

From: [Mike Richardson](#)
To: [Brown Winston](#); [Oisin Daly](#)
Cc: [Licensing](#)
Subject: FW: FW: SRU137609 - Shelly's Bar, 72 Station Lane, Hornchurch
Date: 11 May 2022 10:06:12
Attachments: [image003.png](#)
[image001.png](#)

Dear Mr Brown

Thank you for confirming the acceptance of the additional condition to the operating schedule, and as such my representations are withdrawn.

Oisin – please can you add the following agreed condition (see email chain for conversation) in order to prevent a public nuisance:

The outdoor area of the venue is to be closed from midnight every day. No drinks are to be taken outside the building after this time. After this time, customers will be allowed outside this area to smoke or to leave the premises.

Reason: To prevent a public nuisance

As such, my representations will be withdrawn.

Regards

Mike

Mike Richardson
Senior Public Protection Officer
Environmental Health
Town Hall Main Road, Romford
RM1 3BB
t 01708 433968
e mike.richardson@havering.gov.uk

text relay 18001 01708 433968

From: Brown Winston <winston.brown@brownandcosolicitors.co.uk>
Sent: 10 May 2022 12:57
To: Mike Richardson <Mike.Richardson@havering.gov.uk>
Cc: Oisin Daly <Oisin.Daly@havering.gov.uk>
Subject: RE: FW: SRU137609 - Shelly's Bar, 72 Station Lane, Hornchurch

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Your comments below are noted. Thank you for your amended condition. I confirm that my client has considered it and agrees to the following condition:

The outdoor area of the venue is to be closed from midnight every day. No drinks are to be taken outside the building after this time. After this time, customers will be allowed outside this area to smoke or to leave the premises.

Please confirm you will now withdraw your objection thanks

Winston Brown
Solicitor



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On 10/05/2022 09:48 Mike Richardson <mike.richardson@havering.gov.uk> wrote:

Dear Mr Brown

Thank you for your email, and your comments which have been noted.

I acknowledge that over the last few months, the events benefiting from Temporary Event Notices have not attracted any noise reports to the Public Protection Unit at the Council. However it should be noted that these have been Temporary Event Notices, and not a permanent variation to the licence, and therefore may be considered as isolated incidents, particularly where they may not have been running on concurrent weekends.

As you are aware, Shelly's bar is within the Cumulative Impact Zone (CIZ) for Hornchurch (as detailed in Havering's Licencing Policy), and therefore the application needs to be considered at a greater depth, and the impact of the extended hours needs to be considered to ensure that they do not give rise to an increase in issues for the locality.

I understand that Miss Vickers has a good relationship with the Council's licencing team, but I also hope that you can appreciate that it is my role to prevent a public nuisance from occurring, and assess if there is likely to be an impact on the local area from any licensable activities (particularly when considering the Hornchurch CIZ). Hence my comments have been made to mitigate this possibility should the premises licence be granted to extend the licence until 02.00 hours (02.30 hours opening time).

Regarding your comments about other local venues, I have looked at their licences, and can comment as follows:

- 1) Fatling – Outside servery closed after 23.00 (licensable activities cease at midnight Fri – Sunday)
- 2) Frankies – licensable activities finish @ 01.00 @ weekend. External seating area cleared by midnight.

- 3) Vertigo – Pavement licence until 22.00 hrs Thurs-Sun (not Fri/Sat). Licensable activities cease at 01.30 hrs at the weekend. Patrons are requested to use the designated smoking area immediately outside the building, which is supervised at all times by SIA door staff.

Whilst I am unable to comment on specific cases, the Council has been investigating complaints of noise from the above properties, which are all ongoing, which may result in consideration given to the control of customers outside the venues.

Thank you for your suggested condition, which reduces the impact on the neighbouring residential properties. I accept your view regarding Condition 2 (regarding the number of people allowed outside to smoke) and am happy to withdraw this requirement. However, I am still of the opinion that the time that drinks are allowed to be consumed outside needs to be controlled. In light of my concerns, and the conditions for the other licenced venues in the area which you highlighted, I would suggest that this is modified to midnight in order to provide some consistency across the Hornchurch CIZ and also to help protect the locality from a public nuisance caused by customer noise outside the venue.

As such, I feel that Condition 1 can be reworded to:

The outdoor area of the venue is to be closed from midnight every day. No drinks are to be taken outside the building after this time. After this time, customers will be allowed outside this area to smoke or to leave the premises.

Reason: In order to minimise the disturbance to nearby noise sensitive premises from customer noise and customers lingering outside the venue.

I trust that you and your client will be amenable to this variation of the condition, and I look forward to hearing from you.

Regards

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From: Brown Winston <winston.brown@brownandcosolicitors.co.uk>
Sent: 06 May 2022 18:11
To: Mike Richardson <Mike.Richardson@havering.gov.uk>
Cc: Oisin Daly <Oisin.Daly@havering.gov.uk>
Subject: Re: FW: SRU137609 - Shelly's Bar, 72 Station Lane, Hornchurch

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Can you come back on below?

On 02/05/2022 21:11 Brown Winston
<winston.brown@brownandcosolicitors.co.uk> wrote:

Dear Mr Richardson,

Thank you for your comments and your proposed conditions. I have now taken instructions from my client and you have made the following points. Your proposed conditions appear to be out-of-step and disproportionate with other licence premises which are close to Shelly's Bar. In particular, I understand that the Furkin bar has up to 400 people outside and they are open until 00:00 hours. Similarly, Frankie's and Vertigo Bars both have people outside until 01:00 hours and there are residents living nearby them and above their premises. In relation to Shelly's, Miss Vickers enjoys a good reputation with the Council and have been no complaints in relation to a premises even when they operated extended hours until 02:00 hours. Ms. Vickers has not had any problems in the time she has held her premises license. She also does not have restrictions on outdoor activities at present and is clearly demonstrating that she is able to fulfil the licensing objectives even at later hours. At the same time, we recognise your legitimate concerns in seeking to avoid any nuisance to the residents. To that end, our client would make the following counter-proposal:

The outdoor area of the venue is to be closed from 01:00 hours every day. No drinks are to be taken outside the building after this time. After this time, customers will be allowed outside this area to smoke or to leave the premises.

We would also point out there are currently no restrictions on our clients licence in relation to the numbers of people who can assemble outside and this condition would be an unjustifiable retrograde step in our clients view. We would be grateful if you could come back to us as soon as possible to discuss whether these proposals are agreed.

Winston Brown
Solicitor



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On 26/04/2022 16:48 Oisin Daly <oisin.daly@haverling.gov.uk>

wrote:

Dear Mr Brown,

Please see below from the environmental health department, you may wish to engage with them directly.

Kind Regards

Oisin

From: Mike Richardson <Mike.Richardson@havering.gov.uk>
Sent: 26 April 2022 16:38
To: saskia42@live.co.uk
Cc: Oisin Daly <Oisin.Daly@havering.gov.uk>; Licensing <Licensing@havering.gov.uk>
Subject: SRU137609 - Shelly's Bar, 72 Station Lane, Hornchurch

Dear Sirs

I refer to your recent application to extend the licensable hours of Shelly's Bar from 23.00 hours Sunday-Thursday, and Friday & Saturday until 01.00 hours, to midnight on Thursday, and until 02.00 on Friday, Saturday and Bank Holiday Sundays.

The matter has been passed to me, as a responsible officer, to comment regarding the licencing objective to "Prevent a Public Nuisance", and in particular regarding disturbance from noise.

Whilst the Public Protection Unit has no issues with the application in principle, and the Council's Environmental Protection Unit have not received any complaints regarding the recent Temporary Event Notices, I have concern regarding the potential of a public nuisance being caused due to the late terminal hour on a weekly basis.

Whilst I do not have any major concerns regarding the break out of noise (and in particular loud music) from the venue itself, I am concerned regarding the possibility of disturbance from customers who may be on the front patio area, which forms part of the premises licence, and the impact this may have on the neighbouring residential premises, particularly during the summer months.

I welcome the additional conditions to control the customer noise as they leave the venue, including the encouragement of customers to wait within the waiting area in the bar, which will reduce the disturbance from customers as they leave the venue. However, I am concerned that customers who are drinking in the "beer garden" at the front of the property will cause a public nuisance into the early hours, just from their "normal" behaviour as the night draws on.

As such, I would be looking to make the following representations regarding the application, and making recommendations for refusal, unless the following conditions are added to the operating schedule, in order to prevent a public nuisance (particularly to the residents who are above the shops opposite the site, and the new development at 70 Station Lane, which overlooks the venue)

- 1) The outdoor area to the front of the venue is to be closed from 23.00 hours every day. No drinks to be taken outside the building after this time. After this time customers may only be outside to smoke, or to leave the premises.

Reason: In order to minimise the disturbance to nearby noise sensitive premises from customer noise and customers lingering outside the venue.

- 2) A maximum of 10 people shall be permitted in the outside smoking area to smoke at any time after 23.00 hours. They shall return within the building after completing their method of smoking.

Reason: In order to minimise the disturbance to nearby noise sensitive premises from customer noise.

I would be grateful for your comments regarding these proposed amendments to the operating schedule, and if you are willing to accept these amendments to the licence (or would suggest an alternative wording). I would be grateful if you would confirm this both with myself and Mr Daly, Public Protection Officer, who is dealing with the application, in writing by 13 May 2022, so I can assess if any representations need to be made in a timely manner.

If you would like to discuss the matter further, please do not hesitate to contact me.

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