

Representation from Responsible Authority

This representation is made by a Responsible Authority for the London Borough of Hillingdon concerning an application for a license for the premises detailed below.

Premises name and address: Pepe's Uxbridge, 3 Byron Parade, UB10 OLZ

Responsible Authority: Environmental Protection Team

Officer Name: Simon Boniface

Email: sboniface@hillingsdon.gov.uk

Summary of Objection: We consider that hours applied for (until 3am) are excessive and that the current plant/machinery and the premises will give rise to public nuisance if in use after 23:00hrs. We therefore object outright to the application in its current form.

I make this representation on behalf of the Council's Environmental Protection Team under the licensing objective of 'prevention of public nuisance'.

The Environmental Protection Team's responsibilities include the investigation of nuisance complaints, including those arising from licensed premises. The Team acts as a responsible authority within the meaning of the Licensing Act 2003.

I understand that this is a new restaurant/take away premises, which has been trading for approximately seven weeks (at time of writing). The premises is located on a the well trafficked Uxbridge Road. Residential flats occupy the 1st and 2nd floors along this row shops, and there are residential properties which back onto the premises on Star Road.

The applicant has made an application to provide late night refreshment, seven days a week until 03:00hrs.

We are concerned that operation of the premises to provide hot food may give rise to public nuisance arising from:

1. Noise from the commercial kitchen extract and other external plant
2. Odours arising from the commercial kitchen extract

3. Noise from business operations, transmitted from within the premises into the flats above through floor/ceiling separation.
4. Noise from patrons as they stay in the immediate vicinity and disperse.
5. Noise from delivery motorcycles frequenting the venue late at night.

None of these concerns were addressed within the operational schedule which formed part of the application.

On 22nd May 2025 I visited the venue with two other Council officers to undertake an inspection of their operations and the extract system which they had installed.

During my visit I observed that the extract system terminated at low level, below the level of windows of the flats above, and within just few meters of the first property in Star Road.

Within the partially enclosed yard area to the rear of the premises, a very strong odour from the premises permeated the area. The odour was characterised predominantly by the smell of smoke and burning grease.

In the vicinity of Star Road, in the yard area and in the balcony area which served the flats above the premises I was able to hear a very loud, intrusive and disturbing noise emitted from the extract system. The noise consisted of a low frequency, continuous tone, accompanied by the more broadband sound of turbulent air. The noise was dominant in these areas, exceeded any background noise from the daytime traffic of the Uxbridge Road. During my visit the proprietor turned down the cooking burners, which in turn reduced fan speed and reduced the amplitude of the tonal noise. At this operational level, the noise from the extract was still loud and dominant. My observations left me on no doubt that this noise would give rise to public nuisance and a statutory nuisance if present during sleep hours (after 23:00hrs).

I had the opportunity to discuss the design of the extract and view noise report data on the extract. Although seemingly well specified on paper, it was apparent that both odour and noise emissions were significantly higher than one would expect.

Such are the limitations of the size of the premises, its layout and the location of the extract, I am concerned that suitable mitigation of odour and noise may not be technically achievable or maybe prohibitively expensive.

On the basis of the issues associated with the extract, we therefore make an outright objection to the application at the present time.

If the extract noise and odour is addressed, we would consider the hours applied for to be excessive, especially with noise arising from patrons, and delivery vehicles being more difficult to address or mitigate through condition.

I reserve the right to amend or withdraw this representation in the event that the applicant provides further information to address the concerns we have raised.