

NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Thursday, 21st December 2023, 2.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Sheila Peacock (Vice Chair), Nicola Bartlett, Nick da Costa

Quorum: 3

1. FILMING AT MEETINGS

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

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

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. URGENT BUSINESS

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

4. DECLARATIONS OF INTEREST

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

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

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

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

5. SUMMARY OF PROCEDURE

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

6. CONSIDERATION OF AN OBJECTION TO A TEMPORARY EVENT NOTICE AT NOYA LONDON LTD, 454-460 WEST GREEN ROAD, TOTTENHAM, LONDON, N15 3PT (WEST GREEN) (PAGES 1 - 48)

To consider an objection to a temporary event notice.

7. CONSIDERATION OF AN OBJECTION TO A TEMPORARY EVENT NOTICE AT NOYA LONDON LTD, 454-460 WEST GREEN ROAD, TOTTENHAM, LONDON, N15 3PT (WEST GREEN) (PAGES 49 - 96)

To consider an objection to a temporary event notice.

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, 18 December 2023

Report for: Licensing Sub-Committee - 21 December 2023

Item number: 6

Title: Consideration of an Objection to a Temporary Event Notice at Noya London Ltd, 454-460 West Green Road, Tottenham, London, N15 3PT.

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

Ward(s) affected: WEST GREEN

Report for Key/ Non-Key Decision: Not applicable

1. **Describe the issue under consideration.**

1.1 To consider an objection submitted by the Noise Team RA in relation to a Temporary Event Notices (TENs) for the premises at Noya London Ltd 454-460 West Green Road Tottenham, London N15 3PT from 23:00 to 01:00 the following day on 22nd 23rd and 24th December 2023

1.1 **The Temporary Event:**

1.2 The Notice was submitted by Mr Yildirim Yaman.

1.3 The Temporary Event Notices was received on the 07th December 2023 and are attached to this report at Appendix A.

1.4 The event is described as follows:

- This temporary event is for inside the premises only.
- The outside area to be closed for licensable activities after 11:00pm
- The roof will close at 10pm as per the premises licence requirements.
- The conditions of the premises licence shall be adhered to for the duration of the temporary event.
- licensed bar and restaurant

- The details of the licensable activities on the notice are as follows:
 - from 23:00 to 01:00 the following day on 22nd 23rd and 24th December 2023
 - Sale of alcohol
 - Late Night Refreshment
 - The sale by retail of alcohol (consumption on the premises)
 - The provision of late-night refreshment
 - The number of people at any one time at the event is 499 people

1.5 The Notice was served to the relevant Responsible Authorities on the 08th December 2023.

2.0 **Reasons for referral**

2.1 A representation was received from the Noise Team RA on 12th December 2023 and a copy is attached at Appendix B.

2.2 The Notice giver and the Noise Team RA have been invited to attend to the hearing. A

copy of the objection notice is attached to this report labelled Appendix C.

3.0 Recommendation

3.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

3.2 Options open to the Committee

3.3 To acknowledge the Temporary Event Notice, allowing the event to go ahead the proposed date as per the notice submitted.

3.4 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.

4 The Legal position

4.1 A Chief Police Officer or Environmental Health of the Local Authority may object to a Temporary Event Notice within 3 working days of receiving the Notice.

4.2 Where such an objection is received, the relevant licensing authority must

- (a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and
- (b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.

5.0 Background

5.1 The premises is situated along West Green Road and comprises 4 shop units made into 1 large venue that offers food and drink as well as shisha to the rear of the venue. The premises benefits from a Premises License granted by the LSC in August 2023. A copy of the Premises License is attached at Appendix D. A recent application for a new Premises License for later hours was subsequently submitted and determined by the LSC on 6th October 2023. That determination is now subject to an appeal. A copy of the resolutions attached at Appendix E.

5.2 The premises has had a number of Temporary Event since the start of the year, these are attached at App F.

6 Use of Appendices

Appendix A - TENS Application.
Appendix B – Objection to the TENS.
Appendix C – Objection notice.
Appendix D – Copy of Premises Licence
Appendix E - Copy of resolution
Appendix F - List of Temp event notices

7 **Background papers:** [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/Revised-Guidance-issued-under-section-182-of-the-Licensing-Act-2003.pdf)

[draft statement of licensing policy 2021-26 consultation document.pdf](#)
([haringey.gov.uk](#))

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Appendix A

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* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

[Redacted] [Redacted]

[Redacted] Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

[Redacted] [Redacted] [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Continued from previous page...

[Redacted]	[Redacted]

[Redacted] 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes
 No

* Your date of birth

[Redacted]	[Redacted]	[Redacted]
dd	mm	yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes
 No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

[Redacted]	[Redacted]

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail	<input type="text" value=""/>
<input type="text" value=""/>	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

* Building number or name	<input type="text" value="Noya London"/>
* Street	<input type="text" value="454-460 West Green Road"/>
District	<input type="text" value="Tottenham"/>
* City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value=""/>
* Postcode	<input type="text" value="N15 3PT"/>
* Country	<input type="text" value="United Kingdom"/>

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number	<input type="text" value="LN000026986"/>
---------------------------	--

Location Details

* Provide further details about the location of the event

This temporary event is for inside the premises only.
The outside area to be closed for licensable activities after 11:00pm
The roof will close at 10pm as per the premises licence requirements

Continued from previous page...

The conditions of the premises licence shall be adhered to for the duration of the temporary event.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Whole Premises - Inside area only

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

licensed bar and restaurant

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Extension of normal licensing hours for Christmas celebrations.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date 22 / 12 / 2023
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Continued from previous page...

Event end date / /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)
 (see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers
 (see also guidance on completing the form, note 11)

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both
 (see also guidance on completing the form, note 12):

On the premises only
 Off the premises only
 Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority
 Licence number
 Date of issue / /
dd mm yyyy

Continued from previous page... Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

1

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
 dd mm yyyy

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Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/haringey/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="1790"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Appendix B

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APP B

From: Jennifer Barrett <Jennifer.Barrett@Haringey.gov.uk>

Sent: Tuesday, December 12, 2023 5:30 PM

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

Subject: TENS: NOYA WEST GREEN ROAD 22-25 DEC

Dear Licensing Team

Application for a Temporary event notice: Noya 454-460 West Green Road, N15 3PT

The applicant has requested an extension of normal licensing hours for Christmas celebrations on Friday 22nd, Saturday 23rd and Sunday 24th December 2023 from 23:00 to 01:00 the following day.

We have previously received complaints about noise or nuisance from 4 affected households raising concerns about Noya operating beyond their permitted times and the impacts of their operations. We are concerned that the use of the premises until 1am is likely to lead to further complaints, particularly about noise from loud music and especially as the hours requested mean the premises will be open until 1am on Christmas morning.

The applicant state that the outside area will be closed at 2300 and the roof to be closed at 2200.

They advise that the conditions of the premises licence shall be adhered to for the duration of the temporary event, but last weekend officers observed alcohol being served in the "shisha area" outside the permitted times and we have previously raised concerns about the similar use of this area after the hours specified in the licence.

The applicant has previously advised that shisha is served with meals. The applicant has been advised that the current setup does not comply with requirements of the Smoking Regulations and therefore if shisha is offered this must be done with the roof open. We appreciate that shisha is not a licensable activity but is flagged as an issue here because compliance with the Smoking Regulations is not compatible with their request to offer regulated entertainment until 1am. Maintaining an open roof and offering regulated entertainment will lead to noise breakout and is likely to lead to complaints. The applicant has previously advised they have installed a sound limiter, but to date we have not been able to test this or confirm its effectiveness with the roof open.

As a result of the above I do not believe that the above can be granted and still permit the applicant to uphold the licensing objective for Public Nuisance. As a result, I recommend the refusal of this Temporary Event Notice.

Yours sincerely

Jennifer Barrett
Noise and Nuisance Manager

jennifer.barrett@haringey.gov.uk

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Appendix C

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Date: 13th December 2023

Our ref: WK/588737

David Dadds
C/o Yildrim Gunac Yaman
Via Email

Dear Yildrim Gunac Yaman,

**Re: LICENSING ACT 2003:
OBJECTION ON A TENS NOTICE – NOYA LONDON, 454-460 WEST GREEN
ROAD, TOTTENHAM, LONDON N15 3PT.**

On 7th December 2023 the Licensing Authority received from you Yildrim Gunac Yaman, a notification in respect of proposed temporary licensable activities due to take place on 22nd to 25th December 2023 at Noya London, 454-460 West Green Road, Tottenham, London N15 3PT. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”).

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X

A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

You are reminded that under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

Please inform us immediately if you wish to appeal to the Licensing Sub Committee.

Yours sincerely,

Daliah Barrett
Licensing Team Leader

Licensing Team
Level 4, Alex House
10 Station Road
London, N22 7TR

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

With reference to the above premises, the Noise & Nuisance Team will be rejecting the Temporary Event Notice.

Dear Licensing Team

Application for a Temporary event notice: Noya 454-460 West Green Road, N15 3PT

The applicant has requested an extension of normal licensing hours for Christmas celebrations on Friday 22nd, Saturday 23rd and Sunday 24th December 2023 from 23:00 to 01:00 the following day.

We have previously received complaints about noise or nuisance from 4 affected households raising concerns about Noya operating beyond their permitted times and the impacts of their operations. We are concerned that the use of the premises until 1am is likely to lead to further complaints, particularly about noise from loud music and especially as the hours requested mean the premises will be open until 1am on Christmas morning.

The applicant state that the outside area will be closed at 2300 and the roof to be closed at 2200.

They advise that the conditions of the premises licence shall be adhered to for the duration of the temporary event, but last weekend officers observed alcohol being served in the "shisha area" outside the permitted times and we have previously raised concerns about the similar use of this area after the hours specified in the licence.

The applicant has previously advised that shisha is served with meals. The applicant has been advised that the current setup does not comply with requirements of the Smoking Regulations and therefore if shisha is offered this must be done with the roof open. We appreciate that shisha is not a licensable activity but is flagged as an issue here because compliance with the Smoking Regulations is not compatible with their request to offer regulated entertainment until 1am. Maintaining an open roof and offering regulated entertainment will lead to noise breakout and is likely to lead to complaints. The applicant has previously advised they have installed a sound limiter, but to date we have not been able to test this or confirm its effectiveness with the roof open.

As a result of the above I do not believe that the above can be granted and still permit the applicant to uphold the licensing objective for Public Nuisance. As a result, I recommend the refusal of this Temporary Event Notice.

Yours sincerely

Jennifer Barrett
Noise and Nuisance Manager
M : 07989 223 970

jennifer.barrett@haringey.gov.uk

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Appendix D

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PREMISES LICENCE

Receipt: SMYAC00245676

Premises Licence Number: LN/000026986

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: 21st August 2023

Part 1 – PREMISES DETAILS

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

**NOYA LONDON LTD
454-460 WEST GREEN ROAD
TOTTENHAM
LONDON
N15 3PT**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Supply of Alcohol

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

Recorded Music

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

Supply of Alcohol

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

The opening hours of the premises:

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

The rear external area in use until 2300 hours. The roof to be closed at 2200hrs and shisha activity stopped.

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:

Yildirim Gunac Yaman

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:

Yildirim Gunac Yaman

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

Personal Licence: LN/201600886

Issued by: London Borough of Enfield

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) —value 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

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system to be installed in the premises.

Cameras must;

- be sited to observe the entrance doors from both inside and outside.
- capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- be sited to cover all areas to which the public have access including any outside smoking areas.
- provide a linked record of the date, time of any image.
- provide good quality images - colour during opening times.
- have a monitor to review images and recorded quality.
- be regularly maintained to ensure continuous quality of image capture and retention.

Member of staff trained in operating CCTV at venue during times open to the public. Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within 7 days time to Police on request.

There shall be no vertical drinking or drinking ancillary to a table meal.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (f) any visit by a relevant authority or emergency service.

The rear external area is used until 2300, but that the roof is closed at 2200 hours after which no Shisha is offered. Signs are displayed throughout the area advising that Shisha concludes at 2200 hours. The proposed shisha area will close to all parties no later than 22:00hrs each day, to ensure residents are not impacted by public nuisance from this area. For reference the proposed shisha area is highlighted in orange on the attached plan

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.

PUBLIC SAFETY

A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number shall be made available to residents and businesses in the vicinity.

THE PREVENTION OF PUBLIC NUISANCE

11. The proposed shisha area will close to all parties no later than 22:00hrs each day, to ensure residents are not impacted by public nuisance from this area. For reference the proposed shisha area is highlighted in orange on the attached plan.

Annex 2 – Conditions consistent with the Operating Schedule

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.

The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents/businesses. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.

In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.

Prominent, clear and legible notices must be displayed at all exits (including the rear seating area) requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.

Any music played at the premises will be background only.

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Noise and Nuisance team, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Noise and Nuisance Team and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Noise and Nuisance Team. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

All refuse and bottles shall be disposed of in bins quietly so as not to disturb local residents. There shall be no disposal of glass bottles outside between 21:00 hours and 07:00 hours

All exit doors shall be available for use at all times when the premises is open to the public without the use of a key, code, card or similar. Exit doors shall be regularly checked to ensure they function satisfactorily. Safety checks shall be carried out before the admission of the public, and these should be recorded in a log book available on request to an authorised officer of the Council.

THE PROTECTION OF CHILDREN

All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.

Annex 2 – Conditions consistent with the Operating Schedule

All staff shall receive induction and refresher training in relation to crime prevention. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location: (a) At the entrance to the Premises; (b) Behind the bar; (c) In any other area where alcohol can be purchased by a customer.

A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

Persons under the age of 18 shall only be admitted to the premises if they are accompanied and supervised by an adult whilst on the premises

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

RESOLVED: 21st August 2023

The Committee decided to GRANT the application for a new premises licence Subject to conditions proposed as part of the operating schedule.

Reasons

The Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objector. It was noted that early objections which had been raised by the Police and Local Authority Noise Team were withdrawn after the Applicant had engaged with them and agreed the suggested conditions. Thereafter there was one objection from a member of the public who did not attend the hearings but submitted written representations, which the Committee took appropriate and proportionate account of, taking note of the points made by the Applicant's representatives regarding any weight to be attached to an Objector who does not attend the hearing.

The Committee put the concerns raised by the Objector regarding a party which had taken place without license causing noise from patrons and alleged smells emanating from cooking. The Applicant was able to provide answers which the Committee accepted as being reasonable. The Applicant stated that once the warning was given about the party, the noise was immediately turned down. There have been no further complaints or statutory abatement notices. It was noted that the Applicant stated that a noise limiter would be installed. With regards to the smell it was noted there was no current evidence of such smells and in any event the extractor fans installed are of the highest specs and no concerns were raised by the noise team.

It was finally noted that the hours requested are minimal hours which allow the Applicant to demonstrate their ability to comply with the License conditions.

Appendix E

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Mr D Dadds

Your ref:

Date: 13th November 2023

Our ref:

BY EMAIL

Dear Sir,

COMMITTEE HEARING RESOLUTION

Application for a New Premises Licence under the Licensing Act 2003 – 454-460 West Green Road, London N15 – Noya London Limited – Special Meeting 6 October 2023

The Licensing Sub Committee (“LSC”) carefully considered this application for a new premises licence for **454-460 West Green Road, London N15** (“the premises”). In considering the application, the Committee took account of the London Borough of Haringey’s Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and written and oral representations made by the Council’s Noise Team, the applicant (via his agent David Dadds, solicitor from Dadds LLP Licensing Solicitors “Mr Dadds”) and objectors. Two objectors made oral representations a Responsible Authority (the Council) and one neighbour.

The Committee excluded from its consideration the representations appearing at pages 29-32, and 37, of the original report pack, and pages 1-14 of the additional pack, which it appeared had been made after the period for representations expired on 28 September 2023.

Having considered the application and heard from all the parties, the LSC resolved to grant the Premises Licence, but limited to the same licensable activities and hours and subject to the same conditions as the existing premises licence (see Reasons) granted on 21 August 2023.

Reasons:

The LSC were satisfied that the Prevention of Public Nuisance (“PN”) licensing objective would be undermined by grant of the licence for the additional hours applied for.

The LSC considered the application for a new licence at the premises, covering Sale of Alcohol on the premises, and provision of Late Night Refreshment and Regulated Entertainment (by way of recorded music).

The premises are located at 454-460 West Green Road and front directly onto that road. To the rear, there is a shisha area extending to the rear boundary covered by a retractable roof.

There is an existing premises licence covering the premises, granted on 21 August 2023, permitting:

Supply of Alcohol (on the premises)

Regulated Entertainment: Recorded Music

The licence permitted these licensable activities for the following hours:

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

The stated premises opening hours were the same as the permitted hours for licensing activities; save that the rear external area was to be in use only to 2300, and shisha activity stopped and the roof closed at 2200.

The new application was for a new premises licence in similar terms to the existing licence save that the specified hours for the licensable activities permitted under the existing licence were to be:

Monday to Sunday 0900 to 0000

The application also sought a licence for provision of late night refreshment during the hours:

Monday to Sunday 2300 to 0000

Opening hours under the new application were to be:

Monday to Sunday 0900 to 0030

The Responsible Authority gave evidence that the operating schedule as proposed would conflict with conditions imposed on the planning permission granted for the premises.

The neighbour gave oral evidence confirming her written representations (at p35 in the original report pack) and that the noise nuisance she suffered from both loud music and the fan had continued until the day of the meeting, although the fan had that day been moved. She lives in a ground floor flat adjoining the rear part of the premises.

As to the fan, she stated that this nuisance continued during the evening until the restaurant ceased operating.

As to the music she stated, and Mr Dadds in questioning confirmed, that there is a DJ booth at the premises (albeit this is not shown on the plan), although there was a dispute as to its location.

She also stated, in answer to questioning, that she had on occasion, on complaining to the staff, been told that they could do nothing because a private party was in progress.

She confirmed that loud music was played past licence hours (hence the interference with her sleep mentioned in her written representations); she did not accept that it was simply background music.

Mr Dadds made both opening and closing submissions. In his submissions he stated that all music goes through a noise limiter, which was currently set at 65dB, having been reduced by 5dB some 3 weeks ago and which he submitted could not be bypassed. He further submitted that music at that level was at background level and

noted that the Licensing Officer had confirmed that background music is not a licensable activity. There was, he said, no dancing and while music was played according to mood, it was always limited in level.

The acoustic engineer report lodged in support of the application confirms that at 65dB inside the premises noise at the boundary of the house to the rear of the premises did not exceed 51dB, background noise, which was the background level at that point. Mr Dadds confirmed that on his own visits to the restaurant he had been unable to hear music standing outside.

He offered a condition that the noise limiter be set at 65dB, including limitations at specific frequencies.

He submitted that the neighbour was affected more than others in the community, who did not suffer that nuisance. He surmised that this could be because of the structure and soundproofing of the wall between the premises and her flat.

The objector at Waldeck Road, he submitted, could not hear music from the premises; and the lack of objection from others between the premises and that address was evidence that this objector had not done so.

He acknowledged that there was a fan which had emitted some noise, but submitted that it had been refitted and that had remedied the noise problem.

He also relied upon the lack of action by the Council's officers in relation to noise, and that on 3 unannounced proactive visits no noise issue was raised.

He referred to the policy hours in relation to pubs in residential areas, which his client's application matched as to the weekend, although it sought the same hours throughout the week which represented an additional half hour for Mondays to Thursdays. He stressed however that the application was for a restaurant in a semi-commercial area.

The LSC first discounted the issue relating to planning permission and accepted that while, to operate the hours applied for would be in breach of the permission in place, it was not open to it to refuse the application on that basis.

It then went on to consider the representations of the neighbour and the Waldeck Road objector.

As to the fan noise, the LSC noted Mr Dadds' concession that it had been giving some noise, but that work had been done to remedy it. There was however no evidence beyond his submission that that had cured the problem, and noted further that the neighbour had made representations that it had been moved on the day of the meeting, which suggested that the work had not remedied the noise.

As to the music, the LSC was faced with a conflict. It acknowledged Mr Dadds' submission, based on the presumed use of the noise limiter, that the limiter would prevent noise above background being heard outside the premises; and that there might be something in the construction of the party wall between the premises that led to the neighbour being particularly affected by noise.

There were however two representations to the effect that significant music noise was audible outside the premises that, in the case of the neighbour, affected her sleep; but if that were correct, then that suggested that, contrary to Mr Dadd's submission, the limiter was not always being used, or it was being bypassed.

The LSC found the objector credible as to the noise she was experiencing. It accepted her evidence that the noise was not limited to background noise. It also accepted her

evidence that the excessive noise was particularly evident late in the evening, after licensed hours. Further, there was no evidence before it identifying anything in the construction of the party wall that might have led to her experiencing elevated noise levels. It was not prepared to draw Mr Dadds' inference that the fact that there were so few representations meant that no others in the area were experiencing the nuisance; particularly, if, as the LSC accepted, the Waldeck Road objector had heard excessive noise.

It acknowledged that that implied that the noise limiter was not always used as submitted, or alternatively that it was bypassed – or that indeed it was ineffective.

It did not therefore, in all the circumstances, accept that either the music or the fan noise was merely a private nuisance, but took the view it amounted to a public nuisance.

It was the LSC's view that the public nuisance was not capable of remedy by appropriate conditions, noting in particular the failure of what the applicant represented as consistent use of the noise limiter, and the particular impact of continuation of the nuisance late into the evening.

For these reasons the LSC decided that the application if granted for the hours beyond the existing licence would undermine the licensing objective of prevention of public nuisance during those hours, and decided to grant the licence only in the same terms as the existing licence.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision.

Yours sincerely,

Daliah Barrett-Williams
Licensing Team Leader

Licensing Team
Level 4, Alexandra House
Station Road
London, N22 8HQ

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

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Appendix F

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APP F

Please see list below. The 2 highlighted in yellow are the current contested notices

Applicant Name	Event times/activities	Event times/activities	Date of Application	Event Start	Event End	Total Days
Yildrim Gunac Yaman	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 0900 to 2300	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 0900 to 2300	28/09/2023	06/10/2023	07/10/2023	2
Yildrim Gunac Yaman	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	07/12/2023	22/12/2023	25/12/2023	4
Yildrim Gunac Yaman	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	07/12/2023	29/12/2023	01/01/2024	4

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Report for: Licensing Sub-Committee – 21 December 2023

Item number: 7

Title: Consideration of an Objection to a Temporary Event Notice at Noya London Ltd, 454-460 West Green Road, Tottenham, London N15 3PT.

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

Ward(s) affected: WEST GREEN

Report for Key/ Non-Key Decision: Not applicable

1. **Describe the issue under consideration.**

1.1 To consider an objection submitted by the Noise Team RA in relation to a Temporary Event Notices (TENs) for the premises at Noya London Ltd 454-460 West Green Road Tottenham, London N15 3PT from 23:00 to 01:00 the following day on 29th 30th and 31st December 2023

1.1 **The Temporary Event:**

1.2 The Notice was submitted by Mr Yildirim Yaman.

1.3 The Temporary Event Notices was received on the 07th December 2023 and are attached to this report at Appendix A.

1.4 The event is described as follows:

- This temporary event is for inside the premises only.
- The outside area to be closed for licensable activities after 11:00pm
- The roof will close at 10pm as per the premises licence requirements.
- The conditions of the premises licence shall be adhered to for the duration of the temporary event.
- licensed bar and restaurant

- The details of the licensable activities on the notice are as follows:
 - Sale of alcohol
 - Late Night Refreshment
 - The sale by retail of alcohol (consumption on the premises)
 - The provision of late-night refreshment
 - The number of people at any one time at the event is 499 people

1.5 The Notice was served to the relevant Responsible Authorities on the 08th December 2023.

2.0 **Reasons for referral**

2.1 A representation was received from the Noise Team RA on 12th December 2023 and a copy is attached at Appendix B.

2.2 The Notice giver and the Noise Team RA have been invited to attend to the hearing. A copy of the objection notice is attached to this report labelled Appendix C.

3.0 Recommendation

3.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

3.2 Options open to the Committee

3.3 To acknowledge the Temporary Event Notice, allowing the event to go ahead the proposed date as per the notice submitted.

3.4 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.

4 The Legal position

4.1 A Chief Police Officer or Environmental Health of the Local Authority may object to a Temporary Event Notice within 3 working days of receiving the Notice.

4.2 Where such an objection is received, the relevant licensing authority must

- (a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and
- (b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.

5.0 Background

5.1 The premises is situated along West Green Road and comprises 4 shop units made into 1 large venue that offers food and drink as well as shisha to the rear of the venue. The premises benefits from a Premises License granted by the LSC in August 2023. A copy of the Premises License is attached at Appendix D. A recent application for a new Premises License for later hours was subsequently submitted and determined by the LSC on 6th October 2023. That determination is now subject to an appeal. A copy of the resolutions attached at Appendix E.

5.2 The premises has had a number of Temporary Event since the start of the year, these are attached at App F.

6 Use of Appendices

Appendix A - TENS Application.
Appendix B – Objection to the TENSs.
Appendix C – Objection notice.
Appendix D – Copy of Premises Licence
Appendix E - Copy of resolution
Appendix F - List of Temp event notices

7 **Background papers:** [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

[draft statement of licensing policy 2021-26 consultation document.pdf](#)
([haringey.gov.uk](#))

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Appendix A

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* required information

Section 1 of 9

You can save the form at any time 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

1790 (3)

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Yildrim Gunac

* Family name

Yaman

* E-mail

[REDACTED]

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* [Redacted] [Redacted]

[Redacted] code.

Other telephone number [Redacted]

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

[Redacted] [Redacted]

[Redacted] [Redacted]

[Redacted] [Redacted]

[Redacted] [Redacted]

[Redacted] [Redacted]

[Redacted] [Redacted]

[Redacted]

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

[Redacted]

[Redacted]	[Redacted]

[Redacted] 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes No

* Your date of birth

[Redacted]	[Redacted]	[Redacted]
dd	mm	yyyy

Applicant must be 18 years of age or older

National Insurance number

[Redacted]

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

London

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

[Redacted]	[Redacted]

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Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9**THE PREMISES**

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number

Location Details

* Provide further details about the location of the event

This temporary event is for INSIDE the premises only.
The outside area to be closed for licensable activities after 11:00pm
The roof will close at 10pm as per the premises licence requirements

Continued from previous page...

The conditions of the premises licence shall be adhered to for the duration of the temporary event.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Whole Premises - Inside area only

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

licensed bar and restaurant

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Extension of normal licensing hours for Christmas / New Year celebrations.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date 29 / 12 / 2023
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Continued from previous page...

Event end date

01	/	01	/	2024
dd		mm		yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

from 23:00 to 01:00 the following day on 29th, 30th and 31st December 2023
--

(see also guidance on [completing the form, note 10](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

499

Note that the maximum number of people cannot exceed 499.

(see also guidance on [completing the form, note 11](#))

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on [completing the form, note 12](#)):

- On the premises only
- Off the premises only
- Both

Section 5 of 9**RELEVANT ENTERTAINMENT** ([See also guidance on completing the form, note 13](#))

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

There will be no activity of this nature
--

Section 6 of 9**PERSONAL LICENCE HOLDERS** ([See also guidance on completing the form, note 14](#))

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

London Borough of Enfield

Licence number

LN/201600886

Date of issue

	/		/	
dd		mm		yyyy

Continued from previous page... Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

No

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

2

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes

No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes

No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes

No

b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

b) Begins 24 hours or less after the event period proposed in this notice? Yes No

Section 9 of 9**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
 dd mm yyyy

Continued from previous page...

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/haringey/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="1790 (3)"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

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Appendix B

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APP B 2ND REP

From: Jennifer Barrett <Jennifer.Barrett@Haringey.gov.uk>
Sent: Tuesday, December 12, 2023 11:57 PM
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: TENS: NOYA WEST GREEN ROAD 29/12/23 to 1/1/24

Dear Licensing Team

Application for a Temporary event notice: Noya 454-460 West Green Road, N15 3PT

The applicant has requested an extension of normal licensing hours for Christmas celebrations on Friday 29th Dec, Saturday 30th Dec and Sunday 31st December 2023 from 23:00 to 01:00 the following day.

We have previously received complaints about noise or nuisance from 4 affected households raising concerns about Noya operating beyond their permitted times and the impacts of their operations. We are concerned that the use of the premises until 1am is likely to lead to further complaints, particularly about noise from loud music.

The applicant states that the outside area will be closed at 2300 and the roof to be closed at 2200. They advise that the conditions of the premises licence shall be adhered to for the duration of the temporary event, but last weekend officers observed alcohol being served in the "shisha area" outside the permitted times and we have previously raised concerns about the similar use of this area after the hours specified in the licence.

The applicant has previously advised that shisha is served with meals. The applicant has been advised that the current setup does not comply with requirements of the Smoking Regulations and therefore if shisha is offered this must be done with the roof open. We appreciate that shisha is not a licensable activity but is flagged as an issue here because compliance with the Smoking Regulations is not compatible with their request to offer regulated entertainment until 1am. Maintaining an open roof and offering regulated entertainment will lead to noise breakout and is likely to lead to complaints. The applicant has previously advised they have installed a sound limiter, but to date we have not been able to test this or confirm its effectiveness with the roof open.

As a result of the above I do not believe that the above can be granted and still permit the applicant to uphold the licensing objective for Public Nuisance. As a result, I recommend the refusal of this Temporary Event Notice.

Yours sincerely

Jennifer Barrett
Noise and Nuisance Manager

jennifer.barrett@haringey.gov.uk
www.haringey.gov.uk / [twitter@haringeycouncil](https://twitter.com/haringeycouncil) / facebook.com/haringeycouncil
Online services: [Report It](#) / [Contact Frontline](#) / [do it online](#)

Appendix C

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Date: 13th December 2023

Our ref: WK/588740

David Dadds
C/o Yildrim Gunac Yaman
Via Email

Dear Yildrim Gunac Yaman,

**Re: LICENSING ACT 2003:
OBJECTION ON A TENS NOTICE – NOYA LONDON, 454-460 WEST GREEN
ROAD, TOTTENHAM, LONDON N15 3PT.**

On 7th December 2023 the Licensing Authority received from you Yildrim Gunac Yaman, a notification in respect of proposed temporary licensable activities due to take place on 29th December 2023 to 1st January 2024 at Noya London, 454-460 West Green Road, Tottenham, London N15 3PT. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”).

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X

A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

You are reminded that under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

Please inform us immediately if you wish to appeal to the Licensing Sub Committee.

Yours sincerely,

Daliah Barrett
Licensing Team Leader

Licensing Team
Level 4, Alex House
10 Station Road
London, N22 7TR

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

With reference to the above premises, the Noise & Nuisance Team will be rejecting the Temporary Event Notice.

Dear Licensing Team

Application for a Temporary event notice: Noya 454-460 West Green Road, N15 3PT

The applicant has requested an extension of normal licensing hours for Christmas celebrations on Friday 29th Dec, Saturday 30th Dec and Sunday 31st December 2023 from 23:00 to 01:00 the following day.

We have previously received complaints about noise or nuisance from 4 affected households raising concerns about Noya operating beyond their permitted times and the impacts of their operations. We are concerned that the use of the premises until 1am is likely to lead to further complaints, particularly about noise from loud music.

The applicant states that the outside area will be closed at 2300 and the roof to be closed at 2200. They advise that the conditions of the premises licence shall be adhered to for the duration of the temporary event, but last weekend officers observed alcohol being served in the "shisha area" outside the permitted times and we have previously raised concerns about the similar use of this area after the hours specified in the licence.

The applicant has previously advised that shisha is served with meals. The applicant has been advised that the current setup does not comply with requirements of the Smoking Regulations and therefore if shisha is offered this must be done with the roof open. We appreciate that shisha is not a licensable activity but is flagged as an issue here because compliance with the Smoking Regulations is not compatible with their request to offer regulated entertainment until 1am. Maintaining an open roof and offering regulated entertainment will lead to noise breakout and is likely to lead to complaints. The applicant has previously advised they have installed a sound limiter, but to date we have not been able to test this or confirm its effectiveness with the roof open.

As a result of the above I do not believe that the above can be granted and still permit the applicant to uphold the licensing objective for Public Nuisance. As a result, I recommend the refusal of this Temporary Event Notice.

Yours sincerely

Jennifer Barrett
Noise and Nuisance Manager
M : 07989 223 970

jennifer.barrett@haringey.gov.uk

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Online services: [Report It](#) / [Contact Frontline](#) / [do it online](#)

Appendix D

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PREMISES LICENCE

Receipt: SMYAC00245676

Premises Licence Number: LN/000026986

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: 21st August 2023

Part 1 – PREMISES DETAILS

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

**NOYA LONDON LTD
454-460 WEST GREEN ROAD
TOTTENHAM
LONDON
N15 3PT**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Supply of Alcohol

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

Recorded Music

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

Supply of Alcohol

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

The opening hours of the premises:

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

The rear external area in use until 2300 hours. The roof to be closed at 2200hrs and shisha activity stopped.

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:

Yildirim Gunac Yaman

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:

Yildirim Gunac Yaman

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

Personal Licence: LN/201600886

Issued by: London Borough of Enfield

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) —value 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

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system to be installed in the premises.

Cameras must;

- be sited to observe the entrance doors from both inside and outside.
- capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- be sited to cover all areas to which the public have access including any outside smoking areas.
- provide a linked record of the date, time of any image.
- provide good quality images - colour during opening times.
- have a monitor to review images and recorded quality.
- be regularly maintained to ensure continuous quality of image capture and retention.

Member of staff trained in operating CCTV at venue during times open to the public. Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within 7 days time to Police on request.

There shall be no vertical drinking or drinking ancillary to a table meal.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (f) any visit by a relevant authority or emergency service.

The rear external area is used until 2300, but that the roof is closed at 2200 hours after which no Shisha is offered. Signs are displayed throughout the area advising that Shisha concludes at 2200 hours. The proposed shisha area will close to all parties no later than 22:00hrs each day, to ensure residents are not impacted by public nuisance from this area. For reference the proposed shisha area is highlighted in orange on the attached plan

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.

PUBLIC SAFETY

A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number shall be made available to residents and businesses in the vicinity.

THE PREVENTION OF PUBLIC NUISANCE

11. The proposed shisha area will close to all parties no later than 22:00hrs each day, to ensure residents are not impacted by public nuisance from this area. For reference the proposed shisha area is highlighted in orange on the attached plan.

Annex 2 – Conditions consistent with the Operating Schedule

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.

The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents/businesses. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.

In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any recurrence.

Prominent, clear and legible notices must be displayed at all exits (including the rear seating area) requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.

Any music played at the premises will be background only.

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Noise and Nuisance team, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Noise and Nuisance Team and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Noise and Nuisance Team. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

All refuse and bottles shall be disposed of in bins quietly so as not to disturb local residents. There shall be no disposal of glass bottles outside between 21:00 hours and 07:00 hours

All exit doors shall be available for use at all times when the premises is open to the public without the use of a key, code, card or similar. Exit doors shall be regularly checked to ensure they function satisfactorily. Safety checks shall be carried out before the admission of the public, and these should be recorded in a log book available on request to an authorised officer of the Council.

THE PROTECTION OF CHILDREN

All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.

Annex 2 – Conditions consistent with the Operating Schedule

All staff shall receive induction and refresher training in relation to crime prevention. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location: (a) At the entrance to the Premises; (b) Behind the bar; (c) In any other area where alcohol can be purchased by a customer.

A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

Persons under the age of 18 shall only be admitted to the premises if they are accompanied and supervised by an adult whilst on the premises

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

RESOLVED: 21st August 2023

The Committee decided to GRANT the application for a new premises licence Subject to conditions proposed as part of the operating schedule.

Reasons

The Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objector. It was noted that early objections which had been raised by the Police and Local Authority Noise Team were withdrawn after the Applicant had engaged with them and agreed the suggested conditions. Thereafter there was one objection from a member of the public who did not attend the hearings but submitted written representations, which the Committee took appropriate and proportionate account of, taking note of the points made by the Applicant's representatives regarding any weight to be attached to an Objector who does not attend the hearing.

The Committee put the concerns raised by the Objector regarding a party which had taken place without license causing noise from patrons and alleged smells emanating from cooking. The Applicant was able to provide answers which the Committee accepted as being reasonable. The Applicant stated that once the warning was given about the party, the noise was immediately turned down. There have been no further complaints or statutory abatement notices. It was noted that the Applicant stated that a noise limiter would be installed. With regards to the smell it was noted there was no current evidence of such smells and in any event the extractor fans installed are of the highest specs and no concerns were raised by the noise team.

It was finally noted that the hours requested are minimal hours which allow the Applicant to demonstrate their ability to comply with the License conditions.

Appendix E

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Mr D Dadds

Your ref:

Date: 13th November 2023

Our ref:

BY EMAIL

Dear Sir,

COMMITTEE HEARING RESOLUTION

Application for a New Premises Licence under the Licensing Act 2003 – 454-460 West Green Road, London N15 – Noya London Limited – Special Meeting 6 October 2023

The Licensing Sub Committee (“LSC”) carefully considered this application for a new premises licence for **454-460 West Green Road, London N15** (“the premises”). In considering the application, the Committee took account of the London Borough of Haringey’s Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and written and oral representations made by the Council’s Noise Team, the applicant (via his agent David Dadds, solicitor from Dadds LLP Licensing Solicitors “Mr Dadds”) and objectors. Two objectors made oral representations a Responsible Authority (the Council) and one neighbour.

The Committee excluded from its consideration the representations appearing at pages 29-32, and 37, of the original report pack, and pages 1-14 of the additional pack, which it appeared had been made after the period for representations expired on 28 September 2023.

Having considered the application and heard from all the parties, the LSC resolved to grant the Premises Licence, but limited to the same licensable activities and hours and subject to the same conditions as the existing premises licence (see Reasons) granted on 21 August 2023.

Reasons:

The LSC were satisfied that the Prevention of Public Nuisance (“PN”) licensing objective would be undermined by grant of the licence for the additional hours applied for.

The LSC considered the application for a new licence at the premises, covering Sale of Alcohol on the premises, and provision of Late Night Refreshment and Regulated Entertainment (by way of recorded music).

The premises are located at 454-460 West Green Road and front directly onto that road. To the rear, there is a shisha area extending to the rear boundary covered by a retractable roof.

There is an existing premises licence covering the premises, granted on 21 August 2023, permitting:

Supply of Alcohol (on the premises)

Regulated Entertainment: Recorded Music

The licence permitted these licensable activities for the following hours:

Monday to Friday 0900 to 2300

Saturday 0900 to 2330

Sunday 0900 to 2200

The stated premises opening hours were the same as the permitted hours for licensing activities; save that the rear external area was to be in use only to 2300, and shisha activity stopped and the roof closed at 2200.

The new application was for a new premises licence in similar terms to the existing licence save that the specified hours for the licensable activities permitted under the existing licence were to be:

Monday to Sunday 0900 to 0000

The application also sought a licence for provision of late night refreshment during the hours:

Monday to Sunday 2300 to 0000

Opening hours under the new application were to be:

Monday to Sunday 0900 to 0030

The Responsible Authority gave evidence that the operating schedule as proposed would conflict with conditions imposed on the planning permission granted for the premises.

The neighbour gave oral evidence confirming her written representations (at p35 in the original report pack) and that the noise nuisance she suffered from both loud music and the fan had continued until the day of the meeting, although the fan had that day been moved. She lives in a ground floor flat adjoining the rear part of the premises.

As to the fan, she stated that this nuisance continued during the evening until the restaurant ceased operating.

As to the music she stated, and Mr Dadds in questioning confirmed, that there is a DJ booth at the premises (albeit this is not shown on the plan), although there was a dispute as to its location.

She also stated, in answer to questioning, that she had on occasion, on complaining to the staff, been told that they could do nothing because a private party was in progress.

She confirmed that loud music was played past licence hours (hence the interference with her sleep mentioned in her written representations); she did not accept that it was simply background music.

Mr Dadds made both opening and closing submissions. In his submissions he stated that all music goes through a noise limiter, which was currently set at 65dB, having been reduced by 5dB some 3 weeks ago and which he submitted could not be bypassed. He further submitted that music at that level was at background level and

noted that the Licensing Officer had confirmed that background music is not a licensable activity. There was, he said, no dancing and while music was played according to mood, it was always limited in level.

The acoustic engineer report lodged in support of the application confirms that at 65dB inside the premises noise at the boundary of the house to the rear of the premises did not exceed 51dB, background noise, which was the background level at that point. Mr Dadds confirmed that on his own visits to the restaurant he had been unable to hear music standing outside.

He offered a condition that the noise limiter be set at 65dB, including limitations at specific frequencies.

He submitted that the neighbour was affected more than others in the community, who did not suffer that nuisance. He surmised that this could be because of the structure and soundproofing of the wall between the premises and her flat.

The objector at Waldeck Road, he submitted, could not hear music from the premises; and the lack of objection from others between the premises and that address was evidence that this objector had not done so.

He acknowledged that there was a fan which had emitted some noise, but submitted that it had been refitted and that had remedied the noise problem.

He also relied upon the lack of action by the Council's officers in relation to noise, and that on 3 unannounced proactive visits no noise issue was raised.

He referred to the policy hours in relation to pubs in residential areas, which his client's application matched as to the weekend, although it sought the same hours throughout the week which represented an additional half hour for Mondays to Thursdays. He stressed however that the application was for a restaurant in a semi-commercial area.

The LSC first discounted the issue relating to planning permission and accepted that while, to operate the hours applied for would be in breach of the permission in place, it was not open to it to refuse the application on that basis.

It then went on to consider the representations of the neighbour and the Waldeck Road objector.

As to the fan noise, the LSC noted Mr Dadds' concession that it had been giving some noise, but that work had been done to remedy it. There was however no evidence beyond his submission that that had cured the problem, and noted further that the neighbour had made representations that it had been moved on the day of the meeting, which suggested that the work had not remedied the noise.

As to the music, the LSC was faced with a conflict. It acknowledged Mr Dadds' submission, based on the presumed use of the noise limiter, that the limiter would prevent noise above background being heard outside the premises; and that there might be something in the construction of the party wall between the premises that led to the neighbour being particularly affected by noise.

There were however two representations to the effect that significant music noise was audible outside the premises that, in the case of the neighbour, affected her sleep; but if that were correct, then that suggested that, contrary to Mr Dadd's submission, the limiter was not always being used, or it was being bypassed.

The LSC found the objector credible as to the noise she was experiencing. It accepted her evidence that the noise was not limited to background noise. It also accepted her

evidence that the excessive noise was particularly evident late in the evening, after licensed hours. Further, there was no evidence before it identifying anything in the construction of the party wall that might have led to her experiencing elevated noise levels. It was not prepared to draw Mr Dadds' inference that the fact that there were so few representations meant that no others in the area were experiencing the nuisance; particularly, if, as the LSC accepted, the Waldeck Road objector had heard excessive noise.

It acknowledged that that implied that the noise limiter was not always used as submitted, or alternatively that it was bypassed – or that indeed it was ineffective.

It did not therefore, in all the circumstances, accept that either the music or the fan noise was merely a private nuisance, but took the view it amounted to a public nuisance.

It was the LSC's view that the public nuisance was not capable of remedy by appropriate conditions, noting in particular the failure of what the applicant represented as consistent use of the noise limiter, and the particular impact of continuation of the nuisance late into the evening.

For these reasons the LSC decided that the application if granted for the hours beyond the existing licence would undermine the licensing objective of prevention of public nuisance during those hours, and decided to grant the licence only in the same terms as the existing licence.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision.

Yours sincerely,

Daliah Barrett-Williams
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Appendix F

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APP F

Please see list below. The 2 highlighted in yellow are the current contested notices

Applicant Name	Event times/activities	Event times/activities	Date of Application	Event Start	Event End	Total Days
Yildrim Gunac Yaman	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 0900 to 2300	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 0900 to 2300	28/09/2023	06/10/2023	07/10/2023	2
Yildrim Gunac Yaman	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	07/12/2023	22/12/2023	25/12/2023	4
Yildrim Gunac Yaman	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	The sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 2300 to 0100	07/12/2023	29/12/2023	01/01/2024	4

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