

From: Wood, Martin <Martin.Wood@brent.gov.uk>
Sent: 17 January 2020 12:58
To:
Cc: Business Licence <business.licence@brent.gov.uk>; 'DAMIEN.J.Smith@met.police.uk' <DAMIEN.J.Smith@met.police.uk>
Subject: RE: CONSULT: New Premises - Eclipse Pizzeria, 212 High Street, NW10 4SY - 17982

Dear Mr Dalforno and Diana

Following my meeting with you both at the above premises on Saturday 11 January, I was disappointed to later find you were operating that evening without a TEN – when it was evident customers were been served alcohol and were drinking alcohol. In addition, area inspections made at 00:20hrs and 01:00hrs on Sunday 12 January identified the premises was providing regulated entertainment, was advertised as open, was very busy inside with customers drinking alcohol, had a group of rowdy customers with alcoholic beverages outside the front of your premises and on the pavement directly in front of your premises.

In light of the above suspected offence under S.136 of the Licensing Act 2003, and the corroborative and additional findings made Brent Licensing Police, the Nuisance Control Team regret to advise we have no alternative option other than to withdraw our representation and request this application be refused.

Kind regards

Martin Wood
Principal Nuisance Control Officer
Community Protection

From: Wood, Martin <Martin.Wood@brent.gov.uk>
Sent: 13 January 2020 15:11
To: diana@motaandsons.co.uk; agnaldo_dalforno@hotmail.com
Cc: Business Licence <business.licence@brent.gov.uk>; DAMIEN.J.Smith@met.police.uk
Subject: CONSULT: New Premises - Eclipse Pizzeria, 212 High Street, NW10 4SY - 17982

Dear Mr Dalforno and Diana

It was good to meet you both at the premises on Saturday to see the layout of the premises. I was able to observe the rear room where you propose to provide regulated entertainment. I was also able to observe externally the proximity of this room to your upstairs neighbour and other neighbours on the High Street, Tubbs Road and Nightingale Road.

Mr Dalforno – you explained you had undertaken the sound insulation works to this room yourself. Given the works are complete I am unable to determine the standard of the works but I did observe the fire exit door to this room likely poses an acoustic weak spot, permitting amplified sounds to transmit more readily than through the ceiling or brickwork walls. There are no windows in this room. It would appear the residential neighbour above the premises is unlikely to be disturbed by amplified music playing in your rear room. The nearest noise sensitive premises would therefore appear to be rear elevation of the first few even-numbered properties on Tubbs Road.

I explained to you the onerous requirement of the following condition:

- Regulated entertainment shall not be permitted as a licensable activity until such time as a documented scheme of acoustic treatment works commensurate with the premises operating as a club premises has been installed and tested by a registered Member of the Institute of Acoustics who shall be competent and qualified to undertake the testing of such works and these works are approved by the Council's Nuisance Control Team.

On the basis of my inspection of the premises on Saturday I am proposing to revise this to the following condition:

- No noise or vibration shall be detectable at any neighbouring noise sensitive premises. The level of music shall be arranged so as not to cause a nuisance to local residents.

Please confirm by reply that you agree to all three conditions, as follows:

- No noise or vibration shall be detectable at any neighbouring noise sensitive premises. The level of music shall be arranged so as not to cause a nuisance to local residents.
- Customers will not be permitted the talk loudly in the street or to loiter outside the premises.
- Lighting shall be arranged in such a way that it will not cause nuisance to neighbouring and nearby residential premises.

On receipt of that agreement we will consider withdrawing our representation.

Please contact me if you have any questions.

Kind regards

Martin Wood
Principal Nuisance Control Officer
Community Protection

From: Wood, Martin <Martin.Wood@brent.gov.uk>

Sent: 04 January 2020 23:08

To:

Cc: Business Licence <business.licence@brent.gov.uk>; ENS Noise Team <ens.noiseteam@brent.gov.uk>

Subject: FW: CONSULT: New Premises - Eclipse Pizzeria, 212 High Street, NW10 4SY - 17982

Dear Mr Dalforno

The council's Nuisance Control Team have considered this application for a new premises licence and are concerned that public nuisance may arise should the licence be granted with regulated entertainment and the proposed conditions listed in the Operating Schedule.

You are requesting regulated entertainment in a premises providing nightclub style entertainment. We are concerned the premises is not designed as a nightclub and we further understand the nearest noise sensitive premises is directly above your business.

Please see the following conditions which address our concern. If you are able to agree to these by reply we will consider withdrawing our representation:

- Regulated entertainment shall not be permitted as a licensable activity until such time as a documented scheme of acoustic treatment works commensurate with the premises operating as a club premises has been installed and tested by a registered Member of the Institute of Acoustics who shall be competent and qualified to undertake the testing of such works and these works are approved by the Council's Nuisance Control Team.

The following proposed condition on your Operating Schedule: "Ask customers not to talk loudly in the street or to loiter outside our premise; keep all lighting positioned in such a way that it will not cause any disturbances to our neighbours" shall be revised to:

- Customers will not be permitted the talk loudly in the street or to loiter outside the premises.
- Lighting shall be arranged in such a way that it will not cause nuisance to neighbouring and nearby residential premises.

Please contact me if you would like any discussion or advice on the above.

Kind regards

Martin Wood
Principal Nuisance Control Officer
Community Protection
Regeneration and Environmental Services