

Dominick Lavin

[REDACTED],

[REDACTED]

Upminster,

Essex,

RM14 2SU

24 May 2021.

Objection to: **The Station Pantry, 61 Station Road, Upminster RM14 2SU
- Premises licence application**

Dear Sirs,

I am writing to submit a formal objection to the above request to vary the terms of the Premises Licence at the above business.

I am a resident of [REDACTED] Alder Court which overlooks the outside terrace area at the back of the premises and am objecting based on the following considerations.

- 1) I have made calls to the Council previously, Re; noise and overcrowding occurrences that happened in the last 12 months at the Premises noted above. One particular Saturday 22-08-20, I contacted the Council several times to report noise which was aggressively noisy, but nobody was available from the Council noise disturbance department to attend the noise pollution issue. But subsequently the Police did attend and close the Premises that day, for breaking the Covid rules and overcrowding. Which in my opinion is that the current stated terms of the license are not being met and previous consultations with the council have advised residents that, due to the size of the premises, objections cannot be considered under the license and all complaints need to go through the Noise Disturbance part of the council.
- 2) The current terms of the license state that
'The front and back terrace shall be closed to the public at 22:00 except for use by smokers after those times on the front terrace. At the closing time of the terrace customers shall be requested to go inside the premises. Customers shall not be allowed onto the back terrace after the terrace closing times except for use of the fire

exit’ - This is not currently being adhered to on the back terrace with noise from the back terrace until after 11pm in the evenings at weekends which cause residents disturbance & lack of ability to sleep even with windows closed

- 3) The current terms of the license state that
‘No music or other regulated entertainment may be provided on the terraces outside’
– Music is played on the back terrace every Friday & Saturday night at a volume that can be heard from residents premises with windows closed and therefore prevents sleep.
There have also been frequent occasions where a DJ has been hired to play very loud music for parties and also a saxophone player – Video evidence of this is available. On these occasions the noise is so loud residents have had to leave their homes.
There were at least 4 events of this nature in the summer of 2020 when COVID-19 restrictions did not allow loud music in hospitality venues to prevent people shouting or singing – these regulations were ignored. I have been advised by a neighbour that the police attended one of these events and shut it down although I did not witness this myself as I had left my premises due to the noise.**
- 4) The current terms of the licence state that ‘No amplified music may be played in the premises unless played through a noise limiter set and sealed by the Environmental Health officers’ - Prior to Covid 19, the volume of private parties inside the premises were at a level that they could be heard from residents flats and therefore I do not believe that these noise limiters were being used. The back door to the Terrace was also frequently opened during these parties, some of which finished at 1am, and this then disturbed the residents every time the door was opened and prevented sleep. I am unaware whether the door was opened to allow smokers to come outside or for management to access storage facilities outside on the outside terrace.**
- 5) With regards to the extended licensing until midnight – If the business continues to disturb the residents in the points mentioned above, then this will make the lateness of the disturbance even greater.**
- 6) With a 00.30 opening hours on Friday and Saturdays again this make the disturbance even greater – Once the business closes the noise from the clearing up from the night activities will continue to later in the night.**
- 7) The Amendments requested ‘Alcohol may only be supplied to customers seated at a table and service shall be by waiting staff only except at pre-booked private functions when the premises are not open to the general public during which guests may be permitted to stand to drink alcohol and service by waiting staff will not be required & Customers shall not be permitted to either order or drink alcohol at the counter except at pre-booked private functions when the premises are not open to the general public during which guests may be allowed to order drinks at the counter and to drink alcohol while standing at the counter. – These amendments requested clearly imply that the business is looking to change their model to a ‘Bar’ from restaurant that**

serves alcohol at tables – with the points outlined above and the disruption and distress the business is already causing to residents, I believe the effect on our well-being in our homes needs to be taken more seriously by the council.

- 8) A request to open a mobile bar on the terrace – This will only increase the use of the terrace area and the volume created by attendees when they are drinking alcohol.
- 9) The terrace area of this business is used by customers during all day time hours on any day the business is open (currently 6 per week) - I do not object to the day time clients as they tend to be of little disturbance due to no music played and lack of alcohol consumption – But this business creates noise for residents in our block for over 12 hours a day on certain days and I believe the council has a duty to protect the owners of the flats from this endless disturbance and support us in our rights to live in peace.

When our flats were built in 2007 this business was a gallery & art shop and had no licence of any sort. Over the last 10 years the licence has been frequently changed by the council and the terms of the licence appear to be unenforceable which leads to the owners of the business apparently being able to do whatever they want with little or no regard to the implications to the residents who overlook their outside terrace and are impacted by events inside the venue when the doors are open.

The council has also recently granted planning permission to build a 3 storey block of flats (67C Station Road, RM14 2SU) – These proposed changes will also impact the future residents of these new flats and this needs to be considered – these premises are directly next to the terrace area as are the flats at Alder Court where I live.

Please note the three impacted residents of Alder Court are in the process of submitting noise objections to the relevant Havering Council department due to the ongoing issues listed above – these will be submitted before the decision date 4th June 2021.

To summarise, I am objecting on the basis the previous licence conditions are ignored by the business owners and therefore no further extensions should be allowed. The noise complaints are pending from residents due to the disruption, stress & sleep disturbance they are causing.

Please note these objections relate to trading under normal conditions as the pandemic restrictions begin to end – I understand and accept the need for more outdoor usage during restrictions when the business cannot trade indoors.

If you require any further information then please contact me via email at

[REDACTED]

I look forward to your response.

Kind regards,

Dominick Lavin