

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Tuesday, 22nd November, 2022, 7.00 pm - (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Ajda Ovat (Chair), Barbara Blake, Reg Rice

Quorum: 3

1. FILMING AT MEETINGS

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

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

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. URGENT BUSINESS

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 7 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 Sub-Committee will first hear from the Licensing Officer. After that, the applicant will present their application and the Sub-Committee and objectors will have the opportunity to ask questions. Then, the objectors will present their case and the Sub-Committee and applicant 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 VARIATION OF A PREMISES LICENCE AT LOUNGE, 34 HIGH STREET, LONDON N8 (HORNSEY) (PAGES 1 - 68)

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

7. NEW ITEMS OF URGENT BUSINESS

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

Nazyer Choudhury, Principal Committee Co-ordinator
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Monday, 14 November 2022

Report for: Licensing Sub-Committee - 22 November 2022

Item number: 6

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 application as requested

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

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

2 Background

- 2.1 The premises is situated along 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 complaint 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 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.

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 relevant responsible authorities.

4 Licensing hours

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

5 Powers of a Licensing Authority

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

6. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

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

6.1 Human Rights

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

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

7 Use of Appendices

Appendix 1 - New Application.

Appendix 2 – Representations from Licensing and ward members

Appendix 3 – Resident Representations

Appendix 4 – Planning position

Appendix 5 – Existing Licence

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

Appendix 1

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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
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 34 High Street			
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 telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐
No

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

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☒ Yes ☐ 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:

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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.

Provision 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) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- 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) ☒

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Fri					
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Live music will be provided on request from customers wishing to book the premise for private functions e.g. birthday parties or celebrations. Each event will be subjected to a risk assessment to determine the adequate measures in order to maintain and promote the licensing objectives. <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Mon	10:00	00:45			
Tue	10:00	00:45			
Wed	10:00	00:45			
Thur	10:00	00:45			
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	12:00	00:30			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Recorded music will be provided on request from customers wishing to book the premise for private functions e.g. birthday parties or celebrations. Each event will be subjected to a risk assessment to determine the adequate measures in order to maintain and promote the licensing objectives.		
Mon	10:00	00:45			
Tue	10:00	00:45			
Wed	10:00	00:45	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	00:45			
Fri	10:00	01:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	01:30			
Sun	12:00	00:30			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)					
Mon	10:00	00:45						
Tue	10:00	00:45						
Wed	10:00	00:45						
Thur	10:00	00:45				<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	10:00	01:30						
Sat	10:00	01:30						
Sun	12:00	00:30						

K

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 open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (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	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (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 ☐
- I have enclosed the relevant part of the premises licence ☐

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 age-restricted 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" is kept 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

- 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. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐

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 th 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	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) <div style="background-color: black; width: 100%; height: 40px; margin-top: 5px;"></div>			
Post town		London	
Post code		<div style="background-color: black; width: 100%; height: 20px;"></div>	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <div style="background-color: black; width: 100%; height: 20px; margin-top: 5px;"></div>			

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

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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 <Adam.Jogee@haringey.gov.uk>
Sent: 17 September 2022 13:43
To: Daliah Barrett <Daliah.Barrett@haringey.gov.uk>
Cc: Cllr Elin Weston <Elin.Weston@haringey.gov.uk>; Cllr Dana Carlin <Dana.Carlin@haringey.gov.uk>
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 preferable to minimize the presence of intoxicated individuals in the street late at night.

Thank you,

Hornsey Ward Councillors

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

Your Ref:

Our Ref: Licensing

Date: 12th September 2022

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

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

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 due 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.

Yours sincerely

Licensing Authority RA

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Appendix 3

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Representations

From: [REDACTED]

Sent: 16 August 2022 17:55

To: Licensing <Licensing.Licensing@haringey.gov.uk>; [REDACTED]

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

[REDACTED]
Neighbourhood Watch Coordinator and Resident
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 19 August 2022 20:00
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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 [REDACTED] & 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.

[REDACTED] 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 nearly 25 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.

[REDACTED]

[REDACTED]

Sent from my iPad

From: [REDACTED]
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 [REDACTED],

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPad

From: [REDACTED]

> Sent: 22 August 2022 15:29

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

> 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

>

>

> [REDACTED] (other household members [REDACTED])

>

>

> Sent from my iPhone

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From: [REDACTED]
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 I 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 of 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,

[REDACTED]

From: [REDACTED]
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 High Street, N8 7NX, Hornsey, by Fation Gjani

My family and I live at 8 Rectory Gardens, a short distance from 34 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 34 Hornsey High Street 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 1.30am 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.

Yours

[REDACTED]

[REDACTED] of same address

[Sent from Yahoo Mail for iPhone](#)

From: [REDACTED]
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 7NXLN000005247

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

[REDACTED]

From: [REDACTED]
Sent: 03 September 2022 11:28

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

Cc: [REDACTED]

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

From: [REDACTED]

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 deteriorate 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,

[REDACTED]

Sent via BT Email App

From: [REDACTED]

Sent: 03 September 2022 12:40

To: 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: [REDACTED].

Kinds regards,

[REDACTED]

From: [REDACTED]

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 terrestre, 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 night/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: [REDACTED]
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,

[REDACTED]

Sent from [Mail](#) for Windows

From: [REDACTED]
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 [REDACTED], 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 wish to discuss further,



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From: [REDACTED]
Sent: 04 September 2022 17:49
To: Licensing <Licensing.Licensing@haringey.gov.uk>
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 tav, 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,

[REDACTED]

From: [REDACTED]
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,

[REDACTED]

Sent via BT Email App

From: [REDACTED]
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

A black rectangular redaction box covering the signature of the sender.

From: [REDACTED]

Sent: 08 September 2022 11:26

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 [REDACTED]. 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 occurred. 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,

[REDACTED]

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Appendix 4

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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 <Russell.Quick@haringey.gov.uk>
Sent: 19 August 2022 11:20
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 (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 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.

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 | Russell.Quick@haringey.gov.uk
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



Appendix 5

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LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: FO0110039833

Premises Licence Number: LN/000005247

This Premises Licence has been issued by:

***The Licensing Authority, London Borough of Haringey,
Level 4 Alexandra House, 10 Station Road,
Wood Green, London N22 7TR***

Signature:

Date: 20th April 2007

Transfer: 15th August 2022

Part 1 – PREMISES DETAILS

Postal Address of Premises or, if none, Ordnance Survey map reference or description:

**LE POT DE TERRE
34 HIGH STREET
HORNSEY
LONDON N8 7NX**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Live Music & Recorded Music

Provision of Late Night Refreshment

Supply of Alcohol

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

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

LICENSING ACT 2003

Sec 24

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

Supply of alcohol for consumption **ON** the premises.

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:

Fation Gjana
34 High Street
Hornsey
London
N8 7NX

Registered number of holder, for example company number, charity number (where applicable):

Not applicable

Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:

Annex 1 –Mandatory Conditions

Supply of alcohol

1. No supply of alcohol may be made under the premises licence;
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

Annex 1 –Mandatory Conditions

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. Prohibition on Sale of Alcohol below Cost of Duty plus VAT

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph (1) —

(a) —duty^{ll} is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) —permitted price^{ll} is the price found by applying the formula —

$$P = D + (D \times V)$$

Where —

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol

(c) —relevant person^{ll} means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence,
or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person^{ll} means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) —valued added tax^{ll} means value added tax charged in accordance with the Value Added Tax Act 1994

(3) Where the permitted price given by Paragraph (b) of paragraph (2) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (a) Sub-paragraph (b) below applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (—the first day^{ll}) would be different from the permitted price on the next day (—the second day^{ll}) as a result of a change to the rate of duty or value added tax.

(b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of films.

1. Admission of children to the exhibition of any film is to be restricted in accordance with the recommendations made by the specified film classification body.

2. Where —

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Annex 1 –Mandatory Conditions

3. In this section –

—childrenll means persons aged under 18; and —film classification bodyll means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door supervision.

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

GENERAL

- The Applicant holds a Personal Licence and is aware of the importance in ensuring all four of the Licensing Objectives are met.
- Alcohol will not be served except as an accompaniment to table meals.
- Soft drinks including water shall be available throughout the hours the premises are open.

THE PREVENTION OF CRIME AND DISORDER

- The Applicant has adopted a strategy founded on firmness, consistency and the needs of the customers to prevent crime and disorder.
- Staff will be carefully selected and trained to be 'non-confrontational' when dealing with potentially dangerous situations.
- The applicants will be pleased to liaise with local police to uphold the crime prevention initiative.

PUBLIC SAFETY

- The applicant will ensure current legislation is adhered to in respect of Health & Safety, and will maintain a safe environment for customers and staff alike.

THE PREVENTION OF PUBLIC NUISANCE

- The Applicant is aware of the responsibility upon the Licence Holders in respect of the prevention of public nuisance.
- This includes the awareness of not selling alcohol to a person who appears drunk.
- The Applicant will inform the appropriate authorities should a situation arise endangering this licensing condition.

THE PROTECTION OF CHILDREN

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans

