

Community and Environment
Corporate Director – Brendon Hills

Funky Brownz 2 Ltd
 28 Belmont Circle
 Belmont Circle
 Belmont
 Harrow
 HA3 8RF

Tuesday, 25 October 2011

Licensing Act 2003: Funky Brownz, 28 Belmont Circle, Harrow, HA3 8RF

Dear Sirs,

I write with reference to our meeting held last Wednesday 19th October 2011 at Council offices. The meeting was attended by [REDACTED], [REDACTED] and [REDACTED] for Funky Brownz 2 Ltd, and [REDACTED] for Harrow Council.

The purpose of the meeting was to outline to the premises licence holders the level of recent complaints received by the authority in relation to the above premises. Recently the authority has received a disproportionate amount of complaints relating to noise emanating from your premises and out of hours Environmental Health (noise) officers have had need to attend your premises frequently over the past months in response to complaints from members of the public. Complaints received pertain to both noise from music within the premises and noise from patrons congregating outside your premises in the car park area.

For your information I have set out below the complaints received from local residents including dates and times, and the nature of the complaint. I have also outlined any proactive visits to your premises that have been conducted by Council Officers and their observations.

Date	Time	Reason	Findings
08/10/11	23.55	Proactive visit	Music clearly audible coming from rear doors of premises
01/10/11	23.52	Complaint	Officers drove past at 23.05 on route to another call; saw large crowd of people being noisy outside – complaint at 23.52 of noise from people shouting outside;
24/09/11	01.56	Complaint	Complaint of noise from people in front car park area;
18/09/11	01.45	Complaint	People screaming out the front of the premises;
21/08/11	01.10	Proactive visit	No issues; all quiet
13/08/2011	01.42	Complaint	Complaint of noise from people outside; officers witnessed noise from both music which was audible at petrol station and noise from large crowd of people outside in front area;

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 tel 020 8901 2600 email licensing@harrow.gov.uk web www.harrow.gov.uk fax 0845 280 1845

07/08/2011	02.03	Complaint	Complaint of noise from large number of people outside shouting; officers had past 1hr earlier and could foresee issues;
06/08/11	00.50	Proactive visit	Music clearly audible from petrol station – lyrics to Madonna 'Holiday' easily identifiable;
29/07/11	22.44	Proactive visit	No issues; all quiet
27/07/11	Office Hrs	Complaint	Complaint logged from local resident who reports being disturbed by both music noise and loud persons at the front on many nights especially at weekends; advise given
02/07/11	00.05	Proactive visit	Music noise witnessed both from front and rear;
25/06/11	00.00	Complaint	Noise from loud persons in the rear area;

Two Environmental Health (noise) officers, [REDACTED] and [REDACTED] were present at the meeting to outline some of the out of hours visits to your premises when they have in the past spoken with both [REDACTED] the current Designated Premises Supervisor and [REDACTED]. Officers explained how on passing your premises by car on one particular night, officers could easily foresee complaints from residents which subsequently materialised and led to a visit from officers. This raises the question that if officers can so easily foresee complaints, why is it that the premises licence holders cannot foresee complaints as a result of noise emanating from the premises and take appropriate action to address the noise and avoid any complaints.

During the meeting it was established that as the premises licence holders, you have implemented changes of late with a view to addressing the noise complaints such as a change of door security and sealing the rear doors; and future steps were outlined such as proper use of the front lobby doors etc.

The authority will offer every assistance to premises to address issues where it can, however the authority does have a duty to local residents and will where appropriate take enforcement action where it appears that issues are not being addressed effectively. While I hope that the steps that you intend to implement to address noise complaints, please be advised that should noise complaints persist on a continual basis, the authority will have no option but to consider formal action.

I do hope that the meeting has provided you with a clear understanding of the current situation with regard to the complaints being made to the authority regarding your premises. In addition to any formal action available to the authority, it is all worth bearing in mind that local residents are interested parties under the Licensing Act 2003 and can submit an application for a review of your premises licence at any time and have been advised of their right to do so through various communications with the Council. Therefore I would hope for a speedy resolution to the current noise issues to avoid any such review.

Lastly thank you for taking the time to attend the meeting last week. If you have any queries following our meeting or regarding any of the above please contact our office.

Yours sincerely,

[REDACTED] Licensing Enforcement Officer, Community Safety Services

cc. [REDACTED]