

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 Martin Wood apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 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

The Aura, 763-765 Harrow Rd, Wembley, London

Post Town **Wembley**

Post Code (if known) , **HA0 2LW**

Name of premises licence holder or club holding club premises certificate (if known)

KN Bros Limited

Number of premises licence or club premises certificate (if known)

164845

Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises ☐
- b) a body representing persons living in the vicinity of the premises ☐
- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) Y
- 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

First names

Please tick ✓ Yes

I am 18 years old or over

☐

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(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 Martin Wood (Principal Nuisance Control Officer) Brent Council (Nuisance Control Team) Brent Civic Centre Engineers Way Wembley London HA9 0FJ
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

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

☐
☐
Y
☐

Please state the ground(s) for review (please read guidance note 1)

Nuisance Control Team (NCT) believe the Licence Holder KN Bros Limited and current business owner has failed and is continuing to fail in the duty to prevent public nuisance when providing regulated entertainment – especially at noise sensitive times – whilst operating within the terms of the Premises Licence. A copy of the Premises Licence is provided in **Exhibit NCT/01**. The premises is presently licensed to open seven days a week from 11:00hrs, with terminal hours at 02:30hrs Monday to Friday and 03:30hrs Saturday and Sunday. The premises is licenced for recorded music and live music until 02:00hrs Monday to Friday and until 3:00hrs Saturday and Sunday. There are three specific music noise-controlling conditions on the premises licence:

Condition 13. The playing of live or recorded music shall not be permitted in any garden or external area.

Condition 16. All doors and windows shall remain closed during any licensable activity 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.

Condition 17. The level of music shall be arranged so as not to cause a nuisance to local residents.

The premises comprises an unused Lounge Area to the front of the premises, with a Club Area and DJ booth to the rear of the premises, and an adjoining Garden Area, which is covered but only partially enclosed on two elevations. The Club Area and Garden Area both provide regulated entertainment by separate DJ from a booth. A portion of The Club Area benefitted from acoustic treatment works under the previous business owner, to help contain bass noise transmission into Sudbury Crescent, situated rear of the premises. Those works were compromised and resulted in noise complaints when the present business owner breached the acoustic integrity of the ceiling by installing new lighting, meaning the overall volume of music and bass had to be reduced in order to minimise noise transmission. The adjoining Garden Area – accessible through a non-lobbied door – cannot reasonably benefit from acoustic treatment works, being a partially enclosed composite steel and timber structure. This structure has no adequate sound insulating capacity to contain regulated entertainment or indeed noise from patrons, both of which are reported as disturbing during noise sensitive hours. Noise sensitive hours are generally considered to be between 23:00hrs and 07:00hrs. The use of this Garden Area that is resulting in disturbance and public nuisance to nearby noise sensitive residential receptors. Some noise complaints are supported with dated and time-stamped noise recordings, reported through the Brent Noise App. The Brent Noise App is available to all Brent residents who have access to such a device. After downloading a simple app to their mobile telephone, a user can record 30 seconds of recorded noise disturbance directly to their mobile telephone. Once recorded, this information is then sent to a secure website and automatically deleted from the user's telephone to ensure there is only one copy and the data is stored securely. I am able to listen to the recordings on my computer through noise cancelling headphones by logging on to the website www.thenoiseapp.com. The recordings are used to assist me in the investigation of noise complaints. NCT served a Noise Abatement Notice upon the Licence Holder (KN Bros Ltd) and the Designated Premises Supervisor (Douglas Nunes) in December 2021, following case review and noise monitoring exercises, including review of Brent Noise App reports and recordings. The Noise Abatement Notices were not appealed. A previous Noise Abatement Notice served in August 2021 was formally withdrawn because the serving officer did not secure a copy of the Notice proving proper service. On 16 January 2022, NCT attended a meeting at the premises with the business owner [REDACTED] (one of two active directors of KN BROS LIMITED; Company number 11655090) and [REDACTED] new Operations Manager and Sales Manager. At that meeting, NCT learned that music is provided by DJ's in the Club Area and the partially enclosed Garden Area. We explained that an evidence gathering exercise in response to a complaint of music noise - that would have

ordinarily resulted in prosecution proceedings - was cut short because [REDACTED] had previously pleaded with us to let him know of any further nuisance complaints following service of the still active Noise Abatement Notices. At that meeting, we reiterated the gravity of ensuring music noise and reveller noise from the premises does not constitute statutory nuisance or public nuisance. [REDACTED] explained that he was planning to change the premises from a nightclub-like venue to a lounge venue, without loud music. We are not aware any such change has been introduced. It is our contention this premises operates as a nightclub; and use of the Garden Area at noise sensitive hours is causing public nuisance from patrons and from regulated entertainment in the form of loud amplified music. A Google search describes the premises thus: "Comfortable restaurant offering classic pasta & lamb dishes, plus wraps & cocktails." The Aura Lounge website [<https://theaura.co.uk/about-us/>] displays the following information: "High energy upbeat music to ensure that your feet never leave the dancefloor, astonishing experiences keeping you on your toes, awakening the Root Chakra." NCT as a Responsible Authority invite Licensing Committee to consider reducing the terminal hours as follows:

The opening hours of the premises (Day : Start Time : End Time) shall be as follows:

Monday 11:00hrs – 00:00hrs

Tuesday 11:00hrs – 00:00hrs

Wednesday 11:00hrs – 00:00hrs

Thursday 11:00hrs – 00:00hrs

Friday 11:00hrs – 01:00hrs

Saturday 11:00hrs – 01:00hrs

Sunday 11:00hrs – 00:00hrs

With all licensable activities (regulated entertainment, late night refreshment, and sale and supply of alcohol) terminating 30 minutes earlier. All seasonal variations shall be removed.

We also ask Licensing Committee to remove **Condition 11: The outside drinking areas shall cease at 23.30hours** and endorse the Premises Licence with the following noise-controlling conditions:

1. Regulated entertainment in the form of live or recorded music shall not be permitted within the partially enclosed Garden Area.
2. The terminal hour for public use of the Garden Area shall be midnight Friday and Saturday and 23:00hrs Sunday to Thursday.

Please provide as much information as possible to support the application (please read guidance note 2)

In support of this application NCT are providing:

A copy of the Premises Licence – including plan **[Exhibit NCT/01]**

4 x images of the partially enclosed Garden Area **[Exhibit NCT/02]**

Letter dated 14 January 2020 (previous business owner), referencing complaints alleging noise caused by loud amplified music and reminding the relevant noise-controlling conditions (13, 16 and 17) upon the Premises Licence. **[Exhibit NCT/03]**

2 x letters dated 15 March 2020 to (previous business owner) and the Licence Holder **[Exhibit NCT/04]**

Copies of the Noise Abatement Notices dated 17 December 2021 served on the Licence Holder and Designated Premises Supervisor along with cover letter referencing the duty imposed by the Licensing Act 2003 to prevent public nuisance and reminding that Condition 17 Specifies the level of music shall be arranged so as not to cause a nuisance to local residents. **[Exhibit NCT/05]**

Letters dated 04 December 2021, formally withdrawing an earlier Noise Abatement Notices and stating that NCT are concerned The Aura is failing in its duty to prevent public nuisance. **[Exhibit NCT/06]**

Email thread date commencing 01 December 2021 following complaint of loud music from the premises. **[Exhibit NCT/07]**

Email thread commencing 29 June 2021 seeking Brent Council support for public nuisance issues arising in connection with The Aura relating to crowd noise; fighting; parking issues. **[Exhibit NCT/08]**

[Exhibit NCT/09]:

14 Jan 2020, NCT case record referencing NCT discussion with [REDACTED] and including email to affected neighbour.

14 Mar 2020, NCT case record – nuisance notification and officer notes

21 Mar 2020, NCT case record – nuisance notification

21 Mar 2020, NCT case record – correspondence sent to affected neighbour in reply to email

18 July 2021, NCT case record – NUIS Proactive Investigation by Nuisance Control Officer

01 Aug 2021, NCT case record – correspondence received – report of noise

05 Aug 2021, NCT case record – correspondence received – report of noise

15 Aug 2021, NCT case record – noise app assessment note by Nuisance Control Officer
note dated 13 Nov 2021

01 Sept 2021, NCT case record – correspondence received – report of noise

13 Nov 2021, NCT case record – NUIS Proactive Investigation by Nuisance Control Officer

12 Dec 2021, NCT case record – Correspondence received from The Aura via Business Licence regarding nuisance

07 Jan 2022, NCT case record – Telephone call received from [REDACTED]

15 Jan 2022, NCT case record – Nuisance Notification and officer notes

16 Jan 2022, NCT case record – NUIS Proactive Investigation. Record of meeting at The Aura.

26 Jan 2022, NCT case record – Correspondence sent. Reply to email from affected neighbour.

26 Jan 2022, NCT case record – Correspondence sent. Email to The Aura FAO [REDACTED]

06 Feb 2022, Correspondence sent. Reply to email from affected neighbour.

10 Feb 2022, NCT case record – Telephone call received from [REDACTED]

Active Brent Noise App Case [**Exhibit NCT/10**]

Active Brent Noise App Case [**Exhibit NCT/11**]

Inactive Brent Noise App Case [**Exhibit NCT/12**]

Inactive Brent Noise App Case [**Exhibit NCT/13**]

Have you made an application for review relating to this premises before? Please tick ✓ **Yes**
☐

If yes, please state the date of that application

Day		Month		Year			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

NOT APPLICABLE

Checklist

Please tick ✓ Yes

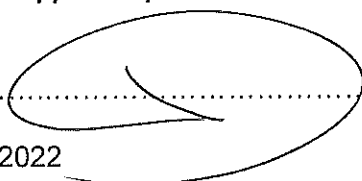
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date: 11 May 2022

Capacity: Principal Nuisance Control Officer / Responsible Authority

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

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. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. 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:-

Regulatory Services (Licensing)
Brent Council
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: business.licence@brent.gov.uk

Cheques should be crossed and made payable to London Borough of Brent.

Please follow the instructions in the checklist on page 14 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

Tel: 020 8937 5210

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

Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ



Planning, Transportation & Licensing
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

TEL: 020 8937 5359
EMAIL: business.licence@brent.gov.uk
WEB: www.brent.gov.uk

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: 01 November 2005
Current issue date: 22 April 2021

A handwritten signature in black ink, appearing to be 'G. R. G.', written over a horizontal line.

Authorised signatory

Premises licence number: 164845

Part 1 – Premises Details

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

The Aura
763 - 765 Harrow Road, Wembley, Brent, HA0 2LW

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section E: Live music
Section F: Recorded music
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 E: Live music

Day	Start Time	End Time
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

Christmas Eve (24th December); Christmas Day (25th December); Boxing Day (26th December); New Year's Eve (31st December); New Year's Day (1st January); All Public Bank Holidays (27th December, 1st and 29th August, 2nd May etc)
Good Friday; Easter Sunday; Easter Monday; Diwali Festivities., All from 11.00hrs to 02.00hrs

Section F: Recorded music

Day	Start Time	End Time
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

Christmas Eve (24th December); Christmas Day (25th December); Boxing Day (26th December); New Year's Eve (31st December); New Year's Day (1st January); All Public Bank Holidays (27th December, 1st and 29th August, 2nd May etc)
Good Friday; Easter Sunday; Easter Monday; Diwali Festivities., All from 11.00hrs to 02.00hrs

Section I: Provision of Late Night Refreshments:Indoors

Day	Start Time	End Time
Monday	23:00	02:00
Tuesday	23:00	02:00
Wednesday	23:00	02:00
Thursday	23:00	02:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	02:00

Christmas Eve (24th December); Christmas Day (25th December); Boxing Day (26th December); New Year's Eve (31st December); New Year's Day (1st January); All Public Bank Holidays (27th December, 1st and 29th August, 2nd May etc)
Good Friday; Easter Sunday; Easter Monday; Diwali Festivities., All from 11.00hrs to 02.00hrs

Section J: Sale or Supply of Alcohol: On the premises

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	02:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	02:00

Christmas Eve (24th December); Christmas Day (25th December); Boxing Day (26th December); New Year's Eve (31st December); New Year's Day (1st January); All Public Bank Holidays (27th December, 1st and 29th August, 2nd May etc) Good Friday; Easter Sunday; Easter Monday; Diwali Festivities., All from 11.00hrs to 02.00hrs

The opening hours of the premises

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	02:30
Tuesday	11:00	02:30
Wednesday	11:00	02:30
Thursday	11:00	02:30
Friday	11:00	03:30
Saturday	11:00	03:30
Sunday	11:00	02:30

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

KN Bros Limited
1 Agincourt Villas Uxbridge Road, Uxbridge, Middlesex, UB10 0NX

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

11655090

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

Douglas Nunes

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 Door supervisors shall wear clothing that can be clearly and easily identified on CCTV.

3 Door supervisors of a suitable gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol past 00:00 hours.

4 A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

5 Customers shall not be permitted to take open drink containers outside the premises as defined on the plan submitted to

and approved by the Licensing Authority.

6 A "Challenge 21" policy shall be adopted and adhered to at all times.

7 No alcohol shall be available for any customer when the premises are open primarily for use by persons under the age of 18.

8 Substantial food and non-intoxicating beverages shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.

9 An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any faults in the CCTV system or searching equipment or scanning equipment

(e) any refusal of the sale of alcohol

(f) any visit by a relevant authority or emergency service.

10 No entry or re-entry shall be permitted after 00.00 hours Sunday to Thursday and 01.00 hours Friday and Saturday.

11 The outside drinking areas shall cease at 23.30 hours.

12 After 23.30 hours the rear smoking area will cease to be used and the front smoking area shall be limited to 20 persons and each area shall be suitably supervised.

13 The playing of live or recorded music shall not be permitted in any garden or external area.

14 Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

15 Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.

16 All doors and windows shall remain closed during any licensable activity 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.

17 The level of music shall be arranged so as not to cause a nuisance to local residents.

18 Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

19 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.

20 Suitable and sufficient fire fighting equipment shall be installed and properly maintained.

21 Facilities within the premises shall be made available for customers to await taxis.

22 No children shall be admitted unless accompanied by a responsible adult.

23 The total number of people on the premises including staff and performers shall not exceed 220.

24 Any locks or flush latches on exit doors shall be unlocked and kept free from fastenings whilst the public are on the premises.

25 Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).

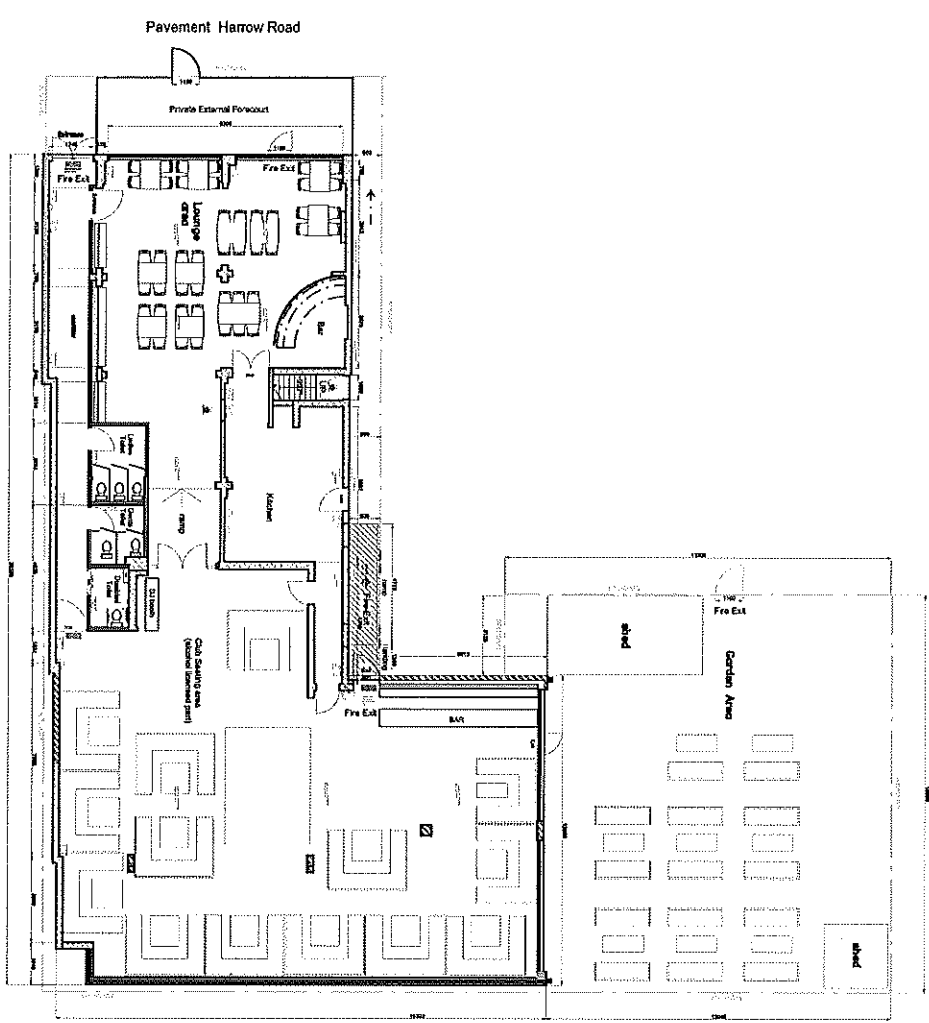
Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

See attached



SIZE A3



Location		Project		Drawing Title		Scale : 1:100@A3	
MAYA LOUNGE		INTERNAL ALTERATIONS		LICENSE - PLAN		Date : FEB 2014	
763 - 765 HARROW ROAD				AS-BUILT FLOOR PLAN		Drawing number	
SUDBURY HA0 2LW						SE/ML/01	
						Rev	
						H	

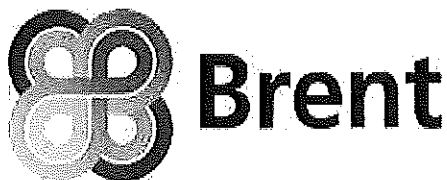
EXHIBIT NCT/02











REGENERATION AND ENVIRONMENT

EXHIBIT NCT/03

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ

Tel: (020) 8937 5252

Direct Line 020-8937 5561

Email: ens.noiseteam@brent.gov.uk

Web: www.brent.gov.uk

Date: 14/01/2020

Ayla Lounge
763-765 Harrow Road
Wembley
HA0 2LW

Your Ref:
Our Ref: NC/00296/20
Contact: Martin Wood

Dear [REDACTED]

Noise Nuisance - Environmental Protection Act 1990
Ayla Lounge, 763-765 Harrow Road, Wembley, HA0 2LW

The Council have a duty to investigate noise nuisance. We have received complaints alleging noise caused by loud amplified music and they have given us your address as being the source of the problem. We request you contact us to discuss this matter further.

We investigate problem noise by visiting those affected and decide what action to take based on the scale of the problem, how frequently it happens, who is affected by the noise and how. We may also use remote monitoring and recording devices to measure and record the noise being complained about.

If the Council is satisfied that a noise nuisance exists, or is likely, a noise abatement notice could be served on the person responsible. If the terms of that notice are broken and you continue to cause unacceptable noise, the Council may then take Court action. A successful prosecution can result in an unlimited fine and a criminal record being imposed.

Please also refer to your Premises Licence which includes the following relevant conditions:

13 The playing of live or recorded music shall not be permitted in any garden or external area.

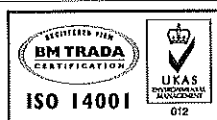
16 All doors and windows shall remain closed during any licensable activity and where a door is used for patrons to enter or leave the premises the door shall be lobbied and fitted with a self-closing device.

17 The level of music shall be arranged so as not to cause a nuisance to local residents.

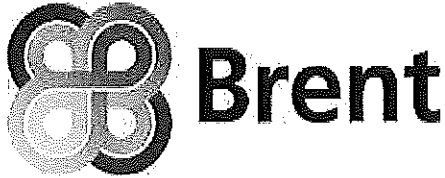
Thank you for your co-operation.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment



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borough



REGENERATION AND ENVIRONMENT

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ

Tel: (020) 8937 5252

Direct Line 020-8937 5561

Email: ens.noiseteam@brent.gov.uk

Web: www.brent.gov.uk

Date: 15/03/2020

[REDACTED]
Ayla Lounge
763-765 Harrow Road
Wembley
HA0 2LW

Your Ref:
Our Ref: NC/00296/20
Contact: Martin Wood

Dear [REDACTED]

Noise Nuisance - Environmental Protection Act 1990
Ayla Lounge, 763-765 Harrow Road, Wembley, HA0 2LW

The Council have a duty to investigate noise nuisance. We investigated a complaint alleging noise caused by loud amplified music on Sunday 15 March and determined the bass noise transmitting from the rear of this premises was at a level likely to constitute public and statutory noise nuisance. We spoke to your manager (Douglas) about this matter and requested he significantly lower the volume of music/bass. Please take steps to prevent further such nuisance by Friday 20th March 2020.

Such steps may include: significantly reducing the volume of music and paying particular attention to the bass frequencies; installing a sound limiting device with a noise level agreed by Nuisance Control Team; arranging for professional acoustic testing to determine what sound insulation measures are required to contain the level of entertainment you wish to provide for your customers.

Condition #17 on your premises licence requires: **The level of music shall be arranged so as not to cause a nuisance to local residents.**

Further evidence of nuisance may result in service of noise nuisance abatement notice, and application to formally review the premises licence under provisions within the Licensing Act 2003.

Please contact me if you wish to discuss this further.

Thank you for your co-operation.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment

cc The Licensing Authority



REGENERATION AND ENVIRONMENT

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ

Tel: (020) 8937 5252

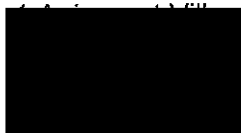
Direct Line 020-8937 5561

Email: ens.noiseteam@brent.gov.uk

Web: www.brent.gov.uk

Date: 15/03/2020

KN Bros Limited



Your Ref:

Our Ref: NC/00296/20

Contact: Martin Wood

Dear Sirs,

Noise Nuisance - Environmental Protection Act 1990

Ayla Lounge, 763-765 Harrow Road, Wembley, HA0 2LW

The Council have a duty to investigate noise nuisance. We investigated a complaint alleging noise caused by loud amplified music on Sunday 15 March and determined the bass noise transmitting from the rear of this premises was at a level likely to constitute public and statutory noise nuisance. We spoke to your manager (Douglas) about this matter and requested he significantly lower the volume of music/bass. Please take steps to prevent further such nuisance by Friday 20th March 2020.

Such steps may include: significantly reducing the volume of music and paying particular attention to the bass frequencies; installing a sound limiting device with a noise level agreed by Nuisance Control Team; arranging for professional acoustic testing to determine what sound insulation measures are required to contain the level of entertainment you wish to provide for your customers.

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Further evidence of nuisance may result in service of noise nuisance abatement notice, and application to formally review the premises licence under provisions within the Licensing Act 2003.

Please contact me if you wish to discuss this further.

Thank you for your co-operation.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment
cc The Licensing Authority



INVESTOR IN PEOPLE

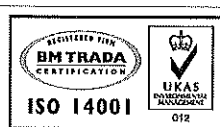


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2008
STRAY DOGS

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borough



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borough**

L/F

LONDON BOROUGH OF BRENT

Environmental Protection Act 1990

Section 80

Abatement notice in respect of statutory nuisance

KN Bros Limited (Licence Holder)
The Aura
763-765 Harrow Road
Wembley
HA0 2LW

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the **likely occurrence** of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as **The Aura 63-765 Harrow Road, Wembley, HA0 2LW** within the district of the said Council arising from the **playing of amplified music and amplified speech**.

HEREBY REQUIRE YOU as the **person responsible** of the premises from which the noise is or would be emitted **forthwith** from the service of this notice, to abate the same and also

HEREBY PROHIBIT the **occurrence** of the said nuisance and for that purpose require you to: **Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance**

IN the event of an appeal this notice shall **NOT** be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of any offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5,000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 17/12/2021

Signed:

Print Name: Martin Wood
Regulatory Services
Authorised Officer

Regulatory Services, Brent Civic Centre, Engineers Way, Wembley HA9 0JF

Tel: 0208 937 5252

Email:ens.noiseteam@brent.gov.uk

Ref: EH/20/00296/MW

NB The person served with this notice may appeal against the notice to Brent Magistrates' Court, 448 High Road, London NW10 2DZ within twenty-one days beginning with the date of service of the notice (see notes attached).

A Similar notice has been served on:

KN Bros Limited (Licence Holder) The Aura, 763-765 Harrow Road Wembley, HA0 2LW,
Douglas Nunes (DPS) The Aura, 763-765 Harrow Road Wembley , HA0 2LW,

If you require further information or have a query in respect of this notice, please call Martin Wood on 020 8937 5252

The Notice Of Which This is A True Copy Was Served By
Me On The Within Named On The Day Of
17/12/21
By Personal Delivery to MR DOUGLAS NUNES
At 763-765 HARROW ROAD
By Affixing HA0 2LW
Of The Pre
By Sent
To The Addressed
Recorded Delivery
Signed
Designation
20:45 hrs



REGENERATION AND ENVIRONMENT

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ
Tel: (020) 8937 5252
Direct Line 020-8937 5561

Email: ens.noiseteam@brent.gov.uk

Web: www.brent.gov.uk

Date: 17/12/2021

KN Bros Limited (Licence Holder)
The Aura
763-765 Harrow Road
Wembley
HA0 2LW

Your Ref:
Our Ref: NC/00296/20
Contact: Martin Wood

Dear Sirs,

Environmental Protection Act 1990
The Aura, 763-765 Harrow Road, Wembley, HA0 2LW

Following recent complaints and a case review our Nuisance Control Team have undertaken noise monitoring exercises at the front and rear of The Aura. We are concerned the level of bass emanating from the rear of the premises has potential to constitute nuisance within the meaning of the law to the occupiers of nearby residential units at noise sensitive hours (i.e. after 11pm).

Therefore we are obliged to serve the enclosed Notice under Section 80 of the Environmental Protection Act 1990. This is intended to deal with this matter by enabling the Council to take formal legal action should there be evidence of any occurrence of such a nuisance. This is without prejudice to your duty to prevent public nuisance under the Licensing Act 2003, and our power to apply for a review of your premises licence. We remind you that condition 17 in your operating schedule specifies:

17 The level of music shall be arranged so as not to cause a nuisance to local residents.

Should further complaints be received, we will investigate by monitoring the situation - usually by visiting the person making the complaint, or the use of remote monitoring equipment which measures and records the noise being complained about.

Contravention of the notice could lead to the instigation of criminal proceedings against you. The maximum fine for each offence currently stands at an unlimited fine upon conviction.

Please note that there is a right of appeal to the notice. Application has to be made to the Magistrates Court within 21 days. The details are provided on the notes to the notice.

Accordingly, I would strongly advise that ensure music from this premises is arranged at a level that is unlikely to disturb residential neighbours.

Should you require any further information, please do not hesitate to contact me at the above address.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment



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LONDON BOROUGH OF BRENT

Environmental Protection Act 1990

Section 80

Abatement notice in respect of statutory nuisance

Douglas Nunes (DPS)
The Aura
763-765 Harrow Road
Wembley
HA0 2LW

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the **likely occurrence** of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as **The Aura 63-765 Harrow Road, Wembley, HA0 2LW** within the district of the said Council arising from the **playing of amplified music and amplified speech**.

HEREBY REQUIRE YOU as the **person responsible** of the premises from which the noise is or would be emitted **forthwith** from the service of this notice, to abate the same and also

HEREBY PROHIBIT the **occurrence** of the said nuisance and for that purpose require you to: **Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance**

IN the event of an appeal this notice shall **NOT** be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

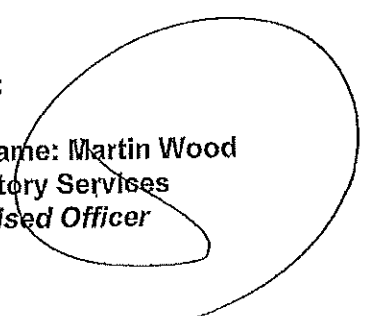
IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of any offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5,000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 17/12/2021

Signed:

Print Name: Martin Wood
Regulatory Services
Authorised Officer



Regulatory Services, Brent Civic Centre, Engineers Way, Wembley HA9 0JF

Tel: 0208 937 5252

Email:ens.noiseteam@brent.gov.uk

Ref: EH/20/00296/MW

NB The person served with this notice may appeal against the notice to Brent Magistrates' Court, 448 High Road, London NW10 2DZ within twenty-one days beginning with the date of service of the notice (see notes attached).

A Similar notice has been served on:

KN Bros Limited (Licence Holder) The Aura, 763-765 Harrow Road Wembley, HA0 2LW,
Douglas Nunes (DPS) The Aura, 763-765 Harrow Road Wembley, HA0 2LW,

If you require further information or have a query in respect of this notice, please call Martin Wood on 020 8937 5252

The Notice Of Which This Is A True Copy Was Served By	
Me On The Within Month Year Day Of	
17/12/21	
By Person	MR DOUGLAS NUNES
At	703-765 HARROW ROAD
By Address	HA0 2LW
Of The	
By Send	@ 2045 hrs
To The	addressed
To The Notice For	
Respectively and the Notice For	
Respectively and the Notice For	
Signed	Ketan Jesai
Designation	



REGENERATION AND ENVIRONMENT

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ
Tel: (020) 8937 5252
Direct Line 020-8937 5561

Email: ens.noiseteam@brent.gov.uk

Web: www.brent.gov.uk

Date: 17/12/2021

Douglas Nunes (DPS)
The Aura
763-765 Harrow Road
Wembley
HA0 2LW

Your Ref:
Our Ref: NC/00296/20
Contact: Martin Wood

Dear Sirs,

Environmental Protection Act 1990
The Aura, 763-765 Harrow Road, Wembley, HA0 2LW

Following recent complaints and a case review our Nuisance Control Team have undertaken noise monitoring exercises at the front and rear of The Aura. We are concerned the level of bass emanating from the rear of the premises has potential to constitute nuisance within the meaning of the law to the occupiers of nearby residential units at noise sensitive hours (i.e. after 11pm).

Therefore we are obliged to serve the enclosed Notice under Section 80 of the Environmental Protection Act 1990. This is intended to deal with this matter by enabling the Council to take formal legal action should there be evidence of any occurrence of such a nuisance. This is without prejudice to your duty to prevent public nuisance under the Licensing Act 2003, and our power to apply for a review of your premises licence. We remind you that condition 17 in your operating schedule specifies:

17 The level of music shall be arranged so as not to cause a nuisance to local residents.

Should further complaints be received, we will investigate by monitoring the situation - usually by visiting the person making the complaint, or the use of remote monitoring equipment which measures and records the noise being complained about.

Contravention of the notice could lead to the instigation of criminal proceedings against you. The maximum fine for each offence currently stands at an unlimited fine upon conviction.

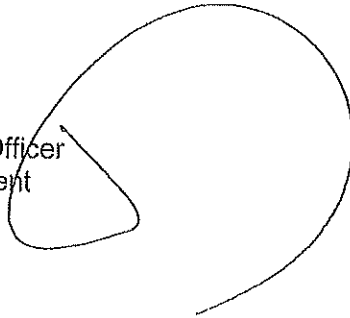
Please note that there is a right of appeal to the notice. Application has to be made to the Magistrates Court within 21 days. The details are provided on the notes to the notice.

Accordingly, I would strongly advise that ensure music from this premises is arranged at a level that is unlikely to disturb residential neighbours.

Should you require any further information, please do not hesitate to contact me at the above address.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment

A large, handwritten signature in black ink, appearing to be 'M. Wood', written over the typed name and title.



REGENERATION AND ENVIRONMENT

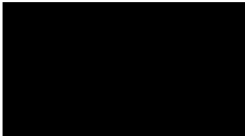
Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ
Tel: (020) 8937 5252
Direct Line 020-8937 5561

Email: martin.wood@brent.gov.uk

Web: www.brent.gov.uk

Date: 04/12/2021

KN Bros Limited



Your Ref:
Our Ref: NC/00296/20
Contact: Martin Wood

Dear Sirs,

Re: The Aura, 763-765 Harrow Road, Wembley, HA0 2LW

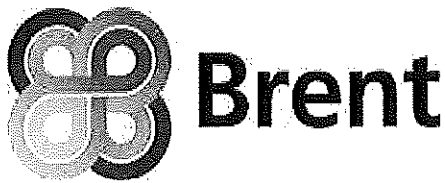
We are writing to formally withdraw the attached noise abatement notice because the serving officer did not secure a copy proving proper service.

I regret to advise, however, we still have concern The Aura is failing in its duty to prevent public nuisance. We will contact the Licence Holder and Designated Premises Supervisor separately in that regard.

Please contact me quoting the above reference if you would like to discuss anything stated here.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment



REGENERATION AND ENVIRONMENT

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ

Tel: (020) 8937 5252

Direct Line 020-8937 5561

Email: martin.wood@brent.gov.uk

Web: www.brent.gov.uk

Date: 04/12/2021

Your Ref:

Our Ref: NC/00296/20

Contact: Martin Wood

Dear Sir,

Re: The Aura, 763-765 Harrow Road, Wembley, HA0 2LW

We are writing to formally withdraw the attached noise abatement notice because the serving officer did not secure a copy proving proper service.

I regret to advise, however, we still have concern The Aura is failing in its duty to prevent public nuisance. We will contact the Licence Holder and Designated Premises Supervisor separately in that regard.

Please contact me quoting the above reference if you would like to discuss anything stated here.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment



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REGENERATION AND ENVIRONMENT

Brent Civic Centre, Engineers Way,
Wembley, Middlesex. HA9 0FJ

Tel: (020) 8937 5252
Direct Line 020-8937 5561

Email: martin.wood@brent.gov.uk

Web: www.brent.gov.uk

Date: 04/12/2021

Your Ref:
Our Ref: NC/00296/20
Contact: Martin Wood

Dear Sir,

Re: The Aura, 763-765 Harrow Road, Wembley, HA0 2LW

We are writing to formally withdraw the attached noise abatement notice because the serving officer did not secure a copy proving proper service.

I regret to advise, however, we still have concern The Aura is failing in its duty to prevent public nuisance. We will contact the Licence Holder and Designated Premises Supervisor separately in that regard.

Please contact me quoting the above reference if you would like to discuss anything stated here.

Yours sincerely,

Martin Wood
Principal Nuisance Control Officer
Regeneration and Environment



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borough**

LONDON BOROUGH OF BRENT

Environmental Protection Act 1990

Section 80

Abatement notice in respect of statutory nuisance

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Council of the London Borough of Brent being satisfied of the ~~(existence)~~(likely occurrence)~~(recurrence)~~ of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at the premises known as AURA LOUNGE 763-765 Harrow Road, Wembley, HA0 2LW within the district of the said Council arising from the playing of amplified music and amplified speech.

HEREBY REQUIRE YOU as the ~~(owner)~~(occupier)(person responsible) of the premises from which the noise is or would be emitted forthwith from the service of this notice, to abate the same and also

HEREBY (PROHIBIT)(RESTRICT) the ~~(occurrence)~~(recurrence) of the said nuisance and for that purpose require you to: **Cease or cause to cease the playing of amplified music and amplified speech at such a level as to constitute a nuisance**

IN the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of any offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale (currently £5,000), together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

Dated: 26/08/2021

Signed:

Print Name: Martin Wood
Regulatory Services
Authorised Officer

Regulatory Services, Brent Civic Centre, Engineers Way, Wembley HA9 0JF
Tel: 0208 937 5252
Email: ens.noiseteam@brent.gov.uk

Ref: EH/20/00296/MW

NB The person served with this notice may appeal against the notice to Brent Magistrates' Court, 448 High Road, London NW10 2DZ within twenty-one days beginning with the date of service of the notice (see notes attached).

A Similar notice has been served on: KN Bros Limited and

If you require further information or have a query in respect of this notice, please call Martin Wood on 020 8937 5252

(i) a person also responsible for the nuisance, or (ii) a person who is also owner of the premises, or

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment,

and that it would have been equitable for it to have been so served.

(3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.

(4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.

(5) On the hearing of the appeal the court may:-

(a) quash the abatement notice to which the appeal relates, or

(b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or dismiss the appeal;

(c) and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.

(6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -

with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or

as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.

(7) In exercising its powers under paragraph (6) above, the court -

(a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and

(b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

Where:-

an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -

(b) either:-

compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused

in the course of the performance of some duty imposed by law on the appellant, and

(c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.

This paragraph applies where -

the nuisance to which the abatement notice relates -
is injurious to health, or

is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or

the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

(3) Where paragraph (2) applies the abatement notice -

shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and

shall include a statement as to which of the grounds set out in paragraph (2) apply

From: Martin, Wood

Sent: 06 February 2022 22:40

To: [REDACTED]

Cc: Mark OBrien <Mark.OBrien@brent.gov.uk>; Susana, Figueiredo <Susana.Figueiredo@brent.gov.uk>

Subject: RE: Loud music from licensed premises

Dear [REDACTED]

Thank you for your email. I was intending to contact you during the coming week to ask why you had ceased submitting noise app reports. I am aware that the business owner has approached several neighbours.

Yes, the business has been in contact with Brent Council. An online meeting was held last week with the business owner and his agent. The council and Brent Licensing Police raised concerns around noise, parking, waste collection and related issues. We heard what efforts the business is making to reduce adverse impact on neighbours; which includes a plan to change the premises into a lounge as opposed to a nightclub-type venue. We are pressing for more details on this. A period of six weeks was given within which to resolve the issues or face further enforcement action.

We remain concerned about the intensity of noise from music and revellers, given the semi-enclosed nature of the rear garden area. I inspected the area to the rear of the premises at half past midnight on Saturday. It is evident that they are monitoring noise levels and endeavouring to manage customer parking in Sudbury Gardens. However, in my opinion, the efforts to manage noise are falling short. This was conveyed to the business during my visit.

I agree that it is not practical for you to keep contacting the business when they are already aware of the intensity of their noise levels. On that basis, I would encourage you to continue using the Brent Noise App. You are also able to use our call out service, as previously advised.

I have copied in the local Neighbourhood Manager and my colleague from the Community Safety Team who is co-ordinating our efforts to ensure the business operates without failing in its duty to prevent public nuisance.

More anon and kind regards

Martin Wood
Principal Nuisance Control Officer
Brent Council
020 8937 5561
www.brent.gov.uk

From: [REDACTED]

Sent: 06 February 2022 21:31

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

Subject: Re: Loud music from licensed premises

Dear Martin

Thank you for your email and sorry for the delay in replying back to you.

The Managers of the Aura Lounge have been round to speak to us with regards to the noise levels and we have expressed our concerns of the intensity of the noise, to which they have said they will be looking into how to improve and reduce the noise level. They have asked us to bear with them till they are able to get things sorted. We would like to know whether they are in contact with you regards to what they will be doing and any updates so far.

Hence them visiting us we have not done any recordings on the noise app as giving them time to sort the issue out, though the noise levels are still as per our previous recordings. We have been phoning the Manager to let them know when the noise level is loud, and they have been reducing the noise down, though we do have to keep reminding them. It is not practical for us to do this bearing in mind they are aware the intensity of the noise levels.

Please can you update us on what the Aura Lounge will be doing.

Regards

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

Sent: 26 January 2022 15:10

To: [REDACTED]

Cc: Mark OBrien <Mark.OBrien@brent.gov.uk>; Esther, Chan <Esther.Chan@brent.gov.uk>; Susana, Figueiredo <Susana.Figueiredo@brent.gov.uk>

Subject: RE: Loud music from licensed premises

Dear [REDACTED]

I had a meeting today with the local neighbourhood manager and representatives from the licensing authority and community safety team – copied into this reply.

Your recent noise app reports are acknowledged. The recordings made between midnight and 4am are especially powerful in evidencing nuisance from music and revellers.

To answer your specific questions:

The business is under a general duty of care not to cause nuisance to neighbours and is under a legal duty to prevent public nuisance – these are valid before and after 11pm. If noise occurring before 11pm shows breach of either those we can prosecute or apply to review the premises licence. From an evidential perspective, noise >11pm is, as stated, especially powerful.

The business owner has stated that the lounge is a move away from operating as a nightclub-type venue. Given the semi-enclosed nature of the rear garden area we do remain concerned about the intensity of noise from music and revellers. I understand the business has now volunteered to close at 01:30am.

My colleagues are in contact with the business owner to ensure he understands the gravity of the situation and our capacity to prosecute or apply for a review of the premises should evidence supporting such intervention continue.

Please continue to use the Brent Noise App or use our call-out service:

CALL-OUT SERVICE

Fri-Sun 6pm-2am 0208 937 1234

Kind regards

Martin Wood
Principal Nuisance Control Officer
Brent Council
020 8937 5561
www.brent.gov.uk

From: [REDACTED]
Sent: 21 January 2022 18:21
To: Martin, Wood <Martin.Wood@brent.gov.uk>
Subject: Re: Loud music from licensed premises

Dear Martin

Hope all is well and thank you for the feedback received on 19th January via the Noise App.

The intensity of the noise that is created before 11pm is the same after 11pm, sometimes louder as you noticed when you visited our house. Would like to know the legality of the noise level before 11pm? Their back doors seem to be kept open hence the intensity of the noise level which is loud, plus their revellers that make noise outside their premises at the back. As you have mentioned in your feedback, the premises will soon be reverting from a Club to a Lounge. What difference will that make to the noise levels?

We have never had this kind of issue with previous owners, and they kept their back doors closed and noise levels low. We will continue reporting the noise level via the App, and hopefully, the owners will then understand the gravity of the situation.

Regards

[REDACTED]

From: Martin, Wood <Martin.Wood@brent.gov.uk>
Sent: 17 December 2021 16:20
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Loud music from licensed premises

Dear Sir

Your email to [REDACTED] has been passed to our Nuisance Control Team. We have been monitoring this premises for music noise breakout during our Friday and weekend nights. We have also engaged with those responsible for managing the premises and reminded them of their legal and licensing responsibilities. We are concerned that noise from bass after 11pm is likely to constitute nuisance within the meaning of the law and are therefore preparing to serve noise abatement notices this evening.

Enforcement action for breach of that notice must be based on an officer obtaining real-time evidence of the nuisance occurring during our service hours and demonstrating impact on those affected in their home. Our call-out service is mainly available at the times when people are mostly disturbed by noise.

CALL-OUT SERVICE

Mon-Fri	11am-5pm	<u>0208 937 5252</u>
Fri-Sun	6pm-2am	<u>0208 937 1234</u>

Our holiday period opening hours and service changes are included [here](#).

When noise is occurring we will endeavour to contact you as soon as possible and if necessary visit to make an assessment of the noise from your premises. We cannot respond to calls outside our service hours. For noise occurring outside our service hours we encourage residents to submit recordings for review via the [Brent Noise App](#) or by completing the attached nuisance incident diary. We cannot use noise app recordings as evidence of breach of notice but encourage recordings in support of such action, or other enforcement considerations.

Kind regards

Martin Wood
Principal Nuisance Control Officer
Brent Council
[020 8937 5561](tel:02089375561)
www.brent.gov.uk

From: [REDACTED]
Sent: 01 December 2021 18:30
To: Whyte, Chris <Chris.Whyte@brent.gov.uk>
Cc: [REDACTED]
Subject: Fwd: Loud music from licensed premises

Chris

Can someone from Licensing & Planning investigate and advise whether they are complying with conditions of use.

It is under new ownership and this is the 1st time for years that I have received complaints about this.

Past Managers had arrangements for dealing with issues and were accessible. The new owners may need to put something in place too.

Thanks

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 1 December 2021 at 15:54:57 GMT
To: [REDACTED]
Subject: Loud music from licensed premises

Dear [REDACTED]

Hope all is well and keeping safe,

I would like to bring to your attention the loud music that is often blaring out from The Aura Lounge, 763-765 Harrow Road. The music is heard even with our bedroom windows closed and often goes on beyond 2am in the morning. I have tried calling them at that hour in the morning to complain but their phone lines go to voicemail. On Monday 29th November at around 2.15am I ended up calling the police who were unable to assist, who also did hear the music whilst I was on the phone to them and they did give a reference number to say we had made a complaint. Also phoned the out of hours Brent Council Noise/Nuisance line but as I had called after 2am the lady advised they had no one to assist but to report the incident online.

Can you please help and advise what can be done.

Regards

[REDACTED]

From: [REDACTED] Councillor [REDACTED]
Date: 29 June 2021 at 18:14:36 BST
To: "

[REDACTED]
 [REDACTED] Councillor [REDACTED]
 [REDACTED] Councillor [REDACTED]
 [REDACTED] Sudbury Police [REDACTED]

Subject: Fwd: The Aura

Hi [REDACTED]

[REDACTED] is just the latest resident to complaint about disruption, antisocial behaviour and illegal parking on a grand scale in Sudbury Town on Thursday/Friday/Saturday/Sunday each week. Could we please have

- 1 a license review
2. Special enforcement squads
- 3 additional patrols

Kind regards

[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
 [REDACTED] >
Date: 29 June 2021 at 13:46:12 BST
To: [REDACTED] Councillor [REDACTED]
 Councillor [REDACTED]
Subject: The Aura

Dear [REDACTED]

I am asking for support on Sudbury high road there is new bar or club called THE AURA now the reason for my email is that every weekend from Friday to Sunday nights the streets are packed with cars and party people now the problem is the crowd the level of noise screaming last Sunday was to much people were parking anywhere i had 3 cars out side my house the other side the same range rovers Audi cars you name it then a big fight people running up down men fist fighting i was tryin go to get home from the shops the crowd was to much even the garage men locked up and left the club needs to understand the people like myself are fed up of weekend people in our drive way and fights either they sort it out or leave
 i would like be kept anonymous but i do feel the neighborhood hood police need to be aware

[https://urldefense.com/v3/_https://theaura.co.uk/_;!!CVb4j_0G!CxfkPmWmg5aaHzVmijpYJbYx-N5ANoD20hTlqt43F9SbrRhZU0zvAjvDib7qNUC70OyI_ZtPvw\\$](https://urldefense.com/v3/_https://theaura.co.uk/_;!!CVb4j_0G!CxfkPmWmg5aaHzVmijpYJbYx-N5ANoD20hTlqt43F9SbrRhZU0zvAjvDib7qNUC70OyI_ZtPvw$)

Yours Sincerely

A black rectangular redaction box covering the signature area.

Exhibit NCT/09

14/01/2020 16:47:25

A - Correspondence sent (e.g. email, etc)

Action officer: **Martin Wood**Result of action: **No Result Entered**

Action completed:

Action details:

Sent following call from [REDACTED] refuting the allegation and stating they operate quietly and record sound measurement using a device. Advised any sounds audible externally must not be nuisance at nearest noise sensitive premises.

From: Wood, Martin**Sent:** 14 January 2020 16:47**To:** [REDACTED]**Subject:** Ayla Lounge, 763-765 Harrow Road, Wembley, HA0 2LW

Dear Sir

Further to my email, one of the directors of Ayla Lounge has contacted me and requested I share his details with you along with an invitation that you contact him as he wishes to address any concerns you have.

I have not disclosed your details.

It is your choice whether or not you wish to accept this offer.

The contact is [REDACTED] and his number is: [REDACTED]

Kind regards

Martin Wood
Principal Nuisance Control Officer
Community Protection
Regeneration and Environmental Services
Brent Council
020 8937 5561

14/03/2020 23:41:11

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action:

Action completed:

Action details:

Loud Music

I am leaving at sudbury crescent ha0 2lz and ayla lounge making loud music after 11 pm this is effect on sleep.

Any further details: They need to set up more noise protection

00:30hrs 50 - 51dB heavy bass transmitting from rear with reverberation. Perceptible as well as audible. Heavy bass easily evident from opposite side of road at front. Premises operating like a nightclub. 2 or 3 doormen. Spoke to manager - Douglas - seven days from now to find solution and avoid NAN. DPS is Mak Desai

21/03/2020

NUIS - Nuisance-on notification

Sent: 21 March 2020 12:55

To: ENS Noise Team <ens.noiseteam@brent.gov.uk>

Please Select the type of nuisance you wish to report from the list below: Loud Music

Please provide details of the address/location of the problem: Ayla lounge ha0 2lw

Loud bass emanating from the rear of the premises.

Any further details: Loud bass emanating from the rear of the premises.

21/03/2020 19:15:33
etc)

A - Correspondence sent (e.g. email,

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Martin, Wood

Sent: 21 March 2020 19:14

To: [REDACTED]

Subject: RE: Ayla Lounge, 763-765 Harrow Road, Wembley, HA0 2LW

Dear [REDACTED]

That's disappointing to hear.

I will check it out later tonight but given the latest Covid-19 advice from government, the premises should be closed unless offering a takeaway service.

Do let me know if and when it resumes as I am expecting no bass noise this evening.

Kind regards

From: [REDACTED]
Sent: 20 March 2020 22:25
To: Martin, Wood <Martin.Wood@brent.gov.uk>
Subject: Re: Ayla Lounge, 763-765 Harrow Road, Wembley, HA0 2LW

Hi Martin

Once again tonight noise start back of premise.

Can you please look into this matter.

Regards
[REDACTED]

18/07/2021 01:30:00 NUIS - Proactive investigation/visit

Action officer: [REDACTED]

Result of action: **No Result Entered**

Action completed:

Action details:

Visited Aura Lounge this morning 18th July 2021 at 01:30am.

On arrival, music with heavy bass beats could be heard coming out the front of the premises. The roof panels of the front section were rattling from the sound intensity.

Two security personnel were standing outside the front of the premises.

The front entrance doors were left open, we could see all the way in to the back of what appeared to be the main area. Patrons were leaving and also entering while we were there.

I spoke to the manager [REDACTED] who said they need to leave front doors open in case of fire. Advice given regarding self-closing doors etc.

Music was turned down on my request before we left.

[REDACTED]
Nuisance Control Officer
Regeneration and Environment
London Borough of Brent

0208 937 5272

www.brent.gov.uk

01/08/2021 A - Correspondence received

Action officer: [REDACTED]

Result of action: **No Result Entered**

Action completed: **23/08/2021**

Action details:

Any further details: Noise is from Aura Lounge, a club that plays loud music every night until at least 2am which can be heard for miles in residential areas nearby

05/08/2021 A - Correspondence received

Action officer: [REDACTED]

Result of action: **No Result Entered**

Action completed: **25/08/2021**

Action details:

Any further details: The Aura nightclub plays extremely loud music and shouting that is a nuisance every night in this residential area.

15/08/2021 A - Correspondence received

Action officer: [REDACTED]

Result of action: **No Result Entered**

Action completed:

Action details:

Noise App submission received, recorded at 23:55pm.
music can be clearly heard in the background of the recording.
it is clear recording was done inside complainant's dwelling
Complainant lives [REDACTED] away from the source.
Deemed a statutory nuisance

01/09/2021 A - Correspondence received

Action officer: [REDACTED]

Result of action: **No Result Entered**

Action completed: **05/11/2021**

Action details:

[REDACTED]

Any further details: Too much loud music can not sleep in the night and customers park car near houses make noise after party

[REDACTED]

Any further details: The aura too much loud music can not sleep

13/11/2021 00:30:01 NUIS - Proactive investigation/visit

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

Deep bass and voices of revellers inside evident at rear of Aura Lounge. Deep bass emanating from front. Douglas DPS and security inspected rear. Repeated requests for lower volume and bass conclude with noise still evident and potentially ongoing until 3am. Advised previous SI works and monitoring have shown noise can be contained. Nuisance likely to occur. Explained they need to manage noise to prevent court or licence review.

21/12/2021 11:50:47 A - Correspondence received

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Esther, Chan <Esther.Chan@brent.gov.uk>
Sent: 21 December 2021 11:49
To: The Aura <info@theaura.co.uk>
Cc: ENS Noise Team <ens.noiseteam@brent.gov.uk>; Martin, Wood <Martin.Wood@brent.gov.uk>;
Licensing Police NWMailbox.licensingbrent@met.police.uk
<NWMailbox.licensingbrent@met.police.uk>
Subject: RE: Reg Aura

Dear Sir,

Thank you for your email. I've copied the Nuisance Control Team in this email for their information.

Kind Regards
Esther Chan
Licensing Inspector
Regulatory Services
Brent Council

Tel: 0208 937 5303

www.brent.gov.uk
@Brent_Council

From: The Aura <info@theaura.co.uk>
Sent: 20 December 2021 17:25
To: Esther, Chan <Esther.Chan@brent.gov.uk>
Subject: Reg Aura

Hello Esher,

Hope you are well. Firstly i apologise that i was about to send you this email on Friday as promised but had massive issue at work because of that my 3 days has been a nightmare. As we spoke about the issues related to the Ayla please see bellow the things we are doing to avoid it.

Firstly regarding the planning alterations for the outside Area i have spoke to the Joshua Simon Associates few times but because of their heavy load they have been delaying alot & now i have sent all the details to 2 different planing companies There is a private person called [REDACTED] & other one is called [REDACTED] they assured they will start working on this with me from Wednesday. I assure you i will make sure i will stay on top of this & will make sure will do everything as you say.

Regarding Nuisance as soon as i recieved a call from you first thing we did is on Thursday we completely dropped the base from all our speakers so there was no base at all started from Thursday to Sunday we had one security petrolling in that area we have got nearly 13 Vidoes recording of checking the sound if they can hear anything at all & also we have got Digital sound level meter checking the sound & they are been noted on sound check sheet so we can show you this anytime you like.

Now another thing we have got people coming from the void company tomorrow (Tuesday 21st) to check if all our limiters are in place also now we are getting this sorted in a proper way as we have contacted these companies below they are coming to do the proper acoustics for us so we can secure every building corner properly.

<https://www.acoustics.agency>

https://www.noiseassessments-ap.co.uk/?gclid=EAIaIQobChMI9ZmG--Pr9AIVmd_tCh2DpgYhEAAAYAAEgIg8_D_BwE

They will give us a date tomorrow when can they come in this week they will do the whole site survery & whatever is needed to be done they wil do it even if we have to close & get this done this will be our priority i assure.

But until this is done i assure we will have the security checking everyday taking videos & our bass will be completely down we wont give any issue to anyone at all.

Hope this above is all ok. Really sorry for the issues.
I assure will sort this on priority.

Many Thanks

07/01/2022 16:22:30

Telephone call RECEIVED by officer

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

[REDACTED]

- acknowledges EPA noise notice
- builders working to enclose rear
- has spoken all neighbours r/o - no issues reported
- wants us to call anytime should be find nuisance issue

15/01/2022 21:20:35

NUIS - Nuisance-on notification

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

TNA / ■■■ / LAM and reveller noises

22:40 CB and Message

22:44 CB no answer

22:45 CB from ■■■ - visit arranged

23:05 Nuisance level of noise from LAM and revellers assessed for <5mins in garden. ■■■ states prevents him and family sleeping, continues until 2am, and occurs seven days a week except Weds.

23:10 call to Atul not answered and no VMS

SIA Doorman says Atul on premises. Other doorman volunteers that noise results from different DJ's competing with each other. Douglas Nunes and doorman accompany me to rear where same noise is evident. DN produces his phone and asks what (dB) number they should aim for. Remind him of his duty to prevent public nuisance and ensure NAN is obliged...and did him and Atul a favour this evening by not insisting on getting sufficient duration of evidence to pursue prosecution; and that further evidence will see such proceedings and application to review licence. DN states Atul has arranged some acoustic works, which should have commenced on 09 Jan and plan is to change more to a lounge than a nightclub (after I recommended nightclub levels of entertainment require nightclub levels of sound insulation). Text to Atul for Sunday evening visit.

16/01/2022 20:00:28

NUIS - Proactive investigation/visit

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

Atul new Ops Manager and Sales Manager

- explained complaint evidence could have resulted in prosecution
- new lights have compromised integrity of the acoustic ceiling
- music by DJs in main bar and partially enclosed garden area
- reiterated gravity of ensuring music and reveller does not constitute nuisance
- he plans to change from nightclub-like venue to a lounge without loud music

26/01/2022 15:11:45
etc)

A - Correspondence sent (e.g. email,

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Martin, Wood

Sent: 26 January 2022 15:10

To: [REDACTED]

Cc: Mark OBrien <Mark.OBrien@brent.gov.uk>; Esther, Chan <Esther.Chan@brent.gov.uk>; Susana, Figueiredo <Susana.Figueiredo@brent.gov.uk>

Subject: RE: Loud music from licensed premises

Dear [REDACTED]

I had a meeting today with the local neighbourhood manager and representatives from the licensing authority and community safety team – copied into this reply.

Your recent noise app reports are acknowledged. The recordings made between midnight and 4am are especially powerful in evidencing nuisance from music and revellers.

To answer your specific questions:

The business is under a general duty of care not to cause nuisance to neighbours and is under a legal duty to prevent public nuisance – these are valid before and after 11pm. If noise occurring before 11pm shows breach of either those we can prosecute or apply to review the premises licence. From an evidential perspective, noise >11pm is, as stated, especially powerful.

The business owner has stated that the lounge is a move away from operating as a nightclub-type venue. Given the semi-enclosed nature of the rear garden area we do remain concerned about the intensity of noise from music and revellers. I understand the business has now volunteered to close at 01:30am.

My colleagues are in contact with the business owner to ensure he understands the gravity of the situation and our capacity to prosecute or apply for a review of the premises should evidence supporting such intervention continue.

Please continue to use the Brent Noise App or use our call-out service:

CALL-OUT SERVICE

Fri-Sun 6pm-2am 0208 937 1234

www.brent.gov.uk

From: [REDACTED]

Sent: 21 January 2022 18:21

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

Subject: Re: Loud music from licensed premises

Dear Martin

Hope all is well and thank you for the feedback received on 19th January via the Noise App.

The intensity of the noise that is created before 11pm is the same after 11pm, sometimes louder as you noticed when you visited our house. Would like to know the legality of the noise level before 11pm? Their back doors seem to be kept open hence the intensity of the noise level which is loud, plus their revellers that make noise outside their premises at the back. As you have mentioned in your feedback, the premises will soon be reverting from a Club to a Lounge. What difference will that make to the noise levels?

We have never had this kind of issue with previous owners, and they kept their back doors closed and noise levels low. We will continue reporting the noise level via the App, and hopefully, the owners will then understand the gravity of the situation.

Regards



26/01/2022 17:00:39
etc)

A - Correspondence sent (e.g. email,

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Martin, Wood

Sent: 26 January 2022 17:00

To: 'The Aura' <info@theaura.co.uk>

Cc: Mark OBrien <Mark.OBrien@brent.gov.uk>; Esther, Chan <Esther.Chan@brent.gov.uk>; Susana, Figueiredo <Susana.Figueiredo@brent.gov.uk>

Subject: FAO Atul, The Aura, 763-765 Harrow Road, Wembley, HA0 2LW

Dear Atul

Further to our site meeting at The Aura on Sunday 16 January, I am concerned you have not fully grasped the gravity of this situation or your legal duty under the Licensing Act 2003 to prevent public nuisance.

Attached are a series of noise recordings. It is recommended these are reviewed through noise cancelling headphones. The filename shows the date and time of the recording as follow: year-month-day_time.

The recordings convey unreasonable levels of noise from music and revellers.

You must ensure this level of disturbance ceases with immediate effect. No further warning will be given.

I have copied in the neighbourhood manager and representatives from the licensing authority and community safety team.

Ongoing evidence of public nuisance will result in formal application to review or revoke your premises licence.

www.brent.gov.uk

06/02/2022 22:40:43
etc)

A - Correspondence sent (e.g. email,

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

From: Martin, Wood

Sent: 06 February 2022 22:40

To: [REDACTED]

Cc: Mark OBrien <Mark.OBrien@brent.gov.uk>; Susana, Figueiredo
<Susana.Figueiredo@brent.gov.uk>

Subject: RE: Loud music from licensed premises

Dear [REDACTED]

Thank you for your email. I was intending to contact you during the coming week to ask why you had ceased submitting noise app reports. I am aware that the business owner has approached several neighbours.

Yes, the business has been in contact with Brent Council. An online meeting was held last week with the business owner and his agent. The council and Brent Licensing Police raised concerns around noise, parking, waste collection and related issues. We heard what efforts the business is making to reduce adverse impact on neighbours; which includes a plan to change the premises into a lounge as opposed to a nightclub-type venue. We are pressing for more details on this. A period of six weeks was given within which to resolve the issues or face further enforcement action.

We remain concerned about the intensity of noise from music and revellers, given the semi-enclosed nature of the rear garden area. I inspected the area to the rear of the premises at half past midnight on Saturday. It is evident that they are monitoring noise levels and endeavouring to manage customer parking in Sudbury Gardens. However, in my opinion,

the efforts to manage noise are falling short. This was conveyed to the business during my visit.

I agree that it is not practical for you to keep contacting the business when they are already aware of the intensity of their noise levels. On that basis, I would encourage you to continue using the Brent Noise App. You are also able to use our call out service, as previously advised.

I have copied in the local Neighbourhood Manager and my colleague from the Community Safety Team who is co-ordinating our efforts to ensure the business operates without failing in its duty to prevent public nuisance.

More anon and kind regards

www.brent.gov.uk

From: [REDACTED]
Sent: 06 February 2022 21:31
To: Martin, Wood <Martin.Wood@brent.gov.uk>
Subject: Re: Loud music from licensed premises

Dear Martin

Thank you for your email and sorry for the delay in replying back to you.

The Managers of the Aura Lounge have been round to speak to us with regards to the noise levels and we have expressed our concerns of the intensity of the noise, to which they have said they will be looking into how to improve and reduce the noise level. They have asked us to bear with them till they are able to get things sorted. We would like to know whether they are in contact with you regards to what they will be doing and any updates so far.

Hence them visiting us we have not done any recordings on the noise app as giving them time to sort the issue out, though the noise levels are still as per our previous recordings. We have been phoning the Manager to let them know when the noise level is loud, and they have been reducing the noise down, though we do have to keep reminding them. It is not practical for us to do this bearing in mind they are aware the intensity of the noise levels.

Please can you update us on what the Aura Lounge will be doing.

Regards

[REDACTED]

10/02/2022 15:52:11

Telephone call RECEIVED by officer

Action officer: **Martin Wood**

Result of action: **No Result Entered**

Action completed:

Action details:

Call from Atul:

- reduced volume of music
- restricting customer numbers
- offering a/c and triple glazing to affected neighbour (rather this than lose the business)
- is transition to a lounge (and will likely lose some customers)

Advised him:

- no dBA limit for nuisance level
- noise still evident at rear because structure does not contain music and customer
- we are happy with operation if no valid complaints
- will prosecute NAN and review if needed to prevent statutory or public nuisance

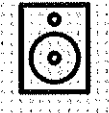
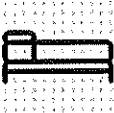
Complainant Details



Last updated 04 May 2022 11:05am



Source Address

763-765 Harrow Road , The Aura Lounge , Wembley , HA0 2LW


Reports

Date	Source	Location	Intensity Rating	Duration
15 Apr 2022 00:09am	 Music	 Bedroom	9/10	02:00:00
Comments	"			
Officer Notes	-			

Date	Source	Location	Intensity Rating	Duration
11 Mar 2022 23:21pm	 Music	 Bedroom	10/10	02:00:00
Comments	"			
Officer Notes	-			

Date	Source	Location	Intensity Rating	Duration
20 Jan 2022 20:41pm	 Music	 Bedroom	10/10	01:15:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
09 Jan 2022 22:47pm	 Music	 Bedroom	8/10	02:00:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
09 Jan 2022 22:43pm	 Music	 Bedroom	8/10	02:00:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
08 Jan 2022				

00:58am



Music



Bedroom

10/10

04:00:00

Comments

”

Every night drums are played loudly, disturbing sleep for the family and with people shouting and making noise at the club

Officer Notes

Date

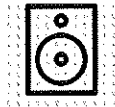
Source

Location

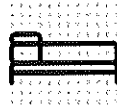
Intensity
Rating

Duration

08 Jan 2022
00:57am



Music



Bedroom

10/10

04:00:00

Comments

”

-

Officer Notes

Date

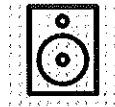
Source

Location

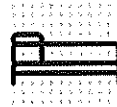
Intensity
Rating

Duration

07 Jan 2022
23:17pm



Music



Bedroom

9/10

03:00:00

Comments

”

-

Officer Notes

Date

Source

Location

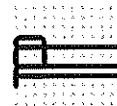
Intensity
Rating

Duration

07 Jan 2022
22:09pm



Music



Bedroom

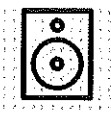
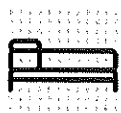
8/10

03:00:00

Comments

” -



Officer Notes

Date	Source	Location	Intensity Rating	Duration
06 Jan 2022 22:56pm	 Music	 Bedroom	9/10	03:00:00

Comments

” Music every night, so loud and disturbing sleep.

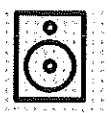
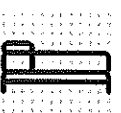
Officer Notes

Date	Source	Location	Intensity Rating	Duration
06 Jan 2022 22:16pm	 Music	 Bedroom	9/10	02:30:00

Comments

” -

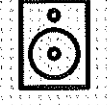
Officer Notes

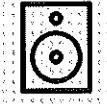
Date	Source	Location	Intensity Rating	Duration
06 Jan 2022 00:04am	 Music	 Bedroom	9/10	03:10:00

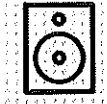
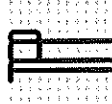
Comments

” -

Officer Notes

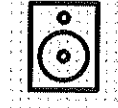
Date	Source	Location	Intensity Rating	Duration
05 Jan 2022 22:01pm	 Music	 Bedroom	8/10	02:00:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
04 Jan 2022 21:41pm	 Music	 Bedroom	8/10	02:00:00
Comments	” -			
Officer Notes				

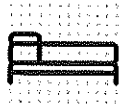
Date	Source	Location	Intensity Rating	Duration
02 Jan 2022 22:27pm	 Music	 Bedroom	8/10	02:00:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
02 Jan 2022				

00:43am



Music



Bedroom

10/10

05:00:00

Comments

”

-

Officer Notes

Date

Source

Location

Intensity
Rating

Duration

01 Jan 2022
23:59pm



Music



Bedroom

9/10

04:00:00

Comments

”

-

Officer Notes

Date

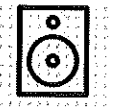
Source

Location

Intensity
Rating

Duration

01 Jan 2022
01:06am



Music



Bedroom

10/10

04:30:00

Comments

”

-

Officer Notes

Date

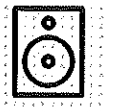
Source

Location

Intensity
Rating

Duration

21 Dec 2021
00:39am



Music



Garden

8/10

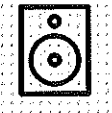

03:00:00

Comments

”

-

Officer Notes

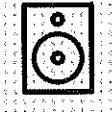

Date	Source	Location	Intensity Rating	Duration
18 Dec 2021 01:43am	 Music	 Bedroom	9/10	03:00:00

Comments

”

-

Officer Notes

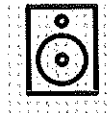

Date	Source	Location	Intensity Rating	Duration
18 Dec 2021 00:55am	 Music	 Bedroom	8/10	02:00:00

Comments

”

-

Officer Notes

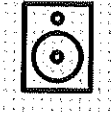
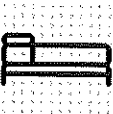
Date	Source	Location	Intensity Rating	Duration
18 Dec 2021 00:47am	 Music	 Bedroom	8/10	00:00:00

Comments

”

-

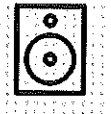

Officer Notes

Date	Source	Location	Intensity Rating	Duration
18 Dec 2021 00:30am	 Music	 Bedroom	8/10	00:00:00

Comments

” -

Officer Notes

Date	Source	Location	Intensity Rating	Duration
18 Dec 2021 00:20am	 Music	 Bedroom	7/10	00:00:00

Comments

” -

Officer Notes





Activity

















	Recording Submitted	18 Dec 2021 12:20am
	Recording Submitted	18 Dec 2021 12:30am
	Recording Submitted	18 Dec 2021 12:47am
	Recording Submitted	18 Dec 2021 12:55am
	Recording Submitted	18 Dec 2021 1:43am

● **User Deleted** Thank you for using the Brent Noise App. In this instance the noise does not merit investigation, the sound is amplified due to poor sound insulation. We decide what action to take based on the scale of the problem, how frequently it happens, who is affected by the noise and how. We are now closing this case. Should the issue persist please continue to use the app. 20 Dec 2021 10:51am

	Recording Submitted	21 Dec 2021 12:39am
	Status : Pending Review	21 Dec 2021 12:40am

● **User Deleted** Thank you for using the Brent Noise App. Our sincerest apologies for the delay it has taken to review your case. In this instance the noise does merit investigation as a result have been assigned an officer. We decide what action to take based on the scale of the problem, how frequently it happens, who is affected by the noise and how. We are now investigating this case. Qualifying 3 or 4 separate nuisance-level incidents within a 4-week period is required to open an investigation. Should the issue continue please use the noise app to document your findings. 31 Dec 2021 12:16pm

	Status : Pending Review	31 Dec 2021 12:16pm
	Recording Submitted	01 Jan 2022 1:06am
	Recording Submitted	01 Jan 2022 11:59pm
	Recording Submitted	02 Jan 2022 12:43am
	Recording Submitted	02 Jan 2022 10:27pm
	Recording Submitted	04 Jan 2022 9:41pm

	Recording Submitted	05 Jan 2022 10:01pm
	Recording Submitted	06 Jan 2022 12:04am
	Recording Submitted	06 Jan 2022 10:16pm
	Recording Submitted Music every night, so loud and disturbing sleep.	06 Jan 2022 10:56pm
	Recording Submitted	07 Jan 2022 10:09pm
	Recording Submitted	07 Jan 2022 11:17pm
	Recording Submitted	08 Jan 2022 12:57am
	Recording Submitted Every night drums are played loudly, disturbing sleep for the family and with people shouting and making noise at the club	08 Jan 2022 12:58am
	Recording Submitted	09 Jan 2022 10:43pm
	Recording Submitted	09 Jan 2022 10:47pm
	Recording Submitted	20 Jan 2022 8:41pm
	Recording Submitted	11 Mar 2022 11:21pm
	Status : Under Investigation	28 Mar 2022 12:55pm
	Martin Wood We have reviewed your recordings. An application is being made to remove music from the licence and reduce the late operating hours. You are encouraged to continue using the app to evidence unreasonable noise.	28 Mar 2022 1:00pm
	Recording Submitted	15 Apr 2022 12:09am
	Martin Wood My application to review the Premises Licence should be ready for serving next week. Sincere thanks to you for your patience; and thank you for continuing to evidence the adverse impact of noise emanating from the business.	04 May 2022 11:02am

Case Notes

Reference Code: —

Declaration

[REDACTED] confirm that this report and the recording I am submitting through The Noise App are a true representation of the noise nuisance I have experienced.

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Complainant Details

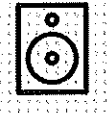
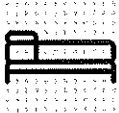
[REDACTED]

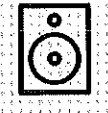
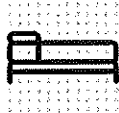
Last updated 04 May 2022 11:39am

Source Address



763-765 Harrow Road , The Aura Lounge, Wembley, HA0 2LW


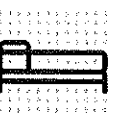
Reports

Date	Source	Location	Intensity Rating	Duration
01 May 2022 02:34am	 Music	 Bedroom	9/10	05:30:00
Comments	"			
Officer Notes	-			

Date	Source	Location	Intensity Rating	Duration
30 Apr 2022 00:01am	 Music	 Bedroom	10/10	03:00:00
Comments	"			
Officer Notes	So loud music and revellers shouting and screaming			

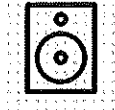
Date	Source	Location	Intensity Rating	Duration
27 Apr 2022 23:28pm	 Music	 Bedroom	9/10	03:25:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
18 Apr 2022 23:07pm	 Music	 Bedroom	9/10	02:00:00
Comments	” -			
Officer Notes				

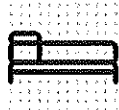
Date	Source	Location	Intensity Rating	Duration
17 Apr 2022 00:11am	 Music	 Bedroom	9/10	02:05:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
15 Apr 2022				

01:11am



Music



Bedroom

9/10

04:10:00

Comments

”

-

Officer Notes

Date

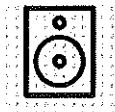
Source

Location

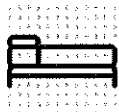
Intensity
Rating

Duration

13 Apr 2022
00:20am



Music



Bedroom

9/10

03:15:00

Comments

”

-

Officer Notes

Date

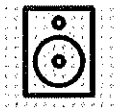
Source

Location

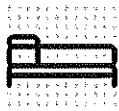
Intensity
Rating

Duration

10 Apr 2022
23:01pm



Music



Bedroom

9/10

02:00:00

Comments

”

-

Officer Notes

Date

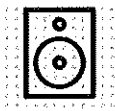
Source

Location

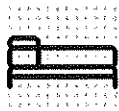
Intensity
Rating

Duration

10 Apr 2022
02:36am



Music



Bedroom

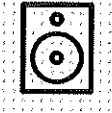

10/10

05:00:00

Comments

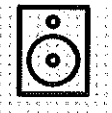

” -

Officer Notes

Date	Source	Location	Intensity Rating	Duration
09 Apr 2022 23:10pm	 Music	 Bedroom	9/10	02:00:00
Comments				

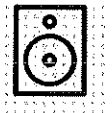

” -

Officer Notes

Date	Source	Location	Intensity Rating	Duration
08 Apr 2022 23:13pm	 Music	 Bedroom	9/10	02:30:00
Comments				

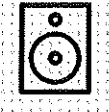

” Constant loud music and people shouting and making loud noise.

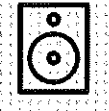

Officer Notes

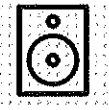
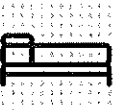
Date	Source	Location	Intensity Rating	Duration
08 Apr 2022 22:18pm	 Music	 Bedroom	9/10	02:00:00
Comments				

” -

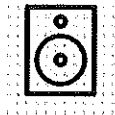
Officer Notes

Date	Source	Location	Intensity Rating	Duration
07 Apr 2022 23:28pm	 Music	 Bedroom	9/10	02:25:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
01 Apr 2022 23:42pm	 Music	 Bedroom	9/10	02:35:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
27 Mar 2022 23:19pm	 Music	 Bedroom	9/10	02:00:00
Comments	” -			
Officer Notes				

Date	Source	Location	Intensity Rating	Duration
26 Mar 2022 02:37am				



Music



Bedroom

9/10

05:35:00

Comments

”

It's 02:35 music still going on

Officer Notes

Date

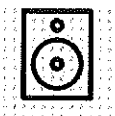
Source

Location

Intensity
Rating

Duration

24 Mar 2022
00:21am



Music



Bedroom

9/10

03:00:00

Comments

”

-

Officer Notes

Date

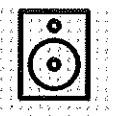
Source

Location

Intensity
Rating

Duration

22 Mar 2022
23:09pm



Music



Bedroom

9/10

03:00:00

Comments

”

-

Officer Notes

Date

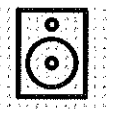
Source

Location

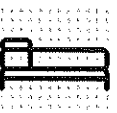
Intensity
Rating

Duration

22 Mar 2022
22:43pm



Music



Bedroom

9/10

02:35:00

Comments