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Mr Joshua Simons & Associates
Imperial Buisness Park
Imperial Place
Building 4
Maxwell Road
Borehamwood
WD6 1JN

30/05/2022

Our Ref: 24906

Dear Mr. Simons,

Licensing Representation to the application to vary a Premises Licence under the Licensing Act 2003 for premises at THE AURA Restaurant & Lounge, 763-765 Harrow Road, Sudbury, HA0 2LW.

I have considered the application and I wish to make a representation that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

I am an officer of the Licensing Authority, in whose area the premises are situated, who is authroised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made to vary a premises licence under section 34 of the Act.

The Licensing Authority representations are primarily concerned with the four licensing objectives;

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The variation is set out in two parts with the following wording taken from the application.

1. To update the existing ground floor plan dated Feb 2014 attached to premise licence 164845. The updates relate to the rear of the premise that was previously a garden area that has now been enclosed with a steel canopy structure with seating and additional storage areas, staff room as arranged on the scaled plan. There are also other updates to the general layout of the premises. Note that this application to vary seeks to regularise
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existing licensable activities by demarcating these as coloured lines to cover the relevant areas open to customers, it does not seek to alter the timings of any licensable activity under sections E,F,I,J that are currently authorised under the premise licence (and so no timings have been included in these sections of the application to vary the licence). A copy of an updated plan (to replace Feb 2014 plan) with reference GA-100 Revision P3 dated 30.04.22 is appended to this application.

2. The second part of the variation applied for certain conditions under annex 2 of the premises licence to be varied. Details of the variation to the list of conditions are set out in the section below and full explanatory details and reasons are provided at Section P in this application.

To remove or revise certain conditions under annex 2 of the premise licence namely:

Condition 11- The outside drinking areas shall cease at 23.30 hours

Condition 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.

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

No other variations are sought.

Following my visit on Monday 30/05/2022 at 11.30am with my colleague Esther Chan, the following concerns were discussed.

I am concerned that the proposal to remove conditions 11, 12 and 13 is very likely to undermine the licensing objective relating to the prevention of public nuisance. The external canopy area at the rear of the premises backs onto residential property and the rear and side of this area. It is not fully enclosed and there is no evidence of sufficient sound proofing in place – Photo Exhibit JCM/1 shows the open roof area. The applicant has had no acoustic risk assessment done to support this application. In fact, the applicant seeks to remove conditions that were in place to protect local residents from noise related nuisance. He has offered nothing in return to minimise risk.

I object to this variation application.

Yours faithfully



John McGann
Licensing Officer
Regulatory Services

JCM/1

