



Alcohol and Entertainment Licensing Sub-Committee

Wednesday 20 March 2024 at 2.00 pm

Members Suite, 4th Floor, Brent Civic Centre,
Engineers Way, Middx HA9 0FJ

Please note that this meeting will be held in person with members of the Sub-Committee required to attend in person.

The press and public are also welcome to attend this meeting in person. Please note the meeting is not scheduled for live webcast.

Please note that access to the 4th Floor is restricted. Members of the public attending the meeting are therefore asked to report to the Civic Centre Front Desk, Brent Civic Centre by 1.50pm, so that they can be escorted to 4th floor, alternatively please call the contact number listed below.

Membership:

Members

Councillors:

Ahmed (Chair)
Long (Vice-Chair)
Rubin

Substitute Members

Councillors:

Bajwa, Chohan, Collymore, Ethapemi, Hack, Lorber,
Mahmood

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes and agendas please visit:
[Council meetings and decision making | Brent Council](#)

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item **Page**

1 Apologies for absence and clarification of alternate members

2 Declarations of Interests

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3 Application for the Review a Premises Licence by a Local Resident for the premises known as The Kilburn Arms, 97-101 Willesden Lane, NW6 7SD, pursuant to the provisions of the Licensing Act 2003 1 - 78

Please note the agenda has been republished as follows:

- 8 March 2024 - to include an additional representation which has been included with the agenda pack as document 3.10.
- 14 March 2024 - to include a number of supplementary submissions received in advance of the meeting. These have been attached as documents 3.11 – 3.31 within the attached agenda pack.



- Please remember to set your mobile phone to silent during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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LICENSING ACT 2003

Application for the Review a Premises Licence

Name of Applicant:	A Local Resident
Name & Address of Premises:	The Kilburn Arms, 97-101 Willesden Lane, NW6 7SD
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by Beronmoor Ltd. The premises are known as The Kilburn Arms, 97-101 Willesden Lane, NW6 7SD.

2. Grounds for Review

The grounds for review are the Prevention of Public Nuisance.

The premises is causing a nuisance to residents impacting negatively on their lives.

3. Relevant Representations

Representation has been received from a local resident.

Support for the premises has been received from the Ward Councillor, Town Centre Warden & a patron of the premises.

4. Background

The premises was previously reviewed on 5 January 2023 where live music was restricted to Saturdays only until 11pm. The decision was subsequently appealed by the premises and a decision settled out of court where live music was reinstated to the times mentioned below.

These premises are currently licensed for:

Live Music from 8.00pm to 10.30pm Sunday to Tuesday, 11pm Wednesday to Friday and midnight Saturday.

Recorded Music from 8pm to midnight Sunday to Thursday, and 1am Friday & Saturday.

Late Night Refreshment from 23.00pm to 1.00am Monday to Thursday and 2.00am Friday to Sunday.

The sale of alcohol from 10.00am to 2.00am Monday to Sunday.

and to remain open from 10.00am to 2.30am Monday to Sunday.

The Designated Premises Supervisor is Mr Constantin Tofan.

5. Determination

The steps the Committee may take are:

- To modify, remove or add conditions
- To exclude the sale of alcohol or other licensable activity
- Remove the Designated Premises Supervisor
- Suspend the licence for up to 3 months.
- Revoke the licence

6. Associated Papers

- A. Review Application
- B. Premises Support Letters
- C. Current Licence
- D. OS Map



APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I YANNICK GREEN apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).

Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description 99-101 Willesden Ln, London NW6 7SD	
Post Town LONDON	Post Code NW67SD
Name of premises licence holder or club holding club premises certificate (if known) 	
Number of premises licence or club premises certificate (if known) 	

Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) An individual, body or business which is not a responsible authority
(Please read guidance note 1 and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

GREEN

First names

YANNICK

Please tick ✓ Yes

I am 18 years old or over



Current postal
address
if different from
premises address

[Redacted]

Post Town

[Redacted]

Postcode

[Redacted]

Daytime contact telephone number

[Redacted]

E-mail address (optional)

[Redacted]

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

-
-
-
-

Please state the ground(s) for review (please read guidance note 2)

As residents whose house is not only within proximity, but in fact attached to the Kilburn Arms. The noise and vibrations transmit through the walls into our bedroom and kitchen.

We wish to contest the current license of the Kilburn Arms under the "prevention of public nuisance".

The grounds for review are based on increased amounts of offences since the Kilburn Arms has had live bands on every Wednesday and Saturday Nights as well as the occasional Friday nights which has been persistent since March 2022. Ever since we first contested their license in 2022 the situation has only worsened. Brent have imposed some minor restrictions on their license and they struggle to adhere to these.

We know that their license has been in place prior to when we purchased our home off of Brent Council in 2012. Minor reductions have been imposed but the situation has worsened for residents.

Please provide as much information as possible to support the application (please read guidance note 3)

SITUATION :

Our case has been ongoing since March 2022 with regards to noise and public nuisance. The issue has deteriorated despite the weather being colder. We are now fearing when the weather gets warmer and we have to have the windows open.

Our first meeting with the Kilburn Arms was on the **17th May 2022** and also where we negotiated the following:

- all doors to the pub should be closed once the music starts at 8pm
- the back terrace must be closed at 10pm
- the duration should be between 8pm and 11pm with the last song played at 10.55pm
- that they seek ways to soundproof the venue

Following visits/communication with The Kilburn Arms, have been:

- 19th July 2022 – Letter sent from the residents to The Kilburn Arms
- 7th June 2022 – Diane Lewis, Brent Noise team emailed and visited the Kilburn Arms
- 12th October 2022 residents met with the on-duty manager
- 28th August 2022 residents met with Costas

Brent council have taken over communications with the Kilburn Arms in 2023 as our direct conversations with the pub are ineffective and not taken seriously.

ISSUES :

We have kept a noise diary (attached) and regular noise recordings via the NoiseApp. As you can see the dates and times are consistent with times of the music playing regularly running over the 11pm cut off. Furthermore, the noise and disturbance from the terraces, often running into the early hours of the morning. The recent planning application for the front and back terrace has now impacted our peace and quiet in our own home.

As residents with two young children, we noticed that they are quite anxious and restless on Wednesday and Saturday nights. The music and sound from the Kilburn Arms premises cause our children to wake from their sleep on these evenings. This has a knock-on effect on our sleep and as a result our whole family suffer on Thursdays and Sundays!

Because some weeks the situation has been so unbearable, we have in the past felt compelled to get out of the comfort of bed to go round the Kilburn Arms in pajamas after 11pm as the music is still going on, with doors wide open and in full swing with no sign of stopping! Once the live music ends, recorded music is played through speakers onto the decking. Evidence has previously been submitted.

We now feel that we are trapped in our own home when the live music nights are on as the crowd has been known to be hostile and we have no peace or quiet. It is hard to relax after a hard day at work with the uncertainty of when we can actually fall asleep.

The first occasion on going round to the Kilburn Arms past 11pm, we were met with sincere apologies from the manager however on every occasion after this, we have been quickly dismissed, with the on-duty staff showing a reluctance to stop the music and the conversations have been confrontational making us feel intimidated. We had to call the police as one of the punters from the pub was aggressive and followed my husband to the door of our home.

Police ref numbers are : **82201022** and **PWN-15938-22-0101-B20**

The following mornings of live music events (Thursdays and Sundays), we clear up broken glass from our entrance to our house and during the summer months when the weather was hot, hose down the doorway as it smells of urine!

It is also apparent that there is a strong smell of marijuana which we can now smell on Wednesday and Saturday nights coming from the terraces (front and back). Now that our children are a little older, they are becoming more aware and waking more often with nightmares when the music is on.

The Kilburn arms are now not only impacting young working parents but now impacting on the quality of sleep and heightening the levels of anxiety on our young children (4 and 2 years old).

CONCLUSION :

As a result of the actions of the pub, we are unable to enjoy peace in our own home and feel intimidated on busier nights. Their irresponsible actions are disturbing our young children, creating a state of fear and panic in the early hours of the morning which comes from the pub every Wednesday and Saturday which is negatively impacting our lives and fashioning an unhealthy environment.

What we would like to make clear is that we DO NOT want to end live music for the Kilburn Arms however we would like to see them cooperate with us and police it effectively.

We would like to see the following implemented:

- The Kilburn Arms should NOT be required to stage performances of live music, or the playing of recorded music from **Sunday to Friday (AM and PM)**.
- Live music, or the playing of recorded music should be permitted only on **Saturday evenings from 8pm to 11pm**. (Band warmups should also be conducted within this time frame)
- All outdoor seating/space should be closed **at 9pm every day** throughout the year. This means people who drink at the pub outdoors should not be congregating on the terrace past 11pm. From what I have observed, other pubs in the local area stop live music and last orders are at 10.30-10.45pm and everyone must disperse by 11.15pm.
- The doors to the Kilburn Arms should always closed when the music is played. Please note the front doors leading onto Willesden Lane should be double closed, not just the internal doors.
- The back doors to the back terrace should always be closed when live music, or recorded music is played.

Please tick ✓ Yes

Have you made an application for review relating to this premises before?

If yes, please state the date of that application

Day		Month		Year			
0	9	1	1	2	0	2	2

If you have made representations relating to this premises before, please state what they were and when you made them

We have contested the Kilburn Arm's license in 2022 and went through to a hearing in January 2023 which the terms above were imposed until they contested the councils decision in 2023. Ever since they appealed and settled out of court with Brent Council, there has been little to no difference to where we were in 2022! We feel as residents we have been let down, as their operating hours license are incredibly unfair. We would also like to mention that even with some minor conditions imposed, the Kilburn Arms have really struggled to adhere to these i.e. Closing all doors when the music is on, managing the dispersal of patrons and closing the rear terrace at 10.30pm. The music is still as ever, LOUD.

Checklist

Please tick ✓ Yes


- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓

- I understand that if I do not comply with the above requirements my application will be rejected ✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

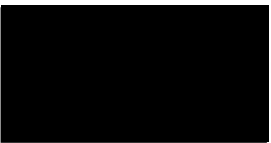




Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature . 

Date *May 2024*

Capacity *Resident*

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) 	
Post town 	Post code 
Telephone number 	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 	

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. Further information can be found at www.brent.gov.uk/privacy

You are providing your information to Brent Council, contact details business.licence@brent.gov.uk. The Council's Data Protection Officer can be contacted via dpo@brent.gov.uk, or 020 8937 1402.

Your information is collected for the purpose of processing your licence application as required to fulfil the council's duties under the following legislation, statutory or contractual requirement or obligation.

Legislation
Licensing Act 2003

Context
For the processing of licensing applications and the prevention of fraud

The information may be shared with the Metropolitan Police, London Fire Brigade and teams within Brent Council, as statutory consultees, the Home Office to ascertain the right to work and HM Revenue and Customs, at their request, to identify potential fraud. The information shall be retained until the licence is surrendered and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information and right to be forgotten. You have a right to lodge a complaint with the Information Commissioner's Office (www.ico.org.uk)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-

Licensing Department
Brent Council
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: business.licence@brent.gov.uk

Please follow the instructions in the checklist to submit the relevant copies to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 8555 1200 x38778

Trading Standards
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5252

Children's Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Licensing Authority
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5359

Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Public Safety Team
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

DAAT
Public Health Directorate
Wembley Centre for Health and Care
116 Chaplin Road
Wembley
Review of a Premises Licence or

Tel: 020 8937 5210

Tel: 020 8937 5359

HA0 4UZ

Home Office Immigration Enforcement
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

From: Molloy, Councillor Anthony

Sent: Wednesday, February 7, 2024 2:47 PM

To: Business Licence; Conneely, Councillor Rita; Councillor Steve Crabb; Nerva, Councillor Neil; Southwood, Councillor Eleanor; towncentreregeneration; Hay1, Richard

Cc: Legister, Linda; Prashar, Anu

Subject: Re: Review Application - 30742 - Kilburn

Hi everyone,

The Kilburn Arms on Willesden Lane is a precious remnant of the-once vibrant Kilburn night-time economy (in Queen's Park ward). The live music is gentle stuff and the middle-aged crowd is just the kind of diverse group we love to see in this neighbourhood.

One resident has been conducting an assiduous campaign for years now and last year succeeded in limiting their music night hours (11 o'clock on Wednesday and 12 o'clock on Saturday) - to which he agreed in an out-of-court settlement.

Someone - I presume the same person since nobody else lives next to the pub - has complained again less than four months after this matter was decided and agreed upon. When Brent noise abatement officers were called in a couple of years ago, they deemed the levels acceptable and anecdotally, one can barely hear the music outside.

If one family is so sensitive to low-level sound next door as to want to permanently curtail the enjoyment of hundreds of their fellow citizens, perhaps they shouldn't have bought a house within a few metres of a live music venue.

Anthony Molloy (Kilburn councillor)

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From: Hay1, Richard
Sent: Tuesday, February 20, 2024 5:53 PM
To: Business Licence
Subject: RE: Review Application - 30742 - Kilburn

Hi Sima

I have to concur with Cllr Molloy on this – I'm not aware of any anti-social behaviour or noise issues associated with this pub. I've never received any complaints about it (either official or anecdotal). I've previously worked with the pub to support live music there as part of our Kilburn Fringe festival in October 2022 and found them to be an accommodating and responsible establishment.

Officially, the pub sits just outside the Kilburn town centre boundary, but in close enough proximity to other hospitality establishments on Willesden Lane where we would expect and want night time activity that supported a vibrant major town centre and was in keeping with Kilburn's recognised London Plan status as having a night time economy of more than local significance.

I don't know the exact nature of the noise complaint, but if it is from the same person as previously in January 2023, it suggests there may be some form of personal vendetta at play. If you haven't done so already, it may also be worth you contacting Andrew Hewitt as the ASB Localities Officer for his opinions.

Hope this helps.

Best wishes
Richard

Richard Hay
Kilburn Town Centre Manager
Communities & Regeneration
Brent Council

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My name is [REDACTED] and I am [REDACTED].
We are focused on balancing the problems with isolation and inequality in our community.
Our efforts are mainly with elderly community members.

We are [REDACTED] of the community music events at The Kilburn Arms twice a week.

These events attract a mature audience and really help people who are lonely or living alone to come out and socialise as well as being a strong hold for professional musicians in the area.

It is a wonderful peaceful event with lots of kind people gathering. The majority of of the attendees are over 60!

It is incredibly distressing that we hear that the neighbour again is trying to create trouble for the venue and the community.

This person is simply exaggerating and telling untruths, clearly doesn't like peaceful people and good folk being in a public space!, not to mention costing this honest business a lot of money in costs and shortened hours.

What's more distressing for me is that his reports are being taken seriously and supported by yourselves without any proof.

Why do we not see licence people coming and actually witnessing the events?

How can you make demands and bring great stress without attending.

This is a disgrace both on on the side of the council department and this individual who is clearly obsessed and suffering with some anti social behaviour.

There has NEVER been a overly loud band, an argument or anti social behaviour outside of the bar to our knowledge and we attend every session.

This person simply does not want to hear a sound coming from this area of venue and forecourt.

Why then move next door to a community hub?

How can the council once again cause so much stress to this business based on completely unfounded and untrue reports from one unlawful individual, who chose to move next door to a music venue!

What is happening with this licence department?

I have to say more than one person has admitted being suspicious of the licence department as they are not attending or listening to the facts and the truths. Is someone in this department known to the accuser?

I for one am readying a complaint about this department as is causing much stress and unhappiness by your actions.

This [REDACTED] should be taken to court and forced to pay damages and to move as his behaviour is affecting many people.

Hundreds of kind, elderly and sometimes isolated people are being affected by both his and your actions.

Thanks for your time in reading this email and I would hope to have a response asap please.

Regards

[REDACTED]

[REDACTED]

[REDACTED] Registered Charity Number [REDACTED]

From: Yannick Green

Sent: Wednesday, February 14, 2024 10:52 PM

To: Serdouk, Mohammed; Legister, Linda; Lewis, Diane; Business Licence

Subject: Kilburn arms -breaking their license

Good evening,

I have further evidence that they are operating outside of their license as their rear terrace was still on action post 10.30pm.

The noise also is still a real issue from the music and we have a number of patrons congregating outside of our door.

Please find attached the video of evidence.

Kind regards,

This page is intentionally left blank

From: Kilburn Arms
Sent: Thursday, February 22, 2024 1:17 PM
To: Business Licence <business.licence@brent.gov.uk>
Subject: Re: Kilburn Arms - Noise nuisance

Good afternoon Sima

Thank you for your email and the video

As you can see on the video there is no noise/chatter coming from our garden.

Yes our lights are on however once we close the garden we need time to clean it up. Swipe the floor, wipe the tables, collect any potential glasses, dishes and dirty ashtrays etc This can take easily up to 20 minutes.

We can not leave it dirty over the night for obvious reasons and we can not clean it with lights off.

Again I would like to bring it to your attention that there is no noise coming from the garden. Lights being on doesn't mean the garden is open.

Hope this helps

Thank you and have a great day

Kind regards,
Evie

The Kilburn Arms Team

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London Borough of Brent

Premises Licence

Part A

This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the Licensing Act 2003

Original grant date: 19 September 2005
Current issue date: 05 January 2023



Authorised signatory

Premises licence number: 165236

Part 1 – Premises Details

Postal address of premises, or if none, ordinance survey map reference or description

The Kilburn Arms
97 - 101 Willesden Lane, Kilburn, London, Brent, NW6 7SD

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section C: Indoor sporting events

Section E: Live music

Section F: Recorded music

Section G: Performances of dance
Section H: Anything of a similar description to that falling within (E), (F) or (G)
Section I: Provision of late night refreshment: Indoors
Section J: Sale of alcohol: On the premises

The times the licence authorises the carrying out of licensable activities

Section C: Indoor sporting events

Day	Start Time	End Time
Monday	20:00	00:00
Tuesday	20:00	00:00
Wednesday	20:00	00:00
Thursday	20:00	00:00
Friday	20:00	00:00
Saturday	20:00	00:00
Sunday	20:00	00:00

We would like to have some racing evenings

We would like have some racing evenings. We would also like to have a ladies & mens darts team plus pool teams.

Section E: Live music

Day	Start Time	End Time
Monday	20:00	22:30
Tuesday	20:00	22:30
Wednesday	20:00	23:00
Thursday	20:00	23:00
Friday	20:00	23:00
Saturday	20:00	00:00
Sunday	20:00	22:30

Section F: Recorded music

Day	Start Time	End Time
Monday	20:00	00:00
Tuesday	20:00	00:00
Wednesday	20:00	00:00
Thursday	20:00	00:00
Friday	20:00	01:00
Saturday	20:00	01:00
Sunday	20:00	00:00

Christmas, New Year, St Patrick's Day, Georges Day, Valentines day until 01.00hrs, Boxing night.

Section G: Performances of dance		
Day	Start Time	End Time
Monday	20:00	00:00
Tuesday	20:00	00:00
Wednesday	20:00	00:00
Thursday	20:00	00:00
Friday	20:00	01:00
Saturday	20:00	01:00
Sunday	20:00	00:00

Christmas Eve, Boxing day, New year Eve, St Patricks, Valentines Day, St Georges Day until 01:00hrs Easter Saturday and Sunday.

Section H: Anything of a similar description to that falling within (E), (F) or (G)		
Day	Start Time	End Time
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Section I: Provision of Late Night Refreshments:Indoors		
Day	Start Time	End Time
Monday	23:00	01:00
Tuesday	23:00	01:00
Wednesday	23:00	01:00
Thursday	23:00	01:00
Friday	23:00	02:00
Saturday	23:00	02:00
Sunday	23:00	02:00

Section J: Sale or Supply of Alcohol: On the premises		
Day	Start Time	End Time
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	02:00
Thursday	10:00	02:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	02:00

Christmas Eve, New years eve, St Patricks day St Georges day, Valentines night, Boxing night

day.

The opening hours of the premises

Day	Start Time	End Time
Monday	10:00	02:30
Tuesday	10:00	02:30
Wednesday	10:00	02:30
Thursday	10:00	02:30
Friday	10:00	02:30
Saturday	10:00	02:30
Sunday	10:00	02:30

Christmas Eve, New year Eve, St Patricks Day, St Georges Day, Boxing night.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

Beronmoor Limited
2 Essex Road, Angel, London, N1 8LN

Registered number of holder, for example company number, charity number (where applicable)

03587048

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Constantin Tofan

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Licence Number: [REDACTED]
Issuing authority: [REDACTED]

Annex 1 – Mandatory conditions

No Irresponsible Drinks Promotions

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

1. (a) games or other activities which require or encourage,

or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

Small Measures to be Available

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

Minimum Price of Alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a)—duty|| is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b)—permitted price|| is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)—relevant person|| means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d)—relevant person|| means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)—valued added tax|| means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day||) would be different from the permitted price on the next day (—the second day||) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence—

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions

- a) premises where the premises licence authorises plays or films
- b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

- (i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.
- (ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the operating schedule

1. Closed Circuit Television (CCTV) shall be installed and maintained in accordance with the Association of Chief Police Officers (ACPO) guidance, and all recorded images kept and made available to the Police and the Licensing Authority for 31 days.
2. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
3. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
4. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
5. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
7. All doors and windows shall remain closed during any entertainment and where a door is used for patrons to enter or leave the premises the door shall be lobbied and fitted with a self-closing device.
8. Signs shall be placed in the garden and the frontage instructing customers to recognise the residential nature of the area and conduct their behaviour accordingly. The management shall reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing the neighbours.
9. No noise or vibration shall be detectable at any neighbouring noise sensitive premises after 23:00hrs. The level of music at all times shall be arranged so as not to cause a nuisance to local residents.
10. Notices asking customers to leave quietly shall be conspicuously displayed at all exits.
11. The Portman Group proof of age scheme or similar such scheme shall be adopted.
12. Toilets shall be checked regularly for the use of drugs and other illegal activities.
13. Adequate and appropriate first aid equipment shall be available on the premises.

14. Suitable and sufficient fire fighting equipment shall be provided and maintained in good order.
15. Regular surveys (checks) shall be carried out when the premises are used for entertainment to ensure the level of music is arranged so as not to cause a nuisance to local residents.
16. Notices advertising the number of a local licensed taxi service shall be displayed in a prominent position.
17. Door supervisors of a sufficient number and gender mix, shall be employed from 20:00 hours on any day when the premises are open for the sale of alcohol past midnight.
18. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.
19. Outside drinking shall only be allowed at the tables provided and no customer shall be allowed to take glasses or bottles away.

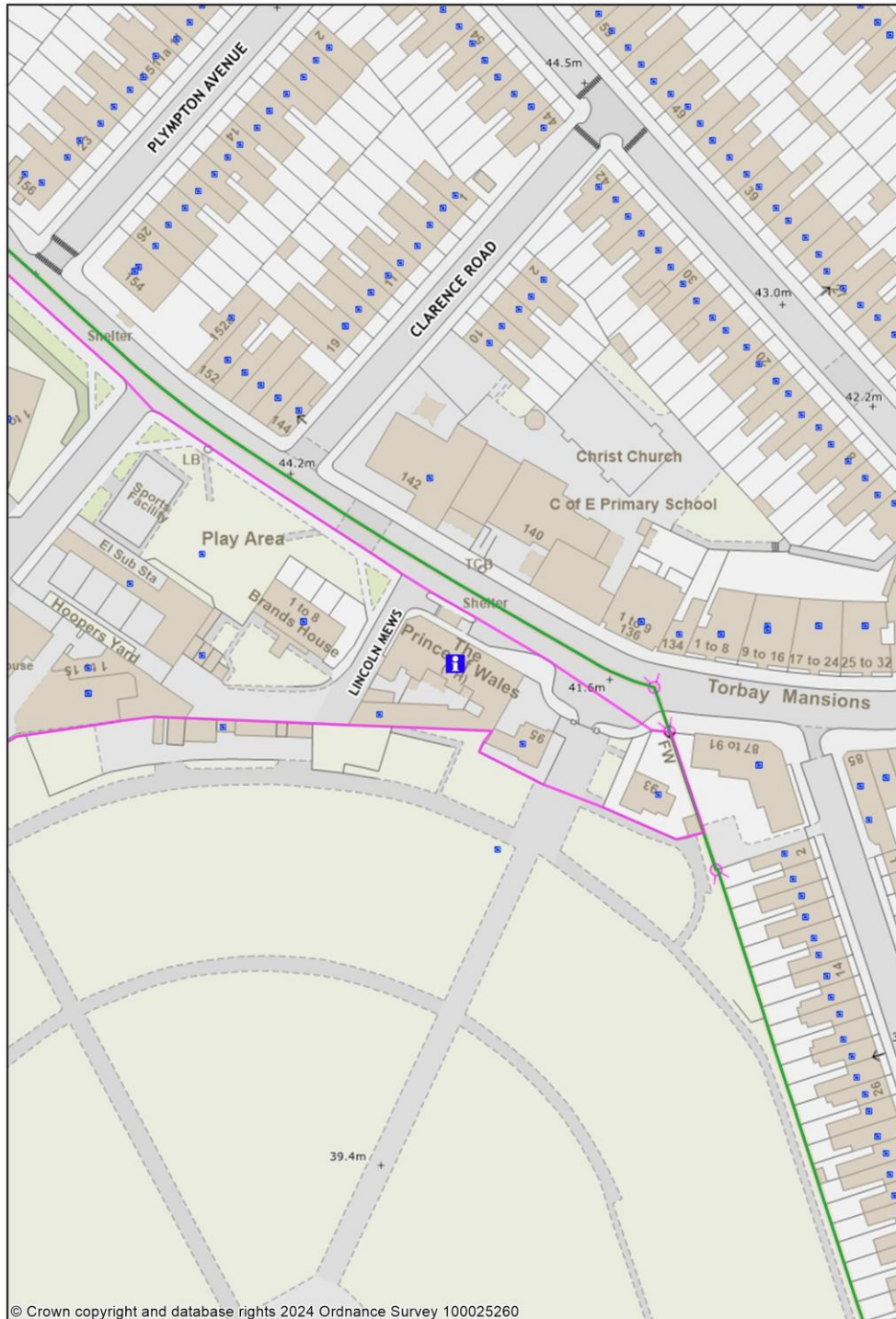
Annex 3 – Conditions attached after a hearing by the licensing authority

20. Live music shall be restricted to the following times:
Sunday to Tuesday 20:00hrs to 22:30hrs, Wednesday to Friday 20:00hrs to 23:00hrs and Saturday 20:00hrs to 00:00hrs
21. There shall be no playing of live or recorded music in outside areas of the premises.
23. The rear outside drinking areas shall cease use at 22:30hrs.
24. Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers requesting them to leave the premises and the area quietly.

Annex 4 – Plans

See attached

Basemap Map



1:1250

0 0.02 0.04 kilometres



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From: Conneely, Councillor Rita
Sent: Thursday, February 29, 2024 10:47 pm
To: Legister, Linda
Subject: Licensing committee hearing- march 20th- 2pm - Kilburn arms

Dear Linda

I am writing to let you know of my intention to speak at the above hearing on the Kilburn arms. I do have to leave at 2.40 due to a work meeting so hopefully this can be accommodated.

The Kilburn Arms represents a community asset which is well needed in the area and which should be protected by Brent's Pub Protection Policy.

It provides a space for older local residents to meet which is essential in combatting social isolation which is a key area of concern in our borough. It also provides an essential resource for remote workers who cannot work from home due to overcrowded accommodation or high energy bills.

During our period as Borough of Culture, we committed to building an arts & culture legacy - particularly for young people. The Kilburn Arms is one of the few venues left in the borough which supports emerging music artists- including young people studying in the local university- the Institute for Contemporary Music Performance.

The Kilburn Arms is a well-managed licensed venue with a community orientated customer base. I have never witnessed anti-social behaviour inside or outside the venue. I strongly recommend that this essential business in the borough be supported by the committee - and not penalised unnecessarily.

Many thanks

Cllr Rita Conneely
Kilburn
Chair, Resource and Public Realm Scrutiny Committee

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Alcohol & Entertainment Licensing Sub Committee

Wednesday 20 March 2024

Supplementary submissions received in advance of hearing.

Application for the Review a Premises Licence by a Local Resident for the premises known as The Kilburn Arms, 97-101 Willesden Lane, NW6 7SD, pursuant to the provisions of the Licensing Act 2003

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From:

Sent: Sunday, March 10, 2024 9:15 PM

To: Legister, Linda <Linda.Legister@brent.gov.uk>

Cc:

Subject: The Kilburn Arms, 97-101 Kilburn Lane, NW6 7SD - Notification of Hearing

Good evening Linda,

I would just like to clarify a few facts with regard to the representations made by Cllr Molloy, The Town Centre Manager and the representative from the charity.

Firstly with regard to Cllr Molloy's submission 3.3, I would like to make it absolutely clear that we had no part in the out-of-court settlement reached by Brent and Mr Tofan, which seems bizarre to us as it is ourselves who were/are being impacted by the noise from the pub. We were unable to even make any representations toward that settlement and we certainly did not agree to the outcome of the settlement as incorrectly stated by Cllr Molloy.

We would also point out that our house [REDACTED]. (Cllr Molloy seems to think it is a few metres away!) In fact, it is our [REDACTED] that physically abuts the pub. And as the live music is played on our side of the public house the noise travels easily through these walls into our [REDACTED]. (Noise travels more easily through solid walls than through air.) Although the noise might not seem very loud to Cllr Molloy in the street outside, I can assure the panel that it is in our [REDACTED].

Cllr Molloy also suggests that we must be 'so sensitive to low-level sound'. We are not. We have lived happily next to the pub since 2013. It is only in recent years that the lateness and the intensity and frequency of the live music that has created problems for us.

Secondly with regard to the submission 3.4 by Mr Hay, the Town Centre Manager, we would point out that the pub is NOT within the Kilburn town centre boundary it is instead in a residential area and that this is not the right location to encourage late night-time city-centre activity. The pub is not particularly close to any other hospitality establishments in the area and those other establishments on Willesden Lane, as far as we are aware, do not have late night live music licences.

Mr Hay also suggests that 'there may be some form of personal vendetta at play'!! We are astounded by his comment. He has taken no trouble to try and speak with us. We have no issue or other dealings with the management of the pub. In fact, we wish them well financially. And we are happy for music to be played at reasonable times, at a reasonable noise level. All we ask is that the noise is kept down late at night, particularly during the week, in order that we and our two young children can sleep. Is that a vendetta???

Finally, I respond to the submission 3.5 from the representative of a local charity. I would like to reassure the individual that we are not 'trying to create trouble for the venue and the community'! He suggests that our submission is without proof - we have submitted logs of the noise that we have noted over many months and videos. He suggests that I am 'telling untruths', and that I am 'an unlawful individual' and that I should 'be taken to court'!? This is all simply nonsense - what 'untruths' and how am I 'unlawful'??

Again we have no problem with folks from the local community meeting in the pub listening to live music. All we ask is that it doesn't happen late at night midweek. I can't think that such a restriction will be harmful to his 'community'.

By the way I regret that Brent have failed to redact my name from this individual's submission. As I have mentioned I have suffered personal abuse from individuals who frequent the pub and this will not help.

Regards

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From: McGann, John
Sent: Saturday, January 7, 2023 2:53 PM
To:
Subject: Kilburn Arms

Hi

You'll have a missed call on your phone as was just checking in to see if there has been anything further since the confrontation on Thursday afternoon?

I made contact with Evie and she has assured me that she nor Costa would ever put anyone up to intimidate you. She did state that they had a few people in the pub whilst they were waiting for the Councillors decision. I'm guessing the suspect was one of these who did what he did whilst emotions were running high.

I will be attending the pub on Monday afternoon to view CCTV to see if I can assist in identifying the suspect for your confrontation.

Kind Regards

John McGann
Licensing Officer
Regulatory Services
Brent Council

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From: Lewis, Diane
Sent: Friday, January 12, 2024 12:57 PM
To:
Cc: Serdouk, Mohammed
Subject: RE: Loud music - Kilburn Arms

Dear

I hope you are both well. Apologies for not responding to you sooner.

Myself and Licensing Officer, Mohammed Serdouk arranged to meet with Costas and Evie late last year to discuss expectations following the hearing. We reminded them of the requirement to ensure that ALL doors are kept closed during the playing of live and recorded music. Certainly during my recent monitoring, I could see that at least two of the doors have remained open which will have contributed to excess noise. I have since emailed them to remind them of the requirements and I will continue to monitor compliance from "street level" during night shifts. We also had a discussion about how to possibly prevent noise from transmitting through the fish and chip shop internal door, causing noise to emanate through the entrance door on the main road. I noted a degree of break-out noise through this door during one of my recent visits.

As we have been continuing to monitor both noise and compliance of their conditions (and we will continue to do so, including visits at weekends), for now you are not required to submit further reports to us.

Kind regards,

Diane Lewis
Nuisance Control Officer

From:
Sent: 01 December 2023 22:35
To: Business Licence; Legister, Linda; Pryce, Priscilla; Serdouk, Mohammed; Lewis, Diane
Subject: Fwd: Loud music

Hi all,

Now that a month has passed since the decision on the new times, it's clear nothing has changed. The music played on well past 11pm on Wednesday. What sanctions are to be imposed? Is there anyone monitoring this or it down to us ? We would appreciate a meeting face to face with the council on the matter.

Regards,

From:

Date: 29 November 2023 at 23:22:32 GMT

To: "Lewis, Diane

Cc: "Serdouk, Mohammed" Yannick

Subject: Re: Loud music

Good evening Diane,

It is Wednesday 29th November.

The music at the Kilburn Arms is still playing at 23.20 hours.

What should we do? It feels like we are in a worse place than before the trial.

Are we able to appeal the decision?

We would really appreciate your support in the matter. We are a tired and frustrated household and I am sure other local residents feel the same.

Regards

On Fri, 17 Nov 2023 at 13:13,

wrote:

Thanks Diane for coming back to me.

We do feel let down here as there is no change in the hours of playing music mid week. It has a serious impact on a home life and I really don't think that this has been a fair outcome.

We struggle to see any sort of change apart from 30mins difference on Sunday-Tuesday, but they don't play music then...

Regards,

> On 17 Nov 2023, at 08:39, Lewis, Diane wrote:

>

> Hi ,

>

> I am well thank you. I hope you are well also. Sorry for not responding to you sooner.

>

> Below are the new hours along with revised conditions:

>

> 20. Live music shall be restricted to the following times:

> Sunday to Tuesday 20:00hrs to 22:30hrs, Wednesday to Friday 20:00hrs to 23:00hrs and Saturday 20:00hrs to 00:00hrs

> 21. There shall be no playing of live or recorded music in outside areas of the premises.

> 23. The rear outside drinking areas shall cease use at 22:30hrs.

> 24. Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers requesting them to leave the premises and the area quietly.

>

Licensing Officer, Mohammed Serdouk and I have arranged a meeting for Costas and Evie to attend to discuss the conditions and recent noise recordings submitted to us. We want to be able to make it clear what is expected of them on a consistent basis. Thereafter, we will begin to pro-actively patrol at weekends again to monitor compliance for a time. This is particularly important if the noise is indeed beginning to creep back up again.

>

> Kind regards,

>

> Diane Lewis

> Nuisance Control Officer

>

> -----Original Message-----

> From:

> Sent: 04 November 2023 23:31

> To: Lewis, Diane

> Subject: Loud music

>

> Hi Diane,

>

> I hope you well?

>

> The music tonight is rather loud and the sound has really been creeping up and up in the past weeks.

>

> Not much has changed since the court case and we are still non the wiser on the outcome.

>

> Many thanks,

>

>

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From: Sent: Wednesday, October 11, 2023 1:34 PM **To:** Esther, Chan **Cc:** Serdouk, Mohammed; Pryce, Priscilla; Lewis, Diane **Subject:**
Re: URGENT The Kilburn Arms - Appeal Hearing URGENT

Hi All,

We are eager to know what the outcome of this case has been?
Since our last conversation little to nothing has changed for us. Last Friday the doors were wide open, the music was still audible and when people left the premises there was quite a lot of commotion.

I have attached a picture of the doors which are left open when the music is playing (Weds, Fri, Sat).

Many thanks,

On Wed, Oct 4, 2023 at 1:46 PM Esther, Chan <Esther.Chan@brent.gov.uk> wrote:
Dear,

Thank you for your telephone call, I understand Priscilla will contact you in due course to discuss the outcome of the appeal.

As expressed in our telephone conversation, the Licensing Team will endeavour to ensure the premises is operating in a compliant manner. Please continue to log and report any nuisance you experience.

May I take this opportunity to introduce you to the area Licensing Officer, Mohammed Serdouk, should you have any licensing queries in the future.

Kind Regards

Esther Chan Licensing Inspector Regulatory Services

From: Sent: 04 October 2023 12:47 **To:** Pryce, Priscilla **Cc:** Esther, Chan; Lewis, Diane; Business Licence; Robson, Omotolani **Subject:** Re: URGENT The Kilburn Arms - Appeal Hearing URGENT

Hi All,

I hope you are well.

We would be eager to understand what the outcome of this case has been. Our concern as the main witness, we have no visibility over the outcome.

With Wednesdays being the most disruptive for us as a young working family we are keen to know how the new conditions will have a more positive effect on our anxiety and sleep.

Many thanks,

On Fri, Sep 22, 2023 at 3:25 PM Pryce, Priscilla <Priscilla.Pryce@brent.gov.uk> wrote:

Dear

Berenmoor Ltd trading as Kilburn Arms v London Borough of Brent

Thank you for your email. I am most grateful for your commitment to the case. Following the directions from the court for the parties to try to find a solution to resolving the statutory noise nuisance issue.

There have been extensive discussions in this matter and as a result both legal teams from the Council and the Appellant have now reached an agreement in this matter. The judge is expected to sign off the agreement very soon perhaps today.

The appeal trial listed for 2 days on the 26th/27th September 2023 has now been vacated. The conditions to replace the original conditions are believed to be robust and proportionate response to the issues the Council and you raised. The premises would be monitored and we hope that the noise nuisance problem is now resolved.

Kind regards

Priscilla Pryce Segal Solicitor & Advocate
Criminal Litigation and Licensing Department
Brent Civic Centre

From: Sent: 22 September 2023 13:02 **To:** Esther, Chan; Lewis, Diane; Business Licence; Pryce, Priscilla **Subject:** Re: URGENT The Kilburn Arms - Appeal Hearing

Hello All,

I hope you are well?

The date for the court case is fast approaching. We are keen to know if this is still going ahead on the 26th / 27th September.

We are eager to plan our work diaries for next week so it doesn't impact too much on a day job, however we know how important this is. Could you confirm what time and location this will be held on the 26/27th September?

I was under the impression that there may be a possibility it doesn't go to court, but either way would appreciate an update when you know more.

Thank you all for the support you have given us to this point, we really appreciate it.

Kind regards,

On Wed, Aug 2, 2023 at 1:00 PM Esther, Chan wrote:

Dear

Following our recent telephone conversation, I am writing to provide you with the attached witness statement template.

As we discussed during our telephone call, our legal team requires separate statements from both you and [REDACTED].

Please kindly ensure that the witness statements included with the exhibits, are submitted no later than Monday 7th August 2023. If you are unable to use the attached template, I am happy to assist you if you provide the information on a word document and I will transfer the information onto the template and ask you to check and sign the content.

Please refer to the below points as part of your witness statement:

Part 1: who is making the statement

You should insert the following information:

- the name of the person making the statement
- their address -
- their position - (resident)

Part 2: body of the statement

This is where you include the facts and how the incidents affected you. You should provide any documentary evidence to support your statement in the form of exhibits. The exhibits need to be mentioned in the witness statement and should be clearly labelled. If possible, include separate header sheets for each exhibit with a reference (e.g. ■/01 – Noise Diary, ■/02 – Video Footage)

Part 3: statement of truth

The statement must include the words 'I believe that the facts stated in this witness statement are true'. Then sign and date the statement.

Court Hearing

Please note that the appeal is listed at Willesden Magistrates' Court on 26th & 27th September 2023 before the District Judge. Your attendance is required to provide evidence. I will notify you of any changes or further instructions.

Thank you for your cooperation in this matter

Kind Regards

Esther Chan
Licensing Inspector



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I wanted to highlight the crime reference numbers for anti-social behavior from the Kilburn Arms :

- CAD2906/30
- CAD REF7266/29/JUL23
- CAD261016072022
- CAD 462605012023

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 Deluxe King Room


 5 nights · August 2023

 Solo traveller

Reviewed: 26 August 2023

8.0

Very good

 · Cheap Hotel which is in a relativ good location, about 10 minutes far from an Underground. Rooms are big and there is not much to complain about.

 · If there is a long lasting Party going on in the Pub downstairs, then it's a bit loud. At night you should take the Underground to Queens Park instead of the footpath from Kilburn Highs (maybe safer area)

[▲ Helpful](#) [→ Not helpful](#)

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 Deluxe Triple Room

 3 nights · August 2023

 Family

Reviewed: 15 August 2023

Very good

 · Very nice room, well equipped. The restaurant downstairs cooks very well. Location is a walk to London Underground.

 · Quite noisy, in the room you can hear customers and music from the pub downstairs.

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Deluxe King Room

2 nights · December 2023

Solo traveller

Reviewed: 25 January 2024

9.0

Nice

😊 · The location, while not super central, is actually really nice. The bar keeper was very nice and helpful. Clean rooms with everything I needed. The food in the pub was absolutely fantastic, especially considering very moderate prices.

😞 · The hotel hostess could be a bit nicer. The attitude of being annoyed with arriving guests by default is not exactly appropriate for the job. She also made a point to assure me that the party they were hosting at night would be totally over by 11p.m., yet it went on past 1a.m., which was not cool.

👍 Helpful 👎 Not helpful



Deluxe King Room

2 nights · September 2023

Solo traveller

Reviewed: 3 October 2023

8.0

Great value and comfort for same price as a travelodge

😊 · Great location, venue and price point.

😞 · There was an open mic night downstairs which was great fun but I could easily hear the noise whilst up in the bedroom. It didn't end until gone 11pm.

👍 Helpful 👎 Not helpful

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Nuisance Control Team
Brent Civic Centre
Engineer's Way
Wembley
HA9 0FJ

Ref : NC0505522

Dear sir/madam,

I wanted to bring to your attention the issues we have been having with **The Kilburn Arms, 97-101 Willesden Lane, NW67SD**. They are unfortunately still making our home life unbearable on Wednesday, Friday and Saturday nights and we have been in contact with the noise team at Brent Council (Diane Lewis), Who has been very helpful.

On Wednesday night (13th July) I had to visit the pub to kindly ask them to close their doors as the music was particularly loud. The music started at c.7.15pm and went on until 11pm. Soon after I visited the pub (c.8pm) they then opened the doors up again but thought it was futile in going round again as the manager was quite rude and abrupt with me the first time. When the music ended, the drinkers stayed for a good hour outside of our door and on their front terrace (which I believe has retrospective planning) making a lot of noise and revving their car engines. This then woke up my 7month old baby at 12.15 am.

On Friday 15th July, The Kilburn Arms failed to disperse their customers until 12.30am and I logged a ticket with the Met police (**CAD 2610 16/07/2022**) so they could review the issue. We are living in constant fear, and we are suffering from lack of sleep now and our anxiety levels are running high.

Unfortunately for us, on Saturday (16th July) I went round to the pub at 10.50pm to kindly ask that could they make sure that their customers kindly leave their premises quietly as we didn't want a repeat of the Friday, however I was met with some hostility from one of the managers on how they deal with customers leaving their premises. It soon transpired that the pub goers didn't leave the terraces until midnight as we struggled with getting to sleep.

I am afraid the situation is getting worse as every week passes. Wednesday nights are particularly bad, and we are left feeling shattered every Thursday morning, often struggling to function properly at work.

I wish to understand if it is possible to formally review their music license and operating hours, as from what I have observed, other pubs in the local area stop live music at 10.30-10.45pm and everyone has to disperse by 11.15pm.

Why is the Kilburn Arms so different and lack any form of respect for their neighbours?

I look forward to hearing from you on what the next steps might be as I am considering speaking with a solicitor.

Kind regards,

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Date	DATE	Issue/action	Comments
5th March 2022	05/03/2022	Loud Music and anti social behaviour	Loud music caused server distress this evening and a lot of drunk revellers who did not disperse
18th March 2022	18/03/2022	Loud music	Called the pub to ask kindly to turn it down and close doors - but no action was taken by the pub
26th March 2022	26/03/2022	Unbearably loud music	Loud music and the morning after I had to clean our front door as someone urinated on it
30th March 2022	30/03/2022	Loud Music	22:49 Music is very loud and feels like it has been turned up
30th March 2022	30/03/2022	Loud Music	Music is loud and recordings submitted - Music did not stop until after 11pm
6th April 2022	06/04/2022	Loud Music	Loud music on this occasion woke up my 2 year old. Music didn't stop until after 11pm
8th April 2022	08/04/2022	Noise from drinkers	Drunk people causing too much noise
13th April 2022	13/04/2022	Loud Music	Loud music which are shuddering our bedroom wall
20th April 2022	20/04/2022	Loud Music and anti social behaviour	Loud music and a crowd of drunks outside of our door who refuse to move on. Music did not stop until after 11pm
27th April 2022	27/04/2022	Loud Music and anti social behaviour	Post letter from Diane Lewis and it was just as loud if not louder than before
29th April 2022	29/04/2022	Loud music	Could not get to sleep as there is a medley of Kareoke and didn't end until after 11pm
30th April 2022	30/04/2022	Loud noise from the terraces	Restropective planning for the terrace and it was open until midnight
7th May 2022	07/05/2022	Loud Music and anti social behaviour	The drinkers are loud and people didn't disperse until well after 11pm
11th May 2022	11/05/2022	Loud base and vibrations	Music was particularly loud and dispersals from the pub was not smooth. Music went on past 11.30pm. I had to be up at 5am and it was a hard day the next day!

17th May 2022	17/05/2022	MEETING with The Kilburn Arms	Discussed shutting the terrance at 10.30pm, music off by 11 and customers to leave promptly and quietly. We had said we would be willing to see how it goes with 3x nights a week however we would re-assess the siutation if the noise and nuisance was too much. Our negoitions resulted in them complying with <ul style="list-style-type: none"> • all doors to the pub should be closed once the music starts at 8pm • the back terrace must be closed at 10pm • the duration should be between 8pm and 11pm with the last song played at 10.55pm • that they seek ways to sound proof the venue
18th May 2022	18/05/2022	Loud Music and anti social behaviour	Music played past 11pm and drunk revellers didn't disperse

18th May 2022	18/05/2022	Texted our feedback which has not been met with a reply	<p>Dear Kostas,</p> <p>I wanted to come back to you after we met yesterday with regards to the music and how loud it has been. Thank you for your time and suggestions.</p> <p>I think the doors will have helped but unfortunately the music last night did impact our sleep however we understand that this is your business and we want to be understanding neighbours as I hope you do also.</p> <p>What I would like to propose is for the music to shut off at 11pm and the terraces to be closed at 10.30pm. Also whilst the music is played could you ensure that all the doors leading to the fish and chip shop and terrace are shut? Is there any possibility the band can be moved to the opposite end of the pub I.e furthest away from our house ?</p> <p>As for the Wednesday night music, this we find impacts us the most as it is mid week and we have to be ready for work in the morning. Would it be possible to shut this music off at 10pm? I understand the music is a big draw for your customers and business...3 nights a week for us to have poor sleep is quite tough especially as our bedroom backs onto your terrace.</p> <p>Very willing to have another chat to talk through ideas.</p> <p>Thanks again</p>
25th May 2022	25/05/2022	One of the loudest evenings	Music was loud, doors wide open and it the noise didn't stop until after 11pm
31st May 2022	31/05/2022	Diane Lewis Email	Diane will try to speak with Mr Constantin over the phone as he has not responded to her letter dated 20th May
4th June 2022	04/06/2022	Loud Music	Started earlier at c.7pm and went on until after 11pm

4th May 2022	04/06/2022	Loud music	Made a visit to inspect for myself, hardly anyone in the pub at the time of visiting despite the ban in full flow.
7th June 2022	07/06/2022	Diane Lewis Email	Diane Spoke with [REDACTED] (Kilburn Arms)
8th June 2022	08/06/2022	Loud music	Music went on well past 11pm
11th June 2022	11/06/2022	Loud music	Music was played past 11pm and failure to disperse revellers
15th June 2022	15/06/2022	Loud music	doors wide open and terrace was loud
22nd June 2022	22/06/2022	Loud music	Started early around 7.15pm and made it difficult to our children to sleep. Ghe doors to the pub were all open. Failed to disperse drinkers. Lots of noise from people exiting the pub and hanging around.
2nd July 2022	02/07/2022	Loud music	Loud and doors open
6th July 2022	06/07/2022	Loud Music	Loud music and doors wide open. Had asked to shut them and they were reluctant to do so. Then they were opened up again.noise continued well past 11pm
13th July 2022	13/07/2022	Loud Music and anti social behaviour	I was approached by rude staff who didn't want to shut the doors. They did but for not very long. Pub was still open and creating noise past 11.35pm. It was a loud and raucous night!
15th July 2022	15/07/2022	Loud shouting	Loud shouting since c.7pm and pub didn't seem to get a handle on the noise until they shut after 11pm. Last noise report was at 11.16pm.
16th July 2022	16/07/2022	Loud Music and anti social behaviour	Police ref CAD261016072022 - had to call the police 101 as it was loud and caused us server anxiety over noise
19th July 2022	19/07/2022	Licensing team involved	[REDACTED] spoke withn John McGann - letter to be sent to Kilburn arms
20th July 2022	20/07/2022	Loud music with open doors to the pub.	Dispersal of punters was ok however music went on past 11pm with the last song played at 11.02pm-11.06
27 th July 2022	27/07/2022	Music started at 7.30pm an went on until after 11pm. Last recording was at 11.05pm	went on past 11pm music and the terrace was loud.
30th July 2022	30/07/2022	Live music	Full on Drms medley which didn't stop until after 11pm

3rd August 2022	03/08/2022	Live Music and Spill out from punters from the pub on to the decking	Music shut off after 11pm and dispersal of punters didn't end until midnight
10th August 2022	10/08/2022	Live music	Doors to the pub are wide open and I had to go round to ask them to close them. They were opened again when I had left. Music wasn't fully shut off until 11:20pm
13th August 2022	13/08/2022	Music though a stereo and shouting	Loud
17th August 2022	17/08/2022	Loud music	The beer garden/terrace was supposed to have closed at 10:30pm but noise can still be heard and it's getting rather rowdy.
24th Aug 2022	24/08/2022	Loud music and shouting	Doors are wide open and we are struggling to sleep after a very hard day at work. No peace and quiet. Music went on past 11pm and punters have been knocking on our door drunk!
27th Aug 2022	27/08/2022	Live music with doors open and drunks smoking weed	Doors wide open and once the music eventually shut off after 11pm, there was a stereo system playing on the terrace which prolonged their party and our living hell to continue!
28th August 2022	28/08/2022	MET WITH COSTAS	reinforced our agreed terms as stated on the 17th May. all doors to the pub should be closed once the music starts at 8pm the back terrace must be closed at 10pm the duration should be between 8pm and 11pm with the last song played at 10:55pm that they seek ways to sound proof the venue
31st August 2022	31/08/2022	Live music	last recording submits past 11pm and then a medley of sporadic drums at 11:30pm
3rd September 2022	03/09/2022	Loud Live music	Drum and loud noise coming from the decking at the back. Bottle smashed and a strong smell of weed we can smell coming into our bedroom
7th September	07/09/2022	Live music	went on past 11pm and the doors are wide open. The music went on until 11:15pm
1st October 2022	01/10/2022	Live music and weed smells	this music tonight woke up our children and it went on until 11:43pm!!!!the loudest and longest thus far!

5th October 2022	05/10/2022	Loud music	Not many in the pub this eveing but they have a live band and its loud with doors open! At 2210 it woke up my eldest daughter and she said she felt scared as there was loud shouting and aggressive behavouour which could be heard.
12th October 2022	12/10/2022	Loud Live music - On site visit	I visisted the oub to speak with the on duty manager at 2134, after returning the music was even louder and we could see the doors were then opened up. There was the n a lot of arguaing on the front decking at 2347
20th October 2022	20/10/2022	Live music and people singing	1230am people singing and shouting on a Wednesday night! Police called as the mood was turning aggressive and a stong smell of weed coming into our bedroom.
26th October 2022	26/10/2022	Live music	1115 pm when the msuic was shut off then music was pumped out via a stereo on to the front terrace. The abuse we have been endruing is getting worse and songs were belted out at 1230am on a wednsday night. The police were called and a report submitted to the Met police over the antisocial behaviour and smell of weed again!
27th October 2022	27/10/2022	Stereo music and loud terrace	1222am people shouting and stereo on the terrace - continuous noise at an unacceptable hour of the night!
2nd November 2022	02/11/2022	Loud music	Loud music with doors open.
19th December	19/12/2022	Loud Music	Loud music and doors open - went round to complain and it was met with a shrug of the shoulder and a kiss of the teeth. Then a reply from Evie of see you in Court!

5th January 2023	05/01/2023	Immediate reprisal post hearing	<p>Unfortunately, as I came back from picking up my daughter from nursery, a man (mid 60's, medium build wearing a cowboy hat, smart trousers and glasses) entered our property by the side gate and confronted my father in law and I at 15.27 on 5th January 2023 in regards the recent ruling which he had been told about by the Kilburn Arms.</p> <p>We hope this is not a start to reprisals because of the recent ruling, as we had hoped to resume some sort of normality and not take kindly to threats.</p> <p>I have CCTV footage of the gentleman letting themselves into our side gate and into our garden which is attached and also reported this to the police with a crime reference number of CAD 462605012023.</p>
5th January 2023	05/01/2023	Court hearing and license reviewed	Live music will now be restricted to Saturdays only and just until 11pm, the playing of any type of music in outside areas of the pub is banned, a noise limiter is to be installed on the pub's sound system, and the rear outside areas can not be used after 10pm.
11th January 2023	23/01/2023	Music was quite loud	Disturbed us when going to bed.
19th January 2023	19/01/2023	Noisy drinkers	People drinking and shouting loudly on the back terrace past 11pm
20th January 2023	20/01/2023	Confrontation from Kilburns arms Barrister, Costas and Evie	All three were peering into the cemetery gates and seeking access after dark.

25th January 2023	25/01/2023	Music went on past 11om and lot sof shoutng in the street and outside out door. Recording was submitted 23.04 music shut off 2311.	It was clear to make out that the patrons of the pub were disgruntled with residents based on what we could hear from their conversations.
1st February 2023	01/02/2023	Music was loud and doors open	Music went on past 11pm and doors were open. Failed to move on patrons until midnight.
8th February 2023	08/02/2023	Loud music and aggressive patrons could be heard	Loud music and seems like there was no care of how loud the music was as people can be heard talking outside of our door "this is where he lives, he needs to stop complaining the sad C**t"
15th February 2023	15/02/2023	Loud music	Intermitent Loud music vibrating the walls. Some songs seemed like they playing in our room.
18th February 2023	18/02/2023	Loud music	Loud music played
22nd February 2023	22/02/2023	Loud music and aggressive patrons could be heard	Shouting directed at our house from the rear terrace. Very threatening behaviour and we are forced to shut our windows however their doors are wide opoen at the bar which can be seen - photo evidence can be supplied.
24th February 2023	24/02/2023	Loud music outdoors	I visited the pub's outosoor terrace on Willesden lane to fined people out there with a speaker. I politely asked them if they could shut it off as we are trying to sleep (23.16). I was then followed to my door but a rather angry patron! The music actually didn't stop until 1am !
29th March 2023	29/03/2023	Loud live music and altercation with David Dadds the barrister from the Kilburn Arms	I reported my incident to the police CAD2906/30 and also the council's hotline for anti social behavior. (full report can be provided)
26th March 2023	26/03/2023	Loud live music	Loud drumming on a Sunday night reported at 9pm! Didn't stop until 11pm
1st March 2023	01/03/2023	Loud live music	Loud drums and bass shaking our walls

4th March 2023	04/03/2023	Loud live music	Doors open, people cogregating by our door and music ent on until past 11pm
22nd March 2023	22/03/2023	Another wednesday of no sleep before 11pm	Loud and distressing sounds from drunk people by their cars. Bass music was shaking the walls and very loud.
21st June 2023	21/06/2023	Visit from Diane Lewsi to assess the noise 10.15pm	Loud music, stopped just after 11pm however rather distressing sounds from cars veing revved and drunk shouting until midnight on the Wednesday. I had a early morning meeting and was shattered!
28th June 2023	28/06/2023	Loud music	Music stopped at 11.10pm on a Wednesday. It was loud and doors were open at the back.
1st July 2023	01/07/2023	Extremeply loud music music	Music went on until 11.50pm - poor singiung and deafening music which could be heard all up Willesden Lane.
7th July 2023	07/07/2023	Loud music	Doors open at the back
24th July 2023	24/07/2023	Loud shouting at the back of the pub	What can only be described as iniebriated people acting rather loud, shouting and swearing
29th July 2023	29/07/2023	Fight at the pub	CAD REF7266/29/JUL23 - Fight at the pub which spilled on the street - I had popped out to get some milk and to my hporroe a brawl ensued and someone was pushed violently into a parked car. The man man struck by someone else and loud shouting could be heard for 10minutes until a lady which I believe to be evie got them to return inside. This futrger highlights that this NOT a nice, safe space for people to live near.
29th July 2023	29/07/2023	Noise from band warming up	Evie said it was from the church - upon a visit their doors were open but there was no music coming from the church. Evie sent me an email but only a picture showing wiondows open from the church but no video evidence of music from the church...Please see email correspondance in attachements

9th August 2023	09/08/2023	Loud music and anti social behaviour	Music was unbearable, doord were open and then there was the patrons shouting and talking loudly causing quite a lot of noise outside of our door.
13th September 2023	13/09/2023	Music was loud	Loud music and vulgar language - loud music from speakers it sounded like and anti social beahivour was reported at 23.31 via the noise app. We couldn't get to sleep and has work the next day.
15th September 2023	15/09/2023	Loud music	Irritating as we were so tiored from Wednesday! Its tough.
11th October 2023	11/10/2023	Loud music	reported via the noise app as usual.
14th October 2023	14/10/2023	Loud music	reported 3 x times. We cant imagine how the doord were closed to cause this amount of noise
4th November 2023	04/11/2023	Loud music	reported 3x times via noise app
29th November 2023	29/11/2023	Loud music	Loud music
6th December 2023	06/12/2023	Loud Music	How can thre doord be shut!?
12th January 2024	12/01/2024	Live music	People are just talking throguh the msicoiphone and we can hear their conversation - doord wide open and no one seems to care. This is worse and worse than ever before!
22nd January 2024	22/01/2024	Party and music!	rear terrace should have been closed at 1030pm - its still open and lots of people there shouting and causing quite a lot of noise on a Monday. We really have no rest. Past 11pm the terrace is open and signicant noise.
31st January 2024	31/01/2024	Live Music	Lots of sound coming from the kilburn arms this evening.
21st February 2024	21/02/2024	Live music	Its getting very tiring and we have started the appeal to review their license again.



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