

ADDITIONAL PAPERS

LICENSING SUB COMMITTEE

Monday, 3rd February, 2025, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Anna Abela (Chair), Makhbule Gunes, and Nick da Costa

Quorum: 3

**6. APPLICATION FOR A NEW PREMISES LICENCE AT SMOKY LOUNGE,
83 MAYES ROAD, WOOD GREEN, LONDON, N22 6TN (NOEL PARK)
(PAGES 1 - 22)**

To consider an application for a new premises licence.

Nazyer Choudhury, Principal Committee Co-ordinator
Tel – 020 8489 3321
Fax – 020 8881 5218
Email: nazyer.choudhury@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Monday, 03 February 2025

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To address the comments of Haringey Council Noise Nuisance Manager.

What is not clear from the assessment undertaken is what steps you will undertake to prevent disturbance from voices and patrons using the rear area when the “roof” is maintained as open. You have made a suitable assessment of the noise from loud music and we accept that a limit of 66dB is likely to be sufficient for a noise limiter (we will need to test this once you have confirmed / relocated the speakers if you have not done so already).

Measurements were carried out over a weekend to get a representative assessment of the noise breakout from site so you should have some idea of the levels of noise from voices alone in the event the back area is at capacity. We are of the opinion that this cannot be countered by control measures and therefore require the rear area roof to be closed by 10:30pm.

The noise assessment was measuring the noise emissions from the outdoor seating area. This included noise from every noise source ie: voices, background music. It could be seen from the report that when the outdoor seating area was occupied the noise level was 3dB higher at the measurement location if operated until 01:00. The calculated sound level at the NSR is 35dB.

The measured sound level was 56dB. Even if the level increased by 10dB, the level at the NSR would still be within the criteria of 45dB.

We have used the actual measurements of a typical night. The area is a tabled area, like a restaurant. So in the area, it would be normal voices. If you wanted to use the generic table of raised voices for a worse case scenario, we could use the level of 60dB.

Distance		Voice Level (dB)			
(ft)	(m)	Normal	Raised	Very Loud	Shouting
1	0.3	70	76	82	88
3	0.9	60	66	72	78
6	1.8	54	60	66	72
12	3.7	48	54	60	66
24	7.3	42	48	54	60

Using the level of 66dB, calculated from the outdoor area to the NSR is 45dB. This is within the criteria of WHO Guidelines.

It was also demonstrated the difference in noise levels when operating until 01:00. There was minimum effect on the background noise levels. To be clear this includes noise from voices.

As shown in the report (See below extract)

Below is a more detailed look at when the outdoor area was occupied and unoccupied when closing on Saturday 14th September:

14/09/2024	LAeq,15	LAMAX,15	LA90, 15
00:45 – 01:00	46.1dB	62.1dB	39.7dB
01:15 – 01:30	47.5dB	66.2dB	37.8dB

You have mentioned that

We acknowledge that a key element of your business model is the offer of shisha. Whilst this is not a licensable activity (so cannot be considered as part of your application as such) it is a significant element of your business and would require you to maintain the roof as open to prevent you falling foul of the Health Act which requires at 50:50 ratio of open: closed. This is incompatible with our requirement for you to close the roof after 10:30pm to prevent noise disturbance from people talking. Your noise assessment does not provide any mitigation for people noise which you have acknowledged have a character that can make them more intrusive at noise sensitive times.

Regarding the comment about noise disturbance about people talking, as discussed, the noise recorded includes people talking.

It was explained that whilst the subjective differences between the impact of steady state noise and music/voices are noted; BS4142:2014 does not apply to voices.

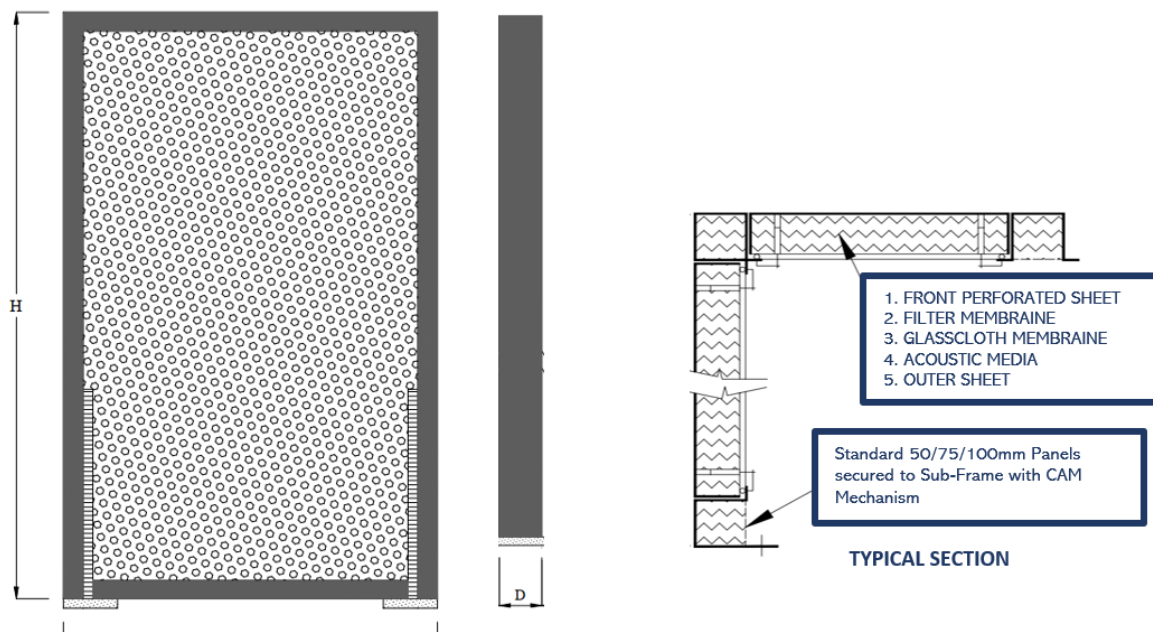
We therefore have a range of criteria on which to judge the acceptability of noise impact (LAeq) – 50-55dB daytime and -45-46dB at night. However, for the purpose of this discussion, typical target external noise levels (Planning Advice Notes, BS8233, World Health Organisation) for reasonable amenity are taken to be:

LAeq,16h 55dB daytime (07:00-23:00); and LAeq,8h 45dB night-time (23:00 – 07:00).

You have mentioned that you would like the council to approve an extension of your hours so that you can assess noise from the rear area after 10:30pm. Your noise assessment was comprehensive. The only issue that we need you to address is how you can / will control noise from patrons in the early hours of the morning and with the roof open. This does not require additional nighttime noise measurements since we are of the firm view levels of people noise from the area, and with the roof open, as late as 01:00hours will lead to neighbour disturbance.

We have demonstrated in the noise report that with the area occupied until 01:00 there was no adverse impact to the NSR as shown in the measurements.

If you were still concerned about noise, a noise barrier could be installed around the perimeter of the rood opening. A 1.5m High, 50mm Acoustic barrier similar to the below example:



This would reduce noise emissions (voice and background music) at least another 10dB taking the Noise Level at the NSR to 25dB (measured noise emissions) or worse case 35dB (generic data of raised voices).

This gives a big tolerance to comply with the required guidelines and reduce any potential noise disturbance.



NOISE MANAGEMENT PLAN Update V4.0

83 Mayes Road, Wood Green N22 6UP

Date of Report: 17th November 2024

[Abstract](#)

Summary of Policies and Procedures to prevent noise nuisance

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Noise Management Plan (NMP)
Smoky Lounge 83 Mayes Road, Wood
Green N22 6UP



Summary of Premises and Site Plan

83 Mayes Road is a traditional brick built 3 storey Public House located on the corner site of Mayes Road and Coburg Road and is believed to have started trading originally under the name of The Duke of Edinburgh since 1913 as a Bass Charrington Fine Ale Pub.

The ground floor has three main areas as identified on the licensing plans; external area to the front of the building, the main bar, and the garden shisha area to the rear. The first and second floors are owned by the freeholder of the site and are used as residential accommodation for staff.

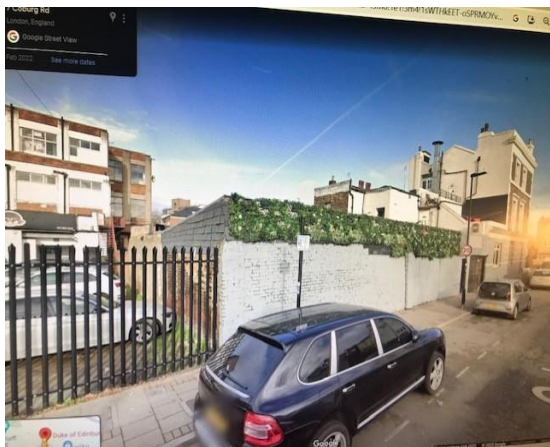
The wall to the rear garden is made of brick and tiled wood and is of a height of approximately 8 feet. The perimeter of the garden area runs along Coburg Road and backs on to the car parking area for Cypress House to the rear elevation. Cypress House (2 Coburg Road, Wood Green, N22 6UJ) is a multi-use business park in Coburg Road with parking spaces for approximately fifty plus vehicles.

Tenants include inter alia, the Zone, a gymnasium that opens twenty-four hours most days , a self- defense school, an adventure playground and a small factory.

The premises (83 Mayes Road) is located in a controlled parking zone “Wood Green Inner Zone” – Monday to Sunday 8am to 10pm”, there is an adjacent controlled parking zone “Wood Green Outer Zone” – Monday to Saturday 8am to 6:30pm”



Patrons would be encouraged to park legally making use of RingGo Parking App (On-street parking starts from £3.63 – Location codes:34403, 38908, 74702, 74709, 34280) or use the Bury Road multi-storey, N22 (Wood Green town centre) which has 500+ car parking spaces, or The Mall West Car Park, or Morrisons Car Park controlled by Euro Car Parks Ltd.



Coburg Road towards the garden area



Cypress House Car park at the rear



View of the Red house &
the premises 83 Mayes Rd



View along Coburg Road

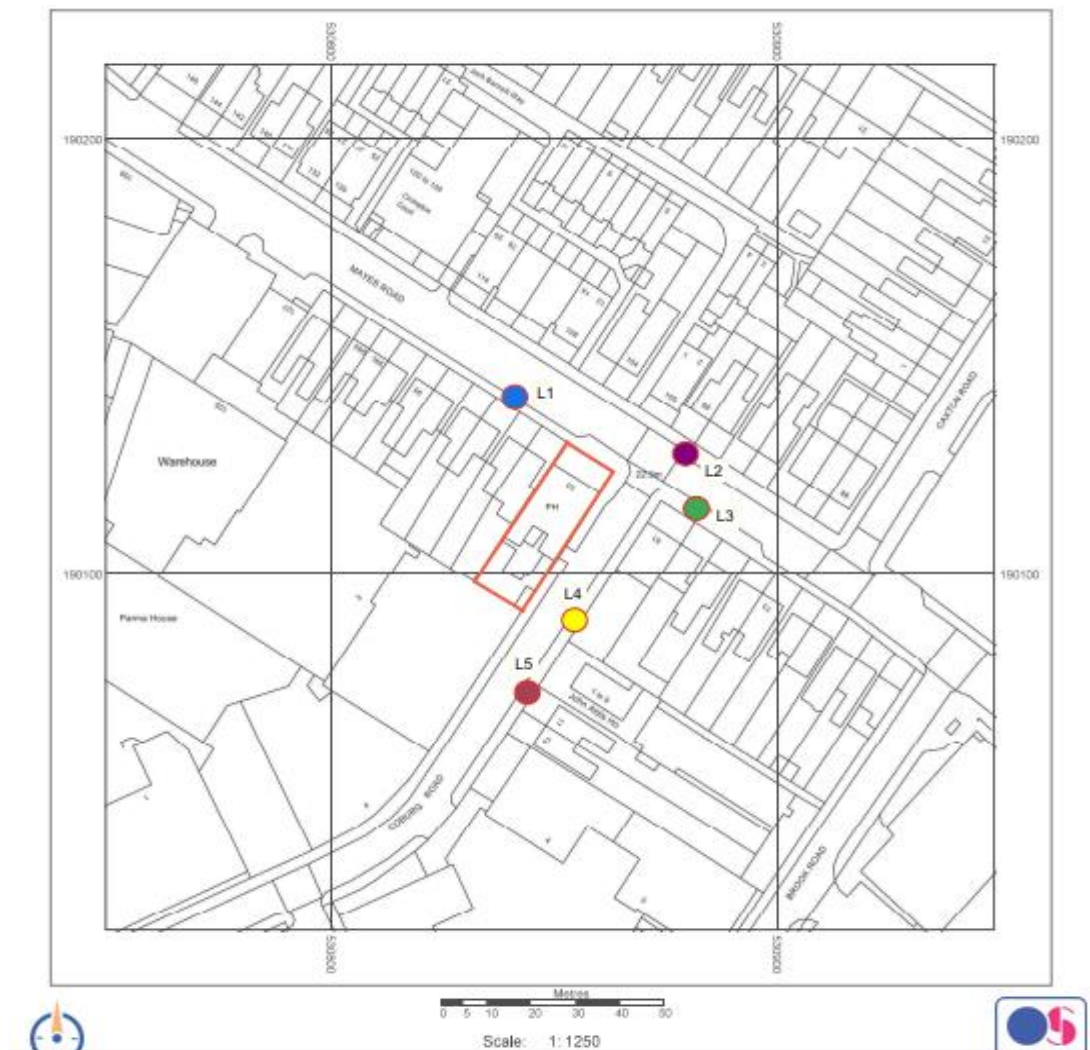


Junction Mayes Road and Coburg Road

LOCATION PLAN; SCALE 1:1250

NATIONAL
MAP CENTRE

OS Plan Black / White



Smoky Lounge 83 Mayes Road N22 6UP

Noise Monitoring Points

- L1 Outside 89 Mayes Road
- L2 Outside 96/98 Mayes Road
- L3 Outside 81 Mayes Road
- L4 Directly opposite the site's rear garden area
- L5 Outside 11/13 Coburg Road

Style of Business

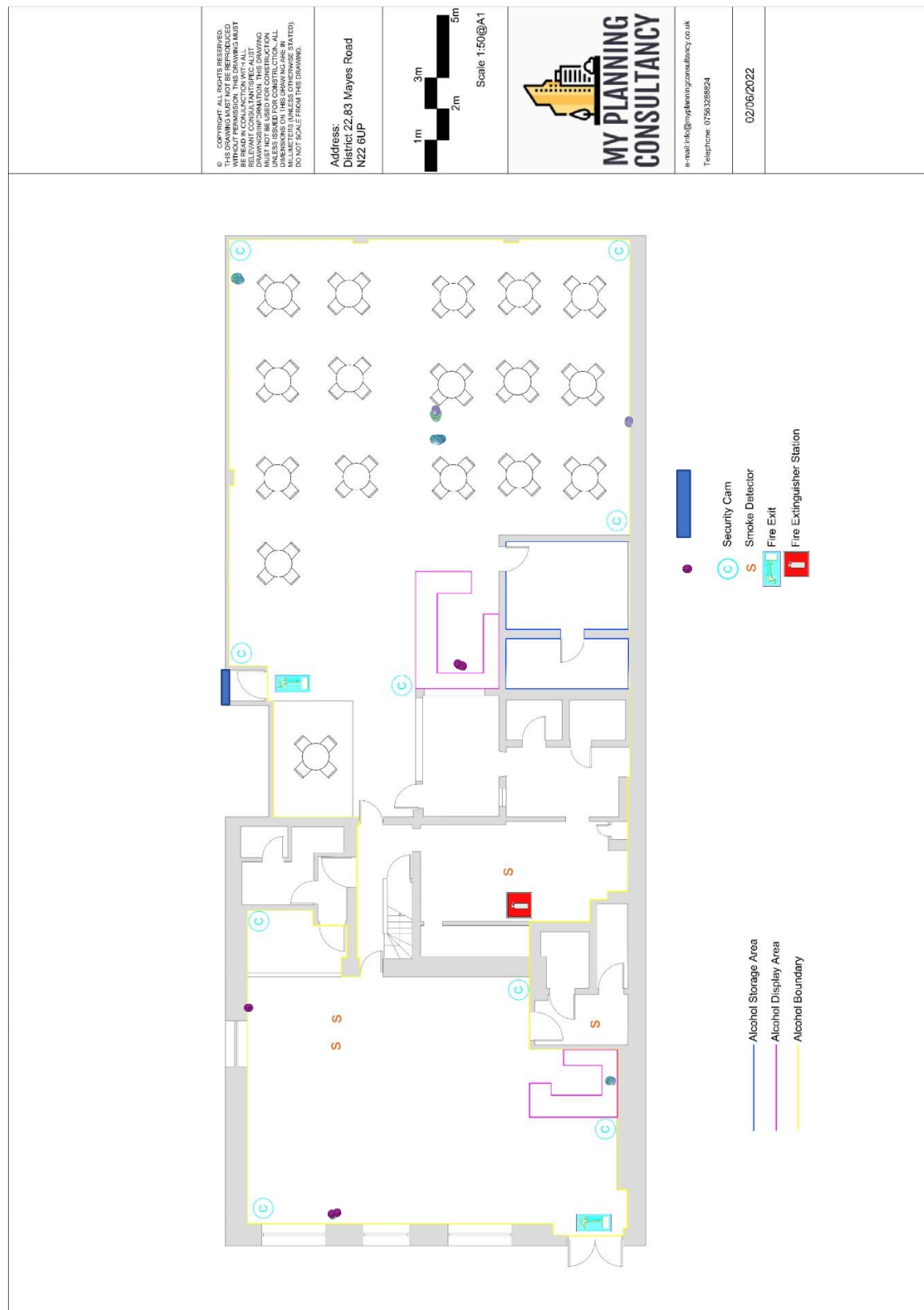
The primary function of our business is providing our products in a calm warm ambiance with friendly courteous service; we want to provide a sanctuary in which our customers are offered a comprehensive range of the highest quality foods, coffees and desserts/sweets from around the world. There is seating throughout the premises and the in-house policy is table service. The perfect place for a chilled out evening with friends, there is a premium range of shisha tobacco on offer from all around the world, as well as a diverse cocktail menu, the main draw is the chance to experience our mouth-watering food, acclaimed service and quirky lounge bar decorations all of which offers an amazing mix of food and drink for you to get stuck into.

Whilst dining the guests can listen to chilled background music played at a low level in order that guests can easily converse with one another.

The main aims of the NMP are:

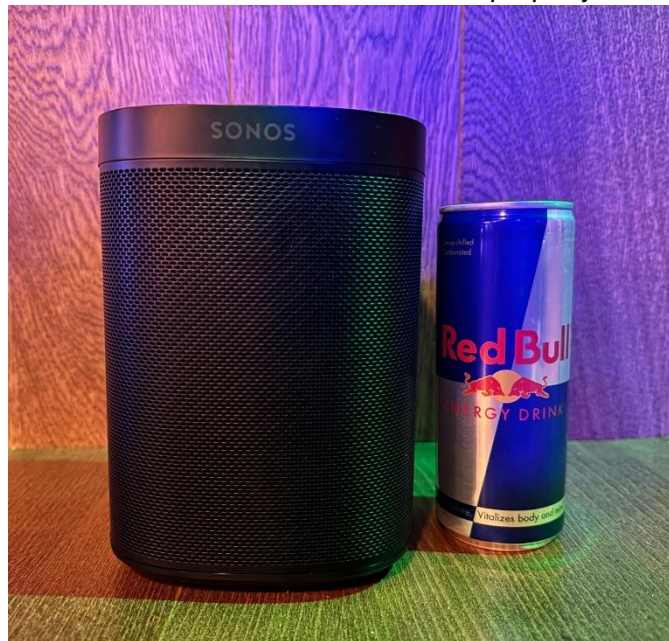
1. To ensure that the dB noise levels at the nearest noise sensitive residential premises are not causing a statutory nuisance
2. That vibration from speakers at the nearest noise sensitive residential premises are not causing a statutory nuisance
3. That the management team operate a suitable dispersal policy to ensure that their guests leave quietly from the premises and the public realm.

Inventory of Internal Noise Sources- ●



Noise Controls

1. The 4 internal mini Sonos speakers have been relocated and repositioned under the instructions of the acoustic consultants who has assessed the site in order to ensure that the background music being offered on site would not give rise to noise nuisance issues from the nearest residential property.



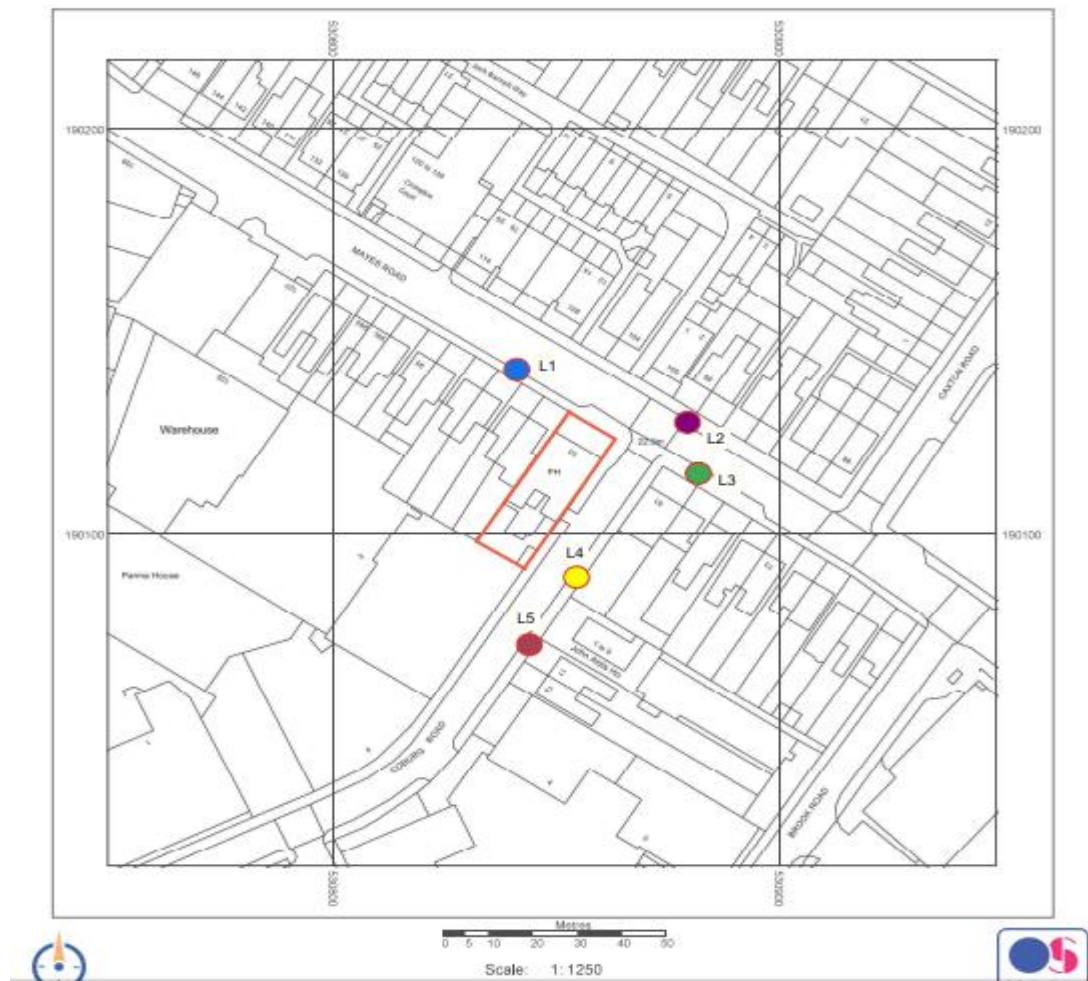
2. The speaker sound levels even if set at 100% capacity are not sufficient enough to generate noise nuisance issues at the nearest residential property, but at this 100% level would distort any music/sound being played at the premises, therefore the speakers are set to approximately 70% of the power levels. This level has been calibrated and confirmed by the DAA Group Acoustic Consultants.
3. As an additional step in relation to the above the sound levels are only accessible to 1 member of staff outside of DPS and this is controlled by a password/finger print controlled iPad/Tablet.
4. That a contact telephone number (07888182626) for the duty manager has been provided to local residents in the event of any concerns.
5. That the management brief is to take immediate action if required.
6. That a second push bar fire door was installed leading to Coburg Road and signed 'Fire Exit Only. No Admittance' or similar.
7. Rubbish will be taken out to the bin area in Coburg Road through the side entrance no later than 21:00 hours each day.
8. SIA security personnel are provided with the premises Dispersal Policy which includes encouraging patrons to exit the premises quietly and to disperse away from the venue once in the public realm.
9. Signage/notices requesting patrons to leave quietly is position at the exit by the main door.

Noise Monitoring

Regular sound monitoring will take place at five key points as marked on the area plan

NATIONAL
MAP CENTRE

OS Plan Black / White



- L1 Outside 89 Mayes Road
- L2 Outside 96/98 Mayes Road
- L3 Outside 81 Mayes Road
- L4 Directly opposite the site's rear garden area
- L5 Outside 11/13 Coburg Road

These dB recordings and observations will be logged and records kept on file.

Management Command

The Director of Smoky Ltd and the DPS, Bianka Mali, are on site most trading sessions and will have ultimate responsibility for compliance to the NMP. In their absence the Duty Manager will have the responsibility to ensure compliance.

Incident Reporting

Incidents relating to the four licensing objectives will be recorded in the Incident Log to be found in the Licensing File kept on site. Entries in the Incident Log will be reviewed on a bi-weekly basis by the DPS and the appropriate action taken.

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SMOKY LOUNGE DISPERSAL POLICY

This Dispersal Policy has been implemented to assist in the promotion of the four licensing objectives.

This document is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours. Management are aware of the potential for neighbourhood noise and disturbance when customers leave at closing time.

Management have agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum issues, disturbance or nuisance to neighbours. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

Winding-down Period

1. Management have put into place an effective “wind-down” procedure in order to facilitate prompt closure of the premises and orderly dispersal pattern by customers.
2. At allotted stages during the evening key members of trained staff including SIA when applicable are directed to work in the customer areas near the front entrance and exit.
3. Customers are informed that the premises are about to close and are directed towards the exit.
4. The premises will promote the gradual departure of customers and will ensure there will be a controlled of customers exiting the venue.
5. Internal lighting levels will be gradually increased during the last 30 minutes of trading. Music will be played at a lower level steadily reducing until it can't be heard.
6. Member of staff will verbally repeat and remind customers “To respect the needs of local residents and leave the premises quietly avoiding any unnecessary disturbance – Thank You”
7. The winding down period outlined above ensures that customers disperse gradually prior to cessation of trade.
8. Management & staff wish to provide the best experience to customers whilst ensuring the area is clean and attractive for all in the vicinity patrons and our neighbours. This means dealing with debris outside the frontage and in the side street that may have nothing to do with the venue but in the interests of maintaining good standards in the area we will still clear it up.

Staff to assist with Dispersal during busy periods

9. Staff and SIA at the premises should have knowledge of the following;
 - a. Where the nearest mode of public transport is
 - b. Details of taxis and a number is available at the reception
 - c. General local knowledge so that if customers decide to move on the staff can help them with directions.
 - d. Where possible customers will be encouraged to head towards the High Street and away from local side streets and residential areas.
 - e. The staff and SIA are easily identifiable in uniforms and before each night there will be a team briefing to underline the importance of a quiet dispersal through the night.
 - f. There is an end of night team meeting to discuss any ways that the premises may improve the dispersal of patrons and any action points are added into the following nights briefings.

Signage and Notices

10. Notices shall be displayed at customer exits and in prominent positions requesting that patrons respect the needs of local residents and leave the premises and area quietly.
11. All employees are given appropriate instructions and training to encourage customers to leave the premises and the area quietly.

Incident Book and Reports

12. All incidents of crime or disorder or nuisance are to be reported by the designated premises supervisor or responsible member of staff.
13. The licence holder shall ensure that the details of all complaints are recorded in an occurrence book.
14. Staff and SIA will ensure taxis are available for customers so that they can wait inside the premises. Staff will politely request that car doors are not slammed and will ensure that taxi drivers keep engines turned off if they are parked outside in the high street.
15. Arrangements are made with all local taxi firms for taxis to stop at a safe stopping place when collecting patrons. A recommended list of local taxi companies is available to customers.
16. Staff and SIA are trained to be aware of the location of the different modes of transport and advise customers accordingly.
17. Taxi drivers will be asked to remain in their vehicles and radios should not be played at a volume likely to disturb the neighbourhood.
18. Staff and any SIA (when deployed) will be trained to look for any vulnerable persons leaving the venue, ensuring that anyone identified as vulnerable is offered and escorted to a licensed taxi or Uber.

19. At the end of the shift employees will say goodbye to each other inside the premises and arrange for lifts or taxis to collect them at a convenient and safe stopping point away from residential properties

Final Stages of Dispersal Policy

The exit strategy will be implemented each night.

- All staff members outside on exit must wear a high visibility jacket or other striking uniform.
- The priority of the staff and SIA is to ensure all customers leave in a quiet and controlled manner.
- All customers should be asked to leave quietly in a polite and friendly manner.
- Any persons seen loitering should be asked to move on whether they are the premises customers or not. They should be directed towards the nearest mode of public transport and as a default to the nearest bus station in a polite but firm manner.

Overall

Staff and SIA shall be in place at the exits to wish customers farewell and ask them to leave quietly and shall answer any questions regarding transport availability. Staff and SIA will not tolerate departing customers congregating outside of the premises. Staff will at all times be aware of activity outside of the premises and endeavour by their presence to minimise bad behaviour. They should be aware of potential areas of difficulty (nearby residences) and provide a presence in those places to minimise potential problems where possible. Whilst carrying out their legitimate duties outside of the premises all staff and SIA are trained not to behave in a manner likely to disturb the neighbourhood, conversation and laughter must be quiet and any communication is usually digital through an earpiece/radio.

Staff will attach the utmost importance to the careful investigation and prompt resolution of any complaint made in respect of the running of the premises.

Particular emphasis will be placed on building and maintaining close links with residents including hosting meetings to allow our neighbours to raise any issues and for those issues to be quickly resolved. The telephone number of the premises and the DPS will be provided to all our immediate residential neighbours and will be on display at the front of the premises.

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FRIDAY 15TH NOVEMBER 2024.

(REF: WK/614657)

FLV APPLICATION PREMISES

LICENSE = 83, MAYES ROAD,

WOOD GREEN,

LONDON, N22 6UP.

Dear Sir/Madam,

I have noted the

Context of the 4 LICENSING OBJECTIVES:

1) PREVENTION OF CRIME & DISORDER:

2) PREVENTION OF PUBLIC NUISANCE:

3) PUBLIC SAFETY:

4) PROTECTION OF CHILDREN FROM HARM.

Well unfortunately Number 2 of the objectives has'nt been met, as the noise team had to be called about loud music coming from 83, Mayes Road, London N22 6UP. As the building extends into Coburg Road, the extension from the original building, which was the Duke of Edinburgh, as that's the very area that's been most problematic in regards to public nuisance, and the noise team had to be called on 23 occasions by myself and neighbours in Coburg Road. The Karner family portrayed from the other people were there previously, well unfortunately they're no different to the others before them. Because of the public

nuisance issue doesn't in exactly inspire me with any confidence in them in regards to their application for extended opening hours, as they certainly tackled the public nuisance issue to the wellbeing of the people who live in Coburg Road, which is after all a residential area, an issue that's been overlooked by the people at 83, Mayer Road, and once again raise my objection to any extended opening hours, as they have demonstrated without doubt their lack of understanding for the wellbeing of the residents who live in Coburg Road, and if their extension of opening hours is granted by the licensing authority, then the people at 83, Mayer Road may well revert to their old habits, as they have done previously. In a short space of time there has not been a public nuisance issue coming from 83, Mayer Road, well I'm not taken in by that at all, as they want to portray themselves differently, well why didn't they conduct themselves and demonstrate to the community that their intentions were well intentioned and waited patiently they could've submitted their application for extended opening hours, no they couldn't wait patiently, instead of demonstrating this headlong stampede, which smacks of desperation on their part, well the residents of Coburg Road don't suffer with amnesia, as we do have our faculties, which work very well. I sincerely hope I've made my self rem

Clear in what i've written and said, as my objection remains exactly the same as previously stated by myself.

The decision rests with the licensing authority, as i sincerely hope that every consideration will be given to my objection to the extension of opening hours for 83, Mages Road.

It would've been great to discuss these issue at a public meeting, as i would be more than happy to attend where everybody can engage, as this not the way should be dealt with, as we have to go through the present process.

I look forward to hearing from the licensing authority at some stage.

Yours sincerely

Sheikh Subrattee

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