

NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Tuesday, 25th January, 2022, 7.00 pm - (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Gina Adamou, Luke Cawley-Harrison, Reg Rice

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. URGENT BUSINESS

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. SUMMARY OF PROCEDURE

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003.

6. APPLICATION FOR A NEW PREMISES LICENCE AT THE BROADWAY, 266 MUSWELL HILL, BROADWAY, LONDON N10 2QR (PAGES 1 - 110)

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, 17 January 2022

Report for: Licensing Sub Committee 25th January 2022

Item number:

Title: Application for a New Premises Licence – The Broadway, 266 Muswell Hill Broadway, London N10 2QR

Report authorised by : Daliah Barrett-Licensing Team Leader – Regulatory Services.

Ward(s) affected: Fortis Green

Report for Key/ Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 This report relates to an application for a new premises licence by The Broadway Muswell Hill Ltd.

1.2 The application seeks the following:

Regulated Entertainment: Live Music & Recorded Music

Sunday to Thursday	1100 to 0000 hours
Friday to Saturday	1100 to 0200 hours

Late Night Refreshment

Sunday to Thursday	2300 to 0000 hours
Friday to Saturday	2300 to 0200 hours

Supply of Alcohol

Sunday to Thursday	1100 to 0000 hours
Friday to Saturday	1100 to 0200 hours

Supply of alcohol **ON** and **OFF** the premises.

Hours open to Public

Sunday to Thursday	1100 to 0030 hours
Friday to Saturday	1100 to 0230 hours

Seasonal Variations: Christmas Eve to open one hour longer than ordinarily permitted, with all licensable activities to cease 30 minutes beforehand.

New Years Eve until 03:30 hours on New Years Day morning.

11:00 until 02:00 hours on any Sunday immediately preceding a Bank Holiday Monday.

1.3 The application can be found at - **Appendix A.**

1.4 Representations have been received from:

Responsible Authorities- Licensing Authority RA and the Metropolitan Police. App

B

Representations have been received from 15 residents and a ward member.

Appendix C.

1.5 Recommendation

In considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the application as requested
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

2 Background

- 2.1 The premises is situated along a parade of retail units with residential above and to the rear. The premises had operated as a cafe with the ability to sell alcohol for many years, which then changed into a more alcohol led business as a wine bar and then into a fully fledged nightclub for a number of years. Mr Ioannou the previous licence holder took over the premises in 2015 and had operated it as a nightclub. The premises licence was subsequently reviewed by the Police in 2017 due to ongoing concerns with anti-social behaviour and a failure on the part of the then licence holder to actively manage issues arising and cooperate with the Police in the investigation of incidents. Thereby not upholding or promoting the licensing objectives.
- 2.2 The Police were asking for conditions to be added to the licence, but the LSC after hearing from all parties determined to revoke the Premises Licence. The revocation never took effect as the then licence holder appealed the decision to the Court. On advice from an independent barrister the Council agreed to a number of conditions to be imposed on the licence, which was agreed to be the Magistrates. The conditions imposed put in place a restrictive licence that stopped the licence holder from being to operate as a nightclub and required food to be made available with all alcohol sales after 2300. It also reduced the operating times at the venue. The then licence holder remained closed for a period of time and once he attempted to reopen again under the new conditions it proved difficult for him to do so. He subsequently sold the premises onto the current premises licence holder –The Broadway Muswell Hill Ltd- Mr Savvas Morgan, who transferred the existing Premises licence in February 2020.
- 2.3 The area at Muswell Hill Broadway had been home to a number of late night venues in previous years. It was the main hot spot for crime generation caused by the night time economy in Haringey some years ago but there has been significant change in the area since that time. There were previously 3 late night clubs and a public house as well as a late night kebab premises that operated into the early hours of the morning in this area. All of these venues have had their Premises licence reviewed by the Met Police.
- 2.4 In more recent times, residents have reported incidents of antisocial behaviour in the Area. Some of the concerns raised relate to The Broadway others relate to The Mossy Wells and The Venue N10. Residents have expressed concerns of the patrons using the private car park area at the rear of The Broadway in the residential landscaped area to park cars and congregate and play music once they have left the venue.

- 2.5 Members will note from the letters of representation that a lot of the concerns raised has been around the operation of a late night venue or club in the area and the appropriateness of such an establishment in what is being viewed as a predominantly residential area. The venue has been in this area for many years and whilst some residents do not approve of late night venues in the area this in itself is not a valid reason to refuse a licence. Representations must be relevant and, in the case of 'other persons' must not be frivolous or vexatious.
- 2.6 The Licensing Authority has communicated with Ms Bianca Morgan since The Broadway started to operate but has not had any communication with Savvas Morgan- the current named DPS and the proposed DPS for this new application. Complaints received from residents or concerns raised by the Out of Hours Officers have been referred and discussed with Ms Morgan directly in order to request a response on how the concerns raised would be dealt with or mitigated to address the licensing objectives.
- 2.7 The premises has Planning permission since 1968 to operate as a restaurant but required to ensure that no noise nuisance should emanate from its use that would affect nearby residents.
- 2.8 In September 2021 a new Premises Licence was granted to 272 Muswell Hill Broadway. The matter received representation from residents and RAs, the LSC therefore determined the application with the following timings:

Supply of Alcohol

Sunday to Thursday 1000 to 2230 hours

Friday and Saturday 1000 to 2330 hours

Recorded Music

Sunday to Thursday 1000 to 2230 hours

Friday and Saturday 1000 to 2330 hours

Provision of Late Night Refreshment

Friday and Saturday 2300 to 0000 hours

The opening hours of the premises:

Sunday to Thursday 1000 to 2300 hours

Friday and Saturday 1000 to 0000 hours

- 2.9 The Mossy Wells, which is situated almost facing 266 Muswell Hill Broadway N10 has the following hours:

Provision of Late Night Refreshment

Monday to Wednesday 2300 to 0030

Thursday and Sunday 2300 to 0100

Supply of Alcohol

Monday to Wednesday 0900 to 0030

Thursday and Sunday 0900 to 0100

New Years Eve licensable activities from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

St. David's Day, St. Patrick's Day, St. George's Day and St Andrew's Day, an additional hour with seven days prior notice and agreement with the police.

Statutory Bank Holiday weekend periods and for Thursday before Good Friday an for Christmas Eve an additional hour.

On occasions of local, national or international significance or for charitable events, limited to twelve per year, the terminal hour will be extended by one hour, with fourteen days prior notice and agreement with the police.

The opening hours of the premises:

Monday to Wednesday 0700 to 0100

Thursday and Sunday 0700 to 0130

3 **Licensing Policy**

- 3.1 The committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 3.2 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 3.3 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.
- 3.4 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.5 This Licensing Authority in determining what action to take will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 3.6 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application

and work with the parties concerned to ensure that adequate noise control measures are in place

- 3.7 Also The Licensing Authority may not impose conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of the hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Therefore conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be required.
- 3.8 In cases Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 3.9 Members should consider in all cases whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 3.10 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff.
The Councils Licensing policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

4 Licensing hours

- 4.2 Where relevant representations are made, the Council will consider the proposed hours on their individual merits. Notwithstanding this, the Council may require stricter conditions in areas that have denser residential accommodation to prevent public nuisance. The Council will endeavour to work with all parties concerned in such instances to ensure that adequate conditions are in place. The Council may restrict the hours that certain premises can offer alcohol for sale for consumption off the premises for preventing crime, disorder and nuisance.

5 Powers of a Licensing Authority

- 5.1 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.
- 5.2 The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

6. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

6.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

7 Use of Appendices

Appendix A - New Application.

Appendix B – Responsible Authorities Representations

Appendix C – Other persons representations.

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

Appendix 1

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Start

Are you an agent acting on behalf of the applicant?: Yes

Agent details

Full name: Natasha Nunn

Email: office@dadds.co.uk

Phone/mobile: 01277631811

Company name: Dadds LLP Solicitors

Trading address: Crescent House 51, High Street, , Essex, Billericay, CM12 9AX

Applicant: Applicant details

Full name: The Broadway Muswell Hill Ltd The Broadway Muswell Hill Ltd

Email: office@dadds.co.uk

Phone/mobile: 01277631811

Which legal structure are you applying as: A business or organisation including as a sole trader

Is your business registered in the UK: Yes

Is your business registered outside the UK:

Commercial register:

Registration number: 12350129

Business name: The Broadway Muswell Hill Ltd

Are you VAT registered?: No

VAT number:

Legal status: Private Limited Company

What is your position in the business?: Premises Licence Holder

Home country: England

Address: 253, Liverpool Road, Ground Floor Offices, London, Islington, N1 1LX

Premises details

Premises or Trading name: The Broadway

Please provide a postcode, OS Map Reference or description: Address

Premises OS Map reference:

Address Description:

Full address of the premises: 266, Muswell Hill Broadway, Hornsey, Haringey, London, N10 2QR

Premises phone number: 0203 196 3652

Plan of the premises: sandbox-files://61b0bc3b0fb7d968457818

Do you have a rateable value based on VOA?: Yes

What is the non-domestic rateable value band?: C (£33,001-£87,000)

Are you applying to only sell alcohol?:

NDR Fee to Pay: £315

Applicant 2: Application details

In what capacity are you applying for the premises licence? Limited company / limited liability partnership

Confirm the following: I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

Non-individual applicant details

Full name: The Broadway Muswell Hill Ltd

Do you have a registration number?: Yes

Please enter your registration number: 12350129

Description of applicant: Private Limited Company

Address: 253, Liverpool Road, Ground Floor Offices, London, Islington, N1 1LX

Phone number: 01277631811

Email address: office@dadds.co.uk

Date of birth: 03/12/1987

Nationality: British

Operating Schedule

When do you want the premises licence to start?: 07/01/2022

When do you want the premises licence to end?:

Please give a general description of the premises: Licensed bar and restaurant

Do you expect more than 5,000 or more people to attend the premises at any one time? No

How many people do you expect to attend the premises at any one time?:

Additional fee to be paid for over 5,000 capacity: £

Regulated entertainment

This section covers regulated entertainment

Provision of plays

Will you be providing plays?: No

Provision of films

Will you be providing films?: No

Provision of indoor sporting events

Will you be providing indoor sporting events?: No

Provision of boxing or wrestling entertainments

Will you be providing boxing or wrestling entertainments?: No

Provision of live music

Will you be providing live music?: No

Provision of recorded music

Will you be providing recorded music?: Yes

Which days of the week do you intent the premises to be used for the activity? Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

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.:

Monday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Tuesday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Wednesday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Thursday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Friday:

- Start 1: 11:00
- End 1: 02:00
- Start 2:
- End 2:

Saturday:

- Start 1: 11:00
- End 1: 02:00
- Start 2:

- End 2:

Sunday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Will the playing of recorded music take place indoors or outdoors or both? Indoors

State type of activity to be authorised, if not already stated, and give relevant further

details.: The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with any other permitted activity.

State any seasonal variations for playing of recorded music:

Non standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below: Christmas Eve to open one hour longer than ordinarily permitted, with all licensable activities to cease 30 minutes beforehand

New Years Eve until 03:30 hours on New Years Day morning

11:00 until 02:00 hours on any Sunday immediately preceding a Bank Holiday Monday.

Provision of performance of dance

Will you be providing performance of dance?: No

Provision of anything of a similar description to live music, recorded music or performances of dance

Will you be providing anything similar to live music, recorded music or performances of dance?: No

Late night refreshment

Will you be providing late night refreshment?: Yes

Which days of the week do you intend the premises to be used for the activity? Monday,

Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

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.:

Monday:

- Start 1: 23:00
- End 1: 00:00
- Start 2:
- End 2:

Tuesday:

- Start 1: 23:00
- End 1: 00:00

- Start 2:
- End 2:

Wednesday:

- Start 1: 23:00
- End 1: 00:00
- Start 2:
- End 2:

Thursday:

- Start 1: 23:00
- End 1: 00:00
- Start 2:
- End 2:

Friday:

- Start 1: 23:00
- End 1: 02:00
- Start 2:
- End 2:

Saturday:

- Start 1: 23:00
- End 1: 02:00
- Start 2:
- End 2:

Sunday:

- Start 1: 23:00
- End 1: 00:00
- Start 2:
- End 2:

Will the provision of late night refreshment take place indoors or outdoors or both? Indoors
State type of activity to be authorised, if not already stated, and give relevant further details.:

State any seasonal variations:

Non standard timings. Where the premises will be used for the supply of late night refreshment at different times from those listed above, list below: Christmas Eve to open one hour longer than ordinarily permitted, with all licensable activities to cease 30 minutes beforehand

New Years Eve until 03:30 hours on New Years Day morning

23:00 until 02:00 hours on any Sunday immediately preceding a Bank Holiday Monday.

Supply of alcohol

Will you be selling or supplying alcohol?: Yes

Which days of the week do you intent the premises to be used for the activity?Monday,

Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday

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.:

Monday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Tuesday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Wednesday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Thursday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:
- End 2:

Friday:

- Start 1: 11:00
- End 1: 02:00
- Start 2:
- End 2:

Saturday:

- Start 1: 11:00
- End 1: 02:00
- Start 2:
- End 2:

Sunday:

- Start 1: 11:00
- End 1: 00:00
- Start 2:

- End 2:

Will the sale of alcohol be for consumption? Both

State any seasonal variations:

Non standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below: Christmas Eve to open one hour longer than ordinarily permitted, with all licensable activities to cease 30 minutes beforehand

New Years Eve until 03:30 hours on New Years Day morning

11:00 until 02:00 hours on any Sunday immediately preceding a Bank Holiday Monday.

Designated premises supervisor consent

Are you (as the applicant), the designated premises supervisor. No

How will the consent form of the proposed designated premises supervisor be supplied to the authority?: An attachment to this application

Please upload the completed consent form for the designated premises supervisor
sandbox-files://61b1d5a3acc11947449181

Do you know the reference number for the consent form

Please enter the reference number for the consent form: N/A

Name of designated supervisor: Savvas Morgan

Address of designated supervisor: 7 High Birch Court

79 Park Road

New Barnet

EN4 9QG

Date of birth of designated supervisor: 03/12/1987

Enter the personal licence number: LAPERS/18/59042

Issuing licensing authority: The London Borough of Barnet

Adult entertainment

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

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: There will be no activity of this nature

Hours premises are open to the public

Which days of the week do you intent the premises to be used for the activity? Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday, Not applicable

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.:

Monday:

- Start 1: 11:00
- End 1: 00:30

- Start 2:
- End 2:

Tuesday:

- Start 1: 11:00
- End 1: 00:30
- Start 2:
- End 2:

Wednesday:

- Start 1: 11:00
- End 1: 00:30
- Start 2:
- End 2:

Thursday:

- Start 1: 11:00
- End 1: 00:30
- Start 2:
- End 2:

Friday:

- Start 1: 11:00
- End 1: 02:30
- Start 2:
- End 2:

Saturday:

- Start 1: 11:00
- End 1: 02:30
- Start 2:
- End 2:

Sunday:

- Start 1: 11:00
- End 1: 00:30
- Start 2:
- End 2:

State any seasonal variations:

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below: Christmas Eve to open one hour longer than ordinarily permitted, with all licensable activities to cease 30 minutes beforehand

New Years Eve until 04:00 hours on New Years Day morning

11:00 until 02:30 hours on any Sunday immediately preceding a Bank Holiday Monday.

Licensing objectives

a) **General – all four licensing objectives (b,c,d,e):**

1. Staff will carry out frequent toilet checks

2. The premises will not operate as a nightclub

3. There shall be no entry permitted after 01:00 hours on any day, however re-entry will be permitted.

4. The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to: dealing with incidents and prevention of crime and disorder, sale of alcohol (to underage persons; persons over 18 purchasing for underage; drunks etc) prior to being allowed to sell alcohol.

b) **The prevention of crime and disorder:** 1. A CCTV system must serve the premises, be maintained fully operational and in good working order at all times when the premises are open for sale of alcohol. Notices declaring the CCTV is in operation must be displayed both inside and outside the premises near the main entrance. The CCTV equipment shall make and maintain clear images that include all points of sale of alcohol and of the purchasers of alcohol. The CCTV recordings shall show an accurate date and time of the recordings were made and all images shall be retained for a period of not less than 31 days. CCTV recordings shall be made available for viewing by any police officers, or authorised person upon request. The original, or a copy, shall be provided upon request to any police officers or authorised person.

c) **Public safety:** Please see other boxes

d) **The prevention of public nuisance:** 1. Sound from the premises shall not be audible at the front facade of the nearest residential premises at any time

2. All music to be kept at a reasonable level.

3. Signs will be displayed requesting customers to leave quietly and respect the neighbours

e) **The protection of children from harm:** 1. The premises licence holder shall operate a 'Challenge 25', or similar scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18. Proof of age shall only comprise of a passport a photo - card driving licence or an industry approved proof of age identity card.

2. The premises licence holder shall ensure that any refusals of sale of age - related products are recorded in a refusals log as soon as is reasonably practicable after the sale is refused. The log should show the date and time of the event; the product(s) sought; the gender and approximate age of the customer together with a description of the customer. The refusals log shall be made available for inspection by the licensing team, police or trading standards and kept at the premises for six months.

Declaration

I/we understand 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.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership]

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration yes I agree

Declaration

Full name: Natasha Nunn

Capacity: Applicants Solicitor

Date: 2021-12-09

Payment summary

Amount: £315.00

Payment status: successful

Receipt number: SMYAC00237656

Authorisation code: 005389

Card type: Visa Credit

ver2



Consent of individual to being specified as premises supervisor

I Savvas Morgan

[full name of prospective premises supervisor]

Of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Application for a new premises licence

[type of application]

by

The Broadway Muswell Hill Ltd

[name of applicant]

n/a

relating to a premises licence

[number of existing licence, if any]

for

The Broadway
266 Muswell Hill Broadway
London
N10 2QR

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

The Broadway Muswell Hill Ltd

[name of applicant]

concerning the supply of alcohol at

The Broadway
266 Muswell Hill Broadway
London
N10 2QR

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[REDACTED]

[insert personal licence number, if any]

Personal licence issuing authority

The London Borough of Barnet

[insert name and address and telephone number of personal licence issuing authority, if any]

Date of Birth: 03/12/1987

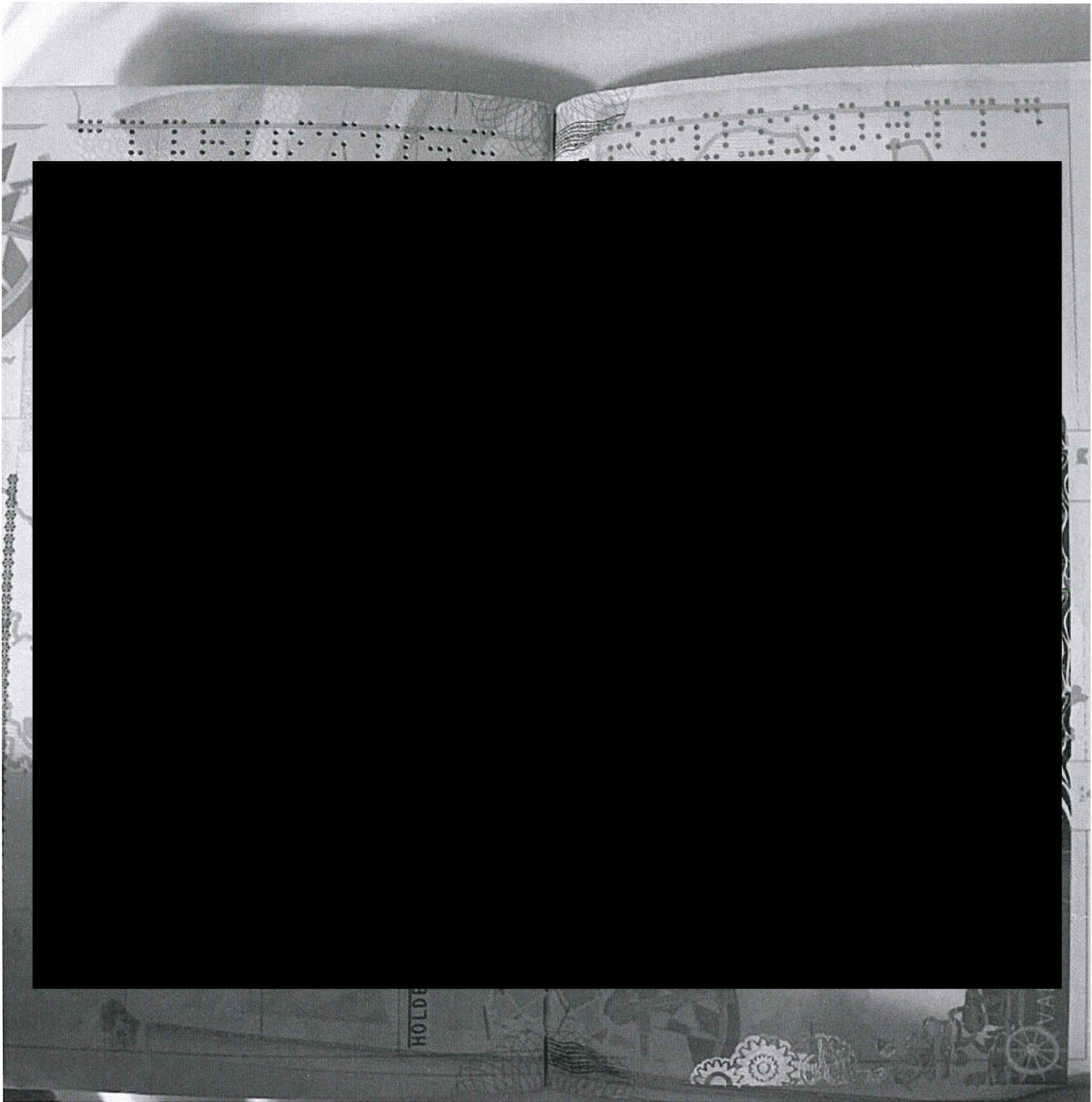
Place of Birth: London

[Date and place of Birth of prospective premises supervisor]

[REDACTED]

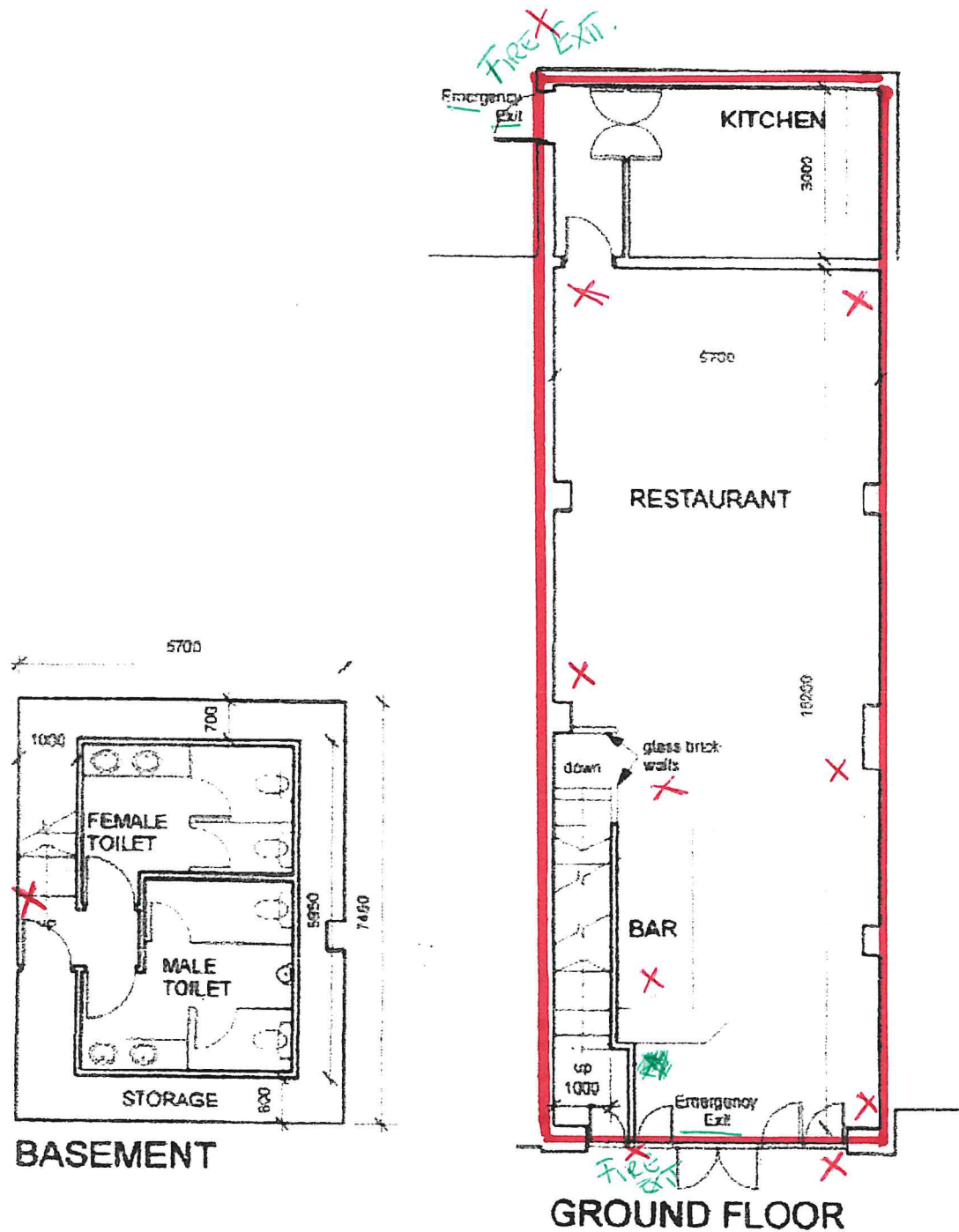
Date

1



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Annex 4 – Plans



X CCTV
X FIRE EXIT & Equipment.

Panais Construction Ltd 266 Muswell Hill London N10 2QR		April 2015 1:100 @ A4	
NEW FLOOR PLANS		7836 05	

SGA
STEPHEN GEORGE ARCHITECTS
 20 TEMPLE AVENUE
 LONDON EC4A 3DF
 TEL: 020 7414 1414
 FAX: 020 7414 1415
 WWW.SGA-ARCHITECTS.CO.UK

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Appendix 2

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-----Original Message-----

From: Barbara Hall

Sent: 16 December 2021 12:34

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway, 266 Muswell Hill Broadway, N10

I am writing to object vehemently to the application by The Broadway restaurant for an extension to their existing licence both regarding the times of opening and the times that alcohol is sold.

This is a blatant attempt by the owners to change the venue from 'a restaurant' into a bar/nightclub. I cannot believe that Haringey are even considering this application given previous applications and hearings that we, as residents of Muswell Hill, have attended over the past 4 years regarding this venue and The Socialite Bar/Venue 10.

I cannot stress enough that the recent change in the area from mostly business to residential is the very first criteria that the Licensing team should be considering. Our building (including the Penthouse apartments) comprises 47 residential properties, The Pinnacle over the road must be almost the same number. These are filled with both families with small children and elderly residents who value their sleep and safety at night.

The track record of these two establishments has been appalling with total lack of management of the clientele, which clearly come to cause as much disturbance as possible: shouting obscenities, urinating and defecating in our planted area at the front of the building and down the side street, parking on the pavement in front of our building, fighting and using deadly weapons such as knives and guns. As far as I am aware, there have been no fatalities since these premises licensing hours were curbed.

When we first moved into the building both The Pinnacle and No.77 had to employ security patrols at the weekends to keep the residents safe. If we have to do the same again, then we will be seeking financial compensation from Haringey for the infringement of our personal freedom.

Please be very careful to take these matters into consideration and refuse this application.

Barbara Hall

Sent from my iPad

From: Jasbir Singh

Sent: 16 December 2021 16:19

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway, 266 Muswell Hill Broadway, N10

Dear Sir/Madam

I am a resident living close to the above property and wish to strongly raise an objection to the request to change opening hours and to sell alcohol.

My objection is based on experience of clubs and similar establishments where alcohol is consumed late into the night near residential areas.

We are worried about crime and disorder including a drugs culture that accompanies such premises.

Public safety is compromised and nuisance is widespread too. This includes concerns for younger children who are harmed as a result of being induced into or outside of such venues.

We hope that you will give serious consideration to turning down the request for change.

Regards

Jasbir Singh

-----Original Message-----

From: Jocelyn Conway

Sent: 19 December 2021 17:21

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway 266 Muswell Hill Broadway London N10

I am registering my objection to the application by the Broadway restaurant for an extension to its existing licence with regard to opening times and alcohol sold.

I live at Muswell Hill London N103PJ and am directly opposite this venue.

When Haringey gave the new licence which is in place now it was going to be a restaurant.

The opening times given were because previously, with the extended hours of it running it as a bar/live music venue it attracted anti social behaviour such as urinating noise and drug use outside its premises. With dealers hanging around our flats and the Pinnacles across the road.

The police had to be continually called and people were frightened to leave their homes because of fights. Cars were parked on the pavements and the screaming and noise when people were coming and going was unbearable. Music was played so loud that the noise abatement officer had to be called to silence it. We also had the support of our MP when having this bar curtailed.

Wetherspoon's closes at 12 am so there is no reason for this bar time to be extended.

This is a residential area now and as you are aware from previous meetings this is a totally unacceptable venue to have in our midst.

We are talking about a hundred residences all paying council tax occupied by families with young children and older people so you should think very carefully about these matters, and refuse the application. Look up your records from the last time this venue applied for a licence. I have kept all the paperwork and am quite happy to send it to you

Jocelyn Conway

Sent from my iPad

Part 2

-----Original Message-----

From: Jocelyn Conway

Sent: 01 January 2022 19:21

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway 266 Muswell Hill Broadway London N10

I am registering my objections to the above venue requesting an extension to its existing licence being extended with regard to opening times, alcohol sold and live music.

I live directly opposite this venue and when Haringey gave a new licence it was given that this was going to be a restaurant.

At the moment we have been experiencing noise from cars and motorbikes coming and going up to 1 in the morning. People congregating outside drunk shouting and loud music emanating. From inside when the doors are open.

Should this licence be given this means this will go on until 2.30 in the morning. Given this is a residential area with over 100 properties consisting of young families with children and older people paying council tax.

Wetherspoons closes at 12 am.

We do not need a return to anti-social behaviour and drug dealers which occurred when The Metropolitan had this licence.

Please for the sake of the people living here do not grant this licence. Jocelyn Conway

Muswell Hill

London N10

Sent from my iPad

From: Mariangela Oliveri

Sent: 20 December 2021 00:47

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway 266 Muswell Hill Broadway London N10

I am registering my objection to the application by the Broadway restaurant for an extension to its existing licence with regard to opening times and alcohol sold.

I live at Muswell Hill London N10 and am directly opposite this venue.

When Haringey gave the new licence which is in place now it was going to be a restaurant.

The opening times given were because previously, with the extended hours of it running it as a bar/live music venue it attracted anti-social behaviour such as urinating noise and drug use outside its premises. With dealers hanging around our flats and the Pinnacles across the road.

The police had to be continually called and people were frightened to leave their homes because of fights. Cars were parked on the pavements and the screaming and noise when people were coming and going was unbearable. Music was played so loud that the noise abatement officer had to be called to silence it. We also had the support of our MP when having this bar curtailed. Wetherspoon's closes at 12 am so there is no reason for this bar time to be extended.

This is a residential area now and as you are aware from previous meetings this is a totally unacceptable venue to have in our midst.

We are talking about a hundred residences all paying council tax occupied by families with young children and older people so you should think very carefully about these matters, and refuse the application

From: Sarah Nash

Sent: 21 December 2021 08:04

To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: Fwd: new premises licence - Broadway 266 Muswell Hill Broadway. N10 Ref:WK/000521383

From: Sarah Nash

Date: 20 December 2021 at 15:36:46 GMT

To: Licensing.Licensing@haringey.gov.uk, daliah.barrett@haringey.gov.uk

Subject: new premises licence - Broadway 266 Muswell Hill Broadway. N10 Ref:WK/000521383

To whom it may concern

I am writing with regards to the above premises licence application.

I live in Pinnacle Close at the back of the premises. Pinnacle Close is a relatively new development of houses and flats which have been built since the original license for the premises was granted. Such a noisy, disruptive, late-night venue is no longer appropriate in the close context of a quiet, residential development.

The Broadway has caused a considerable amount of disruption in Pinnacle Close since it opened again after lockdown for a number of reasons:

- cars dropping off and picking up people going to The Broadway use the close to park in/wait in late at night which is noisy and disruptive and contravenes parking restrictions in the Close
- people coming out of The Broadway walk round into the Close to continue socialising/drinking after The Broadway has closed which is noisy and disruption - these people are often rude and difficult
- the people leaving The Broadway drop litter and bottles in the main street and in the Close
- the people hanging around outside The Broadway are intimidating to people returning to their flats and house in Pinnacle Close
- the behaviour of the people leaving The Broadway is often disruptive and in the past has been dangerous and violent needing Police intervention

I hope that you will seriously consider the objections that have been raised against renewing the licence for The Broadway.

Yours,

Sarah Woodgate

From: Tim Martin

Sent: 21 December 2021 13:56

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: RE: NEW PREMISES LICENCE APPLICATION - 266 MUSWELL HILL BROADWAY, LONDON N10

Hi Daliah

Apologies for the confusion. I am objection to the licence extension for 266 Muswell Hill Broadway.

For completeness here is my objection:

Dear Sirs

This is a further objection to my email below dated 12th August 2021.

I am owner of Flat Muswell Hill, London N10 . We let this flat out to a tenant.

I am registering my objection to the application by the Broadway restaurant for an extension to its existing licence with regard to opening times and alcohol sold.

When Haringey gave the new licence which is in place now The Broadway was going licenced as a restaurant.

The opening times given were because previously, with the extended hours of it running it as a bar/live music venue it attracted anti-social behaviour such as urinating in the streets in the surrounding area (including our block of flats and the Pinnacles flats), unacceptable late night noise for a residential area and drug use outside its premises. With dealers hanging around our flats and the Pinnacles across the road.

The police had to be continually called and people were frightened to leave their homes because of fights. Cars were parked on the pavements and the screaming and noise when people were coming and going was unbearable. Music was played so loud that the noise abatement officer had to be called to silence it. We also had the support of our MP when having this bar curtailed. Wetherspoon's closes at 12 am so there is no reason for this bar time to be extended.

This is a residential area now (this is undeniable given all the flats that have been developed over the last 5 years) and as you are aware from previous meetings this is a totally unacceptable venue to have in the area.

We are talking about a hundred residences all paying council tax occupied by families with young children and older people so you should think very carefully about these matters, and refuse the application.

Kind regards

Tim Martin

From: Colm Quinn

Sent: 21 December 2021 17:08

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway 266 Muswell Hill Broadway N10 2QR

Dear Dahlia Barrett

Re: 266 Muswell Hill N10 –The Broadway Bar.

I am an owner of a property near by this venue and am writing to oppose this request for the licence to serve alcohol and open until 2:30am.

I, like many others, live close by this venue and whenever they hold an event, we are regularly disturbed by the crowds who hang around at night and in the small court yard at the back.

I will speak of the "likely impact" that the authorisation of this licence will have on me as a resident:

The prevention of public nuisance: This is not a "likely" impact, but an actual impact that this venue is having on us as residents.

At the moment, the venue is supposed to be operating as a restaurant, but is not - its website bills it as a Coffee & Cocktail Lounge and already boasts of being allowed to serve alcohol until 2am! At the moment, it is supposed to be limited to a certain time of closure and restrictions on the sale of alcohol (to be served only with food). While this is what it is supposed to be, it is currently not operating as such - what type of restaurant serves food with music that drowns out any conversation? What type of restaurant employs door security? That this venue has recorded breaches of its licence argues that the licensees are not responsible and therefore are not in a position to have the licence extended.

.

As residents, we have regularly been disturbed at night by the loud noise emanating from the confines of the establishment. The current licence is subject to conditions; however, it is in regular breach of those conditions, in that we are kept awake at night by the thumping bass and hoards of people who congregate on the court yard at the back of the venue. Haringey Noise prevention team has been visiting regularly and has found the venue in breach of its licence conditions. This does not bode well for any licence that it may be granted.

The customers can be found congregating at the back of the club in a small residential court yard that is a densely-populated residential area, drinking and urinating in public. Similarly with recorded music in the evenings and early morning the rear doors of the bar is often left open

and music can be heard, wakening us and our children up. As residents, we can also hear the drunken customers who cause disturbance and present a threat to those of us in close proximity. If this venue is granted the licence to revert back into a nightclub, it will have a significantly detrimental effect on our physical and mental health.

We had the same problem when this venue was called The Metropolitan - where there was repeated noise disturbance and crime. We will be facing the same level of disturbance if this is allowed. As residents, we will all be disturbed by this change in the licence.

The Prevention of crime and disorder: Where you have large groups drinking alcohol, there is the increased risk of crime and public disorder. The other venues in the immediate environment regularly have the police in attendance.

Public safety: There is no permitted parking place for customers to be dropped off or collected. When this venue's licence was revoked, it was done so because of the level of crime and violence that the club attracted and jeopardised our safety as residents.

THIS VENUE REGULARLY BREACHES THE CONDITIONS OF ITS LICENCE AND IT IS CERTAIN THAT IT WOULD CONTINUE TO DO SO.

I trust and sincerely hope that this application for a licence to open late and serve alcohol is not granted.

Kind Regards,

Colm Quinn

Ref: Licence No: WK/000521383

Application for premises licence, The Broadway, 266 Muswell Hill Broadway, N10 2QR

Dear all, I write as I am concerned about the above existing licence and review.

Since opening they have never complied with the stated clauses until after persistent complaints. There are often no security officers outside allowing their customers to congregate and make noise at night and menacing passers-by.

These include:

- 1 Many instances that when the venue closes the party continues outside. This was initially in the main road but after complaints moved to our car park (see video attached from a recent Saturday). At 2am-3am their customers party, dance, sing and yell for more than an hour. The police have attended on several occasions to break the disturbance up. I am sure that we have drug dealing and taking on our premises. If I had to return late at night with my car I would be scared to enter the car park.
- 2 Music can be heard from the venue and is only reduced after complaints.
- 3 As they close at 2pm the noise is worse after the Haringey Noise Compliant Line is closed. I have complained both at night and the next day on several occasions. I have now decided that if the noise happens after 2am in future I call the police on 999 as I am so desperate.

I am filled with dread that you will allow this licence to continue. The behaviour and disturbance is intolerable and on Friday and Saturday nights I go to bed knowing I will be woken. How long can this continue? I appreciate that the owners are entitled to make a living but in the circumstances I am amazed that there is even any consideration that the licence may be renewed. On viewing the enclosed video do you think that this is acceptable behaviour after 2am?

Yours faithfully

Dr Keith Mount

x

x

x

x

-----Original Message-----

From: Emily Reid

Sent: 23 December 2021 15:30

To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway 266 MHB N10 objection to license

Dear licensing team

Please accept this as my objection to the license request for the Broadway bar 266 MHB N10. I object for the following reasons:

- Significant noise disturbance - patrons of the bar (captured on our cctv) routinely cause significant noise disturbance to local residents when arriving and leaving venue. This includes playing loud music from illegally parked cars in our development, and shouting and screaming amongst themselves for a prolonged period of time. Our children are regularly woken by the noise, as are we. When we have asked patrons to move on, we are frequently met with verbal abuse and threats of violence - thus ours and our children's well-being and sense of safety in our own neighbourhood are impacted on. Complaints have been made to the council noise team and police have been called.

- Antisocial behaviour - patrons leaving the bar (again captured on cctv) often enter our development to prolong their evening. They also spend time in the development before entering the bar. During this time we have observed: drug taking - the development is littered with gas canisters and small packets, alcohol use, illegally parked cars and cars driving under influence, patrons urinating and vomiting in our development (this includes during the day on weekends in front of my children). Police have been called due to the volume of people gathering and risk of harm, as on occasion patrons have upon leaving the bar repeatedly raced mopeds around the development with little regard for people standing the road. Our property has also been damaged with patrons jumping on our car bonnets and throwing bottles against our house. We have also had patrons from this venue attempt to climb into our back garden to retrieve items they had thrown into our garden when police were called to disperse crowds. Again we were threatened with violence when this was challenged. The litter and stench of urine on weekends following the bars closure is significant.

I don't believe this bar has operated under guidelines of serving alcohol with food. I don't believe this serves as a bar as it identifies itself but a nightclub for people living outside of the local area. I strongly disagree with selling alcohol off the establishment as this would only lead to increased noise disturbance in our development when patrons choose to congregate here. The drain on police resources being called out to manage the antisocial behaviour from this bar is significant and unnecessary. I believe this license should not be renewed under current management and that there are better examples of well run and valued establishments in Muswell hill not impacting on a high volume residential area.

Name: Emily Reid

Address:

Kind Regards

Emily

From: francis.buchanan

Sent: 30 December 2021 17:20

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: The Broadway Bar license application

To the Haringey Licencing Team,

I am writing to object to the recent application to provide a late night alcohol and live music licence to The Broadway Bar, 266, Muswell Hill Broadway N10 2QR. This is for the following reasons.

1) The immediate neighbourhood consists of parades of shops and businesses with two or three floors of flats above them. Each floor mainly consists of at least two flats, usually overlooking the main street, Muswell Hill Broadway. I am a resident in one of those flats. Currently the noise level from the street from traffic, passers-by and people coming out of the nearby Mossy Well pub and other restaurants and bars is high, but just about tolerable: normally the neighbourhood becomes quiet at around midnight or earlier most nights. However, I understand The Broadway Bar intends to operate as a night club 7 days a week from midday until 02.30 in the morning. In terms of sleep disruption this is clearly unacceptable, as inevitably loud inebriated groups of people will be coming and going through half the night causing a public nuisance to local residents. Furthermore there will be noise pollution leaking from the premises as well from loud music. It should be noted that given the age of our flats, sound insulation is almost non-existent.

2) This will particularly impact the particular demographic of local flat dwellers including myself: I am surrounded by either Key Workers who may well be starting early shifts, single parent mothers with young children whose lives are already affected by night noise from The Mossy Well pub, or the elderly, many of whom have long-term infirmities. Sleep disruption for any of us indisputably leads to stress, tiredness and a deterioration in the quality of our lives.

3) The absence of frequent late night public transport in the middle of the night will inevitably slow down the dispersal of crowds leaving The Broadway Bar, causing extended periods of aggravation and disruption, and will lead to more opportunities for, for example urinating on doorsteps, fighting and littering.

4) The Broadway Bar, formerly known as The Metropolitan, already has a reputation for attracting criminal behaviour. It was closed down by the police relatively recently following a shooting incident, a knife attack and numerous brawls and punch-ups in the street late at night. The manager himself was once assaulted. It is hard to see how re-opening this venue will lead to anything else but a deterioration of public order and a spike in potential criminality in Muswell Hill.

5) In terms of public safety, the gathering of crowds entering the premises will be occurring on a relatively narrow pavement which borders a steep hill frequently used by buses, heavy goods vehicles and rubbish disposal trucks. The pavement area is already relatively congested, which means pedestrians passing The Broadway Bar will often have to step into the road in order to get past if it attracts large numbers of customers through the day and night. Given that the pavement is used frequently by parents taking children to and from school or nursery, often in prams, the potential for an accident waiting to happen is all too evident.

6) The Licencing Team should also note that a licence was recently granted to an adjacent premises subject to stringent conditions and curfews: this was The Venue N10, 272,

Muswell Hill Broadway, N10 2QR which sought an identical late night alcohol and live music licence until 02.30 Monday-Sunday. I sense that the same proprietor may own both premises, and is using the Christmas period to re-apply for a nightclub licence in the knowledge that many potential objectors will be away on holiday and will not be aware that a re-application has taken place in their own neighbourhood.

I hope the Licencing Team will take these objections seriously: I fear that this proposal will make living in central Muswell Hill intolerable.

Yours sincerely, Francis Buchanan,

From: sinead Flowers

Sent: 01 January 2022 21:54

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject:

Dear Dahlia Barrett

Re: 266 Muswell Hill N10 –The Broadway Bar.

I am writing to object to the granting of a licence to serve alcohol until 2:30am at the Broadway Bar N10.

My property neighbours this restaurant - bar and due to a lack of adherence by the licence holder to the terms of their licence I am already disturbed by noise coming from the bar. The doors are frequently being left open at the back and the front resulting in patrons congregated outside smoking, shouting and littering.

Prevention of public nuisance:

The venue is supposed to be a restaurant - bar but advertises itself as a cocktail bar/ club with live entertainment and DJ. Loud music can heard from the front of the bar and the bass permeates my living room and bedroom.

People congregate at the back of my building causing a disturbance to everyone in the building. Keeping us awake to the point that the noise nuisance team have warned them on a number of occasions to turn the music down and close their doors. Despite being instructed to do this they continue to ignore this instructions which are actually the terms of the current licence.

The Prevention of crime and disorder:

The Broadway Bar attract people to the area who are drug dealing in and outside the bar. Evidence of this is apparent in people dealing in the street and at the back of our building. This impact on the immediate area with the safety of our children and those of the children's home put at risk.

I cannot see how a venue that is continually already in breach of its licence should have its licence extended. A removal of licence would be the most appropriate action.

Please give consideration to the above and do not grant the Broadway Bar N10's application for a late licence to serve alcohol.

Regards

Sinead Flowers

From: Margaret Theodore

Sent: 04 January 2022 19:22

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: Objections to Premises Licence

Re: The Broadway, 266 Muswell Hill Broadway, N10 2QR

Ref: WK/000521383

Dear Daliah

I wish to object to the granting of this Licence. If it is granted then significant changes should be considered to the licence as it currently stands. I am a resident in Ashmount Lodge just a few steps away from 266 Muswell Hill Broadway, the premises concerned, although our address is Muswell Hill.

Nightclub - proposed conditions number 2

I note that one of the conditions is that the premises will not operate as a nightclub. I understand that there is difficulty with the definition of exactly what constitutes "a nightclub". However it

seems to those of us who live in close proximity to this premises that it is indeed a nightclub. Its operational hours are late at night - it is rarely open at 11am which is officially its opening time. It does not appear to operate in the way an average bar or restaurant, or coffee shop would. It is quite obviously a night time venue, to which certain types of clientele flock from 9 or 10pm, always "dressed to impress" clearly determined to stay late and party away most of the night. This is not behaviour associated with regular pubs, restaurants, or average bars. The fact that they are asking for hours which mean they are open every night until at least 00.30, and until 2.30am every Friday and Saturday, is an indication that their main purpose is to be a night-time venue. Plus the addition of Sunday night opening until 2.30am preceding a Bank Holiday.

In other words

- there is an unwritten dress code normally associated with "nightclubs"
- their actual opening hours are almost entirely late at night
- the purpose of the premises cannot be described accurately in any other way.

The Prevention of Crime and Disorder

They may be displaying notices asking the clientele to consider neighbours on leaving, but we see evidence all the time that this does not happen. On leaving, large numbers of people congregate in our car park, and throughout our development, in order to continue their partying activities. We are all regularly disturbed by them. Our car park and Pinnacle Close are used as an outside space for this premises, with cars and people gathering during the evening as well as after 2am. This is a public nuisance. Residents are prevented from sleeping by the noise and anti-social behaviour on a regular basis. Cars also park on the pavement directly outside the premises with a lot of noise on this very narrow stretch of pavement, directly under some residents' bedrooms. The position of this premises is unacceptable being so close to a residential development. Its presence encourages crime and disorder around our properties, creating a public nuisance. Our living standards are affected by it, and its impact is detrimental to our neighbourhood. Residents are already experiencing considerable anxiety about this premises, the granting of this licence, and especially regarding the opening hours the premises are requesting. We already experience these things with the licence that is currently in place, and would like it to be revoked.

Off sales of alcohol

I object most strongly to the licence granting off sales of alcohol. This clearly encourages people to leave the premises and continue to drink and disturb us overnight in our development. This alcohol will not be taken to their homes - it is an easy way for their customers to continue to party directly outside our homes long after the official closing time. These sales will encourage more anti-social behaviour.

Changes to the licence conditions

If the licence is granted then a condition should be that they provide security to our development to ensure no customers gather there at any time during the evening, and that everyone does actually leave the area immediately after closing time.

If the premises is not "a nightclub" then there is no need to have opening hours that extend beyond 11pm. I object to these late opening hours.

Please consider these objections seriously as I know I speak for our entire community.

Thank you.

Maggie Theodore

From: Tony Shearer
Sent: 05 January 2022 11:01
To: Licensing <Licensing.Licensing@haringey.gov.uk>; Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Subject: Re: [pinnacle-n10] FW: The Broadway 266 MHB N10

Dear Licensing team,

We would like to make a representation against the licence application for The Broadway 266 Muswell Hill Broadway N10 reference WK/000521383.

We regularly have issues with the Broadway bar and their customers, all of which are likely to continue unless the licence is revoked or restricted. At the very least we would like to see the operating hours reduced to match other venues in the area, and have some enforcement in place to make sure they can meet the terms of their licence.

The issues we regularly face are:

- bass noise from the sound system can be heard and felt from within my flat (with the windows closed)
- on weekend evenings intoxicated crowds gather on the pavement outside the venue and our front door which can be intimidating to pass if returning home late.
- our front door is used as a smoking area and on many occasions the smell of cannabis gets drawn inside the building.

- the noise at closing time regularly wakes me and my family. There doesn't seem to be any attempt to disperse customers
- Broadway customers often park in our carpark and cause disturbance to residents as they return to their vehicles late at night. Damage has been caused to residents cars by bar customers using the car park (captured on cctv)
- cars regularly park on the main road outside the venue despite it being adjacent to a pedestrian crossing causing a traffic hazard. Often we have to walk on the road to get around the obstructions.

I have attached a log of some recent events along with links to video footage.

Thank you for considering my comments.

Best Regards,

Anthony Shearer

Anastasia Alexandrova

14th Oct 2021

9:30ish While watching TV bass noise heard in our living room

10:15 from bedroom balcony I could see/hear a group gathering outside the Broadway bar. Drinks in hands. 2 cars parked on the street outside the building, one on double yellows and the other on the crossing zigzags. Witnessed the occupants of the car joining the group outside the Broadway bar. Loud music was playing from their stereo. The pavement was effectively blocked off by the crowd and cars. Made a report to noise control (HC-11663019).

Noise control called back at 23:40 but noise at that time had returned to being the low level bass thump.





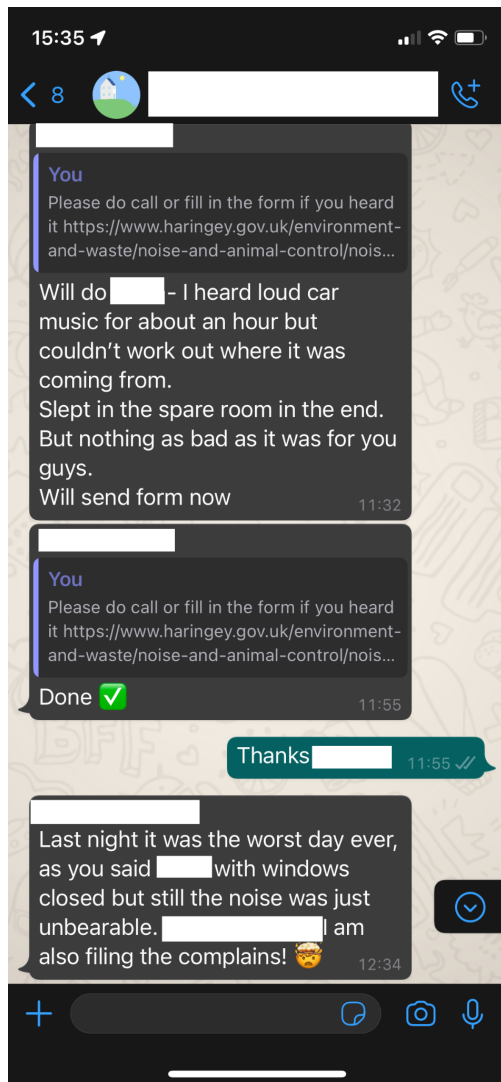
1am Very loud music woke up the whole family. From the balcony I could see a group gathered outside the Broadway bar, and 2 cars parked directly below our bedroom windows also with people gathered around them. I'm not sure whether the music was coming from the cars or the bar. The bar was still open as I could see people coming onto the street with drinks in hand. Noise and commotion continued until around 1:45am

Reported again to noise control.

Video:

https://drive.google.com/file/d/1jCGio20KaAKIWSAeolmu_GVDZ4Zc8FM6/view?usp=sharing

Neighbours also affected:



Sat 30th October

Family all woken at 3am by loud bass noise coming from the Broadway bar 266 Muswell hill Broadway. Crowds gathering and shouting outside our bedroom window, slamming car doors and horns. Noise continued until around 3:30am

Date and Time Submitted: 30/10/2021, 11:00

Noise Problem Reference ID: HC-11678524

Evening of Fri 6th November

Woken up by people shouting and cars tooting their horns directly below our bedroom window around 2:30am.

Evening of Saturday 7th November

Again woken up at 2:30am. Reported to noise control but it was after they had closed.

Noise happening now: Yes

Problem description: Loud music woke us at 2:30am from the Broadway bar. Their customers have vacated the club and are continuing to party on the street with Grey Range Rover registration EL14NDO playing loud music just below our bedroom window.

Date and Time Submitted: 07/11/2021, 02:44

Noise Problem Reference ID: HC-11687459

Video sent by email.

<https://drive.google.com/file/d/1f2lenisqP90u3Sy7ro6N-l4EHG2Hm71O/view?usp=drivesdk>

Evening of 11/11/2021

A noisy gathering of people below our window from midnight. After 10 minutes they were moved on by the bar staff, but then ran wild in the car park causing damage to cars and builders property until the police arrived at 00:40.

Video shows the group leaving the bar and being directed away by staff.

<https://drive.google.com/file/d/15nUPD0Hflz1GS7wFmmCUJyeENH5ZsU0W/view?usp=drivesdk>

19th November

Bass noise in flat, can be heard/felt despite having the tv on loud. Reported to noise control.

21st November.

Again bass noise in the flat. Can see that there is an event on in the Broadway. Reported HC-12678299. Noise control team attended but music had stopped by then

Evening of 17th December

Loud music heard from around 10pm. Bass noise which could be heard despite having the TV on.

Called noise control ref HC-12728922

Went to bed with earplugs in but still woken up at 2am when the party moved to the street. Lots of high pitch screams, shouting etc right outside our window. Eventually they moved on to the car park to terrorize other residents.

Video

<https://drive.google.com/file/d/1CAwTM3cSLgmBvSNIFMvAi7rttdjUexVB/view?usp=drivesdk>

Evening of 28th December

Woken just after midnight by screaming and shouting from the crowd gathered outside the Broadway. There was no sign of any security on duty.

A bit later cars parked (on the crossing) tooting horns and revving engines.

https://drive.google.com/file/d/1TS3-_aKZyVupAoe88PMXLszNucqoe8Xt/view?usp=drivesdk

<https://drive.google.com/file/d/1-oMwwlumLB1zC-QFju3texgQYTAy1HgL/view?usp=drivesdk>

Evening of 31st dec 2021

Got back home at 00:40 to find a group of young men gathered in the doorway of our building. There was an overpowering smell of cannabis. It wasn't raining so I can only assume that they were huddled in the doorway so that

- a) the broadway door staff could claim ignorance by turning a blind eye
- b) it was happening on someone else's property,
- c) they are out of shot of the CCTV camera on the front of ashmount lodge.



We were quite intimidated having to pass through this group in order to reach our front door. Later from my balcony I witnessed them returning to the Broadway.

The weed smell was still strong even from inside and we were woken several times by the noise of groups gathering to smoke below our bedroom window.

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-----Original Message-----

From: Joyce Adams

Sent: 05 January 2022 12:52

To: Licensing <Licensing.Licensing@haringey.gov.uk>; Barrett Daliah

<Daliah.Barrett@haringey.gov.uk>

Subject: Objections to application for a new license - The Broadway, 266 Muswell Hill Broadway, N10 2QR - REF: WK/000521383

From Joyce Adams

Dear Daliah

As a resident living almost next door to the above premises I write to object to the granting of a new license for The Broadway. My reasons are as follows:

The Prevention of Crime and Disorder

The residents of Ashmount Lodge and Pinnacle Close are regularly disturbed by the activities of the clientele upon leaving the Broadway. Their cars are often illegally parked on the pavement outside our building until 2.30/3am with windows open, loud music playing, people dancing and drinking in the street with absolutely no regard for the residents (and their small children) living above and nearby who are trying to sleep. This has often occurred on Sunday night/ early hours of Monday mornings when people have to get up early for work/school etc. The clientele also use our private car park as their own - blocking the residents cars and double parking their cars across the entrance to the car park, on many occasions we have had to call the police to intervene with drug taking and we have submitted recorded footage of clientele jumping and dancing on our cars. The bar owner makes no attempt to prevent this anti social behaviour from happening.

Nightclub

It states that the premises will not operate as a nightclub, however I believe that it already operates as such. Despite advertising it's opening hours from 11am and giving it's description as a coffee and cocktail bar, it is very rarely open during the day and often it is completely closed until 7 or 8pm. The clientele arrive dressed up to the nines ready to party rather than have a coffee which would explain why they need to stay open until 2am, not even pubs operate these opening hours, only night clubs.

Off sales of alcohol

I strongly object to the off-sale of alcohol. We already have a problem in and around the development with clientele sitting drinking in our doorway, in the car park and in the street directly outside our building. Selling off-sale alcohol will only encourage further antisocial behaviour after the venue has closed. It serves no purpose other than to generate extra revenue for the Broadway and create more mayhem for the residents.

For the reasons stated above I strongly object to this license being granted, please take into consideration the feelings of the local residents and the detrimental effect it will have/ is having on our community. We have logged many complaints with the Haringey Noise line and the police which I hope will also be taken into account when making your decision.

With thanks

Regards

Joyce Adams

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From: Andy Peppiatt
Sent: 05 January 2022 19:28
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: The Broadway 266 MHB N10

Hello

I am writing to make **my objection known to the application for a new Premises licence at The Broadway 266 Muswell Hill Broadway N10.**

I have absolutely no confidence in the current owners ability to influence and manage the patrons who already regularly create disorder and anti-social behaviour in and around the Pinnacle development. I can only see this situation escalating if this new application is granted.

The owner has also made no attempt to consult or engage with the local community about the existing problems we experience. Countless times I have reported noise disturbance and/or called the police when I have witnessed anti-social behaviour, such as drug-taking, public urinating and intimidating behaviour. Which I/we as residents of Ashmount Lodge have recorded as evidence that it links back to patrons of The Broadway.

Many of us who live here have young families (myself included) and I/we want to protect them from public nuisance and raise them in a safe environment. I do not want to be hassled when I go to and from my private car parking bay. We are tired of being disturbed by the uncontrolled clientele from a bar owner that has no concern or respect for their neighbouring community.

Andy Peppiatt

From: Justin Hinchcliffe <

Sent: Thursday, 6 January 2022, 16:02

To: Licensing

Subject: The Broadway - 266, Muswell Hill Broadway, N10 2QR - new application under the Licensing Act (2003)

As a local ward councillor I urge you to refuse this new application for The Broadway Bar, which can only worsen the impact of the bar upon local residents, many of whom are families with young children. The current opening times are already problematic. Any extension of alcohol sales and live/ recorded music later into the night/early morning would make matters even worse.

Muswell Hill Broadway is a mixed commercial/ residential area--but mostly residential. Typically, one floor of retail with three floors of residential above. Over the years, some of these groundfloor premises have changed use from a principally daytime retail usage to an evening entertainment usage. This means they are noisiest at precisely the times when their residential neighbours most need quiet to have peaceful enjoyment of their homes, and to enable residents, especially children to get a good night's sleep.

Anyone running an entertainment business in a residential area must expect considerable constraints that they would not face in a city-centre entertainment district. It is part of the price of doing business in a residential area. If the applicants object that their business is only financially viable if they can have these longer hours and relaxed constraints, then they are either paying too much rent or trying to run the wrong kind of business in these premises. Either way, local residents should not have to literally 'lose sleep' over the applicants' financial challenge.

Therefore I wish to object to this in all four areas allowed by the Licensing Act (2003).

1) The Prevention of Crime and Disorder

I understand several residents have footage of anti-social behaviour (criminality) and the local police teams are aware of, and have responded to, 101 and 999 calls relating to patrons attending/leaving this venue (under the influence of alcohol or worse?). The bar's failures to get to grips with these problems is a cause for concern. I am not convinced extending hours here would help them with that task - especially when, due to funding issues, the thin blue line is now barely visible.

2) The Prevention of Public Nuisance

Residents have already reported how a mixture of allowing for live and recorded music and patrons failing to respect neighbours are already big concerns. Residents' sleep - and quality of sleep - are impacted. Many wake up, after a disturbed sleep, tired and agitated. This includes children. Surely the right to sleep and raise a family are basic human rights?

3) The Prevention of Children from Harm

This definition of 'Harm' is arguably broad and/or undefined. I would argue that many children's educational, emotional, mental and physical health are being jeopardised because they simply can't get a good night's rest/sleep.

4) Public Safety

Residents tell me that they and their homes don't feel safe -- especially at closing time -- 02:30 on a Friday to Saturday morning. Many patrons are fueled by, at best, alcohol (see above). We are in the middle of a global pandemic and our emergency services are already severely hampered by Covid infections, the need for key workers to self-isolate, restrictions and in the case of the NHS, bed shortages. Any local authority granting new extendable licences during this period should be mindful of public safety and act accordingly.

Cllr Justin Hinchcliffe,

Fortis Green.



Licensing Authority
River Park House
Level 1 North
225 High Road
London
N22 8HQ

Licensing Unit
Edmonton Police Station
462 Fore Street,
London
N9 0PW

PC Justyna Golota 2211NA
Justyna.Golota@met.police.uk
www.met.police.uk

27 December 2021

**Representations to reject New Premises License Application at The
BROADWAY, 266 Muswell Hill Broadway, Hornsey, London N10 2QR**

Dear Licensing Team,

This application is submitted on behalf of the Broadway Muswell Hill Ltd and Mr Morgan who is a DPS of the premises for current licence. This application is relating to a ground floor high street building imbedded in between residential premises from above as well as to the left, right and directly opposite. Furthermore the front glass double door spill on to a pedestrian pavement, on a restricted road with no parking facility. Therefore additional conditions were imposed to prevent local residence having issues with Antisocial Behaviour and Public nuisance.

I write on behalf of the Commissioner of the Metropolitan Police. I wish to reject the application for a new premises license at The BROADWAY, 266 Muswell Hill Broadway, Hornsey, London N10 2QR on the grounds Prevention of Crime and Disorder as well and prevention of Public Nuisance, and Public Safety.

The above mentioned premises operates on existing licence granted to the venue in November 2005 and subsequently reviewed in 2017 by the Met Police following concerns of Anti-Social Behaviour and other issues. Where the Police were asking for additional conditions to be added to the licence but the Licencing Sub-Comity determined to revoke the licence. The licence holder at that time have appealed the decision and the matter was reviewed by the Magistrates who sought to remove the revocation and instead impose further conditions on the then licence holder.

The premises was sold in 2019 and Mr S Morgan took over the existing licence.

In 2020 the licence were transferred to Mr Morgan.

Taken all under consideration when reviewing the new application that Mr Morgan inherited the licence and restricting conditions, I have attempted to speak to Mr Morgan over the phone with contact details provided by himself on the transfer of the licence but I was unsuccessful.

I have contacted Mr Morgan legal representation using the details provided on the new application.

I was told that the new application was submitted because the conditions in appendix 3 do not apply to Mr Morgan as they have been imposed during premises operations under another DPS.

Reading through the conditions in appendix 3, the conditions have no relevance to the DPS current or previous. The conditions only impose further restrictions on the venue in relation to operational procedures under the Licensing Act 2003. The following was stated in the conditions:

Highgate Magistrates Court: 6th March 2018

1. The licence only permits the sale of alcohol, recorded music and late night refreshment. No other licensable activities are permitted by the licence.
2. Sales of alcohol, and recorded music to be permitted between 1100 and 0000 on Sunday to Thursday and between 1100 and 0200 on Friday and Saturday (and any Sunday that proceeds a bank holiday) only;
3. Sales of late night refreshment to be permitted between 2300 and 0000 on Sunday to Thursday and between 2300 and 0200 on Friday and Saturday (and any Sunday that proceeds a bank holiday) only;
4. The premises shall be permitted to be open only between 1100 and 0030 on Sunday to Thursday and between 1100 and 0230 on Friday and Saturday (and any Sunday that proceeds a bank holiday);
5. The premises shall be permitted to open until 0400 on New Year's Eve, with all licensable activities to cease by 0330;
6. Christmas Eve the premises to open one hour longer than ordinarily permitted on that day, with licensable activities to cease 30 minutes before that time.
7. The following conditions shall be added to the licence:
 - a. The premises must not be used as a nightclub.
 - b. After 2300 on any day, all alcohol shall be sold only at a table with a meal.
 - c. Sound from the premises shall not be audible at the front façade of the nearest residential premises at any time; and
 - d. There shall be no entry permitted after 0100 on any day

Following this I have discovered that since Mr Morgan was granted the role of DPS on the premises licence in 2020 there was number of police reports relating to ASB linked directly to the venue. Covering the period between May 2021 until November 2021.

Reference numbers apply:

DATE: 21/08/21

CAD 3281/21AUG21- ASB

DATE: 20/08/21

CAD 220/20AUG21 - ASB

DATE: 15/06/21

CAD 7307/15JUN21- ASB

CAD 7555/15JUN21 –ASB

DATE:12/06/21

CAD 1082/12JUN21- ASB

DATE: 23/05/21

CAD 988/23MAY21 – ASB

DATE: 18/05/21

CAD 8434/18MAY21 - ASB

CAD 6502/18MAY21 - ASB

Following the calls to police an email, dated 18/05/2021 was received by Licencing Authority supporting the reported ASB calls, describing a breach of licence due to loud music being heard by local residence.- see above condition 7 .point c.

Following this information my colleague PC Ewart has attempted number of times to contact Mr Morgan, to address and resolve the issues raised, by working and supporting the venue and the community. But details hold by police and licencing authority were incorrect and the emails sent to Mr Morgan following the visits to the premises were left with no replies.

Following my colleagues visits to the venue three (3) different email addresses were obtained:
vas@nateandnico.com
info@thebroadway.co.uk
vas@tingslondon.com

As well as the visits, number of calls and a number of emails was sent to Mr Morgan in relation to the complaints, covering all three email addresses provided. Please see content of the emails as follows:

Dear Mr Morgan

Firstly by way of introduction I am the Police licensing officer that covers your premises .I have received complaints via the London Borough Of Haringey and have seen video evidence of continued anti-social behaviour around patrons outside your premises in and around closing time .This consists allegedly of disturbances ,Shouting and on occasions disorderly behaviour .I have tried to contact you on both the landline for your premises and your mobile telephone .The landline appears inoperable and your mobile goes to a provider message .I would ask that you provide me with contact details so I can speak with you.

Having looked at your premises license it is a condition that you ask patrons to leave in an orderly and quiet manner being respectful of the residential neighbours .It is also noted that you have SIA security .I would ask that with the weekend approaching that your security is diligent in enforcing these conditions and that if anti-social behaviour is evident you inform the Police either on 101 or 999 In an Emergency.

I do not want this behaviour by a few people to impact negatively upon your premises reputation and develop into a situation whereby it is felt the licensing objectives are not being upheld .We will be tasking Further Police patrols in the area but would ask as it is your responsibility to uphold the objectives that you deal with any issues diligently before the situation escalates .I am aware that my colleagues have had to attend in the recent past in order to deal with issues and I would like to avoid any further issues .

I look forward to your reply.

Kindest Regards

We still have not been able to have a professional conversation with Mr Morgan in relation to the issues raised by community where the premises is located.

Police believes that Mr Morgan has not upheld fully to his responsibilities/duties as current DPS mainly – act as primary contact for local government and the police.
As per guidelines/responsibilities of the role of a DPS accessible on the internet government website the following is stated:

Designated premises supervisors -A designated premises supervisor (DPS) is the person who has day-to-day responsibility for the running of the business.

All businesses and organisations selling or supplying alcohol, except members clubs and certain community premises must have a designated premises supervisor.

Whoever holds this role must be named in the operating schedule, which you will need to complete as part of the application process, when you apply for a premises licence.

What the DPS does - The person chosen to be designated premises supervisor (DPS) will act as primary contact for local government and the police. They must understand the social issues and potential problems associated with the sale of alcohol, and also have a good understanding of the business itself.

While they need not be on site at all times, they are expected to be involved enough with the business to be able to act as its representative, and they must be contactable at all times.

If the police or local government have any questions or concerns about the business, they will expect to be able to reach the designated supervisor.

Each business may have only one supervisor selected for this role, but the same person may act as the designated supervisor at more than one business.

As stated above Mr Morgan is not contactable, therefore issues with the outstanding complaints relating to anti-social behavior are not resolved or addressed by the venue.

I have included premises log entrance as evidence of police very recently attempting contact with Mr Morgan:

EMAIL

further to last Mr Morgan is yet to return my calls or email message and as such I am unable to communicate with him to address any issues at the premises .I will therefore be looking to visit the premises initially to address these issues .

*****26/11/2021 - Task Created by PC 1277NA Derek Ewart

*****AIRSPACE REF - YRI21787, OTHER REFS - , CREATED - 26/11/2021, COMPLETED -

EMAIL

have emailed DPS regarding info from LA from local residents that ASB is starting outside the premises and disturbing local residents .After 2 email addresses for DPS bouncing and the mobile for the DPS being unobtainable ,I telephoned the premises and spoke with staff who have provided a new email .I await a reply from DPS

*****12/11/2021 - Attachment 'email to dps FW Licensing and Anti Social Behaviour at the Broadway Public House' added by PC 1277NA Derek Ewart

*****12/11/2021 - Task Created by PC 1277NA Derek Ewart

***** AIRSPACE REF - YRI21733, OTHER REFS - , CREATED - 12/11/2021,
COMPLETED -

This clearly is showing that the amendments in appendix 3 of current license LN/0001284, LN00003138 are very relevant to the venue as the issues have not been yet addressed or resolved by the DPS or the venue itself. Nether contact was made with the police in relation to the complaints, following number of visits and emails send relating to this matter.

Therefore police believes that new application would lead to further issues with the Anti-Social Behavior and Public Nuisance, as the additional restrictions imposed on the venue in 2018 would no longer apply.

The venue have demonstrated that they do not uphold fully to the current license, and do not act to resolve the issues it caused. As it stands the venue is still contributing to Anti-Social Behavior in the area causing Public Nuisance and forcing residence of local community to complain. There have been no action from the venue to address and/or resolve the outstanding reported to the police issues.

Police believes that to achieve all four (4) Licensing objectives the must be a strong partnership between the DPS, the venue, local authority and the police. As demonstrated above unfortunately police do not have the confidence in this application.

I reserve the right to provide further information to support this representation if requiered.

Regards,

A handwritten signature in cursive script that reads "Justyna".

PC Justyna GOLOTA 2211NA
North Area Licencing Officer.

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From:

Sent: 18 December 2021 13:39

To: Cllr Chenot Sakina <Sakina.Chenot@haringey.gov.uk>; Cllr Hinchcliffe Justin <Justin.Hinchcliffe@haringey.gov.uk>; Cllr Ross Viv <Viv.Ross@haringey.gov.uk>

Subject: Re: [pinnacle-n10] The Broadway - Antisocial Behaviour, Pinnacle/Ashmount Car Park, 18/12/21

Hi Joyce

Thank you for providing the video footage to support our additional complaint about the noise, antisocial behaviour and illegal parking last night by patrons of the Broadway. Ours and our children sleep was again unnecessarily disturbed by this bar which serves no value to the actual community in Muswell Hill. These weekly disturbances continue to impact on our sense of well-being and safety

Kind Regards

Emily

On 18 Dec 2021, at 13:33, Joyce > wrote:

Hello Daliah

Please find a link below to yet another video clip recorded at 2.30am this morning showing the clientele of The Broadway bar parking cars in our private car park, shouting, hooting, playing music loud enough to wake residents living above.

I have reported this to the Haringey Noise line but I would like the licensing department to take this into consideration, along with ALL the countless other antisocial incidents which we have recorded and reported, when you are making your decision regarding the new license application for The Broadway.

As mentioned before, the Broadway bar is having a severe detrimental effect on our development and the surrounding community, we (the residents) are continuing to do our bit to report and log every incident but ultimately the decision rests with the licensing department. We have shown you many examples of antisocial behaviour, etc directly linked to The Broadway since it has been operational - and the situation continues to get worse not better. At what point will the licensing

department admit that The Broadway has failed to fulfil its licensing obligations, and in turn is failing our local community - At what point will you just say NO?

Regards

Joyce

<https://drive.google.com/file/d/1CAwTM3cSLgmBvSNIFMvAi7rttdjUexVB/view>

--

From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 22 November 2021 08:46
To: 'bianca morgan' <
Cc: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: THE BROADWAY 266 MHB WARNING NOV 21

Dear Bianca,

Please see attached.

Regards

Daliah Barrett

Licensing Team Leader

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**Savvas Morgan,
The Broadway
266 Muswell Hill Broadway
London N10**

Your Ref:

Our Ref: Licensing

Date: 22nd November 2021

WARNING LETTER

Dear Savvas,

**LICENSING ACT 2003 - SECTION 7 – THE BROADWAY 266 MUSWELL HILL
BROADWAY LONDON N10.**

We have previously advised you of the need to ensure compliance with the terms of the licence. Enforcement Officers carried out a visit on Friday 19th November 2021 and found the following non-compliance:

- The premises was being operated as a night club.
- The requirement for a table meal after 2300 on any day with alcohol was not being complied with. A table meal is not finger foods or snacks for clarity.

Please submit CCTV footage for the venue from 22:30 on 19th November 2021 until 03:00 on the morning of 20th November 2021.

Please submit the footage showing the entrance and inside the venue no later than Tuesday 23rd November 2021.

The onus is upon you as the person in control of the business to ensure compliance with the law.

Yours sincerely

**Daliah Barrett-Williams
Licensing Team Leader**

Licensing Team
Level 1 River Park House
225 High Road
Wood Green
London, N22 8HQ

T 020 8489 8232
E licensing@haringey.gov.uk

www.haringey.gov.uk

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>

Sent: 10 November 2021 15:52

To: 'bianca morgan'

Cc: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: RE: Antisocial behaviour - The Broadway, 266 Muswell Hill Broadway, N10 2QR Saturday 6th and Sunday 7th November

Hello Bianca

Can you also check your website information and ensure that you are not offering hours of operation that are not permitted on the licence. Sundays timings on the website seem to be offering till 1am when this is not the case.

Please advise of the steps/measures you are putting in place to deal with the concerns raised by the residents emails I have shared with you?

Supply of Alcohol

Regulated Entertainment: Recorded Music

Provision of Late Night Refreshment

The premises will not be operated as a night club.

The times the Licence authorises the carrying out of licensable activities:

Supply of Alcohol

After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.

Sunday to Thursday 1100 to 0000

Friday to Saturday 1100 to 0200

Recorded Music

Sunday to Thursday 1100 to 0000

Friday to Saturday 1100 to 0200

Supply of alcohol and Recorded Music on Sunday that proceeds a Bank Holiday only from 1100 to 0200 hours. New Year's Even until 0330 hours.

Provision of Late Night Refreshment

After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.

Sunday to Thursday 2300 to 0000

Friday to Saturday 2300 to 0200

Any Sunday that proceeds a Bank Holiday only from 2300 to 0200 hours. New Year's Even until 0330 hours.

The opening hours of the premises:

Sunday to Thursday 1100 to 0030

Friday to Saturday 1100 to 0230

Sunday that proceeds a Bank Holiday only from 1100 to 0230 hours.

New Year's Eve until 0400 hours.

Christmas Eve to open one hour longer than ordinarily permitted on that day, with all licensable activities to cease 30 minutes before that time.

From: Barrett Daliah

Sent: 08 November 2021 16:36

To: 'bianca morgan' <biancamorgan90@yahoo.com>

Subject: FW: Antisocial behaviour - The Broadway, 266 Muswell Hill Broadway, N10 2QR Saturday 6th and Sunday 7th November

Sent: Sunday, 7 November 2021, 20:16

To: ASB.Enforcement@haringey.gov.uk; Barrett Daliah; Licensing

Cc:

Subject: Antisocial behaviour - The Broadway, 266 Muswell Hill Broadway, N10 2QR Saturday 6th and Sunday 7th November

To Whom it May Concern

I write to inform you of an ongoing antisocial problem with the patrons of The Broadway, N10 2QR. Most weekends residents of Ashmount Lodge are being disturbed and awoken in the early hours by loud music being played in cars illegally parked on the pavement outside the venue and in front of our building, directly below several bedrooms, causing distress to the residents (including small children trying to sleep).

This morning (Sunday 7 November) at 2.30am loud music could be heard emanating from cars with their doors open as well as people shouting and dancing in the street, blocking the pavement and blocking access to our front entrance (see video attached). What appears to be an empty drug wrap and remnants of a cannabis joint were found discarded in our doorway this morning (see photo attached).

The previous night, (Sat 6 Nov) several cars had parked across residents bays in the Ashmount Lodge car park, seemingly patrons of The Broadway. At 2.30am a queue of cars, playing loud music with car doors open were hooting with passengers shouting, directly beneath residents bedrooms.

This is becoming a regular occurrence, causing local residents stress and concern - we are reporting each disturbance via the Haringey website but as it isn't possible to include videos or photographs, I wanted to email directly.

We would like to know who is responsible for checking the compliance of the license for The Broadway, does anyone from the council actually visit the premises during operating hours to see whether they are in breach of their license? serving alcohol without food? Are security staff manning the door? (if so, why are their patrons being allowed to congregate in the street and not being moved on)? Does anyone check or monitor their CCTV?

Lastly, I notice that The Broadway's website advertises a Sunday closing time of 01.00am, please confirm whether this is correct as we were under the impression this should be 12.30am.

I look forward to hearing from you.

Regards



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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>

Sent: 08 November 2021 16:36

To: 'bianca morgan' <

Subject: FW: Antisocial behaviour - The Broadway, 266 Muswell Hill Broadway, N10 2QR Saturday 6th and Sunday 7th November

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I look forward to hearing from you.

Regards



From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 08 November 2021 16:33
To: 'bianca morgan' <biancamorgan90@yahoo.com>
Subject: FW: The Broadway

[See below](#)

Sent: 08 November 2021 16:07
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Subject: The Broadway

Hello Daliah

I write in exasperation considering an ongoing problem with the licenced premises at 266 The Broadway Muswell Hill. (N10 2QR).

For several weeks the residents in Ashmount Lodge Muswell Hill and other neighbours have been plagued by noise as late as 3am outside the Broadway.

When the venue closes the party continues in the street with loud music and yelling keeping us awake even when our windows are closed. It usually wakes me up when the dedicated noise department at Haringay is closed.

We have complained online but this appears to be useless.

They usually have no bouncers outside and when they do the customers still congregate in the street. It seems obvious that they totally ignore their licencing rules. It is purely being run as a late night drinking club.

We have video evidence of disturbance if required.

I would be very happy for them to succeed if they will only keep to the rules of good behaviour.

I am at my wits end as environmental health appears useless.

I will give it a short time and if it doesn't improve I will try our MP and the police.

Please help us.

Regards

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 19 August 2021 23:55
To: Bianca Morgan <>; Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: Noise complaint

Hello Bianca

I think we are now at the stage where the license will be reviewed by residents as the music emanating from the premises is excessively loud.
Residents living in accommodation across the road from the venue are being unduly disturbed.
I am at a loss as to why there is loud music coming from the premises in the first place.

Who is managing the venue? Clearly they are not enhancing the businesses as it is being highlighted for enforcement action

Regards
Daliah Barrett

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 17 October 2020 23:02
To: bianca morgan <
Subject: Re: TIER 2 INFORMATION FOR BUSINESSES

Hello Bianca

I am receiving complaints of The Broadway customers loitering. At the rear of the premises causing a nuisance. Please let me know what is happening as the premises should be closed at this time.

Regards
Daliah Barrett Licensing Team Leader

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From: bianca morgan <
Sent: Friday, October 16, 2020 7:42:27 PM
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Subject: Re: TIER 2 INFORMATION FOR BUSINESSES
Thank you x

On 16 Oct 2020, at 19:06, Barrett Daliah <Daliah.Barrett@haringey.gov.uk> wrote:

Dear Trader,

With London entering into Tier 2 we wanted to share the attached information with you to allow you to make the necessary changes to your risk assessments and day to day operational management to ensure that you are operating within the regulatory requirements.

Kind regards

Daliah Barrett

Covid 19 Concerns Response Team.

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<TIERS 2 INFO FOR BUSINESSES.pdf>

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 07 August 2020 17:14
To: 'Bianca Morgan' <<
Subject: COMPLAINTS

Hello Bianca

You were going to respond back to me on the various issues raised from the opening night.
Regards
Daliah Barrett

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From: Barrett Daliah

Sent: 02 August 2020 22:26

To: Bianca Morgan <info@thebroadwaymuswellhill.co.uk>

Subject:

Hi Bianca

Who is Andrew Phaedonos? Is he/ was he previously involved with the previous owner Mr Ioannou?

He seems to have posted things on Facebook about the premises since early 2020? Residents are advising me.

Regards
Daliah

Get [Outlook for Android](#)

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 02 August 2020 07:19
To: Bianca Morgan <
Subject: Fwd: The Broadway Bar, opposite Wetherspoons

Hello Bianca

I do hope your opening party went super well and your invited guests came out to support you.

Please see complaint below and note that your customers will need to know that they cannot go to the rear of the property to smoke and consume drinks. I am not aware of there being a rear outside space.. customers cannot park in this area either I would assume there is signage there indicating it is private property.

Let's discuss on Monday how the matters raised in this email and the previous one will be sorted out.

Regards
Daliah Barrett Licensing Team Leader

Sent: Sunday, 2 August 2020, 00:51
To: Cllr Ross Viv; Barrett Daliah; Cllr Hinchcliffe Justin; Cllr Chenot Sakina; Cllr Connor Pippa; Cllr Ogiehor Julia; Cllr Emery Scott
Subject: Re: The Broadway Bar, opposite Wetherspoons

Dear Councillor,

Already we have had concerns raised about groups of people standing, drinking and smoking at the back of *The Broadway*. This has caused some of our residents to have a disturbed sleep. As residents, we are concerned that this is the opening night of this bar/restaurant/club and already the patrons/owners are breaching the terms of their licence, as it is already creating a public disturbance and the back of the premises is not a public space and therefore should not be treated as such. We considered your email from yesterday; however, this matter already is extant and that there was loud noise from the premises does not augur that the owners are considerate of this area.

We believe that this needs to be immediately addressed by the licensing team. If the patrons want to smoke, drink they should do it in a designated public smoking

On Fri, 31 Jul 2020 at 14:46, Cllr Ross Viv <Viv.Ross@haringey.gov.uk> wrote:
Dear all,

We are aware that the Broadway Bar is planning a grand opening this weekend, which the Mayor is attending.

They are planning to have a singer for an hour and a DJ - they have carried out their Covid secure risk assessments also.

The local Police have dropped by to meet and greet the new owners.

The premises is presented clearly as a restaurant /bar and is able to offer music, so we have no issues there. I understand the normal hours of trade will be 11am- 11pm, the licence does allow for longer periods up to 2am if they wished to do so.

The terms of the licence are as follows:

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Regulated Entertainment: Recorded Music

Provision of Late Night Refreshment

The premises will not be operated as a night club.

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Recorded Music

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New Year's Eve until 0400 hours.

Christmas Eve to open one hour longer than ordinarily permitted on that day, with all licensable activities to cease 30 minutes before that time.

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:

Supply of alcohol for consumption ON and OFF the premises.

The new owner is a Ms Morgan and will no doubt wish to get to know local residents.

Info@thebroadwaymuswellhill.co.uk

Please be assured that Councillors will watch how the bar operates once it is open as we are well aware that there have been problems with this venue under different management in the past.

Kind regards

Viv Ross

Viv Ross | Councillor

Fortis Green Ward

T 0208 444 9516

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 02 August 2020 00:23
To: Bianca Morgan <
Subject: Fwd:] The Club (drinks cafe)

Hello Bianca

Please see emails below. Can I have your response please.
Can you let me have photos of the bins painted gold also please.

Regards
Daliah Barrett Licensing Team Leader

Sent: Sunday, 2 August 2020, 00:10
To:
Subject: Re: The Club (drinks cafe)

I'd also like to add, it very very much looked like there was no food being served at all post 11 pm!

Dalia, apologies for bringing this up again and again but if this was your street you would be impressed either. I strongly believe this needs to be looked in to!

To all residents, this just brings the property development down and down which is sad!

Even a barrier at both ends would be some what sufficient!

Sent from my iPhone

On 1 Aug 2020, at 23:56,
I thought I would be clear:

People are parked in our car park
People are blocking our entrance in to the car park
we've just been sat flashing our lights for a while to get people to move!
People are queuing outside ashmount to get into the bar
There's been cans and pizza boxes everywhere

... this is going to become a problem! A barrier at one end will not do the job.

I understand everyone has a different opinion In regards to money and what should be done but sadly if this keeps happening which it will the only real solution is proper security and not barriers! (You can't complain about it if you're not willing to contribute to a real solution, apologies for the bluntness!)

Sadly, what has been proposed is not a long term solution!

Hillgate, something has to be done! This road is private property and at weekends / late evenings there needs to be more here to protect the residents!

Thanks

Sent from my iPhone

On 28 Jul 2020, at 22:28,
I just walked past and "The Broadway" is actually open tonight.....didn't see much food being served, they must get that out at 11pm....

Mossy is also pretty busy for a Tuesday.

<image0.jpeg>

Kind Regards

On 28 Jul

Hi All,

One of the new owners of the club has been spraying gold paint by our bins. We pointed out that it is private property but she has continued. She has made a feeble attempt to clear it up. Please be vigilant we are going to have problems.

Again it is not a cafe but a drinks bar. It is dominated by a large bar.

I am also sure that everyone will park in our car park when it opens.

Regards to all a worried

--

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To unsubscribe from this group and stop receiving emails from

To view this

From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 02 August 2020 07:19
To: Bianca Morgan <info@thebroadwaymuswellhill.co.uk>
Subject: Fwd: The Broadway Bar, opposite Wetherspoons

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Info@thebroadwaymuswellhill.co.uk

Please be assured that Councillors will watch how the bar operates once it is open as we are well aware that there have been problems with this venue under different management in the past.

Kind regards

Viv Ross

Viv Ross | Councillor

Fortis Green Ward

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date	time	complaint by	complaint	how received	Officer Notes	Outcome
11/10/2020	20:26	resident	Calling to report that the neighbouring premises has the doors open which is creating alot of noise from the music they are playing. This has been happening for the past 2 hours now	Phone	Visit Premises. Music could be heard on the street. Spoke to the owner/manager who immediately turned down the music.	noise confirmed - reported
11/10/2020	21:32	Resident	Very loud music coming from the Broadway bar on Muswell hill. It can be heard from the street and my living room with the windows closed.	Phone	Contacted Complainant. Noise stopped. No Visit	no visit
23/05/2021	01:32	resident	The Broadway bar in Muswell Hill is breaching it's liscence. The condition of it's license is that noise should not be heard outside the premise. As a resident I can hear the noise inside my flat.	email	Already spoken to Mr Callum Quinn of the same address	no visit
23/05/2021	23:42	resident	Loud music from the bar thumping bass from the broadway nigh club can be heard throughout our aptmnt even with the windows closed. even louder than last time.	email	Complainant stated that the business will be closed by the time we arrive there-he's concern is about the breach of licence-to email Daliah.	nuisance not established
27/06/2021	18:35	resident	noise and thumping bass from the club. licence states noise should not be heard from outside the club, but door has been left openwith music playing. ongoing since around 5pm. noise is more audible from the back where dukes mews is	email	comp says noise is not on now but was on last night, the whole property shakes, advised comp to download noise app and submit visited 20:48 - arrived at back of premises and music was slightly audible -(music could not be heard from the front of the premises) no way excessive or loud, couldnt make out any words from songs that where being played. no people gathering around the venue smoking or drinking, could hear very slight bass - spoke to manager of the broadway and told her to turn down the music slightly which she did - called comp back and asked him if he could hear the music which he said he couldnt, told manager to keep the music at theat level and no higher going forward to avoid further complaints	no visit
27/06/2021	19:03	resident		email	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence.	noise resolved
19/08/2021	23:48	resident	Loud music and back doors open which is breach of licence conditions caller is unable to sleep and working early tomorrow	email	We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	noise resolved
19/08/2021	22:57	resident	Caller reporting loud music/drum and bass from the Broadway Bar and states this is an ongoing issue	email	visited 23:50 - front door was closed on arrival but the rear door was open. words of advice given. Complainant would not allow entry to property due to covid fears	nuisance not established
19/08/2021	23:18	resident	thumping bass noise from the Broadway bar, 266 Muswell hill Broadway can be heard in my bedroom with the windows shut. This is now a regular occurrence which prevents me from sleeping send an enforcement officer to investigate. Reference ID: HC-11585652	website	none recorded	log only
20/08/2021	09:59	resident	Loud music from The Broadway Bar, 266 Muswell Hill Broadway, disturbing neighbouring residents. Until 11.30pm ID: HC-11585827	website	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence.	no visit
15/08/2021	01:14	resident	Loud music from the Broadway bar, 266 Muswell hill Broadway, N10 2qr. Can be heard in my bedroom with windows shut.	website	We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	no visit
29/08/2021	23:20	resident	Loud music and people speaking outside and loudly. Music seems to come from a car that has all doors open	email	email to complainant - We have issued a warning about the need to control noise from loud music and their customers today. We have also reminded them of the need to comply with the conditions of their licence.	no visit
22/09/2021	00:01	resident	Thumping bass is emanating from The Broadway Bar into my home.	email	We hope this will resolve the matter but if this does not please report future incidents to us so that we can build a case for enforcement. We will review this matter then and determine the next steps.	no officer on duty
26/09/2021	00:35	resident	reporting an ongoing issue of loud bass music coming from this licensed premises. It's meant to be a restaurant. An email has already been sent saying that if this happen again action will be taken. They were given their license back with conditions.	email	none recorded	log only
07/10/2021	23:06	resident	loud music	email	as arrived at location could see front doors open and music coming from premises. Spoke to manager who stated that the security door staff had to call in sick. advised regareding leaving the door open. Spoke to comp after door was closed and he advised that he could no longer hear it. Advised comp that we were on all weekend and if the doors were left open to call us back.	nuisance not established
09/10/2021	20:06	resident	hear the noise from a club next door in my living room	email	as we arrived on scene we could clearly hear music outside the premises. went in and spoke to the Manager on site called Andrew Theo. He could not produde the licence on site at the time of visit stating that it got knocked off the wall and they were awaiting a replacement. He was advised that the only music allowed was background music and that the current volume was too high. He had a DJ on for what looked like a birthday party.	sent to licensing
30/10/2021	11:00	resident	Family all woken at 3am by loud bass noise coming from the Broadway bar 266 Muswell hill Broadway. Crowds gathering and shouting outside our bedroom window, slamming car doors and horns. Noise continued until around 3:30am	website	no action recorded	

30/10/2021	14:02	resident	Loud noise last night until 3am.Cars parked on the pavement with their doors open and loud music blaring .Partying outside 266 Muswell Hill Broadway after it closes .This happens regularly. ID: HC-11678622	website	no action recorded	
31/10/2021	18:07	resident	1.30am Sunday 31 November shouting and loud music emanating from outside The Broadway club. Parked cars playing loud music and drunk patrons shouting whilst standing outside on the pavement directly below bedroom windows. ID: HC-11679607	website	no action recorded	
07/11/2021	02:44	resident	Music	Phone	no action recorded	no officer on duty
07/11/2021	02:54	resident	Music	Phone	no action recorded	no officer on duty
07/11/2021	19:15	resident	Several cars had parked blocking in residents bays all evening. Saturday 6 Nov, 2.38am there was a queue of cars leaving at the same time - playing loud music, shouting and sounding their horns, loud enough to wake residents living directly above.	Phone	no action recorded	no officer on duty
17/12/2021	22:56	resident	The bass from the loud music in Broadway bar (266 Muswell hill Broadway) can be heard throughout my flat. I have an early start tomorrow and could really do without this	email	no answer when called complainant	no visit

From: Barrett Daliah

Sent: 12 November 2021 12:36

To: 'NAMailbox-.Licensing@met.police.uk' <NAMailbox-.Licensing@met.police.uk>; Barrett Jennifer <Jennifer.Barrett@Haringey.gov.uk>; Greer Sarah <Sarah.Greer@haringey.gov.uk>

Cc: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: FW: COMPLAINTS RE 266 MUSWELL HILL BROADWAY N10

Dear all,

A further report of ASB from last night.

Regards

Daliah

From: Joyce

Sent: 12 November 2021 12:30

To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; ASB.Enforcement@haringey.gov.uk

Cc: Police Email <FortisGreen.SNT@met.police.uk>;

COMPLAINTS RE 266 MUSWELL HILL BROADWAY N10

Hello Daliah

I write to inform you that yet again we have had another antisocial incident happen overnight at Ashmount Lodge, Pinnacle Close caused by a very large group of people who can be seen leaving The Broadway bar at midnight, in the attached video, then proceed to wreak havoc for 1.5 hours in the Ashmount and Pinnacle Close car parks.

This included many people sitting, climbing and jumping on our cars, drug taking, shouting, swearing, 2 mopeds riding recklessly and continuously up and down at high speed, a safety barrier belonging to the council being thrown towards the parked cars, people urinating and loud music being played in a car with windows and doors open.

Two residents reported this to the police - 2 response cars and a police van arrived at 1.40am but once they had left some of the group returned to look for the drugs they had discarded. The entire incident lasted over 2 hours leaving several residents unable to sleep which is not acceptable when they have work and school runs early the next day.

This is becoming ridiculous, yet again we have reported this to the relevant departments - but as you will see from the video it is clearly evident that this antisocial group of people had been visiting The Broadway bar prior to their rampage.

We will be downloading footage from our cctv system later today which will show the full extent of their antisocial behaviour should you wish to view it.

Regards

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On 11 Nov 2021, at 13:15, Andrew B <> wrote:

Thanks Daliah,

I'm not sure the below is 100% reflective of the situation. For example, I have personally emailed to say that drinks are being served without food and that CCTV (a condition of their license) should be reviewed accordingly. I'm sure you agree that residents can't be expected to barge in with recording equipment. That said, I never received a response to that email so perhaps it was missed.

Andrew

From: 'Barrett Daliah' via ashmount-lodge <
Sent: 10 November 2021 16:47
To: 'Joyce Adams' <
Cc:
Subject: [ashmount-lodge] RE: COMPLAINTS RE 266 MUSWELL HILL BROADWAY N10

Hello Joyce,
Responses are below.
Regards
Daliah Barrett

From: Joyce Adams <joyceadams017@gmail.com>
Sent: 10 November 2021 15:37
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Cc: ashmount-lodge@googlegroups.com; ASB.Enforcement@haringey.gov.uk
Subject: Re: COMPLAINTS RE 266 MUSWELL HILL BROADWAY N10

Dear Daliah

Thank you for your email.

As I mentioned in my previous email we (the residents) are already following all the suggested avenues ie: contacting the Haringey noise report line - the majority of the incidents occur between 2.30am and 3am after the phone line has closed therefore we report online, receive a case reference by email but never receive any updates as to whether anything is followed up. We also submit photographs, video footage and contact the police but again we receive no communication to inform us if anything is being investigated. We are doing everything we can and we will continue to do so but it is incredibly frustrating that we are not receiving any support from Haringey departments.

You didn't respond to my previous questions:

- We would like to know who is responsible for checking the compliance of the license for The Broadway, does anyone from the council actually visit the premises during operating hours to see whether they are in breach of their

license? The Council Enforcement and Police are able to check on compliance.

- Are they serving alcohol without food? Are drugs being taken on the premises? We do not have evidence of alcohol being sold without food. We are not able to confirm drugs are being taken onsite.
- Are security staff manning the door? (if so, why are their patrons being allowed to congregate in the street and not being moved on)? Officers have said there has been SIA at the door
- Does anyone check or monitor their CCTV? Only if there is a specific need to do so.
- I notice that The Broadway's website advertises a Sunday closing time of 01.00am, please confirm whether this is correct as we were under the impression this should be 12.30am. The timings are below. We will check their website and ensure that they correct any misleading information.
- **Supply of Alcohol**
- **After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.**
- **Sunday to Thursday 1100 to 0000**
- **Friday to Saturday 1100 to 0200**
- **Recorded Music**
- **Sunday to Thursday 1100 to 0000**
- **Friday to Saturday 1100 to 0200**
- **Supply of alcohol and Recorded Music on Sunday that proceeds a Bank Holiday only from 1100 to 0200 hours. New Year's Eve until 0330 hours.**
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- **Sunday to Thursday 2300 to 0000**
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- **Sunday to Thursday 1100 to 0030**
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- **Sunday that proceeds a Bank Holiday only from 1100 to 0230 hours.**
- **New Year's Eve until 0400 hours.**

- **Christmas Eve to open one hour longer than ordinarily permitted on that day, with all licensable activities to cease 30 minutes before that time.**

Once again, we find ourselves having to bear the brunt of a bad licensing decision and are expected to jump through hoops to build a case to try and resolve the situation ourselves. Things will inevitably become worse once The Venue is operating as we won't easily be able to determine which premises/patrons are causing the disturbance, as they are next to each other.

I look forward to hearing a response to the questions above.

Regards

Joyce Adams

On 8 Nov 2021, at 16:32, Barrett Daliah <Daliah.Barrett@haringey.gov.uk> wrote:

Dear Residents,

The Section182 Guidance that underpins the Licensing Act 2003 makes clear that there should be some attempt at talks and mediation on problems arising as a first step when dealing with licensed premises. Residents have contacted the Licensing Service and we have asked for monitoring as well as engaging with the licence holder to better manage the premises. Also submitting complaints for 'noise on now' which can be done online, would generate an officer to attend the premises to see if there were any breaches that could be dealt with at the time. The link to do so is here <https://www.haringey.gov.uk/environment-and-waste/noise-and-animal-control/noise-control#report>

Any request for a review will need to demonstrate that the operation of a premises licence undermines one of the four licensing objectives.

We would suggest that a review should only be initiated where all other enforcement avenues have been exhausted. Interested parties considering making a review application are strongly encouraged to [contact Licensing](#) before making an application for a review to discuss whether all areas of dispute resolution have been explored.

A review requires that you have gathered evidence of the issues that the licence holder is failing to comply with.

The current premises licence has safeguards within it that has conditions by which the premises should operate. Before applying for a review, applicants may want to consider whether their concern(s) could be effectively dealt with outside of the formal review process. This could involve, for example:

- Talking to the licence or certificate holder to determine whether there are any steps they may be willing to take to rectify the situation
- Asking us to talk to the licensee on your behalf
- Asking your local MP or councillor to speak to the licence or certificate holder on your behalf

- Talking to the relevant responsible authority (for example, environmental health in relation to noise nuisance, or the police in relation to crime and disorder) to determine whether there is other legislation that could help resolve the issue
Evidence is a crucial factor when applying for a review, things you may want to consider when seeking a review:
- It may be helpful to get the backing of other people living, or businesses operating in the vicinity of the premises, or other responsible authorities
- Look at our official records about the premises kept in the licensing register. This will show you if other people have made representations or asked for a review of a premises in the past
- If you are thinking of raising a petition, it is important to include names and addresses and indicate clearly on what grounds a review is being applied for. It would also help if a spokesperson could volunteer to receive details about the hearings from us and may be willing to speak on behalf of the petitioners at the hearing.
- If you want to ask another person such as an MP or local councillor to represent you at the review, it is advisable to make such a request in writing so that the individual can demonstrate he or she was asked. It will be a matter for the MP or councillor to decide whether they should agree to your request. They are not obliged to do so, however, most elected representatives are happy to help residents with this sort of issue, and there is no requirement for them to live in the vicinity of the premises in question for them to be able to make representations on behalf of residents that do. It should be noted that councillors who are part of the licensing committee hearing the application will not be able to discuss the application with you outside the formal hearing, so it is suggested that you do not approach them to try to.
- For individual incidents, try to get as much information as possible about any official response (for example, police being called out).
- You may also be able to back up your application with data such as crime statistics. However, it should be noted that conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and his/her staff or agents, but they can seek to control the behaviour of customers on the premises or in the immediate vicinity of the premises as they seek to enter or leave.
- If there is general noise nuisance on streets because of licensed premises, you will probably need to show how it relates to the specific premises.
- It is important to be able to back up your claims. You could do this by keeping a diary over a period of time, for example. Sound or video recordings may also be helpful. It may also be a while before any hearing, so it is good to keep a clear record.
- Residents or businesses applying for a review following a particular incident should be cautious, as a licensee may argue that this was a one off problem that can be rectified without a review.
- Have a good idea how you'd like the situation to be resolved.

The Licensing webpage contains information on the Responsible

Authorities <https://www.haringey.gov.uk/business/licensing-and-regulations/licensing/licensing-contacts>

Premises licence info and guidance <https://www.haringey.gov.uk/business/licensing-and-regulations/licensing/licensing-enforcement>

Regards

Daliah Barrett

Licensing Team Leader

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<advice-local-residents Review.pdf>

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**Savvas Morgan,
The Broadway
266 Muswell Hill Broadway
London N10**

Your Ref:

Our Ref: Licensing

Date: 22nd November 2021

WARNING LETTER

Dear Savvas,

**LICENSING ACT 2003 - SECTION 7 – THE BROADWAY 266 MUSWELL HILL
BROADWAY LONDON N10.**

We have previously advised you of the need to ensure compliance with the terms of the licence. Enforcement Officers carried out a visit on Friday 19th November 2021 and found the following non-compliance:

- The premises was being operated as a night club.
- The requirement for a table meal after 2300 on any day with alcohol was not being complied with. A table meal is not finger foods or snacks for clarity.

Please submit CCTV footage for the venue from 22:30 on 19th November 2021 until 03:00 on the morning of 20th November 2021.

Please submit the footage showing the entrance and inside the venue no later than Tuesday 23rd November 2021.

The onus is upon you as the person in control of the business to ensure compliance with the law.

Yours sincerely

**Daliah Barrett-Williams
Licensing Team Leader**

Licensing Team
Level 1 River Park House
225 High Road
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London, N22 8HQ

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Your Ref: 17HIGHSTREEN8

Our Ref: LICENSING

06TH January 2022

Mr D Dadds
By email.

For a large print copy contact 020 8489 5639

Dear Sir,

**THE LICENSING ACT 2003 – LICENSING AUTHORITY REPRESENTATION -266
MUSWELL HILL BROADWAY LONDON N10. THE BROADWAY.**

Licensing Authority representation – The Broadway 266 Muswell Hill Broadway, London N10

The Licensing Authority is making representation relating to this application for a new premises licence at 266 Muswell Hill Broadway London N10.

The main reason for making the representation is related to the licensing objective of the prevention of public nuisance.

Premises

The premises has been associated with anti social behaviour in the late evening, this has ranged from music noise emanating from the venue, ongoing anti social behaviour in the area as well as noise nuisance complaints from residents due to both people noise and music noise emanating from the premises. This has ranged from nuisance from people noise, illegal minicab hire issues, cars parked illegally, allegations of drugs being consumed in the vicinity from people attending the venue. The use of the car park area at The Pinnacle by patrons of the venue to congregate and socialise once they have left the venue has also been raised as an issue by the residents.

Whilst the Licensing Authority is unable to speak to any witnessing of the anti-social behaviour by officers themselves, we are able to attach to this representation emails of complaints and video footage submitted by residents in relation to the ongoing issues they are experiencing. This information can be found at LA1.

The ASB Enforcement Officers carried out a visit on 19th November 2021 and found some non compliance with the current licence conditions. A warning letter was sent to Mr Savvas Morgan (see LA2) requesting CCTV footage for a specified date and time. However, this request for CCTV was not complied with by Mr Morgan. ASB officers found that there were no meals being sold to accompany the alcohol being sold to patrons and that the premises was operating as a nightclub.

The new application that is subject to this representation was submitted a week later.

People

The Licensing Authority have not spoken with the appointed DPS Savvas Morgan at any time. We note that Mr Savvas Morgan has been put forward as the nominated DPS under the new application but cannot support this as there has been no previous communication from Mr Morgan. There is doubt that he therefore has any day to day knowledge of the management and concerns raised by residents. Complaints received have been communicated to Ms Bianca Morgan who operates the premises. Ms Bianca Morgan has shown that she is willing to work with the Licensing Authority to address concerns

raised with her directly. Ms Morgan has advised that a noise limiter has been purchased. It is unclear to the Authority if the limiter has been installed, we are not aware of the Noise EHO being involved in any such process to date.

The times being sought under the new application will lead to continuing anti social behaviour impacting on nearby residents. Consideration of a 2am licence with no conditions to control if the venue is operated as a nightclub on a Friday and Saturday night will certainly have an impact on residents in terms of noise and patrons behaviour. The current operation under the existing has received 18 complaints in recent months, these can be seen in the attached list of complaints.

The operating schedule also states that music will be played at a reasonable level, we are unclear as to what this actually means. One person view of a reasonable level may not necessarily be another person's view. Clarity around measures that can be placed to ensure music levels do not 'bleed' through the premises to affect residents in the same block such as vibration through the building or music noise that will impact the residents across the road at 77 Muswell Hill Broadway N10 or at The Pinnacle.

Physical characteristics of the premises

The area of Muswell Hill has been going through change and regeneration in terms of residential properties being built in close proximity to these premises.

In terms 'hospitality' type venues, there is a late night kebab shop at 270 Muswell Hill Broadway, The Venue at 272 Muswell Hill Broadway and The Broadway at 266 Muswell Hill Broadway. Across the road is The Mossy Wells which operate as a pub with a 1am licence. It is true to say that the Muswell Hill Broadway has had its share of cumulative impact type issues as a result of the late night venues that were operating in the area and each of the premises mentioned have had a Premises licence reviewed under previous management save for The Mossy Wells.

The current licence held by The Broadway is quite restrictive due to the imposed conditions from a review brought against the management practices of the previous licence holder. The reviewed licence sought to restrict the way in which the premises could operate in order to ensure that the prevention of crime and disorder and the prevention of public nuisance could be better managed by the venue.

Policy

The Haringey Statement of Licensing Policy states '*Densely populated residential areas are located in very close proximity to commercial areas, and that poorly managed premises can have a negative impact on nearby local residents. Looking forward the Licensing Authority will continue to play its part in managing the growth of the late night economy. Premises trading beyond midnight pose the greatest risk of undermining the licensing objectives. We want to positively support well managed businesses that will contribute to the borough's growing vibrant and diverse evening economy.*

7.8 LICENSING HOURS

7.9 The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

7.10 However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control"

Operating schedule

The 2.30am closure on a Friday and Saturday night being requested needs to be carefully considered against the backdrop of the concerns raised by residents. The current operation even with the restrictive conditions designed to stop the premises from being able to operate as a nightclub has led to complaints relating to nuisance. The new application will certainly provide more freedom to the licence holder if granted as applied for.

It is the view of the Licensing Authority that some safeguards needs to be put in place to ensure that the venues operation does not unduly impact on residents. The Licensing Authority propose that the LSC consider a reduction in the hours proposed for Friday & Saturday nights to close to the public by midnight, as well as the additional timing for any Sunday immediately preceding a Bank holiday Monday is rejected.

That a sound limiter be installed that has been set in conjunction with the Councils EHO to ensure no music noise can be heard in the nearest residential property.

If however the LSC consider the hours being requested are appropriate, then we ask that the following conditions be considered for any days the premises is operating beyond midnight:

Door supervision/security staff

- Security personnel, registered with the Security Industry Authority (SIA) and employed at the premises must enter their full name, valid phone contact details, SIA Badge Number, employing company, along with the time that they are working in a register upon commencement of their work at the premises. The Designated Premises Supervisor / manager at the time will be responsible for ensuring this is done and for confirming the security staff details and permission to work.
- When the premises are open for the sale of alcohol, a minimum of 2 door supervisors will be on duty from 20:00 hours on a Friday and Saturday.
- Door supervisors are to use walkie-talkie or other forms of electronic communication devices to communicate with each other including the use of earpieces to ensure communications can be properly heard and understood.
- Where door supervisors are on duty, a body worn camera will be worn by a door supervisor on the admission door to the premises.

Searching

- The premises shall prominently display signage informing customers the management reserve the right as a condition of entry to search customers prior to entry, whilst in the club and upon leaving the club

Queueing

- The queue is to be pro-actively monitored looking for potential problems and where appropriate advising patrons on crime prevention.
- Patron are to be deterred from accessing the residential car park to the rear of the venue. This could be by information placed on the website to inform patrons that it is not an area for public parking.
- Discussion to be had with the residents of The Pinnacle about suitable barrier to be positioned across the area.

Identification Scanning Machine (ID Scan)

- Where the premises are open for the sale of alcohol after midnight, then from 21:00 all customers attending the venue must produce identification which must be scanned into an ID scanning / recognition machine. If a person does not provide identification, then they will not be granted admission to the premises. Acceptable identification for the purposes of this condition is that issued by a Government agency bearing the holder's photograph, name and date of birth or identification bearing the UK PASS hologram.

The prevention of crime & disorder

- Closed Circuit Television System (CCTV)
- Digital Closed Circuit Television System (CCTV) shall be installed, to include colour pictures of the entrance and maintained to the satisfaction of the Police and Licensing Authority. Recordings from the installed CCTV must cover the premises entrance / exit doors, external approaches, main bars and main toilet entrances and smoking area to be kept for 30 days and shall be immediately available for inspection and viewing by authorised Council Officers and / or the Police.
- At the request of the Police and / or Licensing Officers, CCTV recordings in a playable format shall be provided within 24 hours of the request.
- The Premises Licence Holder shall ensure that the CCTV system is operating at any time the premises are open to the public.
- A TV monitor shall be clearly viewable by customers upon entering the venue showing real time footage so that they are made aware that they have been captured on CCTV as they enter the premises.
- Signage shall be put up in the premises and be clearly visible to all customers, stating that CCTV recording is in operation and signage must, at a minimum, be put up at all entry and exit points.

Incident/refusals book

- An incident / refusals book shall be maintained and used at the premises. Upon request, it shall be readily available for inspection by the police or local authority officer.

The protection of children from harm

- Challenge 25 policy
- Evidence of age in the form of photographic identification (ID) shall be requested from any person appearing to those selling or supplying alcohol to be under the age of **25** and who is attempting to buy alcohol. Acceptable identification for the purpose of this condition is that issued by a Government agency bearing the holder's photograph, name and date of birth or identification bearing the UK PASS hologram

Staff training

- All staff involved in the sale or delivery of alcohol shall be trained for their role on induction and given refresher training at intervals of not more than six months. Training shall cover the operation of Challenge 25, identifying persons under 25, making a challenge, acceptable proof of age and checking it, making & recording a refusal, proxy sales & avoiding conflict.
- A written training record shall be kept for each staff member, shall be signed by the trainer and trainee in respect of training received and produced to Police or Authorised Officers of the Council on request.

Access by children

- No children shall be permitted on the premises other than for pre-booked private functions.

The prevention of public nuisance

Dispersal

The licence holder will promote the effective and quiet dispersal of patrons from the premises by requesting them both verbally, including when necessary, public announcement, and through visible signage displayed prominently at the exits, to leave and disperse in an orderly and quiet manner. Where door supervisors are on duty, they will pay particular attention to this at the point of exit.

Barriers should be utilised outside the premises, in consultation with the police, to aid patron dispersal.

That there shall be no admission or re-admission to the premises after 01:30 hours.

A Queue Management Plan shall be adopted and shall be attached to the Premises Licence. The Queue Management Plan will be reviewed periodically by the Premises Licence Holder or at the request of the Licensing officer or the Police.

The Dispersal Policy shall be adopted and shall be attached to the Premises Licence. The Dispersal Policy shall be reviewed periodically by the Premises Licence Holder or at the request of the Licensing officer or the Police.

Monthly meetings with residents to be arranged and facilitated by The Broadway management.

Licensing Team Responsible Authority



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