

Sent: 21 March 2022 20:11

To: Business Licence <business.licence@brent.gov.uk>

Subject: Re: New Premises - Lino, 6 Lonsdale Road, NW6 6RD - 23842

Please find my final comments on the licence application

Re. 6A & 8A Lonsdale Rd Licensing Application ref: 23842

As resident [REDACTED] in extremely close proximity to the application site I would like to register an objection to the Licence Application for 6A & 8A Lonsdale Rd.

Lonsdale Rd has traditionally been a street of industrial units with other valuable service buildings such as the medical centre, dentist and the vets. It is a unique street surrounded by a residential area and Paddington Old Cemetery, naturally a quiet open zone that allows noise to travel far distances. Until recently it had only a single restaurant. The last few years has seen a proliferation of restaurants and bars – all with external seating - with seemingly no overview on the social impact this has on the noise in the surrounding area. There is a substantial difference between an industrial unit where one accepts noise during the normal working hours and a bar/ restaurant that emanates substantial noise up until 12.30 in the morning, 7 days a week.

The noise generation from Lonsdale Rd has exploded in the past few years and with this application will only get worse.

London Borough of Brent Statement on Licencing Policy states:

3.10 'Cumulative impact' can be understood as the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

3.11 Although 'cumulative impact' will not be considered by itself when determining an application under the Act, the Council does recognise that cumulative impact of a number of premises in a location may negatively impact on one or more of the licensing objectives. In particular, it is recognised that cumulative impact may lead to serious problems of nuisance and disorder in that area. In these circumstances the Council may consider cumulative impact when granting a new licence or club premises certificate, and may refuse an application where relevant representations show that there is strong evidence that the new premises will undermine one or more of the licensing objectives by exacerbating existing problems linked to crime and disorder or another of the licensing objectives.

5.18 The Council recognises that licensed premises, especially those operating late at night or in the early hours of the morning, can cause a range of nuisances that impact on people living, working or sleeping in the vicinity of the premises.

5.19 As public nuisance is not given a statutory meaning in the Act, the Council will consider nuisance in its common law meaning. Issues that may constitute common law nuisance could include noise nuisance, light pollution, water pollution, smoke, smells, waste, litter and other similar issues. The Council will expect operating schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Health team when preparing their operating schedules.

5.20 If a relevant representation is received and the Council considers that the prevention of nuisance has not been fully addressed in the operating schedule it will consider attaching conditions to licences and temporary event notices to prevent nuisance.

19.2 Where applicants intend to use private land for alfresco meals or refreshments they will be required to explain how possible nuisance or crime and disorder from late night use of table and chairs will be controlled. This may include such matters as restricting music or other forms of entertainment. Providing additional supervision or installing CCTV. Police recommend in general that outside areas (e.g beer gardens) should not be used after 23.00 hours

I would note that we were not consulted on the original Planning Application (21/3950). No consideration in this application was given to the licensing and/or cumulative increase of external restaurants on the street. No consideration was given to noise beyond that of the air-conditioning and extract units in a report that only analysed their use within the stated operating hours up to 23.00 hours.

I do not ask to revisit the planning application but note that this is the first opportunity in which the hours of operation and cumulative noise may be considered.

It has been clarified by the Licensing Department that in line with the Brent guidance cumulative noise may be taken in consideration in the issuing of the licence – not necessarily in refusing it but in placing conditions on its application.

I do not see any justification /explanation from the applicant as to how they propose to limit the inevitable nuisance in the late hours up until 12.30am in the morning, whether they propose recorded music, whether use of the external areas will be limited beyond a certain time. This is not in accordance with clause 19.2

I would therefore request that the Licence is either refused for lack of information or the operating hours limited. I would also ask that effective conditions are placed upon the hours and use of the external seating area with no external amplification of music permitted.