

**APPENDIX 11**

**Statement of Witness**

NC/03377/23

**Criminal Justice Act 1967,S9; Magistrates' Court Act 1980, ss5A(3)(a) and 5B; Magistrates' Court Rules 1981,r.70**

Statement of : **Diane Lewis**

Age of Witness : '**Over 21**' ( *True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise 'over 21' shall suffice*).

Occupation of Witness: **Nuisance Control Officer**

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

Tel No : **(020) 8937 5252**

This statement consisting of TWO pages signed by me is true to the best of my knowledge and belief and I make it known that if this is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything I know to be false or do not believe to be true.

Dated:.....18/12/23.....

Signed:..........

I am employed as a Nuisance Control Officer for Resident Services at the London Borough of Brent. My duties involve dealing with investigations into complaints of statutory noise nuisance which will include proactive, planned visits to premises under such investigation.

On 6<sup>th</sup> November 2023, I attended the premises known at the Alaturca Lounge, Roe Green Park, Kingsbury, London, NW9 9HA along with Licensing Inspector Esther Chan, Constable Walter Hotobah During and Brent Council Security Officer Yusuf Jama. We arrived at the premises at 00:15 hours.

On approach to the premises, I could hear loud amplified music coming from the premises at what I considered to be likely statutory nuisance levels. Ms Esther Chan and I spoke with the Designated Premises Supervisor, Mr Gokcan Algul at the front of the premises. Ms Chan advised Mr Algul that the Council had received further complaints regarding loud amplified music and allegations of breaches of conditions relating to their terminal hours.

We entered the premises where I witnessed loud amplified music being played by a DJ from within. There was a large number of patrons within the premises and a degree of smoke as a number of people could be seen smoking at tables. The smoking was of shisha pipes and cigarettes. There were no clear openings to the premises to allow the ventilation of smoke. To the rear of the premises was an area which was semi enclosed and used for smoking. I

observed that when the door to this area was opened by patrons or staff, there was a degree of breakout noise allowing escape of noise externally.

Due to the volume of the music, I asked Mr Algul to accompany me to the opposite side of the main road. The purpose of the visit was to allow Mr Algul to witness noise levels outside of the nearest residential properties. We stood outside residential properties on the junction of Old Kenton Road and Sedum Close where loud amplified music could clearly be heard. I am of the opinion that due to the level of music at the location, there was a likelihood that the music would be causing a statutory nuisance to the residents within these properties. Mr Algul advised that he had already monitored the noise levels from the outer perimeter of the premises. However, he admitted that the music was excessive and that he was hosting a birthday party for himself. He advised that the sound insulation had been installed as part of measures agreed by the Nuisance Control Team to minimise breakout noise of loud amplified music. Mr Algul advised that there had been a delay in the installation of a noise limiter at the premises due to there being no available technician to install it and he was unable to confirm when it would be fitted. I advised Mr Algul that the music levels needed to be lowered with immediate effect.

Ms Chan and I discussed further with Mr Algul matters relating to breaches of licence conditions and breaches to the Noise Abatement Notice served upon Mr Algul dated 30/07/23 before leaving the premises.

Dated:.....18/12/23.....

Signed:..........