

APPENDIX 3  
ENVIRONMENTAL HEALTH REPRESENTATION

**From:** Lois Smith

**Sent:** 23 May 2016 13:17

**To:** Jeffrey Leib

**Subject:** Objection to variation, Pinner Lounge, 14A Broadwalk, Pinner Road, Harrow HA2 6ED

Dear Sir

I wish to object to the recent application of a variation from Pinner Lounge.

The reasons for this are:

1.the time that the premises are allowed to have entertainment until, are regularly not adhered to. Amplified music and vocals can be heard past the time limit of 2300.

2.In addition, when the amplified music and vocals are played they are too loud and eventually despite best effort from the local authority to advice, a Statutory Notice under the Environmental Protection Act 1990 had to be served by myself to abate the noise nuisance. The complaints still continue and I am currently monitoring to gather evidence for a prosecution, again despite the proprietor being alerted to the fact by the Licencing Officers that music can still be heard external to the premises, since the volume is too high.

3.the time that the premises should be closed to members of the public is also regularly not adhered to. Members of the public are frequently there past 2330.

Therefore, I believe that if the variation is given to extend the time – on the balance of probabilities this time limit will not be adhered to and the premises will be open later and later with, in addition, the likelihood of the entertainment staying on later as well.

Summarised evidence of this from my visits to Pinner Lounge as follows:

22/1/2016 : from front pavement outside Pinner Lounge 2352 male seen still singing with a microphone and approximately 14 people still seated and standing inside Pinner Lounge. I could also hear it from where I stood. 0005 at rear of premises can hear the man singing. Licensing Officer and myself go and speak to staff inside. Narendra Patel not on site.

5/2/2016: from front pavement outside Pinner Lounge 2307 lady seen singing with a microphone, around 15 people inside. 2347 approximately 10 persons still standing and seated inside. Spoke to Narendra Patel on site.

7/2/2016: I parked outside Pinner Lounge and between 0032 – 0044 - 5 persons with balloons and 2 men walk out of the front of the premises

12/2/2016: from front pavement outside Pinner Lounge 2322 male singing and thump of base beat heard – approximately 30 people inside seated laughing and chatting. Members of public still inside at 0015

19/2/2016: 2248 visit to area Statutory Noise Nuisance is witnessed. 2347 monitored Pinner Lounge still approximately 17 persons inside. 0001 went inside and Licensing Officer and I spoke to Narendra Patel. He was cautioned by the Licensing Officer. He admitted that even though a TEN had been refused and then another was withdrawn – he had still gone ahead with the extended licensable activities.

4/3/2016: from front pavement outside Pinner Lounge 2330 viewed 4 persons standing by bar 3 persons behind it. Went inside and Licensing Officer and myself spoke to staff. Mr Narendra Patel not on site. 2359 as left site – last of members of public left premises.

9/4/2016: from front pavement outside Pinner Lounge 2333 viewed lights on inside Pinner Lounge – table of approximately 10 persons seated to left side of premises. Mr Narendra Patel came out and spoke with myself and EH colleague and advised that these persons were family members. At 2349 these persons left the premises as we waited.

16/4/2016: from front pavement outside Pinner Lounge 2347 viewed 7 persons around the bar area. 2350 3 men came out and the shutter to the door came down.

I also copy here the various emails to Mr Narendra Patel.

Thank you

Mrs L Smith  
Environmental Health Officer  
Environmental Protection / Team Domestic  
0208 736 6238

**From:** Lois Smith  
**Sent:** 29 January 2016 13:47  
**To:** [REDACTED]@hotmail.co.uk'  
**Cc:** Ash Waghela; Jeffrey Leib  
**Subject:** For the attention of Narendra Patel - regarding Pinner Lounge 14 A Broad Walk, Pinner Road, North Harrow HA2 6ED

Dear Sir

Reference:  
Temporary Event Notice received 27 January 2016  
Regarding 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> February 2016 18:00 - 0200  
I object to this.

Reasons: I visited the premises from 2352 – onwards on 22 into 23 January 2016 – and the front shutter was down. Patrons were still, however, inside drinking and eating and there was a man singing, using a microphone. I could hear the singing whilst standing on the pavement outside the premise. Recorded music should be stopped at 2300. Neither yourself or the licensee were on site. I left my card and my number but I not been contacted

to discuss the late night noise and the complaint that the Council has received – which prompted my visit. The nature of the event is not described sufficiently either. At this stage I lack confidence in this premise showing consideration to the surrounding properties and working with the Council to reduce noise levels coming from its buildings.

Reference:

Temporary Event Notice dated 27 January 2016:  
Regarding 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> February 2016 18:00 – 0200  
I object to this.

Reasons: as above: I visited the premises from 2352 – onwards on 22 into 23 January 2016 – and the front shutter was down. Patrons were still, however, inside drinking and eating and there was a man singing, using a microphone. I could hear the singing whilst standing on the pavement outside the premise. Recorded music should be stopped at 2300. Neither yourself or the licensee were on site. I left my card and my number but I not been contacted to discuss the late night noise and the complaint that the Council has received – which prompted my visit. The nature of the event is not described sufficiently either. At this stage I lack confidence in this premise showing consideration to the surrounding properties and working with the Council to reduce noise levels coming from its buildings.

Thank you

Mrs L Smith  
Environmental Health Officer  
Environmental Protection / Team Domestic  
0208 736 6238 / 07813 878574

-----Original Message-----

From: Lois Smith  
Sent: 19 February 2016 12:49  
To: [REDACTED]@hotmail.co.uk'  
Cc: Jeffrey Leib; Ash Waghela  
Subject: RE: Pinner Lounge, 14 A Broadwalk, Pinner Road, Harrow HA2 6ED

-----Original Message-----

From: Lois Smith  
Sent: 19 February 2016 12:47  
To: [REDACTED]@hotmail.co.uk'  
Cc: Jeffrey Leib; Ash Waghela  
Subject: Pinner Lounge, 14 A Broadwalk, Pinner Road, Harrow HA2 6ED

Dear Sir

Further to my visits and conversions with you.

I am disappointed to report that even though you have been warned verbally at your premise late at night, have been emailed - that other visits to your premise show that you continue to flout the conditions of your license. In addition, there is still an outstanding noise complaint.

The results of monitoring are as follows;

22/1/16: Ash Waghela (Licensing Officer) and I witness a male singer still performing at 2352 - person in charge Jitendr Vernekal, is spoken to.

3/2/16: I spoke to you about this incident on the phone.

5/2/16: John Rattray (Environmental Health Technician) and I witness a female singer still performing at 2307. At 0003 with members of public still inside you come outside and we discuss the terms of your license again.

7/2/16: I witness 5 ladies with balloons come out of the premises at 0029. Persons still inside the premises and coming in and out.

12/2/16: John Rattray and I witness a male singer still performing at your premise at 2322. 0007 - there are still members of public seated inside.

You are aware music should be off at 2300 and members of the public should be off the premises by 2330.

Also, the shutter to the front door has been down with patrons still inside. This matter will be discussed with the fire brigade.

The shutter to the front windows has also been down when I have visited obviously to make it appear to any authority checking perhaps by driving past, for example, that the premises is closed.

You have also been in contact with Jeffrey Leib, Principal Licensing Officer.

You have also applied for TENS and then withdrawn them - so you are fully aware of the terms of your license.

In fact, bearing in mind what I have witnessed above - it would appear that you went ahead with the events (requested in the TENS) regardless - having withdrawn the second one and knowing that the first one had been rejected.

All the results of monitoring have been forwarded to the Licensing Team and I am in discussion with them.

I am considering a formal Review of your License (which will go in front of the Licensing Panel) and possible Revoke of your License. In addition, there is the issue of the noise complaint; my effort to resolve the License conditions to then hopefully sort the noise complaint has obviously not worked.

I will now endeavour to witness nuisance and then serve a Statutory notice.

For the avoidance of doubt, you are advised that the Council will be carrying out monitoring as part of its investigation. It will take the form of visits carried out any time, or use of electronic equipment as necessary to determine Statutory Nuisance.

Please ensure that you adhere to the terms of the License.

The Licensing Team will be in contact with you.

I shall be in contact with you with regards any formal action, I will now take as necessary.

If you have any queries - please contact me on 0208 736 6238 or 07813 878574 as soon as possible.

Please confirm receipt of this email.

Mrs L Smith  
Environmental Health Officer  
Environmental Protection / Team Domestic  
0208 736 6238

-----Original Message-----

From: Lois Smith  
Sent: 25 February 2016 18:20  
To: [REDACTED]@hotmail.co.uk'  
Cc: Jeffrey Leib; Ash Waghela  
Subject: RE: Pinner Lounge, 14 A Broadwalk, Pinner Road, Harrow HA2 6ED

Dear Mr Patel

As discussed at my visit to your property, accompanied by Mr Ash Waghela (Licensing Officer) at midnight 20 February 2016 - I attach copies of Notices and letters served.

Please read and adhere to them now.

Again, I am disappointed with you because on the following evening, to when we had spoken to you about going beyond your licensing hours, causing noise nuisance etc - I receive a further complaint regarding "LOUD MUSIC" coming from Pinner Lounge at 2345, 20 February 2016.

THE MUSIC SHOULD NOT CAUSE A STATUTORY NOISE NUISANCE

LICENSABLE ACTIVITIES SHOULD BE OFF AT 2300

MEMBERS OF THE PUBLIC SHOULD BE OFF THE PREMISES BY 2330.

If you have any queries please do not hesitate to contact me.

Mrs L Smith  
Environmental Health Officer  
Environmental Protection / Team Domestic  
0208 736 6238 / 07813 878574

-----Original Message-----

From: Lois Smith  
Sent: 19 May 2016 16:44  
To: [REDACTED]@hotmail.co.uk'  
Cc: Jeffrey Leib; Ash Waghela  
Subject: RE: Pinner Lounge, 14 A Broadwalk, Pinner Road, Harrow HA2 6ED

Dear Sir

Further to my email below and subsequent conversations with you.

I am also aware that Mr Leib and Mr Waghela from Harrow's Licensing Team spoke to you recently on a visit to your premises on 6 May 2016. They told you that they could hear the music clearly whilst they stood outside at the rear of Pinner Lounge.

You are therefore aware of the problems that are still continuing to be caused by the operation of Pinner Lounge.

I have also received further complaints.

These are in summary:

- that the amplified music and vocals are played too loud within the licensable hours
- that the amplified music and vocals are played after the time set by the license.

You again advised Mr Leib and Mr Waghela that you would email through evidence of the works undertaken by you to improve the sound insulation between Pinner Lounge and the properties above. This has still not been received.

Therefore, as per my email below please be aware that:

for the avoidance of doubt, you are advised that the Council will be carrying out monitoring as part of its investigation. It will take the form of visits carried out any time, or use of electronic equipment as necessary to determine Statutory Nuisance.

You are reminded that a Statutory Notice under the Environmental Protection Act 1990 Section 80, has been served upon you by hand on 25 February 2016 - this means that any further witness of statutory noise nuisance will be a contravention of the Notice and this will be considered for prosecution.

Please, therefore with regards Statutory Noise Nuisance:

at any time, turn the volume down when you play the amplified music and vocals in your premise to a reasonable level so that it does not disturb residences outside Pinner Lounge.

If you have any queries, please do not hesitate to contact me.

Regards

Mrs L Smith  
Environmental Health Officer  
Environmental Protection / Team Domestic  
0208 736 6238