



**NORWICH**  
City Council

## NOTICE OF DETERMINATION

Date of Hearing: 1 June 2011

Licence Type: Application for variation of a Premises Licence

Name of Applicant: Al Fode Oulare

Name of Premises: Wafou

Postal address of Premises: 15 Prince of Wales Road Norwich NR1  
BD

Licensing Sub-Committee: Councillors Stephenson (Chair) George  
& Banham

Determination-: The Committee heard the application for a variation of the premises licence at the above premises. The variation requested was to extend the premises licence by increasing the area currently licensed on the first floor and to add the second floor to the licence. *The application also sought to amend condition 4 of Annex 2 to the premises licence, relating to the provision of door supervisors. Members noted that the applicant offered the following conditions after consultation with the Norfolk Constabulary:*

- *There will be a minimum of 2 SIA door supervisors on the entrance to the premises on Friday and Saturday nights from 22:00hrs until close. There will also be an additional 1 SIA door supervisor employed for each upper floor when it is open to the public.*
- *On all other nights, a minimum of 1 SIA door supervisor will be employed to manage the entrance from 22:00hrs until close. There will also be an additional 1 SIA door supervisor employed for each upper floor when it is open to the public.*

*Members also noted that the applicant offered the following condition:*

- *Regulated entertainment will not take place in the area marked Room 1 on the second floor of the premises as shown on drawing number 333/04 dated September 2010, submitted with the application.*

The Committee heard from:-

Mr Oulare (Applicant) and Tony (a Friend)

Richard Divey (Environmental Health)

There were representations made by Environmental services in respect of noise nuisance affecting residential properties in particular the adjoining upper floors of 17 Prince of Wales Road and the residential flats to the rear of the premises in Maidstone road. A memo from Tony Shearman was contained within the report and Richard Divey spoke on his behalf.

Mr Divey stated that the points raised in the memo have been addressed by the work done at the premises and that Room 4 on the plan would be covered by the existing conditions 23-25. However he stated that if the insulation work was not completed to an acceptable standard it would mean that the noise limiter levels will be lowered.

He gave a history of complaints from residents in Maidstone Street from January 11 through to 28 April 2011. These consisted of windows being open and on two occasions the front doors being left open allowing noise to escape and disturb the residents. Loud music was heard in March and he (Mr Divey) visited the premises and discussed acoustic measures with Mr Oulare.

In April loud music disturbed the residents on 5 nights in one week and over the 27-28 April Mr Divey received 3 separate complaints from 3 different addresses.

Mr Divey said that some complaints had been received in March before the sound limiter levels had been set.

Mr Divey also stated that now the sound limiter will cut in if Karaoke singing is too loud, it causes the amplification to fade so the voices cannot be heard. He also stated that Room 1 was particularly susceptible to noise leakage if used for Karaoke.

Mr Oulare gave evidence that he had been to see the residents affected by the noise and apologised.

He also informed the committee that he had taken care to ensure that doors and windows are kept closed and that he was having the window on the second floor replaced with a frosted double glazed window which would also reduce noise leakage and preserve the privacy of the residence which it looked out onto.

### **The Committee's Decision:-**

The Committee granted the application as asked subject to the following condition;

The window at the top of the stairs on the second floor would be replaced by frosted double glazing within 7 days of the committee hearing date.

**The Committee's Reasons:-**

The committee found that there had been justified complaints from neighbours who were affected by the levels of noise. However Mr Oulare was taking advice from Environmental Services and had had works done on the premises in accordance with that advice. There were also conditions attached to the existing premises licence which, if complied with, would control potential noise nuisance.

Mr Oulare ran a Karaoke bar and therefore the nature of the premises was such that the agreement with the police having been reached the number of supervisors was deemed to be sufficient.

**Right of a Party to appeal against the determination of the Authority.**

For your information, applicants and any party who made a relevant objection, or submitted an objection notice, who is aggrieved by the decision, or the imposition of any term, condition or restriction, have a right of appeal to the Magistrates Court within 21 days of the date on which they are notified of the decision.

**Dated this 15.07.2011**