## NOTICE OF MEETING

# LICENSING SUB COMMITTEE

# Tuesday, 4th October, 2022, 7.00 pm – Microsoft Teams (watch the live meeting <u>here</u> and watch the recording <u>here</u>)

Members: Councillors Ajda Ovat (Chair) and two other councillors to be confirmed.

#### 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

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 8 below).

#### 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 Committee will first hear from the Licensing Officer. After that, the objectors will present their case and the Committee and applicant will have the opportunity to ask questions. Then, the applicant will present their application and the Committee and objectors will have the opportunity to ask questions.

All parties will then have the opportunity to sum up, and then the meeting will conclude to allow the Committee to deliberate and reach a decision. This decision will then be provided in writing within five working days of this meeting.

#### 6. APPLICATION FOR A NEW PREMISES LICENCE AT UNIT 1, RANGEMOOR INDUSTRIAL ESTATE, BERNARD ROAD, TOTTENHAM, LONDON N15 4ND (TOTTENHAM CENTRAL) (PAGES 1 - 56)

To consider an application for a new premises licence.

# 7. APPLICATION FOR A VARIATION OF A PREMISES LICENCE AT LOUNGE, 34 HIGH STREET, LONDON N8 (HORNSEY) (PAGES 57 - 112)

To consider an application for a variation of a premises licence.

#### 8. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business as identified at item 3.

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, 26 September 2022

# Agenda Item 6

| Report for:                          |  | Licensing Sub Committee 04 <sup>th</sup> October 2022  |  |  |
|--------------------------------------|--|--|--|--|
| Item number:                         |  |  |  |  |
| Title:                               |  | Application for a NEW Premises Licence- Unit 1, Rangemoor Industrial Estate, Bernard Road, Tottenham, London N15 4ND |  |  |
| Report<br>authorised by :            |  | Daliah Barrett-Licensing Team Leader – Regulatory Services.  |  |  |
| Ward(s) affected:                    |  | Tottenham Central  |  |  |
| Report for Key/<br>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 Deliveroo Hop. |  |  |  |
| 1.2                                  | 2 The application seeks the following:   |  |  |  |

#### Supply of Alcohol Monday to Sunday

0700 to 0000 hours

Supply of alcohol **OFF** the premises.

Hours open to Public- No public accessMonday to Sunday0700 to 0000 hours

1.3 The application can be found at - Appendix A.

#### 1.4 Representations have been received from:

Responsible Authorities- Public Health made representation which is now withdrawn. App B

**Residents have made representation- App B1.** The LSC is reminded that it cannot consider traffic related issues in determining this matter.

#### 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 aspplication 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 becaus 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 in an industrial estate and would operate as an online grocery delivery business.

#### 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
- $\circ$  Article 6(1) Right to a fair hearing.
- Article 10 Freedom of Expression

#### 7 Use of Appendices

Appendix A - New Application. Appendix B – Representation-PH



#### Appendix B1 – Residents reps

#### Background papers: Section 82 Guidance Haringey Statement of Licensing policy



# Appendix 1

This page is intentionally left blank



#### Haringey Application for a premises licence Licensing Act 2003

For help contact licensing@haringey.gov.uk Telephone: 020 8489 8232

| * required information  |  |   |  |
|---|--|---|--|
| Section 1 of 21   |  |   |  |
| You can save the form at any t  | ime and resume it later. You do not need to be | logged in when you resume.  |  |
| System reference  | Not Currently In Use                           | This is the unique reference for this application generated by the system.  |  |
| Your reference  |  | You can put what you want here to help you<br>track applications if you make lots of them. It<br>is passed to the authority.  |  |
| Are you an agent acting on behalf of the applicant?<br>• Yes O No   |  | Put "no" if you are applying on your own<br>behalf or on behalf of a business you own or<br>work for.   |  |
| Applicant Details   |  |   |  |
| * First name  | DELIVEROO HOP LTD                              | ]   |  |
| * Family name   | DELIVEROO HOP LTD                              |   |  |
| * E-mail  |  |   |  |
| Main telephone number   |  | Include country code.   |  |
| Other telephone number  |  |   |  |
|   | cant would prefer not to be contacted by telep | hone  |  |
| ls the applicant:   |  |   |  |
| <ul> <li>Applying as a business or organisation, including as a sole trader</li> <li>Applying as an individual</li> </ul> |  | A sole trader is a business owned by one<br>person without any special legal structure.<br>Applying as an individual means the<br>applicant is applying so the applicant can be<br>employed, or for some other personal reason,<br>such as following a hobby. |  |
| Applicant Business  |  |   |  |
| Is the applicant's business<br>registered in the UK with<br>Companies House?  | Yes O No                                       | Note: completing the Applicant Business section is optional in this form.   |  |
| Registration number   | 13478743                                       |   |  |
| Business name   | DELIVEROO HOP LTD                              | If the applicant's business is registered, use its registered name.   |  |
| VAT number -  |  | Put "none" if the applicant is not registered for VAT.  |  |
| Legal status Private Limited Company  |  |   |  |

| Continued from previous page  |  |  |  |
|---|--|--|--|
| Applicant's position in the business  | LICENSING                                    |  |  |
| Home country  | United Kingdom                               | The country where the applicant's headquarters are.                                  |  |
| Registered Address  |  | Address registered with Companies House.   |  |
| Building number or name   |  |  |  |
| Street  |  |  |  |
| District  |  |  |  |
| City or town  |  |  |  |
| County or administrative area   |  |  |  |
| Postcode  |  |  |  |
| Country   | United Kingdom                               |  |  |
|   |  |  |  |
| Agent Details   |  |  |  |
| * First name  | GOSSCHALKS LLP                               |  |  |
| * Family name   | GOSSCHALKS LLP                               |  |  |
| * E-mail  |  |  |  |
| Main telephone number   |  | Include country code.  |  |
| Other telephone number  |  |  |  |
| Indicate here if you would a series of the series of th | d prefer not to be contacted by telephone    |  |  |
| Are you:  |  |  |  |
| • An agent that is a busine   | ess or organisation, including a sole trader | A sole trader is a business owned by one person without any special legal structure. |  |
| <ul> <li>A private individual actir</li> </ul>  | ng as an agent                               | person malour any special regar stracturer   |  |
| Agent Business  |  |  |  |
| ls your business registered in<br>the UK with Companies<br>House?   | Yes O No                                     | Note: completing the Applicant Business section is optional in this form.            |  |
| Registration number   |  |  |  |
| Business name   | GOSSCHALKS LLP                               | If your business is registered, use its registered name.                             |  |
| VAT number GB   | 433613472                                    | Put "none" if you are not registered for VAT.  |  |
| Legal status  | Limited Liability Partnership                |  |  |
|   |  |  |  |

| Continued from previous page                   |  |   |  |
|--|--|---|--|
|  |  |   |  |
| Your position in the business                  | LICENSING  | <b>T</b> I  |  |
| Home country                                   | United Kingdom   | The country where the headquarters of your business is located. |  |
| Agent Registered Address                       |  | Address registered with Companies House.                        |  |
| Building number or name                        | 61   |   |  |
| Street   | QUEENS GARDENS   |   |  |
| District                                       |  |   |  |
| City or town                                   | HULL   |   |  |
| County or administrative area                  |  |   |  |
| Postcode                                       | HU1 3DZ  |   |  |
| Country  | United Kingdom   |   |  |
|  |  |   |  |
| Section 2 of 21                                |  |   |  |
| PREMISES DETAILS                               |  |   |  |
|  | ply for a premises licence under section 17 of th<br>he premises) and I/we are making this applicati<br>of the Licensing Act 2003. |   |  |
| Premises Address                               |  |   |  |
| Are you able to provide a posta                | al address, OS map reference or description of t   | he premises?  |  |
| Address OS map                                 | o reference O Description  |   |  |
| Postal Address Of Premises                     |  |   |  |
| Building number or name                        | UNIT 1, RANGEMOOR INDUSTRIAL ESTATE  |   |  |
| Street   | BERNARD ROAD   |   |  |
| District                                       |  |   |  |
| City or town                                   | LONDON   |   |  |
| County or administrative area                  |  |   |  |
| Postcode                                       | N15 4ND  |   |  |
| Country  | United Kingdom   |   |  |
| Further Details                                |  |   |  |
| Telephone number                               |  |   |  |
| Non-domestic rateable<br>value of premises (£) |  |   |  |

| Section 3 of 21   |  |   |  |  |
|---|--|---|--|--|
| APPI  | ICATION DETAILS  |   |  |  |
| In wł   | at capacity are you apply  | ing for the premises licence?   |  |  |
|   | An individual or individu  | ials  |  |  |
| $\boxtimes$   | A limited company / limi   | ited liability partnership  |  |  |
|   | A partnership (other tha   | n limited liability)  |  |  |
|   | An unincorporated asso   | ciation   |  |  |
|   | Other (for example a sta   | tutory corporation)   |  |  |
|   | A recognised club  |   |  |  |
|   | A charity  |   |  |  |
|   | The proprietor of an edu   | icational establishment   |  |  |
|   | A health service body  |   |  |  |
|   |  | ed under part 2 of the Care Standards Act<br>an independent hospital in Wales |  |  |
|   | A person who is registered under Chapter 2 of Part 1 of the Health and<br>Social Care Act 2008 in respect of the carrying on of a regulated<br>activity (within the meaning of that Part) in an independent hospital in<br>England |   |  |  |
|   | The chief officer of police of a police force in England and Wales   |   |  |  |
| Con   | Confirm The Following  |   |  |  |
| $\boxtimes$   | l am carrying on or prop<br>the use of the premises f  | osing to carry on a business which involves<br>for licensable activities      |  |  |
|   | I am making the applicat   | tion pursuant to a statutory function   |  |  |
|   | l am making the applicat<br>virtue of Her Majesty's p  | tion pursuant to a function discharged by<br>rerogative                       |  |  |
| Secti   | on 4 of 21   |   |  |  |
| NON INDIVIDUAL APPLICANTS   |  |   |  |  |
| Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned. |  |   |  |  |
| Non Individual Applicant's Name   |  |   |  |  |
| Nam   | e  | DELIVEROO HOP LTD   |  |  |
| Deta  | ils  |   |  |  |
| -   | stered number (where<br>icable)  |   |  |  |

Description of applicant (for example partnership, company, unincorporated association etc)

| Continued from previous page  |   |  |  |  |
|---|---|--|--|--|
| COMPANY   |   |  |  |  |
| Address   |   |  |  |  |
| Building number or name   |   |  |  |  |
| Street  |   |  |  |  |
| District  |   |  |  |  |
| City or town  |   |  |  |  |
| County or administrative area   |   |  |  |  |
| Postcode  |   |  |  |  |
| Country   |   |  |  |  |
| Contact Details   |   |  |  |  |
| E-mail  |   |  |  |  |
| Telephone number  |   |  |  |  |
| Other telephone number  |   |  |  |  |
| * Date of birth   | Image: dd     Image: dd   |  |  |  |
| * Nationality   |   | Documents that demonstrate entitlement to work in the UK |  |  |
|   | Add another applicant   | ]  |  |  |
| Section 5 of 21   |   |  |  |  |
| OPERATING SCHEDULE  |   |  |  |  |
| When do you want the premises licence to start?   | 27     /     07     /     2022       dd     mm     yyyy   |  |  |  |
| If you wish the licence to be<br>valid only for a limited period,<br>when do you want it to end | dd mm yyyy  |  |  |  |
| Provide a general description of  | of the premises   |  |  |  |
| licensing objectives. Where you   | ses, its general situation and layout and any oth<br>ur application includes off-supplies of alcohol an<br>plies you must include a description of where th | nd you intend to provide a place for                     |  |  |
| operated. The internal layout o   | n an area of non-residential industrial character<br>f the property has been redesigned to include s<br>plan of the internal layout that is due to be inst  | pecialist refrigeration units, freezer units and         |  |  |

| Continued from previous page                              |   |  |  |
|---|---|--|--|
|   |   |  |  |
| If 5,000 or more people are<br>expected to attend the     |   |  |  |
| premises at any one time,                                 |   |  |  |
| state the number expected to                              |   |  |  |
| attend<br>Section 6 of 21                                 |   |  |  |
| PROVISION OF PLAYS  |   |  |  |
| See guidance on regulated entertainment                   |   |  |  |
| Will you be providing plays?                              |   |  |  |
| ○ Yes ● No  |   |  |  |
| Section 7 of 21   |   |  |  |
| PROVISION OF FILMS  |   |  |  |
| See guidance on regulated entertainment                   |   |  |  |
| Will you be providing films?                              |   |  |  |
| ○ Yes ● No  |   |  |  |
| Section 8 of 21   |   |  |  |
| PROVISION OF INDOOR SPORTING EVENTS                       |   |  |  |
| See guidance on regulated entertainment                   |   |  |  |
| Will you be providing indoor sporting events?             |   |  |  |
| ○ Yes ● No  |   |  |  |
| Section 9 of 21   |   |  |  |
| PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS           |   |  |  |
| See guidance on regulated entertainment                   |   |  |  |
| Will you be providing boxing or wrestling entertainments? |   |  |  |
| ○ Yes ● No  |   |  |  |
| Section 10 of 21  |   |  |  |
| PROVISION OF LIVE MUSIC                                   |   |  |  |
| See guidance on regulated entertainment                   |   |  |  |
| Will you be providing live music?                         |   |  |  |
| ○ Yes   |   |  |  |
| Section 11 of 21  |   |  |  |
| PROVISION OF RECORDED MUSIC                               |   |  |  |
| See guidance on regulated entertainment                   |   |  |  |
| Will you be providing recorded music?                     |   |  |  |
| ○ Yes   |   |  |  |
| Section 12 of 21  |   |  |  |
| PROVISION OF PERFORMANCES OF DANCE                        |   |  |  |
| See guidance on regulated entertainment                   | l |  |  |

| Continued from previous                         | page                                |  |  |  |
|---|-------------------------------------|--|--|--|
| Will you be providing performances of dance?    |                                     |  |  |  |
| ⊖ Yes   | No                                  |  |  |  |
| Section 13 of 21                                |                                     |  |  |  |
|   | NG OF A SIMILAR DESCRIPTIO          | N TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF   |  |  |
| See guidance on regulat                         | ted entertainment                   |  |  |  |
| Will you be providing an performances of dance? | nything similar to live music, reco | orded music or   |  |  |
| ⊖ Yes   | No                                  |  |  |  |
| Section 14 of 21                                |                                     |  |  |  |
| LATE NIGHT REFRESHM                             | IENT                                |  |  |  |
| Will you be providing lat                       | te night refreshment?               |  |  |  |
| ⊖ Yes   | No                                  |  |  |  |
| Section 15 of 21                                |                                     |  |  |  |
| SUPPLY OF ALCOHOL                               |                                     |  |  |  |
| Will you be selling or sup                      | oplying alcohol?                    |  |  |  |
| • Yes   | ⊖ No                                |  |  |  |
| Standard Days And Tin                           | nings                               |  |  |  |
| MONDAY  |                                     |  |  |  |
|   | Start 07:00                         | Give timings in 24 hour clock.<br>End 00:00 (e.g., 16:00) and only give details for the days |  |  |
|   | Start                               | of the week when you intend the premises   |  |  |
|   |                                     | End to be used for the activity.   |  |  |
| TUESDAY   | <b></b> ]                           |  |  |  |
|   | Start 07:00                         | End 00:00  |  |  |
|   | Start                               | End  |  |  |
| WEDNESDAY                                       |                                     |  |  |  |
|   | Start 07:00                         | End 00:00  |  |  |
|   | Start                               | End  |  |  |
|   |                                     |  |  |  |
| THURSDAY  |                                     |  |  |  |
|   | Start 07:00                         | End 00:00  |  |  |
|   | Start                               | End  |  |  |
| FRIDAY  |                                     |  |  |  |
|   | Start 07:00                         | End 00:00  |  |  |
|   | Start                               | End  |  |  |

Page 14

| Continued from previous page   |                                 |                     |   |  |
|--|---------------------------------|---------------------|---|--|
| SATURDAY   |                                 |                     |   |  |
| Start  | 07:00                           | End 00:00           |   |  |
| Start  |                                 | End                 |   |  |
| SUNDAY   |                                 |                     |   |  |
| Start  | 07:00                           | End 00:00           |   |  |
| Start  |                                 | End                 |   |  |
| Will the sale of alcohol be for c  | onsumption:                     |                     | If the sale of alcohol is for consumption on  |  |
|  |                                 |                     | the premises select on, if the sale of alcohol                                      |  |
| <ul> <li>On the premises</li> </ul>  | • Off the premises              | Both                | is for consumption away from the premises select off. If the sale of alcohol is for |  |
|  |                                 |                     | consumption on the premises and away from the premises select both.                 |  |
| State any seasonal variations  |                                 |                     |   |  |
| For example (but not exclusive   | y) where the activity will occ  | ur on additional da | ays during the summer months.   |  |
|  |                                 |                     |   |  |
|  |                                 |                     |   |  |
|  |                                 |                     |   |  |
|  |                                 |                     |   |  |
| Non-standard timings. Where t<br>column on the left, list below  | the premises will be used for t | he supply of alcoh  | ol at different times from those listed in the                                      |  |
|  |                                 | huto no on longou   | en e neuticulau deu e a Chuistmas Fue   |  |
| For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve. |                                 |                     |   |  |
|  |                                 |                     |   |  |
|  |                                 |                     |   |  |
|  |                                 |                     |   |  |
| State the name and details of the individual whom you wish to specify on the licence as premises supervisor            |                                 |                     |   |  |
| Name   |                                 |                     |   |  |
| First name   | ALEXANDER                       |                     |   |  |
| Family name  | FRANCIS                         |                     |   |  |
| Date of birth  |                                 |                     |   |  |
|  | dd mm yyyy                      |                     |   |  |

| Continued from previous page   |                                   |              |  |
|--|-----------------------------------|--------------|--|
| Enter the contact's address  |                                   |              |  |
| Building number or name  |                                   |              |  |
| Street   |                                   |              |  |
| District   |                                   |              |  |
| City or town   |                                   |              |  |
| County or administrative area  |                                   |              |  |
| Postcode   |                                   |              |  |
| Country  | United Kingdom                    |              |  |
| Personal Licence number<br>(if known)  |                                   |              |  |
| lssuing licensing authority<br>(if known)  | TORBAY COUNCIL                    |              |  |
| PROPOSED DESIGNATED PRE  | MISES SUPERVISOR CONSENT          |              |  |
| How will the consent form of the supplied to the authority?  | he proposed designated premises   | supervisor   |  |
|  | posed designated premises supervi | sor          |  |
| • As an attachment to this   | application                       |              |  |
| Reference number for consent<br>form (if known)  |                                   |              | If the consent form is already submitted, ask<br>the proposed designated premises<br>supervisor for its 'system reference' or 'your<br>reference'. |
| Section 16 of 21   |                                   |              |  |
| ADULT ENTERTAINMENT  |                                   |              |  |
| Highlight any adult entertainm premises that may give rise to  |                                   | entertainmer | nt or matters ancillary to the use of the  |
| Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc. |                                   |              |  |
| NONE   |                                   |              |  |
| Section 17 of 21   |                                   |              |  |
| HOURS PREMISES ARE OPEN  | TO THE PUBLIC                     |              |  |
| Standard Days And Timings  |                                   |              |  |
| MONDAY   |                                   |              | Give timings in 24 hour clock.   |
| Start  | 07:00 End                         | 00:00        | (e.g., 16:00) and only give details for the days<br>of the week when you intend the premises   |
| Start  |                                   | l            | to be used for the activity.   |

| Continued from previous  | s page  |  |  |  |
|--|---|--|--|--|
| TUESDAY  |   |  |  |  |
|  | Start 07:00   | End 00:00  |  |  |
|  | Start   | End  |  |  |
| WEDNESDAY  |   |  |  |  |
|  | Start 07:00   | End 00:00  |  |  |
|  | Start   | End  |  |  |
| THURSDAY   |   |  |  |  |
|  | Start 07:00   | End 00:00  |  |  |
|  | Start   | End  |  |  |
| FRIDAY   |   |  |  |  |
|  | Start 07:00   | End 00:00  |  |  |
|  | Start   | End  |  |  |
| SATURDAY   |   |  |  |  |
|  | Start 07:00   | End 00:00  |  |  |
|  | Start   | End  |  |  |
| SUNDAY   |   |  |  |  |
|  | Start 07:00   | End 00:00  |  |  |
|  | Start   | End  |  |  |
| State any seasonal variations  |   |  |  |  |
| For example (but not e   | xclusively) where the activity will (   | occur on additional days during the summer months. |  |  |
|  |   |  |  |  |
|  |   |  |  |  |
|  |   |  |  |  |
| Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below |   |  |  |  |
| For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.   |   |  |  |  |
|  |   |  |  |  |
|  |   |  |  |  |
|  |   |  |  |  |
| Section 18 of 21   |   |  |  |  |
| LICENSING OBJECTIVES   |   |  |  |  |
|  | Describe the steps you intend to take to promote the four licensing objectives: |  |  |  |
| a) General – all four licensing objectives (b,c,d,e)   |   |  |  |  |

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

PLEASE SEE PROPOSED OPERATING SCHEDULE INCLUDING PROPOSED CONDITIONS ATTACHED.

b) The prevention of crime and disorder

PLEASE SEE PROPOSED OPERATING SCHEDULE INCLUDING PROPOSED CONDITIONS ATTACHED.

c) Public safety

PLEASE SEE PROPOSED OPERATING SCHEDULE INCLUDING PROPOSED CONDITIONS ATTACHED.

d) The prevention of public nuisance

PLEASE SEE PROPOSED OPERATING SCHEDULE INCLUDING PROPOSED CONDITIONS ATTACHED.

e) The protection of children from harm

PLEASE SEE PROPOSED OPERATING SCHEDULE INCLUDING PROPOSED CONDITIONS ATTACHED.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

# Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination** with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity such as a passport,
  - evidence of their relationship with the European Economic Area family member e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

(i) any page containing the holder's personal details including nationality;

(ii) any page containing the holder's photograph;

(iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <u>https://www.gov.uk/prove-right-to-work</u>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### Section 20 of 21

#### NOTES ON REGULATED ENTERTAINMENT

#### Continued from previous page...

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

#### Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

#### Section 21 of 21

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/ business\_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00 Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

The following credit or debit cards are accepted in Haringey: Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron We cannot accept liability if payment is refused or declined by the card supplier. Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri). Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

\* Fee amount (£)

| 31 | 5.00 |  |
|----|------|--|
|    |      |  |

| Continued from previous page   |   |
|--|---|
| ATTACHMENTS  |   |
| AUTHORITY POSTAL ADDRES  | 5   |
| Address  |   |
| Building number or name  |   |
| Street   |   |
| District   |   |
| City or town   |   |
| County or administrative area  |   |
| Postcode   |   |
| Country  | United Kingdom  |
| DECLARATION  |   |
| <ul> <li>only, including those in a part issued with a licence if I do no</li> <li>preventing me from doing we invalid if I cease to be entitled application form is entitled to relating to a licensable activity note 15)</li> </ul> | false statement in or in connection with this application. [Applicable to individual applicants inership which is not a limited liability partnership] I understand I am not entitled to be it have the entitlement to live and work in the UK (or if I am subject to a condition prk relating to the carrying on of a licensable activity) and that my licence will become to live and work in the UK (please read guidance note 15). The DPS named in this work in the UK (and is not subject to conditions preventing him or her from doing work y) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see see you have read and understood the above declaration |
| This section should be complet behalf of the applicant?"   | ed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on  |
| * Full name  |   |
| * Capacity   |   |
| Date (dd/mm/yyyy)  |   |
|  | Add another signatory   |
| with your application.   | -   |

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

| Page 2 |
|--------|
|--------|

| I Alexander Craig Francis  |
|--|
| [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 |
| Premises License   |
| [type of application]  |
| by   |
| Deliveroo Hop LTD  |
| [name of applicant]  |
|  |
| relating to a premises licence<br>[number of existing licence, if any]   |
| for  |

Unit 1 Rangemoor Industrial Estate, Bernard Road, Tottenham, N15 4ND

[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

Deliveroo Hop LTD

|                     | <br> | <br> |
|---------------------|------|------|
| [name of applicant] |      |      |

concerning the supply of alcohol at

Unit 1 Rangemoor Industrial Estate, Bernard Road, Tottenham, N15 4ND

[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



[insert personal licence number, if any]

Personal licence issuing authority

Torbay Council

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



Signed

| Alex Francis        |      |  |
|---------------------|------|--|
| Name (please print) | <br> |  |

21/06/22

Date

#### DELIVEROO HOP LTD – UNIT 1 RANGEMOOR INDUSTRIAL ESTATE, BERNARD ROAD, LONDON N15 4ND PART M – PROPOSED OPERATING SCHEDULE INCLUDING PROPOSED CONDITIONS

#### a) General

Deliveroo is an established food delivery service which places customers and their needs at the centre of everything the company does. It has extensive systems, policies and safety procedures to manage all aspects of the service. The company is a responsible employer. The company also acts responsibly with respect to self-employed contracted riders and provides full training to all Deliveroo riders and also offers development programmes through the Deliveroo Academy (https://www.deliveroorideracademy.co.uk/).

As an operator within the fast-moving food delivery industry, Deliveroo is constantly improving the robustness of its service. In particular, additional technological solutions continue to enhance the strength and safety of its operational model - including the safe sale and supply of alcohol. Deliveroo's operational management plan (OMP) records the robust systems and processes Deliveroo has in place to satisfy the licensing objectives. These processes are regularly reviewed to ensure that they remain fit for purpose, and in relation to all four licensing objectives, the following condition is proposed:

• The operations of the site shall be performed in compliance with the Alcohol section of the Operational Management Plan (OMP), and the OMP shall be shared with the absolute minimum of delay upon the reasonable request of a Police or authorised officer.

The applicant offers a number of voluntary conditions in relation to this licence application and these are attached and referenced within the relevant sections below.

#### b) The prevention of crime and disorder

The property is a secure property with security measures including secure door access, remote accessed CCTV system and a professionally installed and monitored intruder alarm. Given the nature of the premises and service no door supervisors or other measures associated with traditional alcohol service premises are necessary, nor are on-premises drug and alcohol misuse by patrons relevant.

All entry and exit points will be covered by CCTV that enables frontal identification of every person entering in any light condition. The system will continually record whilst the premises are open for trading and all recordings will be stored for a minimum period of 30 days with date and time stamping. During this period, the recordings will be available to the police or authorised council officers with a staff member from the premises who is conversant with the operation of the CCTV system on the premises and available to liaise with the police and/or council officers at all times when the premises are open for trading. Deliveroo has a dedicated policing inbox (policingsupport@deliveroo.co.uk) and is always willing to cooperate with reasonable requests from the police. A number of voluntary conditions are offered in relation to the installation of CCTV for crime prevention. Further example initiatives that form part of the company's operation include the rolling out of voluntary training in partnership with Neighbourhood Watch, covering issues such as handling confrontation and spotting the signs of crime.

All delivery riders that contract with Deliveroo are trained in age verification (including prior to commencing delivery services for Deliveroo and mandatory refresher training) and procedures are in

place to ensure that age restricted products are not supplied to those who have not provided appropriate identification or who are drunk. See the information provided and voluntary conditions under the licensing objective of "protection of children from harm" for further information. In relation to this licensing objective, the following conditions are proposed:

- The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for trading. All recordings shall be stored for a minimum period of 30 days with date and time stamping. Viewing of recordings shall be made available with the absolute minimum of delay upon the reasonable request of a Police or authorised officer throughout the entire 30-day period.
- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open for trading. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- All images downloaded from the CCTV system must be provided in a format that allows them to be viewed on readily available equipment without the need for specialist software.

#### c) Public Safety

There are no outdoor areas that will be used for licensable activities. As this is primarily a delivery service there will be no congregation of members of the public outside the premises and so no drinking of alcohol or alcohol related nuisance or safety issues emanating from the property.

All riders who contract with Deliveroo are trained in age verification processes including specific instruction that they must not deliver alcohol to a customer if they believe the customer to already be drunk (see below for further information). Training also specifies that age-restricted products can only be left with the customer at the delivery address (unless the customer does not provide proof that they are over 18, in which case the delivery of age-restricted products is refused) and must not be delivered to a public place.

#### d) The prevention of public nuisance

There are no outdoor areas that will be used for licensable activities. As this is primarily a delivery service there will be no congregation of members of the public outside the premises and so no drinking of alcohol or alcohol related nuisance emanating from the property.

In relation to this licensing objective, the following conditions are proposed:

- All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- Prominent, clear, and legible notices must be displayed at all exits requesting self-employed delivery agents to respect the needs of local residents and to leave the premises quietly.

#### e) The protection of children from harm

The applicant has in place comprehensive systems to ensure age verification prior to the provision of alcohol. Orders will be placed online though the Deliveroo app or website and picked at the premises for delivery. Before placing an order for alcohol on the Deliveroo platform, a customer is required to provide their date of birth to confirm they are aged 18 or over.

There is a multi-flag system to alert delivery riders to the presence of alcohol (or other age restricted products) within an order: (1) it will be highlighted on the receipt included with the delivery that an age restricted product is contained in the order; (2) riders will receive a warning through their rider app that an age restricted product is included before accepting that order; and (3) riders are prompted to check the customer's identification if the order contains an age restricted product before they are able to mark the delivery as complete.

As part of their induction training, all delivery riders must undertake training on age verification processes. This training is refreshed every 6 months as part of a mandatory process and riders cannot continue to use the rider-side app (which allows them to accept orders) without reviewing a refresher training video. Customers are required to provide an accepted form of identification at the door prior to the order being handed over. In every order containing alcohol the Deliveroo rider is required to complete an age verification process through their app which has a function for the rider to enter the customers date of birth (taken from their identification) and the app will confirm that the customer is over the required age for the product. A rider cannot mark an order as "completed" (and therefore will not be paid for the order) until this process has been completed. Accepted forms of identification are a passport, UK or European Union photocard driving licence, photographic identity card bearing the national Proof of Age Standards Scheme (PASS) hologram or a National identity card issued by a European Union member state, Norway, Iceland, Liechtenstein or Switzerland. Riders are trained not to deliver alcohol to a customer who already appears to be drunk or to public places.

Orders that are refused because no acceptable form of identification was provided will automatically be recorded centrally once a rider confirms they have been unable to complete the order.

The following link provides further information on the Deliveroo training for riders on age verification: https://riders.deliveroo.co.uk/en/delivering-alcohol

In relation to this licensing objective, the following conditions are proposed:

- At the time an electronic order is placed for alcohol the purchaser will be subject to terms and conditions that confirm that they must be over the age of 18 to purchase alcohol on Deliveroo.
- A Challenge 25 proof of age scheme (or a scheme of higher compliance, such as universal proof of age scheme, regardless of perceived age) shall be operated upon each delivery where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, national identity card or proof of age card with the PASS (Proof of Age Standards Scheme) Hologram.



#### **OPERATIONAL MANAGEMENT PLAN**

The Deliveroo site at: Unit 1 Rangemoor Industrial Estate, Bernard Road, Tottenham, N15 4ND

#### **Order Process**

All orders are placed online using the Deliveroo app or web page - no orders can be placed in person onsite. Once an order has been placed, it can only be delivered using Deliveroo Riders - members of the public are not able to collect any orders from the site in person.

#### **Operating Hours**

| Site operating hours | Days of the week |
|----------------------|------------------|
| 07:00 - 00:00        | Monday - Sunday  |

#### **Code of Conduct**

All employees and visitors to the Site will be required to comply with this OMP where applicable and conduct themselves in the following manner:

• they will comply with all laws, rules and regulations applicable to the operation of the Site, and any

instructions given by Site staff;

- they will behave in a professional manner, and treat Site staff and neighbours with respect; and
- they will not create unnecessary noise in the immediate vicinity around the Site.

The Code of Conduct will be clearly displayed on Site and the on-Site staff will be responsible for ensuring that all new visitors to site (including Riders) are made aware of it

From the hours of 8pm until close, the site management team will ensure that all external noise emanating from the Site is kept to a minimum and that rider behaviour is closely monitored.

#### **Rider Collection**

Delivery vehicles (including scooters, bicycles and e-bikes) will be required to park within the areas indicated on the Lease Plan and Riders will be required to comply with all local laws and regulations relating to such parking.

An area will be made available inside of the property for Riders to collect their order and wait times will be set to a minimum to allow for fast and efficient collection.

Riders will be notified of an order via the Deliveroo app and the Deliveroo technology ensures that they will arrive on-site in time for collection. The site team will be responsible for monitoring CCTV to ensure that Riders are not congregating outside of the unit in large groups.

All Riders will be required to comply with all relevant Deliveroo policies and procedures. Details of these will be shared with Riders when they register with Deliveroo, and can be accessed at any time using the following link: <u>https://roocommunity.com/deliveroo-riders-community/</u>.

If a Rider on Site fails to comply with any Deliveroo policy or procedure (Site-specific or otherwise), a complaint will be reported to Deliveroo Rider Support by the Site staff. Following a complaint being made, the Rider will receive a notification, informing the Rider that they have breached Deliveroo's policy or procedure. If a Rider continues to breach the policy or procedure, and receives three notifications for any violation during a 90 day period, their contract with Deliveroo will be terminated. Deliveroo will ensure that a record of all Deliveroo orders collected from the Development and the corresponding Rider ID is maintained for a period of six calendar months to ensure that Deliveroo is able to identify any Riders reported to Deliveroo as not complying with any of the above policies or procedures.

It is important to note that Riders are not contracted to Deliveroo exclusively and could be contracted to provide services for a number of other online food delivery companies (e.g. Uber Eats, Just Eat). Deliveroo is unable to identify Riders who are providing services to other online food delivery companies and not logged on to the Deliveroo app.

#### Noise

Noise levels will be monitored to ensure that they are acceptable at all times, this forms part of our site manager's weekly checks.

#### Signage

Signs are placed on site reminding riders and employees to respect their neighbours and leave the site quietly.

Please see Appendix B for examples.

#### **Deliveries to the Site**

Supplier deliveries will be scheduled around the needs of the business and the site team will always be on site to coordinate and receive goods.

#### **Refuse Collection**

| Refuse | collection | is | managed | by | Veolia. |
|--------|------------|----|---------|----|---------|
|--------|------------|----|---------|----|---------|

Deliveroo is committed to being environmentally friendly and a significant proportion of waste generated on Site is recycled. Recycling bins are placed on Site encouraging people to recycle, and waste is separated into glassware, plastic and cardboard where possible.

We use a reputable pest control contractor to ensure best practices are maintained both inside and outside of the unit. The contractor will conduct an audit of the Site prior to opening and will have an ongoing schedule of visit thereafter.

#### Water, Gas and Power

The Site is operated in accordance with the operation and management guidelines issued by the applicable contractors. We do not anticipate requiring mains upgrades and assume the existing infrastructure will be sub metered and will suffice.

#### Lighting

There will be LED flood lighting outside the Site which operates on a sensor for safety reasons. This is static and non-flashing, and kept at a low level to reduce glare.

#### **Site Security**

A full remote monitored CCTV system will be in operation at the Site with cameras positioned both internally and externally.

Recorded CCTV images will be maintained and stored for a period of thirty days and will be produced tothePoliceorLicensingAuthorityuponrequest.

All site managers are trained in the use of CCTV equipment.

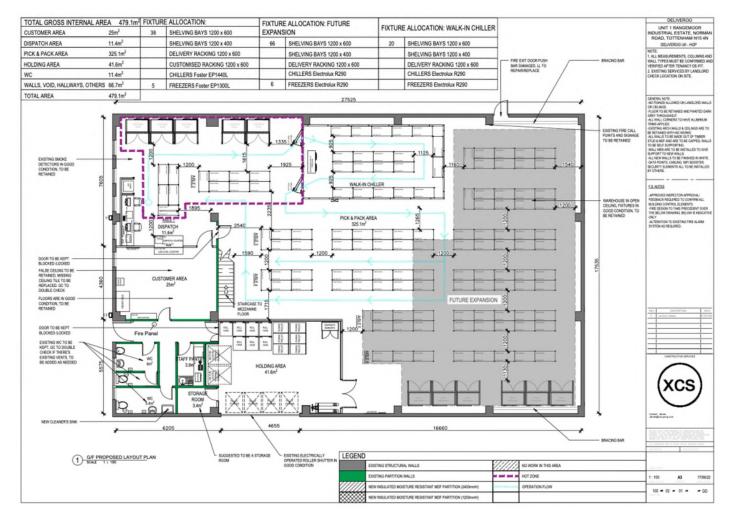
#### **Communication with Local Neighbours**

Deliveroo is committed to maintaining an excellent relationship with our neighbours and local Council. To that end, we have set up a dedicated email that may be used to notify us of any concerns and or suggestions.

Our on-site management team is also available during opening hours to help with any questions/queries/complaints that interested parties may have.

A record will be kept of any complaints, including the date, time, name, cause and action taken.

### Appendix A Site Plan



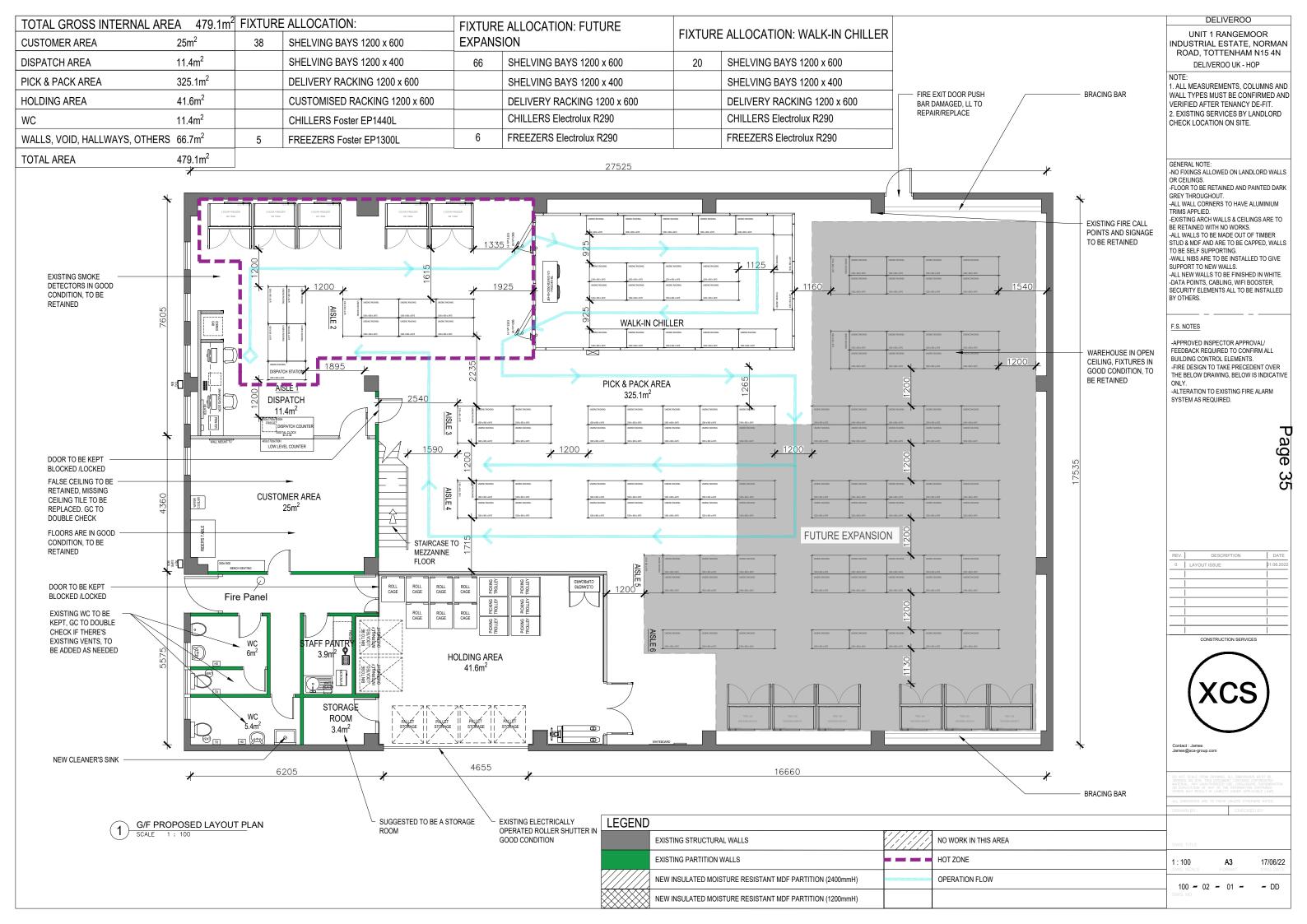
## Appendix B

Indicative signage on Site

| Please respect<br>our neighbours<br>Contraction of the series<br>Reduce engine noise when<br>entering and exiting the<br>Editions site | PLEASE<br>BRING YOUR<br>THERMAL<br>BAG TO<br>COLLECT<br>ORDERS | 2 |
|--|--|---|
|--|--|---|







# Appendix 2

#### **Representation 1**

From: Sent: 19 July 2022 12:43 To: Licensing <<u>Licensing.Licensing@haringey.gov.uk</u>> Subject: Deliveroo Hop

## Deliveroo Hop Ltd

Unit 1 Rangemoor Industrial Estate, Bernard Road, Tottenham, London N15 4ND Ward - South Tottenham

Supply of Alcohol Monday to Sunday 7am to 12 midnight Supply of alcohol OFF the premises.

Hours open to Public- No public access Monday to Sunday 7am to 12 midnight

Type of premises - Delivery Service End date - 26 July 2022 Licence type - New.

I would like to raise an objection to the granting of this licence.

The granting of this licence is I feel completely detrimental to the area that we live in for the following reasons.

1) There will be much noise generated by the mopeds that are used by Deliveroo drivers.

2)The hours of trade that are being proposed, are much longer than usual business hours and again the noise generated will severely affect local residents, especially those elderly residents in Priscilla Wakefield House.

3) Having witnessed first hand the congregation of Deliveroo drivers in other areas, this is bound to become a hub for antisocial behaviour.

4) There are no parking restrictions for most of the proposed opening hours so these drivers will all congregate in one area.

5) The proposed site is very close to both a local school (Earlsmead) and the aforementioned nursing home (Priscilla Wakefield) not to mention the many other residents who live close by. This type of business is totally unsuitable for the area and will set a precedent for other businesses of this type.

I urge you, for the good of our community to reject this application outright.

Yours sincerely

(A local resident)

From:

Sent: 19 July 2022 14:36 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Deliveroo-Hop Ltd

Dear Sirs, I am writing with concern regarding the licence application for Deliveroo Hop at Unit 1 Rangemoor Ind Est, Bernard Road London N154ND.

I think that having these extended hours of business 7am -midnight every day might set a precedent in our peaceful area for other business who might wish to do similar.

Having a constant stream of motorbikes so close to residents and especially Priscilla Care Home a few doors away being constantly passed will cause stress/pollution and wake people up.

I live at **and my back garden is only 50 metres away from the site and we sometimes** are woken up when kids are playing with motorbikes or hanging out at Topps Tiles area, so I know what this may become, and if noise increases it will be detrimental for us.

My husband suffer from insomnia which can exacerbate his periods of depression and I would hate for him to be woken up by more noise. I feel it's a serious matter especially for residents and staff at Priscilla Care Home and the residents nearby. We didn't choose to live in a noisy area.

The poster that was put up was small and I only found out about this a couple days ago, I think you should put up better notifications and inform local RA groups for example. The poster looked like a spoof at first ?

Can you please explain the due procedure for notifying local residents about such developments ?

As there are no parking restrictions at night in this area people may congregate and this could become a hub for anti social behaviour.

Will drivers go inside the parking area to collect, or will they pick up from the street ? Will there be rules about turning engines off and noise ?

I don't think it particularly healthy to give people access to alcohol delivery 7am-12midnight 7 days a week, will alcohol be ordered only during specific times or though the whole period ?

There are some other Deliveroo hubs that I'm aware of in North London Area and they are in either commercial/high st locations or inside proper industrial locations, not adjacent to residents. Please could you inform me when this licence will go to decision as I would like to speak with councillors and attend the meeting.

Waiting for your kind response, Very best

Many thanks





#### LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

#### **Personal Details**

Name...

Address.

.....

.....

Postcode

#### Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number (Not listed on Haringey web site so it is not obtainable)

Name of Licensee Deliveroo Hop Ltd

Name of Premises (if applicable).....

Premises Address (where the Licence will take effect)..... Unit 1 Rangemoor Industrial Estate, Bernard Road, Tottenham, London N15 4ND Ward - South Tottenham

Postcode N15 4ND

#### Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet **Variations, Representations and Appeals for Premises Licences and Club Premises Certificates**).

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

Page 44

| The Prevention of Crime and Disorder   |
|--|
|  |
|  |
|  |
|  |
| Dublic Sofety  |
| Public Safety  |
|  |
|  |
|  |
|  |
| The Prevention of Public Nuisance<br>1. There is a nursing home at the top of Rangemoor Road, which motorbikes will<br>have to go past to get in and out of the Rangemoor Industrial Estate. To have<br>motorbikes going up and down this road until midnight will be very disturbing to the |
| residents.<br>2. There is a residential area that is directly adjacent to the this light industrial area.<br>To have motorbikes going up and down till midnight will be very disturbing to us.   |
| The Protection of Children from Harm   |
|  |
|  |
|  |
|  |
|  |
| I, hearby declare that all information I have  |
| submitted is true and correct.   |

Signed:

| 9 |  |  |  |
|---|--|--|--|

Date: 25/07/22

Please email the completed form to licensing@haringey.gov.uk.

From: Daliah Barrett <Daliah.Barrett@haringey.gov.uk> On Behalf Of Licensing
Sent: 13 September 2022 13:49
To: Daliah Barrett <Daliah.Barrett@haringey.gov.uk>
Subject: FW: Licence Application - Deliveroo Hop Unit 1 Rangemoor Road, Bernard Road, London N15 4NL

From: Simon Finn <
Sent: 19 July 2022 09:32
To: Licensing <<u>Licensing.Licensing@haringey.gov.uk</u>>
Cc: Cllr Peacock Sheila <<u>Sheila.Peacock@haringey.gov.uk</u>>
Subject: Licence Application - Deliveroo Hop Unit 1 Rangemoor Road, Bernard Road, London N15
4NL

The applicant is as follows:

### Deliveroo Hop Ltd

Unit 1 Rangemoor Industrial Estate, Bernard Road, Tottenham, London N15 4ND Ward - South Tottenham Supply of Alcohol Monday to Sunday 7am to 12 midnight Supply of alcohol OFF the premises. Hours open to Public- No public access Monday to Sunday 7am to 12 midnight Type of premises - Delivery Service End date - 26 July 2022 Licence type - New

Dear Sir/Madam

I would like to object to this application on the following grounds:

1. The stated address of the applicant is wrong. It must be either Rangemoor Road or Bernard Road and the postcode checked if a licence to sell alcohol is permitted as an "off licence". Also should there not be a named person to hold that licence for the business.

1) HOURS OF BUSINESS - THESE HOURS ARE WELL OUTSIDE THE NORMAL OPERATION OF THE OTHER BUSINESSES THAT OPERATE IN THIS AREA AND IT WILL SET A PRECEDENT. BUSINESS HOURS ON RANGEMOOR ROAD INDUSTRIAL ESTATE ARE PREDOMINATLY BETWEEN 7AM TO 7PM DURING THE WEEK, RESDTRICTED ON SATURDAYS AND NOT ALLOWED ON SUNDAYS.

2) WHILE IT SAYS NOT OPEN TO THE PUBLIC THIS WILL BE A COLLECTION HUB FOR DELIVEROO DRIVERS REASULTING IN A CONTINUOUS STREAM OF VEHICLES AND MOPEDS 7 DAYS A WEEK FOR EXTENDED HOURS. MOPED NOISE PARTICULARLY FOR THE RESIDENTS OF PRICILLA WAKEFIELD HOUSE NURSING HOME COULD CAUSE HARM. THE SCHOOL IS SITUATED MY THE ENTRANCE TO THE TRADING ESTATE AND ALSO USES A SAFE PLAY AREA VERY NEAR TO THIS UNIT.

3) DRIVERS/RIDERS WILL CONGREGATE AND PARK AS THERE ARE NO RESTRICTRIONS FOR MOST OF THE OPERATING HOURS WAITING FOR DELIVERY ODERS TO BE READY.

4) THIS COULD BECOME A HUB FOR ANTI SOCIAL BEHAVIOUR.

Simon Finn

# Appendix 3

From: Richard Taylor
Sent: 20 September 2022 14:16
To: Eileen
Cc: Licensing <Licensing.Licensing@haringey.gov.uk>; Mandy Mighty <</li>
Subject: Deliveroo Hop Ltd – Unit 1 Rangemoor Industrial Estate, Bernard Road, London N15 4ND GTE:0009500002070

Good Afternoon

I act for Deliveroo Hop Ltd and am responsible for the application to which you have lodged a representation, and which now stands listed for hearing before the Licensing Committee on 4<sup>th</sup> October 2022.

I have asked the Licensing Officer (copied into this email) whether I may contact you directly, as I wanted to allay any concerns that you may have about this application.

Deliveroo Hop Ltd operates as an online supermarket. These premises will operate as a distribution hub to allow groceries to be delivered to fulfil those orders made online.

The current proposal is for the business to operate as a delivery-only site and the application and conditions that have been agreed with the authorities reflect that. There are no representations from any of the responsible authorities, including the police, environmental health or indeed any council department.

Conditions have been agreed with both the Licensing Authority and Public Health Department. The purpose of the conditions agreed is to ensure that the operation of these premises does not cause any nuisance to local neighbours. A list of the agreed conditions is below.

It is important to note that these premises may already open and operate in the manner that is proposed. The grant of the premises licence would enable my client to include alcohol within a basket of shopping that it may already sell and deliver.

I'm also aware that a number of concerns have been raised relating to traffic. As the premises may already fulfil grocery orders, the grant of a premises licence will not make any difference to traffic – the content of the box/basket of groceries will not change traffic noise or flows.

I want to assure you that Deliveroo Hop Ltd takes the concerns of the community - residents, businesses and the local authorities - very seriously and strives to operate as a responsible and committed business. We have worked hard to agree conditions which are suitable for this site and we have taken measures to mitigate any issues which people have raised with us.

I hope that these conditions agreed allay your concerns. If they do, and you would like to withdraw your representation then please confirm this by email to <u>licensing@haringey.gov.uk</u>.

If you have any queries about the application or indeed would like to meet representatives from Deliveroo to discuss this then please let me know and I will make the necessary arrangements.

Kind regards

#### RICHARD

#### <u>Deliveroo Hop Ltd – Unit 1 Rangemoor Industrial Estate, Bernard Road, London N15 4ND</u> <u>Conditions agreed with the Responsible Authorities</u>

The conditions that have been agreed with the Licensing Authority are :-

- 1. Prominent, clear, and legible notices must be displayed at all exits requesting self-employed delivery agents to respect the needs of local residents and to leave the premises quietly.
- 2. Toilet facilities at the premises shall be available for riders to use.
- 3. The applicant will require that all riders provide delivery services in a safe and professional manner.
- 4. The applicant will require that riders comply with the law on road use and parking.
- 5. Sales are only made by telephone or internet orders with deliveries made away from the premises.
- 6. Age verification will be implemented for online orders.
- 7. At the time an electronic order is placed for alcohol the purchaser will be subject to terms and conditions that confirm that they must be over the age of 18 to purchase alcohol on Deliveroo.
- 8. A Challenge 25 proof of age scheme (or a scheme of higher compliance, such as universal proof of age scheme, regardless of perceived age) shall be operated upon each delivery where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, national identity card or proof of age card with the PASS (Proof of Age Standards Scheme) Hologram.
- 9. No sales will be allowed by persons calling at the premises.
- 10. The company will require that all orders are to be delivered to residential or business address and will require that delivery riders do not complete deliveries that are not to a residential or business address.
- 11. Access to alcohol will be limited to fulfilment staff who have signed-in and are over 18.
- 12. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- 13. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for trading. All recordings shall be stored for a minimum period of 30 days with date and time stamping. Viewing of recordings shall be made available with the absolute minimum of delay upon the reasonable request of a Police or authorised officer throughout the entire 30-day period.
- 14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open for trading. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 15. All images downloaded from the CCTV system must be provided in a format that allows them to be viewed on readily available equipment without the need for specialist software.

We have also agreed conditions with the Public Health Department. Some of these conditions were the same as those above. However the additional conditions agreed are as follows:-

- 1. Drivers who are delivering alcohol must be over 18.
- 2. No super-strength beer, lagers or ciders over 6.5% ABV (alcohol by volume) or above shall be stocked or sold at the Premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6.5% or above such as craft or speciality brands or brands produced

by a micro-brewery, or brands produced to commemorate a national or local event. No promotional sales of alcohol where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold.

- 3. The premise shall not be open to the general public and no collection shall be made by the public outside of the alcohol hours requested. Alcohol shall only be supplied in sealed containers.
- 4. Alcohol shall be stored securely, when on premises, at all times.
- 5. A record (which may be electronic) of alcohol orders shall be kept which shall include the customer's name & address. Following data protection regulations, this log shall be made available to Police and local authority officers upon request (and in all circumstances such records shall be treated confidentially by the responsible authorities unless it is required for the purposes of an investigation or prosecution and shall always be subject to applicable privacy laws).
- 6. The company will instruct delivery riders/drivers that all orders are to be delivered to residential or business address and will require that delivery riders do not complete deliveries that are not to a residential or business address.
- 7. At the time an electronic order is placed for alcohol the purchaser will be subject to terms and conditions that confirm that they must be over the age of 18 to purchase alcohol on Deliveroo.
- 8. All delivery riders shall receive training in age restricted sales and the operation of the Challenge 25 policy.
  - Induction training must be completed and documented prior to the delivery of alcohol by the rider.
  - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
  - Training records will be available for inspection by a police officer or other authorised officer on request.
  - Training records will be electronically stored by the licence holder for a period of 12 months.
- 9. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she is aged 18 or over. If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld.
- 10. A record of refusals shall be maintained which documents every instance that a sale or supply of alcohol is refused, indicating the date and time the refusal was made. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the police on request.
- 11. The applicant shall affix a sign outside the premises requesting riders to be mindful of the residents, users and visitors of Earlsmead Primary School and Pricilla Wakefield Care Homes; and shall provide evidence of the sign being affixed to Public Health.

Richard Taylor | Partner | Head of Licensing Department for and on behalf of Gosschalks LLP

#### Anti-fraud notice – please read carefully: We will not change our bank details during the course of this matter.

If, during the course of this matter, you receive an email or phone call purporting to be from Gosschalks informing you that our bank details have changed, it is likely to be an attempted fraud. If this happens, please report it immediately to our Cashiers Department on 01482 590203 who will verify our bank details and, if necessary, report the matter to the police.

From: Richard Taylor
Sent: 20 September 2022 14:15
To: craig
Cc: Licensing <Licensing.Licensing@haringey.gov.uk>; Mandy Mighty
Subject: Deliveroo Hop Ltd – Unit 1 Rangemoor Industrial Estate, Bernard Road, London N15 4ND GTE:0009500002070

Good Afternoon

I act for Deliveroo Hop Ltd and am responsible for the application to which you have lodged a representation, and which now stands listed for hearing before the Licensing Committee on 4<sup>th</sup> October 2022.

I have asked the Licensing Officer (copied into this email) whether I may contact you directly, as I wanted to allay any concerns that you may have about this application.

Deliveroo Hop Ltd operates as an online supermarket. These premises will operate as a distribution hub to allow groceries to be delivered to fulfil those orders made online.

The current proposal is for the business to operate as a delivery-only site and the application and conditions that have been agreed with the authorities reflect that. There are no representations from any of the responsible authorities, including the police, environmental health or indeed any council department.

Conditions have been agreed with both the Licensing Authority and Public Health Department. The purpose of the conditions agreed is to ensure that the operation of these premises does not cause any nuisance to local neighbours. A list of the agreed conditions is below.

It is important to note that these premises may already open and operate in the manner that is proposed. The grant of the premises licence would enable my client to include alcohol within a basket of shopping that it may already sell and deliver.

I'm also aware that a number of concerns have been raised relating to traffic. As the premises may already fulfil grocery orders, the grant of a premises licence will not make any difference to traffic – the content of the box/basket of groceries will not change traffic noise or flows.

I want to assure you that Deliveroo Hop Ltd takes the concerns of the community - residents, businesses and the local authorities - very seriously and strives to operate as a responsible and committed business. We have worked hard to agree conditions which are suitable for this site and we have taken measures to mitigate any issues which people have raised with us.

I hope that these conditions agreed allay your concerns. If they do, and you would like to withdraw your representation then please confirm this by email to <u>licensing@haringey.gov.uk</u>.

If you have any queries about the application or indeed would like to meet representatives from Deliveroo to discuss this then please let me know and I will make the necessary arrangements.

Kind regards

#### RICHARD

#### <u>Deliveroo Hop Ltd – Unit 1 Rangemoor Industrial Estate, Bernard Road, London N15 4ND</u> <u>Conditions agreed with the Responsible Authorities</u>

The conditions that have been agreed with the Licensing Authority are :-

- 1. Prominent, clear, and legible notices must be displayed at all exits requesting self-employed delivery agents to respect the needs of local residents and to leave the premises quietly.
- 2. Toilet facilities at the premises shall be available for riders to use.
- 3. The applicant will require that all riders provide delivery services in a safe and professional manner.
- 4. The applicant will require that riders comply with the law on road use and parking.
- 5. Sales are only made by telephone or internet orders with deliveries made away from the premises.
- 6. Age verification will be implemented for online orders.
- 7. At the time an electronic order is placed for alcohol the purchaser will be subject to terms and conditions that confirm that they must be over the age of 18 to purchase alcohol on Deliveroo.
- 8. A Challenge 25 proof of age scheme (or a scheme of higher compliance, such as universal proof of age scheme, regardless of perceived age) shall be operated upon each delivery where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, national identity card or proof of age card with the PASS (Proof of Age Standards Scheme) Hologram.
- 9. No sales will be allowed by persons calling at the premises.
- 10. The company will require that all orders are to be delivered to residential or business address and will require that delivery riders do not complete deliveries that are not to a residential or business address.
- 11. Access to alcohol will be limited to fulfilment staff who have signed-in and are over 18.
- 12. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- 13. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for trading. All recordings shall be stored for a minimum period of 30 days with date and time stamping. Viewing of recordings shall be made available with the absolute minimum of delay upon the reasonable request of a Police or authorised officer throughout the entire 30-day period.
- 14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open for trading. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 15. All images downloaded from the CCTV system must be provided in a format that allows them to be viewed on readily available equipment without the need for specialist software.

We have also agreed conditions with the Public Health Department. Some of these conditions were the same as those above. However the additional conditions agreed are as follows:-

- 1. Drivers who are delivering alcohol must be over 18.
- 2. No super-strength beer, lagers or ciders over 6.5% ABV (alcohol by volume) or above shall be stocked or sold at the Premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6.5% or above such as craft or speciality brands or brands produced

by a micro-brewery, or brands produced to commemorate a national or local event. No promotional sales of alcohol where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold.

- 3. The premise shall not be open to the general public and no collection shall be made by the public outside of the alcohol hours requested. Alcohol shall only be supplied in sealed containers.
- 4. Alcohol shall be stored securely, when on premises, at all times.
- 5. A record (which may be electronic) of alcohol orders shall be kept which shall include the customer's name & address. Following data protection regulations, this log shall be made available to Police and local authority officers upon request (and in all circumstances such records shall be treated confidentially by the responsible authorities unless it is required for the purposes of an investigation or prosecution and shall always be subject to applicable privacy laws).
- 6. The company will instruct delivery riders/drivers that all orders are to be delivered to residential or business address and will require that delivery riders do not complete deliveries that are not to a residential or business address.
- 7. At the time an electronic order is placed for alcohol the purchaser will be subject to terms and conditions that confirm that they must be over the age of 18 to purchase alcohol on Deliveroo.
- 8. All delivery riders shall receive training in age restricted sales and the operation of the Challenge 25 policy.
  - Induction training must be completed and documented prior to the delivery of alcohol by the rider.
  - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
  - Training records will be available for inspection by a police officer or other authorised officer on request.
  - Training records will be electronically stored by the licence holder for a period of 12 months.
- 9. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she is aged 18 or over. If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld.
- 10. A record of refusals shall be maintained which documents every instance that a sale or supply of alcohol is refused, indicating the date and time the refusal was made. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the police on request.
- 11. The applicant shall affix a sign outside the premises requesting riders to be mindful of the residents, users and visitors of Earlsmead Primary School and Pricilla Wakefield Care Homes; and shall provide evidence of the sign being affixed to Public Health.

**Richard Taylor** | **Partner** | **Head of Licensing Department** for and on behalf of Gosschalks LLP

#### Anti-fraud notice – please read carefully: We will not change our bank details during the course of this matter.

If, during the course of this matter, you receive an email or phone call purporting to be from Gosschalks informing you that our bank details have changed, it is likely to be an attempted fraud. If this happens, please report it immediately to our Cashiers Department on 01482 590203 who will verify our bank details and, if necessary, report the matter to the police.

# Agenda Item 7

#### Report for: Licensing Sub Committee 04<sup>th</sup> October 2022

#### Item number:

**Title:** Application for a Variation of a Premises Licence- Lounge, 34 High Street London N8

#### Report

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

Ward(s) affected: Hornsey

#### Report for Key/ Non Key Decision: Not applicable

- 1. Describe the issue under consideration
- 1.1 This report relates to an application to vary an existing premises licence by Mr Fation Gjana.
- 1.2 The application seeks the following:

| Regulated Entertainment: | Live Music and Recorded Music |
|--------------------------|-------------------------------|
| Monday to Thursday       | 1000 to 0045 hours            |
| Friday to Saturday       | 1000 to 0130 hours            |
| Sunday                   | 1200 to 0030 hours            |
| Late Night Refreshment   |                               |
| Sunday to Thursday       | 2300 to 0100 hours            |
| Friday to Saturday       | 2300 to 0130 hours            |
| Sale of Alcohol          |                               |
| Monday to Thursday       | 1000 to 0045 hours            |
| Friday to Saturday       | 1000 to 0130 hours            |
| Sunday                   | 1200 to 0030 hours            |
|                          |                               |

Supply of alcohol **ON** the premises.

| Hours open to Public |                    |
|----------------------|--------------------|
| Monday to Thursday   | 0800 to 0115 hours |
| Friday to Saturday   | 0800 to 0200 hours |
| Sunday               | 0800 to 0100 hours |
|                      |                    |

- 1.3 The application can be found at Appendix A.
- 1.4 Representations have been received from:

Residents and Ward members - App B

#### 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 aspplication 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 becaus 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 the parade of commercial business in the High Street with residential above and directly across the road to it. The premises has operated as a restaurant in the past and held a licence to allow alcohol and regulated entertainment. Existing Licence App C
- 2.2 The premises has not been occupied for a long period of time. Records show that the one noise compliant was received in December 2018 due to a late night party that had taken place without authorisation under the previous occupant.
- 2.3 The existing Planning Permission states the following:

Planning permission HGY/2004/1593 was granted for the change of use of property from social club to restaurant (A3).

Condition 6 restricted the hours as follows:

6. The use hereby permitted shall not be operated before 0800 or after2300 hours on any day.

Reason: This permission is given to facilitate the beneficial use of the premises whilst Ensuring that the amenities of adjacent residential properties are not diminished.

If the applicant wants to amend the hours outside of the above, then formal planning permission is required. App D

#### 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 relavant 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
- $\circ$  Article 6(1) Right to a fair hearing.
- Article 10 Freedom of Expression

#### 7 Use of Appendices

Appendix A - New Application. Appendix B – Representations. Residents/Ward members Appendix C – Existing licence Appendix D – Planning position

Background papers: Section 82 Guidance Haringey Statement of Licensing policy



# Appendix 1

#### Application to vary a premises licence under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

#### I/We Mr Fation Gjana

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/000005247

#### **Part 1 – Premises Details**

| Postal addres<br>34 High Str | s of premises or, if none, ordnance survey map refe<br>eet | rence or descrip | otion  |
|------------------------------|--|------------------|--------|
| Post town                    | London   | Postcode         | N8 7NX |

| Telephone number at premises (if any)   |         |
|---|---------|
| Non-domestic rateable value of premises | £21,250 |

#### Part 2 – Applicant details

| Daytime contact<br>telephone number                             |          |
|---|----------|
| E-mail address (optional)                                       |          |
| Current postal address if<br>different from premises<br>address |          |
| Post town   | Postcode |

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

#### D No

If not, from what date do you want the variation to take effect?

| DD | ) | MN | Л | ΥY | ΥY | 7 |
|----|---|----|---|----|----|---|
|    |   |    |   |    |    |   |

Yes

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  $\square$  Yes  $\square$  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2) Addition and Variation of times for licensable activities

Sale of Alcohol – Mon – Thur 10:00 – 00:45, Fri & Sat 10:00 – 01:30, Sun 12:00 – 00:30

Late Night Refreshment – Sunday to Thursday 23:00 – 01:00, Fri & Sat 23:00 – 01:30,

Live and Recorded Music – Mon – Thur 10:00 – 00:45, Fri & Sat 10:00 – 01:30, Sun 12:00 – 00:30

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

\_\_\_\_\_

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

| Pro | vision of regulated entertainment (Please see guidance note 3)  | Please tick all that apply |
|-----|---|----------------------------|
| a)  | plays (if ticking yes, fill in box A)   |                            |
| b)  | films (if ticking yes, fill in box B)   |                            |
| c)  | indoor sporting events (if ticking yes, fill in box C)  |                            |
| d)  | boxing or wrestling entertainment (if ticking yes, fill in box D)                                       |                            |
| e)  | live music (if ticking yes, fill in box E)  | $\boxtimes$                |
| f)  | recorded music (if ticking yes, fill in box F)  | $\boxtimes$                |
| g)  | performances of dance (if ticking yes, fill in box G)   |                            |
| h)  | anything of a similar description to that falling within (e), (f) or (g (if ticking yes, fill in box H) | g)                         |

| Provision of late night refreshment (if ticking yes, fill in box I) | $\bowtie$   |
|---|-------------|
| <u>Supply of alcohol</u> (if ticking yes, fill in box J)            | $\boxtimes$ |
| In all cases complete boxes K, L and M                              |             |

# A

| Plays<br>Standard days and<br>timings (please read |            |        | <u>Will the performance of a play take place indoors</u><br><u>or outdoors or both – please tick</u> (please read<br>guidance note 4)                          | Indoors         |                 |
|--|------------|--------|--|-----------------|-----------------|
|  | ce note 8) |        |  | Outdoors        |                 |
| Day  | Start      | Finish |  | Both            |                 |
| Mon  |            |        | Please give further details here (please read guidant  | ce note 5)      |                 |
| Tue  |            |        |  |                 |                 |
| Wed  |            |        | State any seasonal variations for performing plays (<br>guidance note 6)   | please read     |                 |
| Thur   |            |        |  |                 |                 |
| Fri  |            |        | Non standard timings. Where you intend to use the performance of plays at different times to those list on the left, please list (please read guidance note 7) | ed in the colun | <u>he</u><br>nn |
| Sat  |            |        |  |                 |                 |
| Sun  |            |        |  |                 |                 |

# В

| Films<br>Standard days and<br>timings (please read |            |        | Will the exhibition of films take place indoors or<br>outdoors or both – please tick (please read<br>guidance note 4)  | Indoors                 |    |
|--|------------|--------|--|-------------------------|----|
|  | ce note 8) |        |  | Outdoors                |    |
| Day  | Start      | Finish |  | Both                    |    |
| Mon  |            |        | Please give further details here (please read guidant  | ce note 5)              |    |
| Tue  |            |        |  |                         |    |
| Wed  |            |        | State any seasonal variations for the exhibition of f guidance note 6)   | <u>ilms</u> (please rea | ad |
| Thur   |            |        |  |                         |    |
| Fri  |            |        | Non standard timings. Where you intend to use the exhibition of films at different times to those listed the left, please list (please read guidance note 7) |                         |    |
| Sat  |            |        |  |                         |    |
| Sun  |            |        |  |                         |    |

# С

| Indoor sporting events<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Please give further details</u> (please read guidance note 5)  |
|---|-------|--------|---|
| Day   | Start | Finish |   |
| Mon   |       |        |   |
| Tue   |       |        | State any seasonal variations for indoor sporting events (please read guidance note 6)  |
| Wed   |       |        |   |
| Thur  |       |        | Non standard timings. Where you intend to use the premises for<br>indoor sporting events at different times to those listed in the column<br>on the left, please list (please read guidance note 7) |
| Fri   |       |        |   |
| Sat   |       |        |   |
| Sun   |       |        |   |

# D

| Boxing or wrestling<br>entertainments<br>Standard days and |       |        | Will the boxing or wrestling entertainment take<br>place indoors or outdoors or both – please tick<br>(please read guidance note 4)                             | Indoors           |          |
|--|-------|--------|---|-------------------|----------|
| timings (please read<br>guidance note 8)                   |       |        |   | Outdoors          |          |
| Day  | Start | Finish |   | Both              |          |
| Mon  |       |        | Please give further details here (please read guidant   | ce note 5)        |          |
| Tue  |       |        |   |                   |          |
| Wed  |       |        | State any seasonal variations for boxing or wrestlin<br>(please read guidance note 6)   | g entertainmen    | <u>t</u> |
| Thur   |       |        |   |                   |          |
| Fri  |       |        | Non standard timings. Where you intend to use the boxing or wrestling entertainment at different times the column on the left, please list (please read guided) | s to those listed | in       |
| Sat  |       |        |   |                   |          |
| Sun  |       |        |   |                   |          |

# E

| Live music<br>Standard days and<br>timings (please read |       |        | Will the performance of live music take place<br>indoors or outdoors or both – please tick (please<br>read guidance note 4)   | Indoors                |           |  |  |  |
|---|-------|--------|---|------------------------|-----------|--|--|--|
| guidance note 8)  |       |        |   | Outdoors               |           |  |  |  |
| Day   | Start | Finish |   | Both                   |           |  |  |  |
| Mon   | 10:00 | 00:45  | <u>Please give further details here</u> (please read guidance note 5)<br>Live music will be provided on request from customers wishing<br>to book the premise for private functions e.g. birthday parties |                        |           |  |  |  |
| Tue   | 10:00 | 00:45  | celebrations. Each event will be subjected to a risk assessme<br>to determine the adequate measures in order to maintain and<br>promote the licensing objectives.   |                        |           |  |  |  |
| Wed   | 10:00 | 00:45  | State any seasonal variations for the performance of read guidance note 6)  | <u>f live music</u> (p | lease     |  |  |  |
| Thur  | 10:00 | 00:45  |   |                        |           |  |  |  |
| Fri   | 10:00 | 01:30  | Non standard timings. Where you intend to use the performance of live music at different times to those column on the left, please list (please read guidance)  | se listed in the       | <u>he</u> |  |  |  |
| Sat   | 10:00 | 01:30  |   |                        |           |  |  |  |
| Sun   | 12:00 | 00:30  |   |                        |           |  |  |  |

# F

| Recorded music<br>Standard days and<br>timings (please read |                  |        | Will the playing of recorded music take place<br>indoors or outdoors or both – please tick (please<br>read guidance note 4) | Indoors         |       |
|---|------------------|--------|---|-----------------|-------|
|   | guidance note 8) |        |   | Outdoors        |       |
| Day   | Start            | Finish |   | Both            |       |
| Mon   | 10:00            | 00:45  | <u>Please give further details here</u> (please read guidan<br>Recorded music will be provided on request from              |                 |       |
|   |                  |        | wishing to book the premise for private functio   |                 |       |
| Tue   | 10:00            | 00:45  | narties or celebrations. Each event will be subjected to  |                 | k     |
|   |                  |        | maintain and promote the licensing objectives.  |                 |       |
|   |                  |        |   |                 |       |
| Wed   | 10:00            | 00:45  | State any seasonal variations for the playing of record<br>read guidance note 6)  | orded music (pl | lease |
|   |                  |        |   |                 |       |
| Thur  | 10:00            | 00:45  |   |                 |       |
|   |                  |        |   |                 |       |
| Fri   | 10:00            | 01:30  | Non standard timings. Where you intend to use the playing of recorded music at different times to those                     |                 | he_   |
|   |                  |        | <u>column on the left, please list</u> (please read guidance  |                 |       |
| Sat   | 10:00            | 01:30  |   |                 |       |
|   |                  | -      |   |                 |       |
| Sun   | 12:00            | 00:30  |   |                 |       |
|   |                  |        |   |                 |       |

# G

| <b>Performances of dance</b><br>Standard days and<br>timings (please read |                  | nd     | Will the performance of dance take place<br>indoors or outdoors or both – please tick<br>(please read guidance note 4)                                    | Indoors                 |  |
|---|------------------|--------|---|-------------------------|--|
|   | guidance note 8) |        | (())  | Outdoors                |  |
| Day   | Start            | Finish |   | Both                    |  |
| Mon   |                  |        | Please give further details here (please read guida   | ance note 5)            |  |
| Tue   |                  |        |   |                         |  |
| Wed   |                  |        | State any seasonal variations for the performance of dance (please<br>read guidance note 6)   |                         |  |
| Thur  |                  |        |   |                         |  |
| Fri   |                  |        | Non standard timings. Where you intend to use<br>the performance of dance at different times to th<br>column on the left, please list (please read guidan | <u>nose listed in t</u> |  |
| Sat   |                  |        |   |                         |  |
| Sun   |                  |        |   |                         |  |

# Η

| Anything of a similar<br>description to that<br>falling within (e), (f) or<br>(g)<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | Please give a description of the type of entertainme<br>providing   | nt you will be |      |
|--|-------|--------|---|----------------|------|
| Day  | Start | Finish | Will this entertainment take place indoors or<br>outdoors or both – please tick (please read  | Indoors        |      |
| Mon  | 10:00 | 00:45  | guidance note 4)  | Outdoors       |      |
|  |       |        |   | Both           |      |
| Tue  | 10:00 | 00:45  | <u>Please give further details here</u> (please read guidance note 5)<br>Regulated Entertainment will be provided on request from<br>customers wishing to book the premise for private functions e  |                | e.g. |
| Wed  | 10:00 | 00:45  | birthday parties or celebrations. Each event will be subject<br>a risk assessment to determine the adequate measures in<br>to maintain and promote the licensing objectives.  |                |      |
| Thur   | 10:00 | 00:45  | State any seasonal variations for entertainment<br>description to that falling within (e), (f) or (g)<br>guidance note 6)   |                |      |
| Fri  | 10:00 | 01:30  |   |                |      |
| Sat  | 10:00 | 01:30  | Non standard timings. Where you intend to use the premises for<br>the entertainment of a similar description to that falling within<br>(e), (f) or (g) at different times to those listed in the column on the<br>left, please list (please read guidance note 7) |                | n    |
| Sun  | 12:00 | 00:30  |   |                |      |

# Ι

| Late night refreshment<br>Standard days and<br>timings (please read |                  |        | Will the provision of late night refreshment<br>take place indoors or outdoors or both –<br>please tick (please read guidance note 4)                          | Indoors             |             |
|---|------------------|--------|--|---------------------|-------------|
|   | guidance note 8) |        |  | Outdoors            |             |
| Day   | Start            | Finish |  | Both                | $\boxtimes$ |
| Mon   | 23:00            | 01:00  | Please give further details here (please read guid   | ance note 5)        |             |
| Tue   | 23:00            | 01:00  |  |                     |             |
| Wed   | 23:00            | 01:00  | State any seasonal variations for the provision of refreshment (please read guidance note 6)   | <u>f late night</u> |             |
| Thur  | 23:00            | 01:00  |  |                     |             |
| Fri   | 23:00            | 01:30  | Non standard timings. Where you intend to use<br>the provision of late night refreshment at different<br>listed in the column on the left, please list (please | ent times, to th    | iose        |
| Sat   | 23:00            | 01:30  | note 7)  |                     |             |
| Sun   | 23:00            | 01:00  |  |                     |             |

## J

| <b>Supply of alcohol</b><br>Standard days and<br>timings (please read |            | nd     | Will the supply of alcohol be for consumption<br>– please tick (please read guidance note 9)  | On the premises     |            |
|---|------------|--------|---|---------------------|------------|
|   | ce note 8) |        |   | Off the premises    |            |
| Day   | Start      | Finish |   | Both                |            |
| Mon   | 10:00      | 00:45  | State any seasonal variations for the supply of a guidance note 6)  | lcohol (please      | read       |
| Tue   | 10:00      | 00:45  |   |                     |            |
| Wed   | 10:00      | 00:45  |   |                     |            |
| Thur  | 10:00      | 00:45  | Non-standard timings. Where you intend to use<br>the supply of alcohol at different times to those<br>column on the left, please list (please read guidan | <u>isted in the</u> | <u>for</u> |
| Fri   | 10:00      | 01:30  |   | ,                   |            |
| Sat   | 10:00      | 01:30  |   |                     |            |
| Sun   | 12:00      | 00:30  |   |                     |            |

## Κ

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

N/A

L

| Hours premises are<br>open to the public<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | State any seasonal variations (please read guidance note 6)  |
|---|-------|--------|--|
| Day   | Start | Finish |  |
| Mon   | 08:00 | 01:15  |  |
| Tue   | 08:00 | 01:15  |  |
| Wed   | 08:00 | 01:15  |  |
| Thur  | 08:00 | 01:15  | Non standard timings. Where you intend the premises to be open<br>to the public at different times from those listed in the column on<br>the left, please list (please read guidance note 7) |
| Fri   | 08:00 | 02:00  |  |
| Sat   | 08:00 | 02:00  |  |
| Sun   | 08:00 | 01:00  |  |
|   |       |        |  |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

|   |   | Please tick as appropriate |
|---|---|----------------------------|
| • | I have enclosed the premises licence                      | $\boxtimes$                |
| • | I have enclosed the relevant part of the premises licence | $\boxtimes$                |
|   |   |                            |

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

### a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises. There shall be no vertical-drinking and all alcohol will only be served by staff directly to persons who are seated at tables. There shall be no supply of alcohol for consumption off the premises. A Personal Licence Holder or other responsible nominated person shall be present at the premises at all times during licensing hours. The Licence Holder shall ensure that any glass bottles or glass drink containers are removed from persons leaving the premises.

#### b) The prevention of crime and disorder

Continue with the current measures in place in relation with this licensing objective. Risk assessment will be conducted to determine the adequate measures in order to maintain and promote the licensing objectives. Where a pre-booked event held at the premises the premises licence holder shall maintain a written record of the name, address and contact details of the person hiring the premises as well as a description of they type of events and numbers expected to attend. Such records to be made available for inspection on request of police and authorised officers of the licensing authority.

The Licensee shall adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age. The Licensee to prominently display notices advising customers of the "Challenge 25" policy. The following proofs of age are the only ones to be accepted : • Proof of age cards bearing the "Pass" hologram symbol • Photo Driving licence • Passport.

The Licensee shall keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed

premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Licensee shall ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and proxy sales and that this has been properly documented and training records kept. The training record shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police. The Licensee shall ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age. The Licensee shall ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.

Refusals Book: The licensee shall keep a register of refused sales of all agerestricted products (Refusals Book). The refusals book shall contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale. The Refusals book shall be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book. The Refusals Book shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Premises Licence Holder shall ensure that an "Incident report register" in is keep in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register shall be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or the Police when required.

Children under the age of 18 must be accompanied by an adult.

## c) Public safety

Continue with the current measures in place in relation with this licensing objective. Risk assessment will be conducted to determine the adequate measures in order to maintain and promote the licensing objectives.

A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly. A direct telephone number for the duty manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

## d) The prevention of public nuisance

Continue with the current measures in place in relation with this licensing objective. Risk assessment will be conducted to determine the adequate measures in order to maintain and promote the licensing objectives.

The premises licence holder shall ensure that adequate measures are in place to

prevent the escape of odours from the premises. This includes odour from food preparation and refuse storage.

The licence holder shall ensure that adequate measures are in place to remove litter

or waste arising from their customers and to prevent such litter from accumulating in

the immediate vicinity of their premises. In particular, where necessary the premises

licence holder shall ensure that adequate measures are in place to provide

customers with sufficient receptacles for the depositing of waste materials such as

food wrappings, drinks containers, smoking related litter, etc.

## e) The protection of children from harm

Continue with the current measures in place in relation with this licensing objective.

Risk assessment will be conducted to determine the adequate measures in order to maintain and promote the licensing objectives.

Children under the age of 18 must be accompanied by an adult.

Checklist:

#### Please tick to indicate agreement

 $\boxtimes$ 

 $\boxtimes$ 

- I have made or enclosed payment of the fee; or
  I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.

| • | I understand that I must now advertise my application.  | $\boxtimes$ |
|---|---|-------------|
| • | I have enclosed the premises licence or relevant part of it or explanation.                       | $\boxtimes$ |
| • | I understand that if I do not comply with the above requirements my application will be rejected. | $\boxtimes$ |

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

**Part 5 – Signatures** (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| Signature | FSL Business Consultants     |  |  |
|-----------|------------------------------|--|--|
| Date      | 10 <sup>th</sup> August 2022 |  |  |
| Capacity  | Authorised Agent             |  |  |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

| Signature |  |
|-----------|--|
| Date      |  |
| Capacity  |  |

|   | ne (where not prev<br>tion (please read gui<br>S | iously given) and address for correspondence associated with<br>idance note 15) |  |  |  |  |  |  |
|---|--|---|--|--|--|--|--|--|
| Post town   | London   | Post code   |  |  |  |  |  |  |
| Telephone number (if any)   |  |   |  |  |  |  |  |  |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) |  |   |  |  |  |  |  |  |
|   |  |   |  |  |  |  |  |  |

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to

# make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

- 1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
- 2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
- 3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol,

provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 11. Please list here steps you will take to promote all four licensing objectives together.
- 12. The application form must be signed.
- 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
- 15. This is the address which we shall use to correspond with you about this application.

# Appendix 2

This page is intentionally left blank

From: Daliah Barrett <Daliah.Barrett@haringey.gov.uk> On Behalf Of Licensing
Sent: 19 September 2022 18:21
To: Nazyer Choudhury <Nazyer.Choudhury@haringey.gov.uk>
Subject: FW: Concerns - 34 High Street CLLRS REP

From: Cllr Adam Jogee <<u>Adam.Jogee@haringey.gov.uk</u>>
Sent: 17 September 2022 13:43
To: Daliah Barrett <<u>Daliah.Barrett@haringey.gov.uk</u>>
Cc: Cllr Elin Weston <<u>Elin.Weston@haringey.gov.uk</u>>; Cllr Dana Carlin
<<u>Dana.Carlin@haringey.gov.uk</u>>
Subject: Concerns - 34 High Street

Dear Daliah,

Please see below a formal objection from Cllr Weston, Cllr Carlin and me regarding the proposals for 34 Hornsey High Street.

As local councillors, with strong roots in this community, we are supportive of enabling the recovery of the hospitality sector post Lockdown. That said, we have serious concerns that the proposed operating /opening times and activities may significantly increase the risk of public nuisance for residents in the area.

The premises is situated in the High Street N8 and has residential properties all around it as well as above it, residents are thereby impacted from street noise emanating from the existing licensed premises in High Street N8. We regularly hear from residents who are disturbed into the early hours from existing activities on the High Street and it would be unacceptable to add to the situation.

Noting that the application contemplates late opening times, sales of alcohol, live and recorded music until late night, there is very real fear that increased noise, fuelled by the presence of potentially intoxicated individuals, may create disturbance to residents' peaceful enjoyment of their home and their sleep, with severe implications for their quality of life and overall wellbeing in the neighbourhood.

In addition, the document does not specify whether conditions for preventing excessive noise in the area (such as any sound proofing being installed or how patrons will be managed onsite or how music will be managed) are in place.

The fear of public nuisance from a late-night venue in this area is a cause of real and very serious concern for local families and residents more generally.

We note that the Planning permission for the premises is as follows:

The use hereby permitted shall not be operated before 0800 or after 2300 hours on any day.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

There is however an existing premises licence that provides for the following times:

| Live Music and Recorded Music      |              |  |  |  |  |
|------------------------------------|--------------|--|--|--|--|
| Monday to Saturday                 | 1000 to 0000 |  |  |  |  |
| Sunday                             | 1200 to 2330 |  |  |  |  |
| Late Night Refreshment             |              |  |  |  |  |
| Monday to Saturday                 | 2300 to 0000 |  |  |  |  |
| Sunday                             | 2300 to 2330 |  |  |  |  |
| Supply of Alcohol                  |              |  |  |  |  |
| Monday to Saturday                 | 1000 to 0000 |  |  |  |  |
| Sunday                             | 1200 to 2330 |  |  |  |  |
| The opening hours of the premises: |              |  |  |  |  |
| Monday to Saturday                 | 0800 to 0030 |  |  |  |  |
| Sunday                             | 0800 to 0000 |  |  |  |  |

The premises has existing hours under Licensing that are adequate for the venue and show some consideration for residents to help alleviate the potential for public nuisance. It would be detrimental for residents to allow for this increase in hours and would urge the committee to oppose this application.

We note that the application mentions that the licensing objectives would be risk assessed, we note no such document has been submitted to show the risk assessment of the objectives. And are firmly of the view that words are not enough, we need a fully thought through plan with tangible proposals for mitigating the impact on local residents.

Residents of the area and, and we as their councillors would welcome a Council decision on this matter. We suggest that opening times are limited to 23:00 Sunday to Thursday and midnight Friday & Saturday. The LSC should refuse the variation application and leave the existing premises licence in place but with some additional conditions:

#### **Crime and Disorder**

Alcohol shall only be available with a main table meal and there shall be no vertical drinking on the premises, save for up to eight customers awaiting a table in the ground floor bar area.

#### Prevention of public nuisance

Recorded or live music or entertainment shall be at background level only.

Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

No DJ led events shall be booked at the premises.

#### **Public Safety**

We believe the current closing times will facilitate prevention of such risks.

It is not uncommon to have unaccompanied women from nearby residential households return home late at night from work. Noting that, given the location of the venue, it may be unavoidable to walk in front of the Premises, it would be highly preferrable to minimize the presence of intoxicated individuals in the street late at night.

Thank you,

Hornsey Ward Councillors

This page is intentionally left blank



Your Ref: Our Ref: Licensing Date: 12<sup>th</sup> September 2022

Mr Fation Gjana Le Pot De Terre 34 High Street London N8

## **REPRESENTATION LETTER**

Dear Sir/Madam,

## LICENSING ACT 2003 – Application for a Variation to an existing Premises Licence – LE POT DE TERRE 34 HIGH ROAD LONDON N8.

The Licensing Authority are making representation against this application submitted by Mr Gjana. The premises is situated along High Street N8 and is surrounded by other commercial and residential properties. The premises has an existing licence that allows the following:

## Live Music and Recorded Music

| Monday to Saturday                 | 1000 to 0000 |  |
|------------------------------------|--------------|--|
| Sunday                             | 1200 to 2330 |  |
| Late Night Refreshment             |              |  |
| Monday to Saturday                 | 2300 to 0000 |  |
| Sunday                             | 2300 to 2330 |  |
| Supply of Alcohol                  |              |  |
| Monday to Saturday                 | 1000 to 0000 |  |
| Sunday                             | 1200 to 2330 |  |
| The opening hours of the premises: |              |  |
| Monday to Saturday                 | 0800 to 0030 |  |
| Sunday                             | 0800 to 0000 |  |

The variation application is seeking an increase in hours to

| Regulated Entertainment: Live                                      | Music and Recorded Music                 |
|--|--|
| Monday to Thursday   | 1000 to 0045 hours                       |
| Friday to Saturday   | 1000 to 0130 hours                       |
| Sunday   | 1200 to 0030 hours                       |
| Late Night Refreshment<br>Sunday to Thursday<br>Friday to Saturday | 2300 to 0100 hours<br>2300 to 0130 hours |

| Sale of Alcohol    |                    |
|--------------------|--------------------|
| Monday to Thursday | 1000 to 0045 hours |
| Friday to Saturday | 1000 to 0130 hours |
| Sunday             | 1200 to 0030 hours |
|                    |                    |

Supply of alcohol ON the premises.

| Hours open to Public |                    |
|----------------------|--------------------|
| Monday to Thursday   | 0800 to 0115 hours |
| Friday to Saturday   | 0800 to 0200 hours |
| Sunday               | 0800 to 0100 hours |
|                      |                    |

The hours being applied for would take the operation of the venue well beyond the hours permitted under the current planning permission:

Planning permission HGY/2004/1593 was granted for the change of use of property from social club to restaurant (A3).

Condition 6 restricted the hours as follow:

6. The use hereby permitted shall not be operated before 0800 or after 2300 hours on any day.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

## Reasons:

The current hours are sufficient for this type of business in its location. The area has two existing pubs which have both received complaints die to anti social behaviour from patrons and noise nuisance on the street by patrons. The proposed hours under the variation are likely to have a cumulative effect if granted and add to the ongoing nuisance that is already taking place in the area.

Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the licensed premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods.

Mr Gjana states that Live music will only be played at prebooked functions where it is requested. There is no ability to install a limiter on Live music equipment to enable noise management. The LA feels that the existing hours on the current licence for both Live and recorded music are sufficient for this venue in its location and will be challenging enough to ensure the prevention of public nuisance if customers are not properly managed at the venue. We propose the following conditions to be imposed:

- The existing hours to remain the same.
- The number of patrons that are permitted outside at anyone time should be limited to 4 at anyone time.
- No drinks to be taken outside whilst the patron is outside smoking.

This page is intentionally left blank

# Appendix 3

This page is intentionally left blank

From: Daliah Barrett <Daliah.Barrett@haringey.gov.uk> On Behalf Of Licensing
Sent: 19 September 2022 18:08
To: Daliah Barrett <Daliah.Barrett@haringey.gov.uk>
Subject: FW: Application for a Variation of a Premises Licence- Le Pot De Terre, 34 High Street, Hornsey, London N8 7NX (WK/543334)

From: Quick Russell <<u>Russell.Quick@haringey.gov.uk</u>>
Sent: 19 August 2022 11:20
To: Licensing <<u>Licensing.Licensing@haringey.gov.uk</u>>
Subject: RE: Application for a Variation of a Premises Licence- Le Pot De Terre, 34 High Street,
Hornsey, London N8 7NX (WK/543334)

Hi,

Planning enforcement position:

Planning permission HGY/2004/1593 was granted for the change of use of property from social club to restaurant (A3).

Condition 6 restricted the hours as follow:

6. The use hereby permitted shall not be operated before 0800 or after2300 hours on any day. Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

If the applicant wants to amend the hours outside of the above, then formal planning permission is required .

Kind regards,

**Russell Quick** 

**Principal Planning Enforcement Officer** 

Placemaking and Housing | Haringey Council River Park House 225 High Road | London | N22 8HQ Tel: 020 8489 2184 | <u>Russell.Quick@haringey.gov.uk</u> www.haringey.gov.uk

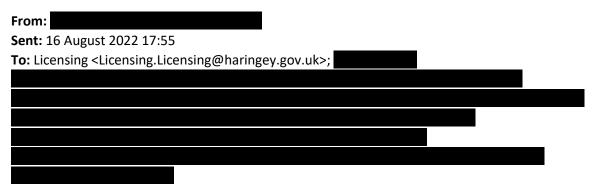
Please note the above opinion represents informal officer observation only, offered without prejudice to all future formal Council decisions and accompanying procedures





CLICK HERE to see our revised Community Infrastructure Levy (CIL)

### Representations



Subject: Application for Moon Lounge 34 Hornsey High Street, N8 7NX

I am writing to express great concern about a licensing application for 34 Hornsey High Street. The hours of the application will make for yet another unwanted, unnecessary and very unwelcome site for this high street already overloaded with loud and antisocial drinking places where the police are in frequent attendance and the noise levels and antisocial behaviour is highly damaging for the residents all around these premises.

Adding a new venue with extensive day and night time licensing hours involving alcohol and live and recorded music is another blow to already suffering residents, who regularly need to complain about the existing premises along the high street and frequently call out the police to deal with disorder and noise. This is a residential area and the high street is in great danger of increasing as a magnet for late night partying with all the problems that come with it, plus another dismantling of the neighbourhood's identity and community. We do not wish to become the place where people come to drink, party, then fight and create excessive noise, and then leave the area to exhausted and furious residents to clean up afterwards. This has happened too many times.

I find it incredible and irresponsible that Haringey Licensing is even considering this application given the 4 pubs already in existence and in close proximity to one another, all who have been granted very late-night opening hours and are all causing disturbance to the residents on a regular basis. These premises are surrounded by other retailers who serve alcohol at all times of the day and night so a new venue is not justified. We cannot have this area become a mecca for antisocial behaviour and further noise nuisance as the area is already saturated and residents have had enough.

Please explain the process so I can gather a list of objectors who will share an intention to protest this application in the strongest terms. My representation regarding this application objection relates to the potential of meeting the Licensing Objectives:

- Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance

Neighbourhood Watch Coordinator and Resident



Sent from Outlook

| From:   |  |
|---|--|
| Sent: 19 August 2022 20:00                            |  |
| To: Barrett Daliah < Daliah.Barrett@haringey.gov.uk > |  |
| Cc:   |  |
|   |  |
|   |  |
|   |  |
|   |  |
|   |  |
|   |  |

Subject: Re: Application for Moon Lounge 34 Hornsey High Street, N8 7NX

Dear Daliah,

I would like to lodge a formal objection too please whilst **a** & myself have not had any problems with the current owners of 34 the high street they were both very reasonable & friendly they did have a late license but almost never used it.

I spoke to the new owners the other day they seem to have done no research they think they are in Crouch End! They had no idea that they were in the middle of a residential area.

My big concern is not so much for the eating & even drinking but much more about the music we have only just started to recover from the mayhem brought upon us by the Hornsey Tavern. We still have problems with them attracting the wrong clientele which the tavern now supplies drinks too so they can have bare knuckle boxing matches on the green outside the school & my bedroom window. We contacted the police & they drove down then ran away!

I think you should ask them to submit & business plan with their key demographics so we can get some idea of their level of suitability for the intended environment.

works for the council & I work for the school she starts work at 5.30 am & me at 6. We have both lost sleep due to Hornsey Tavern & this makes it really hard for us at work. I have had a situation recently by which I had to move a women who was injecting herself outside the school gates as the children were going home at 15.20. I tried to speak to the police about it but had no response. I have lived off the High street for nearly25 years & things are the worst they have ever been. Sometimes when things kick off a night I am scared for our safety. Granting this extension is only going to add to an already tense & potential dangerous situation. I would therefore respectfully please ask our Councillors to decline this application on behalf of their local residents.

#### Sent from my iPad

#### From:

Sent: 25 August 2022 08:25 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Re: Application for a Variation of a Premises Licence- Le Pot De Terre, 34 High Street, Hornsey, London N8 7NX

To whom it may concern,

I must object strongly to the proposed venture Moon Lounge and its application as a late night music venue.

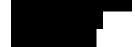
Our neighbourhood is already blighted by anti social behaviour caused by two other very such establishments, namely the Tav & the Hornsey Tavern, to add a third such venue in what is approximately 100 metres, to me is ludicrous and after consulting many neighbours, a proposal we intend to fight against.

We are already dealing with, fights, open drug taking, drunkenness, public urination and some of us are having our gardens used as toilets.

This cannot continue.

I think you should be promoting business, but not this type of business.

I hope you deny this application without hesitation, Kind regards



Sent from my iPad

From:

> Sent: 22 August 2022 15:29

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

> Subject: Application for Variation of a Premises Licence - Pot de Terre, 34 High Street, London N8 7NX

>

> Dear Sir/Madam

>

> I am writing to oppose the licensing hours that have been applied for when it opens as a new venue.

>

> We are already experiencing excessively loud music and people shouting with general anti-social behaviour late at night from the already existing pubs The Hornsey Arms and The Tav. To open another venue with late night opening is just not something I want to see happening and I certainly don't want to endure any more noise than we are already experiencing.

>

>

> This is a residential area and these venues all have residential dwellings above so I can't imagine what the noise levels must be like for them.

> I live directly opposite The Hornsey Arms with my elderly parents and they could not leave their bedroom window open during the high temperatures because of the noise coming from the music and people.

>

> I have also seen the police called to these venues and I am therefore opposing these licensing hours.

> Kind regards
>
> (other household members
>

> Sent from my iPhone

This page is intentionally left blank



# From: Sent: 25 August 2022 20:11

To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Application for Moon Lounge 34 Hornsey High Street N8 7NX

Dear Sir/Madam,

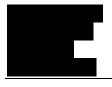
I wish to express my opposition to the proposed licensing application re the above. My wife and have lived in this area for 44 years and can understand the concerns of our neighbours in opposing this application. The noise levels during our time living in this area have increased considerably and for certain has caused our residents and neighbours a great deal distress, worry and fear for their safety. Also the risk of increased anti-social behaviour and late noise and rowiness is a constant fear.

The area is well catered for drinking and eating with pubs and restaurants providing these services but an additional establishment will only add to the noise and perhaps anti- social behaviour.

I would like to protest against this application and I look forward to hearing that residents/neighbours

will be invited to a Council meeting to discuss this matter with the interests of the residents taken into account.

Yours sincerely,



From:

Sent: 01 September 2022 12:17 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Objection against application for a Variation of a Premises Licence - LN/000005247 -Hornsey High Street

To whom it may concern.

This is in relation to the application of a Variation of a Premises Licence - LN/000005247, 34 <u>High</u> <u>Street, N8 7NX, Hornsey</u>, by Fation Gjana

My family and I live at 8 Rectory Gardens, a short distance from <u>34</u> Hornsey High Street, where the relevant application is being made.

I am objecting to proposals for a venue to provide late night (post midnight) refreshments, music and live music.

The pubs close to <u>34 hornsey high street</u>can already create a level of noise which is difficult for neighbours. Sound carries clearly into our homes from hornsey arms and the Tav. When they have had events that ended late, the noise has been hard to cope with. My son who sleeps at the front of the house closest to hornsey high street has to keep his windows closed despite heat because of the noise of people chatting and shouting outside the current bars and it's worse if music is being played.

Having a third drinking premises with a license to play music and provide alcohol until 1 or <u>1.30am</u> every weekend could be unbearable.

We are frequently disturbed by late-night noise of drunken people coming out of venues and sometimes anti-social behaviour. Having a music venue in a residential area is particularly concerning in terms of noise levels.



Sent from Yahoo Mail for iPhone

From:

Sent: 01 September 2022 15:18 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: APPLICATION FOR A VARIATION OF A PREMISES LICENCE LE POT DE TERRE, 34 High St N8 7NX .....LN000005247

To The Licensing Team

I would like to raise my objections to yet another bar/pub on Hornsey High Street, which is just a stones throw away from the other four bars/pubs!! Situated amidst a residential area with living premises above is just adding to the ongoing ASB that we the residents have to endure.

Noise levels from amplified sound systems impact on residents quality of life, as was the case from the existing bars/pubs this summer. The Police attended on several occasions due to noise levels and brawling on The Gardens. It meant that residents could not enjoy the use of their outside space.

The limited space outside Le Pot de Terre is another issue....people spill out onto The Gardens (as has been the case with the other bars) drinking and discarding glasses, bottles, litter etc. and using the grassed area by Campsbourne Church as a place to urinate!!

Street furniture and structures on The Gardens have been repeatedly damaged by people under the influence of alcohol. I, along with the Councillors have reported this to Haringey Council, but to date they have not been repaired

Drug dealing is another worry, that often increases where alcohol is sold. The High St is already a "known" site for drug dealing and loitering, and dealers often use Rectory Gardens as cut through. In addition families are concerned about their safety due to the increase in alcohol consumption and drug use in this area...so another pub/ bar is a cause for great concern.

Regards

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

Сс

#### Subject: License application to extend licence hours at 34 Hornsey High Street, London N87NX

From

To whom it may concern,

I should like to make an objection to the application for extended alcohol licensing hours at, 34 Hornsey High Street London N87NX, also known as Le Pot De Terre and I believe is to be renamed Moon Lounge.

The High Street already has several premises, within 100 yards, selling alcohol late into the night. The area is predominantly residential and has two schools. There has been late night noise and some antisocial behaviour which affects those living in the area. Another venue selling late night alcohol will significantly deteriate the character of the area and encourage the reputation of Hornsey as a district for excessive drinking. This would definitely be to the detriment of the local residents. Yours sincerely,

Sent via BT Email App

#### From:

Sent: 03 September 2022 12:40To: Licensing <Licensing.Licensing@haringey.gov.uk>Subject: Concerns regarding new business on 34 High Street N87NX

Sir/Madame,

I just find out that it will be a new business on 34 High Street N8 7NX and is applying for alcohol and music licence on the venue. I am concerned about late night hours that can have an impact on an already very noisy residential high street. I have a very early start in the morning Monday-Friday(6 am) and I need to rest. I am concerned that I will hear music playing during the night.

My details:

Kinds regards,

From:

Sent: 03 September 2022 18:29

To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Complaint about application for a lease variation to Le Pot de terrestrial, 34 high Street Hornsey, N8 7NX

Dear Sir/Madam,

I have just received notice that the above residence wants to make a variation to their licencing agreement to include alcohol, music and late night/early morning closing.

I, Catherine Harris, of 20 Nightingale Lane N8 7QU

, object strongly

to this as this is a residential area and not a place for late night/early morning music, noise and general loud rowdiness caused by alcohol consumption.

As an area, we are already hard hit by streets not cleaned, gun shootings, people being beaten up, car theft and gangs, so please do not add to our already tormented lives and misery by allowing late nigh/early morning noise pollution and potential damage to our cars, families and homes caused by those people drinking too much in the week and at weekends

I hope you do not allow his variation of lease to go through due to these awful circumstances we are already living in.

Yours sincerely,

Katie Harris

Get Outlook for Android

#### From:

Sent: 03 September 2022 18:34 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Comment on application

Re: Le Pot De Terre, 34 High Street, Hornsey, London, N8 7NX. Ward – Hornsey

I am writing to object to this application as a close neighbour of this location. The hours that have been applied for are hugely inappropriate for a residential area, this would essentially be a night club and there is already a lot of noise and anti-social behaviour from the current establishments along Hornsey High Street, only tolerable because they close at 11pm. This part of Hornsey High Street is already an issue for police and residents as a result of drug and alcohol abuse as well as nearby gang activity.

I would be minded to support a business venture here – a thriving high street is a good thing – if the licence was curtailed to pub hours to reflect the residential character of the area.

Thank you,

Sent from Mail for Windows

From: Sent: 22 August 2022 10:26 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Objection against application for a Variation of a Premises Licence - LN/000005247 -Hornsey High Street

To whom it may concern.

This is in relation to the application of a Variation of a Premises Licence - LN/000005247, 24 High Street, N8 7NX, Hornsey, by Fation Gjana

My family and I live at **Construction**, a short distance from the Le Pot de Terre on Hornsey High Street, where an application is being made to upgrade the alcohol and music licence for a Moon Lounge venture. We already suffer from noise and public disturbances relating to two other venues serving alcohol on the high street, the Tav and the Hornsey Tavern. I would like to strongly lodge my objection to having another drinking premise so near to these two problematic venues.

We are frequently disturbed by late-night noise of drunken people coming out of these venues and related anti-social behaviour. The sound carries straight through to the back bedrooms of our house.

There is often shouting and arguments which make me and my family (we have two young boys) very uncomfortable and keep us up at night. Having a music venue in a residential area is particularly concerning in terms of noise levels.

In addition, we are aware of frequent drug use/trading on the high street and are concerned having another late-night music venue in close proximity would exacerbate this, attracting even more opportunists.

I'm also concerned about the extra rubbish and litter that we'd inevitably see as a result of having an additional drinking establishment. We already have a big problem with people leaving litter (including used cans and bottles) on the local green (The Gardens) and nearby, and I only see this getting worse. We have a school, St Mary's, very near the venue and it's upsetting that the children have to negotiate their way through broken bottles and fast-food rubbish daily on their way to school.

Please don't hesitate to contact me if you with to discuss further,



This page is intentionally left blank

From: Sent: 04 September 2022 17:49 To: Licensing <<u>Licensing.Licensing@haringey.gov.uk</u>> Subject: 34 High Street N8 7NX

I am a resident on Rectory Gardens and have seen a notice in the shopfront of 34 High Street N8 7NX that an application for a license to sell alcohol is submitted.

As a resident of Rectory Gardens I strongly object to another late night establishment selling alcohol on the high street. We have enough anti social behaviour as it is and this would add to it. The local area has a lot of young children and late night drinking spilling out into the streets and nearby greens in an already problematic area is going to add to the problem. We already have gnrt, the three compasses, the tay, the Irish pub and the priory do we need more late establishments on this road? Surely this space could be used in a better way.

Kind regards,

From:

Sent: 06 September 2022 08:50 To: Licensing <Licensing.Licensing@haringey.gov.uk> Subject: Objection to extended licensing hours,34 Hornsey High St

To whom it may concern,

I should like to make an objection to the application for extended alcohol licensing hours at 34 Hornsey High Street London N87NX, now called Le Pot De Terre but to be renamed the Moon Lounge.

The High Street already has premises selling alcohol late into the night. The area is predominantly residential and has two schools. There has been late night noise and some antisocial behaviour which affects those living in the area.

I believe another late night drinking establishment would only increase these problems for residents. Yours faithfully,

Sent via BT Email App

From:

Sent: 07 September 2022 14:25

**To:** Licensing <Licensing.Licensing@haringey.gov.uk>; Dalia.Barrett@haringey.gov.uk **Subject:** OBJECTION TO LIVE MUSIC LICENSE EXTENSION 34 HIGH STREET HORNSEY N8

I am writing to formally object to the application to extend the late night and music license at 24 High Street, Hornsey N8

I am a resident of Rectory Gardens, and have been disturbed by the volume of music and shouting from local venues at night. There have been littering, vandalism, fights, drug taking, and attendance by the police.

As a school worker, I am up at 6 o'clock on a work day, therefore to have music playing until 12:45am with associated later departure of customers is unreasonable in a largely residential

area. The weekend is one thing, during the working week is unacceptable.

Hornsey High Street already has 3-4 late night music licenses within a few meters of each other. Whilst I understand that the Licensing authorities are not expected to act on behalf of local residents (who can make their own presentations), I wonder then what the point is of your Local Neighbourhood Development Plans and Consultation process?

Hornsey High Street is specifically NOT designated as a Metropolitan or District Town Centre, using your categories. Haringey has identified the High Street as belonging to the lowest tier - ie a local shopping area serving local residents. Surely the aim of these plans is to make appropriate development according to the nature of the High Street and who it serves? The Local Neighbourhood Development Plans should work together with the Licensing Authority to include consideration of a cumulative impact policy BEFORE licenses are granted, rather than after when evidence of negative impact has been generated but it is too late to change things.

Please consider these points when reviewing the application to extend the late night music license at 34 High Street Hornsey.

Yours



#### 

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

Subject: Objection to licence for Le Pot De Terre, 34 High Street, Hornsey, London N8 7NX

To whom it may concern:

I live at **EXAMPLE 1** I STRONGLY object to a new license for 34 High Street, Hornsey. The current situation on the High Street and surrounding areas is already at a boiling point. There are drunk and disorderly people often congregating on the High Street and nearby green space. In just the last few months, a number of violent acts have occured. There are often serious physical fights that occur outside the drinking establishments already on the High Street. In addition, there is drug dealing and serious drug use happening both in broad daylight and at night on the High Street and in the surrounding areas.

Opening yet another drinking establishment with extended night hours will surely only increase the ASB and violent activity already plaguing this area, which has many families living nearby and three schools. PLEASE STOP THIS ESTABLISHMENT FROM OBTAINING A LICENSE FOR THE HEALTH OF THE COMMUNITY.

Thank you,



This page is intentionally left blank