:00

Plays, films, live music, recorded music, performances of dance,
anything of a similar description to live music or recorded music, supply of alcohol

Sunday to Wednesday – 08:00 to 00:00
Thursday to Saturday – 08:00 to 01:00

The opening hours of the premises

Sunday to Wednesday – 08:00 to 00:30
Thursday to Saturday – 08:00 to 01:30

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

On and off supplies

1 of 2

Name, (registered) address of holder of premises licence

CETGUL Ltd
c/o 263-265 Hackney Road London E2 8NA

Registered number of holder

12142494

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

Mr Bilal Nadir Gul

State whether access to the premises by children is restricted or prohibited

Not applicable

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Interested Parties - Objections

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1

From: Diana Bryant <[REDACTED]>
Sent: 10 October 2022 20:41
To: Licensing <Licensing@havering.gov.uk>
Subject: License Review for Array.

Mrs DJ BRYANT
82 SHEPHERDS HILL, HAROLD WOOD, ROMFORD, ESSEX, RM3 0NJ
Tel. [REDACTED],
Mob. [REDACTED],
email: [REDACTED]

To whom it may concern:
Re License hours at ARRAY, Shepherds Hill

I have lived opposite the Shepherd & Dog Pub, a large country pub with mainly local customers, for over 40 years, & have witnessed its many changes of ownership & clientele. Not all have been welcome, but the management previous to the establishment of Array ran a welcoming & peaceful pub-with-restaurant, & I was sorry to see it close.

Array is not a country pub any more. When it opened I twice took friends & family there for meals, & it seemed a weird & expensive but otherwise decent restaurant. Our local councillors were present when it opened & reassured us that it would well run & always closed by midnight. Unfortunately, neither is the case. I have asked for action about problems at night, but was told they are the responsibility of the Licensing Authority, not the Council.

Current problems are:

Chaotic parking every evening & night, both from cars trying to enter its car parks & when they are both full, parking in any space, including my grass verge & driveway, & on both sides of Shepherds Hill. This makes navigating our road & entering our own drive hazardous. I know the manager employs security staff to help with parking, but they seem unable to control what happens in the chaotic queues entering or leaving.

Noise from customers leaving most nights, but especially at weekends & during the extended hours to 1.15am on Saturday. Men & women shouting & apparently fighting, cars revving hard & slamming doors, all spilling out onto the road (there is no pavement outside Array's carpark.) This sometimes continues until 1.40am. I usually sleep at the back of my house, but am still disturbed by these noises.

Music noise from the Bar, especially loud when Array's doors are opened for people leaving.

Flashing coloured lights & lights around the car park, unavoidable from my front rooms.

Some of these problems are for management to change or deal with, but the

lateness of the disturbances could be reduced by cancelling the 1.15am Saturday license & making Shepherds Hill a no parking zone after, say 10.0pm.

I hope you will support this request.

2

From: [REDACTED] <[REDACTED]>
Sent: 11 October 2022 06:52
To: Licensing <Licensing@haverling.gov.uk>
Cc: Darren Wise <[REDACTED]>
Subject: Fw: LICENSE REVIEW FOR ARRAY, SHEPHERDS HILL, HAROLD WOOD

Dear Sirs

LICENSE REVIEW FOR ARRAY, SHEPHERDS HILL, HAROLD WOOD

Further to my email to yourselves on Sunday 9 October, it has been brought to our attention the following:

On 27th March, 2020 a notice was published in the Romford Recorder that shows that the Array applied for their late licence to 1am on some days and to have live music etc.

This was published only days after we were told by the Government to "stay at home" due to the rising Covid pandemic. I am sure you will agree that the majority of us had other issues on our minds and despite the publication of this notice we, as residents on Shepherds Hill, were personally not made aware of this notice. I do feel that notification of this notice should have been directly made to the local residents on Shepherds Hill. The impact of Array's intentions would not have gone unnoticed as we would have had a chance to express our serious concerns.

Yours faithfully,
Helen and David Forster
106 Shepherds Hill

3

From: CouncillorDarren Wise <[REDACTED]>
Sent: 10 October 2022 17:39
To: Licensing <Licensing@haverling.gov.uk>
Subject: Fwd: Array ,

Dear Licensing

I am forwarding this in case it has not been sent to you.

Regards

Councillor Darren Wise | Harold Wood, Hill, Park Residents' Association

Phone: [REDACTED] / [REDACTED]

Email: [REDACTED]

From: KENNETH Hookings <[REDACTED]>
Sent: Monday, October 10, 2022 16:47
To: CouncillorDarren Wise <[REDACTED]>
Subject: Array ,

Sirs,

I am writing to you regarding the above nightclub and my opinions as a resident of Shepherds Hill.

Firstly what idiot or group of idiots gave planning and licensing to a nightclub in a residential area, you as councillor's are supposed to protect the quality of peoples lives not introduce things that will detrimentally destroy it.

Although I do not live directly opposite Array a lot of my neighbours live close by and their lives have been drastically changed

The vehicles are parked all along the street causing massive increase of traffic problems, in fact I wonder with your present council policy on parking Array thanked you for allowing Shepherds Hill as an overspill parking facility.

Cars speed up and down the hill on busy nights looking for somewhere to park and on a busy road like this a serious accident is bound to happen.

Going back to the planning I seem to remember one of the management along with his mother promoting Array as a restaurant for the local community I dont think the community will see it this way when they turn their customers out late at night with all the noise and car doors slamming and people being sick and urinating in public.

We was never informed of what licence was being requested or granted in any form of consultation, perhaps you can explain why, and it would be interesting if the names of the council members who approved the license was made public or at least released to the residents of Shepherds Hill and Phillida Road.

Ken Hookings

[REDACTED]
114 Shepherds Hill Harold Wood, Essex RM3 0NJ
Tel: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]

4
From: Vincent Rossi <[REDACTED]>
Sent: 10 October 2022 12:11
To: Licensing <Licensing@haverling.gov.uk>
Subject: Array Restaurant

Dear Sir / Madam,

My wife and I live at number 70 Shepherds Hill, very close to the Array Restaurant. In the time it's been open we have to run the gauntlet from Friday night to Sunday night where cars are parked on both sides of the road, on peoples driveways, on yellow lines or practically on top of the pedestrian crossing. This causes major traffic issues, people rooting their horns late at night as cars can't get through. There have already been a few accidents as a result. On top of that it's difficult to pull out into the road because the cars obscure the views of on coming traffic. When the place closes in the early hours we then have people shouting and screaming, revving cars and generally making a disturbance in the early hours of the morning, often urinating in peoples gardens and on one defecating in the street, fights and drug taking. Most weekends I find empty beer bottles or glasses in my garden. The restaurant was "sold" to the residents as being a local restaurant for local families - it's nothing but a nightclub. Unfortunately due to the Covid situation in place at the time I doubt many residents were aware of the late night license application or I suspect there would have been many objections.

5

From: Colin Stubbs <[REDACTED]>

Sent: 10 October 2022 12:04

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>

Subject: Array Licence Review

Colin Stubbs
81 Shepherds Hill

I would like to submit the below statement in support of a review of the current licence.

Having lived in at this address my entire life (56 years) I have never had an issue with the pub. My home is two doors down from the Array and my back garden is parallel with the rear of the Array and backs onto fields and a rural backdrop

The operation of the Array since opening has proceeded as what can at best be described as an events venue, and at worst a night club. Each weekend, Friday & Saturday, at approximately 9pm customers begin arriving in large numbers so many that they park up and down the street blocking the one carriageway of Shepherds Hill, a busy trunk route between Harold Wood and the Brentwood area and M25. The fact Shepherds Hill is not wide enough for two cars to pass a parked car it create significant traffic noise, and increased beeping which during late hours disturbs our sleep. This is generally reaches a peak when the operation of the Array ends around 1:15 and 1:45 am and a stream of taxis queues and people return to their cars.

On Saturday 10/09 at approximately 9pm a car parked partially blocking our driveway, and also obstructing the passing of cars around the traffic islands so that larger vehicles had to pass on the opposite carriageway to pass. This car remained all night with cars constantly beeping throughout the night and it was subsequently

given a ticket by the council on Sunday, but as it was in a hazardous position the council advised me to contact the police to get it moved. I did this via the 101 service. Shortly after sharing the number plate the driver returned to his vehicle and moved it.

The Array operation itself is directly a problem for us. Being in close proximity we are often disturbed by loud music, singing and shouting during hours the pub is open. Oddly this seems to increase from 11:30 pm until 1:00 am at the rear where the Bayou lounge building has been built across what was the old pub garden. We initially engaged with the management of the Array and were hopeful they would be sympathetic to our concerns but after subsequent attempts to engage they became aggressive and made it clear they did not want to listen. Since then I have had no option but to engage directly with Mike Richardson at the council and, the local councillors Martin and Darren, to share recordings of the noise emanating during operational hours.

The lateness of the hour when most of the issues occur is the most difficult aspect. We have no recourse with any authority and feel helpless to get people to understand quite how intimidating and disruptive this is. We are never able to relax at weekends, expecting the inevitable noise, made much worse by it often taking until after 2:00am for the final rowdy customers to drift away. I am not an anxious person but this has become very distracting for us all. And now they are also running events during the day in the week which again has very loud music and rowdy behaviour meaning I cannot conduct business calls when working from home with the windows open.

The nature of the operation at the Array is no longer a pub or even a restaurant. It's core business seems to be catering for a very young party crowd between 9:00pm and 1:30 am, with as large a crowd as possible. This is a quiet residential and this is totally unsuited to this area. I wish them well in their enterprise I just do not see that this is the right location, given the size of the venue, availability of parking and focus on a party crowd.

I have previously taken the advice on the Havering Council website to resolve the nuisance directly with the other party, and politely approached the management. They eventually left me in no doubt my issues were not of a concern to them and rather impolitely told me to leave and not come back.

If there is no redress to this issue I feel I will have no option but to sell my home and move, and I wonder what the market value it will achieve with me having to disclose the nuisance.

Kind regards

Colin

PS. As of Saturday evening 08/10/2022 I have had a visit from the Public Protection team to investigate the noise preventing us from sleeping and they are now moving to take this to the next stage of formally monitoring

6

From: Tina Few <[REDACTED]>
Sent: 10 October 2022 09:43
To: Licensing <Licensing@haverling.gov.uk>
Subject: ARRAY Shepherds Hill Harold Wood

Please see attached document regarding the above Restaurant / Nightclub
We the residents of Shepherds Hill have had to put up with these issues every weekend Friday to Sunday since they opened and continue to do so

We were not notified regarding the application submitted 27th March 2020

We were told initially by the owners that this was to be a restaurant but it is definitely a Nightclub

This has had a dire effect on our lives with no one addressing these issues

Yours Sincerely
Tina Few

John & Tina Few
79 Shepherds Hill RM3 0NP

Our lives have been extremely impacted by this restaurant / nightclub. We are both in our 70's and retired and do not appreciate the stress this has caused us and our neighbours.

This type of business should not be allowed in a residential area. Many of the neighbours are elderly and we live in constant dread of what the weekend will bring when the restaurant is open late!

1. Anti-Social Behaviour

- There have been a number of group fights with various weapons after customers leave Array / Bayou at closing time (1am). Fights sometimes end up in front gardens and people feel unsafe as to what could happen.
- When cars leave during the evening, they beep their horns, rev their engines and race each other up and down Shepherds Hill. As you can imagine this is terrifying as not only is it loud but it is a danger to anyone driving up this road. We are so worried that someone could be killed.

2. Parking Issues

- We have had major problems with taxis parking outside Number 81 & 83 Shepherds Hill as these are adjacent to our property. The drivers sit on our neighbour's walls talking very loudly or by sitting in their vehicles with the engines running and music playing while waiting for custom. This can go on very late into the night and stops us being able to go to sleep until they have all left.

- On more than one occasion. (The last being on 10/9/22) A car was parked partially across a shared private drive way of both 79 & 81 Shepherds hill which caused other traffic to go over to the other side of the road to pass by. There is a pedestrian island directly outside our property which makes parking on Shepherds Hill very dangerous. The car parked on the 10/9/22 was given a parking ticket the following day.

3. Litter intimidation

- My husband has been picking up discarded rubbish cans/litter/laughing gas canisters & bottles every weekend.
- On one occasion he found twenty plus cans embedded in the hedge adjacent to number 83. He took them into Array to show them. He felt intimidated by their response that they are Muslim's and don't drink. They showed no consideration as to how this made us feel.

4. Noise

- The noise impacts us every weekend as it goes on past 1am.
- Cars arriving / leaving, loudly revving engines, racing, loud music being played in the cars.
- Drunk customers walking in the road, shouting, swearing regardless of oncoming traffic.

We feel that there isn't an appropriate time, ever for a nightclub to be in the middle of a residential road.

I have contacted councillors, environmental Health, Andrew Blake Herbert, Harold Wood Metropolitan police online. We haven't phone the police as afraid of repercussions.

As you can imagine we are constantly living in fear of what the weekend might bring, be it a fight, a car crash or something worse.

Kind regards

John & Tina Few

7

From: littleshrimpxxxx (null) <[REDACTED]>

Sent: 09 October 2022 20:34

To: Licensing <Licensing@haverling.gov.uk>; CouncillorDarren Wise <[REDACTED]>

Subject: Array

Dear Sirs,

Since the opening of Array we have been adversely affect by the behaviour of customers and staff. There has been a serious increase in traffic/parking in the adjoining road (Philida Road) which has hugely impacted on the noise level we have

to endure between approx 9.30pm - 2.00am, we are a family of 5 which includes a small child and my elderly mother who have on many occasions been woken by people coming back to their cars, there is no consideration for residents, I have asked for the noise to be kept down and was verbally abused. My drive way has been blocked on many occasions which is also a worry if there should be an emergency. I have also personally witnessed drugs being taken in plain view, lewd behaviour, and a young man urinating in the bushes opposite.

There were no issues with the previous restaurant, and this is highly disappointing that as residents we are subjected to this weekly.

Regards
Jackie & Peter Cutmore
50 Shepherds Hill

8

From: Jill Merrifield <[REDACTED]>
Sent: 09 October 2022 17:43
To: Licensing <Licensing@haverling.gov.uk>
Subject: Licence Review Application in respect of Array Essex

APPLICATION FOR REVIEW OF A PREMISES LICENCE in respect of Array Essex,
91 Shepherds Hill, Harold Wood, RM3 0NP

We would like to support the request for a review of the licence of the above premises on the grounds that it has had a significant detrimental effect on the locality as outlined in the application.

We live in Phillida Road and whilst we have not suffered the unbearable levels of noise and disruption experienced by those living in Shepherds Hill, we are plagued every weekend by a succession of cars allegedly being sent by Array to Phillida Road to access additional parking. This results in numerous cars throughout the evening manoeuvring in a very confined space trying to find non-existent parking spaces. The road is a narrow, no through road, consisting of only 7 houses with barely enough parking for its residents and is certainly unsuitable as an overflow car park for Array. As a result of the lack of space, cars park illegally on double yellow lines, on the pavements and across driveways with no regard for those of us who live here. If indeed we should go out in the evening there is no guarantee that we would be able to access our own driveway on our return due to cars parked illegally.

At the end of the evening which may be at any time up to 2am or beyond, revellers return to their cars disrupting sleep with shouting, singing and cars again revving and manoeuvring in the confined space. Even worse, there have been occasions when Array clientele have been caught urinating or defecating in the road.

Whilst we accept Array cannot be held responsible for the behaviour of their customers once they have left their premises, if they had adequate parking this unacceptable level of disruption would not occur. When the venue was The Shepherd and Dog Restaurant, we rarely suffered such inconveniences as there was sufficient onsite parking available but with the expansion of the venue this is clearly

no longer the case.

We understand that the application for the extended licence was made in March 2020 just after the Covid lockdown was imposed making it highly unlikely for anyone to have seen the notice and thus preventing any objections from being made. Indeed, had we been aware we would most certainly have opposed it.

How planning permission was granted for not only an enlarged restaurant but also a bar with live acts, a DJ plus a Shisha lounge open to 1 am in a residential area so closely bounded on all sides by housing is questionable to say the least and appears quite at odds with Havering's Licensing Policy .

Given the above experiences we hope you will take our concerns into consideration when reviewing the licence so that we may once again enjoy a peaceful existence in our own homes.

L. J. and J. S. Merrifield
4 Phillida Road Harold Wood Essex. RM3 0NH
9/10/2022

9

From: Bob Wickington <[REDACTED]>

Sent: 11 October 2022 11:51

To: Licensing <Licensing@haverling.gov.uk>

Subject: Array - restaurant/bar/night club -. with name and address added

Array - restaurant/bar/night club
Formerly known as The Shepherd & Dog pub.
11th. October 2022.

This is a formal letter of complaint about the disruption and disturbances we have experienced since the opening of Array.

Having moved into our house on Shepherds Hill in 1988 and knowingly lived close to the Shepherd & Dog pub since, we have always been aware that it can be a little noisier at the end of the day, but **NEVER** has it been so bad since the pub became a night club - with a closing time of one o'clock in the morning - smack bang in the middle of a residential area occupied in the main by OAP's or young families. On many occasions there have been groups of Array's patrons hanging around near our house at 01.15 am and sometimes even later. By the lack of consideration for the local residents, they have obviously had a drink or two and are unable to keep their voices to a polite level - let alone refrain from using foul language and, on more than one occasion, been seen urinating against the trees opposite Array. At such times it seems that Array's security staff are nowhere to be seen - simply ignoring the disturbance being caused.

We have always slept at the rear of our house (to avoid the noise of motor traffic) and, during the hottest times of the year, have been able to open our windows and curtains in the cool of the evening. But now, together with the noise from the night club and the intense bright lights in their rear car park, this has become impossible - especially at weekends when Array is at full capacity.

When the pub first became a restaurant some years ago (under the previous owners) we were told that filters/scrubbers were to be installed in the roofs above the kitchens to avoid cooking smells drifting across our properties. This seemed to work then but at present, if they are still there, the smell of cooking is often so bad that we have our back doors and windows closed in the warmer months.

Finally, with the new extension built on the West side of the original structure, even more folk visit. There is insufficient on-site parking so we finish up with cars lining the road - and sometimes on both sides of Shepherds Hill. A few inconsiderate drivers have been known to park across driveways and have been abusive when asked to move. This hasn't happened to ourselves but our drive is very close to Array and some drivers have parked so close to either side of our dropped kerb it has made it extremely difficult to reverse out.

**Mr. & Mrs. Wickington,
97 Shepherds Hill, Harold Wood, RM3 0NP**

10

From: Stephen Born (Personal) <[REDACTED]>

Sent: 10 October 2022 11:30

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>; Karon Born <[REDACTED]>

Subject: Array - Application to review licence

Dear Sir/Madam

I'd like to raise an objection to the licensing of the Array Nightclub on Shepherds Hill, Harold Wood. Indeed I would like the committee to consider reducing the hours of Array to be more fitting of a family friendly venue with a closure time of 22:00.

I live 50 metres from the Nightclub and since it's opening there has been nothing but disruption and trouble not fitting of the urbanisation it is located, it is clearly much more suited to a town centre than a residential area.

Array was initially presented as a family friendly venue – that was clearly never the intention of the owners and makes a mockery of their original licencing request. Clearly by requesting a licence change to reflect it's nightclub status they are now confident enough to flaunt this.

1. “Nightclubs - 23:00 hours Sunday to Thursday Midnight Friday and Saturday
01:00 hours Sunday to Thursday 02:00 hours Friday and Saturday”
Three nights a week we have cars parked either on our drive, outside the house and on more than one occasion blocking the drive – as emergency workers it's not uncommon to be unable to park on our drive when we return from shift.

2. I have been sworn at on more than one occasion when requesting someone move their car. No crime being committed but undoubtedly a threat to mine and my families public safety.
3. We also witness on a weekly occasion individuals sitting on bonnets, chatting and smoking after midnight rather than dispersing in a respectful manner.

Parking is not fit for purpose – instead of promoting inclusivity Array has negatively affected properties withing 100 metres either side. I urge the committee to take a look. Almost every property has been forced to put in place measures to stop Array customers parking on grass verges, driveways and quite frankly after 19:00 on Friday, Saturday, Sunday and Bank Holidays Shepherds Hill is a traffic accident waiting to happen.

4. Why are there no double yellow lines to address this?
I also ask that a simple question be raised of locals – “how many people have visited Array more than once” – We visited and quite frankly the atmosphere was less than friendly, bordering on intimidating. Is this what we really want in the area?

Many thanks

Steve Born
110 Shepherds Hill, Harold Wood, RM3 0NJ

11

From: Andrew Bach <[REDACTED]>
Sent: 09 October 2022 17:18
To: Licensing <Licensing@havering.gov.uk>
Cc: CouncillorDarren Wise <[REDACTED]>
Subject: Licensing Review of Array

Dear Sir,

I attach a letter for your consideration when reviewing the licensing hours of the business which is called Array that is situated on Shepherds Hill, Harold Wood .

Yours Faithfully

A. Bach
52 Shepherds Hill, Harold Wood, Essex RM3 0NJ

Dear Sir[s]

My wife and I are contacting you in the hope that the Council will review & reduce the current licensing hours of Array which is situated in a residential area on Shepherds Hill.

The noise, anti-social behaviour, and danger that their customers have brought to the lives of Shepherds Hill residents when parking their cars between 9 and 9.30 pm and when leaving Array between 1 and 2 pm in the morning, has certainly impacted unfavourably on the peaceful life everyone surely has the right to expect. The Council Licensing team need to consider the representations being made by

residents and their Councillors and reduce the licensing hours of this premises to one that is more in keeping with premises within a residential area.

Since this business opened, it is noticeable that cars are being parked inappropriately on the bend of the road on Shepherds Hill, across driveways [so those living there cannot exit their own property] and on the grass verges. The noise late at night from cars revving their engines, speeding up and down the hill has increased, and on a few occasions' car races seem to have taken place down the hill. Litter has also been thrown from the cars onto the road and on pavements.

The current license permits Array to stay open until 1pm, which in my opinion is too late in a quiet residential area which Shepherds Hill has always been. When their customers leave their premises, the noise level between 1 -2 pm increases. There is swearing/foul language, and the anti-social behaviour increases once the premises is closed, and their security staff have left. We have been/are regularly woken from our sleep with shouting from people walking down the hill which has only happened since Array opened. We are also aware that neighbours further up the hill have seen people urinating and defecating against their properties while others have said that they have seen drugs being taken.

We have lived on Shepherds Hill for over 40 years and before Array took over the premises there has been a Public House and then a Restaurant on the site, both with licensing hours to 11pm and they did not have the effect on residents that the increase licensing hours has done. We are therefore asking the Council to review, and hopeful reduce Array's licensing hours to a time more suitable to a residential area.

Yours Faithfully

Mr A. & Mrs D. Bach

12

From: [REDACTED] <[REDACTED]>

Sent: 11 October 2022 15:14

To: Licensing <Licensing@havering.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>

Subject: RE: Licensing Action Required - Array Essex, 91 Shepherds Hill, Harold Wood, RM3 0NP

Good Afternoon

We are [REDACTED], however, we would like our personal details to be withheld as our neighbour has already been confronted by one of the owners and some of the bouncers from the Array and they were very intimidating and threatening.

We are sure you have, or will have access, to the video of this confrontation and we are very scared of what they may do. On the day they were trying to track down our neighbours they were aggressively banging on all the street doors in [REDACTED]

and at the time my Daughter was home on her own and very frightened to see this man hammering on our front door and then a Range Rover speed down our road and the Array bouncers jump out.

If you need any additional information please do not hesitate to contact me.

Kind regards

[REDACTED]

From: [REDACTED] [REDACTED] <[REDACTED]>
Sent: 10 October 2022 18:31
To: Licensing <Licensing@haverling.gov.uk>
Cc: CouncillorDarren Wise <[REDACTED]>
Subject: Licensing Action Required - Array Essex, 91 Shepherds Hill, Harold Wood, RM3 0NP

[REDACTED]

10th October 2022

We have lived in [REDACTED] for 30 years and enjoyed a quiet residential area until 18 months ago when the Shepherd and Dog pub was reopened as the Array. We understand the Array applied for their 'late licence', to stay open until 1am on some days and to have live music, on the 27th March 2020, however, we had just been put into COVID lockdown and was not aware of this. If we had been we would have strongly opposed this application as it is not in keeping with a quiet residential area.

Friday and Saturday nights are now regularly disturbed in the evening through until the early hours by people who have parked in [REDACTED] and when they come out of the Array to collect their car.

We have personally experienced the following:

- My Daughter has been blocked in by cars parking on the pavement directly behind her car. When she spoke to one of the drivers they became aggressive and told her that the Array had told them to park in [REDACTED] as the car park was full. From 9.30pm onwards we have a continuous flow of cars turning around outside our house trying to find parking.
- People collecting their cars in the early hours, up to 2am in the morning, and being sick on the pavement and then getting into their car and driving away. Antisocial behaviour including shouting, cars revving, doors slamming, loud music playing which disturbs our sleep and makes us anxious. They have no consideration for the local residents.
- Two 'ladies' squatting behind a neighbours car and urinating on the pavement. Photos available.

- A car raced down our road and blocked the road completely at around 1am. Two intimidating men jumped out with loud music playing. The Police 999 were called as it was very intimidating and appeared to be a drug deal.
- Rubbish and vomit left on the pavement outside of our home.
- Last year a young lad was being chased by people from the pub following a fight. He was scared for his life and jumped a fence ripping his clothing. He ended up in a neighbours garden in the early hours with relatives looking for him in [REDACTED]. Again the Police were called and residents disturbed by the activity.
- Only a week ago two men returned to collect their car parked in [REDACTED] at around 1.30am and one of them urinated up against our neighbours fence. Photos available.
- Cars blocking the entrance to the road, illegally parking on the pavement on one side which would restrict any access to [REDACTED] for emergency vehicles.
- Once the Array car park is full from around 9pm customers are directed to [REDACTED] [REDACTED] to park and when they realise the road is already completely full they reverse out of [REDACTED] into the busy main road. I was confronted with one lady reversing out who did not even see I had pulled into the road and she nearly hit my car.
- When returning to our home address on a Friday or Saturday night we are faced with the hazardous situation of double parking all along Shepherd's Hill. We have been met 'head on' by cars overtaking parked vehicles on Shepherds Hill. Cars stopping and reversing on the hill trying to find parking. Cars backing out from the venue as they are being turned away as there is no more parking. How can a venue on a busy road have a licence without sufficient parking for their customers? At some point these hazardous situations will result in a serious accident causing injury or death.
- Why does, what used to be a 'country pub', require two 'six foot six' bouncers on the door and several more inside? What are they expecting to deal with? This is very intimidating and scary for local residents and not at all in keeping with what used to be a quiet residential area.

This licence must be reviewed urgently as the reckless and antisocial behaviour of the Array customers is having a massive impact on the local community which is unfair and unacceptable.

[REDACTED] and [REDACTED]

13

From: Liz Wells <[REDACTED]>

Sent: 12 October 2022 10:42

To: Licensing <Licensing@havering.gov.uk>
Cc: Councillor Darren Wise <[REDACTED]>
Subject: Array License review LBH Array Essex 91 Shepherd Hill

Hi
Please find attached my comments in respect of the license review.
Regards

Mrs E Wells
77 Peterborough Avenue Upminster Essex RM14 3LL

Array Licence review LBH – Array Essex 91 Shepherd Hill

I do not live in the immediate area, but I do have to travel past these premises every Friday and Saturday nights around 8/8.30pm and 12.30/1am. The parking along the road during these periods is so dangerous. The cars are parked on both sides of the road, blocking driveways and on double yellow lines. This makes it impossible to pull over to let oncoming cars get through. It is very dangerous to have to navigate through these cars, whilst trying to pass cars coming in the opposite direction. The cars are often parked on blind corners, and very close to the bollards in the centre of the road. The situation is a bad head on accident waiting to happen! There is also the additional problem of taxis and Ubers stopping randomly, doing 3 point turns in the middle of the road with no warning, and cars pulling into the car park, being turned away as the car park is full, and then blocking the road whilst they decide where to park. This had led to abusive and loud language.

When driving home around 12.30/1am, when some customers are leaving Array, they persistently decide to walk along the middle of the road, with no consideration to the cars trying to drive up and down the road. They open their car doors without looking and are often noisy. They also run across the road to their taxis and Ubers, without looking for oncoming traffic. Surely the licencing should take account of how much on-site parking is available for customers? Prior to Array opening, there was never this issue with parking and disruption from the previous occupants and their customers.

In my opinion, the parking situation is extremely dangerous, and I cannot understand why it is allowed to happen, and why the Police and the Council have not acted sooner. If there is an accident, will Array be accountable as they advise the customers to park in the road? I can totally sympathise with any resident that lives any where near the area, as the constant parking across driveways, noise and inconsideration of both Array and its customers must be unbearable and intimidating.

Many thanks for your consideration.

Mrs E Wells

14
From: R Fairchild <[REDACTED]>
Sent: 13 October 2022 16:44

To: Licensing <Licensing@havering.gov.uk>
Cc: CouncillorDarren Wise <[REDACTED]>;
[REDACTED]
Subject: Re: Array nuisance

To whom it may concern,

I hope this email finds you well.

We moved to 74 Shepherds Hill in July 2020 so we only used to visit the Shepherd & Dog pub as guests (not neighbours) as we used to live in Hornchurch and we enjoyed the food and service very much as it operated as a nice pub venue which promoted a gastro food type image so it was a bit more 'upmarket' than your average pub but still respected the confounds of the local pub spirit and importantly, the local community as many of them used to frequent it.

Since this establishment has operated in its present state as Array it has been nothing short of a nightmare for us as now local residents and neighbours. As long as we have lived here they have never knocked to ask about the impact the restaurant/bar/DJ noise/shisha lounge has had on us, no apologies, no advance warnings of parties etc nothing. Just a total disregard and arrogance to us which is effecting all our lives in a negative way.

There are numerous issues currently affecting us:

1- Array does not have enough car parking spaces for the amount of patrons the facility can offer so particularly on some Thursdays but mainly on Friday and Saturday evenings the patrons use Shepherds Hill and Phillidia Road as the car park for Array, often blocking peoples driveways, parking on grass verges (which in wet conditions leaves a tyre indentation on the verge), parking so close to the island outside our house on the opposite side of the road that cars then coming up the hill either refuse to slow down in order to negotiate the temporary chicane the cars have created, that they actually drive on the wrong side of the road. My self and my neighbour who lives opposite even stood there for 15 minutes one evening as there were cars beeping their horns as they were on the wrong side of the road but even continued to do it even though we were standing there watching them. We also watched cars not giving way to each other as one side of the road is partially blocked with parked cars...there will be a head on collision before long which could be catastrophic.

I dread to think how any emergency services vehicles (ambulance/fire engine) would even get close to some of the houses because of the parking issues Array has created.

2- the general noise of people and music from Array can sometimes be heard even though we are on the opposite side of the road to it and a few houses down the road causing us to turn our tv volume up so we can hear it (and our tv is in the back room behind closed double doors !)

3 - Array clientele talking and laughing loudly after leaving and walking to their vehicles which have been parked down the road past our house which again wakes us up.

4 - one of the owners (Nadir) and a lot of the patrons who visit Array in 'flash cars' feel like they are on the Formula 1 starting grid at Brands Hatch when they leave the establishment post midnight, commonly around 1-1.30 am by excessively revving their engines and speeding off which often wakes us up and causes us to have a disturbed sleep which results in us sometimes feeling tired the next day at our jobs which is just not acceptable.

To my knowledge they don't even have a sign up to patrons as they leave the premises asking them to be respectful to the local residents. They just don't seem to care.

5 - people who have visited Array have been seen 'going to the toilet' in the road at various times of the evening/morning.

6 - people who have visited Array have been sick in the road, on nearby pavements and even in someone's garden we noticed one time when walking the dog.

7 - it's been well documented that despite 'bouncers' being present on the door there have been numerous fights at Array which have spilled out into the car park and the road and local neighbourhood.

8 - I have 2 daughters who I sometimes need to pick up late at night and it's dangerous for me to reverse off my driveway because of the parked cars on Shepherds Hill as I can't see the road clearly as my view is blocked and even if I can get out, I'm usually faced with a potential head on collision as other vehicles are forced onto my side of the road. It's just created a lot of potential danger which is so unnecessary, yet the people who have effectively created it are just profiteering from our demise.

I'm not elderly but I'm sure some of my neighbours are now frightened to leave their house especially on a Thursday, Friday or Saturday night or after a Sunday brunch that they have there sometimes.

I know one of the owners in question (Nadir) who also owns Sheesh Meze in Hornchurch had similar issues with parking for that restaurant and had a similar belief that he could 'do what he wanted' until the residents clubbed together and eventually the council agreed to introduce permit parking which I believe has alleviated the problem for the local community.

I hope this will not fall on deaf ears and something radical can be done as we can't keep complaining about this situation and nothing be done about it because sooner rather than later, there is going to be a major accident in some shape or form and lives will be at risk.

Kind regards,

Ray & Faye Fairchild
74 Shepherds Hill Romford Essex RM3 0NJ

15

From: [REDACTED] <[REDACTED]>

Sent: 12 October 2022 13:39

To: Licensing <Licensing@havering.gov.uk>

Subject: RE: Array Licence

Dear Oisin

The reason for not putting the house number on the letter is because of the potential intimidation and the feeling of being unsafe, which I have to say is the case now. Of course, I will supply the number, but can we rely on you to minimize the threat of reprisals?

The number to my house is [REDACTED]

Kind regards

[REDACTED]

Date:- 9th October 2022

As a resident of Harold Wood for over 46 years, I have seen many changes taking place all around me. We have lived with our neighbours quite amicably and regarded the venue that was The Shepherd And Dog, as a quiet country pub, with no noise or disrespectfulness from its clientele, usually local people. However, I am writing to you regarding the Array restaurant, which was the Shepherd And Dog, and is a few hundred yards up from my home. I am sorry to say that since its opening, the noise emanating from this venue is progressively increasing, getting louder more recently since a new bar has opened. The noise is not only loud, but its clientele, members of the public from way outside of Havering, is disrespectful to the immediate neighbours as well as others living a bit further away. Their cars have constantly been parking both sides of Shepherds Hill, a narrow but busy road, parking on the grass verges and in some instances in neighbours' driveways. This is the case for me to, I live in [REDACTED] [REDACTED] [REDACTED]. The Arrays patrons park indiscriminately in this road, up on the pavement, sometimes across driveways, mine included, and they throw their rubbish, bottles, cans and glasses, onto the road and surrounding area, and have relieved themselves up against my fence, walls and in the gutters. The noise when they leave can be quite loud, shouting and calling to one another, slamming car doors, then revving up their car engines before driving away. Whether they park here because they are over the drink driving limit I do not know, but the unsteadiness of some, leaves a lot to be desired.

The Shepherds Hill and Phillida Road Whatsapp connection, that many of us belong to, have at length discussed many ways in which to overcome these problems. One such problem suggests that a license to carry out the functions that the restaurant requires, are **highly suspect**, and one wonders **why and how** the licence was approved, bearing in mind its location amongst a housing estate whose houses flank both sides and opposite this venue. When a licence of this kind is issued, we were under the impression that these are approved by the neighbourhood residents, and

to date, nobody appears to have been contacted in connection with this application. However, I understand a license was granted at the outbreak of Covid, thus not giving many, if any, residents the opportunity to object to this time scale. The building appears to be a restaurant, a bar and **now a club with dancing etc** and much noise is in evidence, way after 12.00 midnight, which means of course the noise continues into the side road and my home when they leave.

More recently, a fight must have broken out and the victim, who was running away from a gang of people, entered my back garden, climbing over fences and shrubs etc to escape from his pursuers, ending up in a neighbour's garden with his clothes in shreds. So bad was his clothing that my neighbours gave him jog bottoms and a T shirt to cover himself. I understand there was a police presence.

As I have stated earlier, I have lived here for over 46 years, and we have never felt so **intimidated and unsafe**, and we are looking to you, to investigate this situation and hopefully come to some conclusion of either regulating the licence, ie policing it, withdraw it, or better still, my preferred conclusion, close the place down.

Kind regards

[REDACTED]

16

From: Lisa Cannings <[REDACTED]>

Sent: 14 October 2022 11:24

To: CouncillorDarren Wise <[REDACTED]>

Cc: Licensing <Licensing@haverling.gov.uk>

Subject: ARRAY - NEIGHBOUR AT 93 SHEPHERDS HILL

Please note I am written to complain of the noise, the dangerous parking and the anti-social behaviour caused via the customers going to Array – its been over a year and its not settled down if anything its getting worst – the weekends were something to look forward to and now I plan most of my weekends away from my property so that I don't get disturbed or put up with the parking issues, traffic, noise.

I have 2 children living at my home one aged 13 and the other aged 15 (currently studying and preparing for GSCE) and they are often woken up from the noise next door or cannot sleep due to the music and customers.

I have sent numerous emails to the neighbours of trouble I have been experiencing and not just on weekends from men peeing opposite my home and girls passed out on the grass (normally on a bottomless prosecco weekend) as well as customers asking cheekily if they can park on my driveway. I have emailed Darren Wise, Brian Eagling and the local met police email on some occasions of the problems I have been experiencing.

On top of the above, even last night there were staff or customers shouting on a call which carried on for a long period so I had to close my patio doors – these are left

open most of the evening at the moment as I have 12 week old puppies in training but gave up last night and did not want to listen to the shouting and noise.

They made a smoking area positioned on my side which is often noisy and its not just smoke you can smell, again something they I do not wish my kids to be exposed to. Approximately 3 months ago I had my window open and could smell weed I put my head outside my window and asked the couple are you seriously smoking weed outside my property, they apologies and just moved over to Array car park – in brood daylight and gross!

I have double glazing but should be allowed to open my windows up but in order to get a good night's sleep I don't and even with them shut I am woken up from the fighting, arguments, drunks not to mention the cars revving, music blaring from their cars, dancing outside, taking photos, videos of themselves – I have been a few times to complain to the manager but it just continues and continues when its closing.

Thank You and Kind Regards

Lisa Cannings

17

**Martine Squires, Valerie and Victor Silcox
3 Phillida Rd, Harold Wood, RM3 0NH**

This is in support of the Array licence review to reduce the opening times to that of a restaurant in a residential area.

Dear sir/madam,

I have lived in Phillida Road just off Shepherds Hill near Array all my life and have never experienced such anti-social and selfish behaviour in my road, which has only occurred since Array opened. There have been other establishments there and all have blended in with and worked with the residents. They all closed at a reasonable time, and we did not have any problems. Since Array opened our lives have changed and become so unpredictable and stressful, especially at weekends.

We cannot understand how a late-night nightclub licence could have been agreed in a residential area. This goes against the Havering policy for such a venue in a residential area, with total disregard for the local residents.

On a Friday and Saturday night from about 9.30pm until sometimes 2am in the morning, we are faced with a series of situations from late night revellers attending the nightclub part of Array, including loud music playing from cars and general anti-social behaviour on arrival and when leaving Array, shouting, screaming and revving of car engines. We also have to put up with lots of illegal parking, and the smell of cannabis wafting around from Array customers when they come and go. I know that some of my neighbours check where people are going to prove the antisocial behaviour and public nuisance is as a direct result of Array and Bayou running a premises with a licence that is inappropriate.

Array does not have enough parking in general which becomes a major public nuisance as the late-night clubbers arrive. This residential area is not suitable to take the volume of vehicles Array and Bayou attract. It won't be long before there is a serious accident on Shepherds Hill, due to the volume and inconsiderate parking there. Many times, my car has either been blocked in or access back on to my drive has not been possible due to the selfish parking by Array customers attending the late licensed nightclub from 9.30ish in the evening. I care for an elderly person locally and need access to my car at all hours. Sometimes Array customers have become abusive and intimidating when asking them to not block the drive.

I have seen and have evidence of people, both male and female, urinating by my car and garden and have also seen puddles of sick which needs to be cleared up. All this is totally unacceptable and not something we should have to put up with just so that Array can run a nightclub 'Bayou' or Shisha lounge. There is also an issue regarding planning in some of these areas which is astounding they continue to operate with no visible action taken against them.

How can an establishment like that think they are above the law and not have applied for the correct planning permission as any resident wishing to extend would have to. They have continually got away with it and then run a club, bar and smoking venue in there? I wonder if the Fire Brigade are aware as I wonder if an area without planning permission would be on their records and therefore break some law surely.

I have 2 elderly parents who are suffering mentally because of the Array nightclub customers. One evening I had to call an ambulance for one of them. This could not get through because of the way people had parked, and only managed because of the help from my neighbours.

We have had to suffer a never-ending list of issues which ruins nearly every weekend and makes us worried as to what each Friday and Saturday might bring.

Can you please take time to review the opening times of Array as the late-night opening is not acceptable to the local residents and needs to be brought back to a more reasonable time of 11pm.

Thank you

18

From: [REDACTED] <[REDACTED]>

Sent: 16 October 2022 14:34

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>; [REDACTED]

Subject: Array, Array Essex License Review Shepherds Hill Resident Letter

Good Afternoon,

Please find attached our letter in response to the license review for Array Essex.

Under GDPR and our own personal safety due to our previous encounters with the existing management team/owners, please withhold our name and address from the venue and legal team if at all possible. This would be greatly appreciated.

Yours sincerely,

[REDACTED]

Review Premises License for Array Essex 91 Shepherds Hill
Resident Response
16th October 2022

[REDACTED]

We welcome the licence review that is now forthcoming and as a local resident note our ongoing concerns that we consider to be relevant to the process for consideration by your good selves. We never had the opportunity to consider and respond to the application of 27th March 2020 advertised as this was at the beginning of the pandemic and full shut down thus being left unaware.

The prevention of crime and disorder

- During the opening hours, mainly starting late evening on a weekday, sometimes until 02:00 hours or later occasionally, there has been fighting on the forecourt of the premises, these clashes have broken out into the public footpath and highway extended for several hundred metres as a running battle. The security team present had not been able to subdue the disturbances. These events are not welcome as a resident, as when walking along the road during such an outbreak it is clear the potential for abuse and danger these can bring to an individual.
- The clientele of these premises have been seen by me personally and within sight of the Array security team who did not intervene only to say that they would not allow drugs to be brought into the premises at that time. The use unlawful substances can be observed around the roadway outside our homes. This is a safety concern for our family and friends when visiting with their children.
- When many of the clients arrive at Array, they leave some of their cars parked outside our house and along the highway in a continuous line, this is a threat to the general public and ours. Their vehicles are often parked over the crossovers, double parked, without the consideration of the residents and do not allow for a line of sight along the road to observe the traffic. This is a matter of extreme concern for many the residents within Shepherds Hill as our access to our homes is severely restricted and when we have tried to engage with the management team present at that time we have been advised in no uncertain terms to “go away” This is very difficult to liaise with the management let alone the users of the premises
- In many cases, during the closing periods of the Array, the clients race and speed out of the exits, passing the normal flow of traffic and seen many times overtaking on the blind side of the road when travelling towards Warley. This is an accident waiting to happen. The installation of traffic calming may alleviate this issue.
- Many, but not all of the premises clientele have been very aggressive to us and neighbours when walking past our homes, parking of their cars outside

our drives and crossover. When asked to consider our right to access our home. This behaviour is a concern and a matter of public safety as they are not keen to discuss in a reasonable manner. Very threatening.

Public Safety

- Overcrowding, and means of escape. We can find no planning application for the Bayou, this structure sits to the rear of the brick and steel roof structure that can be seen from Shepherds Hill and is not visible from the highway, from the entrance to the west of the main entrance. (This structure on its own is offensive due to the changing colour of the lights, not suitable for a residential environment). This was constructed after the main extension and may have approval from a private building control organisation, was this subject to the review of the site wide fire risk assessment? The overall occupancy level of the Array is indicated on a licence document and brings the seated head count to around the 300 number. The doors to this structure are sliding, the travel distance may exceed that required under part B of the building regulations, may need a sprinkler system and an approved fire risk assessment that the LFB has at least seen, and with any comments incorporated into the fire plan. Has the review been undertaken?
- The overcrowding of the premises has led to the overall footprint not able to contain the activities being carried out within the approved planning consent available. This had led to the construction of timber structures that may be part of the escape route path where all structures may need to be of a fire-resistant material. These seem to be used for smoking and the welfare of the staff, along with the use of shipping containers that appear to be for storage and cleaning.
- During the kitchen use, the ventilation system does not seem to accommodate the equipment that can remove and control the fumes and smell they create. Its discharge can be detected on all the local environs dependent on the direction of the wind.
- The use of the roof-based extract plant is on for almost 24/7, even when the premises are closed, this leads to a disturbing background noise which is audible across several homes and gardens. This requires the closing our windows and doors, mainly late into the evening and night-time. This a very big factor that impact's on our general well being
- Since the opening of the Array, they have lit the rear car park with high powered flood lights and are on continuously, this leads to a light pollution issue. The council has been made aware of by us for an extended period of time. This has had an impact on the natural environment and is intruding into our home and garden privacy.
- The planning department and licence has imposed several conditions. These firstly are clearly not acceptable to the local resident's and although previously granted are not being adhered to. The use of the premises run past the times noted, the use of the sound control is not managed or if it was it cannot be used with open windows and roof that are on the Bayou roof, the car park to the rear of 93 is not controlled, cars race out of this into the early morning, in use overnight, and used by commercial vehicle's almost daily. These events are fundamental to a well-managed premises that observes the aims of the council and its residents. The continual breaching of these condition have led to our family not being able to enjoy the basic right the council should ensure

when considering and granting its consent.

- The potential for a fall from height is present at the rear of the premise that could cause injury to a member of the public due to the lack of a fall prevention system that should be used in the maintenance of roof level equipment.
- There seems to be some of the staff living on the site, has this met with the basic building regulations for a residential building within a commercial premise's?
- There has been an issue several times with the smoke arising from the central area between the single storey structures to the rear of the main building. This appears to be a fire and after some time the smoke diminishes. There is no flue installed and the pollution across our home is unwelcome.
- The use of the over spill car park is managed by the security on the evening at the weekends. This leads to the double/ triple parking layout on the site. In the event of a fire, between the entrance towards the rear fence boundaries will lead to people being trapped, beyond the reach of a place of safety. The planning condition has approved the area for 27 vehicles only.

The prevention of public nuisance

- The size of the venue seems out of proportion to the car parking numbers available, including the overflow car park area that often exceeds the permitted number. Planning reference P0968.14 relates to car parking use to the rear of 93, known as overspill car park. The planning condition are not being adhered to enable the local planning authority to retain control in the interest of the amenity and in accord that the developments accords with DCPD DC61
- There has been an issue several times with the smoke arising for the central area between the single storey structures to the rear of the main building. This appears to be a fire and after some time the smoke diminishes. There is no flue installed and the pollution across our home is unwelcome.
- During the kitchen use, the ventilation system does not seem to accommodate the equipment that can remove and control the fumes and smell they create. Its discharge can be detected on all the local environs dependent on the direction of the wind.
- The use of the roof-based extract plant is on for almost 24/7, even when the premises are closed, this led to a disturbing background noise which is audible across several homes and gardens. This requires the closing our windows and doors, mainly late into the evening and night-time. This a very major factor that impact's on our general well being Since the opening of the Array, they have lit the rear car park 24/7 continuously with high powered flood lights, this leads to a light pollution issue. The council has been made aware of by us for an extended period of time. This has had an impact on the natural environment and is intruding into our home and garden privacy.
- During the opening hours, mainly starting late evening on a weekend, sometimes until 02:00 hours or later occasionally, there has been fighting on the forecourt of the premises, these clashes have broken out into the public footpath and highway extended for several hundred metres as a running battle. The security team present had not been able to subdue the disturbances. These events are not welcome as a resident, as when walking along the road during such an outbreak it is clear the potential for abuse and

danger these can bring to an individual.

- The clientele of these premises have been seen by me personally and within sight of the Array security team who did not intervene only to say that they would not allow drugs to be brought into the premises at that time. The use of unlawful substances can be observed around the roadway outside our homes. This is a safety concern for our family and friends when visiting with their children.
- On some days the users of the Array have been observed by us, neighbours and more recently employees of the council staff urinating outside our homes, and once defecating behind cars and shrubs along the roadway. This is to state in no uncertain terms a public nuisance, when recently challenged the offender made it clear he was visiting the Array. Does the Array provide the adequate number of welfare facilities that the current occupancy can accommodate?

- Maintenance working overnight and response from Council:

Date: 12 August 2022 at 12:25:50 BST

To: [REDACTED] <[REDACTED]>
Cc: Oisin Daly <[REDACTED]>, Councillor Darren Wise <[REDACTED]>, [REDACTED] (Julia Lopez MP), [REDACTED] (Harold Wood SNT, [REDACTED] (Alex Stone, Parliamentary Assistant to Julia Lopez)

Dear [REDACTED]

Thank you for the email regarding the night time works occurring at Array. I am in the process of serving a Community Protection Warning on the restaurant regarding the maintenance work occurring outside of the Council's recommended times. Should maintenance work continue outside of the recommended times of 08.00-18.00 hours Monday-Friday, and 08.00-13.00 hours on a Saturday, please can you provide me with video evidence of the works occurring so we can determine if further action can be taken.

This action is not in relation to the other disturbance which is being experienced from the customers of the venue, which is being investigated separately.

Regards

Mike

Mike Richardson

We live [REDACTED] Array. Since the opening event of the venue, we have endured the constant weekly cycle that the premises bring to our vicinity.

During every evening, later than what would be acceptable to the planning department condition, we hear the emptying of the glassware into a dumpster, after dragging the container through the car park, and on most days close to, or after the premises are closed. So even when the bar areas are closed, we can expect to be disturbed by the loud noise the event creates.

When at weekends, they have a "Special Event" as noted on their social media platforms, we can expect without fail to be having to prepare our family for a poor

nights sleep as a direct result of the Arrays clientele.

Either arriving and congregation on the footpath outside our home, or the sound of their vehicles racing towards and worse when leaving the car park when the building is closed, with the clients still remaining on site and many times parked in front of our car access to our home, when this occurs, we have informed the security, but they deny all knowledge that the owners of the vehicles have entered the building but seem able to assist them when returning to their cars, if they are still available on site.

On most weekend nights the main events seem to commence after 21:30 hours as the restaurant is closing with the loud music beginning.

The size of the venue seems out of proportion to the car parking numbers available, including the overflow car park area that often exceeds to permitted number. When the taxis arrive to collect the clients leaving at a time when we are trying to sleep, that is to say after the noted closing time they stand outside our homes with the engines running and parked across drives or on the grass standings. When leaving the club at near or past the noted closing time the clients are unsupervised and left to their own devices, this in many cases cause the unwarranted congregation of drunken, and quite often very loud and aggressive actions which occasionally break out to a fight, not an altercation as is suggested.

When they are using the Bayou at the rear (no planning or license) they allow the roof to be slid back for smoking, but this allows for the complete ineffective function of the noise control equipment.

This demonstrates that the management seem to be not able or willing to take on the responsibility that the licence holder is required to be accountable for. They have by this lack of action demonstrated their lack of social awareness and consideration for its neighbours.

Our aim is for the premises to behave in a socially responsible manner that allows its neighbours to exist in harmony, and to this end a closing time of 23:00 hours should be imposed to stop the ongoing issues to be curtailed in a residential area. We have logs of many of the disturbances along with details of events when the police have been called with CAD numbers available.

The light nuisance, sleep deprivation due to music, lights, screaming, shouting, cars revving and hooting into the early hours has made us anxious and fearful. This has affected our ability to a healthy and peaceful existence.

[REDACTED]

19

From: [REDACTED] <[REDACTED]>

Sent: 16 October 2022 17:35

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>

Subject: ARRAY

To whom it may concern,

I am sending in copied details of an email that I have previously worded to my local councillor.

I am a [REDACTED] resident of [REDACTED], diagnosed with type 1 Narcolepsy in March 2017. As a result of this condition, I take very strong medication of a night in order to obtain some degree of sleep. The constant disturbances with respect to volume of traffic, volume and behaviours of the clientele have woken me on numerous occasions now and led me to go and see what is going on - the problem with that being that due to the strength of my medication, when I get up the likelihood of a fall or seizure is quite high.

That aside I would like you to consider the following points:

Firstly, I was not aware that the premises of Array were for nightclub purposes - this is not how the new venue was 'sold' to the neighbourhood.

I have listened to congregations of customers on numerous occasions, not talking but shouting as they leave the establishment in the early hours of the morning.

One group in particular remained in the car park of Array until 05.10am! and I could hear them quite clearly from my house.

I observed another group, split between 2 cars, whom I believe were 'having banter' outside door numbers 100 & 102. During this episode, one black male threw a large cardboard box up into the air, leaving it fall onto the drive of door number 100. He did not pick it up. It became clear the next day that the box was a container holding 'laughing gas capsules'. The same male got into the passenger seat of one of the cars and proceeded (along with the driver) to inflate balloons and inhale the contents.....being laughing gas. Totally unacceptable.

I have observed groups of customers leaving array, again in the early hours - shouting (I expect they would say it was talking...but it was not). Instead of walking on the pavements, they walk in the middle of the road and oncoming traffic has to stop or swerve to avoid them. Some of the drivers have had to accept rude hand gesticulations. Again, not acceptable.

I have watched as customers actually congregated on the drive on door number 92. It looked as if they were going to enter the property, but they were just making room for others to join them - again in the early hours of the morning.

I have observed sexual acts, which, I believe to be illegal in public places. Not acceptable

The customers also leave Array, order fast food which is delivered by a driver. When they have eaten, they promptly throw the packaging and left over food onto the pavements and verges. Not acceptable.

Problem is, I live alone and would not dare say anything and worried about being seen as their volume and body language (even with each other) is aggressive and intimidating. I feel quite unsafe in my own home at times.

Thank you for your time reading my comments. Please.....something really must be done about this.

[REDACTED]

20

From: [REDACTED] <[REDACTED]>

Sent: 16 October 2022 11:29

To: Licensing <Licensing@havering.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>

Subject: ARRAY - in support of Licence review

Dear Sirs,

Please find attached our letter of support and supporting documents for this Venues licence review.

Due to the previous intimidation we have encountered with the venue owner we would like our name and address obscured to the Venue owners and legal team should you be showing them.

PC Natalie from the Safer Neighbourhood team would I am sure support this request.

Yours faithfully

[REDACTED]

16th October 2022

RE: Array – In support of licence review dated 7th October 2022

We ask that you please consider our objection to the current licence at Array and support the review to bring the Array licence to one that is appropriate for the residential area in which it is situated.

Since the opening of Bayou and Array, our lives have become unbearable at weekends, usually from 9pm to 2,30am and we are suffering as a consequence. We have lived peacefully in Phillida Rd for 20 years and have seen a few changes of owner at the premises over the years. When Array & Bayou opened we booked a table as we will always support a local business and the PR on their local social media suggested this was a 'local restaurant for local people'. We have never experienced any problems before as the establishment was either run as a pub with the usual closing hours or a restaurant where guests would come for lunch or dinner and all leave the venue by 11.30pm including at weekends. The previous venue size at that time, had adequate parking for the amount of guests it could accommodate and there had always been consideration shown to the neighbours and surrounding

area by the previous owners.

We understand this license application was pushed through on 27th March 2020 making it impossible for anyone to object. This was the first week of full lock down due to Covid so it was impossible to travel to get a copy of the Romford Recorder. The Government also made the rule to Stay at Home, so if there was a notice put outside the venue, again we were not in a position to see it. Our counsellors were also unaware of this licence application as internal council communications had been suspended due to Covid so again another example of how it was impossible for us to find out and object. Array was granted a late licence in a fully residential area and have been allowed to increase the size of the venue dramatically, without planning permission and without any option for us residents that suffer because of that licence to have opposed it.

When reading the Havering statement of licencing policy which sets the framework for issuing of premises licences, and the licencing objectives of the council and your expectations when applications are sought, under section 12, the guide on licencing hours, section 12.2 states: Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas.

Array sits 100% in a residential area. With homes either side, front, back and all around. I have attached an area map for your reference. I would ask this venues licensing hours are reduced to reflect where it is situated and to reduce the amount of time the venue is able to serve alcohol in an attempt at curbing the late night/early morning crime, disorder and public nuisance.

Below are some examples of the specific problems we encounter as a result of Array in the past 18months.

This site is running 2 venues – Array and Bayou. Bayou promotes that you can just walk in, see attached from their own Social media. We are not aware Bayou has a licence. Bayou has a separate entry and is walk-ins, with roped queuing poles for customers to line up outside, this in itself creates a noise nuisance at the front of the Bayou entry and in the car park. The venue has no idea how many people are going to turn up and they generally turn up to Bayou from approximately 10pm or 2pm in the afternoon on Bottomless Brunch events. On multiple occasions Array must be breaking their Fire Safety numbers, although no one can find out what their number limit is, we have been told this is a private matter between the council and the venue.

The guests arriving after 10pm are a very different clientele to those wanting to go out for dinner. The area becomes flooded with vehicles and noise from 9.30pm going through to 2.30am and beyond when the revellers return to their vehicles.

Public nuisance.

Array have woefully inadequate parking for the number of customers they are accommodating. They are running a nightclub late into the night as their license is to 00.30 Tues – Wednesday and to 01.30am Thursdays to Mondays. The double parking up Shepherds Hill is an accident waiting to happen and we have written to the council authorities on many occasions to point this out. Who is now liable if an

accident was to happen? Parking enforcement can testify to this as well as the local Police Safer Neighbourhood Team. Anyone attempting to drive along Shepherds Hill on a Friday, Saturday and Sunday nights have witnessed the chaos due to Array customers having nowhere to park. This is in addition to Phillida Rd being used as an overflow carpark as directed by Array staff.

Phillida Rd is a small no through road with 6 houses. Phillida road regularly has 6 - 10 cars given parking tickets each night of the weekend for illegal parking in this small no through road. In just a few weekends in August 34 parking tickets were issued in this small no through road alone, which gives some indication of what we have to put up with. We have more than 50 cars enter our road on weekend nights trying to find somewhere to park. As the road is small and you have to turn around to get out, the cars back up onto Shepherds Hill. There is bibbing and tooting between the cars and loud arguments between the vehicles also. On Saturday 1st October we asked over 50 cars that came down our Rd where they were going. ALL of them said they were going to Array but there is no parking.

I understand parking is not a licensable activity but the ensuing noise nuisance and disturbances we endure as a result of the venue not being able to accommodate anywhere near the amount of people they take in the venue has a direct knock on to noise nuisance. We have Array customers parking in front of our drives, and on occasions on our drives. We have had to risk our own safety on numerous occasions to ask people to move off our drive. We have been threatened and abused by Array customers regularly outside our own homes with statements like 'you don't know who you are messing with' and 'we know where you live'. We are fearful and anxious as we have called 999 on a number of these occasions but they have not been able to attend.

We endure music blaring from cars, alcohol being consumed up and down the road and the empties dumped in the road or pavement. When the Array and Bayou customers return to vehicles the party often continues down Phillida Rd. We are woken up regularly with screaming and shouting, singing, and music turned up loud and doors and windows open. There is open drug taking and urinating and defecating in the street, both males and females and vomiting outside our homes. We know these people are Array and or Bayou customers as we watched them go into the venue earlier in the evening as proof to stop being dismissed as hearsay. On Saturday 8th October 2022 at approx. 10.15pm my husband bumped into Council official George Pater by chance on Phillida Rd, who had an arranged meeting with one of the residents on Shepherds Hill regarding the noise nuisance. During the conversation George himself could see the amount of illegally parked cars in Phillida Rd and we confirmed they were all Array customers. We walked and talked onto Shepherds Hill and I was explaining the regular issue of these customers parking over our drives and using the road as a toilet. As we walked onto Shepherds Hill so I could point out 2 illegally parked cars across drives a third car parked up right outside another residents drive, got out the car and started urinating. George witnessed this himself and called out to the man to ask what he was doing. He said he was going to Array and there was nowhere else to park. The council official advised he would have to move as he was parked over someone's drive. George mentioned he had counted 44 cars parked on Shepherds Hill in addition to those on Phillida Rd. Cars had to drive on the wrong side of the road to get access up the hill.

Our local neighbourhood Police team have witnessed this also.

One of the owners has a Lamborghini that he revs up and roars the engine in the early hours of the morning and then speeds up and down the hill regularly which we feel is being used to wake us up – again and intimidate us.

Prevention of crime and disorder

Many weekends nearing the end of the night at 1.30am fights, altercations, screaming and shouting wakes us up. The trouble is put outside the venue into the car park and moves to the surrounding properties. There is numerous video evidence of examples of this supplied to our Counsellors. We have been woken up by gangs chasing each other down our road, into our front gardens.

On 4th Feb 2022 having been woken up by banging at the side of our house and screaming and shouting and people searching our front garden, my husband entered our back garden with a torch, to our shock there was a male with all of his clothes ripped through, covered in blood at the end of our garden, crying out for help. This was 1.30am. He said he had run for his life after a fight broke out in Array, including some of the security staff running after him. He escaped by getting down the side of a neighbour's house and managing to get over high security fencing to end up at the back of our garden. He was badly beaten and scared. The Police took him away.

There is a fear factor that now features in our lives and we both now dread the weekend. We both work and our evenings and weekends were something we looked forward to. In 18 months our home lives have changed dramatically due to the noise nuisance, crime and disorder. We are extremely anxious and sleep deprived and have become so anxious about what our weekend will pan out.

At the weekend our road and Shepherds Hill smells strongly of cannabis. We have witnessed Array customers openly smoke this in our road, sitting on bonnets or just hanging around until they eventually walk up to Array and continue to smoke this in the car park front and side. There has also been cocaine openly taken and snorted off car bonnets on occasion. Having called the police on various occasions I have listed the CAD numbers below:

CAD 32852 04/02/22
CAD 740614522 14/05/22
31231 CHS 09/10/22
5013 09/10/22
CAD 34197 14/10/22

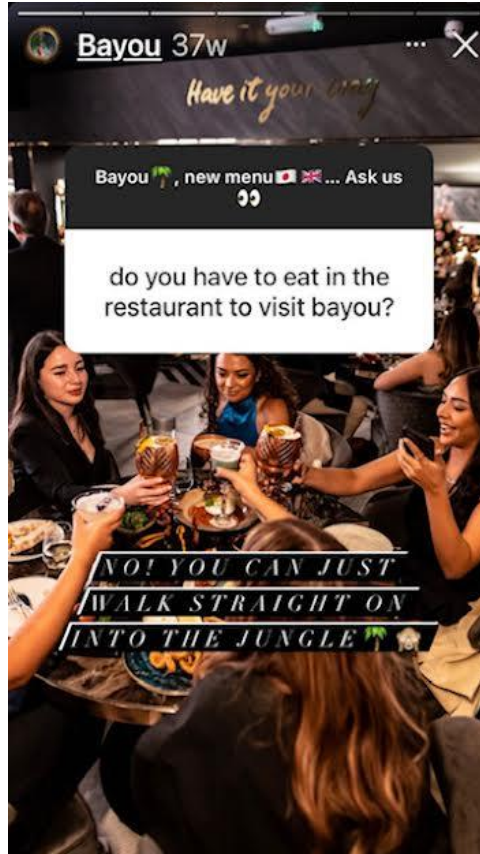
When all the problems started within weeks of Array and Bayou opening, 6 residents, requested a meeting with the owners Bilal Nadir Gul and Kem Centinay in order to come to some sort of compromise so we could get our lives and our drives back. Having agreed a time and date we went over and they didn't arrive. We said we would wait as this was an important meeting for us. After many calls from their reception staff to the owners they eventually turned up with Kems Father. We explained to them what we had been going through and asked for their help and consideration of us neighbours. We said we are all neighbours and want to see

them do well but our lives had become a nightmare since they had opened and gave them the various examples of what we were enduring. We were so hopeful by the end of that meeting that our problems had been heard. We asked them would they like to live next door to their venue and they all agreed they wouldn't. We were told at that meeting they would not have walk ins but booked guests only. However within 24 hours of that meeting they launched on their social media platforms Bayou as walk ins – no booking necessary and the problem of antisocial behaviour, late night revellers coming to party escalated. It was clear within 24 hours we had been lied to.

We asked on one further occasion if Array could get 3 cars to move that had illegally parked down Phillida road. Within 10 minutes of asking, one of the owners of Array was aggressively knocking on residents doors 'to find the man who asked for cars to be moved'. I heard a commotion and went outside my front door to be met by one of the owners of Array and 2 men. He was abusive and the situation felt very threatening. I had an immense feeling of danger and started filming him outside our front door. He told me to 'shut my fu**ing mouth' and he is 'pi**ed off with all us locals complaining about the parking'. Additional large men appeared on both corners of our road and a large black 4x4 stopped outside our house with more men in it staring menacingly at us, The owner eventually got into the 4x4 and they sped away. I was petrified and have been afraid to leave my house ever since. I am constantly looking around me and over my shoulder and have my phone in my hand ready to call 999 when I go to my car. For days and nights after that a car stopped around 2am on Phillida rd and sounded their horn continually waking us up. The video evidence of this has been shown to the Police, our Counsellors and recently our MP Julia Lopez. The Police on seeing this said this was unacceptable intimidation and was going to speak with the owner.

We ask that you consider our plight and reduce the opening hours in keeping with the residential area in which Array sits. If the venue closed at 11pm every night and the music levels are substantially reduced and a strict number limit at Array we feel this would be a fair compromise. We are not asking for Array to be closed, just for us residents who have the misfortune of living nearby to have our basic human right to live a peaceful life returned to us. We would however ask that Bayou is closed as this has been built without appropriate planning permission and does not meet the Havering Licensing Objectives in a residential area. This venue is being allowed to operate without planning permission, therefore they cannot have an appropriate Licence or Fire Safety certificate and they are not limiting numbers. In addition Bayou and Array are allowing indoor smoking which is a huge fire risk that the council have known about for 18months.

████████████████████



21

From: Chris Paulin <[REDACTED]>

Sent: 15 October 2022 11:47

To: Licensing <Licensing@haverling.gov.uk>; [REDACTED]

Cc: [REDACTED]

Subject: Array Essex 91 Shepherds Hill

Good morning.

There has always been a pub in Shepherds Hill and before we moved here 30 years ago we used to bring our children because of the large garden in which they could amuse themselves. We continued to go to it after we moved here and when the previous occupants ran it we enjoyed meeting friends there for meals out. We have welcomed the pub's presence during our time here and would like to continue to do so, but now it is not as welcome.

Quite frankly it is beyond belief that a license, for the Array (or any pub) to be open in the middle of a residential community until 2.00am, was granted in the first place.

The Array's car park is so inadequate that cars parked in Shepherds Hill and Phillida Road are obstructive, a danger and often parked inconsiderately.

Our house is quite close to and on the same side of the road as the Array and the noise coming from its garden up to and beyond 2am is unacceptably loud and we

have had to install sound dampening blinds in the our back bedrooms and these blinds are also blackout ones to try and cut out the light from exceptionally bright spotlights shining from the Array's garden 24/7.

The unacceptable noise doesn't end with closing time, it continues out in the road as the revellers gather and eventually depart.

One worrying element in addition to the items above is the gathering of groups of younger people around cars parked in the road and the amount of small silver cannisters which they leave behind mainly it seems thrown into gardens when they are empty.

We are not against the Array's existence it's just that its style is simply not suitable where it is located. Reinstate it as it was as the Shepherd and Dog and everyone would accept it.

We hope that this will be of some help in considering the license review.

Chris & Jane Paulin
109 Shepherds Hill

22

From: [REDACTED] <[REDACTED]>

Sent: 16 October 2022 23:34

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>;
[REDACTED] (Julia Lopez MP); [REDACTED]

Subject: Array - Shepherds Hill

To whom it may concern

I am a resident of Shepherds Hill for the past 39 years and live down the hill from Array. We have seen various iterations of the premises originally known as the Shepherd and Dog pub. What we have now is by far the worst as regards disturbance to the residents .Some practical examples are :

1. When Array is busy we have cars parked either side of the drive and at times slightly encroaching the drop down kerb (see attached photos). We live close to the bollards and on our side of the road there are no yellow lines. Inevitably there will be a major accident at some point given the current parking arrangements. Last week I saw one frustrated driver deciding to overtake the bollards going up the hill on the R Hand side of the road because it was too difficult to manoeuvre around the parked cars
2. When Array is busy cars are parked both sides of the road. I thought that the intention was to have yellow lines on both sides of Shepherds hill and would hope that this is instigated as a matter of urgency before there is a major accident. I realise that this will not solve the problem entirely as some vehicles park illegally on the existing double yellow lines

3. When Array is busy and there is a lot of parking in the road, normal road users become frustrated having to stop and start and manoeuvre around parked cars . This leads to some sounding of horns although quite limited and revving up of car engines . This can be heard up to 2.00 pm
4. When the users of Array leave the premises and park their cars in the street adjacent to my house there can be a lot of engine noise as they leave depending upon the type of vehicle
5. I see and hear people walking down the hill at 1.00- 2.00 in the morning and inevitably some of their conversations are quite loud. Some then get into their cars and others continue walking down the hill continuing their conversations
6. Given the sound of traffic and the conversations of people passing by we do not leave any windows open at the front of the house. I had the impression that licencing was only until midnight which in itself is very late given that we are in a residential area. So why are people walking past the house between 1.00 and 2.00 in the morning
7. If licencing has been extended why was I not consulted and how is that even possible given the residential nature of the area. I believe that the appropriate closure time for the licence should be 11.00pm .
8. I have two elderly neighbours and one has confirmed to me that she has seen cars park across her drive and hears the sound of car engines. In Shepherds Hill there are a number of two bedroom bungalows who have elderly owners who use the front room as their bedroom. For elderly neighbours I have in the past needed to call an ambulance and if an occurrence happens on a busy night at Array it will make it difficult for emergency vehicles

Please feel free to contact me should you require further information

Alan Gray
73 Shepherds Hill, Harold Wood, RM3 0NP





23

Mr & Mrs Humphrey
94 Shepherds Hill. Harold Wood Essex RM3 0NJ

14th October 2022

Good afternoon,

I am emailing to show my support for the need to review the licence that ARRAY currently have until 01.00 on Thursday, Friday and Saturday nights. We strongly believe that a licence that ceases at 23.00 hrs would be much better suited to the residential area in which it sits in. We are aware that here have been countless issues since ARRAY opened regarding threatening behaviour, parking issues and antisocial behaviour to name a few that we and our neighbours are being faced with weekly. I will list then main issues we have had from ARRAY briefly below.

Our property is situated around 100M from Array front entrance with the entrance to our private road around 20M away from ARRAY. On occasions, especially during the summer we could clearly hear shouting, screaming and deep base music in the evening whilst doors and windows opened. On several occasions it has been so loud that we have had to close doors and windows so that our evenings were not disturbed. We have also been woken by screaming and shouting, sometimes as late as 2am. We have school age children who on occasions have been woken in the night when it was hot and windows were open. There are many families with school age children who reside directly on Shepherds Hill who get woken up every Thursday, Friday, Saturday and Sunday. This is without doubt having a negative impact on their learning and mental health.

Repeated parking issues. On Thursdays, Friday and Saturday nights since ARRAY opened it would not be unusual for at least 25 cars to come down per night looking for somewhere to park. This will be massively increased if there is a "special night" Usually starts around 2100hrs. Some would ring our doorbell to ask us if they can park on our drive or verge. Most moved on easily when asked, some were a bit abusive at being asked to move but recently we had cause to contact the police when not only did 3 males in a large SUV drive over our neighbours grassed front garden, they then refused to move when asked. After myself and my husband asking

them to please move did they slowly go but not before threatening violence which our children witnessed. (I have attached the video from our CCTV). Both the police and local councillors were sent a email by us and our neighbour at 94A and the following police reference number refer. I originally reported by email in July but was recently asked by the SNT to call the non emergency number to get a reference number.

Crime Ref 5417938/22
CHS 26798/13Oct

We also have had coaches dropping off parties of people. They would wait parked in our road which completely blocked it. Most times the drivers would fall asleep and have to be woken if we wanted to gain entry in or out. This happened in February 2022, when my father was poorly and I had to take him to hospital. We have since had to install a parking bollard at the end of our private road to prevent people coming down as it was making our whole family anxious when we knew ARRAY was opening and cars would be coming down. This has not however stopped people parking in front of it blocking our entry/exit to Shepherds Hill. We used to have to go over to ARRAY and ask them to move it but we don't do this anymore after my husband went over and gave the registration number to the security when he come home and there was a car blocking our entrance. The owner of the vehicle and his friends were outside smoking and overheard my husband giving his registration number to security. They surrounded my husband asking "what his problem was" Security got involved and we were advised by "Ozzy" to let him know if there were any further issues and he would "smack them in the face". We were thankful for his intervention, however, not a nice experience when you are just trying to come home after work.

Pulling out of our drive is extremely dangerous as the opposite side of the road will be absolutely full of parked cars. Cars trying to get up and down the road will literally "floor their cars" to get past before oncoming cars reach them. Some reach speeds of excess of 60mph easily. There is often a chorus of cars beeping as the road outside ARRAY becomes blocked as cars are waiting to get into the car park. This frustrates people who are not going into ARRAY as they cannot get past so lean on their hooters, constantly.

We have had the silver canisters littered in our road and out the front. We have seen video evidence of people urinating up the trees at the end of the drive and also indecent exposure once they have finished.

Alcohol bottles thrown in our road and pavement outside having to be removed before we can pull out.

Sick has been seen on two occasions by the lamppost which was rinsed away by us.

My husband and I had a conversation recently and discussed how since ARRAY opened we now never walk down to the visit my parents with the children or take our dogs out on a Thursday, Friday, Saturday or Sunday night like we used to. The reason for this is due to quite frankly not feeling safe. There can be drunk people sitting or in some cases laying on the floor outside peoples houses, people

screaming and shouting, people arguing, people smoking weed and or clearly taking drugs, people using peoples front gardens to urinate in and of course the fights. Some residents who have lived here for over 30 years have sold their houses and moved as the noise, drugs, antisocial behaviour, parking issues and distress that ARRAY causes has just been too much for them.

I strongly believe that the residents of Shepherds Hill and surrounding roads are not looking for ARRAY to be closed down but to be open for trading at time suitable to the area in which it is sited.

Regards,

Stuart and Claire Humphrey
94 Shepherds Hill Harold Wood Essex RM3 0NJ

24

From: Dack, Graham <[REDACTED]>
Sent: 17 October 2022 13:29
To: Licensing <Licensing@haverling.gov.uk>
Cc: CouncillorDarren Wise <[REDACTED]>
Subject: Array Essex - Application to review the license

Hello,

We would like to comment on the licencing review for Array Essex that has been proposed and fully support this review as the premises licence holder is failing to promote the licensing objectives in particular that of public safety, the prevention of crime and disorder and the prevention of public nuisance.

The new licence should be limited to 23:30 as the premises is located in a residential area as a minimum.

We also have concerns regarding the hap hazard parking arrangements that Array seems to be promoting with many people parking on Shepherds Hill that blocks one side of a busy through road between Harold Wood and Brentwood/Upminster, it is only a matter of time before a car is hit , a head on collission happens or even worse death of a motorist or pedestian due to this unsafe situation.

I have lived on Shepherds Hill for over 10 years and can recall quite a few accidents along the road and this situation particularly on Friday/Saturday and Sundays nights only increases the risk of more accidents.

In addition, we were never given the chance to comment on the previous application of the 27th March 2020 (Recorder Publication) as we did not know about this and we would have written in had COVID not come along.

Thanks

Graham and Marguerite Dack (residents of 32 Shepherds Hill)

25

From: nicky bartlett <[REDACTED]>
Sent: 15 October 2022 17:55
To: Licensing <Licensing@haverling.gov.uk>
Cc: Councillor Darren Wise <[REDACTED]>;
[REDACTED] (Julia Lopez MP)
Subject: Array Restaurant Shepherds Hill

To whom it may concern,

I understand that Array's license is under review and as a resident of Shepherds Hill I would like to voice my concerns about having a venue like that in a residential area.

When the pub was initially bought by the new owners, we, the residents were given the impression that it was going to be a family restaurant where the owners wanted to give something back to their local community, we were completely misled. Array is NOT a family venue, it attracts the type of clientele who are unable to show respect for the surrounding area!!

On numerous occasions there are raised voices, fights or groups of people causing a disturbance, not only in the car park but along Shepherds Hill itself. Cars are regularly parked in unsafe positions, on the roads, pavements and even blocking peoples entrances to their own properties. My house is in close proximity to Array and we are regularly disturbed by its customers, especially the ones who feel the need to rev their car engines and pull out of the venue at unnecessary speeds and then excelerate excessively either down or up the hill and then down Hall Lane which we can still here as the noise is so loud.

My whole family has experienced disturbed sleep due to the volume of Array's clientele when they leave late at night, this mostly concerns me for my sons who are in year 11, one of the most important school years of their lives so far. They are studying for their GCSE's and having disturbed sleep is going to negatively impact their learning, not to mention the anxiety of hearing crowds of disruptive people, using foul language and urinating right outside their bedroom windows.

There is also a small road which runs alongside Array and there are regularly people pulling up and hanging around down this small lane, which can only be assumed for illegal reasons, why else would people want to meet down a small unlit road?

My next door neighbours have also experienced Array customers throwing litter out of their cars onto the pavements and others have had people urinating and vomiting on their property which is completely unacceptable!!

Residents of Shepherds Hill are extremely unhappy with this whole situation and it causing lots of distress, especially for residents who live alone.

Please ensure this situation is thoroughly looked into as things need to change. The parking needs to have some drastic changes put into place before someone gets

seriously hurt or even killed.

Yours sincerely

Mr & Mrs Bartlett
78 Shepherds Hill, Harold Wood Romford Essex RM3 0NJ

26
Ryan Nobbs
80 Shepherds Hill Harold wood Romford Essex RM3 0NJ

28/09/2022

To whom it may concern,

I'm writing to you today in regards to the disruption Array Bar/nightclub has caused opposite my house. Please see the below points:

- Continuous disruption along the road by cars parking on the road, in front of people drives, on people drives as well as on the pavement and grass area's on Shepherds hill. Myself personally have experienced people parking on my drive and across my drive. My worst experience was getting two cars moved off my drive which ended by the two customers from Array threatening not to move there car as they had received a parking tickets and then threatening to cut me into pieces. Ongoing issues with parking down the road make it unsafe and people are double parking along the road.
- The late hour of when Array shuts is causing an issue. There have many fights in the car park and along the road, loud music being played in the car parks by the cars as well as drunk people screaming and shouting when closing. I can hear all the commotion in my living room and in the bedrooms at the front of my house.
- The private road opposite my house is being used for people to drop and pick up drugs which happens on a regular basis. I know this happens in all bars/clubs but I don't want it happening outside my house.
- There is consent bottles, broken glass and litter all outside my house which is from Array customers. I then have to clear this up as Array staff do not.
- There have been people urinating outside my house and down the private road opposite my house as well people being sick.

The above issues have been discussed with councillor Darren Wise.

I'm a new resident on Shepherds Hill and when I purchased my house the street had a good reputation to live on and the value of my property was as expected for a property on this road. Due to Array being open the value of my house has dropped more so then it would have due to current global situation.

Array was supposed to be a restaurant with a bar area, unfortunately we have all

been lied too and Array is a bar/nightclub that sells food. Moving forward Array should only be open to 11pm all nights as Array is in a residential area. This is not a high street full of bars and restaurants.

The impact this has had on myself and my family has been awful. I have a baby who is 3 months old who's sleeps in a room in the front of my house, she is continuously waking up because of all the noise from outside. I have been threatened by customers from Array outside my house which is not great when I have a young child. My partner does not feel safe when Array is busy due to all the issues we have in the night time especially on Thursday to Sunday. Lastly when my partner was giving birth when the ambulance came to the house there was not where for them to park as carshad parked along the road and on the grass areas. This made is very difficult for the paramedics to help my girlfriend get to hospital.

I hope that these points make you understands that changes are needed moving froward.

Yours sincerely

Ryan Nobbs

27

For The Attention Of:
The Licencing Officers Havering Council
REF Array Essex 91 Shepherds Hill RM3 ONP
Regarding Array Essex
91 Shepherds Hill
Romford RM3 ONP

From Peter Shelbourn
56 Shepherds Hill
Romford RM3 ONJ
Tel 07941843166
Email [REDACTED]
18th October 2022

I understand that a licencing review for the above premises is to take place in the near future.

As a resident in the near proximity to these premises I wish to submit my objections to the continuation of the present licencing arrangements for consideration for the forthcoming review.

I also wish to raise the matter of the previous licence application submitted 27/03/20. This application was submitted just a few days after the Government imposed lockdown & isolation policies in response to the Corona Virus Pandemic. The applicant would have been well aware that few people (*in the event no one*) would or could be made aware of the application. **The review should take this into consideration.**

I am of the opinion that the premises licence holder is failing to promote the licencing objectives, in particular that of public safety, the prevention of crime & disorder & the prevention of public Nuisance.

Despite numerous requests by residents of Shepherds Hill & Phillida Road to exercise reasonable, basic considerations to their neighbours, to my knowledge, not

a single request was acted upon.

I live far enough distant to avoid suffering the excessive noise nuisance emanating from within & immediately outside the premises but have satisfied myself by standing at the boundaries of the premises that these issues are endured on a regular basis by those living in closer proximity.

The residents of Shepherds Hill & Phillida Road form a reasonably close community. We communicate freely on social media. Complaints about the establishment are therefore shared by us all. I am grateful for the efforts of Havering Council & Police to offer us some relief but the issues of complaint now need to be considered with a view to restoring a fair & balanced environment for the long suffering neighbours. I wish the following points to be considered by the licencing team:

1: I feel that a really strong reason for curtailing the late opening hours is the effect on the young people living in close proximity. It is an established fact that youngsters need a good, restful & undisturbed sleep. Without it their performance the following day will be severely compromised.

Their Schoolwork will likely suffer, not to mention having to sit an important exam after having to endure the noisy & anti social behavior the night before. To my mind this may seriously affect their chances of a successful education & future career. I can see **no reason** to allow this to continue. Of course this equally applies to adults whose health & well being can just as easily be affected.

Perhaps the customers of this establishment might consider taking their pleasures at an earlier time in the evening rather than turning up toward midnight.

2: By sacrificing existing parking facilities on site by the construction of further extensions to the building, times of high usage cause customers & staff to park on the roadway & adjacent side turnings (often resulting in total blockage of rightful usage). Much of the parking shows no consideration to residents & other road users. The blocking of driveways is common as is damage to the grass verges. Cars are often abandoned until next day, presumably by those unfit to drive. Customers returning to their vehicles are often noisy & abusive.

3: Customers are often seen leaving the premises well after the allowed times of business. They are often noisy, their behavior unacceptable in a residential area.

4: The level of noise nuisance by music, loud voice & traffic is completely unacceptable in a residential area, especially in the late & early hours of the day.

5: Customers (all genders) arriving or leaving the premises are often seen urinating on the verges & pavements. I can only assume that these people are unacceptably intoxicated.

6: "Special theme" promotions e.g. "bottomless prosecco" where patrons are entitled to as much alcohol as they wish included in the cover charge has resulted in some worrying events. Specifically, their first event, young girls seen being assisted out onto the roadway by security staff & left to wander about in the traffic. When their

parent arrived to collect them they refused his help & became extremely abusive, using really bad language. Across the road another young man lay comatose in a residents driveway This at 4pm on a Sunday afternoon!
Encouragement to drink to excess is totally unacceptable in this residential area.

7: Any customers causing a disturbance are herded from the car park onto the main road. We are then left to suffer the consequences. Clearly the management feel no responsibility for their guests once they are off the premises & roaming free on the street.

8: Evidence of illegal drug use has been noted regularly in the vicinity of the premises.

9: the encouragement of “vaping” & “shisha” appears to be taking part outside the rear of the property. This is causing severe distress to those in close proximity.

10. I object to any licencing permission allowing the supply of take away food or drink at any time from these premises.

11. The excessive lighting & display arrangement to the front of the property causes unnecessary nuisance. Especially non essential illuminations should be turned off at the end of the permitted opening hours.

The above points are supported by photographic and or recorded video. These are retained only to provide evidence of the nuisance caused or encouraged by Array Essex.

Should any or all of my observations be challenged I would allow the images to be inspected by interested parties.

I seek curtailments to the existing Licence, namely that a new licence restrict the hours of opening to be no later than 23:30 daily in line with recommendations stated in LBH statement of licencing policy section 12 : activities normally permitted in residential areas.

As previous Bank Holidays & “Special Days” have seen the permitted licence hours exceeded, I would request that the only exception would be New Years Eve.

Copy of file attached.

I take this opportunity to thank you for your consideration In this matter.

Peter Shelbourn.
Resident of 56 Shepherds Hill RM3 0NJ

28

From: Maureen Pamment <[REDACTED]>

Sent: 23 October 2022 08:51

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>

Subject: Array Essex, 91 Shepherds Hill, RM3 0NP

I am Maureen Pamment and I live at 58 Shepherds Hill, Harold wood , Romford, Essex, RM3 0NJ.

I am of the opinion that the licence holder of Array is failing to promote its licensing objectives. In particular that of public safety, the prevention of crime and disorder, and public nuisance.

Blocking of residents driveways and damage to grass verges caused by the vehicles of Array customers.

Cars abandoned overnight, and abuse against residents that challenge those who park without consideration.

Customers of Array , men and women, urinating and vomiting on pavements and grass verges, extreme drunken anti social behaviour, and illegal drug use.

As a resident of a respectable and close community, I would like to see the license for Array restricted to opening hours of no later than 23.30, to help curtail the behaviours mentioned above.

Regards

Maureen Pamment

29

From: Amanda Allen <[REDACTED]>

Sent: 23 October 2022 15:52

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>

Subject: Fwd: Array

Regarding the below email I failed to mention that we were not made aware of the proposed change in licensing and we were given no opportunity to raise our concerns at the time of the application. We feel that the licence was unfairly applied for as at the time we had been instructed by the government to stay at home and therefore we were totally unaware of the application.

Kind regards

Amanda & Barry Allen

90 Shepherds Hill Romford Essex RM3 0NJ

Begin forwarded message:

From: Amanda Allen <[REDACTED]>

Date: 23 October 2022 at 15:17:49 BST

To: licensing@haverling.gov.uk

Cc: [REDACTED]

Subject: Fwd: Array

Good afternoon,
Please see below email sent regarding Array nightclub.
Kind regards
Amanda & Barry Allen

Begin forwarded message:

From: Amanda Allen <[REDACTED]>
Date: 23 October 2022 at 15:08:51 BST
To: [REDACTED] (Julia Lopez MP)
Cc: [REDACTED] (Councillor Brian Eagling)
Subject: Array

Dear Julia,

I am emailing regarding antisocial behaviour being caused by Array nightclub/restaurant located at 91 Shepherds Hill.

We are repeatedly disturbed in the early hours of the morning by totally unacceptable noise levels in a residential area. Our primary school age children are awoken by the patrons of Array's loud and disrupting behaviour, this is causing extreme distress to our young children resulting in loss of sleep which in turn is causing them to be tired and unable to fully focus on their work during the school day. We feel that this constant disruption of their sleep pattern is starting to have a detrimental effect on their education and we are also concerned about their mental wellbeing.

The frequent events being held at Array nightclub/restaurant show no consideration to the local residents and there is no attempt by the owners to limit the noise and disruption caused by these events.

The events cause severe disruption of road traffic with cars parked without any thought of local resident's access to drives and has turned the road into a dangerous single carriageway due to excessive on street parking by the patrons of Array.

Some of the antisocial behaviour that we have witnessed includes a mass brawl in the street in which weapons were used, to which we were alerted to by our young children awaking us sobbing from having witnessed the fight outside their window, patrons leaving Array and urinating up trees, frequent alcohol fuelled arguments, foul and abusive language, discarded cans, bottles and rubbish and excessively loud music being played outside the premises.

We hope that you agree that this type of behaviour is totally unacceptable in any place let alone a residential area where young children can easily witness it. We would welcome your support and proposals on resolving such behaviour.

Kind regards

Amanda & Barry Allen

30

From: Jeannette Page <[REDACTED]>

Sent: 23 October 2022 17:19

To: Licensing <Licensing@havering.gov.uk>

Subject: Re: Array 91 Shepherds Hill Harold Wood RM3 0NP Continuing disturbances, anti-social behaviour and problems

Dear Sir/Madam,

Please find attached a letter outlining our concerns regarding the Array Licence review.

Many thanks,

Kind regards

Jeannette and John Page

76 Shepherds Hill Harold Wood Romford Essex RM3 0NJ

23rd October 2022

**Re: Array 91 Shepherds Hill Harold Wood RM3 0NP
Continuing disturbances, anti-social behaviour and problems**

We reside at 76 Shepherds Hill and are writing to outline our concerns since the opening of Array, 91 Shepherds Hill.

We are situated on the opposite side of the road to Array, and are constantly disturbed by their patrons, mainly between the hours of 8:30 pm and 2:30 am. This occurs weekly on Friday and Saturday evenings, going on into the early hours of the following day, but has occurred on Monday, Tuesday, Wednesday and Thursday evenings, again into the early hours of the following day.

There have been fights, aggressive, noisy behaviour, urinating in Shepherds Hill, including a woman who decided to relieve herself in the middle of the roadway, rubbish strewn along the pavements and roadside left for residents to pick up. Loud voices as people walk up or down Shepherds Hill when leaving the premises of Array. Often customers walk down the roadway shouting out and walking in the way of oncoming cars, causing drivers to sound their horns.

It is totally unacceptable to have to listen to the inappropriate language uttered by patrons shouting loudly into the early hours of the morning from the carpark of Array. Sometimes this escalates and patrons swarm from the carpark onto the pavement and roadway and back into the carpark.

Our sleep is regularly interrupted. Sometimes we have been disturbed, managed to return to sleep, only to be awoken again.

We have come to dread Friday and Saturday evenings and their early mornings. Recently, we were awoken at 1:23 am by people making unacceptable noise in the carpark. This went on for over 45 minutes and included, door slamming, car engines revving, vehicles sounding horns, patrons shouting, screaming, even singing. Where

are the alleged security officers or management of Array who should be controlling this?

Another time there was loud music playing in the carpark whilst a giant polar bear danced outside. The disturbances go on and on and can only get worse in the lead up to Halloween and the Christmas festive season.

The number of vehicles parked in Shepherds Hill by Array customers, causes havoc. This occurs even where there are double yellow lines. We have had to drive around these vehicles when returning from an evening out to enter our driveway blocked by parked vehicles, or we have found our driveway blocked by taxis collecting patrons of Array.

Taxis use our crossover to wait, with their engines running, doors slamming and customers' loud voices. When we have challenged the drivers, we have met with abuse, advising us that they are waiting for their customers from Array. In most cases they do not move away until their customers appear, even though this can take a long time.

Parking of cars without consideration is a health and safety issue on a weekly basis. It is usual now for three cars to be parked opposite us, blocking our neighbours' drives, causing cars to swerve onto the other side of the road just missing the pedestrian bollards. Impatient drivers trying to pass revv their engines and sound horns at unacceptable hours, disturbing our sleep.

If emergency vehicles were needed to attend to houses in the lane running along one side of Array, access would be difficult.

Further pollution from Array includes heavy smoke emanating from the roof of the main building, bright lights and sometimes the loud thumping of bass from the music. Lights in Array are left on all night.

We have called the police and emailed them on several occasions when we have been intimidated by the behaviour. We have also emailed our local councillors, MP - Julia Lopez, Chief Executive of London Borough of Havering and the Licencing Authority.

However, there are other times when, although we have felt stressed by what we have to put up with, we have tried to ignore, stay calm, and pretend all is well. To help us cope with what surrounds us, we have stopped using our front room and live in the rear of our house whenever we see crowds gathering at Array and/or the high level of parked cars. This is no way for us to live indefinitely, and certainly not how we can enjoy peaceful enjoyment of our own home.

We understand that there is currently an application to review the licence for Array. As this is a restaurant, we find it difficult to understand why so many customers do not arrive until well after 9:30 pm and do not leave until after 2:00 am. Surely in a residential area such as this 11:30 pm should be late enough as a closing time.

Thank you for taking the time to read this letter.

Kind regards

Yours sincerely

John and Jeannette Page

31

From: alan smith <[REDACTED]>

Sent: 24 October 2022 11:03

To: Licensing <Licensing@havering.gov.uk>; CouncillorDarren Wise

<[REDACTED]>

Subject: The Array, harold wood.

Array licence review.

Derek Smith.

92 shepherds Hill. Harold wood.

I have lived opposite the shepherd and dog now the Array for over 60 years. I have never had cause to complain until recently.

However the parking noise and antisocial behaviour on predominately Friday and Saturday nights has become intolerable.

Cars are parking the entire length of shepherds Hill allowing little or no passing places, I am genuinely concerned that a serious accident will occur unless this problem is resolved. In addition to this, I am regularly having my driveway obstructed which is unacceptable.

The second problem is the antisocial behaviour. I am constantly faced with people leaving these premises only to urinate in the street outside our homes. Surely there are toilet facilities within the premises. In addition to this, the smell of constant smoking of recreational drugs outside of our homes is intolerable.

Finally noise. Customers tend to have no regard for their surroundings. Shouting and screaming is common. And loud noisy exhausts from flash sports cars and driving away at speed is a real disturbance and completely unnecessary.

I hope we can find a solution to these problems that suits all parties as soon as possible.

Regards Derek Smith.

32

From: Sally Slattery <[REDACTED]>

Sent: 25 October 2022 16:59

To: Licensing <Licensing@havering.gov.uk>
Cc: CouncillorDarren Wise <[REDACTED]>;
[REDACTED] (Julia Lopez MP)
Subject: Array Essex - Application to review the licence

Dear Sir/Madam

I am a resident at **101 Shepherds Hill** where I live with my husband and two children. I am writing in relation to the premises licence review of Array.

I think it is completely inappropriate for a venue such as Array which, is situated in the middle of a residential area, to be allowed to stay open until 1am (Thursday to Saturday) and 12am (Sunday to Wednesday). My family and I can often hear the music and noise from Array and we believe this is not the right location for such an establishment.

Most of Array's customers seem to drive to the pub and so parking has been a huge issue since it opened as there is limited parking on site which means Shepherds Hill gets extremely busy with cars. The owners of Array made the pub bigger to cater for more customers but didn't think or care about the consequences of this in a residential area! Customers often park their cars dangerously on both sides of the road and I know some of our neighbours quite often have their front drives blocked. At the weekends, when the pub is at its busiest, I find it dangerous to pull off of my drive as my view is blocked because of the amount of parked cars along the road. Even getting onto my drive has been a problem. For example, I arrived home with my family by car at 11pm last Friday night and the road was extremely busy with parked cars and traffic which meant I had to drive on the opposite side of the road to get onto my front drive which resulted in another driver getting impatient and angry with me! I find it dangerous driving along Shepherds Hill at these busy times as the parked cars cause traffic jams as only one car can pass through at a time which then results in some drivers becoming aggressive and beeping their car horns. The sound of car horns beeping continues throughout the night and early hours of the morning which regularly disturbs my family when we are trying to sleep.

Some of Array's customers are not considerate at all when they leave. As I'm sure you are already aware there has been arguing and fighting. Customers sometimes gather noisily by their parked cars talking, shouting and playing music loudly in their cars. When they drive away they quite often rev their engines loudly and beep their car horns at each other. In the summer this was worse as we had our windows open at home because it was so hot.

My family has to wake up at 6am to get to work and school and so any disturbances in the night make this difficult and sets us up badly for the day ahead. I am extremely concerned as my eldest son is currently in year 11 and will be sitting his GCSEs this year. He needs to get good sleep and rest to help his concentration at school and revision at home. He obviously also needs to study at weekends too so the disturbances in the middle of the night at weekends are still a nuisance and not good for him.

On numerous occasions we have had to clear up smashed glass bottles out the front

of our house as well as litter and even recently a big box of used small silver canisters (nitrous oxide) was left on our front drive in the early hours of the morning. We have lived at our house for 6 years and nothing like this happened before Array opened. The Shepherd & Dog was a local, much smaller country pub and didn't cause a problem.

I will never understand how Array was able to obtain the licence it has and we were never made aware of this when the decision was being made which I think is wrong. I would be grateful if you could reconsider the licensing of Array so that it is more suited to the residential area it is situated in.

Yours faithfully

Sally Slattery

33

From: Paul Guyver <[REDACTED]>

Sent: 25 October 2022 08:33

To: Licensing <Licensing@havering.gov.uk>

Cc: [REDACTED] (Cllr Darren Wise)

Subject:

Dear Sirs,

please see the attached document regarding the forthcoming review of the licensing hours for the premises known as Array at 91 Shepherds Hill, Harold Wood. We have also forwarded the letter to our MP, Julia Lopez.

Please acknowledge receipt of this email and advise us when the hearing will be taking place.

Yours sincerely

Paul and Joan Guyver

To Licensing Authority, Havering Council cc Councillor Darren Wise

Array

Together with many other neighbours and residents of Shepherds Hill, we are very concerned about the disruption that Array has caused since it opened as a 'Restaurant'.

We live at 60 Shepherds Hill, Harold Wood, and for over 40 have enjoyed being part of this Conservation Area and community. We are situated on the bend in the road just down the Hill from Array on the opposite side of the road. We are writing with regard to the review of the License to the premises known as Array, 91 Shepherds Hill, Harold Wood. We wish to oppose the License opening hours due to the impact it is having on us and many of the residents in Shepherds Hill.

Array, after protracted building works, did not officially open until July 2021; which was 15 months after the grant of the current extended hours license. At that time the problems we have experienced since then were obviously not apparent. However, since then, there have been numerous incidents of anti-social behaviour in their car

park, in the adjacent Lane and Phillida Road as well as up and down the Hill. Most of their customers seem to arrive after 10pm and leave up to 2am. The anti-social behaviour we are aware of has been as follows:

1. Shepherds Hill is a completely unsuitable location for permission for a 'Night Club' to stay open until 1am.

Array is situated in the middle of a solely residential road and there are no other business premises within a mile. We believe that insufficient consideration and consultation was taken by the Local Authority, when this application was made and subsequently granted. Specifically, for their license to be extended to 1am. Under the terms of the Havering Council Statement of Licensing Policy, consideration should be given to the type of area in which the premises is located with '*regulated activities normally being permitted until 23.30 in residential areas*'.

The previous Licence was for the Shepherd and Dog which was a family friendly restaurant and bar and happily co-existed in this locality. However, although the Licensing application for Array also described it as a family friendly Restaurant, Bar and Lounge this was clearly never the intention of its owners. In March 2020 they were granted the extension to their opening hours from 12pm to 1am on Fridays and Saturdays. This application was made at a time when the UK was in the midst of a pandemic and the COVID19 brought lockdown. Everyone was under Government instructions 'Not to leave home'. As far as we were aware, there was no consultation with any of our local Councillors or with residents on Shepherds Hill who would be affected by any extension to the existing license. This appears unusual in the light of it being located in such a rural, residential area.

The owners of Array advertise the premises as a "Restaurant, Bar and Lounge" but in truth it is a Nightclub.

Most weekends it is "by invitation only" with "themed evenings" which now clearly caters as a Club for adult members' only. Meals are served until 10pm after which customers are offered a free cocktail at the bar and invited to stay to enjoy the 'Live Entertainment' until 1am. Some events are advertised as having 'Free unlimited Prosecco' which is much more likely to result in drunk and disorderly behaviour. There was little likelihood that any of the local residents would have even been aware of the proposed extension to opening hours or any idea of the potential problems which we are now experiencing because from the outset we were led to believe it was a 'restaurant'. This is no longer the case.

2. Inadequate parking provision:

There is totally inadequate parking provision, when almost all of Array's customers drive in from outside of our area. However, Array continues to advertise that the premises caters for the number of customers they say they can accommodate. The nearest station is a mile away and the only bus service is during the day. Array's advertising suggests that there is adequate parking in their grounds which is blatantly not the case. In consequence cars are parked randomly in Shepherds Hill and Phillida Road late at night, often on the verge or blocking residents' driveways. Even when vehicles are legally parked on one side of Shepherds Hill there is barely sufficient width for 2 cars to pass in either direction. However, when cars are parked

adjacent to each other, it completely obstructs the road making for just a single traffic lane both up and down the Hill. It has become a weekly feature to see Parking Enforcement officers being called out by residents who are either blocked in or unable to enter their drives due to customers of Array parking illegally. Often cars are left on the Hill until late the following day due to the incapacity of their drivers. This Hill has some tight bends and width restrictions and this is becoming a very dangerous road particularly at night.

3. Anti-social behaviour

Noise: In the absence of public transport available late at night, Array's customers have to rely on cabs or their own cars to travel to and from the Nightclub. This results in often noisy and boisterous customers leaving Array very late at night to await their cabs and has become a real aggravation for local residents trying to sleep, especially those with young children. In addition, the disturbance of cab drivers trying to locate their clients with their incessant car doors being slammed and engines revved, causes unnecessary disturbance. Before Array was opened this was a peaceful residential area and once a delightful place to live.

Disorderly and drunken behaviour: There have been a number of incidents involving fights in the Array car park to which the Police have been called as they have spilled over into the road. Drunken behaviour, shouting, swearing and urinating in the street and gardens are now a regular feature after 10pm. This has now become totally unacceptable and cannot be allowed to continue every weekend.

Car Exhaust noise levels. Some customers, who arrive or leave Array by car, often rev their engines noisily while stationary and then accelerate away, tyres squealing, presumably to impress their friends. There is no regard for anyone but themselves. Some sports cars have enhanced exhaust sound levels which cause even greater noise disruption, affecting all the residents on Shepherds Hill, as they roar away. These problems have only arisen since Array opened in July 2021. The proprietors cannot use the excuse that they are not responsible for what takes place after their customers leave their premises. They are the source of the problem. Their customers would not be using this venue at unsocial hours, were it not for the presence of this 'Nightclub' masquerading as a restaurant. It is wholly out of keeping with our neighbourhood .

We hope that you can help us to have Array's late hours licence revoked so that the detrimental effect that Array is having on our community can be remedied.

Paul and Joan Guyver
60 Shepherds Hill, Harold Wood, RM3 0NJ

34

From: victor bensilum <[REDACTED]>

Sent: 26 October 2022 08:56

To: Licensing <Licensing@haverling.gov.uk>

Cc: CouncillorDarren Wise <[REDACTED]>;

Subject: Array Shepherds Hill, Harold Wood.

Dear Sir,

I moved to a house opposite what is now The Array in September 1973 when the building was The Shepherd and Dog Public House.

Since then there has been a number of licences issued and I do not recall having any complaints during the periods when it was just a Public House.

For a brief period during one licensee we did have problems when there was excessive noise from an embryo night club, but they did not stay long.

The building was renovated and became a public house and restaurant and we had no disruption in parking or noise levels.

The current owner clearly wants to have a night club but why he chose a quiet residential area to create it, I have no idea.

The car park attached is inadequate for the number of customers and their cars clog up our road as well as other local roads.

Car parking did take place off road on our grass verges which used to have notices of "NO PARKING" and some years ago at least one of my neighbours was issued with a penalty fine for doing so outside his house.

The noise levels especially at weekends after 01.00 is such that I can hear the conversations of the leaving customers inside my house loud enough to record, if I could write shorthand.

There is also a vehicle that roars away that is probably audible a half a mile or more away.

The building is not used as a restaurant only, as nobody is going to order a meal after about 22.00 hours, so there is clearly extended drinking and some other enjoyment available to customers.

Some months ago I saw a Police car outside and that night there was no objectionable noise, but sadly 3 nights later the noise returned at the objectionable level again.

Yours Faithfully,

Mr V Bensilum.
86 Shepherds Hill, Harold Wood. Essex. RM3 0NJ

35

From: Camilla Richards <[REDACTED]>
Sent: 26 October 2022 17:16
To: Licensing <Licensing@haverling.gov.uk>
Cc: Councillor Darren Wise <[REDACTED]>
Subject: Array Licence Review - 91 Shepherds Hill

To whom it may concern,

I would like to point out all my concerns regarding Array being a close resident. When the Shepherd & Dog was taken over or bought by Array it was promoted as being a restaurant of various cuisines? This is certainly not the case, when is a restaurant open until 2am both in the week and weekends?

This disturbance of noise, anti-social, aggressive behaviour, disturbances of customers and dangerous driving are just some of the issues we as neighbours face. I have never known a nightclub in a residential area and being open until 2am!

My family are increasingly having our nights/weekends disrupted by all the noise that comes with Array. This is from customers arriving/ leaving the premises with no respect for residents, driving at dangerous and inconsiderate speeds along our road, shouting/screaming, causing cars to sound their horn from dangerous behavior etc. This has resulted in my family being continuously woken during the night both during the week and at weekends. This is unfair as my family have work and my children have school. Sometimes we cannot get back to sleep after as we feel worried or anxious especially hearing shouting or aggressive behaviour. It is unfair for children in the proximity as they have already missed a considerable amount of school due to covid and now to be woken at all hours of the night, some have exams or their GCSE's

It is particularly inconsiderate the way the Array visitors think it is fine to block drives completely or partially, we have a large amount of elderly residents that may need help at any time.

We have a pedestrian crossing outside our neighbours house, when cars park either side (not legally to our right) we have cars that drive on the opposite side of the road to avoid weaving in and out which is extremely dangerous especially at the speed some drive. My husband called to Police to say how dangerous this is but were told that it would be down to the council.

The music and noise that comes from Array is unacceptable and can be heard thumping outside, we live a few doors down so this is totally unacceptable for the neighbours next to Array. This seems worse since they opened the side part (Shisha) and it seems the doors are left open to the outside so the music can be heard by all.

On a previous occasion two cars collided down the hill due to cars being parked both sides of the road. There has also been instances of drivers arguing over places to park.

We have to listen to shouting, screaming, customers walking in the road resulting in cars sounding their horns, cars revving their engines and racing out from Array as loud as possible and turning completely round as fast as possible. It is unacceptable for us to have to endure this behaviour on a regular basis.

Our road used to be a calm and quiet road as the evenings drew on and now we have a nightclub on our doorstep with all the commotion to go with it. The traffic starts about 9, people get frustrated waiting in the queues for Array's carpark and sound horns. I also don't understand how all these customers are leaving their cars and going for a meal from 9-2 and driving home after?

We were never informed about this happening or that the hours would be different from the pub. It seems that Array applied for the late license in lockdown, a time when we were all told to stay at home so the chances of anyone seeing this was unlikely.

Please find attached an example of noise from Array, customers in the road, photo of the accident.

Kind regards

Mr & Mrs Richards
(77 Shepherds Hill)



36

From: PAUL GOODFELLOW <[REDACTED]>

Sent: 27 October 2022 09:18

To: Licensing <Licensing@havering.gov.uk>

Cc: Darren Wise <[REDACTED]>; [REDACTED] (Julia Lopez MP)

Subject: Notice of Application for Review of a Premises Licence - ARRAY, ESSEX RM3 0NP

Dear Sir/Madam

Please find attached letter regarding The Application for Review of Premises Licence - **ARRAY, ESSEX RM3 0NP**

Many thanks

Joan and Paul Goodfellow

118 Shepherds Hill Harold Wood Romford Essex RM3 0NJ

Licensing Authority
London Borough of Havering
Town Hall Main Road Romford RM1 3BD

27th October 2022

Dear Sir/Madam

**Ref: Array Licence review - London Borough of Havering
91 Shepherds Hill, Harold Wood, RM3 0NP**

When Array first opened, many Shepherds Hill and Phillida Road residents were very much looking forward to the takeover of what was formerly the Shepherd & Dog Public House and were initially very supportive and eager to have a replacement pub and restaurant to patronise as customers.

Unfortunately, the relationship between the residents and Array very quickly soured, descending into disarray, as it very soon became evident, that rather than being a pub/restaurant, it morphed into the 'go to' night club it is now. As it extended both in terms of its size and repertoire offering party and theme nights, it has attracted more and more customers. It is very much a victim of its own success, though hugely detrimental to the residents who live nearby, many who would prefer it to just shut down and not without good reason.

We have lived at the above address for over 40 years and not too close to Array, so we do not bear the full brunt of the issues that befall our less fortunate neighbours. However, despite Array acquiring the use of an over-spill parking area, there is nowhere near enough parking spaces for the number of vehicles that arrive late in the evenings, then leave noisily in the early hours of the mornings, leading up to and including most weekends. It is hugely sleep disruptive. Many of us feel like we have been to a late-night party on the following days, but the effects of continued sleep deprivation, certainly isn't any fun!

Some customers park legally and some don't, but the biggest issue in regard to the number of cars trying to park, apart from the chaos it causes on Shepherds Hill Road, is the amount of Array customers who block residents' driveways by parking

across them. It is a frequent and at times worrying situation for any resident who may need to exit their property urgently using their vehicle.

We personally believe that the licencing hours regarding Array, as a compromise, should be reviewed and changed to a time more suitable to its surroundings. Currently, Thursday, Friday and Saturday evenings it is operating until 1am. This is wholly unacceptable, far from being a pub/restaurant, Array is, in fact, an extremely lively, increasingly popular night-club centred in the midst of what once was, a very peaceful semi-rural residential area.

Yours faithfully
Joan and Paul Goodfellow

37

From: keith wood <[REDACTED]>
Sent: 28 October 2022 19:18
To: Licensing <Licensing@haverling.gov.uk>
Subject: Fwd: Impact of Array

----- Forwarded message -----

From: keith wood <[REDACTED]>
Date: Fri, 28 Oct 2022 at 19:11
Subject: Impact of Array
To: <[REDACTED]> (Julia Lopez MP),
<[REDACTED]> (Councillor Darren Wise)

Dear Sir/Madame,

My family and I live directly opposite the car park exit to the above establishment and wish to give our views on the impact it has on our community.

Since opening every Friday and Saturday night is a problem for us and our neighbours. Due to its size there is insufficient parking, resulting in cars parking up and down the hill for two hundred metres in either direction, which along with vehicles queuing to enter the car park, causes congestion and a considerable hazard to other road users and pedestrians alike. We have had vehicles parked across our drive blocking us out and in, and on one occasion a car park on our actual driveway right in front of our front window before sauntering off into Array. The management did briefly attempt to advise the patrons not to park inconsiderately but this only lasted for a few weeks and the situation is as before.

Come 1:00-1:30 am when Array closes we are often awakened by the clients, sometimes fighting, sometimes screaming, shouting and laughing at the top of their voices or minicabs sounding their horns. Often the cars leaving the venue, including the owners, are high powered and roar off at a great speed causing a large amount of noise. At this time it is rare to see any of the door staff present. We have witnessed several fights including a mass brawl involving approximately 20 people. The lights to the premises remain on until at least 5:00am, which not only causes us light pollution but is environmentally unsound and continues despite our request they

be turned off.

We have witnessed people in the car park using drugs, the sound proofing is insufficient (or the sound system is being played too loud) so we can hear the music clearly from our position approximately 75 metres from the entrance.

We have broached our concerns with the management, and often see our neighbours doing the same, although they show concern, we have yet to see any change for our benefit.

We were supportive of Array whilst it was being created, and hoped for a business which would be positive for our community. We are alas disappointed as this business holds nothing for the community it resides in and we are certainly not its target market.

This is a residential area with a significant number of older residents and Array brings them nothing other than disturbance and concern.

I cannot imagine the owners of the premises even considering opening such a venue in their own, or their parents street.

We do have some video evidence to support the above if required.

Kind regards

Keith Wood
80A Shepherds Hill Harold Wood RM3 0NJ

38

From: John Millard/Sarah Jennings <[REDACTED]>
Sent: 03 November 2022 22:08
To: Licensing <Licensing@haverling.gov.uk>
Cc: CouncillorDarren Wise <[REDACTED]>
Subject: LBH licence review: Array Essex 91 Shepherds Hill

I write to share my family's concerns regarding Array. We are fortunate to be far enough away that the main problem we endure relates to parking & noisy vehicles which occurs most weekends. It tends to worsen from 9pm onwards, which is indicative of how unsuitable this establishment is in a residential area.

We have noted the Council's Licensing Policy which at paragraph 12.1 indicates the closing times looked upon more favourably and at 12.2 indicating that regulated activities would normally be permitted into 23.30 in residential areas. The granting of this licence with closing hours at midnight Sunday to Wednesday and 1am Thursday to Sunday appears totally at odds with the Licensing Policy. There is sound basis for paragraphs 12.1 and 12.2, namely the inevitable effect the area surrounding the licensed premises particularly so when that area is otherwise residential.

We would have outlined these concerns when the licence application was made.

Unfortunately we were denied that opportunity because the notice appeared during lockdown in March 2020 when everyone was legally required to stay at home barring exceptional circumstances. It appears that the licensing processes failed to adapt so people were denied their voice. As a result the local residents have had to suffer the effects of an apparent lack of proper scrutiny despite it not meeting the most favourable opening hours stated in the Council's Licensing Policy.

We have experienced some disruptive behaviour as people walk to/from Array but this is thankfully less frequent than what has been inflicted on those living closer to the premises.

I will now outline some particular incidents of concern we have personally experienced:

8 Oct 2022: Cars parked outside our house, one across our 2nd driveway though driver moved it after being spoken to by Parking Enforcement Officer;

2 Oct: "Supercar" parade in the Array car park with repeated "tours" up and down Shepherds Hill involving heavy revving of engines over an hour or two in the afternoon.

1 Oct 2022: Cars parked outside our house and across our 2nd driveway. One was only just clear of the other driveway then remained there until the next afternoon which affected our ability to safely pull off and onto our drive throughout that day;

17 June 2022: just before midnight an impromptu car show occurred opposite our property with people taking photos/filming "pimped up" cars whilst they were heavily revved for several minutes, until a neighbour came out to speak to them. Short video of this is attached.

Whilst we cannot link every noisy speeding car on Shepherds Hill to Array, there has been a noticeable increase in such traffic (particularly at night) since it opened in July 2021.

This is plainly a nightclub masquerading as a restaurant and the licence application should have honestly stated that. Any basic examination of the online presence of Array (namely its website and social media accounts) clearly betrays its true identity. Sadly it appears that the licensing process failed to conduct any proper due diligence which would have readily shown this premises should have been applying as a nightclub. This establishment and its manner of operation has absolutely no regard for the residents of Shepherds Hill. The type of premises and operating hours are utterly inappropriate in a residential area.

I write these comments in the hope that they will be given proper consideration. I believe an apology is due from the Council to the residents of Shepherds Hill for failing to properly apply its Licensing Policy and facilitating the ordeal we have endured as a result.

Regards,
Sarah Jennings and John Millard
63 Shepherds Hill

39

From: Katie Bowers <[REDACTED]>

Sent: 04 November 2022 10:12

To: Licensing <Licensing@haverling.gov.uk>; [REDACTED] (Julia Lopez MP)

Cc: Councillor Darren Wise <[REDACTED]>

Subject: Licensing Review: Array Essex 91 Shepherds Hill

To Whom It May Concern,

We are writing this letter to you as part of the licensing review that is currently being undertaken. We wish to submit a formal complaint about the stressful situation that has been ongoing in our neighbourhood relating to the Array establishment and the direct consequences with how it currently operates.

From what we have observed during this year alone, Array appears operating as a nightclub in a residential area (masquerading as a restaurant) and there is no greater admission to this than the fact Array have recently started putting security guards at the end of our road.

Why would this happen if there weren't huge problems?

Every weekend without fail there is trouble from Array customers. Over the past year we have witnessed between 9pm & 2am the following anti social behaviour:

- Loud shouting and arguing, waking us up in the middle of the night
- Urination on the road and against the wall
- Bottles of urine being thrown on the floor
- Drug taking
- Drink driving
- Littering including food, food wrappers, cigarettes, bottles of Prosecco being left in the middle of the road
- People blocking our drive and hurling abuse and threats when we ask them to move
- People turning up drunk in their car and speeding
- Drunk people getting in their car and driving off at the end of the night (we are worried they will cause a big accident on our road or somewhere else)
- Extremely noisy cars racing along Shepherd's Hill
- Access issues to our property for visitors and emergency services

Every weekend someone has to go round and clear the mess up in our neighbourhood created directly by Array customers.

A few months ago we also had the owner of Array turn up with a number of other people at our doorstep unexpected and was acting very rude and trying to intimidate for no particular reason. This is not acceptable in a quiet residential neighbourhood on our own doorstep.

We hope this is addressed once and for all, as it is clearly unsustainable long term and only going to get worse.

Please acknowledge receipt of this letter and we look forward to hearing the outcome of the review.

Best,
Residents of 1C Phillida Road

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Mrs. B Hale
83 Shepherds Hill

26/9/2022.

Re-Review of license hours for Array.

Since Array has opened living next door to it has been horrendous with the noise of the loud music the people in the car park when they are leaving and cars beeping their hooters and slamming their car doors until the early hours. Bottles and cans are left in the greenery outside and have to be picked up regularly as well as litter. Parking is horrendous and dangerous as the customers just park anywhere even across peoples driveways.

The hours that they are open until are not appropriate for a residential area.

Because of the hours that they are open until and the noise that the clients make when leaving Array I can't go to bed until after 1am and then have to use a white noise machine to try to dull the noise of the car doors

slamming the revving of the cars as they are leaving and the drunken screams swearing and shouting of the ones waiting for cabs in the carpark. It makes me so anxious having to live with these disturbances as I live alone.

Also no one was given the chance to comment on the application on the 27th March 2020 recorder publication as we did not know about this and would have written in and opposed the application had covid not come along.

B Hale.

To Havering Licensing Team.

I have been asked to forward the attached letter on behalf of a frightened and worried neighbour.

Please find attached a letter in support of the licence review of Array, 91 Shepherds Hill.

The author of this letter is an elderly widower who lives close to Array, and is too scared to put her name and address on it as she has previously been threatened by one of the owners of Array.

In order for her letter to be included in the licence review, the lady has asked that I verify her name through councillor Darren Nise, whose name appears on the review, or through Julia Lopez MP with whom there has been recent communication.

She asks that no other parties are told her name and address for fear of retribution from the owner of Array.

Darren Leonard, 2 Phillida Rd, Harold Wood.

3rd October 2022.

To Whom-it May Concern - Howenig Council

Dear Sir/Madam,

I am a resident of Shepherds Hill, Hand Wood, and am writing in regard to problems experienced appertaining to the Arroy restaurant situated on Shepherds Hill.

- 1) Licensing Hours. The closure time at present is 1.15 am. We were told when this premises was becoming a restaurant/public house, that people who were not coming to eat, would not be allowed in. Dining last orders 10.30. Cars are turning up at 11.30/12.00 am. What public house closes at 1.15. This premises is a night club.
- 2) Therefore at 1.15/1.30 am Noise from people leaving the club - i.e. shouting, car doors opening and banging shut causing sleep disturbance.
- 3) Vehicles arriving, not being able to enter as car park is full. Hooting, with people in cars trying to either move up or down the road. Again - noise!
- 4) The parking up and down the road - sometimes along peoples' driveways.

I would ask you, therefore, on reading the above, if you would seriously consider reviewing the licensing hours and hopefully in line with those of a public house as when Arroy was The Shepherd's Dog.

105, Shepherds Hill
Harold Wood
Romford
Essex
RM3 0NP

28th September 2022

The Licensing Officer
London Borough of Havering
The Town Hall
Romford, Essex

Dear Sir,

The Array Restaurant – Shepherds Hill, Harold Wood

We are writing to complain about the unsociable hours kept by the above establishment. We understand that they have a licence until 1.00 a.m. which means that customers are leaving their premises in the early hours of the morning and causing the neighbours disturbance and distress.

We think it is unreasonable to be woken up in the early hours of the morning with anti-social behaviour from people leaving the Array. They are calling out to one another, talking loudly, slamming car doors and beeping car horns. etc.

The parking is also creating a big problem as they park in front of our property, leaving just a narrow gap in which to turn into our driveway. Cars are also parked on both sides of the road which leaves only a narrow space for traffic to pass through on a busy road, which is very dangerous.

We cannot understand why a licence has been granted to The Array for such anti-social hours when it is situated in the centre of a residential area and should be grateful if you would investigate this for us.

Yours faithfully,

Robyn Pyle 

Mr. & Mrs. A.J. Pyle

Essex Borough of Havering
Town Hall
24 OCT 2022

98 Shepherds Hill
Harold Wood
Romford RM3 0NJ
17th Oct. 2022

RECEIVED
Dear Sir,

I have lived on Shepherds Hill for 66 years and have obviously seen many changes. Only once in that time has there been a problem with the then Shepherd + Dog when locals have had to involve local councillors and residents. The problem now is a completely different situation.

How did the new owner manage to get a licence to extend hours when we were in a period of "lock down" and residents knew nothing about it? The new owner had decided to extend the building on the side, at the back and in the front therefore reducing parking spaces. So now not only do we have cars parking over the "cross-overs" to our houses, we also have people shouting and hooting horns at 1.30 in the morning. I was recently woken at nearly 2.00 one morning and saw two drunken women staggering and shouting going up the hill in the middle of the road. Where their transport was I do not know.

I will be very interested to hear from you how the Array was able to extend their hours during this period.

As you will know this is a very rural area
with no commercial buildings but also it is
Green Belt and with "ribbon development" only,
I want to hear.

Mrs. J. L. Saville























ARRAY

arrayessex 15h

...



The Bayou vibe 🌴

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Havering
LONDON BOROUGH

Representation from
Responsible Authorities

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Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning an application for a review of a premises licence.

Premises Name and address: Licensing Act 2003 – Review of the premises licence for Array, 91 Shepherds Hill, Harold Wood, RM3 0NP

Your Name: Oisin Daly

Organisation name/name of body you represent: London Borough of Havering/Licensing

Your Address: C/O, Town Hall, Main Road, Romford, Essex, RM1 3BD

Email: Oisin.Daly@havering.gov.uk

Contact telephone number: 01708 433661

Summary of Objection: Representation based upon the licensing objective of public nuisance being undermined.

Policy Considerations

19. Dispersal policies

19.1 The Licensing Authority will normally require all licensed premises to be cleared of patrons within a reasonable period, usually 30 minutes, after the end of the time permitted for licensable activities. A dispersal policy is recommended for an application for a new late night premises licences or variation application but each application will be considered on its own merits.

19.2 The general principle will be that the carrying on of licensable activities at premises should cease some time before the end of the operational hours to allow for the premises to be cleared of patrons in a gradual and orderly manner. The Licensing Authority recognises that the time required for clearing premises of patrons will differ from business to business depending on the type of licensable activities provided and the nature of the clientele. It is for applicants themselves to judge what time scale is reasonable however, the Licensing Authority recommend that between 30 minutes and one hour would be sufficient for the majority of businesses. Operating schedules should detail the applicant's proposals for clearing the premises which could include arrangements such as:

- The provision of food
- Issuing customers leaving the premises with lollipops and boiled sweets
- The management of the lighting as well as the nature and tone of the music
- The balance between the continued sale of alcoholic drinks and the availability of non-alcoholic beverages
- Arrangements for accessing transport for customers
- Signage advising patrons to leave premises quietly

19.3 It is recognised that licensing law is not the primary mechanism for the general

control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.

Representation

I have considered the application and wish to make representations that the licensing objective of the prevention of public nuisance is being undermined.

I have, along with local authority and police colleagues, been present at meetings at the premises to discuss issues. One action outstanding from a meeting of the 20th July 2022 is a dispersal policy.

Having recently seen a video of a person dressed up as a large polar bear dancing along to music on Tuesday the 18th October at approx. 21:00hrs at the front of the premises it would appear that the management are not giving due consideration to local residents.

If I were a local resident with young children trying to get them to sleep for school the next day I can imagine that the nuisance caused would be infuriating. Residents have also attested to groups of individuals leaving the premises late at night, disturbing their sleep, to get to cars parked locally due to overspill from the car park.

Conclusion

Whatever the decision of the sub-committee, consideration may also be given to adding a condition which ensures that a bespoke dispersal policy to be implemented at the venue.

The car park does not seem to have capacity for the amount of patrons at the premises. The committee may wish to consider implementing a capacity limit on the premises for patrons and staff, this could be based on the car park capacity. Ensuring that there was adequate parking could reduce the impact of patrons parking in adjoining roads and disturbing neighbours.

Complaint and Inspection History (if applicable)

See Agenda Pack

Other documents attached

Signed

Oisín Daly

Dated: Friday 21st October 2022

Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning an application for a review of a premises licence.

Premises Name and address: Licensing Act 2003 – Review of the premises licence for Array, 91 Shepherds Hill, Harold Wood, RM3 0NP

Your Name: David Dovey

Organisation name/name of body you represent: London Borough of Havering/Licensing

Your Address: C/O, Town Hall, Main Road, Romford, Essex, RM1 3BD

Email: david.dovey@havering.gov.uk

Contact telephone number: 01708 433951

Summary of Objection: Representation based upon the licensing objective of public safety being undermined.

Policy Considerations

18. Smoking, Drinking and eating outside

18.1 The Licensing Authority recognises that where gardens and tables and chairs are provided for smoking, eating and drinking outside, users can cause nuisance.

18.2 Where smoking, eating and drinking take place outside, the Licensing Authority expects applicants to provide comprehensive details in their operating schedule on:

- The location of outside areas to be available for use
- How the outside areas will be managed to prevent noise, smell and pavement Obstructions

18.3 The provision of tables and chairs outside the premises, either on the highway or private land, and the provision of beer gardens, can enhance the attractiveness of the venue. It can have the benefit of encouraging a continental style café culture and family friendly venues. However, late at night, tables and chairs and beer gardens can cause significant public nuisance to residents whose homes overlook these areas.

Representation

I have considered the application and wish to make representations that the licensing objective of public safety is being undermined.

I have, attended several meetings along with other local authority officers from other departments and police colleagues, at the premises to discuss complaints regarding ongoing concerns of the operation of the Shisha venue.

The general public are invited to consume shisha along with food and drink. This structure is fully enclosed and does not comply with the Health Act 2006 section 2 (4) which states that premises are smoke-free only in those areas which are enclosed or substantially enclosed. The venue is enclosed because 50 percent of the structure is not permanently open. Openable windows and roofs are not taken into consideration as directed in the Act.

The general public and staff are therefore exposed to second hand smoke which is detrimental to health.

The management have been told in writing to open the structure to comply with the 50 percent rule. They did comply by removing the glass partitions but on a recent visit it has been reinstated. Therefore no longer complies with the Health Act 2006. Once the venue is compliant there will also be a considerable increase in noise, smoke, and smell nuisance.

I am working with the planning enforcement team to address the ongoing concerns with shisha at this premises. This is still ongoing.

Conclusion

Whatever the decision of the sub-committee, the health and safety team within Public Protection will continue to enforce compliance with the Health Act 2006.

Complaint and Inspection History (if applicable)

18th February 2022- complaint from a member of the public

20th February 2022- complaint from a councillor

Onsite meetings on 23rd February 2022, 19th April 2022, 27th June 2022, 20th July 2022, 8th August 2022, 27th September 2022, 21st October 2022.

Written warnings issued on 16th March 2022 and 22nd June 2022.

Other documents attached

Signed

David Dovey

Dated: Friday 1st November 2022

From: Mike Richardson <[REDACTED]>
Sent: 04 November 2022 09:52
To: Licensing <Licensing@havering.gov.uk>
Subject: Array Licence Review

Hi Licensing

Please find attached my representation regarding the prevention of a public nuisance from Array Essex, Shepherds Hill, Romford, and the appropriate supporting documentation, marked MR1

I have also attached a couple of suggested conditions to this email (as well as those within my reps), which may be of benefit, but appreciate that these may also be raised by other responsible authorities who may make representations about the current licence. As such, I've included them in this email, rather than in my official representation, but if appropriate, they can be made available to Members.

A complaints book or electronic record will be held on the premises to record details of any complaints regarding amplified music, or other issues raised by local residents. The information is to include, where disclosed, the complainants name, location, date and time and subsequent remedial action taken. This record must be kept for a minimum of 3 months and be made available at all times upon request for inspection by the Licensing Authority and the Metropolitan Police.

Reason: To ensure that the premises licence holder, DPS or other responsible party record and appropriately act on complaints regarding a public nuisance.

The designated premises supervisor (or representative) shall monitor activities in the car park/near vicinity to ensure that customers leave the premises and area quietly. If customers are unreasonable in their actions, the designated premises supervisor (or representative) shall intervene in the most appropriate manner, in order to control the situation. A written record of such interventions shall be kept for a minimum of 3 months, detailing such interventions and persons involved, and must be made available at all times upon request for inspection by the Licensing Authority and the Metropolitan Police.

Reason: To control the level of disturbance from the car park serving the premises and customers leaving the premises in order to prevent public nuisance.

Regards

Mike

Mike Richardson
Senior Public Protection Officer
Environmental Health

Town Hall Main Road, Romford
RM1 3BB

t 01708 [REDACTED]

e [REDACTED]

Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning an application for a review of a premises licence.

Premises Name and address: Licensing Act 2003 – Review of the premises licence for Array, 91 Shepherds Hill, Harold Wood, RM3 0NP

Your Name: Michael Richardson

Organisation name/name of body you represent: London Borough of Havering/Environmental Protection

Your Address: C/O, Town Hall, Main Road, Romford, Essex, RM1 3BD

Email: Mike.Richardson@havering.gov.uk

Contact telephone number: 01708 433661

Summary of Objection: Representation based upon the licensing objective of public nuisance being undermined.

Policy Considerations

12. Licensing Hours

12.1 When dealing with new and variation applications the Licensing Authority may give more favourable consideration to applications with the following closing times:

Public Houses and Bars 23:00 hours Sunday to Thursday Midnight Friday and Saturday

Nightclubs 01:00 hours Sunday to Thursday 02:00 hours Friday and Saturday

Restaurants and Cafes 23:00 hours Sunday to Thursday Midnight- Friday and Saturday

Off licences 23:00 Monday to Sundays

Hot food and drink supplied by takeaways, fast food premises Midnight- Sunday to Thursdays 01:00 Friday and Saturday

Hotel residents only 24 hours sale of alcohol for on sales only

12.2 Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas

17. Noise

17.1 The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will request appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

17.2 The Licensing Authority will seek to balance the protection of residents from undue disturbance against noise and the activity that is the natural by-product of people going about their business, entertainment or leisure.

17.3 The Licensing Authority expects that premises intended for the provision of noise-generating licensable activities are acoustically controlled and engineered to a degree where the noise from the premises when compared to the ambient noise level will not cause undue disturbance. The Licensing Authority recognises specific difficulties associated with premises structurally linked to would be licensed premises and the limit of sound insulation performance that can be achieved. In some circumstances licensed premises adjoining residential properties may not be appropriate.

Representation

I have considered the application and wish to make representations that the licensing objective of the prevention of public nuisance is being undermined.

The Council's Environmental Protection Team have been investigating allegations of noise nuisance from the premises since it opened in August 2021. I have received a number of emails and complaints from residents regarding the premises, alleging issues with parking, noise from vehicles as they leave the venue, noise from customers as they leave the venue/wait for taxis, as well as noise from the venue itself, from both customer noise and music.

As a result of these complaints, monitoring has been carried out regarding the premises on at least 13 occasions since February 2022. Evidence submitted by the residents has also been reviewed, and monitoring using our recording equipment was carried out over the weekend of 21-24 October 2022. Full summaries of this monitoring, and key milestones within the investigation can be found in the attached documentation, marked MR/1.

In summary, music from the front of the venue was not considered to be causing a public nuisance, except on a couple of occasions in the summer when the front door of the venue was observed to be propped open, allowing the music to escape. However, frequently on the monitoring visits, music from the rear of the

venue (known as Bayou) has been witnessed both within the neighbouring residential properties (including gardens) and also on the access track by the side of the venue, which is adjacent to neighbouring residential properties. The level of music, whilst not excessive, would affect the behaviour of these occupiers, who would not wish to listen to the music into the early hours of the morning, and therefore have to modify their lifestyles to reduce the impact of the venue on the enjoyment of their premises.

Similarly, in these neighbouring residential areas, customer noise has been clearly audible, although to varying degrees of disturbance.

Monitoring is continuing to establish if the level of music from the venue, and in particular the Bayou area, amounts to a statutory nuisance. If Officers consider that a nuisance is occurring, or is likely to occur, the Council is obliged to serve an abatement notice.

Particular concern is made regarding the terminal hour of the music in the Bayou, where music was audible within neighbouring bedrooms into the early hours. During the recent monitoring exercise, amplified music was recorded after 23.00 hours on Friday 21 October (until about 01.00 hours the following morning); after 23.00 hours on Saturday 22 October (continuing to at least 00.34 hours the following morning). Music was also recorded between about 20.00-22.30 hours on Sunday 23 October 2022.

During these recordings, a number of car horns were also heard between 22.07-22.08 hours on 21 October 2022.

I am concerned regarding the music within the rear of the venue/Bayou area, that this continues into the early hours of the morning, as well as being played whenever the venue is open, which causes a public nuisance to neighbouring noise sensitive premises. Neighbours are unable to have reasonable use of their property, without being irritated by the music on a regular basis, which is exacerbated into the early hours of the morning at the weekend, delaying them from going to bed at a time that they may wish.

As such, the use of the rear of the premises, which is "open to the air", with an acoustically poor structure into the early hours of the morning is unreasonable. It is likely to prevent neighbours from having their windows open in the summer for ventilation, delaying sleep, and also being audible whenever they use their external amenity spaces, causing annoyance and distress to these residents.

As the Bayou is currently used as a Shisha Lounge, the structure needs to be "open to the air", and therefore the sound from both customers and the music in this area cannot be adequately contained by the fabric of the building. This is unlike the bar area at the front of the premises, which has good sound insulation, minimising noise breakout.

It should also be noted that complaints of maintenance works have also been received, which were first raised with the venue at the site meeting on 20 July

2022, but further works were carried out during the early hours of 11/12 August 2022.

As a result, a Community Protection Warning (CPW) was served on CetGul Ltd, on 12 August 2022, requiring them to carry out any maintenance and audible cleaning works within the prescribed hours of 08.00-18.00 Monday-Friday, 08.00-13.00 hours on Saturday, and no noisy works on Sundays or Public/Bank Holidays. Since the service of the CPW, the venue has complied with these requirements.

Conclusion

Whatever the decision of the sub-committee, consideration may also be given to adding conditions which requires that the music in the Bayou/external areas of the premises is turned off at a set time and/or is regularly monitored to ensure that it does not cause a public nuisance to neighbouring residential properties. This will ensure that local residents are not unduly affected by the music from the venue. The DPS or representative can ensure that this is complied with by regular patrols of this area, and if the music is audible at the boundary of noise sensitive premises, the music level is reduced so as to be inaudible, particularly considering the residential character of the area.

However, this consideration does not address the issue of customer noise in the Bayou/external areas to the rear of the premises, which could be conditioned to ensure that it is closed to customers after a set time.

If the current hours of the premises are not modified, I would recommend the following conditions are added to the operating schedule, to prevent a public nuisance occurring from the premises:

No amplified sound or other music shall be played via external speakers, or within the part of the premises currently known as the “Bayou” after 23.00 hours.

Reason: To ensure that any music and amplified sound from the licensed premises does not cause a public nuisance.

The Premises Supervisor (or representative) shall actively monitor the volume of music emanating from the premises and adjust the volume to ensure that any amplified sound or other music from the licensed premises does not cause a public nuisance.

Records of monitoring, and action taken, shall be kept for a minimum of 3 months upon the premises, and made available for inspection by the Licensing Authority immediately upon request.

Reason: To ensure that any music and amplified sound from the licensed premises does not cause a public nuisance.

Advice:

Adjusting the volume of music to a level that is inaudible at any properties where the occupiers are likely to be sensitive to noise is a tighter restriction than required to prevent public nuisance. However, any music that is audible at this point has the potential to cause annoyance and lead to public nuisance, especially late at night, even at a very low volume.

The advice on inaudibility at the boundary of neighbouring noise sensitive premises has been provided to try and reduce any ambiguity in the condition, and provides the Premises Supervisor with a clear benchmark for compliance.

In practical terms, it is possible that the music can be audible beyond this point and this condition still complied with, however the Premises Supervisor would be at risk of causing a public nuisance depending on the circumstances at that time.

Doors and windows to the premises shall remain closed (save for entrance and egress) at all times when regulated entertainment is occurring.

A self-closing device will be fitted and used at all times on all doors leading to the external areas of the premises.

Reason: To ensure that any music and amplified sound from the licensed premises does not cause a public nuisance.

Complaint and Inspection History (if applicable)

See MR/1

Other documents attached: None

Signed



Michael Richardson, Senior Public Protection Officer

Dated: 2 November 2022

MR1

A brief outline of the visits, evidence provided by residents and monitoring by the EPU's investigation into these complaints are as follows:

Date of complaint/visit	Complaint	Outcome
04/02/22	Issue with live band on Weds 2 Feb – possible opening event for Bayou Lounge	Contacted venue – and discussed issue on 07/02/22. Venue apologised for disturbance, admitting that the music was “probably a bit loud”. Advised that they had spoken to neighbours and apologised directly to them.
07/02/22	Video of congestion and horns beeping on Shepherds Hill at about 23.58hrs on 05/02/22.	Police matter due to being an issue with traffic.
23/02/22	Site visit with licencing, venue and their licencing advisor. (MR)	Advice given. Noise limiter in place within venue, but not set by LA. Not sure if this covers the Shisha part (probably where worse breakout is) – Venue will arrange for noise limiter to be set with LA's input. Noise from within the venue is likely to be contained due to solid structure of building.
26/02/22	Visit to neighbouring property. 22.30-23.20. (MR)	Approx 11 Vehicles parked along Shepherds Hill. Noise from generator on carpark, due to power issues at the restaurant. Music from front of premises, not audible. However, to the rear, was clearly audible in garden area of property. With doors and windows closed, not audible. Could be worse in summer months when windows open for ventilation. As leaving area, some noise from customers leaving (saying bye, etc) and also loud exhausts from car as leaving car park.
04/03/22	Street site visit 22.00-22.30 (GW)	Walked on the opposite side of the road past the premises on a couple of occasions. Low level music was audible from the western side of the premises (from Bayou). Stood three houses away and could hear the bass element of the music, though not a SN,

		<p>but had the potential to cause annoyance to residents in nearest residential dwellings.</p> <p>Full car park, 2 people standing outside having a normal conversation.</p> <p>Temp traffic lights in place, causing stationary vehicles may have increased the background noise level or masked the noise the restaurant on the night.</p>
11/03/22	Street visit @ about 22.30 hours (GW)	<p>From the street, low level bass beat emanating from the premises witnessed. Wet evening and the premises car park was not full like previous week. Did not seem as busy. No other noise from the external areas. No unreasonable behaviour witnessed.</p>
29/03/22	Discussions with licencing advisor re noise limiter – will be getting a consultant to review the provision. (MR)	<p>Await response (chasing email sent 08/06/22) – certificate of calibration recd later that day, but dated 22/04/2018 (presumably a typo). Still not done in agreement with LA.</p>
02/04/22	Street site visit 23.35-23.45 (MR)	<p>No noise witnessed from front of venue. No sig issues with traffic. 8 cars parked along Shephards Hill (including 1 in the bus stop outside the venue). In Philida Rd, 3 cars parked. 1 departed whilst on site, witnessed a female come from the venue, and then get in the car). No ASB issues witnessed.</p> <p>Along access road adj to venue - music audible from Bayou Lounge. Did look like the roof of the venue was closed though, and rear windows/doors were also shut.</p>
30/04/22	Street visit 23.00-23.05 (MR)	<p>No issues re music. Approx 12 cars parked along Shepherds Hill, and 14 down Phillida Road - some double parked. (Photos also provided by resident during following week)</p>
02/06/22	Street visit@ 21.00. (GW)	<p>Stood at the bus stop directly outside the premises. Music emanating from the premises was barely audible. Patrons were just arriving and car park was nearly full. Just one car parked in the main road. No unreasonable behaviour witnessed.</p>

18/06/22	Video recd re cars revving along Shepherds Hill late at night	Police matter for unreasonable activities (Poss S59 action)
24/06/22	Site visit 22.45-23.30. Didn't enter property due to not completing Covid RA (GP)	<p>11 cars parked on Shepherds Hill, turning the road into a single lane at points. No cars blocking driveways. Two instances of horns from cars driving past.</p> <p>Spoke to residents, who indicated that this evening was unusually quiet compared to most weekends.</p> <p>Couldn't park at Phillida Road as there were no spaces without parking on double yellow lines or blocking the road and or residential drives.</p> <p>Music not significant.</p>
02/07/22	Site visit between 14.00-15.00hrs – due to intelligence re brunches to be held at Array (GP)	<p>Music audible approx. 72 meters away from venue, predominantly bass beat. Noted that the front doors were propped open.</p> <p>No cars parked on the road of Shepherds Hill and no activity outside the Array.</p> <p>One resident advised me they had recently moved in, and the evening hours during the weekends are the most disturbing during the closing period. Customers play music from their cars and have loud exhausts when driving away. Conversation is clearly audible to the point that what is being said is understood. On occasions he has collected broken glass from the front of his property.</p> <p>At approx. 14:22 observed a loud exhaust from a customer or staff member leaving the premises and the same when they returned approx. 20 minutes later.</p> <p>Front doors closed of venue was then closed, and noise level reduced considerably.</p>

		No activity from the back/Bayou area of the premises witnessed.
09/07/22	Report of "brawl" at premises at about 01.15 hrs. With accompanying video via Cllr	Reviewed video – noise from argument clearly audible, with raised voices
16/07/22	Street site visit between 23.00-00.00 hrs (GP)	<p>Sound of entertainment from the Array was contained, windows/doors closed. Bass beat from front of property could be heard, but not sufficient to amount to a stat nuisance. Maybe internal door left open?</p> <p>7 parked cars on the road of Shepherds Hill created a single lane road at points. No driveways appeared to be blocked.</p> <p>Two instances of cars leaving venue with loud exhausts and backfire which may of disturbed residents at 23:20 & 23:27.</p> <p>Car alarm at the rear car park at about 23:15 for aprox 30 sec.</p> <p>Group of female customers leaving at 23:53 were having a loud and audible conversation about travelling home and laughing. A bouncer approached and requested that they leave quietly so local residents are not disturbed.</p>
20/07/22	Site meeting with licencing, Food/H&S, police licencing officer and reps from venue (including licencing rep) (MR)	<p>Discussed music witnessed on 02/07/22 and 16/07/22, where front/internal doors were left open. Agreed this should not be occurring (have aircon). Will ensure that door staff keep an eye on this.</p> <p>Brawl on 9/7/22 - argument between a male and female, security split them up and dealt with it without needing to call the police.</p> <p>Discussed the ongoing issues with the parking/traffic/cars/etc. David Dadds has written a dispersal policy, and will forward it onto</p>

		<p>OD.</p> <p>If particular noisy cars are an issue - Mr Dadds advised if aware of time/date they can check the CCTV, and then not accept any bookings from that person again.</p> <p>The bar area is only for diners, and they are now turning customers away due to popularity.</p> <p>Building work last night (reported via residents) - this was to remove the glass panels of the Shisha bar to comply with smoke free legislation. Advised they shouldn't be doing this at midnight.</p> <p>Advised venue to monitor on the boundary for music (which they say they do) and also log it on daily log to demonstrate what action (if necessary) was taken.</p>
23/07/22	Street visit between 22.50 -23.05 hrs. (MR)	<p>Approx 20 cars parked along Shepherds Hill - only 1 parking over a dropped kerb (slightly) but not obstructing entrance or exit.</p> <p>7 cars on Philida Rd - 1 van was ticketed as parked on kerb.</p> <p>Music from venue audible, particularly along track adj to property (from Bayou) could clearly hear the bass beat and some lyrics, but not wholly convinced causing a stat nuisance as not in comp property.</p> <p>Could smell the shisha, and appeared that the windows had been replaced to the rear of Bayou.</p>
30/07/22	Street visit at about 23.25hrs. (GP)	<p>15 parked cars on Shepherds Hill turning the road into a single lane at points. No obvious signs of obstruction of driveways.</p> <p>Music contained within the Array, windows and doors were closed at the front. Could not detect smoke from the Shisha lounge.</p>

		Observed from the side/rear of the premises and could not see any activity in this area.
06/08/22	Street visit at about 22.45 hrs (GP)	Witnessed smoke from the right side of venue (viewing from street) of the premises, white in colour. Three cars on the road, no driveways blocked. No issued of noise from the premises, windows and doors closed. Noticed a PCN issued on a black BMW parked on the pavement.
06/08/22	Video recd re argument outside venue – at about 23.23 hrs	Can hear people shouting/arguing as well as horns beeping. Appears that security got involved.
09/08/22	Video recd re incident in car park in early hours of 09/08/22	Can hear people shouting in the front carpark, and one female voice in particular shouting “Hey, Hey, Hey” in a repetitive manner for at least 5 seconds, and other shouting audible including “are you ready”.
11/08/22	Report of cleaning kitchen tools and filters in car park at about midnight	Community Protection Warning served on venue re maintenance works occurring outside of Council’s recommended hours.
13/08/22	Video recd re music in Bayou @ 23.45	Music audible and also customer noise
25/08/22	Street visit at about 21.30 re other issues (GP)	5 cars parked on Shepherds Hill, but not causing sig issues. No issues with noise witnessed.
04/09/22	Video recd re music in Bayou @ 23.43	Music audible and also particularly loud customer laughing
20/09/22	Video of music and customer noise on 20/09/22 at about 16.16	Music very clear, and also could clearly hear customers cheering and shouting. Possible issue, as seems louder than previous evidence.
25/09/22	Video of noise from live singer at 20.25 on 25/09/22	Can clearly hear female singer singing Maroon 5’s “This Love”.
02/10/22	Videos of music/people noise at 23.05, 23.50 on 01/10/22 and at 01.13 on 02/10/22	Music audible in earlier recordings. Can also hear people noise from customers. At 01.13, music had stopped, but people noise still audible.
08/10/22	Site visit to neighbour at about 22.05 hrs (GP)	7 cars parked cars on Phillida Road. Spoke to resident of Phillida road who

		<p>advised these cars did not belong to the residents. Residents have begun parking across their own drives to prevent from being blocked in during the evening.</p> <p>Walked up Shepherds hill and counted 44 cars parked on the road turning the road into a single lane. 4 cars parked across driveways. During this time 5 different residents spoke to officer to voice their upset.</p> <p>Entered neighbouring property at about 22.30hrs. Listened to music in the garden - music was clearly audible. Complainant advised it was also noise from customers and vehicle exhausts that were disturbances.</p> <p>In the master bedroom, with the windows closed the music from "Bayou" could be heard, but resident said this was lower than normal.</p>
17/10/22	Video received re event in front carpark (21.10 hrs)	Reviewed video – music clearly audible, and some event occurring in front car park – appears to be a person in a polar bear or similar costume, (eg mascot) with music. Can also hear people noise. Music appears loud, and unreasonable.
21/10/22	Installed monitoring equipment for weekend (MR)	<p>Reviewed 31/10/22 – music from venue clearly audible until about 01.00 hours on Friday night/Sat morning, as well as until about 00.30 hours Sat/Sunday and until about 22.30 hrs on Sunday.</p> <p>Whilst the levels were not excruciatingly loud, clearly audible (with window open), and would impact the use of this room. Require further visits by officer to determine if stat nuisance occurring.</p> <p>Resident confirmed that the music was coming from the Bayou area.</p>

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Licensing Authority
London Borough of Havering

PC Chris Stockman
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Wednesday 03/11/2022

Police Representation - Application to Review the Premises Licence for Array 91 Shepherds Hill, Romford, RM3 0NP

Dear Licensing Authority

I acknowledge receipt of an application to review a premises licence, under section 51 of the Licensing Act 2003. The premises concerned is Array 91 Shepherds Hill, Romford RM3 0NP.

On behalf of the Commissioner of Police of the Metropolis, I have considered this application and wish to make the following representation in support of the review.

Array promotes itself as a "Flashy operation offering international dishes, plus DJ's live acts and a jungle themed cocktail bar". Shisha is also provided.

The premises is located in a densely populated residential area of Harold Wood and has bus stops outside it which serve the 347 bus route which travels to Romford, Upminster and Ockendon. There aren't any shops in the street that would bring people to the location.

The venue is permitted to carry out the following Licensable activities: Supply of Alcohol, Regulated Entertainment and Late Night Refreshments and operates between the following hours:-

Opening Hours

Sunday to Wednesday - 08:00 to 00:30
Thursday to Saturday - 08:00 to 01:30

Regulated Entertainment and the Supply of Alcohol

Sunday to Wednesday - 08:00 to 00:00
Thursday to Saturday - 08:00 to 01:00

Late Night Refreshment

Sunday to Wednesday - 23:00 to 00:00
Thursday to Saturday - 23:00 to 01:00

I have completed checks on police indices and found the following calls to police within the last year.

CAD 7360 on Wednesday 2nd Feb 2022 - 2057 hours

Caller stated the pub does not have a license to have outside music. They have music blaring outside in garden area.

CAD 328 on Saturday 05th Feb 2022 - 0046 hours

Informant stated someone was in his garden and heard someone calling out "hello" and appeared people were looking for him. Informant stated the male jumped over the fence and heard him say something about Joe and that there were a few people looking for him. Police attended and spoke to the male who stated there had been a form of argument/heated discussion at Array down the road and the male thought he was going to get beaten up so ran off into a field and climbed a fence to get away from them.

CAD 394 on Saturday 05th Feb 2022 - 0055 hours

Informant rang and stated there was a male in their back garden who stated someone was after him.

CAD 529 on Saturday 05th Feb 2022 - 0120 hours

Caller asking how long police will be re CAD 328/05FEB22. Informant stated a male had been attacked and his clothes were all ripped.

CAD 500 Wednesday 8th June 2022 - 0206 hours

Caller stating four 4 people were fighting informant and her friend. Police attended the venue and males were trespassing and were asked to leave by the venue. There was a verbal disagreement nothing further.

CAD 8019 on Friday 05th Aug 2022 - 2137 hours

Caller stated people were trying to park on his drive and on the grass from the Shepherd and Dog pub and were harassed. Stated there was a death on the road today and 12 cars were parked blocking access and informant stated this was a regular occurrence. Informant stated this wasn't near the vigil and was to do with customers of Array causing a nuisance.

CAD 5013 on Sunday 09th Oct 2022 - 1655 hours

Caller stated a few males in fast vehicles were racing up and down the road and were coming and going from the restaurant. No registration numbers were obtained of the vehicles involved. Informant described some of the vehicles as expensive and one was black. Also stated the speed they were traveling could cause someone to be killed as this was a residential area.

CAD 5018 on Sunday 09th Oct 2022 - 1656 hours

Caller stating powerful cars were racing up and down the hill and was like a race track. The vehicles included Lamborghinis and some of the vehicles were very small and going too fast. They had been doing this for the past 2-3 hours. Caller stated the vehicles park in Array.

On Wednesday the 20th July 2022, I attended a meeting held at Array. The Local Authority arranged this due to numerous complaints from residents. Present at the meeting were representatives from Public Protection, David Dadds, the father of the owner whose name I can't recall and the Designated Premises Supervisor (DPS) Mr Bilal Nadir Gul.

The venue were advised at the meeting that numerous complaints had been received from residents in the area including customers parking vehicles in an inconsiderate manner around Phillida Road and excessive noise from the venue. David Dadds stated he would attend and see for himself the situation around the parking of vehicles. Those at the meeting were also advised by the venue that they would look into placing a parking marshall at the junction of Phillida Road and Shepherds Hill to prevent inconsiderate parking by Array customers.

David Dadds stated a dispersal policy for the venue would be written up to assist the venue in the dispersal of customers from the venue. To date I have not seen that policy and I am aware the local authority emailed David Dadds company on at least two occasions. We were assured at this meeting that one would be written up.

The venue also confirmed that all windows and doors to the venue would be kept shut to prevent noise emanating from the venue and stated the windows to the front of the venue were noise cancelling and installed to prevent noise from escaping.

On Thursday 6th October 2022, I met two residents of Phillida Road at Romford Police Station to discuss their concerns around Array. During the meeting I was shown a photograph of what appeared to be two vehicles parked in the street with a female squatting down in front of each front grille of the vehicles and urinating on the road. This photograph has been provided to me. I was also made aware that numerous residents had written letters detailing their experiences of inconsiderate and/or illegal parking and anti-social behaviour including shouting, screaming and music being loudly played from vehicles parked up. A selection of those letters have been given to me.

On Friday 21st October 2022 at around 2230 hours, I attended the venue along with a licensing colleague to observe the issues around anti-social behaviour and parking. There were a number of cars parked in Phillida Road that were parked with two wheels up on the kerb. I did see a number of Havering Council parking enforcement people in Shepherds Hill issuing tickets to vehicles.

I visited the venue and spoke to the DPS Mr Gul and the same male who was at the meeting on the 20th July whose name I can't recall. They were aware of the application to review the venues premises licence and Mr Gul stated he agreed with some of the issues raised, but disputed others. Mr Gul advised me the venue had implemented changes to the business including booking UBER taxis for customers that resided nearby and were advising customers at the point of phone bookings to consider taking public transport or taxis to the venue and if driving to park considerately.

I asked Mr Gul what the situation was with regards to placing a parking marshall at the junction with Phillida Road and Shepherds Hill and whether that occurred as discussed at the meeting on the 20th July. I was advised it was still being looking into and risk assessed as they weren't certain whether it would require two people or one. I did advise Mr Gul that it had been almost three months since the meeting which should have been enough time to look into the implementation of a parking marshall.

In conclusion, the Police at this time do not have confidence that the venue are able to uphold the licensing objective around preventing public nuisance and support this application to review.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Stockman'. The signature is written in a cursive style with a large initial 'C'.

PC Chris Stockman - East Area Licensing Team

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