

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 Ralph Haynes Group Manager Noise and Nuisance.....

(Insert name of applicant)

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

Postal address of premises or, if none, ordnance survey map reference or description Ash Bar/Waterfalls 63-65 The Hyde West Hendon	
Post town London	Post code (if known) NW9 6LE

Name of premises licence holder or club holding club premises certificate (if known) Miss V.Patel and Ragini Patel
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Number of premises licence or club premises certificate (if known) LN/199906627

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)

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

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

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 Ralph Haynes Noise and Nuisance Manager Environmental Health NLBP London N11 1NP
Telephone number (if any) 0208 359 7448
E-mail address (optional) ralph.haynes@barnet.gov.uk

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

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

Following a second witness of breach of a noise abatement notice on 31st August. I would like a formal review of the licence to prohibit the playing of loud music after 11pm at night.

For the following reasons:

Noise abatement notice served in April 21st was breached and I undertook a seizure of noise equipment on the 24th April. Since then the principal complainant has been away at weekends avoiding the Noise but due to further complaints I wrote and warned the licence holders on the 30th July and gave them an hours worth of advice on how to minimise the noise on the 10th August 2007. Complainant complained over the weekend 31st August see WK 200626243, 200625936 and 200714223 for full details enclosed

I have 2 good witness statements from my Noise officers (attached) detailing that after advising Mr Ash Patel and his father Raj on 31st August at 2335 that they had witnessed evidence of music and noise from high bass levels and noise from patrons smoking externally at neighbouring residential premises and a noise abatement notice was served. They left after being reassured by Ash Patel that the noise from smokers would be controlled by security and music would be turned down. But due to further complaints received noise nuisance was witnessed again at 0105 hrs on 1st September 2007 from music in the Ash Bar premises in neighbouring premises. The officers then went to speak to Mr Ash Patel and his Father the owner Raj Patel. Mr Raj Patel was under the influence of alcohol and accused my officers of being prejudiced/racist even though one of them is of mixed race. At 2:30am the complainant stated the level of music was ongoing at the same level as when a nuisance existed which also exceeds the hours allowed in their licence.

Mr Patel has also alleged the complainants ask for free drinks to placate them which

they deny.

On the 30th July I wrote and advised the Patel's on how to minimise noise and went to the bar and gave them free advice for an hour which they understood but have not adhered to infact since the smoking ban there is also noise from patrons outside sometimes over 10 people smoking externally and shouting above the music noise less than 6 metres from residents.

By his own omission Mr Raj Patel is a builder and he has bought this site to redevelop in a few years. In the meantime his son Ash who is very young and is a keen DJ who loves loud music and is obviously a bit deaf and seems to run the premises even though Mr. Raj Patel daughters V and R .Patel are the Premises licence holders who have the abatement notice served on them.

Ash Patel (the bar is called after him) is not controlling the level of noise from the music which is audible till sometimes past 2:30am am next to a large residential block of flats. The threat of seizure does not work and the size of his speakers are massive so I would need to hire a removal firm and a possibly a mini Forklift to do a further seizure!!

My other options are a prosecution which I will pursue through legal however this can take six months therefore I request a formal review of the licence as they have been warned advised on numerous occasions and a serious noise nuisance still exists till 2am and can occur at least 3 nights.

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

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

1	0	0	9	2	0	0	7
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If you have made representations before relating to this premises please state what they were and when you made them

No

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 10th September 2007

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Capacity Group Manager Noise and Nuisance

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

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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.