

From: ENS Noise Team <ens.noiseteam@brent.gov.uk>
Sent: 24 November 2019 18:10
To: francisco
Cc: Business Licence <business.licence@brent.gov.uk>; Wood, Martin <Martin.Wood@brent.gov.uk>
Subject: Re: Licence Consultee Email. Licence Application Number:18007

Dear Mr Agnaldo Dal Forno

The Nuisance Control Team have been consulted on this application for a temporary event notice. We note the application is for the sale by retail of alcohol and the provision of regulated entertainment for a capacity of 100 with a terminal hour of 01:00hrs over three nights 07/12/19-09/12/19. Representation is made on the basis that the granting of this temporary event notice in its current state is likely to be detrimental to the Licensing Objectives with regards to the prevention of public nuisance.

Grounds

Representation is made on the following grounds:

- Public nuisance is likely to be experienced by the occupiers of neighbouring and nearby residential units from airborne entertainment noise from regulated entertainment and the noise caused by patrons exiting the premises at noise sensitive hours
- We do not have confidence in the applicant's ability to manage noise from regulated entertainment
- We have no confidence that the applicant will uphold his duty to prevent public nuisance

The representation is justified by consideration of the type of entertainment proposed, the hours during which it will take place and the time the premises will disperse of patrons.

Background

This applicant is the business proprietor at Barril, 159 High Street, NW10 4TR, where we have received and still continue to receive complaints about the conduct of the premises at noise sensitive times from loud music and noise from patrons outside the premises.

In outline (at 159 High Street), we have issued Mr Agnaldo Dal Forno with a Noise Abatement Notice prohibiting nuisance from loud music; successfully prosecuted this individual at court for breaching that same notice; seized speakers from the premises after he continued to play loud music despite the Nuisance Control Team giving unambiguous advice about our concerns and our enforcement powers. On the basis of the preceding, the Nuisance Control Team will be applying to formally review the premises licence at Barril in order to prevent public nuisance.

As a consequence of this, and based on our numerous interactions with Mr Agnaldo Dal Forno, we do not consider he will uphold his duties under the Licensing Act 2003 and we contend that public nuisance will arise.

CONDITIONS

It is recommended that suitable conditions are imposed to ensure the Licensing objective relating public nuisance is upheld. If you can agree to the conditions below we will consider withdrawing our objection.

1. The terminal hour shall be revised to:

Day: 07-12-2019 - SATURDAY

Start Time: 11:00

End Time: midnight

Day: 8-12-2019 - SUNDAY

Start Time: 11:00

End Time: 23:00

Day: 9-12-2019 - MONDAY

Start Time: 11:00

End Time: 23:00

2. Regulated entertainment (other than incidental background music) shall not be permitted at the premises until a report (prepared by an acoustician accredited by the Institute of Acoustics) demonstrates that regulated entertainment played at the premises is contained within the venue without any adverse noise transmission that could give rise to public nuisance experienced by neighbouring and nearby residential units. Such a report must take into account the maximum capacity of the sound system used at the premises and the sound insulating capacities of the premises in respect of neighbouring and nearby residential units.

Regards

Ketan Joshi
Nuisance Control Officer
Regulatory Services
Regeneration and Environmental Services