

APPENDIX B, PART 2

Appendix 7

Email correspondence between Space Investments Ltd and Southward Council Noise Nuisance department enclosed, reporting noise nuisance from Wazobia Restaurant, dated:

16th June 2021

26th May 2022

30th May 2022

6th June 2022

17th May 2023

12th July 2023

13th July 2023

14th July 2023

25th July 2023

26th July 2023

[REDACTED]

From: [REDACTED]
Sent: 16 June 2021 11:09
To: noiseandnuisance@southwark.gov.uk
Cc: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

Please see the below follow up email that we have received from our Tenants that reside above the above-mentioned restaurant.

We have a number of concerns here, not just to mention the anti-social behaviour towards our Tenant and the music being played in the very early hours, but the apparent lack of law abiding in respect of government guidance in response to the Covid-19 Pandemic.

It is abundantly clear that there is total disregard for the law and we wish to question whether the restaurant has a licence to be able to operate as it does until the early hours of the morning, mindful of what we are all experiencing.

There have been no end of documented reports concerning these types of similar gatherings in the press, and draw your attention to the below by way of an example:

<https://news.met.police.uk/news/police-break-up-rave-at-lambeth-nightclub-in-breach-of-covid-rules-427543>

As you can see our Tenant is seeking to terminate their agreement having only just recently moved in, which causes no end of problems for our organisation.

In the first instance we are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property.

We look forward to your swift response and advice of next steps.

Kind regards,

[REDACTED]



Submit your maintenance request

Report Now

From: [REDACTED]
Sent: 16 June 2021 08:46

Subject: Re: Noise Nuisance

Hello,

This is a follow up email regarding the progress of the noise from the DJ from the restaurant Wazobia directly downstairs. Unfortunately, it hasn't made any improvement. We have contacted the council, who have send their officers round but have told us they're unable to directly approach the owner, due to Covid regulations but they were able to send him a letter. We have tried to combat this via the council several times, with no luck.

At first it was just the TV which was at the highest volume and the bass disturbed sleep in our home. I had an issue with that one time in April. However that was a tiny taster of what it's like every Friday and Saturday evening with a DJ on a mic with a heavy based speaker up until 3am/4am. Which is the problem we have not.

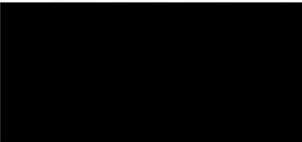
Additionally, we contacted the police about the violation of Covid rules. I'm sure we were advised by someone ill informed as they assured us that the bar was well within their rights to have people up and dancing. They also put their shutters down during the duration of these parties which tells you all you need to know, as they open in day dining hours. As someone who works in hospitality I know that customers are required to remain seated during service in a restaurant until Boris advises us otherwise.

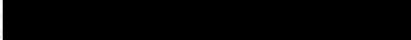
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Again we would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is effecting the well being of the three of us in the flat. We have a nightmare neighbour who we we were not informed ran a loud, bar setting establishment. We will be unable to live this way until April, as our landlord we need you to take action please.



On 29 May 2021, at 09:27,  wrote:

Dear 

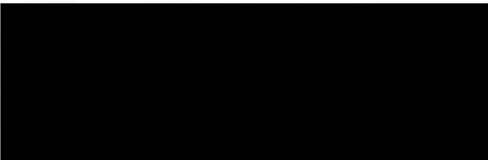
Thank you for the below and we are sorry to learn of your recent experiences.

We are shocked to hear of this and more so at the response of the Manager.

In the first instance I would suggest notifying both the police and Southwark environmental control over the issue as they will have the rights to issue any sanctions on the owners below. There should also be questions over the trading hours and current Covid restrictions I would have thought.

We will happily support any claim you make, please do keep us informed and Alyvda will follow up with you early next week.

Kind regards,



[REDACTED]

On 29 May 2021, at 08:26, [REDACTED] wrote:

Hello,

I am emailing from [REDACTED]

We live directly on top of the restaurant Wazobia. We were not made aware by you, or any other party until we got here that they would play ridiculously loud music via a DJ from 10:30pm-4am every Friday, Saturday and bank holiday. Of we had that information, as students we would've made a decision based on that. To our knowledge it was a typical restaurant, unaware it doubled as a club setting.

Our flat and appliances shake from the bass downstairs, we can hear word for word what the DJ shouts through the mic.

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It is directly affecting the wellbeing and livelihoods of members of the flat. It's exam season at university and I work full time on little sleep due to the disturbance.

Please contact me ASAP about this issue. Alternatively I can come to the offices to talk about the problem face to face.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 June 2021 11:28
To: Noise and Nuisance
Cc: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [REDACTED]

Thank you for the swift response, very much appreciated and we will certainly ensure that our Tenants are aware of this information and to call when the next incident occurs.

Are you able to help us understand what type of licence the restaurant has?

There seems to be some history here:

<https://moderngov.southwark.gov.uk/documents/s65479/Report%20Licensing%20Act%202003%20Wazobia%20Restaurant%20670%20Old%20Kent%20Road%20London%20SE15%201JF.pdf>

<https://afroukonline.co.uk/item/wazobia-nights-okr/>

Kind regards,

[REDACTED]



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Sent: 16 June 2021 11:19
To: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear Luke

I have looked through our records , we have only had one call in May 2021 about the above location. A officer visited, and nothing was witnessed that required action by the Noise & Nuisance Team. Nor any other behaviour , that required reporting to any other department or organisation.

Thus all I can advise is if any one feels that they are being disturbed , they should call us on 0207 525 5777.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
martin.talbot@southwark.gov.uk

From: [REDACTED]
Sent: Wednesday, June 16, 2021 11:09 AM
To: Noise and Nuisance
Cc: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High

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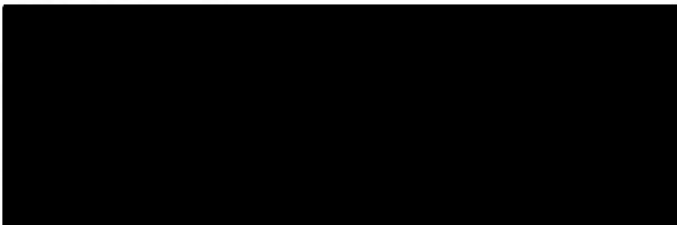
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Report Now

From: [REDACTED]
Sent: 16 June 2021 08:46
To: Luke Adams <l.adams@ppg.co.uk>
Cc: Alvyda Tumaite <a.tumaite@ppg.co.uk>
Subject: Re: Noise Nuisance

Hello,

This is a follow up email regarding the progress of the noise from the DJ from the restaurant Wazobia directly downstairs. Unfortunately, it hasn't made any improvement. We have contacted the council, who have send their officers round but have told us they're unable to directly approach the owner, due to Covid regulations but they were able to send him a letter. We have tried to combat this via the council several times, with no luck.

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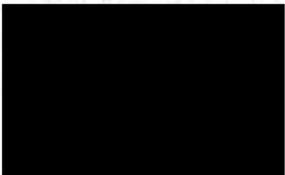
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Again we would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

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On 29 May 2021, at 09:27 [redacted] wrote:

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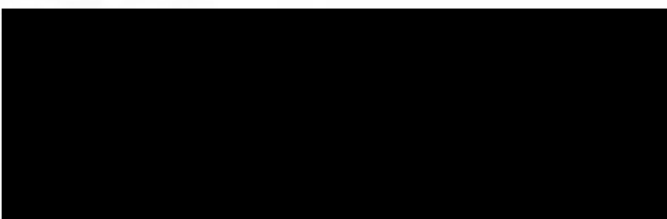
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We are shocked to hear of this and more so at the response of the Manager.

In the first instance I would suggest notifying both the police and Southwark environmental control over the issue as they will have the rights to issue any sanctions on the owners below. There should also be questions over the trading hours and current Covid restrictions I would have thought.

We will happily support any claim you make, please do keep us informed and Alvyda will follow up with you early next week.

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Please contact me ASAP about this issue. Alternatively I can come to the offices to talk about the problem face to face.

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From: [REDACTED]
Sent: 26 May 2022 13:12
To: Noise and Nuisance
Cc: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Tracking:

Recipient	Read
Noise and Nuisance	
Luke Adams	Read: 26/05/2022 13:28

Dear Sirs,

Hope this email finds you well.

Further to the email chain below we want to report an ongoing noise nuisance from the above restaurant, where they are operate as night club beyond their licensed hours which escalates unacceptably loud noises through our residential apartments above.

The noise is reported to happen every Friday, Saturday and often Sundays and Bank Holidays. Our tenants advise they reported the issue to Southwark Council number of times as have we, inspections have been caried out and officers agreed the noise was a statutory nuisance. Sadly this doesn't seem to have affected anything, and the noise remains at the same level, and to the same late hours.

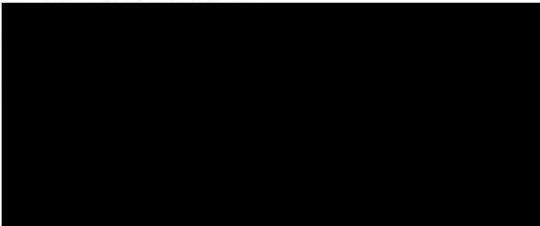
We have reported this ourselves several times over the past 5 years to both yourselves and the Freeholder and their agent, yet there has been no solution. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence.

Before we seek legal advice from our Company Solicitors we would like to understand what you can do from your perspective to impose enforcement against the occupant who seem to be operating without a care in the world for anyone but themselves.

We have video / sound recordings by way of evidence should you need it, we can WeTransfer to you.

We look forward to your swift response.

Kind regards,



Submit your maintenance request

Report Now

Have you registered with our new Tenant Portal yet, [click here](#)?

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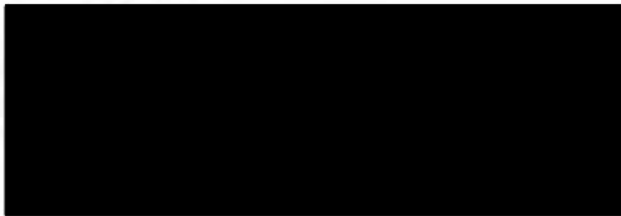
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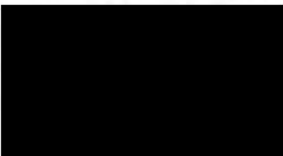
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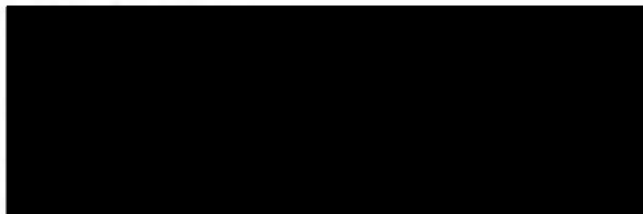
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[REDACTED]

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Sent: 30 May 2022 06:38
To: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [REDACTED]

The Council deals with noise, and other associated problems by means of Statutory Nuisance . In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables.

If the issues witnessed are not within the remit of the team , will pass the information to any relevant team or organisation, if any.

The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

Call us when you feel that you are being disturbed, whilst the problem is ongoing, via the Environmental Call Centre on 0207 525 5777.

If the problem can then be witnessed by an authorised officer, the appropriate action will be taken by us.

The Noise Rapid Response operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday.

Noise & Nuisance Team
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SE15 2HP
Call Centre number : 0207 525 5777

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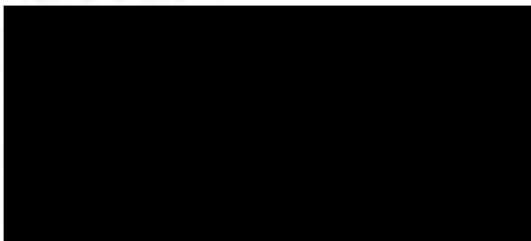
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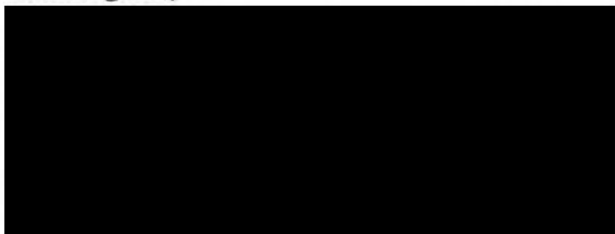
<https://news.met.police.uk/news/police-break-up-rave-at-lambeth-nightclub-in-breach-of-covid-rules-427543>

As you can see our Tenant is seeking to terminate their agreement having only just recently moved in, which causes no end of problems for our organisation.

In the first instance we are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property.

We look forward to your swift response and advice of next steps.

Kind regards,



Submit your maintenance request

Report Now

From: [REDACTED]
Sent: 16 June 2021 08:46
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Noise Nuisance

Hello,

This is a follow up email regarding the progress of the noise from the DJ from the restaurant Wazobia directly downstairs. Unfortunately, it hasn't made any improvement. We have contacted the council, who have send their officers round but have told us they're unable to directly approach the owner, due to Covid regulations but they were able to send him a letter. We have tried to combat this via the council several times, with no luck.

At first it was just the TV which was at the highest volume and the bass disturbed sleep in our home. I had an issue with that one time in April. However that was a tiny taster of what it's like every Friday and Saturday evening with a DJ on a mic with a heavy based speaker up until 3am/4am. Which is the problem we have not.

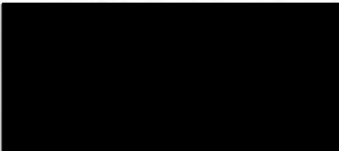
Additionally, we contacted the police about the violation of Covid rules. I'm sure we were advised by someone ill informed as they assured us that the bar was well within their rights to have people up and dancing. They also put their shutters down during the duration of these parties which tells you all you need to know, as they open in day dining hours. As someone who works in hospitality I know that customers are required to remain seated during service in a restaurant until Boris advises us otherwise.

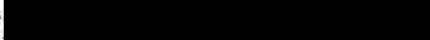
We are still going to be persistent with the council/police as this disturbance isn't minor.

Over the last view weeks we have had intense conversion with the owner who reminds us how long he's been there, and seems to think we have a personal issue with him. All we would like, kindly, is the music to be a reasonable level between 11pm -6am, due to studies and work. We did set a level with him, to tell the DJ to play the music at, however by 12am-4am this level is completely ignored.

Again we would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is effecting the well being of the three of us in the flat. We have a nightmare neighbour who we we were not informed ran a loud, bar setting establishment. We will be unable to live this way until April, as our landlord we need you to take action please.



On 29 May 2021, at 09:27  wrote:

Dear 

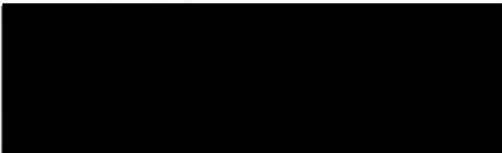
Thank you for the below and we are sorry to learn of your recent experiences.

We are shocked to hear of this and more so at the response of the Manager.

In the first instance I would suggest notifying both the police and Southwark environmental control over the issue as they will have the rights to issue any sanctions on the owners below. There should also be questions over the trading hours and current Covid restrictions I would have thought.

We will happily support any claim you make, please do keep us informed and Alvyda will follow up with you early next week.

Kind regards,



[REDACTED]

On 29 May 2021, at 08:26, [REDACTED] wrote:

Hello,

I am emailing from [REDACTED]

We live directly on top of the restaurant Wazobia. We were not made aware by you, or any other party until we got here that they would play ridiculously loud music via a DJ from 10:30pm-4am every Friday, Saturday and bank holiday. Of we had that information, as students we would've made a decision based on that. To our knowledge it was a typical restaurant, unaware it doubled as a club setting.

Our flat and appliances shake from the bass downstairs, we can hear word for word what the DJ shouts through the mic.

We have had several face-to-face conversations and text message disputes about the noise disruptions with the Manager of the restaurant...

However he is unprofessional and very disrespectful in the manner in which he speaks to us, when all we ask is that the music turned down (which it isn't). He assured us this would continue for the duration of our stay here, and threatened to have us kicked out for continuing to ask him to turn it down. He also used personal and inappropriate details to try and divert attention from the issue, such as race.

We would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is directly affecting the wellbeing and livelihoods of members of the flat. It's exam season at university and I work full time on little sleep due to the disturbance.

Please contact me ASAP about this issue. Alternatively I can come to the offices to talk about the problem face to face.

[REDACTED]

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[Redacted]

From: [Redacted]
Sent: 06 June 2022 10:33
To: 'Noise and Nuisance'
Cc: [Redacted]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Tracking: **Recipient** **Read**
[Redacted] 'Noise and Nuisance'
[Redacted] Read: 08/06/2022 12:56

Dear Sirs,

Thank you for the below.

We are aware that noise abatement notice has been issued to the Restaurant, regrettably this doesn't seem to have affected anything. We have on countless occasions together with our Tenants called upon the Noise and Nuisance Team at Southwark to attend to these ongoing issues. We have recorded documentation of the same with responses from your department over number of years.

We are losing significant sums of money over this matter in loss of rent and having to continue to re-let the properties on a frequent basis as occupants understandably cannot tolerate the illegal level of noise from the unlicensed nightclub on the ground floor and basement.

We can continue to log calls and ask that our Tenants do the same, but we are going around in circles and need a more meaningful proposal on how to resolve this on-going issue. What would you suggest?

Kind regards,

[Redacted Signature]



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Sent: 30 May 2022 06:38
To: [Redacted]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

The Council deals with noise, and other associated problems by means of Statutory Nuisance . In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables.

If the issues witnessed are not within the remit of the team , will pass the information to any relevant team or organisation, if any.

The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

Call us when you feel that you are being disturbed, whilst the problem is ongoing, via the Environmental Call Centre on 0207 525 5777.

If the problem can then be witnessed by an authorised officer, the appropriate action will be taken by us.

The Noise Rapid Response operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday.

Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Call Centre number : 0207 525 5777

From: [REDACTED]
Sent: Thursday, May 26, 2022 1:12 PM
To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Cc: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High

Dear Sirs,

Hope this email finds you well.

Further to the email chain below we want to report an ongoing noise nuisance from the above restaurant, where they are operate as night club beyond their licensed hours which escalates unacceptably loud noises through our residential apartments above.

The noise is reported to happen every Friday, Saturday and often Sundays and Bank Holidays. Our tenants advise they reported the issue to Southwark Council number of times as have we, inspections have been caried out and officers agreed the noise was a statutory nuisance. Sadly this doesn't seem to have affected anything, and the noise remains at the same level, and to the same late hours.

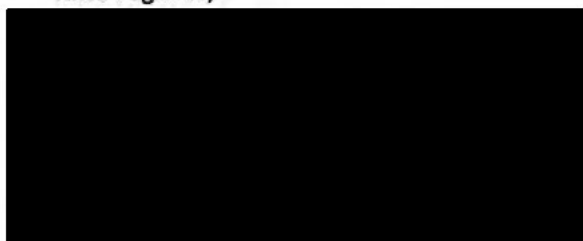
We have reported this ourselves several times over the past 5 years to both yourselves and the Freeholder and their agent, yet there has been no solution. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence.

Before we seek legal advice from our Company Solicitors we would like to understand what you can do from your perspective to impose enforcement against the occupant who seem to be operating without a care in the world for anyone but themselves.

We have video / sound recordings by way of evidence should you need it, we can WeTransfer to you.

We look forward to your swift response.

Kind regards,



Submit your maintenance request

Report Now

Have you registered with our new Tenant Portal yet, [click here](#)

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: 16 June 2021 11:19

To: [Redacted]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear Luke

I have looked through our records , we have only had one call in May 2021 about the above location. A officer visited, and nothing was witnessed that required action by the Noise & Nuisance Team. Nor any other behaviour , that required reporting to any other department or organisation.

Thus all I can advise is if any one feels that they are being disturbed , they should call us on 0207 525 5777.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
martin.talbot@southwark.gov.uk

From: [Redacted]

Sent: Wednesday, June 16, 2021 11:09 AM

To: Noise and Nuisance

Cc: Alvyda Tumaite

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

Please see the below follow up email that we have received from our Tenants that reside above the above-mentioned restaurant.

We have a number of concerns here, not just to mention the anti-social behaviour towards our Tenant and the music being played in the very early hours, but the apparent lack of law abiding in respect of government guidance in response to the Covid-19 Pandemic.

It is abundantly clear that there is total disregard for the law and we wish to question whether the restaurant has a licence to be able to operate as it does until the early hours of the morning, mindful of what we are all experiencing.

There have been no end of documented reports concerning these types of similar gatherings in the press, and draw your attention to the below by way of an example:

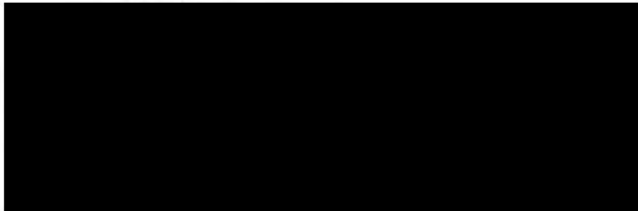
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As you can see our Tenant is seeking to terminate their agreement having only just recently moved in, which causes no end of problems for our organisation.

In the first instance we are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property.

We look forward to your swift response and advice of next steps.

Kind regards,



Submit your maintenance request

Report Now

From: [Redacted]
Sent: 16 June 2021 08:46
To: [Redacted]
Cc: [Redacted]
Subject: Re: Noise Nuisance

Hello,

This is a follow up email regarding the progress of the noise from the DJ from the restaurant Wazobia directly downstairs. Unfortunately, it hasn't made any improvement. We have contacted the council, who have send their officers round but have told us they're unable to directly approach the owner, due to Covid regulations but they were able to send him a letter. We have tried to combat this via the council several times, with no luck.

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Additionally, we contacted the police about the violation of Covid rules. I'm sure we were advised by someone ill informed as they assured us that the bar was well within their rights to have people up and dancing. They also put their shutters down during the duration of these parties which tells you all you need to know, as they open in day dining hours. As someone who works in hospitality I know that customers are required to remain seated during service in a restaurant until Boris advises us otherwise.

We are still going to be persistent with the council/police as this disturbance isn't minor.

Over the last few weeks we have had intense conversation with the owner who reminds us how long he's been there, and seems to think we have a personal issue with him. All we would like, kindly, is the music to be a reasonable level between 11pm -6am, due to studies and work. We did set a level with him, to tell the DJ to play the music at, however by 12am-4am this level is completely ignored.

Again we would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is effecting the well being of the three of us in the flat. We have a nightmare neighbour who we were not informed ran a loud, bar setting establishment. We will be unable to live this way until April, as our landlord we need you to take action please.

[REDACTED]

On 29 May 2021, at 09:27 [REDACTED] wrote:

Dear [REDACTED]

Thank you for the below and we are sorry to learn of your recent experiences.

We are shocked to hear of this and more so at the response of the Manager.

In the first instance I would suggest notifying both the police and Southwark environmental control over the issue as they will have the rights to issue any sanctions on the owners below. There should also be questions over the trading hours and current Covid restrictions I would have thought.

We will happily support any claim you make, please do keep us informed and Alvyda will follow up with you early next week.

Kind regards,

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On 29 May 2021, at 08:26 [REDACTED] wrote:

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We would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is directly affecting the wellbeing and livelihoods of members of the flat. It's exam season at university and I work full time on little sleep due to the disturbance.

Please contact me ASAP about this issue. Alternatively I can come to the offices to talk about the problem face to face.

[REDACTED]

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From: [REDACTED]
Sent: 17 May 2023 11:00
To: noiseandnuisance@southwark.gov.uk
Cc: Luke Adams
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Tracking:

Recipient	Read
noiseandnuisance@southwark.gov.uk [REDACTED]	Read: 18/05/2023 15:46

Dear Sirs,

Further to the below email trail we are still experiencing issue with Wazobia at the above mentioned property operating loud music and disturbing our tenants during late hours.

Tenants advised they have reported noise nuisance to yourselves to no avail.

As you will no doubt be aware this situation and lack of response from Southwark Noise Team has huge impact on residents health and safety, as well as our business.

Please find below latest comments received from residents above the restaurant, note there is many more that unfortunately keeps falling on your death ears:

Yes we submitted a noise complaint at the time but yet to hear back. They are loud Friday and Saturday nights (sometimes they have parties on a Thursday as well) though this time they were substantially louder than usual. A fight between people at the party also broke out after the event on the street which kept us up. At one stage we opened our bedroom window to see what was going on as there was lots of yelling and swearing and saw one of the men in a headlock. On occasion there have been men blocking the door entrance to our building which as a female I haven't felt comfortable having to maneuver around them or press the code to open the door.

We have not found it enjoyable living above the restaurant since we moved in, and I was wondering if you were able to please confirm whether there is a tenancy break clause in our tenancy agreement or what our options are. We very much enjoy the apartment and you've been a wonderful help throughout the whole moving in process, but the location and constant noise from the restaurant has been affecting my sleep which has a toll on my mental health. I wear ear plugs but feel that I shouldn't need to if I want to sleep in my own apartment.

To keep you updated on the ongoing noise issues: we recently filed a complaint with the council, and received an inspection from noise nuisance team. The officers they sent over agreed that the noise was a statutory nuisance and issued a noise abatement notice for the below neighbours.

Sadly this doesn't seem to have affected anything, and the noise remains at the same level, and to the same late hours. We're aware that other tenants in the building have done the same thing, to the same effect.

Tonight particularly has been incredibly bad, more so than any other evenings. The music is not of a restaurant noise level but that of a night club and I can't really imagine how the apartments below us are managing. It started just

after 2am and I was awoken by street noise of people arriving at the venue so it's certainly a party of some sort. I know there is an apartment below us with a baby so can only imagine how hard it is for them.

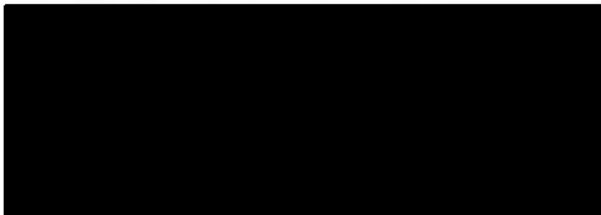
My ensuit room is right above the music! The floor is shaking, it feels like hell, all the musical bass and vibration affects the whole flat and my room in particular, till 4am every Friday and Saturday!
It's unbearable. I am working in the bar and coming home to this craziness that I can't control and can't turn of. It's like hell.
We have to do something with this because 2 days a week every single week no rest, no silence how it should be in a living area, we have to find a solution otherwise we will be considering moving out.

Following to our phone call this morning , am writing you to let you know that yesterday we had a discussion with the restaurant wazobia , it's only because he was playing music very loud on Friday night and this ended 3.45 in the morning , we only asked him politely to play the music not too loud so that others tenants won't be disturbed , he started shouting at me and saying that he has Renting contract with him and he won't let us live at the property anymore .we are thinking why he said that or probably he is the landlord . He also said he is fully license and he can make noise at anytime . I would be really appreciate if someone from the agency can get in touch with him and solve the matter .

In addition to above we have now engaged into legal proceedings with the Landlord in regards to their Tenant (Wazobia). We have also engaged with independent acoustic experts, at considerable cost. We suspect it will be clearly determined in their subsequent report that there is a severe noise nuisance being caused by Wazobia. Upon confirmation of the information provided we reserve the right to recover our costs without hesitation from local authority.

We look forward to your swift response in this urgent matter.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Monday, May 30, 2022 6:38 AM

To: [Redacted]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear Alvyda.

The Council deals with noise, and other associated problems by means of Statutory Nuisance .

In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

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If the issues witnessed are not within the remit of the team , will pass the information to any relevant team or organisation, if any.

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Call us when you feel that you are being disturbed, whilst the problem is ongoing, via the Environmental Call Centre on 0207 525 5777.

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Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Call Centre number : 0207 525 5777

From: [REDACTED]
Sent: Thursday, May 26, 2022 1:12 PM
To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Cc: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High

Dear Sirs,

Hope this email finds you well.

Further to the email chain below we want to report an ongoing noise nuisance from the above restaurant, where they are operate as night club beyond their licensed hours which escalates unacceptably loud noises through our residential apartments above.

The noise is reported to happen every Friday, Saturday and often Sundays and Bank Holidays. Our tenants advise they reported the issue to Southwark Council number of times as have we, inspections have been caried out and officers agreed the noise was a statutory nuisance. Sadly this doesn't seem to have affected anything, and the noise remains at the same level, and to the same late hours.

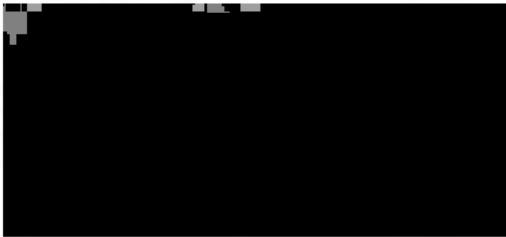
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We have video / sound recordings by way of evidence should you need it, we can WeTransfer to you.

We look forward to your swift response.

Kind regards,



Submit your maintenance request

Report Now

Have you registered with our new Tenant Portal yet, [click here](#)?

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: 16 June 2021 11:19

To: [Redacted]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear Luke

I have looked through our records , we have only had one call in May 2021 about the above location. A officer visited, and nothing was witnessed that required action by the Noise & Nuisance Team. Nor any other behaviour , that required reporting to any other department or organisation.

Thus all I can advise is if any one feels that they are being disturbed , they should call us on 0207 525 5777.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
martin.talbot@southwark.gov.uk

From: [Redacted]

Sent: Wednesday, June 16, 2021 11:09 AM

To: Noise and Nuisance

Cc: Alvyda Tumaite

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

Please see the below follow up email that we have received from our Tenants that reside above the above-mentioned restaurant.

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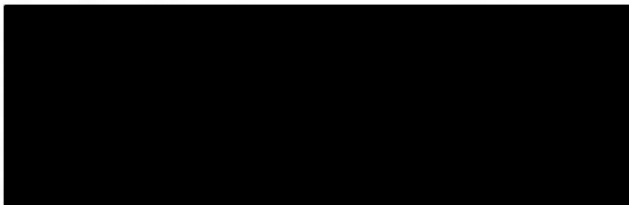
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Kind regards,



Submit your maintenance request

Report Now

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Hello,

This is a follow up email regarding the progress of the noise from the DJ from the restaurant Wazobia directly downstairs. Unfortunately, it hasn't made any improvement. We have contacted the council, who have send their officers round but have told us they're unable to directly approach the owner, due to Covid regulations but they were able to send him a letter. We have tried to combat this via the council several times, with no luck.

At first it was just the TV which was at the highest volume and the bass disturbed sleep in our home. I had an issue with that one time in April. However that was a tiny taster of what it's like every Friday and Saturday evening with a DJ on a mic with a heavy based speaker up until 3am/4am. Which is the problem we have not.

Additionally, we contacted the police about the violation of Covid rules. I'm sure we were advised by someone ill informed as they assured us that the bar was well within their rights to have people up and dancing. They also put

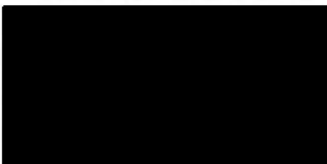
their shutters down during the duration of these parties which tells you all you need to know, as they open in day dining hours. As someone who works in hospitality I know that customers are required to remain seated during service in a restaurant until Boris advises us otherwise.

We are still going to be persistent with the council/police as this disturbance isn't minor.

Over the last few weeks we have had intense conversation with the owner who reminds us how long he's been there, and seems to think we have a personal issue with him. All we would like, kindly, is the music to be a reasonable level between 11pm -6am, due to studies and work. We did set a level with him, to tell the DJ to play the music at, however by 12am-4am this level is completely ignored.

Again we would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is effecting the well being of the three of us in the flat. We have a nightmare neighbour who we were not informed ran a loud, bar setting establishment. We will be unable to live this way until April, as our landlord we need you to take action please.



On 29 May 2021, at 09:27, Luke Adams <l.adams@ppg.co.uk> wrote:

Dear 

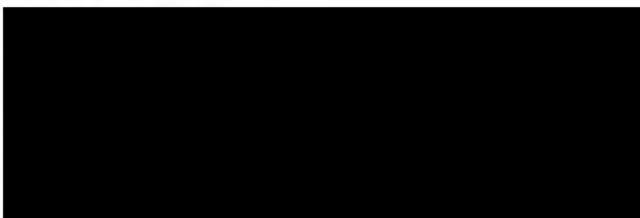
Thank you for the below and we are sorry to learn of your recent experiences.


We are shocked to hear of this and more so at the response of the Manager.

In the first instance I would suggest notifying both the police and Southwark environmental control over the issue as they will have the rights to issue any sanctions on the owners below. There should also be questions over the trading hours and current Covid restrictions I would have thought.


We will happily support any claim you make, please do keep us informed and Alvyda will follow up with you early next week.

Kind regards,



On 29 May 2021, at 08:26,  wrote:

Hello,

I am emailing from 

We live directly on top of the restaurant Wazobia. We were not made aware by you, or any other party until we got here that they would play ridiculously loud music via a DJ from 10:30pm-4am every Friday, Saturday and bank holiday. Of we had that

information, as students we would've made a decision based on that. To our knowledge it was a typical restaurant, unaware it doubled as a club setting.

Our flat and appliances shake from the bass downstairs, we can hear word for word what the DJ shouts through the mic.

We have had several face-to-face conversations and text message disputes about the noise disruptions with the Manager of the restaurant...

However he is unprofessional and very disrespectful in the manner in which he speaks to us, when all we ask is that the music turned down (which it isn't). He assured us this would continue for the duration of our stay here, and threatened to have us kicked out for continuing to ask him to turn it down. He also used personal and inappropriate details to try and divert attention from the issue, such as race.

We would like to request to cancel or move our lease to another flat in this building, or otherwise, so we're not directly above the on going noise.

It is directly affecting the wellbeing and livelihoods of members of the flat. It's exam season at university and I work full time on little sleep due to the disturbance.

Please contact me ASAP about this issue. Alternatively I can come to the offices to talk about the problem face to face.



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[REDACTED]

From: [REDACTED]
Sent: 12 July 2023 15:53
To: [REDACTED]
Cc: [REDACTED]
Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High
Tracking: Recipient Read
licensing@southwark.gov.uk

Read: 12/07/2023 16:01

Read: 12/07/2023 15:54

Dear Sirs,

We hope that this email finds you well.

We wish to bring to your attention an on-going matter with regard to the above-mentioned restaurant - situated below five residential apartments that we, Space Investments Limited, own on a long leasehold basis. We manage the properties ourselves.

The restaurant becomes a night club from Thursday night onwards, causing severe noise nuisance to our properties, the residents above and surrounding neighbour properties. Noise and vibrations are felt from the ground up with constant thuds of music and is a huge disturbance to residents in the apartments. There are often frequent gatherings outside the restaurant too, that are intimidating to our residents, who are complaining to us that they feel too unsafe to leave/enter their home. In some instances, there have been threats of violence towards our Tenants where the Police have also been contacted.

We have been in continuous contact with Southwark Noise and Nuisance/Environmental Health for over 6 years (all documented), as have the residents of the above-mentioned flats. We are aware of number of officers visits to witness the noise during the early hours, and outside of any licenced timings. A noise abatement notice has also been issued to the owner of Wazobia Restaurant, yet this had no affect and if anything matters are now worse.

We also engaged with the Superior Landlord (Freeholder) in regard to their Tenant (Wazobia); but they have shown little interest in reviewing as are more concerned with having the unit occupied and collecting rent.

The constant noise has a huge impact on our Tenants health, safety and general wellbeing. Our residents have lost hope over the poor response from Southwark Noise and Nuisance team and instead of seeking assistance from the borough, who should support them; simply opt to break their tenancy agreements early and move out.

As you can appreciate this is a tiresome and stressful process for all concerned and becoming a financial burden to us each time a Tenant seeks to want to vacate. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence. We are taking legal advice on the

matter concerning the restaurant on the ground floor, as yet more cost, and also seeking expert witness noise and nuisance consultancy in further proving our claim.

We are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property. We hope to be able to engage with you swiftly as the problem persists and needs your support.

We should be grateful for your comments and swift response in this urgent matter.

Kind regards,



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The Passion Property Group Limited, Registered in England, 2528715



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****Have you registered with our new Tenant Portal yet, [click here](#)?****

[REDACTED]

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Sent: 13 July 2023 12:52
To: [REDACTED]
Cc: Magbadelo, Peter
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Follow Up Flag: Follow up
Flag Status: Completed

Dear [REDACTED]

It may help in the first instance if I explained :

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If the issues witnessed are not within the remit of the team, we will pass the information to any relevant team or organisation, if any.

The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

I have looked through or records, these show that all our responses to complaints made against this location.

Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law.

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

Thus currently, there is no further action that can be taken in this matter.

Thus all I can advise, if that one of your residents feels that they are being disturbed, they should call us when it is happening on 0207 525 5777.

Our operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday."

We will not obviously be able to attend ever call and witness a nuisance.

You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]
Sent: Wednesday, July 12, 2023 3:53 PM

Cc: [REDACTED]
Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High

Dear Sirs,

We hope that this email finds you well.

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As you can appreciate this is a tiresome and stressful process for all concerned and becoming a financial burden to us each time a Tenant seeks to want to vacate. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence. We are taking legal advice on the matter concerning the restaurant on the ground floor, as yet more cost, and also seeking expert witness noise and nuisance consultancy in further proving our claim.

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We should be grateful for your comments and swift response in this urgent matter.

Kind regards,



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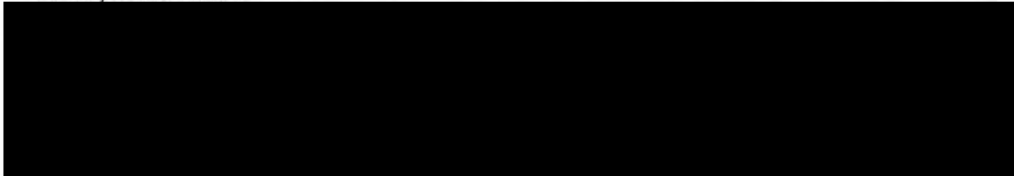
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From: Alvyda Tumaite
Sent: 14 July 2023 15:03
To:



Cc:
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Attachments: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Tracking: **Recipient** **Read**
Noise and Nuisance



Read: 14/07/2023 15:10

Read: 14/07/2023 15:04

Dear Martin,

Thank you for your timely response, sincerely appreciated.

Regretfully your email and tone is rather disappointing and to put it mildly, woolly!

We note your comments on 'Statutory Nuisance', though could you please assist further in helping our understanding of this paragraph:

"I have looked through or records, these show that all our responses to complaints made against this location. Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law."

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

This seems to confirm that you have attended the above referred to property on several occasions and are therefore aware of the on-going matter regards to noise nuisance. Please confirm.

Your department has been notified on several occasions as to the 'statutory nuisance' being caused by the restaurant on the ground floor. Our residents have called and complained during the early hours to report this and we have provided you with sound recordings of the disturbance too. Our opinion is that this case is concrete and will stand up in court. Furthermore, per our initial email we are seeking independent professional recordings of the continuing nuisance, which will not only strengthen our case, but demonstrate your failings.

Is it reasonable to expect our Tenants to continue to call your department at 3am in the morning? Is it reasonable for us to surrender our Tenancy agreements and seek to re-let the property at significant expense to us, compounded by current economic climate?

We are seeking to obtain support from you and your peers with this matter. We are concerned at the lack of support to date and again seems as though we are being 'fobbed' off with the below response.

Please regard this email and that of 12th July 2023 (below) as a formal complaint from each of the 5 properties directly affected by the severe noise nuisance being caused by the restaurant. We need to understand what action you will be taking this weekend and every weekend until you can demonstrate without a margin of any doubt that there is no nuisance being caused.

For the time being we will seek to ignore this comment:

"You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter"

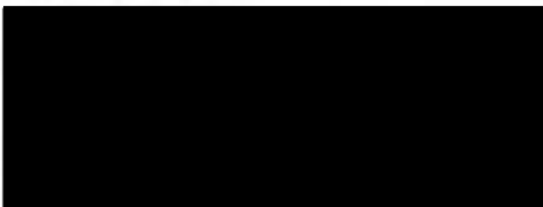
Although reserve the right to be able to reference it in the future, should we need.

For the avoidance of any doubt; please be assured that this matter will not go away, so please assure us that you are giving us the proper 'statutory' attention it deserves!

We have copied seniors within the Local Authority including the local MP in case this should go amiss.

We look forward to your cooperation and swift response.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

It may help in the first instance if I explained :

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Thus currently, there is no further action that can be taken in this matter.

Thus all I can advise, if that one of your residents feels that they are being disturbed, they should call us when it is happening on 0207 525 5777.

Our operation times are as follows:

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We will not obviously be able to attend ever call and witness a nuisance.

You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From:

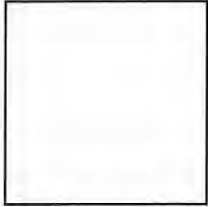
Sent: Wednesday, July 12, 2023 3:53 PM



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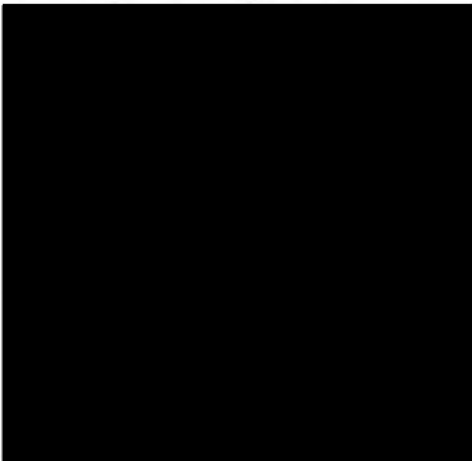
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From: [Redacted]
Sent: 25 July 2023 16:30
To: 'Noise and Nuisance'; 'licensing@southwark.gov.uk'; [Redacted]
Cc: [Redacted]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High
Tracking:

Recipient	Read
'Noise and Nuisance'	
'licensing@southwark.gov.uk'	



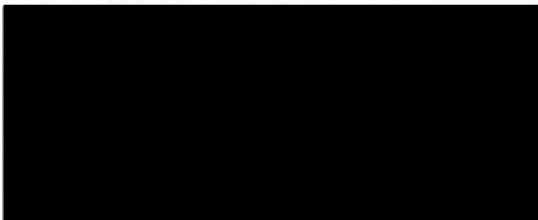
Read: 26/07/2023 13:10

Read: 25/07/2023 17:18

Dear Martin,

Further to your lack of response or even curtesy of a reply to the below, we assume that this confirms your negligence in dealing with complaints of this nature and therefore reserve the right to use this against you as the matter escalates through the legal channels.

Kind regards,



Submit your maintenance request

Report Now

From: Alvyda Tumaite

Sent: Friday, July 14, 2023 3:03 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; licensing@southwark.gov.uk;

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

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Your department has been notified on several occasions as to the 'statutory nuisance' being caused by the restaurant on the ground floor. Our residents have called and complained during the early hours to report this and we have provided you with sound recordings of the disturbance too. Our opinion is that this case is concrete and will stand up in court. Furthermore, per our initial email we are seeking independent professional recordings of the continuing nuisance, which will not only strengthen our case, but demonstrate your failings.

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Submit your maintenance request

Report Now

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Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

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Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]

Sent: Wednesday, July 12, 2023 3:53 PM

Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

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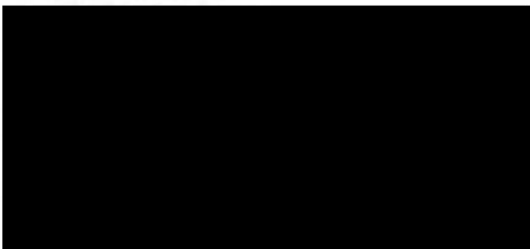
The constant noise has a huge impact on our Tenants health, safety and general wellbeing. Our residents have lost hope over the poor response from Southwark Noise and Nuisance team and instead of seeking assistance from the borough, who should support them; simply opt to break their tenancy agreements early and move out.

As you can appreciate this is a tiresome and stressful process for all concerned and becoming a financial burden to us each time a Tenant seeks to want to vacate. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence. We are taking legal advice on the matter concerning the restaurant on the ground floor, as yet more cost, and also seeking expert witness noise and nuisance consultancy in further proving our claim.

We are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property. We hope to be able to engage with you swiftly as the problem persists and needs your support.

We should be grateful for your comments and swift response in this urgent matter.

Kind regards,



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The Maxwell Property Group Limited, Registered in England - 3038718



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[REDACTED]

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>
Sent: 26 July 2023 11:30
To: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Follow Up Flag: Follow up
Flag Status: Completed

Dear [REDACTED]

As I have explained, there is no evidence to support any action above what has been taken to date.

Thus as previously advised, residents should call us when they feel they are being affected.

If the noise can be witnessed, and it fills the required criteria to be a "Statutory Nuisance".

We will then take the appropriate action.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP

From [REDACTED]
Sent: Tuesday, July 25, 2023 4:30 PM

[REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Further to your lack of response or even courtesy of a reply to the below, we assume that this confirms your negligence in dealing with complaints of this nature and therefore reserve the right to use this against you as the matter escalates through the legal channels.

Kind regards,



Sent: Friday, July 14, 2023 3:03 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; licensing@southwark.gov.uk;

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Thank you for your timely response, sincerely appreciated.

Regretfully your email and tone is rather disappointing and to put it mildly, woolly!

We note your comments on 'Statutory Nuisance', though could you please assist further in helping our understanding of this paragraph:

"I have looked through or records, these show that all our responses to complaints made against this location. Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law."

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

This seems to confirm that you have attended the above referred to property on several occasions and are therefore aware of the on-going matter regards to noise nuisance. Please confirm.

Your department has been notified on several occasions as to the 'statutory nuisance' being caused by the restaurant on the ground floor. Our residents have called and complained during the early hours to report this and we have provided you with sound recordings of the disturbance too. Our opinion is that this case is concrete and will stand up in court. Furthermore, per our initial email we are seeking independent professional recordings of the continuing nuisance, which will not only strengthen our case, but demonstrate your failings.

Is it reasonable to expect our Tenants to continue to call your department at 3am in the morning? Is it reasonable for us to surrender our Tenancy agreements and seek to re-let the property at significant expense to us, compounded by current economic climate?

We are seeking to obtain support from you and your peers with this matter. We are concerned at the lack of support to date and again seems as though we are being 'fobbed' off with the below response.

Please regard this email and that of 12th July 2023 (below) as a formal complaint from each of the 5 properties directly affected by the severe noise nuisance being caused by the restaurant. We need to understand what action you will be taking this weekend and every weekend until you can demonstrate without a margin of any doubt that there is no nuisance being caused.

For the time being we will seek to ignore this comment:

"You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter"

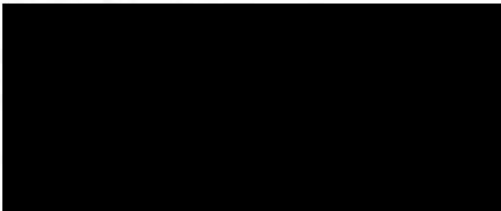
Although reserve the right to be able to reference it in the future, should we need.

For the avoidance of any doubt; please be assured that this matter will not go away, so please assure us that you are giving us the proper 'statutory' attention it deserves!

We have copied seniors within the Local Authority including the local MP in case this should go amiss.

We look forward to your cooperation and swift response.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

It may help in the first instance if I explained :

The Council deals with noise, and other associated problems by means of Statutory Nuisance . In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables.

If the issues witnessed are not within the remit of the team, we will pass the information to any relevant team or organisation, if any.

The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

I have looked through our records, these show that all our responses to complaints made against this location.

Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law.

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

Thus currently, there is no further action that can be taken in this matter.

Thus all I can advise, if that one of your residents feels that they are being disturbed, they should call us when it is happening on 0207 525 5777.

Our operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday."

We will not obviously be able to attend every call and witness a nuisance.

You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]

Sent: Wednesday, July 12, 2023 3:53 PM

Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

We hope that this email finds you well.

We wish to bring to your attention an on-going matter with regard to the above-mentioned restaurant - situated below five residential apartments that we, Space Investments Limited, own on a long leasehold basis. We manage the properties ourselves.

The restaurant becomes a night club from Thursday night onwards, causing severe noise nuisance to our properties, the residents above and surrounding neighbour properties. Noise and vibrations are felt from the ground up with constant thuds of music and is a huge disturbance to residents in the apartments. There are often frequent gatherings outside the restaurant too, that are intimidating to our residents, who are complaining to us that they feel too unsafe to leave/enter their home. In some instances, there have been threats of violence towards our Tenants where the Police have also been contacted.

We have been in continuous contact with Southwark Noise and Nuisance/Environmental Health for over 6 years (all documented), as have the residents of the above-mentioned flats. We are aware of number of officers visits to witness the noise during the early hours, and outside of any licenced timings. A noise abatement notice has also been issued to the owner of Wazobia Restaurant, yet this had no affect and if anything matters are now worse.

We also engaged with the Superior Landlord (Freeholder) in regard to their Tenant (Wazobia); but they have shown little interest in reviewing as are more concerned with having the unit occupied and collecting rent.

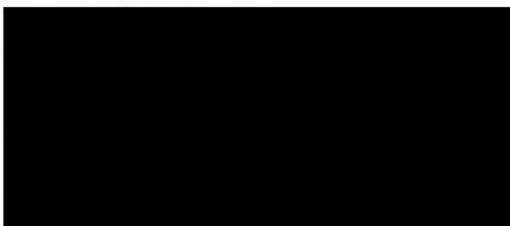
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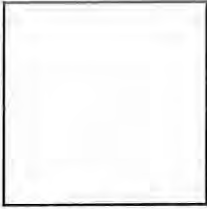
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[REDACTED]

From: [REDACTED]

Sent: 26 July 2023 12:11

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Tracking:

Recipient

Read

'Noise and Nuisance'

'licensing@southwark.gov.uk'

[REDACTED]

Read: 26/07/2023 12:17

Read: 26/07/2023 12:24

Dear Martin,

We are deeply concerned by your response, which again clearly confirms the inadequacies of you and your department at LBS in dealing with noise nuisance within the borough.

You have yet again failed to acknowledge the issue, which you are aware has been going on for more than 5 YEARS. This is meticulously documented and evidenced against you.

For the reasons outlined in our last email, we completely disagree with your comments below. There is an on-going **Statutory Nuisance**.

We are also concerned that you are not responding with your peers in copy and unless this is given the full attention it deserves, we will need to consider lodging a formal complaint to the borough for your negligence in dealing with such a serious matter.

We look forward to your swift and **meaningful** response with proposed actions by close of play Friday 28th July.

Kind regards,

[REDACTED]

A: 15 Theed Street, London, SE1 8ST



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Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Wednesday, July 26, 2023 11:30 AM

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [REDACTED]

As I have explained, there is no evidence to support any action above what has been taken to date.

Thus as previously advised, residents should call us when they feel they are being affected.

If the noise can be witnessed, and it for fills the required criteria to be a "Statutory Nuisance".

We will then take the appropriate action.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP

From: [REDACTED]

Sent: Tuesday, July 25, 2023 4:30 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen, Licensing

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

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From [REDACTED]

Sent: Friday, July 14, 2023 3:03 PM

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Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

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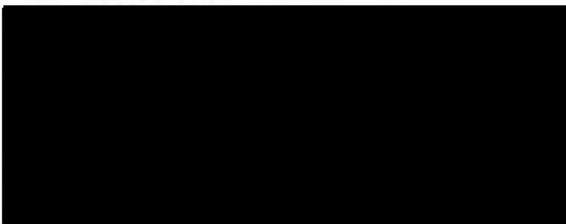
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Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

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Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]

Sent: Wednesday, July 12, 2023 3:53 PM

Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

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The restaurant becomes a night club from Thursday night onwards, causing severe noise nuisance to our properties, the residents above and surrounding neighbour properties. Noise and vibrations are felt from the ground up with constant thuds of music and is a huge disturbance to residents in the apartments. There are often frequent gatherings outside the restaurant too, that are intimidating to our residents, who are complaining to us that they feel too unsafe to leave/enter their home. In some instances, there have been threats of violence towards our Tenants where the Police have also been contacted.

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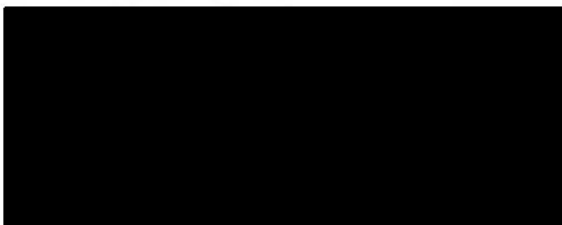
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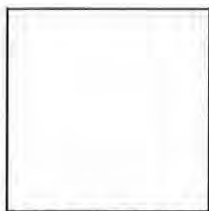


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The Essex Property Group Limited, Registered in England, 02833187



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From: Williams, Justin <Justin.Williams@southwark.gov.uk>
Sent: 26 July 2023 15:40
To: Alvyda Tumaite
Subject: FW: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Dear [REDACTED]

Thank you for your complaint with regards to the above premises, I apologise for the delay in responding to you. I can confirm from a licensing perspective that we are monitoring the premises, I can confirm that licensing colleagues of mine attended the premises last weekend to carry out observations no issues were witnessed.

I appreciate your main concern is a noise nuisance problem and you have correctly contacted the noise team to investigate. I can advise you from a licensing perspective that as you are an "interested party" if you believe a licensed premises is not promoting one of the four licensing objectives you can make an application to the licensing unit for the premises licence to be reviewed.

A review can lead to the premises licence either being suspended, licensable activities being curtailed or removed, onerous conditions being imposed on the licence or the premises licence being revoked.

I have attached a link below for your perusal, if this is something you are considering I would strongly urge you to seek legal advice before starting your application:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/beer-club-licences/refreshment-and-entertainment-licences/review-of-an-existing-premises-licence>

In the meantime the premises will be monitored, we can only take enforcement action if an officer witnesses the premises breaching their premises licence. If you have any queries or concerns please do not hesitate to contact me.

With regards

Justin Williams ACILEx

Licensing Enforcement Officer

Regulatory Services

Southwark Council

0207 525 2436

Justin.Williams@southwark.gov.uk

Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

From: [REDACTED]

Sent: Wednesday, July 26, 2023 12:11 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen, Licensing

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

We are deeply concerned by your response, which again clearly confirms the inadequacies of you and your department at LBS in dealing with noise nuisance within the borough.

You have yet again failed to acknowledge the issue, which you are aware has been going on for more than 5 YEARS. This is meticulously documented and evidenced against you.

For the reasons outlined in our last email, we completely disagree with your comments below. There is an on-going **Statutory Nuisance**.

We are also concerned that you are not responding with your peers in copy and unless this is given the full attention it deserves, we will need to consider lodging a formal complaint to the borough for your negligence in dealing with such a serious matter.

We look forward to your swift and **meaningful** response with proposed actions by close of play Friday 28th July.

Kind regards,

 **Passion**
PROPERTY GROUP



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From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Wednesday, July 26, 2023 11:30 AM

To: [REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [REDACTED]

As I have explained, there is no evidence to support any action above what has been taken to date.

Thus as previously advised, residents should call us when they feel they are being affected.

If the noise can be witnessed, and it fills the required criteria to be a "Statutory Nuisance".

We will then take the appropriate action.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP

From: [REDACTED]

Sent: Tuesday, July 25, 2023 4:30 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen, Licensing

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Further to your lack of response or even curtesy of a reply to the below, we assume that this confirms your negligence in dealing with complaints of this nature and therefore reserve the right to use this against you as the matter escalates through the legal channels.

Kind regards,

[REDACTED]



From: [REDACTED]

Sent: Friday, July 14, 2023 3:03 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; licensing@southwark.gov.uk;

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Thank you for your timely response, sincerely appreciated.

Regretfully your email and tone is rather disappointing and to put it mildly, woolly!

We note your comments on 'Statutory Nuisance', though could you please assist further in helping our understanding of this paragraph:

"I have looked through or records, these show that all our responses to complaints made against this location. Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law."

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

This seems to confirm that you have attended the above referred to property on several occasions and are therefore aware of the on-going matter regards to noise nuisance. Please confirm.

Your department has been notified on several occasions as to the 'statutory nuisance' being caused by the restaurant on the ground floor. Our residents have called and complained during the early hours to report this and we have provided you with sound recordings of the disturbance too. Our opinion is that this case is concrete and will stand up in court. Furthermore, per our initial email we are seeking independent professional recordings of the continuing nuisance, which will not only strengthen our case, but demonstrate your failings.

Is it reasonable to expect our Tenants to continue to call your department at 3am in the morning? Is it reasonable for us to surrender our Tenancy agreements and seek to re-let the property at significant expense to us, compounded by current economic climate?

We are seeking to obtain support from you and your peers with this matter. We are concerned at the lack of support to date and again seems as though we are being 'fobbed' off with the below response.

Please regard this email and that of 12th July 2023 (below) as a formal complaint from each of the 5 properties directly affected by the severe noise nuisance being caused by the restaurant. We need to understand what action you will be taking this weekend and every weekend until you can demonstrate without a margin of any doubt that there is no nuisance being caused.

For the time being we will seek to ignore this comment:

"You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter"

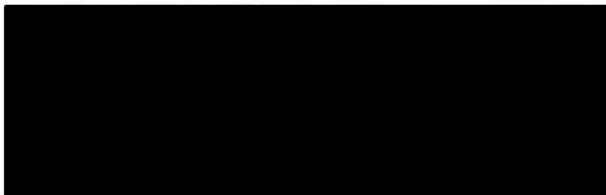
Although reserve the right to be able to reference it in the future, should we need.

For the avoidance of any doubt; please be assured that this matter will not go away, so please assure us that you are giving us the proper 'statutory' attention it deserves!

We have copied seniors within the Local Authority including the local MP in case this should go amiss.

We look forward to your cooperation and swift response.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted],

It may help in the first instance if I explained :

The Council deals with noise, and other associated problems by means of Statutory Nuisance . In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables.

If the issues witnessed are not within the remit of the team, we will pass the information to any relevant team or organisation, if any.

The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

I have looked through or records, these show that all our responses to complaints made against this location.

Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law.

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

Thus currently, there is no further action that can be taken in this matter.

Thus all I can advise, if that one of your residents feels that they are being disturbed, they should call us when it is happening on 0207 525 5777.

Our operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday."

We will not obviously be able to attend ever call and witness a nuisance.

You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]

Sent: Wednesday, July 12, 2023 3:53 PM

Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

We hope that this email finds you well.

We wish to bring to your attention an on-going matter with regard to the above-mentioned restaurant - situated below five residential apartments that we, Space Investments Limited, own on a long leasehold basis. We manage the properties ourselves.

The restaurant becomes a night club from Thursday night onwards, causing severe noise nuisance to our properties, the residents above and surrounding neighbour properties. Noise and vibrations are felt from the ground up with constant thuds of music and is a huge disturbance to residents in the apartments. There are often frequent gatherings outside the restaurant too, that are intimidating to our residents, who are complaining to us that they feel too unsafe to leave/enter their home. In some instances, there have been threats of violence towards our Tenants where the Police have also been contacted.

We have been in continuous contact with Southwark Noise and Nuisance/Environmental Health for over 6 years (all documented), as have the residents of the above-mentioned flats. We are aware of number of officers visits to witness the noise during the early hours, and outside of any licenced timings. A noise abatement notice has also been issued to the owner of Wazobia Restaurant, yet this had no affect and if anything matters are now worse.

We also engaged with the Superior Landlord (Freeholder) in regard to their Tenant (Wazobia); but they have shown little interest in reviewing as are more concerned with having the unit occupied and collecting rent.

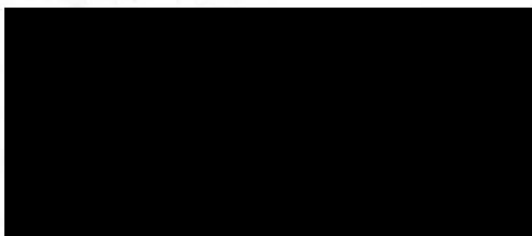
The constant noise has a huge impact on our Tenants health, safety and general wellbeing. Our residents have lost hope over the poor response from Southwark Noise and Nuisance team and instead of seeking assistance from the borough, who should support them; simply opt to break their tenancy agreements early and move out.

As you can appreciate this is a tiresome and stressful process for all concerned and becoming a financial burden to us each time a Tenant seeks to want to vacate. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence. We are taking legal advice on the matter concerning the restaurant on the ground floor, as yet more cost, and also seeking expert witness noise and nuisance consultancy in further proving our claim.

We are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property. We hope to be able to engage with you swiftly as the problem persists and needs your support.

We should be grateful for your comments and swift response in this urgent matter.

Kind regards,



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The Passion Property Group Limited, Registered in England. 0628715



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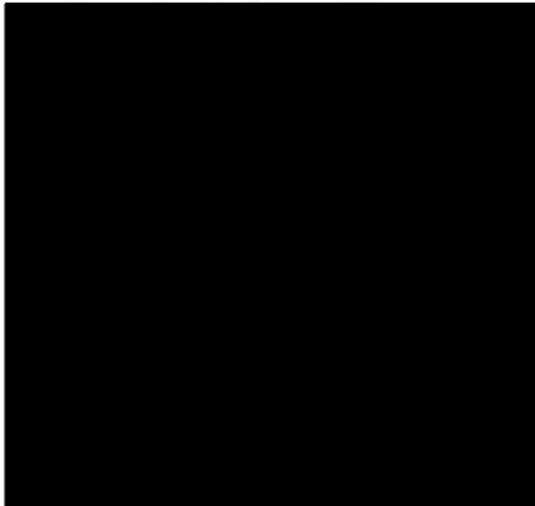
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From: [Redacted]
Sent: 26 July 2023 16:12
To: Williams, Justin; Noise and Nuisance; licensing@southwark.gov.uk;
[Redacted]
Cc: [Redacted]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High
Tracking:

Recipient	Read
Williams, Justin	
Noise and Nuisance	



Read: 26/07/2023 16:13
Read: 26/07/2023 16:13

Dear Justin,

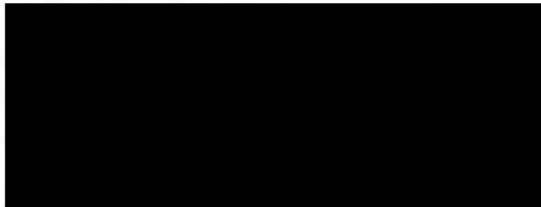
Thank you for your reply; appreciate the detailed response which offers more guidance than that we have received from your colleagues regards to the on-going Statutory Nuisance of noise.

We have already taken legal advice and given undertaking of cost to a barrister for review.

You should therefore not be surprised to hear that we will be taking this further requesting an urgent review of licence as to the on-going and continued breach.

I note your comments regards to a visit last weekend, can you please confirm which day and at what time you were on site?

Kind regards,



From: Williams, Justin <Justin.Williams@southwark.gov.uk>

Sent: Wednesday, July 26, 2023 3:40 PM

To: [REDACTED]

Subject: FW: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear [REDACTED]

Thank you for your complaint with regards to the above premises, I apologise for the delay in responding to you. I can confirm from a licensing perspective that we are monitoring the premises, I can confirm that licensing colleagues of mine attended the premises last weekend to carry out observations no issues were witnessed.

I appreciate your main concern is a noise nuisance problem and you have correctly contacted the noise team to investigate. I can advise you from a licensing perspective that as you are an "interested party" if you believe a licensed premises is not promoting one of the four licensing objectives you can make an application to the licensing unit for the premises licence to be reviewed.

A review can lead to the premises licence either being suspended, licensable activities being curtailed or removed, onerous conditions being imposed on the licence or the premises licence being revoked.

I have attached a link below for your perusal, if this is something you are considering I would strongly urge you to seek legal advice before starting your application:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/beer-club-licences/refreshment-and-entertainment-licences/review-of-an-existing-premises-licence>

In the meantime the premises will be monitored, we can only take enforcement action if an officer witnesses the premises breaching their premises licence. If you have any queries or concerns please do not hesitate to contact me.

With regards

Justin Williams ACILEx

Licensing Enforcement Officer

Regulatory Services

Southwark Council

0207 525 2436

Justin.Williams@southwark.gov.uk

From: [REDACTED]
Sent: Wednesday, July 26, 2023 12:11 PM
To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen. Licensing

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High

Dear Martin,

We are deeply concerned by your response, which again clearly confirms the inadequacies of you and your department at LBS in dealing with noise nuisance within the borough.

You have yet again failed to acknowledge the issue, which you are aware has been going on for more than 5 YEARS. This is meticulously documented and evidenced against you.

For the reasons outlined in our last email, we completely disagree with your comments below. There is an on-going **Statutory Nuisance**.

We are also concerned that you are not responding with your peers in copy and unless this is given the full attention it deserves, we will need to consider lodging a formal complaint to the borough for your negligence in dealing with such a serious matter.

We look forward to your swift and **meaningful** response with proposed actions by close of play Friday 28th July.

Kind regards,



From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Wednesday, July 26, 2023 11:30 AM

To: [REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [REDACTED]

As I have explained, there is no evidence to support any action above what has been taken to date.

Thus as previously advised, residents should call us when they feel they are being affected.

If the noise can be witnessed, and it fills the required criteria to be a "Statutory Nuisance".

We will then take the appropriate action.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP

From: [REDACTED]

Sent: Tuesday, July 25, 2023 4:30 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen, Licensing

[REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Further to your lack of response or even curtesy of a reply to the below, we assume that this confirms your negligence in dealing with complaints of this nature and therefore reserve the right to use this against you as the matter escalates through the legal channels.

Kind regards,

[REDACTED]



From: [REDACTED]

Sent: Friday, July 14, 2023 3:03 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; licensing@southwark.gov.uk;

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Thank you for your timely response, sincerely appreciated.

Regretfully your email and tone is rather disappointing and to put it mildly, woolly!

We note your comments on 'Statutory Nuisance', though could you please assist further in helping our understanding of this paragraph:

"I have looked through or records, these show that all our responses to complaints made against this location. Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law."

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

This seems to confirm that you have attended the above referred to property on several occasions and are therefore aware of the on-going matter regards to noise nuisance. Please confirm.

Your department has been notified on several occasions as to the 'statutory nuisance' being caused by the restaurant on the ground floor. Our residents have called and complained during the early hours to report this and we have provided you with sound recordings of the disturbance too. Our opinion is that this case is concrete and will stand up in court. Furthermore, per our initial email we are seeking independent professional recordings of the continuing nuisance, which will not only strengthen our case, but demonstrate your failings.

Is it reasonable to expect our Tenants to continue to call your department at 3am in the morning? Is it reasonable for us to surrender our Tenancy agreements and seek to re-let the property at significant expense to us, compounded by current economic climate?

We are seeking to obtain support from you and your peers with this matter. We are concerned at the lack of support to date and again seems as though we are being 'fobbed' off with the below response.

Please regard this email and that of 12th July 2023 (below) as a formal complaint from each of the 5 properties directly affected by the severe noise nuisance being caused by the restaurant. We need to understand what action you will be taking this weekend and every weekend until you can demonstrate without a margin of any doubt that there is no nuisance being caused.

For the time being we will seek to ignore this comment:

"You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter"

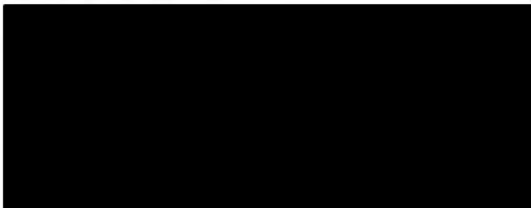
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For the avoidance of any doubt; please be assured that this matter will not go away, so please assure us that you are giving us the proper 'statutory' attention it deserves!

We have copied seniors within the Local Authority including the local MP in case this should go amiss.

We look forward to your cooperation and swift response.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

It may help in the first instance if I explained :

The Council deals with noise, and other associated problems by means of Statutory Nuisance . In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

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Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]

Sent: Wednesday, July 12, 2023 3:53 PM

[REDACTED]

Subject: Noise Nuisance – Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

We hope that this email finds you well.

We wish to bring to your attention an on-going matter with regard to the above-mentioned restaurant - situated below five residential apartments that we, Space Investments Limited, own on a long leasehold basis. We manage the properties ourselves.

The restaurant becomes a night club from Thursday night onwards, causing severe noise nuisance to our properties, the residents above and surrounding neighbour properties. Noise and vibrations are felt from the ground up with constant thuds of music and is a huge disturbance to residents in the apartments. There are often frequent gatherings outside the restaurant too, that are intimidating to our residents, who are complaining to us that they feel too unsafe to leave/enter their home. In some instances, there have been threats of violence towards our Tenants where the Police have also been contacted.

We have been in continuous contact with Southwark Noise and Nuisance/Environmental Health for over 6 years (all documented), as have the residents of the above-mentioned flats. We are aware of number of officers visits to witness the noise during the early hours, and outside of any licenced timings. A noise abatement notice has also been issued to the owner of Wazobia Restaurant, yet this had no affect and if anything matters are now worse.

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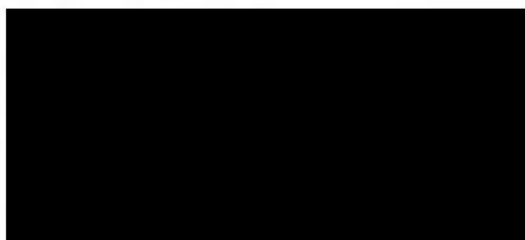
The constant noise has a huge impact on our Tenants health, safety and general wellbeing. Our residents have lost hope over the poor response from Southwark Noise and Nuisance team and instead of seeking assistance from the borough, who should support them; simply opt to break their tenancy agreements early and move out.

As you can appreciate this is a tiresome and stressful process for all concerned and becoming a financial burden to us each time a Tenant seeks to want to vacate. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence. We are taking legal advice on the matter concerning the restaurant on the ground floor, as yet more cost, and also seeking expert witness noise and nuisance consultancy in further proving our claim.

We are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property. We hope to be able to engage with you swiftly as the problem persists and needs your support.

We should be grateful for your comments and swift response in this urgent matter.

Kind regards,



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[REDACTED]

From: Williams, Justin <Justin.Williams@southwark.gov.uk>
Sent: 26 July 2023 17:17
To: [REDACTED]
Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Follow Up Flag: Flag for follow up
Flag Status: Completed

Dear [REDACTED]

Thank you for your response, a visit was carried out last Friday after 11pm.

Warm regards

Justin Williams ACILEx

Licensing Enforcement Officer

Regulatory Services

Southwark Council

0207 525 2436

Justin.Williams@southwark.gov.uk

Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

From: [REDACTED]
Sent: Wednesday, July 26, 2023 4:12 PM
To: Williams, Justin <Justin.Williams@southwark.gov.uk>; Noise and Nuisance

[REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF
Importance: High

Dear Justin,

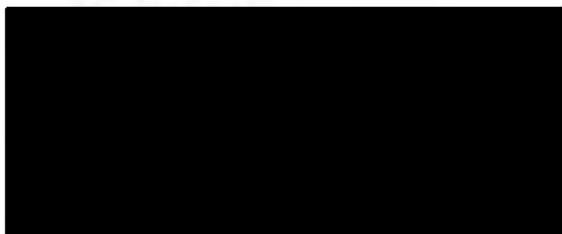
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You should therefore not be surprised to hear that we will be taking this further requesting an urgent review of licence as to the on-going and continued breach.

I note your comments regards to a visit last weekend, can you please confirm which day and at what time you were on site?

Kind regards,



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Report Now

From: Williams, Justin <Justin.Williams@southwark.gov.uk>

Sent: Wednesday, July 26, 2023 3:40 PM

To: [Redacted]

Subject: FW: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Alvyda,

Thank you for your complaint with regards to the above premises, I apologise for the delay in responding to you. I can confirm from a licensing perspective that we are monitoring the premises, I can confirm that licensing colleagues of mine attended the premises last weekend to carry out observations no issues were witnessed.

I appreciate your main concern is a noise nuisance problem and you have correctly contacted the noise team to investigate. I can advise you from a licensing perspective that as you are an "interested party" if you believe a licensed premises is not promoting one of the four licensing objectives you can make an application to the licensing unit for the premises licence to be reviewed.

A review can lead to the premises licence either being suspended, licensable activities being curtailed or removed, onerous conditions being imposed on the licence or the premises licence being revoked.

I have attached a link below for your perusal, if this is something you are considering I would strongly urge you to seek legal advice before starting your application:

[https://www.southwark.gov.uk/business/licences/business-premises-licensing/beer-licensing/refreshment-and-entertainment-licences/review-of-an-existing-premises-licence \(->urldefense.com\)](https://www.southwark.gov.uk/business/licences/business-premises-licensing/beer-licensing/refreshment-and-entertainment-licences/review-of-an-existing-premises-licence (->urldefense.com))

In the meantime the premises will be monitored, we can only take enforcement action if an officer witnesses the premises breaching their premises licence. If you have any queries or concerns please do not hesitate to contact me.

With regards

Justin Williams ACILEx

Licensing Enforcement Officer

Regulatory Services

Southwark Council

0207 525 2436

Justin.Williams@southwark.gov.uk

Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

From: [REDACTED]

Sent: Wednesday, July 26, 2023 12:11 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen, Licensing

[REDACTED]

Importance: High

Dear Martin,

We are deeply concerned by your response, which again clearly confirms the inadequacies of you and your department at LBS in dealing with noise nuisance within the borough.

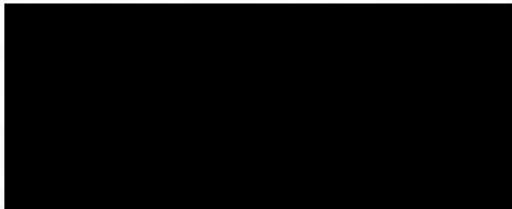
You have yet again failed to acknowledge the issue, which you are aware has been going on for more than 5 YEARS. This is meticulously documented and evidenced against you.

For the reasons outlined in our last email, we completely disagree with your comments below. There is an on-going **Statutory Nuisance**.

We are also concerned that you are not responding with your peers in copy and unless this is given the full attention it deserves, we will need to consider lodging a formal complaint to the borough for your negligence in dealing with such a serious matter.

We look forward to your swift and **meaningful** response with proposed actions by close of play Friday 28th July.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Wednesday, July 26, 2023 11:30 AM

To: [Redacted]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

As I have explained, there is no evidence to support any action above what has been taken to date.

Thus as previously advised, residents should call us when they feel they are being affected.

If the noise can be witnessed, and it for fills the required criteria to be a "Statutory Nuisance".

We will then take the appropriate action.

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP

From: [Redacted]

Sent: Tuesday, July 25, 2023 4:30 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; Regen. Licensing



[REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Further to your lack of response or even courtesy of a reply to the below, we assume that this confirms your negligence in dealing with complaints of this nature and therefore reserve the right to use this against you as the matter escalates through the legal channels.

Kind regards,



Submit your maintenance request

Report Now

From: [REDACTED]

Sent: Friday, July 14, 2023 3:03 PM

To: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>; licensing@southwark.gov.uk;

[REDACTED]

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Martin,

Thank you for your timely response, sincerely appreciated.

Regretfully your email and tone is rather disappointing and to put it mildly, woolly!

We note your comments on 'Statutory Nuisance', though could you please assist further in helping our understanding of this paragraph:

"I have looked through our records, these show that all our responses to complaints made against this location. Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law."

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

This seems to confirm that you have attended the above referred to property on several occasions and are therefore aware of the on-going matter regards to noise nuisance. Please confirm.

Your department has been notified on several occasions as to the 'statutory nuisance' being caused by the restaurant on the ground floor. Our residents have called and complained during the early hours to report this and we have provided you with sound recordings of the disturbance too. Our opinion is that this case is concrete and will stand up in court. Furthermore, per our initial email we are seeking independent professional recordings of the continuing nuisance, which will not only strengthen our case, but demonstrate your failings.

Is it reasonable to expect our Tenants to continue to call your department at 3am in the morning? Is it reasonable for us to surrender our Tenancy agreements and seek to re-let the property at significant expense to us, compounded by current economic climate?

We are seeking to obtain support from you and your peers with this matter. We are concerned at the lack of support to date and again seems as though we are being 'fobbed' off with the below response.

Please regard this email and that of 12th July 2023 (below) as a formal complaint from each of the 5 properties directly affected by the severe noise nuisance being caused by the restaurant. We need to understand what action you will be taking this weekend and every weekend until you can demonstrate without a margin of any doubt that there is no nuisance being caused.

For the time being we will seek to ignore this comment:

"You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter"

Although reserve the right to be able to reference it in the future, should we need.

For the avoidance of any doubt; please be assured that this matter will not go away, so please assure us that you are giving us the proper 'statutory' attention it deserves!

We have copied seniors within the Local Authority including the local MP in case this should go amiss.

We look forward to your cooperation and swift response.

Kind regards,



Submit your maintenance request

Report Now

From: Noise and Nuisance <noiseandnuisance@southwark.gov.uk>

Sent: Thursday, July 13, 2023 12:52 PM

To: [Redacted]

Cc: Magbadelo, Peter <Peter.Magbadelo@southwark.gov.uk>

Subject: RE: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Dear [Redacted]

It may help in the first instance if I explained :

The Council deals with noise, and other associated problems by means of Statutory Nuisance . In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables.

If the issues witnessed are not within the remit of the team, we will pass the information to any relevant team or organisation, if any.

The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

I have looked through or records, these show that all our responses to complaints made against this location.

Follow the primary legislation, the guidance issued, the enforcement concordat and the relevant case law.

Since the Notice was issued, there have been a number of complaints, but no further "Statutory Noise Nuisance", has been witnessed.

Thus currently, there is no further action that can be taken in this matter.

Thus all I can advise, if that one of your residents feels that they are being disturbed, they should call us when it is happening on 0207 525 5777.

Our operation times are as follows:

7.00 am Friday through to 2.30 am Tuesday, and then 7.00am through to 2.30am the following morning on Tuesday, Wednesday & Thursday."

We will not obviously be able to attend ever call and witness a nuisance.

You could, if you so wish financially support your residents, should they wish to expedite this matter by taking their own legal action in this matter

Martin Talbot, Team Leader
Noise & Nuisance Team
Southwark Council
132 Queens Road
SE15 2HP
Mobile :07985 213538
direct tel: 0207 525 2450
team tel : 0207 525 3171
martin.talbot@southwark.gov.uk

From: [REDACTED]

Sent: Wednesday, July 12, 2023 3:53 PM

[REDACTED]

Subject: Noise Nuisance - Wazobia Restaurant, 670-672 Old Kent Rd, London SE15 1JF

Importance: High

Dear Sirs,

We hope that this email finds you well.

We wish to bring to your attention an on-going matter with regard to the above-mentioned restaurant - situated below five residential apartments that we, Space Investments Limited, own on a long leasehold basis. We manage the properties ourselves.

The restaurant becomes a night club from Thursday night onwards, causing severe noise nuisance to our properties, the residents above and surrounding neighbour properties. Noise and vibrations are felt from the ground up with constant thuds of music and is a huge disturbance to residents in the apartments. There are often frequent gatherings outside the restaurant too, that are intimidating to our residents, who are complaining to us that they feel too unsafe to leave/enter their home. In some instances, there have been threats of violence towards our Tenants where the Police have also been contacted.

We have been in continuous contact with Southwark Noise and Nuisance/Environmental Health for over 6 years (all documented), as have the residents of the above-mentioned flats. We are aware of number of officers visits to witness the noise during the early hours, and outside of any licenced timings. A noise abatement notice has also been issued to the owner of Wazobia Restaurant, yet this had no affect and if anything matters are now worse.

We also engaged with the Superior Landlord (Freeholder) in regard to their Tenant (Wazobia); but they have shown little interest in reviewing as are more concerned with having the unit occupied and collecting rent.

The constant noise has a huge impact on our Tenants health, safety and general wellbeing. Our residents have lost hope over the poor response from Southwark Noise and Nuisance team and instead of seeking assistance from the borough, who should support them; simply opt to break their tenancy agreements early and move out.

As you can appreciate this is a tiresome and stressful process for all concerned and becoming a financial burden to us each time a Tenant seeks to want to vacate. We are concerned that the continuation of this matter is making our properties un-lettable and are likely to incur significant losses as a consequence. We are taking legal advice on the matter concerning the restaurant on the ground floor, as yet more cost, and also seeking expert witness noise and nuisance consultancy in further proving our claim.

We are writing to you for your comments and proposals in dealing with the clear and continued noise nuisance affecting our Tenants and their quiet enjoyment of their property. We hope to be able to engage with you swiftly as the problem persists and needs your support.

We should be grateful for your comments and swift response in this urgent matter.

Kind regards,