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31 March 2009

To: All Members of the Licensing Sub-Committee A

Dear Member,

Licensing Sub-Committee A - Tuesday, 7th April, 2009

In respect of the forthcoming Licensing Sub Committee A meeting on 7 April 2009, please find attached an additional agenda item in respect of an application from Present Time for the provision of late night refreshment and the sale of alcohol.

This item will be considered under agenda item 7, items of urgent business and the licensing officer will state the reasons for urgency in considering this item and also lateness.

7. ITEMS OF URGENT BUSINESS (PAGES 1 - 52)

To consider any new items of admitted under item 2 above.

Yours sincerely

Anne Thomas
Principal Committee Co-ordinator

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Licensing Act 2003 Sub-Committee on 7th APRIL 09

Report title: Application for a new Premises Licence at PRESENT TIME, 78 WEST GREEN ROAD, LONDON N15 5NS

Report of: The Lead Officer Licensing

Ward(s) affected TOTTENHAM GREEN

1. Purpose

To consider an application by PRESENT TIME to allow The Provision of Late Night Refreshment and the Supply of Alcohol at the above premises.

2. Recommendations

- 2.1 (a) Grant the application as asked
 (b) Modify the conditions of the licence, by altering or omitting or adding to them
 (c) Reject the whole or part of the application

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives.

Report authorised by: Robin Payne


 Head of Enforcement Services

Contact Officer: Ms Daliah Barrett -Williams

Telephone: 020 8489 8232

3. Executive summary

For consideration by Sub Committee under Licensing Act 2003 for a Premises licence with variation to the existing conditions

4. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

File: PRESENT TIME

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

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5. REPORT**Background**

5.1 An application for a new Premises Licence, by Mr Kanku Tshilumba trading as Present Time Restaurant in respect of Rush Hour, 78 West Green Road, London N15 5NS under the Licensing Act 2003.

**5.2 Details of the application being sought under a new Premises Licence
APP1**

Supply of Alcohol

Monday to Wednesday	1000 to 0000
Thursday to Saturday	1000 to 0200
Sunday	1200 to 0000

Provision of Late Night Refreshment

Monday to Wednesday	2300 to 0030
Thursday to Saturday	2300 to 0200
Sunday	2300 to 0030

An additional hour into the evening every Christmas Eve and Saturday and Sunday preceding each bank holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day.

Opening Hours

Monday to Wednesday	1000 to 0030
Thursday to Saturday	1000 to 0230
Sunday	1200 to 0030

An additional hour into the evening every Christmas Eve and Saturday and Sunday preceding each bank holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day.

General-all four licensing objectives

The licence will be used solely for the purpose for which it is granted, that is with a view to promoting the four licensing objectives.

The premises will be used as a restaurant where alcohol will normally be served as part of the meal.

There is a policy in place to prevent overcrowding.

5.3 Crime and Disorder

Door men will be hired to prevent open bottles or other drink containers being taken from the premises.

No marketing promotion to encourage binge drinking.

Staff will be trained in crime prevention measures to check all public areas including toilets at regular intervals.

The restaurant will register with the neighbourhood crime prevention scheme and cooperate with the police at all times.

There will be a restriction on drinks promotion.

Binge drinking will be discouraged and alcohol will not be served to a patron who is visibly intoxicated.

There will be a policy in place to prevent overcrowding.

The premises will be well lit at all times of operation.

There will be a zero tolerance drug policy.

5.4 Public Safety

Door men will be hired to prevent open bottles or other drink containers being taken from the premises.

Signs will be displayed to warn patrons to be wary of drink spiking, drink awareness.

The restaurant will operate an anti-discrimination policy in all aspects.

There will be a restriction on drink promotion.

Binge drinking will be discouraged and alcohol will not be served to a patron who is visibly intoxicated.

There will be a policy in place to prevent overcrowding.

There will be a zero tolerance drug policy.

5.5 Public Nuisance

The premises will be used as a restaurant and the noise level will be commensurate with one for a residential area.

The last admission will be half an hour before the finish time of the restaurant.

Waste will be disposed of in a responsible way.
Deliveries and collections will be done at reasonable times.

5.6 Child Protection

Unaccompanied children will not be admitted to the premises.

Robust proof of age will be required, where staff believe that a patron is underage.

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 Comments of Metropolitan Police—APP2

The Police have made objections to this application.

6.2 Comments of Enforcement Services:

Noise Team - App 3

Have made representation to this application

Food Team

Have no objections to this application.

Health and Safety

Have no objections to this application

Trading Standards

Have no objections to this application

6.3 Fire Officer

Have no objections to this application

6.4 Planning Officer

Have no objections to this application

6.5 Comments of Child Protection Agency or Nominee

No representation made on this matter

7.0 Interested Parties – APP 4

Representation has been received against this application by residents.

8.0 Financial Comments

The fee which would be applicable for this application was **£190.00.**

APPENDIX 1

APPLICATION FORM

TG

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

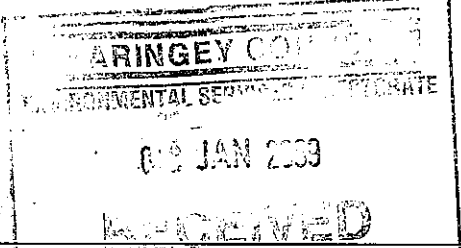
Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Kanku Tshilumba

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 78 West Green Road			
			
Post town	London	CIVIC CENTRE HIGH RD N22 8LE	Post code N15 5NS
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname TSHILUMBA			First names KANKU		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		79 DONGOLA ROAD LONDON			
Post Town				Postcode	N17 6EB
Daytime contact telephone number			07950802054		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Present Time Restaurant
Address 78 West Green Road, London N15 5NS
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Partnership
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
1	1	1	2	2	0	8

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year		

Please give a general description of the premises (please read guidance note1)

The premises to be used as a restaurant and consists of:

1. 1 large sitting area to sit approximately 20 people comfortably.
2. A bar
3. 2 (Two) Toilets
4. 1 Kitchen

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)	
Tue				
Wed				
Thur				<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music ancillary to the sale of food and beverages		
Mon	20.00	00.00			
Tue	20.00	00.00			
Wed	20.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	20.00	00.00			
Fri	20.00	02.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	20.00	02.00	An additional hour into the evening on Christmas Eve and Saturday and Sunday preceding each Bank Holiday.		
Sun	20.00	00.00	From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)
Mon	23:00 PM	00:30 AM	
Tue	23:00 PM	00:30 AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Wed	23:00 PM	00:30 AM	
Thur	23:00 PM	2:00 AM	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	23:00 PM	2:00 AM	
Sat	23:00 PM	2:00 AM	AN ADDITIONAL HOUR INTO THE EVENING ON CHRISTMAS EVE AND SATURDAY AND SUNDAY PRECEEDING EACH BANK HOLIDAY. FROM THE START OF PERMITTED HOURS ON NEW YEARS EVE TO THE END OF PERMITTED HOURS ON NEW YEARS DAY
Sun	23:00 PM	00:00 AM	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
			On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Mon	10:00 AM	00:00 AM	
Tue	10:00 AM	00:00 AM	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed	10:00 AM	00:00 AM	
Thur	10:00 10:00	2:00 2:00	AN ADDITIONAL HOURS INTO THE EVENING ON CHRISTMAS EVE AND SATURDAY AND SUNDAY PRECEEDING EACH BANK HOLIDAY. FROM THE START OF PERMITTED HOURS ON NEW YEARS EVE TO THE END OF PERMITTED HOURS ON NEW YEARS DAY
Fri	10:00 AM	2:00 AM	
Sat	10:00 AM	2:00 AM	
Sun	12:00 AM	00:00 AM	

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing
			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)
Mon			
			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)
Tue			
			Non-standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times from those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

Address

Postcode

Personal Licence number (if known)

Issuing licensing authority (if known)

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

<p>Hours premises are open to the public</p> <p>Standard days and timings (please read guidance note 6)</p>			<p>State any seasonal variations (please read guidance note 4)</p>
Day	Start	Finish	<p>Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>AN ADDITIONAL HOUR INTO THE EVENING ON CHRISTMAS EVE AND SATURDAY AND SUNDAY PRECEEDING EACH BANK HOLIDAY.</p> <p>FROM THE START OF PERMITTED HOURS ON NEW YEARS EVE TO THE END OF PERMITTED HOURS ON NEW YEARS DAY</p>
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	02:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	12:00	00:30	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The Licence will be used solely for the purpose for which it is granted, that is with a view to promoting the four licensing objectives.
The premises will be used as a restaurant where alcohol will normally be served as part of the meal.
There will be a policy in place to prevent overcrowding.

b) The prevention of crime and disorder

Door men will be hired to prevent open bottles or other drink containers being taken from the premises
No marketing promotion to encourage binge drinking.
Staff will be trained in crime prevention measures to check all public areas including toilets at regular intervals.
The restaurant will register with the neighbourhood crime prevention scheme and cooperate with the Police at all times.
There will be a restriction on drink promotion.
Binge drinking will be discouraged and alcohol will not be served to a patron who is visibly intoxicated.
There will be a policy in place to prevent overcrowding.
The premises will be well lit at all times of operation.
There will be a zero tolerance drug policy.

c) Public safety

Door men will be hired to prevent open bottles or other drink containers being taken from the premises
Signs will be displayed to warn patrons to be wary of drink spiking, drink awareness.
The restaurant will operate an anti-discrimination policy in all aspects.
There will be a restriction on drink promotion.
Binge drinking will be discouraged and alcohol will not be served to a patron who is visibly intoxicated.
There will be a policy in place to prevent overcrowding.
There will be a zero tolerance drug policy.

d) The prevention of public nuisance

The premises will be used as restaurant and the noise level will be commensurate with one for a residential area.
The last admission will be half an hour before the finish time of the restaurant.
Waste will be disposed off in a responsible way.
Deliveries and collection will be done at reasonable times.

e) The protection of children from harm

Unaccompanied children will not be admitted to the premises.
 Robust proof of age will be required, where staff believe that a patron is underage

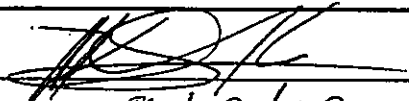
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	09/12/08
Capacity	PROPRIETOR

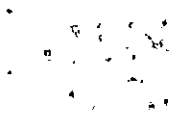
For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

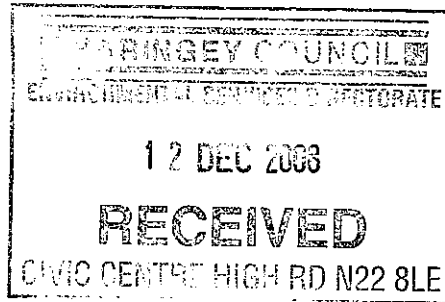
Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



APPENDIX 2

POLICE REPRESENTATIONS



Your reference:

Our reference: 379/2008

Date: 12 December, 2008

Metropolitan Police Service

Ms D.BARRETT
ENVIRONMENTAL CONTROL SERVICES
TECHNO PARK
ASHLEY ROAD
TOTTENHAM N.17

Licensing
Quicksilver Patrol Base
Western Road
Wood Green
N22 6UH

Tel: 0203 276 0150

Dear Ms. Barrett

Re:- Application for a Premises Licence:-

Rush Hour 78 West Green Road N.15.

With reference to the above application Police have considered the application and wish to make the following representations.

1.This is under the Protection of children from harm objective.

I recommend that the following form of verification of a persons proof of age is:-

- . A valid passport
- . A photo driving licence issued in a European Union Country
- . A proof of age standard card system
- . A citizen card, supported by the home office

2. This is under the Prevention of Crime & Disorder objective.

The door supervisors to be employed must be approved by the Security Industry Authority.

Yours Sincerely

Geoffrey Parker
Licensing
Quicksilver Patrol Base

c.c.Present Time Restaurant



Your reference:

Our reference: 10/2009

Date: 12 January, 2009

Metropolitan Police Service

Ms D.BARRETT
ENVIRONMENTAL CONTROL SERVICES
TECHNO PARK
ASHLEY ROAD
TOTTENHAM N.17

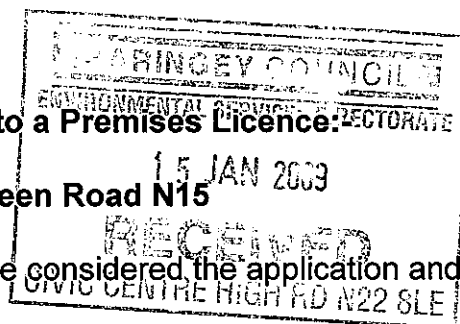
Licensing
Quicksilver Patrol Base
Western Road
Wood Green
N.22 6UH

Tel: 0203 – 276 -0150

Dear Ms. Barrett

Re:- Application for a Variation to a Premises Licence:

Rush Hour, 78 West Green Road N15



With reference to the above application Police have considered the application and wish to make the following representations.

1.This is under the Prevention of Crime & Disorder objective:-

Due to the later hours applied for we request that a Digital C.C.T.V. system be installed at the premises. The system should be capable of recording for 28 days and should be able to take digital images of people entering the premises. The recordings must be made available to Police officers and the Local Authority on request.

2. This is under the Protection of Children from Harm Objective:-

I recommend that the following form of verification of a persons proof of age is:-

- A valid passport
- A photo driving licence issued in a European Union Country
- A proof of age standard card system
- A citizen card supported by the home office

Yours Sincerely

Geoffrey Parker
Licensing
Quicksilver Patrol Base

K.Tshilumba

APPENDIX 3

NOISE REPRESENTATIONS

Licensing Consultation - Internal Memo

To: Daliah Barrett-Williams

From: George Roberts (Noise)

Cc: Derek Pearce

Our Reference: WK105279

Date: 6/1/09

Premises: Rush Hour 1, 78 West Green Road, Tottenham, London, N15 5NS.

Type of application: New

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & would like to make representations to the Application on the following grounds:

Noise from music played at the premises is likely to affect local residents if played into the early hours of the morning without suitable conditions. As the premises have been found to be operating playing regulated entertainment recently without a licence we have concerns about how the applicant will operate the premises if a licence is given. We currently therefore oppose the application but in addition make the following points

The operating schedule does not address the prevention of public nuisance from:

- Airborne entertainment noise
- Structure borne noise or vibrations from entertainment
- Noise generated by patrons in external areas of the premises e.g. beer garden
- Noise generated from patrons queuing to enter
- Noise from patrons exiting the premises
- Noise generated from deliveries
- Noise generated from refuse collections
- Noise from plant and machinery
- Cooking odour

Supporting Information

Wk104624 - Nuisance confirmed and abated.

Wk103878 - Nuisance confirmed and abated.

Wk103879 - Simple caution to be considered re breach of noise abatement notice + entertaining & providing alcohol without a licence.

Wk101720 - Nuisance not established.

Wk97040 - Licensing warning letter.

- Wk97030 - Nuisance confirmed and EPA S80 Abatement notice served.
- Wk97031 - EPA S80 Abatement notice served on Mr Kanku Tshilumba + Licensing warning letter.
- Wk96534 - Nuisance not established.
- Wk72068 - Proactive visits regarding licensable activities and smoking.
- Wk71532 - Nuisance confirmed and abated.
- Wk54979 - Nuisance not established.
- Wk54968 - No visit as noise had stopped.
- Wk51638 - No visit as police in attendance day before and arrest made.
- Wk50483 - Nuisance confirmed and reported – Police attended and made arrest.
- Wk50446 - Nuisance not established.
- Wk50359 - Nuisance not established – Pre-warning letter sent.
- Wk50339 - Nuisance not established.
- Wk46811 - Nuisance confirmed and reported.
- Wk46512 - EPA S80 Abatement notice served on Mr Frank Kwarteng.
- Wk45567 - Nuisance confirmed and reported.
- Wk43874 - Nuisance confirmed and abated.
- Wk43873 - Nuisance confirmed and warning letter issued.

Informative

I would recommend the following alterations/conditions to the operating schedule:

Prevention of nuisance from noise/vibration

Airborne

All doors and windows will remain closed during the licensed activities. Where a door is used for patrons to enter or leave the premises the door will be fitted with a self-closing device and staff told to ensure that it is not propped open. [if necessary] A member of staff shall be positioned at the door to ensure it is opened for as brief a period as possible.

The licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

Entrance/exit from the premises whilst licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.

Where necessary adequate and suitable mechanical ventilation should be provided to public areas.

Structure borne

All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.

Barrett Daliah

From: [redacted]
Sent: 19 December 2008 12:36
To: Barrett Daliah
Cc: Enforcement; Development Control; TottenhamGreen.SNT@met.police.uk
Subject: Opposition to new premises license for Rush Hour, 78 West Green Road

Dear Madam

I am writing to you to voice my opposition to the recent application for a new premises license for Rush Hour, 78 West Green Road, London, N15 5NS. As a local resident, living in Beaconsfield Road, I would be badly affected if such a license was granted. In addition, having spoken to several of my neighbours, there is strong local opposition to the granting of any new licenses in the area as we already endure a considerable amount of anti-social behaviour, noise nuisance and disorder emanating from the West Green Tavern at number 68 West Green Road.

You should also be aware that I feel that I am putting myself, my neighbours and my property at risk of reprisals by opposing this application. Whilst I understand that oppositions to licensing applications cannot be made anonymously, I ask that you appreciate the personal risk being borne by anyone who lives in this area in opposing this application.

My opposition to the new premises license for Rush Hour, 78 West Green Road relates to the following licensing objectives, which I feel the granting of a license for this premises would clearly undermine:

1. the prevention of crime and disorder
2. the protection of children from harm
3. public safety
4. the prevention of public nuisance

I will cover each of these in turn.

1. The prevention of crime and disorder.

As you should already be well aware, this area already suffers from multiple crime, disorder and social problems. Drug dealing, anti-social behaviour, noise nuisance, public drunkenness, fighting and prostitution are all daily occurrences that residents have to live with right outside their front doors. The granting of a late license to another premises in this area is going to make this situation considerably worse. The local police force is already stretched to the limit simply trying to keep this under control. There is already a 'Dispersal Order' in force in the local area, which was recently extended. This was seen as essential to try and maintain a degree of law and order in an area which is extremely challenging to police.

This area is home to a very diverse community and includes a large number of families, elderly and vulnerable people, many of whom already lead difficult lives and live in constant fear of crime and disorder. As a resident of this area for several years I can say without reservation that the establishment of another licensed premises would be a disaster for local crime and disorder problems. It would obviously become the 'destination' for every late night drinker and drug dealer in the area and further afield. I am sure you already appreciate the considerable problems associated with late licenses in this particular area but we should not need another situation like that at 'The Swan' a couple of years ago, where criminality was allowed to get so out of hand that a young girl was tragically shot dead before local opposition to the license and the advice of the police were taken seriously.

19/12/2008

2. The protection of children from harm.

There are a large number of families with children living in this area. Indeed the area is one of the few in the borough where accommodation is actually affordable for families. It is a predominantly residential area with a number of late opening shops and several off-licenses. The opening of another licensed premises and the people who would clearly be attracted to such a venue would obviously put children at risk. Drug dealing, public drinking, prostitution and harrasment are already a problem in this area. Expecting children to 'run the gauntlet' of yet more of this on the way to the shops or coming home from visiting friends is putting them at risk and is completely unacceptable.

3. Public safety.

As already referred to in points 1 and 2 above, public safety would clearly deteriorate due to increased crime and disorder associated with the granting of another license in the area. I am also very concerned about adequate fire safety and fire escape routes in a premises which would no doubt be packed to the rafters with late night revellers, particularly as it is in a terraced building with a number of flats in adjoining premises and behind it.

4. The prevention of public nuisance.

This area already suffers from multiple public nuisance issues. Noise nuisance (from the West Green Tavern and the cars of its patrons with excessively loud music booming at all hours) and anti-social behaviour (such as public drunkenness, fighting, shouting late at night, reckless driving under the influence of drink or drugs, aggressive begging, littering and dumping, urination and worse in peoples front gardens and on pavements) are already depressingly regular occurrences. The granting of another late license in this area would make this situation even worse than it already is. Excessively loud music from this proposed licensed premises and the cars of those visiting it would clearly prevent adults and children from sleeping. It would be impossible for local residents to adopt sleeping patterns to accommodate the hours of this licensed premises.

Finally, increased reckless driving and parking problems would be inevitable if this license was granted. Local residential streets are already filled with cars of people visiting the West Green Tavern from Thursday to Sunday. Open air parties with music blaring from cars and drinking are a problem and I have seen several residents cars being crashed into and damaged at night by people visiting the Tavern. This situation would be made even worse if this license at 78 West Green Road was granted.

As I mentioned at the start of this letter, local residents already suffer from sustained loud music from the West Green Tavern and associated anti-social behaviour. The granting of another late license in this area would make a bad situation completely unbearable. It would also put an excessive burden on local policing which is already stretched to the limit. The location is totally unsuitable for a licensed premises.

I therefore oppose the application for a new premises license for Rush Hour, 78 West Green Road, London, N15 5NS.

Sincerely

A report to be provided detailing the current level of sound insulation between Rush Hour 1 at 78 West Green Road and the flat above at 78a West Green Road.

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.

Outside Areas

No form of loudspeaker or sound amplification equipment is to be sited on or near any foyer, doorway, window or opening to the premises.

The number of persons permitted to utilise the frontage will be restricted to 2 persons.

Deliveries And Collections

Deliveries and collections associated with the premises will be arranged between the hours 0800 and 1800 hrs so as to minimise the disturbance caused to the neighbours.

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed.

Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.

Patrons Entering/Exiting Premises

There will be no queuing outside the premises.

When the premises turn out a licensed door supervisor shall supervise patrons and ensure the leave in a prompt and courteous manor, respecting the neighbours.

Signs should be displayed instructing patrons to respect the neighbours and behave in a courteous manor.

Prevention Of Nuisance From Odour

All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.

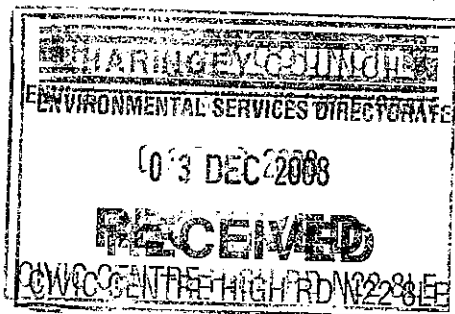
APPENDIX 4

INTERESTED PARTIES REPRESENTATIONS

Farhad Edah-Tally
78A, West Green Road,
Tottenham, London N15 5NS

30 November 2008

The Licensing Team,
Enforcement,
Urban Environment,
Units 271-272,
Lee Valley Technopark,
Ashley Road,
Tottenham,
London
N17 9LN



REF: RUSH HOUR REQUEST FOR PREMISES LICENCE

To whom it may concern,

I am a resident of the above address and for a long time I have been complaining about the level of noise disturbance from Rush Hour restaurant to the Haringey Environmental Health department. It has been brought to my attention that an application for a premises license has been made by Rush Hour. Since I have been complaining about this restaurant, the restaurant management have not taken any measures what so ever to reduce the volume of the music so as to not cause ay disturbance to the above residence or any soundproofing, because I am still having to complain about the noise.

It is not only noise that is a problem with Rush Hour. As you know, the premises must promote the following:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety at licensed premises
- The protection of children from harm.

There have been many times when fights have broken within the restaurant and have come out onto West Green Road. The main window of the restaurant has a crack in it which is at present still there. If you look for yourself, you would be able to see the size of the crack and determine for yourself the level of violence it took to for some one to create such a crack. This as well as other previous occasions where fights have broken out does not promote "the prevention of crime and disorder". I would ask you to get in touch with the local police whom I know would back up my claim and be able to give you a clearer picture of the history of violence of this restaurant. Most of the time music is played until the early hours of 6am, and usually starts around 9pm the previous day. As my flat is directly above the restaurant, I hear the full rumble of the music being played and I cannot sleep with the level of noise at times.

I would request that you speak to and check the number of complaints I have made with the Haringey Environmental Health department who can also give you there opinion of Rush Hour restaurant when coming to a decision.

I hope after taking into consideration my appeal and the reports of the police and environmental health, that you reach a decision in favour of my complaints.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Farhad Edah-Tally', written in a cursive style.

Farhad Edah-Tally

Perryman Dylan

From: Tailor Rajesh on behalf of Enforcement
Sent: 22 December 2008 09:37
To: Barrett Daliah; Olson Kendra; Perryman Dylan
Subject: FW: Opposition to new premises license for Rush Hour, 78 West Green Road

Hi

Please could you respond to the e-mail below.

Thanks

Raj Tailor

Technical Support Officer
Enforcement
Urban Environment
Haringey Council

Units 271-272
Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN
Tel 020 8489 5227
Fax 020 8489 5528
E-Mail Rajesh.Tailor@haringey.gov.uk

From: [REDACTED]
Sent: 22 December 2008 08:58
To: Barrett Daliah
Cc: Enforcement; Development Control; TottenhamGreen.SNT@met.police.uk
Subject: Opposition to new premises license for Rush Hour, 78 West Green Road

Dear Madam

I am writing to you to voice my opposition to the recent application for a new premises license for Rush Hour, 78 West Green Road, London, N15 5NS. As a local resident, living in Beaconsfield Road, I would be badly affected if such a license was granted. In addition, having spoken to several of my neighbours, there is strong local opposition to the granting of any new licenses in the area as we already endure a considerable amount of anti-social behaviour, noise nuisance and disorder emanating from the West Green Tavern at number 68 West Green Road.

You should also be aware that I feel that I am putting myself and my property at risk of reprisals by opposing this application. Whilst I understand that oppositions to licensing applications cannot be made anonymously, I ask that you appreciate the personal risk being borne by people who oppose this application.

My opposition to the new premises license for Rush Hour, 78 West Green Road relates to the following licensing objectives, which I feel the granting of a license for this premises would clearly undermine:

1. the prevention of crime and disorder
2. the protection of children from harm
3. public safety

22/12/2008

4. the prevention of public nuisance

I will cover each of these in turn.

1. The prevention of crime and disorder.

As you should already be well aware, this area already suffers from multiple crime, disorder and social problems. Drug dealing, anti-social behaviour, noise nuisance, public drunkenness, fighting and prostitution are all daily occurrences that residents have to live with right outside their front doors. The granting of a late license to another premises in this area is going to make this situation considerably worse. The local police force is already stretched to the limit simply trying to keep this under control. There is already a 'Dispersal Order' in force in the local area, which was recently extended. This was seen as essential to try and maintain a degree of law and order in an area which is extremely challenging to police.

This area is home to a very diverse community and includes a large number of families, elderly and vulnerable people, many of whom already lead difficult lives and live in constant fear of crime and disorder. As a resident of this area for several years I can say without reservation that the establishment of another licensed premises would be a disaster for local crime and disorder problems. It would obviously become the 'destination' for every late night drinker and drug dealer in the area and further afield. I am sure you already appreciate the considerable problems associated with late licenses in this particular area but we should not need another situation like that at 'The Swan' a couple of years ago, where criminality was allowed to get so out of hand that a young girl was tragically shot dead before local opposition to the license and the advice of the police were taken seriously.

2. The protection of children from harm.

There are a large number of families with children living in this area. Indeed the area is one of the few in the borough where accommodation is actually affordable for families. It is a predominantly residential area with a number of late opening shops and several off-licenses. The opening of another licensed premises and the people who would clearly be attracted to such a venue would obviously put children at risk. Drug dealing, public drinking, prostitution and harassment are already a problem in this area. Expecting children to 'run the gauntlet' of yet more of this on the way to the shops or coming home from visiting friends is putting them at risk and is completely unacceptable.

3. Public safety.

As already referred to in points 1 and 2 above, public safety would clearly deteriorate due to increased crime and disorder associated with the granting of another license in the area. I am also very concerned about adequate fire safety and fire escape routes in a premises which would no doubt be packed to the rafters with late night revellers, particularly as it is in a terraced building with a number of flats in adjoining premises and behind it.

4. The prevention of public nuisance.

This area already suffers from multiple public nuisance issues. Noise nuisance (from the West Green Tavern and the cars of its patrons with excessively loud music booming at all hours) and anti-social behaviour (such as public drunkenness, fighting, shouting late at night, reckless driving under the influence of drink or drugs, aggressive begging, littering and dumping, urination and worse in peoples front gardens and on pavements) are already depressingly regular occurrences. The granting of another late license in this area would make this situation even worse than it already is. Excessively loud music from this proposed licensed premises and the cars of those visiting it would clearly prevent adults and children

from sleeping. It would be impossible for local residents to adopt sleeping patterns to accommodate the hours of this licensed premises.

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As I mentioned at the start of this letter, local residents already suffer from sustained loud music from the West Green Tavern and associated anti-social behaviour. The granting of another late license in this area would make a bad situation completely unbearable. It would also put an excessive burden on local policing which is already stretched to the limit. The location is totally unsuitable for a licensed premises.

I therefore oppose the application for a new premises license for Rush Hour, 78 West Green Road, London, N15 5NS.

Sincerely

Legal and Professional Claims Ltd

Registered Office

24 Martin Lane

LONDON

EC4R 0DR

Registered in England - No. 398 1077

Managers and administrators of the Solicitors Indemnity Fund Ltd

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