



NOTICE OF MEETING

Licensing Sub-Committee A

THURSDAY, 14TH MAY, 2009 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Patel (Chair), Demirci and Reid

AGENDA

1. APOLOGIES FOR ABSENCE

2. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be deal with at item 7 below).

3. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at he commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

4. MINUTES (PAGES 1 - 10)

To approve the minutes of the previous meetings of the Licensing Sub Committee A held on 7 April 2009 and the special Licensing Sub Committee A held on 28 April 2009.

5. SUMMARY OF PROCEDURE (PAGES 11 - 12)

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003 or Gambling Act 2005. A copy of the procedure is attached.

6. KARMENZ WINE BAR AND RESTAURANT, 192 STROUD GREEN ROAD, LONDON N4 (STROUD GREEN) (PAGES 13 - 56)

To consider an application to allow extended hours for the provision of regulated entertainment, provision of late night refreshment and supply of alcohol at the above premises.

7. ITEMS OF URGENT BUSINESS

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

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Wednesday, 06 May 2009

**MINUTES OF THE LICENSING SUB-COMMITTEE A
TUESDAY, 7 APRIL 2009**

Councillors Patel (Chair), Demirci and Reid

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCA01.	<p>APOLOGIES FOR ABSENCE</p> <p>There were no apologies for absence.</p>	
LSCA02.	<p>URGENT BUSINESS</p> <p>The Committee agreed to the submission of a late item of urgent business, for consideration under agenda item 7.</p>	
LSCA03.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
LSCA04.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the meeting of the 4th December 2009 be approved and signed by the Chair.</p>	
LSCA05.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCA06.	<p>ZAM'S FRIED CHICKEN, 527 GREEN LANES N4 1AN (HARRINGAY WARD)</p> <p>The Licensing Officer, Ms Barrett, reported on an application for a new premises licence at Zam's Fried Chicken, for the provision of late night refreshment. No representations had been made by the responsible authorities, and one letter of representation had been submitted by a local resident, expressing concern regarding the issues of litter and increased disturbance.</p> <p>The applicant's representative explained that the premises was for take away only, and that the only seating provision for customers was one or two stools. Referring to the representation made by a local resident, he stated that there was no proof that the litter mentioned was caused by Zam's Fried Chicken, but that the applicant would be prepared to accept conditions on the licence that would mitigate the concerns regarding litter, including the installation of a litter bin, and signs requesting customers to use the bins and to leave the premises quietly.</p> <p>In response to questions from the Committee, the applicant's representative confirmed that the applicant would be prepared to install a digital CCTV system, and that installation would be with the agreement</p>	

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	<p>of the police.</p> <p>RESOLVED</p> <p>That the Licensing Sub Committee decided to grant the application as requested, subject to the following additional conditions:</p> <ol style="list-style-type: none"> 1. That a digital CCTV system be installed at the premises. The system should be capable of recording for 28 days and should be able to take digital images of people entering the premises. The recordings must be made available to Police officers and the Local Authority on request. 2. Signs shall be displayed at the exit, reminding customers to leave quietly. 3. A bin shall be provided within the customer area for the use of customers. 4. Signs shall be displayed, reminding customers to use the bins provided. <p>The Committee has taken into account the representation by the objector, and particularly her point on litter and her concern regarding customers eating in their cars with engines running, resulting in more nuisance in the area. The Committee felt that the conditions imposed would be sufficient to address the concerns raised.</p>	
<p>LSCA07.</p>	<p>ITEMS OF URGENT BUSINESS</p> <p>The Licensing Officer, Ms Barrett, reported on an application for a new premises licence at Present Time restaurant for the supply of alcohol, provision of late night refreshment and provision of regulated entertainment in the form of recorded music. Representations had been submitted by the Police, and the Noise Team and local residents had submitted objections to the application on the grounds of noise nuisance.</p> <p>Derek Pearce, Enforcement Officer, presented the Noise Team representation, and expressed serious concerns relating to the application and in particular the application to permit recorded music at the premises. Mr Pearce reported that the premises had in the past operated more as a venue for loud music entertainment than a restaurant, and expressed concerns regarding the suitability of the premises for the playing of recorded music due to the lack of sound-proofing, and the late operating hours applied for. Mr Pearce reported on previous complaints made to the Noise Team relating to the premises, and gave details of abatement notices that had been served on the premises. The representation from the Noise Team included some suggested conditions, but Mr Pearce emphasised that the Noise Team strongly objected to the recorded music element of the application.</p> <p>In response to questions from the Committee, Mr Pearce confirmed that</p>	

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complaints had been received regarding the premises when it had been operating without a licence, and reported that, following checks, there was no evidence that the applicant had a long term interest in the premises.

The applicant addressed the Committee and reported that, since he had become involved with the premises, there had been only a single noise complaint, since which time he had always complied with any requests for music at the premises to be turned down. The applicant reported that the premises would operate as a restaurant, not a venue for music and dancing, that there would be no loud music played and that CCTV and doormen would be used to ensure that there was no disturbance. The applicant noted that some of the complaints received were from residents who did not live close to the premises, and that the noise being reported was not always from this particular premises.

In response to questions from the Committee, the applicant reported that he had an arrangement in place to take the lease on the premises over from the current leaseholder, but that this was conditional on him being granted a licence. The applicant also reported that he had already demonstrated commitment to the premises by undertaking a refurbishment, and stated that he would be willing to invest in any works necessary at the premises if the licence were granted. In response to questions from the Committee regarding whether the applicant was aware that the premises had been operating without a licence, the applicant responded that he had been informed by the previous manager of the premises that a licence was in place, but had not verified this separately and now realised that this was something that he should have done.

The Committee asked about the applicant's relationship with residents living close to the premises, and the applicant reported that he had spoken to residents about noise from the premises in the past, since when there had been no problems and the premises had a good relationship with its neighbours.

The Legal Officer asked for further information regarding the freehold and leasehold of the premises. The applicant reported that Mr Kwateng held a 19-year lease on the premises, of which 3 years had elapsed. Mr Pearce enquired about the financial feasibility of employing doormen when the applicant had stated that the capacity of the venue was just 25-30 customers, and the applicant responded that doormen would not be required for normal nights, only for special events.

The Licensing Officer asked the applicant for further information on some of the conditions proposed in the application. In response, the applicant confirmed that overcrowding would be avoided by having a policy that all customers were to be seated and that a waste management agreement was being entered into with the Council to ensure that waste was dealt with appropriately.

In conclusion, Mr Pearce emphasised the serious concerns the Noise

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	<p>Team had regarding the application for recorded music and requested that, were the licence to be granted, the conditions suggested by the Noise Team be taken into consideration.</p> <p>RESOLVED</p> <p>The Committee considered the application fully, together with the representations from the responsible authorities, objectors and the applicant. However, after much deliberation, we reject the whole of the application for the premises licence.</p> <p>The Committee feels that there was overwhelming evidence in relation to nuisance, specifically noise, nuisance, and was concerned that, by his own admission, Mr Tshilumba has struggled to fully comply with requirements under the Environmental Protection Act in relation to noise nuisance and the Food Hygiene Regulations.</p> <p>The questions posed by those present to Mr Tshilumba were not satisfactorily answered and neither Mr Tshilumba nor the premises itself appears to the Committee to be adequately managed and equipped to operate this premises licence in its current form.</p> <p>The representations by the noise officer were compelling and the fact that there is a history of noise complaints with the premises since Mr Tshilumba's involvement, the issue of outbreak of music does not appear to have been adequately addressed.</p> <p>We were concerned with his inability to sufficiently and satisfactorily answer questions in relation to his interest in the property, his ability to comply with conditions if imposed, his general understanding in relation to the Licensing Act 2003 and his failure to provide us with sound and enforceable conditions that he could be expected to adhere to.</p>	
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Cllr Jayanti Patel

Chair

**MINUTES OF THE SPECIAL LICENSING SUB-COMMITTEE A
TUESDAY, 28 APRIL 2009**

Councillors Demirci, Reid and Dodds

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCA08.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Cllr Patel, for whom Cllr Dodds was substituting. The Committee agreed that Cllr Dodds would act as Chair of proceedings.</p>	
LSCA09.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
LSCA10.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
LSCA11.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCA12.	<p>BAR N22, GROUND FLOOR, 242 HIGH ROAD, WOOD GREEN (WOODSIDE WARD)</p> <p>Before the presentation of the Licensing Officer's report, the applicant's representative made an application that the evidence of one of the objectors, Ms Sue Garrad, should be discounted due to the distance of her address from the premises. On the advice of the Legal Officer, the Committee adjourned to examine maps of the area and consider the application made by the applicant's representative.</p> <p>The Committee reconvened at 7.35pm.</p> <p>The Legal Officer, Joyce Golder, confirmed that the applicant's submission was that Ms Garrad's evidence should be discounted as she was not 'within the vicinity' of the premises, as set out in the Licensing Act 2003. Ms Golder confirmed that Ms Garrad's address was situated approximately 1km from the premises, and was close to a number of other licensed premises. Ms Golder reported that Ms Garrad's submission was that she was a part of the local community and had the right to have a say on local issues.</p> <p>The Chair reported that the Committee would consider Ms Garrad's evidence, and would give it appropriate weight as part of their deliberations.</p> <p>The Licensing Officer, Ms Dale Barrett, presented the application for a new premises licence by CBS Bar Ltd to allow the provision of regulated entertainment (including pole and lap dancing), provision of late night</p>	

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refreshment and supply of alcohol at Bar N22, Ground Floor, 242 High Road, Wood Green. Ms Barrett reported that representation had been received from the Noise Team, and that the conditions suggested by the Noise Team had been accepted in full by the applicant. Two letters of representation and a petition had also been received from interested parties, expressing concerns regarding the possibility of increased crime and anti-social behaviour in the area, especially of a sexual nature, the risk of children being exposed to a business of an adult nature, the disturbance that would be caused to local residents and the inappropriateness of an adult establishment in a location close to schools, places of worship, residential accommodation and community centres. Ms Barratt also reported on the relevant licensing authority considerations, and provided an extract from the statement of licensing policy in relation to adult entertainment.

The applicant's representative clarified that it was proposed that the performance of dance would not commence until 19:00hrs, Monday – Sunday.

In response to a question from the Committee, Derek Pearce, Enforcement Response Officer, reported that 7 complaints had been made to the Noise Team in 2007 and that on 2 occasions these had been identified as a nuisance by the Noise Team. Mr Pearce reported that one complaint had related specifically to customers leaving the premises. In response to a question from the Committee on how this issue could be addressed, Mr Pearce recommended that door supervisors should monitor customers exiting the premises to ensure that customers left quietly.

In response to questions from the applicant's representative, Mr Pearce confirmed that one complaint had been received in each of the months January, February and August 2007, that two complaints had been received each in March and April 2007, and that there had been two complainants in total. Mr Pearce confirmed that, if the conditions suggested by the Noise Team were complied with, the licensing objectives would be met.

The Chair confirmed that new evidence that had not been included in the original papers could not be raised at the meeting, as the other parties had not had a chance to view the material and respond. Ms Garrad presented her representation against the application, stating that she felt the kind of activity being applied for would attract crime, particularly sex-related, to the area, and that customers leaving the premises would lead to an increase in anti-social behaviour, which was already a priority for the local Safer Neighbourhoods Team. Ms Garrad also expressed concerns regarding the increase in fear of crime around the premises, particularly amongst women. Ms Garrad stated that the location of the premises on a busy thoroughfare, close to a number of schools and in a very residential area, was inappropriate for a business of the nature proposed, and that children would still be passing the premises at 7pm, the proposed start time for the performance of dance. Ms Garrad stated that she felt the application would undermine the licensing objectives,

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and would have a detrimental impact on the local community and area.

In response to a question from the applicant's representative, Ms Garrad stated that although her personal view was that adult entertainment should not take place at the premises at all, 11pm would be a more appropriate start time for the performance of dance.

Ms Varinder Kaur, Service Manager of the Raj Kunj sheltered accommodation for Asian elders, made a representation on behalf of the residents of the sheltered accommodation. Ms Kaur stated that 22 residents, aged between 65 and 92, lived in the accommodation next to the premises, that elderly residents would be frightened to go out if the application were to be granted, and that a premises of this nature would deter visits to the residents from their children and grandchildren. Ms Kaur reported that residents were already disturbed by noise from the premises.

In response to questions from the applicant's representative, Ms Kaur reported that she would have to check the records to confirm whether she had submitted any complaints regarding the premises to the Noise Team.

The applicant's representative, Mr David Dadds, reported that the only difference between the existing premises licence and the application before the Committee was the introduction of pole and lap dancing, as set out in the application. Mr Dadds stated that, if the Committee felt that it was necessary and proper to do so, the applicant was prepared to amend the hours for the performance of dance to commence at 21:00hrs instead of 19:00hrs. Mr Dadds noted that the Police had made no representation in respect of the application, and that the conditions put forward by the Noise Team to uphold the licensing objectives had been accepted by the applicant in full. It was also reported that no noise complaints had been made relating to the premises since August 2007. Mr Dadds noted that controls to uphold the licensing objectives were set out clearly in the application. Mr Dadds felt that the proposed amendment of the hours for the performance of dance would address the concerns raised regarding children passing the premises, and that there would be no impact on local schoolchildren as there would be no external advertising at the premises. Mr Dadds stated that there was no evidence of complaints being made by the residents of the neighbouring sheltered accommodation and that there was no evidence to suggest that crime would increase as a result of the premises, especially as the Police had raised no objection to the application. Mr Dadds stated that he felt that the conditions proposed would be adequate to address the licensing objectives, and reminded the Committee of the safeguarding mechanisms in place such as the power to review the licence in order to ensure that the licensing objectives were maintained.

In response to questions from the Committee, Mr Dadds reported that the nature of the business would not attract antisocial behaviour and sex trafficking, and that the applicant was fully aware of the location of the premises in relation to local schools and residential accommodation. The

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Committee asked how the applicant would ensure that performers at the premises were safe, and Mr Dadds reported that SIA-approved doormen would be present at the premises, and that the welfare of their staff would be paramount. It was reported that all staff would be subject to employment law and identification checks, and interviewed to ensure that they were working safely and of their own volition. Regulations were in place to ensure that all staff had rights and were working in a safe environment, as part of a legitimate business. Mr Dadds confirmed that checks on whether staff were working of their own free will would be carried out independently of the Police, and that any concern regarding whether performers were working of their own volition would be identified very quickly and would not be tolerated. In response to a request from the Committee for reassurance that the applicant could objectively ensure that all performers were working of their own free will, Mr Dadds emphasised that all performers would be fully ID checked and interviewed to ensure that they were under no duress. Mr Dadds emphasised that issues relating to employee wellbeing were covered by relevant employment and health and safety legislation.

Mr Dadds confirmed that, as there would be no external adverts at the premises, customers would be attracted by word of mouth. Mr Dadds added that if the business didn't attract customers then it would fail, but that this was an economic issue rather than a licensing concern. In response to a question from the Committee, Mr Dadds confirmed that the applicant would consider taking out text-only adverts in local newspapers, if it was felt that this was necessary.

In response to a question from the Committee regarding the number of SIA-approved doormen at the premises, Mr Dadds reported that there would be three, and that the doormen would be monitoring the interior of the premises as well as the doors.

In response to a question from Ms Garrad, the applicant clarified the location of and access to the performers' changing room on the floor plan of the premises, and explained that the private dancing area was not partitioned off, but was a raised stage area. In response to a question regarding whether performers would be employees or self-employed, Mr Dadds confirmed that there may be both employees and self-employed performers working at the premises, but that the checks and procedures would be the same for both.

In conclusion, the objectors stated that the location of the premises was not right for an adult entertainment business, and would contribute to wider problems in the local area. It was also stated that the proximity of the premises to a sheltered housing complex for elderly people would interfere with the peace and quiet of the elderly residents, who would be scared to leave their homes.

By way of conclusion, Mr Dadds stated that the Police had raised no objections with regard to the licensing objectives, that there was no evidence of crime and disorder and that there had been no complaints relating to noise since August 2007. The location of the premises was a

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mixed-use area with a number of other licensed premises nearby and, as a legitimate business, the application demonstrated that the licensing objectives under the Licensing Act 2003 were met, with issues relating to the protection of the wellbeing of employees being covered by other legislation. Mr Dadds requested that the Committee grant the license as applied for, with the amendment of the hours for the performance of dance to commence from 21:00hrs nightly.

In response to questions from the Legal Officer, Mr Dadds confirmed that it was proposed that there would be three SIA-approved doormen at the premises, and that the code of conduct, house rules and pre-employment checks put forward in the Operating Schedule would be agreed with the Council and Police before the licence came into effect.

RESOLVED

Having fully considered the application, objectors' representations, representations by responsible authorities and the applicant's case, the Committee decided to refuse the application for a premises licence.

In reaching this decision the Committee considered the Licensing Act 2003 and its licensing objectives and the statement of licensing policy, in particular the extracts relating to adult entertainment and specifically paragraph 13.7 which states that the licensing authority will have regard to whether the premises are in close proximity to schools, places of worship and residential accommodation, amongst others. The Committee did not feel that the licensing objectives had been sufficiently met by the applicant's proposals.

In response to the decision of the Committee, the applicant's representative sought clarity on the reasons for the rejection of the application in full, and asked whether the Committee had considered granting the application with the exclusion of pole dancing and lap dancing. The meeting was adjourned for the Committee to seek legal advice on this issue and deliberate further.

RESOLVED

After adjourning and taking legal advice, the Committee decided to grant the application for a premises licence with the proviso that section G of the Operating Schedule, namely Performance of Dance, shall exclude pole dancing and lap dancing. There was no decision to change the timings as proposed, namely from 7pm. Pole dancing and lap dancing was excluded specifically in reference to paragraph 13.7 of the statement of licensing policy which states that the licensing authority will have regard to whether the premises are in close proximity to schools, places of worship and residential accommodation, amongst others.

The conditions proposed by the the applicant in the current premises licence, the accepted conditions proposed by the Noise Team and the

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	<p>conditions in the Operating Schedule are to be imposed, with a requirement for 3 door supervisors to be added. Conditions relating to pole dancing and lap dancing are to be excluded in consultation with the Licensing Officer.</p>	
<p>LSCA13.</p>	<p>GRAND PALACE, 1ST FLOOR 242 HIGH ROAD, WOOD GREEN (WOODSIDE WARD) This item was adjourned.</p> <p>The meeting closed at 22:15hrs.</p>	

CLLR RAY DODDS

Chair

LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY	
INTRODUCTION	
1.	The Chair introduces himself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
2.	The Chair invites Members to disclose any prior contacts (before the hearing) with the parties or representations received by them
3.	The Chair explains the procedure to be followed by reference to this summary which will be distributed.
NON-ATTENDANCE BY PARTY OR PARTIES	
4.	If one or both of the parties fails to attend, the Chair decides whether to:
	(i) grant an adjournment to another date, or
	(ii) proceed in the absence of the non-attending party.
	Normally, an absent party will be given one further chance to attend.
TOPIC HEADINGS	
5.	The Chair suggests the “topic headings” for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:
	Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.
	(i) the prevention of crime and disorder,
	(ii) public safety,
	(iii) the prevention of public nuisance, and
	(iv) the protection of children from harm.
6.	The Chair invites comments from the parties on the suggested topic headings and decides whether to confirm or vary them.
WITNESSES	
7.	The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8.	Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request.
DOCUMENTARY EVIDENCE	
9.	The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10.	If so, the Chair will ask the other party if they object to the admission of the late documents.
11.	If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not be admitted.

12.	If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:	
(i)	What is the reason for the documents being late?	
(ii)	Will the other party be unfairly taken by surprise by the late documents?	
(iii)	Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?	
(iv)	Is the late evidence really important?	
(v)	Would it be better and fairer to adjourn to a later date?	
THE LICENSING OFFICER'S INTRODUCTION		
13.	The Licensing Officer introduces the report explaining, for example, the existing hours, the hours applied for and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties.	
14.	The Licensing Officer can be questioned by Members and then by the parties.	
THE HEARING		
15.	This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:	
(i)	an introduction by the Objectors' main representative	
(ii)	an introduction by the Applicant or representative	
(iii)	questions put by Members to the Objectors	
(iv)	questions put by Members to the Applicant	
(v)	questions put by the Objectors to the Applicant	
(vi)	questions put by the Applicant to the Objectors	
CLOSING ADRESSES		
16.	The Chair asks each party how much time is needed for their closing address, if they need to make one.	
17.	Generally, the Objectors make their closing address before the Applicant who has the right to the final closing address.	
THE DECISION		
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.	
19.	The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting.	

Licensing Act 2003 Sub-Committee on 14th MAY 2009

Report title: Application for a Variation of a Premises Licence at KARMENZ WINE BAR & RESTAURANT, 192 STROUD GREEN ROAD, LONDON N4 3RN

Report of: The Lead Officer Licensing

Ward(s) affected STROUD GREEN

1. Purpose

To consider an application by CARMEN SINGH to allow extended hours for the PROVISION OF REGULATED ENTERTAINMENT, PROVISION OF LATE NIGHT REFRESHMENT AND SUPPLY OF ALCOHOL at the above premises.

2. Recommendations

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

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

Report authorised by: Robin Payne.....


 Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett -Williams

Telephone: 020 8489 8232

3. Executive summary

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

4. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

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

File: KARMENZ RESTAURANT

The Background Papers are located at Enforcement Service, TECHNOPARK, Ashley Road Tottenham N17

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5. REPORT

Background

5.1 An application for a Variation to a Premises Licence, by **Carmen Singh** in respect of **KARMENZ WINE BAR & RESTAURANT, 192 STROUD GREEN ROAD, LONDON N4 3RN** under the Licensing Act 2003.

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

The provision of Regulated entertainment:

Live Music

Sunday to Wednesday	1100 to 0000
Thursday to Saturday	1100 to 0200

Recorded Music

Sunday to Wednesday	1100 to 0000
Thursday	1100 to 0200
Friday to Saturday	1100 to 0400

Bank holidays and Christmas Eve until 0300 and New Years Eve for 24 hours.

The provision of late night refreshment:

Sunday to Wednesday	1100 to 0000
Thursday	1100 to 0300
Friday to Saturday	1100 to 0400

Bank holidays and Christmas Eve until 0300 and New Years Eve for 24 hours.

Supply of alcohol for ON the premises only:

Sunday to Wednesday	1100 to 0000
Thursday	1100 to 0300
Friday to Saturday	1100 to 0330

Opening Hours

Sunday to Wednesday	1100 to 0000
Thursday	1100 to 0230
Friday to Saturday	1100 to 0400

General-all four licensing objectives

At Karmenz we would like to operate a well organised restaurant and wine bar, a friendly environment for members of the public where they can have some good food, good cocktails or wine and truly relax.

5.3 Crime and Disorder

In order to prevent crime and disorder CCTV cameras have been installed (which are always available for perusal upon request). Door supervisors on duty (badge holders and SIA trained).

5.4 Public Safety

Door supervisors will be working in order to maintain public safety both inside and outside premises. Taxis will be called for customers requesting them. Hallways will be well lit.

5.5 Public Nuisance

All doors and windows to be kept closed whilst music is playing.

A Noise Monitor will be installed.

Notices will be displayed asking customers to keep noise to a minimum when leaving the venue.

Supervisors will be there to enforce that noise is kept to a minimum.

5.6 Child Protection

ID will always be asked for if bar staff are in doubt of someone's age.

Children will have to be with an adult at all times whilst on the premises.

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 Comments of Metropolitan Police

Have made no representation on this application.

6.2 Comments of Enforcement Services:

Noise Team

Have made representation. App 2

Food Team

Have made no observations.

Health and Safety

Have no objections to this application

Trading Standards

Have no objections to this application

6.3 Fire Officer

Have no objections to this application.

6.4 Planning Officer

Have made no comments

6.5 Comments of Child Protection Agency or Nominee

Have made no comments

7.0 Interested Parties-

11 letters of representation has been received against this application. App 3

8.0 Financial Comments

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

APPENDIX 1

APPLICATION FORM

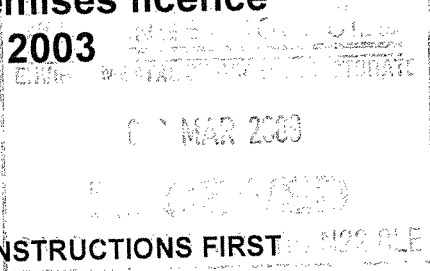
LICENSING ACT 2003
Section 34



AG914667
AG914533 (£10.50)

Application to vary a premises licence under the Licensing Act 2003

(1)



Reference number:

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(2) I/we CARMEN SINGH

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

Premises licence number

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description <u>KARMENT WINE BAR + RESTAURANT</u> <u>192 STROUD GREEN ROAD</u>	
Post town <u>LONDON</u>	Postcode <u>N4 3RN</u>

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

Part 2 - Applicant details

Daytime contact telephone number

07944 338244

E-mail address
(optional)

Current postal address if different from premises address

<u>28. Park Road</u> <u>HARINGEY</u>	
Post town <u>LONDON</u>	Postcode <u>N4 0LD</u>

(1) Insert name and address of relevant licensing authority and its reference number (optional)
(2) Insert name(s) of applicant

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation (Please read guidance note 1)

Kracmar is a well present bar and restaurant which seats around 50 seated and about 40 standing. Long dance floor area, small toilets, kitchen. Hallway wide enough for wheel chair access. All window have special glass (double glass so they cannot shatter). Comfortable sofas at back for customers to relax.

Down stairs area consists of only tables + chairs for dining.

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

Part 4 - Operating Schedule

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

Provision of regulated entertainment

Please tick ✓ yes

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

Provision of entertainment facilities for:

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

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

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

B

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

C

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

D

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

E

Live music			Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	11.00	00.00	Please give further details here (please read guidance note 3)
Tue	11.00	00.00	
Wed	11.00	00.00	State any seasonal variations for the performance of live music (please read guidance note 4)
Thur	11.00	02.00	
Fri	11.00	02.00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	11.00	02.00	
Sun	11.00	00.00	

*BANK HOLIDAYS 3.00pm.
CHRISTMAS EVE 3.00pm.
NYE 24 hrs.*

F

Recorded music			Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	11.00	00.00	Please give further details here (please read guidance note 3)
Tue	11.00	00.00	
Wed	11.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)
Thur	11.00	02.00	
Fri	11.00	04.00	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	11.00	04.00	
Sun	11.00	00.00	

*BANK HOLIDAYS 3.00pm
CHRISTMAS EVE 3.00pm
NYE 24 hrs.*

G

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

H

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

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

J

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

K

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

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

I have enclosed the premises licence Please tick yes
I have enclosed the relevant part of the premises licence

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

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

I think DANIM ASRODINAMOVICH PREVIOUS
NAME ON PREMISES LICENCE STILL HAS
FAVOUR WORK. BUT I WILL CHANGE THEM FOR
THIS.

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	11.00	00.00	Please give further details here (please read guidance note 3)
Tue	11.00	00.00	
Wed	11.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)
Thur	11.00	03.00	
Fri	11.00	02.00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	11.00	04.00	
Sun	11.00	00.00	

*Bank holidays 3.00am
Christmas Eve 3.00am
NYE 2.45am.*

M

Supply of alcohol			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 7)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Mon	11.00	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue	11.00	00.00	
Wed	11.00	00.00	
Thur	11.00	03.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	11.00	02.00	
Sat	11.00	03.00	
Sun	11.00	00.00	

N

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

[Empty space for highlighting adult entertainment or services]

O

Hours premises are open to the public

Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	11.00	00.00
Tue	11.00	00.00
Wed	11.00	00.00
Thur	11.00	02.30
Fri	11.00	01.00
Sat	11.00	01.00
Sun	11.00	00.00

State any seasonal variation (please read guidance note 4)

Bank Holidays 2.30am
 Christmas Eve 2.30am
 NYE 2.45am.

Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

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

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

At KASHMIR we would like to create a well organised restaurant + wine bar, a friendly environment for members of the public where they can come have some good food, good cocktails or wine and truly relax.

b) The prevention of crime and disorder

In order to prevent crime and disorder I have had CCTV cameras installed, (which is always available for viewing upon request. Door Supervisors on duty (BRUCE HODGKIN) (SIA TRAINED).

c) Public safety

Door Supervisors will be working in order to maintain public safety. Both in side and outside premises. Taxis will be called for customers requesting them. Entrances will be well lit.

d) The prevention of public nuisance

All doors and windows to be kept closed whilst music playing.
Noise monitor installed
Notices displayed advising customers to keep noise to a minimum when leaving the venue.
Supervisors will be trained to ensure noise is kept to a minimum.

e) The protection of children from harm

I.D. will always be asked for if bar staff have in doubt of someone's age.
Children will have to be with an adult at all times whilst on the premises.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 - Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (please read guidance note 11)

If signing on behalf of the applicant please state in what capacity.

Signature

Date

5.3.09.

Capacity

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12)

If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

28. Park Kings

Post town HORNSEY

Postcode N8 0LD

Telephone number (if any) 07944 338244

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

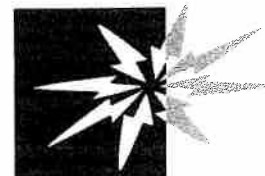
This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

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

APPENDIX 2

REPRESENTATION FROM NOISE TEAM

02



Haringey Council

Licensing Consultation - Internal Memo

To: Daliah Barrett-Williams

From: George Roberts (Noise)

Cc: Derek Pearce

Our Reference: WK115661

Date: 13/4/09

Premises: Karmenz Restaurant, 192 Stroud Green Road, Hornsey, London, N4 3RN.

Type of application: Variation

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

Make representations to the Variation.

On the following grounds:

Noise from music played at the premises is likely to affect local residents if played into the early hours of the morning without suitable conditions.

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

- Structure borne noise or vibrations from entertainment
- Noise generated from patrons queuing to enter
- Noise from patrons exiting the premises
- Noise generated from refuse collections
- Noise from plant and machinery
- Cooking odour

Supporting Information

WK103435 – loud music reported on 14/12/08 – breach of S80 abatement notice – FPN issued and paid.
WK98114 – loud music reported on 1/11/08 – nuisance not established.
WK97115 – loud music reported on 25/10/08 – nuisance not established.
WK93656 & WK93657 – loud music reported on 5/10/08 – S80 abatement notice served.
WK92662 – loud music reported on 27/9/08 – noise stopped.
WK92660 – loud music reported on 27/9/08 – no visit as Comp refused home visit.
WK92658 – loud music reported on 27/9/08 – no visit as Comp refused home visit.
WK86954 – loud music reported on 17/8/08 – warning letter issued.
WK84313 – loud music reported on 28/7/08 – info given re service to customer as noise not on now.
WK73066 – 28/4/08 - series of proactive noise and planning visits carried out.

WK67585 – loud music reported on 8/3/08 – nuisance not established.

WK60131 - loud music reported on 6/1/08 – info given re service to customer as noise not on now.

WK33086 - loud music reported on 29/5/07 – info given re service to customer as noise not on now.

Informative

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

Prevention of nuisance from noise/vibration

Structure borne

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

Sound limits

All entertainments will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.

The level of amplified entertainments shall be controlled by means of limiting device set at a level agreed with the licensing authority.

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

Outside Areas

The number of persons permitted to utilise the frontage (for smoking) will be restricted to 3 persons.

No customers shall be permitted to utilise the rear of the premises. The rear should only be utilised for deliveries and as a fire escape.

Deliveries And Collections

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

Patrons Entering/Exiting Premises

When regulated entertainment occurs a licensed door supervisor will be required. They will ensure, as far as reasonably practical, that patrons do not leave the premises with drinks or take drinks outside whilst smoking.

Prevention Of Nuisance From Odour

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

APPENDIX 3

REPRESENTATION FROM INTERESTED PARTIES

Giles and Suzanne Cory

18 Stapleton Hall Road, London, N1 3QD

Date: 14 April 2009

Daliah Barrett
Lead Licensing Officer
Haringey Council
1st Floor, Lee Valley Technopark,
Ashley Road
London
N17 9LN

By E-mail and Post


Dear Ms Barrett,

RE: Karmenz Wine Bar and Restaurant, 192 Stroud Green Road, London N4 3RN

We would like to object to the recent application to extend the opening and licensing hours of Karmenz Wine Bar to between 2.00 and 4.00 in the morning and for 24 hours on New Years Eve, on the following grounds.

- **Public Nuisance** - Karmenz backs onto a set of gardens including ours and any noise emanating from the back of the property will affect us and a large number of residences. Our children sleep in a room that would be directly affected by the noise.
- **Public Nuisance** - Since there is no parking provision, customers will park on the adjacent roads - such as Stapleton Hall Road and Albert Road. Residents would be affected by noise when customers leave the premises late at night.

Yours Sincerely,



Giles and Suzanne Cory

Barrett Daliah

From: flembers@embers.plus.com
Sent: 13 April 2009 16:38
To: Licensing
Subject: Karmenz variation

Live Music Sun-Wed 1100-0000 Thur-Sat 1100-0200

Recorded Music Sun-Wed 1100-0000 Thu 1100-0200 Fri-Sat 1100-0400

Bank holidays/Christmas Eve until 0300 and New years Eve for 24hrs.

The provision of late night refreshment: Sun-Wed 1100-0000 Thur 1100-0300 Fri - Sat 1100-0400

Bank holidays/Christmas Eve until 0300 and NYE for 24hrs.

Supply of alcohol for on the premises only: Sun-Wed 1100-0000 Thur 1100-0300 Fri-Sat 1100-0330

Opening hours Sun-Wed 1100-0000 Thur 1100-0230 Fri-Sat 1100-0400

I must say that I am concerned with the above restaurant wanting to become what appears to be a club by expanding its hours to 4am Friday/Saturday. I think this would be unsuitable for the area it is in and may cause trouble and noise. The restaurant backs onto residential areas and there are flats above and nearby. I hope the variation to their licence is not granted and that the rights of the residents are considered. It should remain a restaurant as there are already places for people to drink such as Chapter One (which was closed due to trouble) and the Sugar Lounge. It really isn't suitable and will encourage noise and drunkenness.

Please Haringey, see sense.

Linda Fleming
Lorne Road.

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Olson Kendra

From: [REDACTED]
Sent: 09 April 2009 16:55
To: Barrett Daliah; Olson Kendra
Subject: Representations with regard to Karmenz Restaurant of 192 Stroud Green Road N4 3RN
Follow Up Flag: Follow up
Flag Status: Red

Dear Ms Daliah Barrett

We would like to make a representation with regard to Karmenz Restaurant application for variation to the premise license.

We live next door to the above premises and we are strongly against any approval for variation to a premise license including late opening hours and music.

Our reasons are related to prevention of crime and disorder and prevention of public nuisance.

We are already experiencing on a regular basis (over weekends) loud music and unbearable level of noise coming from the above mentioned premises (even causing vibration of the joining walls). We have witnessed the police coming because of the level of public disorder caused by the customers of the above premises taking their drinks and shouting into the street.

Our normal lives are often disrupted and we are unable to have a break from the working week because of lack of sleep. Our young children too have a disrupted and uncomfortable sleep on these occasions. We do not wish to become an obstacle to normal local businesses, however, their operation should not be at the expense of local residents leading normal lives.

I would also request that you do not disclose my contact details to the applicant.

Please confirm by return receipt of this email.

Kind regards

Mrs Jani and family
[REDACTED]

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FILE

Olson Kendra

From: New Beacon Books [newbeaconbooks@btconnect.com]
Sent: 09 April 2009 12:02
To: Barrett Daliah
Subject: Karmenz Wine Bar Application for a Variation to a Premise License

as from
2 Albert Road, London N4 3RW (tel: 020 7272 1157)

9 April 2009

Dear Madam

Karmenz Wine Bar Application for a Variation to a Premise License

Many thanks for your letter of 23 March 2009 concerning the above application.

I wish to object on the grounds of 'the prevention of public nuisance'. I live on Albert Road and the back of my house is very close to the back of the shops and flats on that section of Stroud Green Road. Any music being played in Karmenz is audible to our back rooms, two of which are bedrooms. I don't think live music or recorded music should be played any later than 01.00 on Thursday to Saturday and probably 11.00 from Sunday to Wednesday. I think 04.00 for recorded music is totally unreasonable.

As for the supply of alcohol I would have thought that extended hours for this could well lead to 'public safety' and 'crime and disorder' problems, so I would want to object to those as well.

I am sending this from my work email but I have put my home address and telephone number at the top of this email.

Yours sincerely

Sarah White

New Beacon Books
76 Stroud Green Road
London N4 3EN
UK
Tel. +44 (0) 20 7272 4889

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For more information please visit <http://www.messagelabs.com/email>

MR P DART 07904961059
4 STABLETONHALL ROAD
LONDON N4 3QD
6 - APRIL 2009

REFERENCE KARMENZ WINE BAR + RESTAURANT
LICENSING ACT 2002 192 STROUD GREEN ROAD LONDON N4 3RN
I WISH TO OPPOSE THE APPLICATION TO VARY A PREMISES
LICENCE FOR THE ABOVE PREMISES

THIS VENUE OPEN THESE OUTRAGEOUS HOURS WILL ONLY
INCREASE THE CRIME AND DISORDER OF THIS RESIDENTIAL AREA.
PLUS IT WILL CAUSE UNTOLD STRESS FOR RESIDENTS OF
ALL AGES.


PUBLIC NUISANCE THIS IS A MAJOR CONCERN DUE TO THE LATE
LICENCE AND MUSIC OF ALL NATURES, BE IT LIVE OR RECORDED.
THE LOCATION OF THIS AREA HAS MANY FLATS ALONG THE
SHOPS FRONT, PLUS PROPERTIES TO REAR OF SAID VENUE.

*CUSTOMERS LEAVING WOULD CAUSE MORE LATE NOISE, UNREST.
HEALTH AND SAFETY FACILITIES AT THIS PROPERTY ARE NOT
UP TO PRESENT DAY STANDARD AS REQUIRED BY LAW.

CHILDREN IT IS NOT A GOOD INVIRONMENT FOR CHILDREN
TO BE UNDER, THE LATE VENUE WILL AFFECT THEIR UPRRINGING
AND ALL OF OUR HUMAN RIGHTS.

MAY I SAY I AM DEEPLY CONCERNED THAT THIS APPLICATION
WAS NOT BEEN DISPLAYED OR ADVERTISED AS REQUIRED.
FURTHER TIME AND DEBATE SHOULD BE GRANTED DUE TO
THE OVERAL SCALE OF THIS VENTURE. OF WHAT WILL BE
UNBEARABLE TO THE LOCAL COMMUNITY AS A WHOLE.

YOURS FAITHFULLY


6/4/2009

Barrett Daliah

From: carl werner [werner01979@hotmail.com]
Sent: 06 April 2009 11:12
To: Barrett Daliah; Licensing
Subject: Restaurant - Application for variation to premise license
Importance: High

Dear Licensing Team of Haringey Council

I live opposite this restaurant in Islington (Karmez - Restaurant of 192 Stroud green Road)
Please refuse this, as it is an unacceptable application
This restaurant has created a lot of public noise already and this application should not be allowed

Thank you

Carl Werner
171a Stroud green road
London n4 3pz

werner01979@hotmail.com

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Barrett Daliah

From: Dan Ward [dfr_ward@yahoo.co.uk]
Sent: 04 April 2009 17:36
To: Barrett Daliah
Subject: Re: objection to premise licence application

Dear Ms Barrett

Further to our email below about Karmenz on Stroud Green Road, we should point out that the applicant has not put up the requisite blue notices, as stated as necessary on your website:

"On A4 (or larger), pale blue paper. Printed legibly in black ink or typed in a font size of at least 16. Placed prominently at or on the premises where it can be conveniently read from the exterior of the premises. Placed every 50 metres on the external perimeter of the premises abutting any highway (where applicable)."

...and that there is no mention of the application on your Licensing Applications Under Consultation page, which was updated on 27 March, well after we received your letter.

How can you be sure to take into account all possible relevant objections to the proposed new licence given this?

Thanks for your consideration

Daniel Ward and Colette Milward
12c Albert Road
London
N4 3RW
07957 560463 or 07866 048102

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

From: Dan Ward <dfr_ward@yahoo.co.uk>
To: daliah.barrett@haringey.gov.uk
Sent: Friday, 3 April, 2009 20:35:00
Subject: objection to premise licence application

Dear Ms Barrett

We vigorously oppose all aspects of this application.

We are appalled that such a request is even being considered and have been literally woken up by Karmenz on many occasions in the past. The noise from their (hitherto presumably illegal parties) funnels down the gardens between Stapleton Hall Road and Albert Road and invariably ruins our night's sleep. The problem is exacerbated in the warmer months when the action seems to take place outdoors. Usually the parties start around midnight, with noise ratcheting up from around 1am as the MCing starts. It's not a case of a distant rumble of music; we can hear every word of the songs/uttered by the MCs.

It is not an exaggeration to say that our standard of living will be materially affected by any change in the current licence and the prospect of being kept up until 4am at the weekend, 2am on a Thursday and midnight on Sunday-Wednesday is nightmarish.

We have complained to the council's noise pollution unit on several occasions about Karmenz's presumably illegal late night parties. How is it that a licence-seeker with such a record is even considered for such a licence? That someone has allowed this application to progress to the consultancy stage is baffling and scary.

Presumably you are aware of this, but the neighbourhood is entirely residential and very family-oriented. The application seems inappropriate to say the least.

Yours faithfully

Tom Morrison
178C Stroud Green Road
London
N4 3RS

5th April 2009

Dear Sir/Madam

Re: Application for variation to a premise license Karmenz Wine Bar & Restaurant

I would like to make a representation in relation to the application to vary the licensce for Karmenz wine bar at 192 Stroud Green Road, London N4 3RN.

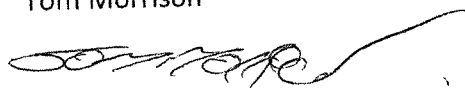
I would like to oppose this application as I am concerned that this would exacerbate an already existing problem with anti-social, drunken, rowdy behaviour in this residential area which is a public nuisance. The vast majority of the area in and around Stroud Green Road, is a residential area and already there is excessive late-night noise, drunken behaviour, violence, disregard for the area in general i.e. urinating in the street (mainly in Albert Road), litter being left in the street, shouting, car stereos playing loud music. As it is this poses a risk to public safety.

The above is already a reality on Stroud Green Road at the moment especially when the bars are closing and people are leaving the premises, mainly from 10pm-2am, 7 days a week. If the application is successful, then you are permitting further public nuisance, excessive noise and jeopardising the safety of the public and as well as a possible increase in crime and disorder in the area.

On three separate occasions I have personally been disturbed at 4.30am by the noise coming from Karmenz Wine Bar and coming from the revellers leaving the premises. I assume on these occasions there were private parties being held at the wine bar. I witnessed people singing, screaming, shouting in the street, drunken anti-social behaviour and cars stopping on Stroud Green Road, near to the wine bar to pick up people with car stereos playing loud music. This and more public nuisance has gone on to 5.30-6am. This is an example of what could happen along with what is already happening should you grant the application.

Yours sincerely

Tom Morrison



6 APR 2009

S. Bissett
178C Stroud Green Road
London
N4 3RS

5th April 2009

Dear Sir/Madam

Re: Application for variation to a premise license Karmenz Wine Bar & Restaurant

I would like to make a representation in relation to the application to vary the licence for Karmenz wine bar at 192 Stroud Green Road, London N4 3RN.

The reasons that I am opposed to the above application are that I am concerned about excessive noise levels, an increase in anti-social behaviour, violence and crime in the area.

I am concerned about the level of noise coming from the premises when people are entering and leaving the premises. Noise made by people shouting and singing outside the venue and possibly from the music/entertainment on the premises when the venue doors are being opened and loud car stereos from people leaving the venue.

Increasing the opening hours of the venue would increase the period of time when these higher levels of noise would most likely be experienced too. I feel this would create a public nuisance when such noise is excessive and in the early hours when most people in this residential area are trying to sleep. I am also concerned that there will be additional disorderly behaviour in the form of drunken behaviour, shouting, singing, swearing, aggressive behaviour, violence, urinating in the street and increased litter, threatening public safety and being a public nuisance in a residential area.

Longer opening hours would possibly bring more people into this residential area during the night this could create an even higher level of noise and more risk of disorderly anti-social behaviour, violence and crime.

There is already a problem with excessive noise and disorderly behaviour in the early hours of the morning on Stroud Green Road and this would most likely exacerbate that problem.

Yours sincerely



S. Bissett

Barrett Daliah

From: Shirtcliff, Alexander [REDACTED]
Sent: 09 April 2009 18:33
To: Barrett Daliah
Subject: Karmenz License Variation application

Dear Daliah,

I write in response to your letter of 23 March 2009 in relation to the above application for premise license variation.

I am a local resident, I own and live in a property on Stroud Green Road.

I wish to object to the license variation as proposed.

I don't believe the current proprietors of the license are not capable of conducting the business in an appropriate manner, I have observed what I believe to be people under the legal age for the consumption of alcohol attending the premises and therefore the operators should not have conferred on them the greater responsibility of extended hours of entertainment / sale of alcohol etc.

I believe such extended hours of entertainment would have a deleterious effect on the local area.

Prevention of public nuisance

There are no public transport facilities towards the end of the opening hours proposed which I believe will lead to congregations of Karmenz patrons who, having inevitably consumes alcohol during the extend supply of alcohol period, will form and cause a public nuisance. This is already a problem on Stroud Green Road with only one premises in operation which, I believe, has a premises license for opening and provision of alcohol after "normal" hours. Two would increase the effect.

Combined with the ban on smoking, this mean Karmenz patrons will congregate on the street to smoke later into the night and will inevitable talk etc., causing noise disturbance to local residence for a longer period into the night than is tolerable. Related to this is the opening and closing of the door to allow patrons to smoke outside the building, allowing intermitted music to escape, also causing noise nuisance. These problems are not theoretical but ones experience by my as a local residence with the conduct of patrons at existing locations but to permit Karmenz proposals would increase the number of people causing this disturbance but more importantly the disturbance would continue up to and beyond 4am. I say "beyond" because there is inevitably a significant amount of "chucking out" time coupled with dispersement time (aggravated by the lack of public transport solutions available at the time, referred to above).

I may be wrong but I believe Karmenz does not have a double-door system, as did "Chapter One" and "Sugar Lounge" on the same street. This system reduced (but did not exclude) noise pollution from music within the venue from spilling out when patrons come and go.

I believe a venue with opening hours coupled with recorded music until 4am and live music until 2am is completely inappropriate for a road which, albeit has a significant level of commercial use premises still has a significant level of private dwellings with (as my casual observation goes) a mixture of ages and lifestyles.

Crime and Disorder / Public Safety

My observations under these heads are combined and stem from my observation of public disorder arising out of patrons who use premises with late night opening and alcohol consumption times. With an increased capacity (i.e. two venue on the same roads) and longer periods of alcohol consumption indicate to me an increased likelihood if alcohol related crime and reduction of public safety. What I feel to be the intimidating noise created by revellers (with associated shouting, bottle smashing etc) should not be underestimated.

Fairness

There is an issue of fairness, if the sugar lounge is permitted a opening and alcohol license until (I believe 2am), why not Karmenz until 4am. My response would be that a 4am opening and 3.30am alcohol licence is

01/05/2009

qualitatively different to a 2am equivalent. Should Karmenz's license be contained to these time, I would have less objection.

Whilst it would not be fair for one venue to have the late license monopoly in the area, the Council should be alive to the danger of Stroud Green Road becoming dominated by such late night entertainment which serves only a small margin of the local population.

I look forward to hearing the results of the public consultation.

Many thanks,

Alex

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Saranticks,
3rd floor flat,
192, Strand Green Rd.
Hornsey
London.
N4 3RN.

Dear, Haringey Council,

I received information regarding an application for a variation to a premise license for Karmenz wine bar & restaurant, 192, Strand Green Rd.

I'm very concerned that if this license be granted my life would be made hell, possibly involving losing my job, through not being able to attend work due to lack of sleep & at the worst having a vehicle accident, due to lack of sleep & injuring people. I drive a public vehicle and do shift work, if I don't get sleep then there is a chance that I would be unable to safely drive my bus.

The reason that I think that this is a possibility is due to the fact quite often on a sat & sometimes a fri. there is music playing in the Karmenz restaurant so loudly - that the base makes the floor vibrate & nothing can stop the effects of this - I wear earplugs & have tried sleeping in every possible position in the flat. Often the music starts @ 12 midnight & continues through to 5am. There seems to be absolutely no consideration for the people residing ~~above~~ the restaurant & bar.

I myself live at the very top and I know that the other two flats have been very badly effected by the noise also.

The trouble being that the landlord, needs the rent & therefore has taken a softly softly approach.

I myself only moved into the flat in February & have therefore a 6 months contract to stay here. So if the music in the restaurant became unbearable most nights - I wouldn't actually be able to leave the flat & would be obligated to still pay rent.

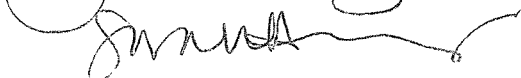
The restaurant / bar seems to operate as a night club - with banners on the door and is often hearing with people.

I know that one of the other tenants complained to the council about the sound and the restaurant was fined £400, but was told by the landlord not to go to the council again but to contact him - after this nothing has changed & if anything the 'occasional party' has turned into a weekly event. She ^{the tenant} has spoken to Karmentz who has promised building insulation & ^{if the licence is granted} said that the music would be capped at a certain volume. ^(Karmentz) But I don't trust this person who already has behaved so inconsiderately to the rest of the people living here, and note that if live music was brought in - then this could it be controlled.

I was told that this letter needed to be received by you by the 1st May via a phone conversation I had with the Council.

I hope that my concerns will be taken most seriously.

Yours sincerely,



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Sent: 01 May 2009 16:10
To: Barrett Daliah
Subject: KARMENZ BAR, 192 Stroud Green Road N4

Daliah Barrett-WilliamsL
Lead Officer [Licensing]
Haringey Council
1st flr. Lee Valley Technopark
Ashley Road, Tottenham
London N17 9LN

Dear Daliah Barrett-Williams, **re: KARMENZ BAR, 192 Stroud Green Road N4/ License Variation Application**

We are writing to oppose the application for a variation to the license of the above referenced business.

We live close by and have been at this address since 1981 and know this business in it's current form and previously as Yamina's. The area is predominantly residential and has particular problems with the dumping of rubbish on the corners of Stapelton Hall Rd. /Stroud Green Road and there have been seven burglaries this year between no's 1 and 39 Stapleton Hall Road . Our objections are in reference to your licensing objectives and inter alia as follows:

Public nuisance; There are numerous homes close by that would be disturbed by noise from this bar; notably apartments above and to either side of the property itself and opposite on Stroud Green Rd as well as houses and apartments on Stapleton Hall and Albert Rd. We have on several occasions heard live music being played in daytime with the front windows of the bar open to Stroud Green Rd. and sound spilling out to carry some distance, even above the traffic noise. Similarly with recorded music in the evenings and early morning the rear doors of the bar is often left open and music can be heard across several gardens on Stapleton Hall and Albert Rd. I have called or visited the bar several times to complain about noise. We find the business to be an inconsiderate neighbour and the premises in it current form are unsuitable for live music, e.g there is no specialist sound proofing to the front of the buliding to prevent sound spillage. [A nearby bar on the opposite side of Stroud Green Rd. were required to replace front windows and redesign the entrance lobby to solve noise problems]

Public Safety;

There is no permitted parking place for customers to be dropped off or collected. There are bus stops outside the bar, one opposite and the other 20 yards south on Stroud Green Rd, the road is marked with double yellow lines in either direction and 20 yards to the north there are traffic lights at the crossroads with Hanley Rd., Crouch Hill and Stapleton Hall Rd. Vehicles approaching the bar to park or deliver customers would cause nuisance to

the resident parking bays on Hanley Rd. and Stapleton Hall Rd. as well as a traffic hazard and obstruct vehicle flows in up to four directions.

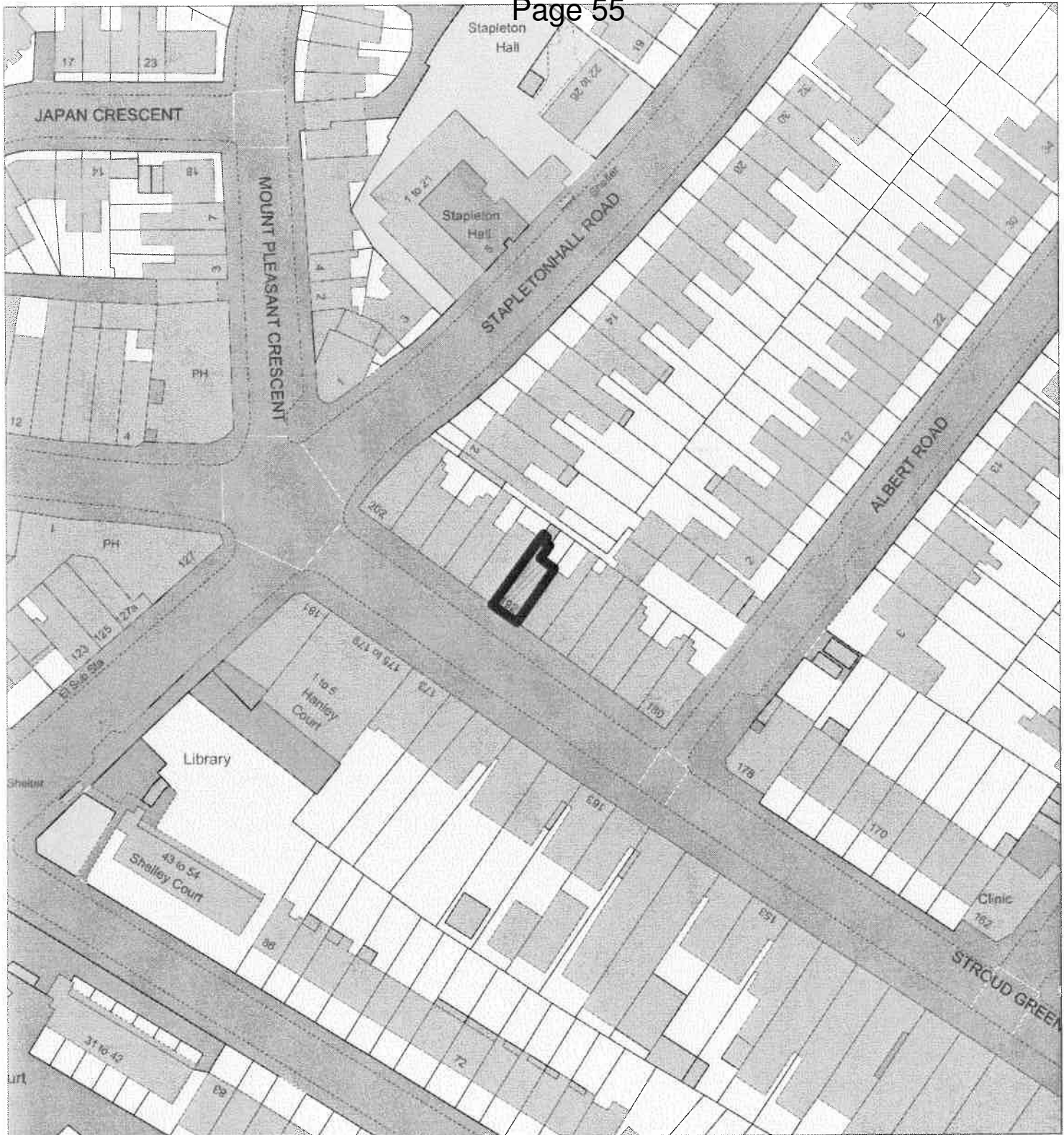
We note the council's policy of not allowing anonymous representations complaints though we would prefer not to have our details passed to the applicant and are taking separate legal advice on that matter. When we previously opposed a license application for Karmen's we were surprised to receive a letter hand-delivered by the applicant. This was unwelcome and we choose not to enter into any dialogue with the applicant. We have opposed license variations to other premises nearby and received no contact from those applicants. We would add that these several other licensed premises within 50 yards of our home and Karmens do not operate the late hours proposed in this application.

We trust this application will be denied in any event.

Yours sincerely

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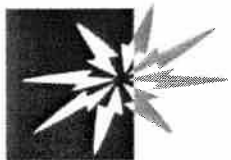


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Town and Country Planning Act 1990 (As amended)

Plan relating to the Enforcement Notice dated

192 STROUD GREEN ROAD N4



Haringey Council

Robin Payne
 Assistant Director
 Enforcement Service
 1st Floor
 Techno Park
 Ashley Road
 Tottenham
 N17 9LN

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