

ENVIRONMENTAL HEALTH
MEMORANDUM

LICENSING CONSULTATION -INTERNAL MEMO

To: Licensing Team

From: Martin Wood

Cc: Yogini Patel

Date: 26/05/2016

Premises: O'Castelo, 988-992 Harrow Road, London, NW10 5NT

Type of Application: New

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance. On behalf of the Environmental Health (Nuisance Control Team) I would like to make a representation against the application on the following grounds:

The operating schedule does not address the prevention of public nuisance from:

- Airborne entertainment noise
- Structure borne noise or vibrations from entertainment

Supporting Information

This venue is well known to the Nuisance Control Team (NCT) through numerous complaints made by neighbours alleging loud amplified music emanating from the premises. NCT's opinion is that this building is not designed to contain loud amplified music and such entertainment will cause a public nuisance to the occupants of the nearest noise sensitive residential premises. Historically, NCT have sent advisory letters and made advisory visits aimed at preventing such complaints. We have also obtained evidence of loud amplified music playing at such a level as to constitute a noise nuisance within the meaning of the law. We have also taken formal enforcement action to prohibit such nuisance in the form of a Noise Nuisance Abatement Notice. This action was against the previous business owner. We acknowledge this is a New Application and we acknowledge the business owner has changed. However, we do not believe the premises has received any acoustic treatment works designed to contain loud amplified music. On 22 May 2016, following evidence of statutory noise nuisance from loud amplified music, a Noise Nuisance Abatement Notice was served upon O Castelo Limited, prohibiting the recurrence of nuisance and requiring the recipient to: *Cease or cause to cease the playing of loud amplified music and speech by yourself or others on the premises known as O Castelo 988 -992 Harrow Road, London,*

NW10 5NT at such a level so that noise nuisance is not caused in any residential or noise sensitive premises.

Informative

I would therefore recommend the following condition to the operating schedule:

Regulated entertainment in the form of Live Music and Recorded Music shall not be permitted or endorsed upon the licence until such time as the applicant has provided (in report form) and undertaken (to a certified standard) a scheme of acoustic treatment/s commensurate with protecting the occupants of the nearest noise sensitive premises from noise and vibration associated with such forms of entertainment. Such works must be undertaken to the satisfaction of Environmental Health.