

**Nuisance Control Team representation: Licence Review - Lush Bar 9-10B
Heather Park Parade, Heather Park Drive, Wembley, HA0 1SL**

LICENSING ACT 2003

Applicant: **Ms Nicola McDonald PC 157QK (Met Police)**

Licence: Premises Licence Review Application

Reference: 1114975

Officer: Ketan Joshi,

Title: Enforcement Officer, *in whose area the premises are situated purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.*

I certify that I have considered the application shown above and **I wish to make representations** in support of the Police application for a Licence review. The Nuisance Team representations are primarily concerned with the prevention of public nuisance.

The Council has been in receipt of noise nuisance complaints about loud music and noise from patrons since 2006. A total of 38 complaints have been received to date in relation to loud amplified music, congregation of patrons outside the premises resulting in loud talking, shouting and anti-social behaviour such as fighting and playing loud music from car stereos. Such behaviour and disturbance would very likely disrupt the peace and harmony one would expect in a typical residential area that surrounds the Lush Bar, especially during sensitive hours at night.

A general trend has been noted over the years with noise complaints being received between the hours of 22.00-01.00 regardless of whether it is a weekend or weeknight. A noise abatement notice was served in 2008 under the Environmental Protection Act 1990 and subsequently breached within 7 days of serving.

Officers from the Council have advised management at Lush Bar to consult an acoustic engineer with a view to installing sound insulation and a sound limiter. The management have also been advised to monitor sound levels from their activities and to ensure the front door is kept closed in order to prevent unnecessary sound breakout. Further advice was issued requesting door security play a more proactive role in discouraging the formation of loud congregations at the front of the premises and by promoting quiet dispersal of patrons when the premises close.

The Council has repeatedly reinforced previous advice already issued over the years. Despite verbal advice to the management of the premises, improvements have not materialised and subsequent complaints would suggest mismanagement of the premises which fail to support the licencing objective of the prevention of public nuisance.

Since the last licence review hearing on 20 July 2012, the Council received a further complaint on 7 August 2012 alleging screaming, shouting, loud talking and general party noise. In this instance, the allegations were not verified as the noise had stopped by the time Council Officers contacted the complainant. However, the Council does not feel the matter of noise nuisance has been resolved to our satisfaction and a lack of confidence in management has been a barrier to informal resolution.

Yours Sincerely

Ketan Joshi
Enforcement Officer