



NOTICE OF MEETING

Special Licensing Sub-Committee A

MONDAY, 2ND JUNE, 2008 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Patel (Chair), Vanier 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). This 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.

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 the 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, license, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

4. SUMMARY OF PROCEDURE (PAGES 1 - 2)

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

5. KO CLUB, 9A THE BROADWAY, LONDON N22 (PAGES 3 - 12)

To consider an application by the Metropolitan Police for a review of the KO Club premises licence. A request has been received to adjourn this matter pending the outcome of an application to vary the existing.

6. SALONICA, 1 GRAND PARADE, GREEN LANES, LONDON N4 (PAGES 13 - 96)

To consider an application by Cameo Planning on behalf of residents for a review of Salonica, 1 Grand Parade, Green Lanes, London N4.

Please note that under the Council's Constitution ~ Part 4, Section B, Paragraph 17 no other business shall be considered.

Yuniea Semambo
Head of Local Democracy &
Member Services, 5th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

Helen Jones
Principal Committee Coordinator
(Non Cabinet Committee)
Tel: 020-8489 2615
Fax: 020-8489 2660
Email: Helen.jones@haringey.gov.uk

Thursday, 22 May 2008

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 Licensing Sub-Committee on 02ND JUNE 2008

Report title: Application for a Review of a Premises Licence at THE KO CLUB 9A THE BROADWAY, HIGH ROAD N22

Report of: The Lead Officer Licensing

Ward(s) BG

1. Purpose

To consider an application by The Metropolitan Police for a review of the KO CLUB premises license. A copy of the premises license is attached at appendix 1. A request has been received to adjourn this matter pending the outcome of an application to vary the existing.

Summary of application

Inspector Gladwell of the Metropolitan Police has requested a review on the grounds that the operators are not promoting the statutory objectives of:

- 1 preventing crime and disorder
- 2 promoting public safety
- 3 preventing public nuisance
- 4 protecting children from harm

Date review application served: 15TH APRIL 2008

In accordance with regulation 38 of the Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005, officers arranged for notices of the review to be published for 28 days on the affected premises, on the public noticeboard at the Civic Centre and on the Councils website.

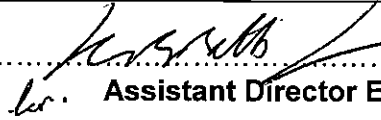
A copy of the review application and supporting documents are at appendix 2

2. Officers Observations

In determining this application the Licensing Sub Committee must have regard to the:

- 2.1 (a) need to promote the four licensing objectives
- (b) representations
- (c) relevant sections of the statutory guidance to licensing authorities (appendix 5)
- (d) relevant sections of the licensing authority's statement of licensing policy (appendix 6)

Report authorised by: Robin Payne.....



Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett -Williams

Telephone: 020 8489 8232

3. 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: THE KO CLUB

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

4. REPORT

Background

- 4.1 The premises benefited from a justices' license until 24th November 2005 granted by the Magistrates, which allowed the sale of alcohol and a Public Entertainment License at that time granted by the Council.

The licences were converted and varied by the Licensing Sub Committee on 18th October 2005 to allow it to trade from 24th November 2005 with the following activities and times: copy at appendix 1

Licensable activities authorised by the Licence:

Supply of Alcohol

Regulated Entertainment: Recorded Music, Live Music, Performances of Dance & Provision of Facilities for Dancing

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

Supply of Alcohol

Monday to Sunday 1900 to 0400

Recorded Music, Live Music & Provision of Facilities for Dancing

Monday to Sunday 1900 to 0600

Performances of Dance

Monday to Sunday 1900 to 0600

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

The opening hours of the premises:

Monday to Sunday 1900 to 0600

New Years from the start of permitted hours on 31 December until the start of permitted hours on 1 January

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

Supply of alcohol for consumption both **ON** and **OFF** the premises

4.2 Details of the Application for Review. Appendix 2

The Police have requested that this matter be adjourned pending the outcome of the application to vary the current license to dramatically alter the way in which the premise is operated. If the application is successful the police

will withdraw the application for review. The Act does allow for this course of action to be undertaken under regulations 11 and 12

LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: AG 749054

Premises Licence Number: LN/00002528
LN/00003379

This Premises Licence has been issued by:

***The Licensing Authority, London Borough of Haringey,
Civic Centre, High Road, Wood Green,
London, N22 8LE***

Signature:.....

Date: 18th April 2007

Part 1 – PREMISES DETAILS

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

**KO CLUB
9A THE BROADWAY
WOOD GREEN
LONDON
N22**

Telephone: 020 8888 0202

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Supply of Alcohol

Regulated Entertainment: Recorded Music, Live Music, Performances of Dance & Provision of Facilities for Dancing

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

Supply of Alcohol

Monday to Sunday 1900 to 0400

Recorded Music, Live Music & Provision of Facilities for Dancing

Monday to Sunday 1900 to 0600

Performances of Dance

Monday to Sunday 1900 to 0600

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

PREMISES DETAILS [CONT'D]

The opening hours of the premises:

Monday to Sunday 1900 to 0600

New Years from the start of permitted hours on 31 December until the start of permitted hours on 1 January

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

Supply of alcohol for consumption both **ON** and **OFF** the premises

Part 2

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

Precious Investments Ltd
9A The Broadway
Wood Green
London
N22 6DS

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

4817910

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

Christodoulos Socratous

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 Number

015/WK/200500582

The London Borough of Barnet

Annex 1 –Mandatory Conditions

(2) Supply of alcohol: 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door supervision:

At specified times one or more individuals must be at the premises to carry out a security activity and each of these individuals must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

- Alcohol not to be served to any person who appears to be intoxicated
- CCTV at entrance and devices throughout the premises
- Door supervisors to be present at premises, carry out body scanning and entrance search
- Toilets to have attendants on duty

PUBLIC SAFETY

- Fire/Building regulations to be constantly complied with
- Emergency lighting to be checked every 6 months
- Limiters to be maintained on sound system
- Numbers of patrons on premises to be constantly monitored and shall not exceed 260 persons
- Extraction fans on premises to be maintained
- It is required that food be available at all times when the premises are open.
- All Furniture and effects that come into contact with the public to be kept in good order

THE PREVENTION OF PUBLIC NUISANCE

- Doorman request customers to leave quietly
- Licensed minicabs to be provided on demand
- Signage to be displayed to direct patrons to leave quietly
- Triple glazed windows & noise limiters on premises
- Management to continue their good practice of door supervision and taking all reasonably practicable measures to protect the amenity of local residents and this to be further improved through regular informal meetings with the residents in order to hear and address their concerns

THE PROTECTION OF CHILDREN FROM HARM

- No children permitted on premises at any time
- No ID no service, if in any doubt of age no service
- Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:
 1. A valid passport
 2. A photo driving license issued in a European Union Country
 3. A proof of age standard card system
 4. A citizen card, supported by the Home Office.

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

1. That the application be granted subject to conditions to be drafted by the Licensing Service Group Manager reflecting:
 - A requirement that food must be available at all times when the premises are open notwithstanding the request in Section P of the Operating Schedule to remove this condition.
 - The Statutory Conditions in sections 19 and 21 of the 2003 Licensing Act; and
 - With an informative from Licensing Sub Committee A that the management continue their good practice of door supervision and taking all reasonably practicable measures to protect the amenity of local residents and that this be further improved through regular informal meetings with the residents in order to hear and address their concerns.

Annex 4 - Plans

LODGED WITH LICENSING AUTHORITY

Licensing Act 2003 Licensing Sub-Committee on 02nd JUNE 2008

Report title: Application for a Review of a Premises Licence at SALONICA, 1 GRAND PARADE, GREEN LANES , LONDON N4

Report of: The Lead Officer Licensing

Ward(s) HARRINGAY

1. Purpose

To consider an application by Cameo Planning on behalf of residents for a review of SALONICA, 1 GRAND PARADE, GREEN LANES, London N4.

Summary of application

Cameo Planning have lodged the review under the Licensing Act 2003 on the grounds that the licensee is not promoting the statutory objectives of:

- preventing crime and disorder
- Public safety
- The prevention of public nuisance

Date review application served: 15th April 2008

In accordance with regulation 38 of the Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005, officers arranged for notices of the review to be published for 28 days on the affected premises, on the public notice board at the Civic Centre and on the Councils website.

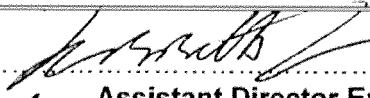
A copy of the review application and supporting documents are at appendix 2

2. Officers Observations

In determining this application the Licensing Sub Committee must have regard to the:

- 2.1
- (a) need to promote the four licensing objectives
 - (b) representations
 - (c) relevant sections of the statutory guidance to licensing authorities (appendix 4)
 - (d) relevant sections of the licensing authority's statement of licensing policy (appendix 5)

Report authorised by: Robin Payne.....


Robin Payne

Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett -Williams

Telephone: 020 8489 8232

3. 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: SALONICA

The Background Papers are located at Enforcement Service, Technopark, Ashley Road,
London N17

5.4 Fire Officers

Have made no representation on this matter.

5.5 Interested Parties –

Representation has been received from residents affected by the operation of the premise.

6.0 POLICY CONSIDERATIONS

- 6.1 The following provisions of the Licensing Act 2003 apply to this application:
 Section 13(3) (definition of interested parties)
 Section 51-53 (review of premises licenses)

In determining the application the Licensing Sub Committee can take such steps as it considers necessary for the promotion of the licensing objective, which are:

1. Take no further action
2. to issue formal warnings to the premises supervisor and /or premises license holder
3. modify the conditions of the license
4. exclude a licensable activity from the scope of the license
5. remove the designated premises supervisor
6. suspend the license for a period not exceeding three months
7. revoke the license.

Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify. The licensing sub committee is asked to give full reasons for its decision.

The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any party to the proceedings may appeal against the decision of the decision of the Licensing Sub Committee.

- 6.2 The following provisions of the Secretary of State's guidance apply to this application: Paras 11.1 – 11.10, 11.14 – 11.21. These provisions are attached at appendix 5.

The following paragraphs of the licensing authority's statement of licensing policy apply to this application; 24.1 -24.2, 25.1 – 25.7, these provisions are attached at appendix 6.

- 6.4 The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

APPENDIX 1

COPY OF CURRENT LICENSE

Part 2

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

Andreas Straogiannis
159 Gospatrick Road
Tottenham
London
N17 1JG

Hziantema Mladenova
159 Gospatrick Road
Tottenham
London
N17 1JG
Tel: 078 9023 3364

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

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

N/A

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

N/A

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

- A buzzer entry system will be used between 2300 and 0200

PUBLIC SAFETY

- Fire safety equipment will be checked regularly
- Any requirements made by the Fire Safety Officer will be complied with

THE PREVENTION OF PUBLIC NUISANCE

- There will be no take away food or drink
- Signs are to be displayed at the exit reminding customers to leave quietly and respect the neighbours

THE PROTECTION OF CHILDREN

- No-one under the age of 18 will be permitted entry to the premises after 2300

Annex 4 - Plans

SALONICA CAFE

1 Grand Parade
Green Lanes, Harringay,
London N4 1JX

**GROUND FLOOR
PREMISES**

**LATE NIGHT
REFRESHMENT
LICENCE APPLICATION**

Scale 1:100 Date: August 2006



FIRE BLANKET



FIRE EXTINGUISHER

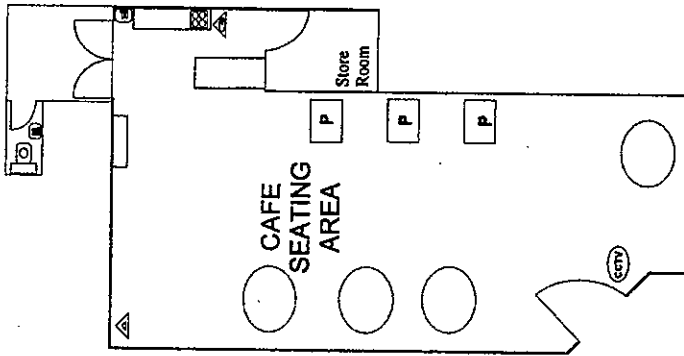


PLAY MACHINE

Drawings by:

**A1 PLANS
REGENTS AVENUE,
PALMERS GREEN, N13 5UR**

DRAWING NO. 004/2. 1GrandParadeN4.01/2



APPENDIX 2

COPY OF REVIEW APPLICATION
AND SUPPORTING DOCUMENTS

Application for the review of a premises licence or club premises certificate 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 **CAMED PLANNING LTD.**

apply for the review of a [premises licence under section 51]

[club premises certificate under section 87] of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 - Premises or club premises details

Postal address of premises or club premises, or if none, Ordnance Survey map reference or description SALONICA CAFE 1 GRAND PARADE LONDON	
Post town LONDON	Postcode (if known) N4 1TX
Telephone number (if any) 0208 372 0605	
Name of premises licence holder or club holding club premises certificate (if known) ANDREAS STRAOGIANNIS	
Number of premises licence or club premises certificate (if known) LN00003123	

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an interested party (please complete section (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

Delete any words in square brackets which do not apply

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

Cat.No. LA 51-87

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LF027093 (1/0)

HARINGEY COUNCIL

ENVIRONMENTAL SERVICES DIRECTORATE

15 APR 2008

RECEIVED

CIVIC CENTRE HIGH RD N22 8LE

2) a responsible authority (please complete (C) below) 3) a member of the club to which this application relates (please complete (A) below) **(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Date of birth

Day	Month	Year
1	2	09 19 59

Current address

20 CAMP HILL
BUSHBROOK
NORTHAMPTON

Post town NORTHANTS

Postcode NN7 3PH

Daytime contact telephone number

E-mail address
(optional)**(B) DETAILS OF OTHER APPLICANT**

Name and address

Post town

Postcode

Date of birth

Day	Month	Year

Telephone number (if any)

E-mail address
(optional)

Name and address

Post town

Postcode

Telephone number (if any)

E-mail address
(optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

See attached statement

Have you made an application for review relating to these premises before?

Please tick ✓ yes

Page 25

Day Month Year

If yes, please state the date of that application

--	--	--	--	--	--	--	--

If you have made representations before relating to these premises, please state what they were and when you made them.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

Part 3 - Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4)
If signing on behalf of the applicant please state in what capacity.

Signature Rob Tech RTPI

Date 12 April 2008

Capacity Planning Consultant (Agent)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
AS previously stated.	
Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you using an email address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



Compliance *And* Monitoring *Enforcement* Officers
CAMEO Planning
20 Camp Hill
Bugbrooke
Northampton NN7 3PH

Statement of Grounds for Review of Premises License

At
SALONICA CAFÉ
1 GRAND PARADE
GREEN LANES
LONDON
N4 1JX

Premises Licence Number: LN00003123

www.cameoplanning.co.uk * *email* cameoplanning@zoom.co.uk * *Tel* 07718988143

Cameo Planning is the Trading name of Cameo Planning Ltd.

Registered in England no.6301029 : Director Carol Robinson

Registered Office Thistle down Barn, Holcot Lane, Sywell, Northampton NN6 0BG

2. The Applicants

- 2.1 This application for the review of the premises license at 1 Grand Parade is made by Cameo Planning Limited (the agent), on behalf of Mr Simon Stanley and Miss Rosellen Walsh of 1A Grand Parade, Mr D Kramer and Ms M Tham of 2B Grand Parade and incorporates the views of two previous occupiers of the residential flats adjacent to the licensed premises which is the subject of this application. This application also contains a letter requesting assistance from their Ward Councillor from all of the other residents of the building.
- 2.2 Our clients have, over a prolonged period of time suffered nuisance in the form of noise, cigarette smoke, crime and disorder and fear for their own and public safety from the activities within and outside of this premises.
- 2.3 It is a matter of fact which can be substantiated by the relevant Authorities that the Council's Noise team have been called to, and witnessed the premises operating outside of the permitted hours. The Police can also provide logs of visits made to the property or calls to disturbances emanating from the premises in respect of crime and disorder.
- 2.4 This statement will include diary notes from the clients substantiating their claims and video and audio recordings.

3. Evidence

- 3.1 Contained at **Appendix 1** of this document is a diary by Mr Stanley and Miss Walsh over a reasonable period. There is also photographic evidence and sound recordings. Whilst the whole diary is in itself pertinent to this case I would draw your attention to the following entries:
- (i) "17/10/07 - **2:45am** – woken by television from below, listened for 15 mins then fitted earplugs – woke up with ear ache – not a solution as we can miss alarm clock and more worryingly, would not hear a smoke alarm.
6:30am – woke up for work, can still hear them below and outside, unable to open bathroom window after showers at 7:00am due to men smoking outside below."
- (ii) "20/10/2007 – Saturday morning, **5:15am**. Woken up and listened to general shouting and banging for 1 and a half hours – heard an , male and female raised voices and a woman call out "Get off you're hurting me!" Called out of hours number, no officers on duty – called local police, they do not deal with noise – called safer neighbourhoods, no answer so left a message on answerphone (they called back around 3-4 days later) so what are we supposed to do?
Later we heard the television again then Greek style music very loud with shouting and singing. Made a recording of the sound on mobile phone."

- (iii) "20/10/07 - Woken by noise from within the club. Called out of hours number at around **3:00am**. Spoke to Ash and he visited at approx **3:30am**. He did not need to come in to flat as he was aware of the issues and said he would look in the window and listen to them. 10 minutes of quiet followed – assumed he told them to be quiet. Noise from within started again, banging, very loud thudding (intermittent) shutters going up and down 10-15 times.
- (iv) **2:00am** – suddenly woken by hysterical shouting from inside and then outside in passageway – lots of voices. Jumped to window to witness men being chased down the passageway and then jumping over the fence (assumed it 29/10/2007 (Monday night – Tuesday morning) was another fight) Heard the words "Call the Police"
2:15am (approx) Police arrive (2 cars) and we see the men from the club showing them the passageway and various items (including a shoe and a hammer) scattered on the ground. Hear an officer say (into radio) "4 men with knives and hammers, chased into alley at rear of Grand Parade"
 Talking shouting and Police radios crackling in passage until around **4:00am.**"
- (v) "12/11/2007 – **4:00am**, called out of hours number, shouting and banging from within the club."
- (vi) 15/11/2007 – 3:00am, woken by obvious activity below, shouting, scraping and banging and shutters going up and down – continues for 30-40 mins.
 This diary of noise, disturbance, anti social behaviour, crime and disorder continues. Please read the diary at Appendix 1 and examine the photographs. The sound recordings are particularly pertinent.

3.2 The following is an extract from an email sent to Councillor Canver and the Councils noise and planning teams from a previous tenant at Grand Parade. Mr Andrade feels sufficiently strongly about this matter to allow this information to be included with this submission.

"> Hi,

- > I was actually living in 2a Grand Parade, Green Lanes between 11/06
- > an 12/07, and honestly, the work-time from the cafe on 1, Grand
- > Parade could just be resumed in 2 parts: a joke or a horror movie.
- > Joke because what has been saw that was, you know, just impossible
- > to happen, I'd knew how react to many diferent situations: noise to
- > get crazy, being disturbed by chatting during almost all night (in
- > the week-days, they get near to 3/5 o'clock in the morning!!!), I'm
- > not sure, but probably drug's consumption and some fight's, which
- > in one of those, themselves felt completely necessary call the
- > police, biggest was a confusion, and on this date, I'd hear
- > something about ``back to shoot``, so we can see how kind of person
- > we talking about.
- > Horror because I felt completely unprotected, no just about
- > myself, but too about my wife, persons which has always paid yours
- > taxes and done the correct to live on the area without affect
- > anyone and with peace. Unfortunately, this was affecting my life in
- > all senses, professionally and personally, so my only option were
- > get moved, and that's what I'd.
- > But there is a question: that was correct???????
- > There is my complaint, with, on my concern, there's over necessary
- > evidences.
- > If there's any further questions just call me on ***** or
- > *** on evening-time
- > Paulo Andrade. **Contained at Appendix 2**

3.3 Mr Kramer has also provided a diary. This is appended at **Appendix 3**. However, the license panel's particular attention is brought to the following extracts:

- (i) **Sept 13th (2007) 3.40am**
2c Grand Parade call police. Disturbance on Grand Parade with M/F/F (violent argument) originating from Larnaca café.
- (ii) **Oct 20th Saturday 5.25am:**
Phoned noise team about loud talking under bedroom windows from Larnaca café customers. Call logged.
- (iii) **Oct 30th Tues 2am:**
Loud disturbance at rear of cafe. Police called & attend. Men shouting & man/men chased/climbing over fence into yard of 2 Grand Parade. Police attend (for some time).

3.4 Whilst it would be impractical to list every disturbance to my clients by this establishment they do continue to diary note these events and on 14 February 2008 the following entry was made:
"To back up the frustrations Mr. Stanley is feeling, we at 2b Grand Parade & the neighbours at 2c have been woken twice this week at 2.15am and 4am respectively by the activities of the owners/users of these premises.
D. Kramer
On 14 Feb 2008, at 02:34, Simon Stanley wrote:.."

3.5 Another former resident who felt that they had to leave has provided more evidence which is contained within **Appendix 4** of this submission. One pertinent part of her letter to Councillor Canver states:

" On at least two occasions I was awoken by what sounded like an escalated argument. I say "sounded like" because this aggressive transaction was not carried out in English. I do know that the police arrived on the premises during one of these episodes although I was not the one who called them. In my experience the noise issues occurred primarily between 11pm and 4am. They are one of three sorts; loud telephone calls, loud music and occasionally arguments and door slamming between two or more men. I do hope that the council will act upon the complaints received regarding this premises"

3.6 A copy of the collective residents letter to Councillor Canver is a contained at **Appendix 5**

4. Licensing Objectives

4.1 It is contended on behalf of my clients that three of the four objectives required for a review of a premises license is evidenced within this statement.

4.2 Whilst the requirement for a lawful planning approval is not a material consideration for the Council as Licensing Authority it should be noted that the premises have been served with an Enforcement Notice by the same Council in respect of the unauthorised use as a Social Club. This notice has not been the subject of an appeal therefore one must assume that the operators do not deny the unauthorised use. The question also remains unanswered as to whether the premises licensed as a café is in fact such.

- 4.3 Our clients contend that there is drunken behaviour emanating from the premises, smoking on the premises, restricted admission and gambling: A private members club by any other name.
- 4.4 Further, Haringey Council has a duty of care to fully investigate the abuse of this licence and take into account information held within the Council about the breach of planning control and instances of statutory noise nuisance.
- 4.4 The current license requires a buzzer entry system to be used between the hours of 2300 and 0200. This is not being adhered to.
- 4.5 The current license further requires a sign to be displayed at the exit reminding customers to leave quietly and respect the neighbours.
- 4.6 Given the information and evidence contained within this statement and information held within the Council's own departments and the Police it is respectfully requested that this license is revoked and the occupiers of the residential properties in Grand Parade can enjoy their basic human right of the quiet enjoyment of their homes. Would the License panel wish to experience this through the early hours of each night?



APPENDICES

1. STANLEY/WALSH 1 DIARIES
2. ANDRANDE EVIDENCE
3. KRAMER DIARY
4. SHANNON EVIDENCE
5. COPY LETTER FROM ALL RESIDENTS

Disturbances from users of Social Club at 1 Grand Parade as witnessed by Simon Stanley and Rosellen Walsh of 1A Grand Parade

28/09/2007 – Moved in to flat, immediately noticed smell from passageway of smoke & urine and seemingly constant noise of men shouting and talking in passage as they smoked. Unable to open windows in bathroom, and both bedrooms due to noise and smell. This was very difficult during decorating and painting.

7/10/2007 – First night sleeping in flat – kept awake until 1:30am by shouting from noise through floor and from passageway. Also disturbed by neighbours above banging on windows to try and make them be quiet.

8/10/2007 – Very similar to previous night, kept awake until around 2:00am. Banging, shouting, laughter and scraping of tables and chairs coming up through the bedroom floor. Also noise of men smoking in passage and from neighbours banging.

9/10/2007 – Similar to previous night, kept awake until around 3:00am.

10/10/2007 – Noise from men smoking in passage plus shouting, laughing and banging from within. Approximately 2:30am, noise from a TV is clearly audible in our bedroom. Sounds like sports commentary and then adverts and music. Added to noise of shouting and banging, we were awake until 4:40am. Eventually found earplugs.

11/10/2007 – Woken at 11:10pm, men in passage shouting. Banging on windows from a window above us.

12/10/2007 – Woken at 4:45am, men shouting inside, shutters up and down and woken by more noise at 6:00am from men inside and outside.

13/10 to 16/10/2007 – noise every night at 1, 2 and 3:00am – cannot sleep without earplugs.

17/10/2007 – 10:20pm. Loud shouting from within, scraping of chairs and tables and banging. Back door left open and men inside and out shouting at each other. Heard a window above being opened. Ladies voice from above: "Shh, please close your door". "CLOSE YOUR WINDOW" shouted back with laughter.

"I'm going to call the council" ladies voice says

"CALL WHOEVER YOU LIKE!" shouted back, laughter again.

Door eventually closed and the noise from within is even louder. Sounds like an argument.

10:30 – called emergency out of hours number

10:45 – called back by Derek Pearce and he agreed to visit

10:50 – 11:15, shouting and noise extremely loud – Rosie in bed scared – sounded like a fight – sound from a TV clearly audible, sounds like football

11:15 – Derek Pearce arrives with colleague and stays for 20 minutes. Noise has calmed slightly but is still audible. Showed him the passage and the ashtrays and took him to balcony to smell the urine although it was not as bad as it has been.

11:35 – Derek Pearce leaves

11:45 – TV turned back on, very loud – can hear voices of commentators

12:15 – managed to fall asleep with pillows on our heads

2:45am – woken by television from below, listened for 15 mins then fitted earplugs – woke up with ear ache – not a solution as we can miss alarm clock and more worryingly, would not hear a smoke alarm.

6:30am – woke up for work, can still hear them below and outside, unable to open bathroom window after showers at 7:00am due to men smoking outside below.

18/10 and 19/10/2007 – very similar to previous nights, disturbed between 1:30am and 2:30am

20/10/2007 – Saturday morning, 5:15am. Woken up and listened to general shouting and banging for 1 and a half hours – heard an argument, male and female raised voices and a woman call out “Get off you’re hurting me!” Called out of hours number, no officers on duty – called local police, they do not deal with noise – called safer neighbourhoods, no answer so left a message on answerphone (they called back around 3-4 days later) so what are we supposed to do?

Later we heard the television again then Greek style music very loud with shouting and singing. Made a recording of the sound on mobile phone.

20/10/2007 (PM) – Went to bed at 11:30 and slept for around 1 hour until 1:00am. Woken by noise from within the club. Called out of hours number at around 3:00am. Spoke to Ash and he visited at approx 3:30am. He did not need to come in to flat as he was aware of the issues and said he would look in the window and listen to them. 10 minutes of quiet followed – assumed he told them to be quiet. Noise from within started again, banging, very loud thudding (intermittent) shutters going up and down 10-15 times – no idea when we got to sleep but it had started to get light.

21/10/2007 – started smelling strong smell of smoke in our hallway – less noise from passageway as it is getting colder. Saw them smoking inside (through window in door) when returning late one night.

24/10/2007 – in correspondence with the council, I made a point of mentioning that Rosie was now ill, tired and generally run down which has started affecting her work. Caused by late nights, disturbed sleep and stress.

24/10 – 28/10/2007 – Various disturbances on most nights. Bedroom and hallway smelling of smoke and very little sign of men smoking in passageway at night.

29/10/2007 (Monday night – Tuesday morning)

2:00am – suddenly woken by hysterical shouting from inside and then outside in passageway – lots of voices. Jumped to window to witness men being chased down the

passageway and then jumping over the fence (assumed it was another fight) Heard the words "Call the Police"

2:15am (approx) Police arrive (2 cars) and we see the men from the club showing them the passageway and various items (including a shoe and a hammer) scattered on the ground. Hear an officer say (into radio) "4 men with knives and hammers, chased into alley at rear of Grand Parade"

Talking shouting and Police radios crackling in passage until around 4:00am.

Spoke to Mr Stephanou (Snr) the following evening – says it was an attempted robbery with knives. We ask him what happens in the club "All illegal" he says. Says they should close at 1:00 but they stay open all night – they drink, they smoke, they gamble – "all illegal" he keeps saying. Also mentions that they sometimes have "Romanian dancing girls"

In the 2 nights after the robbery we assume they are closed as we sleep without any disturbances at all. Realised how bad the problem was when it was quiet like that.

31/10/2007 – Spoke to Andrew Dickson at Haringey Planning Department to inform him of the robbery and to enquire as to whether this can be used as evidence for late night opening.

1/11/2007 – woken at 3:00am and kept awake for around an hour by noise through floor.

12/11/2007 – 4:00am, called out of hours number, shouting and banging from within the club – spoke to Lamin (?) at 4:20am – advised him to visit premises, look in window and listen and report to Derek that they were operating (as Ash had done previously).

15/11/2007 –

3:00am, woken by obvious activity below, shouting, scraping and banging and shutters going up and down – continues for 30-40 mins.

5:15pm, Rosie returns from work to meet 2 males directly outside our door. Feels threatened by them and their advances to other young females passing who also look equally distressed.

10:00pm (approx) heading to bed and hear group of men outside smoking. Noise from them and within the club. Foul and sexually aggressive language clearly audible underneath our bedroom window. Also heard pornographic / sexual sounds from sound/movie clips on their mobile phones.

2:00am (morning of 16/11) awoken by noise. Called out of hours number and then visited by Mark Eastwood at 2:20am. He stayed for 15-20 mins and heard the noises from below. He went downstairs to visit them on his way out. Again, the noise reduced for around 10 mins and then shouting and banging begins again for around 1 hour with loud intermittent thudding. Fell asleep at around 3:30am.

17/11/2007 – Lots of noise during day from within and from passageway and frequent use of abusive language.

22/11/2007 – Midnight, shouting inside for around 30 minutes. 1:30am, woken by shouting from within and kept awake for around 1 hour. 2:50am, woken again by shouting from within.

25/11/2007 – 4:00am to 5:00am, Loud music and shouting – called out of hours number, no noise officers on duty.

28/11/2007 – Shouting from outside woke us up at 11:25pm. Woken again at 3:00am and kept awake for 2 hours by shouting.

1/12/2007 – 4:15am, woken by music, singing, shouting and smashing plates. Called out of hours number, no one on duty. Did not sleep anymore, noise continued into the day.

2/12/2007 – woken by shouting and banging at 2:30am and kept awake for 45 minutes then quiet. Woken again at 4:00am then again at 5:00am – did not sleep again and decided to get up for work at 6:00am instead of 7:00am.

8/12/2007 – woken at around 4:00am by the noise of a party (music, singing, shouting etc.) Noise continued – did not call out of hours as it was past 5:00am and no one is on duty.

6:30am, got up to do xmas shopping online.

7:30am, very loud shouting from inside and then moves outside into passage. Men shouting and swearing (“I’m gonna f***ing kill him” etc.) sounded like a fight had broken out. Men outside shouting at men inside. Men then moved back inside. Heard glass smashing and sounded like a door had been kicked in. Called the police and described what was going on. Assumed they did not visit as the party carried on into the day. Another horrible start to the weekend.

10/12/2007 – 2:30am, woken by shouting and kept awake for 45 minutes.

11:00pm to 12:00am, shouting outside with swearing, on and off.

11/12/2007 – 4:00am, woken by shouting from within and eventually put in ear plugs after 45 minutes of noise.

14/12/2007 – 10:45pm, shouting outside and again at 11:30pm, 12:00 (midnight) and 12:45am.

16/12/2007 (Sunday night), continuous shouting inside and outside until around 1:30am.

19/12/2007 – 5:30am, woken by very loud shouting. Called to make complaint – no officer could visit as no one on duty. Called “Safer Neighbourhoods” and had to leave message as no answer (they called back 3 or 4 days later). Then called police as noise was still continuing with music. Told to speak to the council as “they don’t do noise” So what do we do?

7:00am, decided to get up as shouting and music was still going on. Rosie suffering from a chest infection and generally run down from nights of broken sleep and the inability to "lie in" at weekends.

22/12/2007 – 9:30pm, observed an unusually large amount of people in the club. Witnessed alcohol being carried in.

11:00pm, went to bed and the noise from inside was already very loud. Accompanied by sporadic bursts of shouting from the people smoking in the passage.

11:30pm, live "Greek style" guitar music and singing begins.

11:45pm, called council to complain.

12:00am, call from Mr Buckle (Noise Officer), says he was in the area and has spoken to the people in the club. He said they would be playing for another hour and will then be quiet. Informed him of the history of the noise and planning problems with the club and that I was certain they would in no way be quiet at 1:00am. He then decided to go back inside and ordered them to stop the music. Which they did.

12:30am, music starts again (made some video recordings to document the level of noise) Called again to complain.

1:15am, Mr Buckle called back and we arranged for him to approach on foot (he previously arrived in a Police van) so they would not see him.

1:30am, Mr Buckle called back and informed me that although they saw him coming, he heard the music before they could stop. He informed me that with the help of the Police officers he was with, they entered the club, forced the band to leave and cautioned several people for smoking inside. He also issued them with a Notice in respect of the live music.

We saw several people from the club (including the band) on the street and observed the police officers speaking (quite sternly) to several men who seemed to be under the influence of alcohol. They had blocked most of the pavement and we saw many people getting into cars and leaving.

We then managed to get to sleep.

4:00am, woken by more shouting.

4:30am, spoke to Mr. Buckle again to complain.

4:50am, Mr Buckle called back to say he had visited the club and saw just 3 or 4 people inside with very little noise. He said he could not do anything about it unless they play music too. NOTE FOR LICENCE DEPARTMENT – is this not proof of them operating outside of their permitted hours?

5:01am (exactly) Music (from a stereo) begins, very loud and kept us awake – noise officers no longer on duty.

7/01/2008 – 2:30am woken by shouting and kept awake for 1 hour approx. Woken again at 5:00am and did not sleep again.

8/01/2008 – 4:30am, woken by shouting and banging from inside club, kept awake and not able to sleep before having to get up for work.

9/01/2008 and 10/01/2008 – intermittent shouting throughout both nights until the morning.

11/01/2008 – 11:45pm, loud shouting begins. Managed to get to sleep at around 12:30am.

1:40am, woken by shouting from inside and this continues until 2:10am when we decided to call the out of hours number.

2:30am, Lanin (?) a Noise Officer, calls. Men are still shouting but he advises that he cannot get to us for 2 to 2 and half hours. Fairly confident that they will still be making noise then so I ask him to visit.

Due to noise, we do not sleep again – we heard several violent outbursts of shouting.

5:00am, Officer has not yet arrived so call out of hours number again. Operator advises that officers now work after 5:00am on weekends and that they will be here soon.

Sat and sent emails and did more xmas shopping online.

5:45am, music starts, along with the continued shouting.

7:00am (approx) finally fell asleep exhausted.

9:00am, a noise officer (Lamin again?) calls us back to apologise for not visiting.

We do not sleep again. Calculate that we had around 3 hours of broken sleep. We had to attend a family meal and we just wanted to sleep.

15/01/2008 – Simon slept with earplugs all night as still exhausted from previous nights of broken sleep. Rosie woken at 3:30am and kept awake for around 2 hours then light sleep for 45 minutes until she had to get up for work.

The following night we went to bed at 9:30pm as we were SO tired, but had to try and get to sleep with the sound of men shouting outside.

16/01/2008 – 5:20am, woken by shouting from inside club, do not sleep again.

11:10pm, loud shouting from inside and also smell of smoke noticeable.

17/01/2008 – 11:50pm, shouting from inside wakes us up and again at 2:40am.

20/01/2008 – woken at 1:30am for 20 minutes. 2:50am, woken again by shouting for 30 minutes. Woken again at 3:40am for 10 minutes then again at 5:00am. 5:30am it is still noisy so put in earplugs.

22/01/2008 – intermittent shouting between 2:00am and 2:30am.

23/01/2008 – Woken at 3:05am by shouting on and off for 25 minutes. Rosie is now very ill with chest infection and general exhaustion.

Temporary Stop Notice issued around the 25th Jan – club closed for around 3 nights over the following weekend. 3 very good, full nights sleep.

1/02/2008 – 2:30am, woken by a noise – although went silent straight away. As they have been served temporary stop notice, I leaned out of our 2nd bedroom window to see if I could confirm whether they were indeed operating. Light was clearly visible through gap in door and the sound of coins could be heard from within. Could also smell smoke coming from vent above their door.

3:00am, called out of hours number and subsequently called back by Mr. Eastwood.

3:30am (approx) Mr. Eastwood visited and I showed him the light from the backdoor. He noted that the front doors (glass outer doors) were chained and padlocked FROM THE INSIDE. The shutter over the inner door was half way down, just covering the window. He then went down and knocked on the shutters for about 5 minutes without an answer. He commented that he was certain they were in there, but without police, he could not force entry. This was very frustrating as they were clearly ignoring him as they could see him on the CCTV they have installed. He could do nothing else other than to report on what he had witnessed. We returned to bed.

4:25am, woken suddenly by the noise of banging on the shutters. Saw from our front room that Mr Eastwood had returned with 2 Police officers. I went down to our front door and saw that they had gained access and saw the 3 men who were inside. As they were leaving, I asked what they had found – “they say they were cleaning” Mr. Eastwood tells me.

11/02/2008 – 12:15am, woken by shouting and again at 1:30am

12/02/2008 – 2:00am, woken by shouting

13/02/2008 – Loud shouting at 11:15pm to 12:45am.

1:30am, woken by more shouting.

1:50am, heard the shutters going up and down several times and the sound of voices dropped significantly – assumed they had closed.

7:50am, left the building and saw the doors were chained and locked from the inside again.

8:00am, returned to see man opening the door from the inside and another man who appeared to be asleep on the table. Think it was the same 2 men who were in there when Mr. Eastwood visited with the Police recently.

Since the issue of the Temporary Stop Notice and the effect/compliance dates of the Planning Enforcement Notice, the disturbances between 2:00am and 8:00am have reduced although before 2:00am, we are often subjected to loud outbursts of shouting as we are trying to get to sleep. They have also made an effort to reduce the noise in the passage although there are often men shouting at each other as they leave the club via the back door.

Men are still smoking in the passageway during the day and generally we are subjected to loud shouting and laughing around once an hour throughout the day. We are therefore still unable to open any of our windows.

END.

My notes kept are not continuous. I collected the below for an email to Cllr Canver on 31st Oct 2007.

Regards
Duncan Kramer

Below is a partial list of noise incidents, & contact with Noise Control & Licensing in the last 3 months. Other neighbours have also made numerous calls to Noise Control.

July 31st Tuesday 12 noon:

Loud disturbance at rear from Larnaca café customers. Neighbour indicates they will call police.

Sept 7th Friday / 8th Saturday:

Woken numerous times. 6am had to ask customers (drunk) to go inside & shut door. Went inside, but came back out again soon after, creating a lot of noise.

Sept 9th Sunday 23.35:

Phoned noise team about loud talking under bedroom windows. 00.23 noise team phoned back to ask if persisting. Quiet.

Sept 13th (2007) 3.40am

2c Grand Parade call police. Disturbance on Grand Parade with M/F/F (violent argument) originating from Larnaca café.

Sept 13th

Spoke to Daliah Barrett (LBH Licensing). She asked for details to be emailed to her.

Oct 8th Monday 23.17:

Phoned noise team about loud talking under bedroom windows. When neighbour requested quiet, told to "Shut up".

Oct 13th Saturday 6am:

Reported noise problem to noise team. Loud talking under bedroom windows. Later during the day, spoke to (Mr) Lamin(?) – noise officer – he said he or another noise team officer would drop by the café that evening to tell the café they must keep the rear door closed at all times.

Oct 18th

Spoke to Mark Eastwood – noise officer – he said the requirement for the café to keep the door closed at all times & fit a door closer was the licensing dept's responsibility.

Oct 19th

Spoke to Daliah Barrett (LBH Licensing). She says she can only respond to the noise team witnessing a nuisance. She cannot enforce the door being kept closed(?). We as residents can initiate a review of the license, based on a failure to comply with the conditions.

Oct 20th Saturday 5.25am:

Phoned noise team about loud talking under bedroom windows from Larnaca café customers. Call logged.

Oct 30th Tues 2am:

Loud disturbance at rear of cafe. Police called & attend. Men shouting & man/men chased/climbing over fence into yard of 2 Grand Parade. Police attend (for some time).

To back up the frustrations Mr. Stanley is feeling, we at 2b Grand Parade & the neighbours at 2c have been woken twice this week at 2.15am and 4am respectively by the activities of the owners/users of these premises.

D. Kramer

Dear Mr. Canver,

- >
- > I understand the council is seeking evidence of a noise problem
- > affecting 1 & 2 Grand Parade, N4.
- >
- > Throughout much of October 2005 through October 2006 we had
- > problems with being disturbed at night by the activities of the
- > café at 1 Grand Parade.
- >
- > The occupants of the address in question were less than considerate
- > of their upstairs neighbours. I am a fairly tolerant woman, and far
- > from confrontational. I even established a friendly relationship of
- > "hellos" with one of the older men who was often seated outside
- > during the daytime.
- >
- > The primary reason for my departure from the apartment (which I
- > loved) was the nighttime hours of this same establishment. I work
- > in events and sometimes only have a few hours at home to sleep. On
- > one occasion when the noise was exceptionally intrusive (at 3am) I
- > went down to ask them kindly to be quieter. My housemates and I
- > decided that a female going down may elicit a more sympathetic
- > response. Being a men's club, they were quite shocked at my
- > entrance. In fact when I entered it was like time froze. This
- > surprise did not however translate to them keeping the back door to
- > their venue closed as I had asked; at least not for longer than
- > half an hour.
- >
- >
- > Having lived there for 12 months I can say they frequently cause
- > noise after 11pm during the week. I believe this is primarily due
- > to in an external toilet. They often leave the back door to the
- > premises open which subjects the upstairs apartments, who's windows
- > over look their back area, to quite loud music. Further it is
- > common for them to take telephone calls in the back enclosure of
- > the property, speaking extremely loudly when doing so.
- >
- > On at least two occasions I was awoken by what sounded like an
- > escalated argument. I say "sounded like" because this aggressive
- > transaction was not carried out in English. I do know that the
- > police arrived on the premises during one of these episodes
- > although I was not the one who called them.
- >
- > In my experience the noise issues occurred primarily between 11pm
- > and 4am. They are one of three sorts; loud telephone calls, loud
- > music and occasionally arguments and door slamming between two or
- > more men.
- >
- > I do hope that the council will act upon the complaints received
- > regarding this premises. If you have any questions, my contact
- > details are below.
- >
- > Kind Regards,
- >
- > Jacqui
- >
- > Jacqui Shannon
- > The London Gathering
- > 1 Angel Court
- > 5th Floor
- > London
- > EC2R 7HU

1 & 2 Grand Parade, Green Lanes, N4

Dear Councillor Canver

18 March 2008

Rather than a series of separate letters from all the residents of 1 & 2 Grand Parade we decided it might be simpler to send one letter from all of us.

During much of 2007 we have suffered from night-time noise coming from the rear of Salonica Cafe, 1 Grand Parade, N4 1JX. This has occurred at various times throughout the night, until morning, and disturbed our sleep.

We would really appreciate the council doing whatever is necessary so that we are not disturbed at night.

Yours sincerely

1a ~~Simon Stanley~~ Simon Stanley } Tenants since 28/09/07
 Kwash. Rosellen Kwash.

1b Peter Nunn } Tenants since 06/09/07
 Jack Furkert TAN

1c LEE WILLIAMS
~~Lee Williams~~

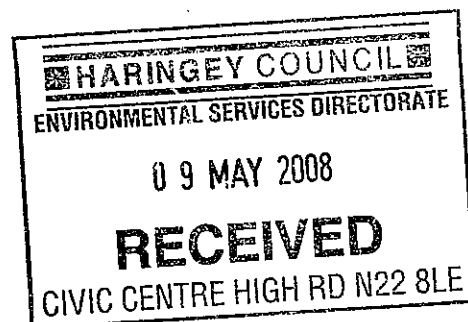
2a ~~Robert Gilly~~ Robert Gilly
 Harry Jacobs

2b DKramer MR D. KRAMER
 D. KRAMER

2c M. Doyle MR. M. Whippy
 Nadia Doyle

1A Grand Parade
Green Lanes
London
N4 1JX

Licensing Team
Enforcement
Urban Environment
Units 271-272
Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN



06 May 2008

Dear Sirs

Review of Licence at Salonica Café, 1 Grand Parade, Green Lanes, London N4 1JX

Introduction

In response to the proposed Licence review mentioned above, I feel it is appropriate to advise you of the detrimental impact that the late night activities of the Salonica Café (located in the front half of the ground floor at 1 Grand Parade) has had on my life and how I feel that their ability to operate until early hours of the morning has contributed to this.

As you are aware, the premises holds a Licence to operate until 2:00am, however, since moving in to 1A Grand Parade, we have been consistently disturbed, on numerous occasions, in the hours leading up to 2:00am and then beyond 2:00am and have witnessed and recorded activities at the premises on a "24 hours a day, 7 days a week" basis.

For the reasons detailed below, I believe that the Council should seriously reconsider the Licence granted to this establishment.

I understand that other residents, living in and around 1 Grand Parade, have also been disturbed by the late night activities occurring at the premises, however, I feel that my partner and I have experienced the greatest and most consistent problems caused by the patrons of Salonica Café as our home is located directly above it.

In short, the negative effects on my life caused by the way in which the premises has and is being used, are as follows, and I feel they show a complete disregard for the Licence which is currently in place:

- 1 Sleep deprivation, at all hours of the night time without exception, caused by raised voices, shouting, live and recorded music, noise from a television, fighting, an armed robbery, doors slamming and tables and chairs scraping on a tiled floor

- all emanating from within the premises and audible from our 2 bedrooms, hallway and lounge.
- 2 Sleep deprivation, at all hours of the night time without exception caused by raised voices and shouting from patrons standing in the outdoor passage, by the backdoor of the premises, directly below the windows of our 2 bedrooms.
 - 3 Subsequent sleep deprivation caused by the visits of the Council's "Out of Hours" noise teams and Police Officers, whose assistance we have requested on many occasions when the noise has risen to extremely unacceptable levels and violent behaviour has been heard and witnessed from our home.
 - 4 Cigarette smoke rising through the floor resulting in a foul smell in our bedroom, hallway and lounge during the night time when the windows of the premises are covered by curtains or roller shutters.
 - 5 Cigarette smoke rising past both of our bedroom windows and bathroom window from patrons smoking in the outdoor passage at the rear of the premises, at all hours of the day and night time, without exception, forcing us to keep all windows and ventilation panels closed at all times. As the voices of the patrons smoking outside are often raised and can sometimes be classed as shouting, again, we must always keep our windows closed.
 - 6 Patrons of the premises smoking directly in front of the communal doorway to 1A, B and C, sheltered by an alcove and canopy resulting in discarded cigarettes collecting in our doorway and then blowing into our entrance hall and patrons often block the entrance to our home (often in small, all-male groups whose presence is often intimidating, especially to females entering our home).

A Brief History

As some background information for you, my partner and I purchased the Leasehold title of 1A Grand Parade, on the first floor of the building, on 28th September 2007 after much deliberation over the pros and cons of living directly next door to the busy and thriving public house that is the Salisbury Hotel.

Salisbury Hotel showing Salonica Café below 1A Grand Parade



Often hosting live music nights and holding a licence to serve alcohol until 2:00am Monday to Thursday and 3:00am Friday and Saturday, the possibility of experiencing noise problems was very much on our minds. After speaking to the Landlord of the Salisbury, who assured us that although the bands are audible from outside of the premises, if we felt it was excessive, we were welcome to let him know and he would take action. We learned that the pub hired a small security team on Friday and Saturday nights who ensured that anyone outside of the pub did not cause a disturbance to the local residents either when smoking or leaving. We agreed that although living next door to a pub such as the Salisbury would not be ideal, sufficient steps were being taken to reduce the impact on the local area as much as possible. Wall mounted ashtrays are in

place outside of the pub and the owners obviously take a lot of pride in the appearance and perception of their business. The pub was, and still is, a very well run establishment with a superb Gastro Pub menu and attracts a very nice mixture of people.

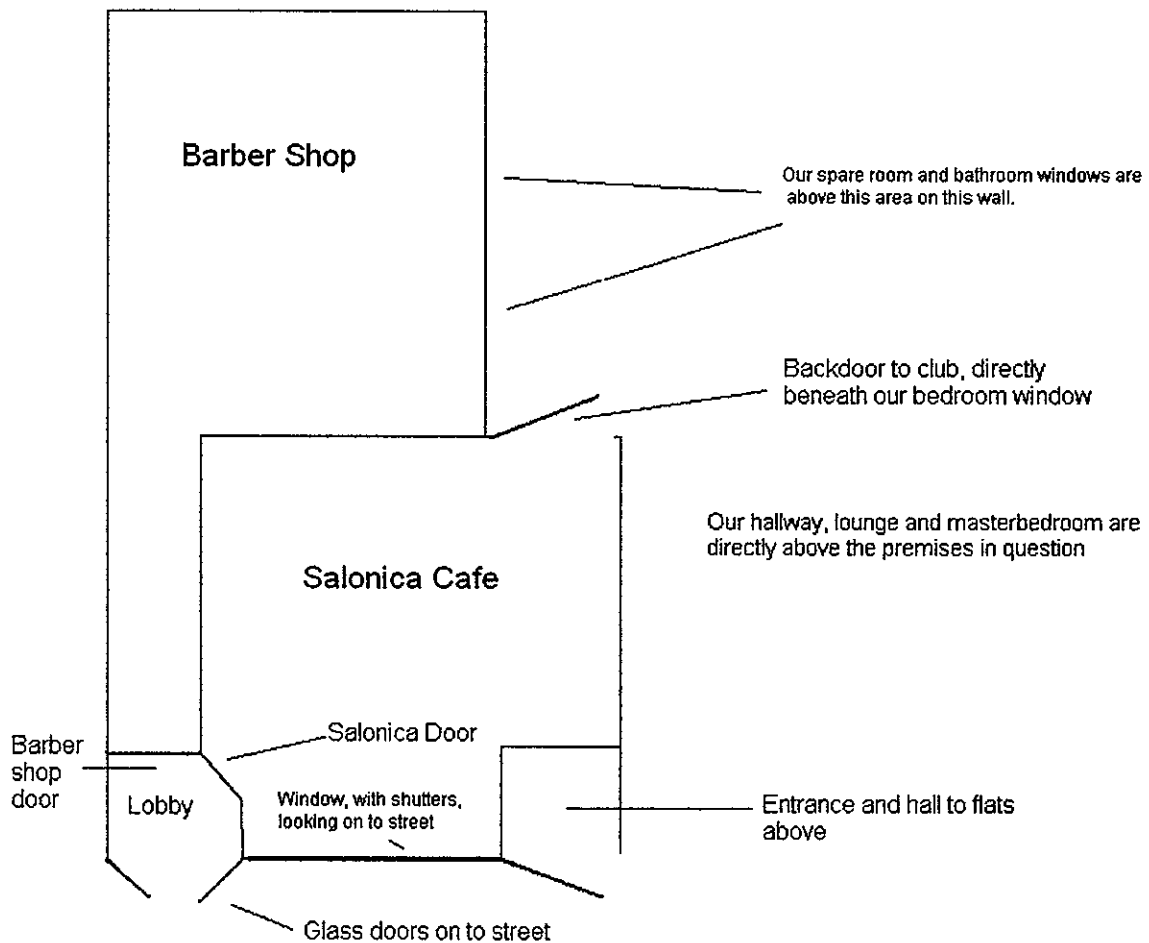
We were aware of the existence of the Salonica Café (although were unaware of its name at the time as it does not have a sign of any kind) and the Estate Agent informed us that it was one of the many "Gentlemen's Social Clubs" that are found in the area, popular among the Greek and Turkish population. We were told that they served tea and coffee to their customers, who were almost always men and tended to be older gentlemen. From the outside, it appeared that this was correct and that most, if not all of the men inside were over 50 years of age.

There is also a Barber Shop in the rear of the property and this is owned and run by Mr. Stephanou who is also the Landlord and Proprietor of the Freehold Title of 1 Grand Parade.

Because of these reasons, we did not feel that the "Gentlemen's Club" at 1 Grand Parade would pose any threat to our peace.

After realising that no other property in the area within our budget could boast such a large floor space, we decided to purchase 1A Grand Parade and the purchase completed on 28th September 2007. This was our first property purchase after living in rented accommodation for two years.

Plan of 1 Grand Parade (Ground Floor)



Initial Disturbances

We did not move in straight away and spent the first week decorating – generally leaving the property at around 10:00pm.

During this time, we had our bedroom walls plastered and undertook the work of sanding, papering and painting ourselves. At no point during the day or night were we able to open our bedroom window without having the room filled with the smell of smoke and sound of raised voices from the men standing in the passageway below.

Although this was annoying at first, and meant that we could not ventilate the room properly, we felt that the recent “Smoking Ban” legislation would certainly be on our side if we did decide to lodge a complaint against exposure to cigarette smoke in our own home.

In addition to the smell of smoke, the smell of urine from the "out-house" at the rear of the property was also evident – and noticeable from our property with the windows open – especially on warmer days. Again, we were not particularly worried as this was something we felt that the Environmental Department at the local Council would be able to assist us with.

During this first week, we also heard the sound of men's voices, often shouting, coming up through our floor from the "Café" below. As we were busy decorating all day, until the moment we left to return to our previous flat to sleep, we did not really think anything of it.

The following Sunday (7th October 2007) we were able to move in our bed and spend our first night in our first home. As soon as we got into bed (at around 10:00pm, we noticed the loud and constant noise from the men below. As described above, this was a general noise of men talking in fairly raised voices, frequent and harsh shouting and arguments, banging/thudding and the scraping of table and chair legs on the floors. This was the first time we had been silent in the flat and when the noise was still present at 11:00pm, we assumed it was perhaps a special occasion and that perhaps a Birthday party was in progress.

Bearing in mind this was a Sunday night, we naturally assumed it would cease fairly soon.

At 1:00am, the noise was still there without any signs of peace.

It is important to point out that during this time, at frequent intervals, men would stand outside, directly below our bedroom window and talk, shout and smoke. This was also very loud and echoed around the passage. We saw that other residents, namely at number 2 Grand Parade, whose windows overlook the passage, were also being kept awake by the men outside as we heard people knocking on windows when the noise reached excessive levels.

At this point, we were obviously fairly annoyed at being kept awake and forced to listen to people shouting until the early hours of the morning, but, being new to the building, we were quite happy to let it go and assume it was a "one off".

Little did we know that these types of disturbances would occur every single night, with few exceptions, for the next 4 months.

The disturbances often continued through the entire night, until we both left for work in the morning - the shouting and banging etc. allowed us very few chances of sleeping undisturbed.

Behaviour and Activities Occurring at the Premises

After a few tiring weeks, often getting no more than 3 or 4 hours sleep, I decided to complain to the Council as I had noticed that the premises had been refused permission to operate as a social club, almost 10 years before. It was extremely obvious that this was how they were operating and we felt that the issue would be resolved fairly quickly.

I now draw your attention to **Appendix 1** which is a comprehensive diary of the disturbances we have been subjected to at the hands of the users of the premises in question. Beginning on the day we moved in and ending when a Temporary Stop Notice was served on them (for operating outside of their licensed hours) in late January 2008 when the very worst of the disturbances diminished. Please note the frequency of the disturbances along with the times at which they were occurring (ie. Both within and outside of the licenced hours)

Please now refer to **Appendix 2**, a copy of the Decision Notice, issued in response to the application for planning permission to operate as a Social Club in 1998. Please pay particular attention to the reasons for which permission was refused.

“The proposed development would have adverse effects on the surrounding residential neighbours by reasons of noise nuisance and general disturbance...”

“..and would also result in an unacceptable increase in disturbance from noise nuisance...”

I also note that the Licence held by the premises also seeks to prevent disturbance to the local population.

I think that the Council, local residents and myself would agree that the levels of noise nuisance and general disturbance from this establishment are unacceptable and a brief review of our evidence along with the Noise and Police Officers reports which I hope you will have access to, would certainly go some way to proving this to be the case.

With no sign or obvious name and no menu or opening hours on display and then add to this the fact that curtains are pulled across the window at night and then later, when continuing to operate into the early morning, past their listed 2:00am closing time (as stated in their licence) roller shutters are pulled down over the door and window, I believe that this clandestine appearance has allowed their late night activities go on un noticed for many years, however, as the flats directly above are now owner occupied, it is simply not an option for us to move away, as we understand many occupiers at both 1 and 2 Grand Parade have done so in recent times.

To emphasise how, on appearance alone, these premises differ from any other “Café” in the area, I now attach images of several café type establishments, all well within half a mile of 1 Grand Parade, based on the same commercial street. When compared to the final images of Salonica Café, by day and by night, I think the differences are obvious.

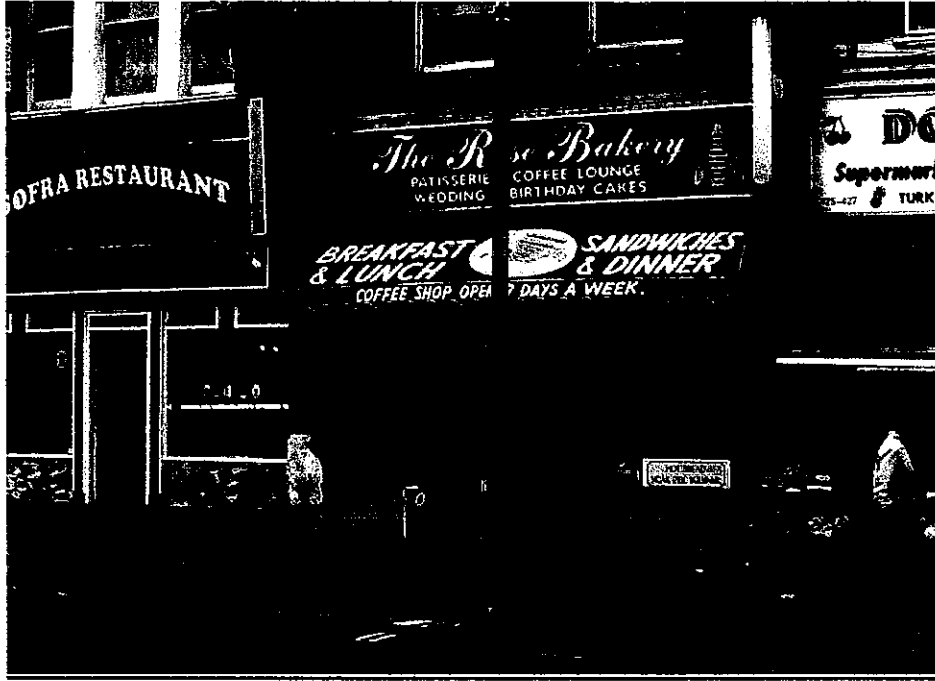
Mezzo, Green Lanes



Antepiler, Green Lanes



The Rose Café / Bakery, Green Lanes



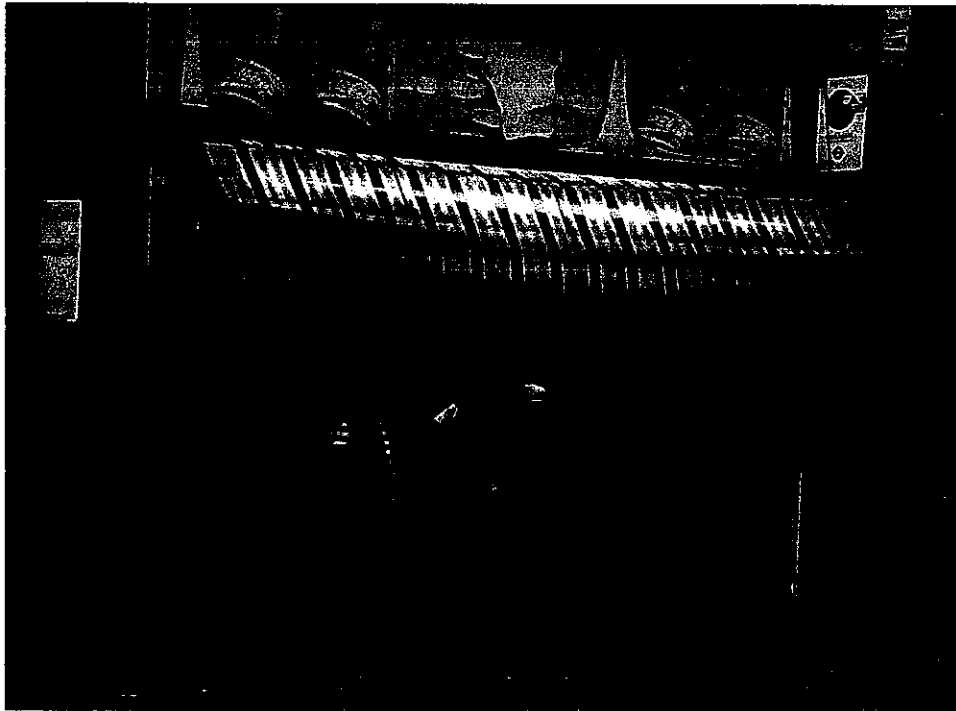
The Corner Café & Bistro, Green Lanes

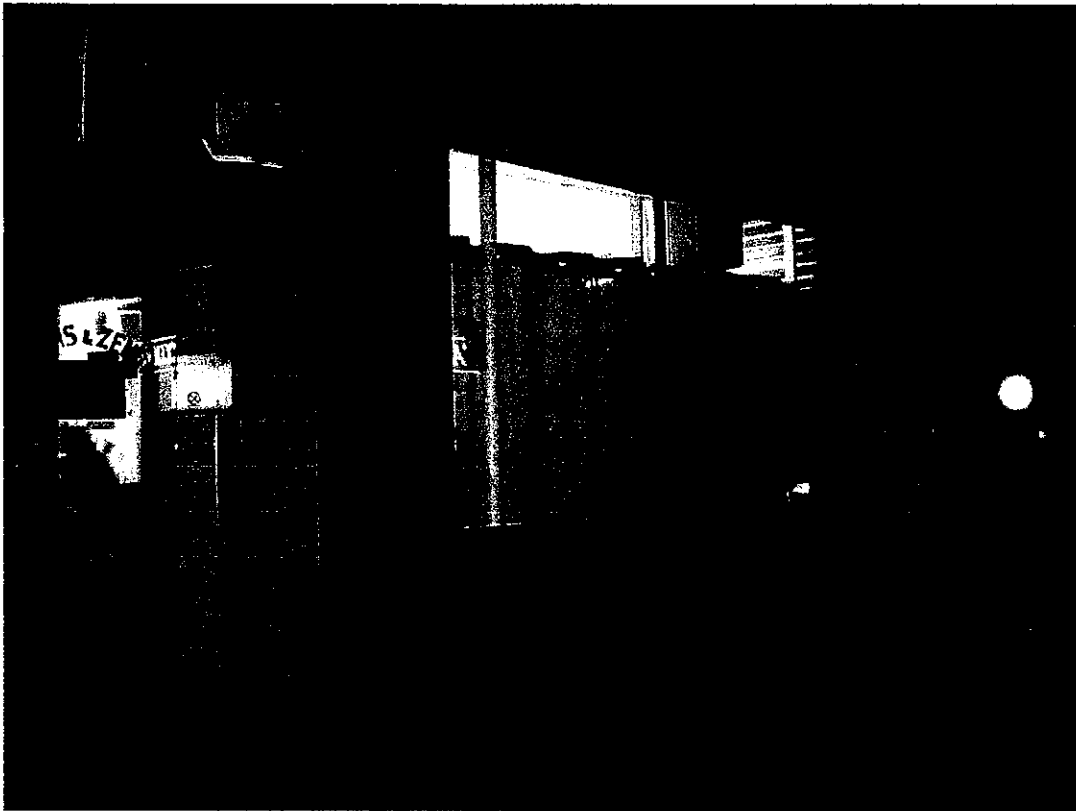


Café Lemon and Metro 29, Green Lanes



Salonica "Café", Green Lanes





As mentioned above, our diary provides a comprehensive log of all of the major disturbances we have witnessed. These have forced us to call upon the Council's noise team on numerous occasions, who on two occasions that we are aware of, had to call upon Police Officers to assist them.

Until the Council recently issued Noise, Licence and Planning Notices upon the owner of the establishment, it was not unusual for us to spend 3 or 4 hours lying awake listening to the noise from below, to then be granted 20 minutes of peace, to then be woken by yet more shouting.

I would ask you to pay particular attention to the following entries, (along with my comments in **bold print**), which I would class as the worst and most widespread disturbance and noise nuisance to us and the local residents:

10/10/2007 – *Noise from men smoking in passage plus shouting, laughing and banging from within. Approximately 2:30am, noise from a TV is clearly audible in our bedroom. Sounds like sports commentary and then adverts and music. Added to noise of shouting and banging, we were awake until 4:40am. Eventually found earplugs.*

17/10/2007 – *10:20pm. Loud shouting from within, scraping of chairs and tables and banging. Back door left open and men inside and out shouting at each other. Heard a window above being opened. Ladies voice from above: "Shh, please close your door". "CLOSE YOUR WINDOW" shouted back with laughter.*

"I'm going to call the council" ladies voice says

"CALL WHOEVER YOU LIKE!" shouted back, laughter again.

Door eventually closed and the noise from within is even louder. Sounds like an argument.

10:30 – called emergency out of hours number

10:45 – called back by Derek Pearce and he agreed to visit

10:50 – 11:15, shouting and noise extremely loud – Rosie in bed scared – sounded like a fight – sound from a TV clearly audible, sounds like football

11:15 – Derek Pearce arrives with colleague and stays for 20 minutes. Noise has calmed slightly but is still audible. Showed him the passage and the ashtrays and took him to balcony to smell the urine although it was not as bad as it has been.

11:35 – Derek Pearce leaves

11:45 – TV turned back on, very loud – can hear voices of commentators

12:15 – managed to fall asleep with pillows on our heads

2:45am – woken by television from below, listened for 15 mins then fitted earplugs – woke up with ear ache – not a solution as we can miss alarm clock and more worryingly, would not hear a smoke alarm.

6:30am – woke up for work, can still hear them below and outside, unable to open bathroom window after showers at 7:00am due to men smoking outside below.

20/10/2007 – *Saturday morning, 5:15am. Woken up and listened to general shouting and banging for 1 and a half hours – heard an argument, male and female raised voices and a woman call out "Get off you're hurting me!" Called out of hours number, no officers on duty – called local police, they do not deal with noise – called safer neighbourhoods, no answer so left a message on answer phone (they called back around 3-4 days later) so what are we supposed to do?*

Later we heard the television again then Greek style music very loud with shouting and singing

The sound files on the accompanying CD were made on this date between 4:30 and 5:30am and highlight the violence of this noise nuisance. Bear in mind that this was recorded on my telephone with a microphone of no more than a centimetre in diameter and remember that this was at 5:00am on a Saturday morning and recorded from within our bedroom with the double glazed windows closed.

29/10/2007 (Monday night – Tuesday morning)

2:00am – suddenly woken by hysterical shouting from inside and then outside in passageway – lots of voices. Jumped to window to witness men being chased down the passageway and then jumping over the fence (assumed it was another fight) Heard the words "Call the Police"

2:15am (approx) Police arrive (2 cars) and we see the men from the club showing them the passageway and various items (including a shoe and a hammer) scattered on the ground. Heard an officer say (into radio) "4 men with knives and hammers, chased into alley at rear of Grand Parade"

Talking shouting and Police radios crackling in passage until around 4:00am.

Spoke to Mr Stephanou (Snr) the following evening – says it was an attempted robbery with knives. We ask him what happens in the club "All illegal" he says. Says they should close at 1:00 but they stay open all night – they drink, they smoke, they gamble – "all illegal" he keeps saying. Also mentions that they sometimes have "Romanian dancing girls"

This was perhaps the most frightening disturbance of all – an armed robbery occurring below us in the middle of the night, followed by a rather unsettling account from Mr. Stephanou Senior (The Landlord's Father) of what goes on in the premises below us. – It certainly explained what these groups of men were doing in the middle of the night.

15/11/2007 –

10:00pm (approx) heading to bed and hear group of men outside smoking. Noise from them and within the club. Foul and sexually aggressive language clearly audible underneath our bedroom window. Also heard pornographic / sexual sounds from sound/movie clips on their mobile phones.

2:00am (morning of 16/11) awoken by noise. Called out of hours number and then visited by Mark Eastwood at 2:20am. He stayed for 15-20 mins and heard the noises from below. He went downstairs to visit them on his way out. Again, the noise reduced for around 10 mins and then shouting and banging begins again for around 1 hour with loud intermittent thudding. Fell asleep at around 3:30am.

8/12/2007 – woken at around 4:00am by the noise of a party (music, singing, shouting etc.) Noise continued – did not call out of hours as it was past 5:00am and no one is on duty.

6:30am, got up to do xmas shopping online.

*7:30am, very loud shouting from inside and then moves outside into passage. Men shouting and swearing ("I'm gonna f***ing kill him" etc.) sounded like a fight had broken out. Men outside shouting at men inside. Men then moved back inside. Heard glass smashing and sounded like a door had been kicked in. Called the police and described what was going on. Assumed they did not visit as the party carried on into the day. Another horrible start to the weekend.*

22/12/2007 – 9:30pm, observed an unusually large amount of people in the club. Witnessed alcohol being carried in.

11:00pm, went to bed and the noise from inside was already very loud. Accompanied by sporadic bursts of shouting from the people smoking in the passage.

11:30pm, live "Greek style" guitar music and singing begins.

11:45pm, called council to complain.

12:00am, call from Mr Buckle (Noise Officer), says he was in the area and has spoken to the people in the club. He said they would be playing for another hour and will then be quiet. Informed him of the history of the noise and planning problems with the club and that I was certain they would in no way be quiet at 1:00am. He then decided to go back inside and ordered them to stop the music. Which they did.

12:30am, music starts again (made some video recordings to document the level of noise) Called again to complain.

1:15am, Mr Buckle called back and we arranged for him to approach on foot (he previously arrived in a Police van) so they would not see him.

1:30am, Mr Buckle called back and informed me that although they saw him coming, he heard the music before they could stop. He informed me that with the help of the Police officers he was with, they entered the club, forced the band to leave and cautioned several people for smoking inside. He also issued them with a Notice in respect of the live music.

We saw several people from the club (including the band) on the street and observed the police officers speaking (quite sternly) to several men who seemed to be under the influence of alcohol. They had blocked most of the pavement and we saw many people getting into cars and leaving.

We then managed to get to sleep.

4:00am, woken by more shouting.

4:30am, spoke to Mr. Buckle again to complain.

4:50am, Mr Buckle called back to say he had visited the club and saw just 3 or 4 people inside with very little noise. He said he could not do anything about it unless they play music too. NOTE FOR LICENCE DEPARTMENT – is this not proof of them operating outside of their permitted hours?

5:01am (exactly) Music (from a stereo) begins, very loud and kept us awake – noise officers no longer on duty.

Please now see the videos on the attached disc in the folder "22nd and 23rd Dec 2007" which clearly show the level of noise and the times at which we recorded it.

This Party with live music was perhaps the peak of the disturbances, which quickly declined (although have not disappeared) from this date as a Live Music Notice was served upon them, several people were warned about smoking and the Police removed the band. A Temporary Stop Notice was served upon them in January as the Council had proof that they were operating outside of their licensed hours (8:00am to 2:00am) and the Planning Enforcement Notice took

effect in February. Several warnings and cautions have also been issued by the Environmental Department regarding illegal smoking within the premises.

Shortly after the Temporary Stop Notice was served, the establishment closed completely for three days and nights in a row – this was over the weekend of January 26th 2008. Until this time, we had not had a single night of uninterrupted peace since moving to the property. It made us realise how bad the situation was and how unacceptable it was to be forced to live as we had been.

Even with the issue of the Temporary Stop Notice, they continued to operate, as the following entry proves:

1/02/2008 – 2:30am, woken by a noise – although went silent straight away. As they have been served temporary stop notice, I leaned out of our 2nd bedroom window to see if I could confirm whether they were indeed operating. Light was clearly visible through gap in door and the sound of coins could be heard from within. Could also smell smoke coming from vent above their door.

3:00am, called out of hours number and subsequently called back by Mr. Eastwood.

*3:30am (approx) Mr. Eastwood (Noise Officer) visited and I showed him the light from the backdoor. He noted that the front doors (glass outer doors) were chained and padlocked **FROM THE INSIDE**. The shutter over the inner door was half way down, just covering the window. He then went down and knocked on the shutters for about 5 minutes without an answer. He commented that he was certain they were in there, but without police, he could not force entry. This was very frustrating as they were clearly ignoring him as they could see him on the CCTV they have installed. He could do nothing else other than to report on what he had witnessed. We returned to bed.*

4:25am, woken suddenly by the noise of banging on the shutters. Saw from our front room that Mr Eastwood had returned with 2 Police officers. I went down to our front door and saw that they had gained access and saw the 3 men who were inside. As they were leaving, I asked what they had found – “they say they were cleaning” Mr. Eastwood tells me.

Again, these entries represent the worst of the disturbances. Although they now appear to be closing at 2:00am, we are still kept awake until this time by the usual noises which escalate from around 1:30am as people leave, and I am forced to continue to wear earplugs on a nightly basis before 2:00am.

As the diary entry on 01/02/2008 shows, every effort had been made to make the premises appear to be closed and empty. When Mr. Eastwood finally gained access, after much banging on their shutters and then enlisting the help of Police Officers, he found several men inside who claimed that they were cleaning. At 4:30am, would you agree, it is a little odd? I then subsequently saw the same men inside, looking very tired, as the shutters were being raised as I left for work at 8:00am. I therefore suspect that this is continuing to happen, and although we are not being disturbed past 2:00am, it is extremely likely that people are still inside. In fact, we recently heard from Mr. Stephanou that he suspected someone was sleeping in the premises as they were awoken, and managed to foil a recent break-in attempt, whereby someone had forced entry to the lobby area and began trying to break through the partition wall into the

premises. Obviously, it would be very hard to prove this, but I would hope that there are certain rules about using commercial premises as a dwelling house.

They are no longer smoking in the passage way at night, although they still use it during the day. We understand from our neighbours that this "laying low" approach was observed when a previous unsuccessful Planning Enforcement Notice was served (I understand that a clerical error led to the Notice being deemed unlawful) and that the usual behaviour started again when the Council's attention moved elsewhere.

Please refer to the videos on the attached CD which show men smoking, talking and shouting below our bedroom window at night and during the day. The dates and times are shown in the file name.

Looking at the main diary attached at **Appendix 1**, you will see that "Parties" on Saturday and Sunday mornings (around 4:00 and 5:00am) were fairly common. Often involving music, singing, shouting and on one occasion, plate smashing – these were all going on behind the metal roller shutters covering the front door and windows. You will see that we saw and heard at least one fight taking place inside and in the rear passage, and heard the cries of a young girl in obvious distress. At the time, the Council's Noise Team did not operate after 5:00am at weekends, and were generally unable to visit therefore. Again, clear evidence of activities outside of their permitted opening times.

Since living here and speaking to other residents and the Landlord, Mr. Stephanou, it is widely understood that this "club" is built upon the income generated by illegal gambling over card games and we understand from Mr. Stephanou that although the games machines (clearly visible from the outside) are "Amusement only" in the Council's eyes, they do in fact dispense tokens, which are later exchanged for cash.

The gambling allegedly begins when the curtains / shutters are down and that the owner takes a share of whatever is being played. Alcohol is often consumed, purchased from one of the many nearby late night off licences, and games can continue well into the night and early morning. The curtains and shutters are there to keep prying eyes out, and the illegal activities in.

This would certainly explain the violent outbursts we have heard from inside and outside of the premises at ludicrous hours of the night and early mornings and ultimately, would you agree, explains what it is that attracts these men to the premises at the times of day mentioned herein?

Furthermore, although their licence was generally ignored and they continued to operate on a more or less "24/7" basis, I do not feel that a "normal" Café would want (or need) to be able to remain open until 2:00am and more so, that the Council should certainly seek to amend their licence, given the ways in which Salonica Cafe has abused it after 2:00am and the disturbances and nuisance they have caused before and after 2:00am.

Conclusion

In conclusion, I would urge the Council to review and amend the licence held by the Salonica Café, both in terms of the hours it allows them to operate, and the activities which they are allowed to engage in, for the following reasons:

- 1 The patrons of the establishment have disturbed and affected the lives of those living the nearby area, both during the day and throughout the night, with little regard to the limitations outlined in their licence.
- 2 Their activities are clandestine – curtains and shutters are used to hide what goes on inside from the general public, the Police and Council Officers. A CCTV camera has been installed in the lobby area, so they may see who is at the door when the shutters are down and activities are continuing inside.
- 3 The premises has been used on a 24 hour, 7 days a week basis, as a meeting place for these men to argue (often over, we believe, gambling) smoke, drink, watch television, play on the “fruit machines”, listen to music, sing and generally “socialise”, often spending many hours there. Because of the frequency of these behaviours and the resulting disturbances, it is clear that the provision of hot & cold drinks does not seem to be the primary objective of the establishment, or the primary attraction.
- 4 Late night / early morning parties often occurred with music and singing – always accompanied by the loud voices and shouting and often accompanied by fighting and violent outbursts. Again, something one would associate with a pub or club.
** I use the past tense as these types of Party-like activities have ceased, although only, I feel, because of the amount of attention that is currently on the premises, from the Licensing Department, the Planning Department, the Environmental Department (following several warnings about smoking inside the premises) and the Noise Team at Haringey Council.*
- 5 The reasons given for denying permission to operate as a Social Club in 1998 match the very problems myself, my partner and our neighbours have been subjected to because of the activities occurring at the premises.
- 6 The activities inside and outside of the premises have often resulted in the requirement of Police or Noise Officer presence – The Council’s planning department are currently pursuing a Planning Enforcement Notice, the Environmental Team has issued several warnings regarding illegal smoking inside the premises.
- 7 We feel that an amendment to their Licence, preventing them from operating for as many hours as they are presently, would have a beneficial effect on our lives, and reduce the sorts of behaviour we have witnessed in the past.

I would urge you to consider this matter with seriousness, as the activities at Salonica “Café” since moving to 1A Grand Parade have affected –

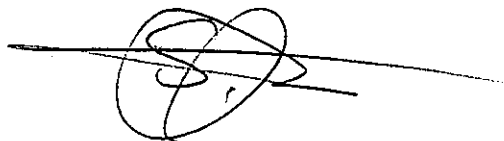
- **my relationship with my partner** - *try creating a romantic atmosphere in the bedroom with a dozen Greek men arguing in the room below and then proceeding to argue outside of your bedroom window.*
- **my work life** - *try going to work after having no more than 3 broken hours of sleep.*
- **my social life** - *I feel like a broken record as it has affected my life so much, it's all I can talk and think about (If I am not too tired to go out).*
- **my health in general** – *after spending 5 days at work, every evening and weekend decorating, and not getting sufficient sleep, at the peak of the problems, I felt physically and mentally exhausted and emotionally weakened.*

- *the overall enjoyment of my home life and peace – moving into one's first home should be a joyous event, however, the first 8 months of living here have been marred by the illegal, inconsiderate and anti-social behaviour of the men in the premises below us.*

I accept that I live on a busy commercial street and directly adjacent to one of the largest public houses in the area and can honestly say that I have not lost a single minute of sleep due to the activities of other people or establishments on the street, which include, as mentioned, the Salisbury pub (open until 3:00am weekends) late night off licences, restaurants, bars, cafés, late night take-away's and a range of late night supermarkets. Finally, I attach **Appendix 3** which shows some of the correspondence sent to the Council following and during the disturbances which I hope shows my feelings at the time.

I sincerely hope that you make the correct decision so we can make a positive step towards eventually being granted the right to enjoy our home in peace, as everyone should have the right to.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Stanley', written over a horizontal line.

Simon Stanley

Attachments:

- 1 *Appendix 1*
- 2 *Appendix 2*
- 3 *Appendix 3*
- 4 *CD of video, image and sound files*

Appendix 1 – Diary of Noise Nuisance and Other Disturbances as Witnessed by Simon Stanley and Rosellen Walsh of 1A Grand Parade

28/09/2007 – Moved in to flat, immediately noticed smell from passageway of smoke & urine and seemingly constant noise of men shouting and talking in passage as they smoked. Unable to open windows in bathroom, and both bedrooms due to noise and smell. This was very difficult during decorating and painting.

7/10/2007 – First night sleeping in flat – kept awake until 1:30am by shouting from noise through floor and from passageway. Also disturbed by neighbours above banging on windows to try and make them be quiet.

8/10/2007 – Very similar to previous night, kept awake until around 2:00am. Banging, shouting, laughter and scraping of tables and chairs coming up through the bedroom floor. Also noise of men smoking in passage and from neighbours banging.

9/10/2007 – Similar to previous night, kept awake until around 3:00am.

10/10/2007 – Noise from men smoking in passage plus shouting, laughing and banging from within. Approximately 2:30am, noise from a TV is clearly audible in our bedroom. Sounds like sports commentary and then adverts and music. Added to noise of shouting and banging, we were awake until 4:40am. Eventually found earplugs.

11/10/2007 – Woken at 11:10pm, men in passage shouting. Banging on windows from a window above us.

12/10/2007 – Woken at 4:45am, men shouting inside, shutters up and down and woken by more noise at 6:00am from men inside and outside.

13/10 to 16/10/2007 – noise every night at 1, 2 and 3:00am – cannot sleep without earplugs.

17/10/2007 – 10:20pm. Loud shouting from within, scraping of chairs and tables and banging. Back door left open and men inside and out shouting at each other. Heard a window above being opened. Ladies voice from above: "Shh, please close your door". "CLOSE YOUR WINDOW" shouted back with laughter.

"I'm going to call the council" ladies voice says

"CALL WHOEVER YOU LIKE!" shouted back, laughter again.

Door eventually closed and the noise from within is even louder. Sounds like an argument.

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11:15 – Derek Pearce arrives with colleague and stays for 20 minutes. Noise has calmed slightly but is still audible. Showed him the passage and the ashtrays and took him to balcony to smell the urine although it was not as bad as it has been.

11:35 – Derek Pearce leaves

11:45 – TV turned back on, very loud – can hear voices of commentators

12:15 – managed to fall asleep with pillows on our heads

2:45am – woken by television from below, listened for 15 mins then fitted earplugs – woke up with ear ache – not a solution as we can miss alarm clock and more worryingly, would not hear a smoke alarm.

6:30am – woke up for work, can still hear them below and outside, unable to open bathroom window after showers at 7:00am due to men smoking outside below.

18/10 and 19/10/2007 – very similar to previous nights, disturbed between 1:30am and 2:30am

20/10/2007 – Saturday morning, 5:15am. Woken up and listened to general shouting and banging for 1 and a half hours – heard an argument, male and female raised voices and a woman call out “Get off you’re hurting me!” Called out of hours number, no officers on duty – called local police, they do not deal with noise – called safer neighbourhoods, no answer so left a message on answerphone (they called back around 3-4 days later) so what are we supposed to do?

Later we heard the television again then Greek style music very loud with shouting and singing. Made a recording of the sound on mobile phone.

20/10/2007 (PM) – Went to bed at 11:30 and slept for around 1 hour until 1:00am. Woken by noise from within the club. Called out of hours number at around 3:00am. Spoke to Ash and he visited at approx 3:30am. He did not need to come in to flat as he was aware of the issues and said he would look in the window and listen to them. 10 minutes of quiet followed – assumed he told them to be quiet. Noise from within started again, banging, very loud thudding (intermittent) shutters going up and down 10-15 times – no idea when we got to sleep but it had started to get light.

21/10/2007 – started smelling strong smell of smoke in our hallway – less noise from passageway as it is getting colder. Saw them smoking inside (through window in door) when returning late one night.

24/10/2007 – in correspondence with the council, I made a point of mentioning that Rosie was now ill, tired and generally run down which has started affecting her work. Caused by late nights, disturbed sleep and stress.

24/10 – 28/10/2007 – Various disturbances on most nights. Bedroom and hallway smelling of smoke and very little sign of men smoking in passageway at night.

29/10/2007 (Monday night – Tuesday morning)

2:00am – suddenly woken by hysterical shouting from inside and then outside in passageway – lots of voices. Jumped to window to witness men being chased down the passageway and then jumping over the fence (assumed it was another fight) Heard the words “Call the Police”

2:15am (approx) Police arrive (2 cars) and we see the men from the club showing them the passageway and various items (including a shoe and a hammer) scattered on the ground. Hear an officer say (into radio) “4 men with knives and hammers, chased into alley at rear of Grand Parade”

Talking shouting and Police radios crackling in passage until around 4:00am.

Spoke to Mr Stephanou (Snr) the following evening – says it was an attempted robbery with knives. We ask him what happens in the club “All illegal” he says. Says they should close at 1:00 but they stay open all night – they drink, they smoke, they gamble –

"all illegal" he keeps saying. Also mentions that they sometimes have "Romanian dancing girls"

In the 2 nights after the robbery we assume they are closed as we sleep without any disturbances at all. Realised how bad the problem was when it was quiet like that.

31/10/2007 – Spoke to Andrew Dickson at Haringey Planning Department to inform him of the robbery and to enquire as to whether this can be used as evidence for late night opening.

1/11/2007 – woken at 3:00am and kept awake for around an hour by noise through floor.

12/11/2007 – 4:00am, called out of hours number, shouting and banging from within the club – spoke to Lamin (?) at 4:20am – advised him to visit premises, look in window and listen and report to Derek that they were operating (as Ash had done previously).

15/11/2007 –

3:00am, woken by obvious activity below, shouting, scraping and banging and shutters going up and down – continues for 30-40 mins.

5:15pm, Rosie returns from work to meet 2 males directly outside our door. Feels threatened by them and their advances to other young females passing who also look equally distressed.

10:00pm (approx) heading to bed and hear group of men outside smoking. Noise from them and within the club. Foul and sexually aggressive language clearly audible underneath our bedroom window. Also heard pornographic / sexual sounds from sound/movie clips on their mobile phones.

2:00am (morning of 16/11) awoken by noise. Called out of hours number and then visited by Mark Eastwood at 2:20am. He stayed for 15-20 mins and heard the noises from below. He went downstairs to visit them on his way out. Again, the noise reduced for around 10 mins and then shouting and banging begins again for around 1 hour with loud intermittent thudding. Fell asleep at around 3:30am.

17/11/2007 – Lots of noise during day from within and from passageway and frequent use of abusive language.

22/11/2007 – Midnight, shouting inside for around 30 minutes. 1:30am, woken by shouting from within and kept awake for around 1 hour. 2:50am, woken again by shouting from within.

25/11/2007 – 4:00am to 5:00am, Loud music and shouting – called out of hours number, no noise officers on duty.

28/11/2007 – Shouting from outside woke us up at 11:25pm. Woken again at 3:00am and kept awake for 2 hours by shouting.

1/12/2007 – 4:15am, woken by music, singing, shouting and smashing plates. Called out of hours number, no one on duty. Did not sleep anymore, noise continued into the day.

2/12/2007 – woken by shouting and banging at 2:30am and kept awake for 45 minutes then quiet. Woken again at 4:00am then again at 5:00am – did not sleep again and decided to get up for work at 6:00am instead of 7:00am.

8/12/2007 – woken at around 4:00am by the noise of a party (music, singing, shouting etc.) Noise continued – did not call out of hours as it was past 5:00am and no one is on duty.

6:30am, got up to do xmas shopping online.

7:30am, very loud shouting from inside and then moves outside into passage. Men shouting and swearing (“I’m gonna f***ing kill him” etc.) sounded like a fight had broken out. Men outside shouting at men inside. Men then moved back inside. Heard glass smashing and sounded like a door had been kicked in. Called the police and described what was going on. Assumed they did not visit as the party carried on into the day. Another horrible start to the weekend.

10/12/2007 – 2:30am, woken by shouting and kept awake for 45 minutes.

11:00pm to 12:00am, shouting outside with swearing, on and off.

11/12/2007 – 4:00am, woken by shouting from within and eventually put in ear plugs after 45 minutes of noise.

14/12/2007 – 10:45pm, shouting outside and again at 11:30pm, 12:00 (midnight) and 12:45am.

16/12/2007 (Sunday night), continuous shouting inside and outside until around 1:30am.

19/12/2007 – 5:30am, woken by very loud shouting. Called to make complaint – no officer could visit as no one on duty. Called “Safer Neighbourhoods” and had to leave message as no answer (they called back 3 or 4 days later). Then called police as noise was still continuing with music. Told to speak to the council as “they don’t do noise” So what do we do?

7:00am, decided to get up as shouting and music was still going on. Rosie suffering from a chest infection and generally run down from nights of broken sleep and the inability to “lie in” at weekends.

22/12/2007 – 9:30pm, observed an unusually large amount of people in the club.

Witnessed alcohol being carried in.

11:00pm, went to bed and the noise from inside was already very loud. Accompanied by sporadic bursts of shouting from the people smoking in the passage.

11:30pm, live “Greek style” guitar music and singing begins.

11:45pm, called council to complain.

12:00am, call from Mr Buckle (Noise Officer), says he was in the area and has spoken to the people in the club. He said they would be playing for another hour and will then be quiet. Informed him of the history of the noise and planning problems with the club and that I was certain they would in no way be quiet at 1:00am. He then decided to go back inside and ordered them to stop the music. Which they did.

12:30am, music starts again (made some video recordings to document the level of noise) Called again to complain.

1:15am, Mr Buckle called back and we arranged for him to approach on foot (he previously arrived in a Police van) so they would not see him.

1:30am, Mr Buckle called back and informed me that although they saw him coming, he heard the music before they could stop. He informed me that with the help of the Police officers he was with, they entered the club, forced the band to leave and cautioned several people for smoking inside. He also issued them with a Notice in respect of the live music.

We saw several people from the club (including the band) on the street and observed the police officers speaking (quite sternly) to several men who seemed to be under the influence of alcohol. They had blocked most of the pavement and we saw many people getting into cars and leaving.

We then managed to get to sleep.

4:00am, woken by more shouting.

4:30am, spoke to Mr. Buckle again to complain.

4:50am, Mr Buckle called back to say he had visited the club and saw just 3 or 4 people inside with very little noise. He said he could not do anything about it unless they play music too. NOTE FOR LICENCE DEPARTMENT -- is this not proof of them operating outside of their permitted hours?

5:01am (exactly) Music (from a stereo) begins, very loud and kept us awake -- noise officers no longer on duty.

7/01/2008 -- 2:30am woken by shouting and kept awake for 1 hour approx. Woken again at 5:00am and did not sleep again.

8/01/2008 -- 4:30am, woken by shouting and banging from inside club, kept awake and not able to sleep before having to get up for work.

9/01/2008 and 10/01/2008 -- intermittent shouting throughout both nights until the morning.

11/01/2008 -- 11:45pm, loud shouting begins. Managed to get to sleep at around 12:30am.

1:40am, woken by shouting from inside and this continues until 2:10am when we decided to call the out of hours number.

2:30am, Lanin (?) a Noise Officer, calls. Men are still shouting but he advises that he cannot get to us for 2 to 2 and half hours. Fairly confident that they will still be making noise then so I ask him to visit.

Due to noise, we do not sleep again -- we heard several violent outbursts of shouting.

5:00am, Officer has not yet arrived so call out of hours number again. Operator advises that officers now work after 5:00am on weekends and that they will be here soon.

Sat and sent emails and did more xmas shopping online.

5:45am, music starts, along with the continued shouting.

7:00am (approx) finally fell asleep exhausted.

9:00am, a noise officer (Lamin again?) calls us back to apologise for not visiting.

We do not sleep again. Calculate that we had around 3 hours of broken sleep. We had to attend a family meal and we just wanted to sleep.

15/01/2008 -- Simon slept with earplugs all night as still exhausted from previous nights of broken sleep. Rosie woken at 3:30am and kept awake for around 2 hours then light sleep for 45 minutes until she had to get up for work.

The following night we went to bed at 9:30pm as we were SO tired, but had to try and get to sleep with the sound of men shouting outside.

16/01/2008 – 5:20am, woken by shouting from inside club, do not sleep again.
11:10pm, loud shouting from inside and also smell of smoke noticeable.

17/01/2008 – 11:50pm , shouting from inside wakes us up and again at 2:40am.

20/01/2008 – woken at 1:30am for 20 minutes. 2:50am, woken again by shouting for 30 minutes. Woken again at 3:40am for 10 minutes then again at 5:00am. 5:30am it is still noisy so put in earplugs.

22/01/2008 – intermittent shouting between 2:00am and 2:30am.

23/01/2008 – Woken at 3:05am by shouting on and off for 25 minutes. Rosie is now very ill with chest infection and general exhaustion.

Temporary Stop Notice issued around the 25th Jan – club closed for around 3 nights over the following weekend. 3 very good, full nights sleep.

1/02/2008 – 2:30am, woken by a noise – although went silent straight away. As they have been served temporary stop notice, I leaned out of our 2nd bedroom window to see if I could confirm whether they were indeed operating. Light was clearly visible through gap in door and the sound of coins could be heard from within. Could also smell smoke coming from vent above their door.

3:00am, called out of hours number and subsequently called back by Mr. Eastwood.

3:30am (approx) Mr. Eastwood visited and I showed him the light from the backdoor. He noted that the front doors (glass outer doors) were chained and padlocked FROM THE INSIDE. The shutter over the inner door was half way down, just covering the window. He then went down and knocked on the shutters for about 5 minutes without an answer. He commented that he was certain they were in there, but without police, he could not force entry. This was very frustrating as they were clearly ignoring him as they could see him on the CCTV they have installed. He could do nothing else other than to report on what he had witnessed. We returned to bed.

4:25am, woken suddenly by the noise of banging on the shutters. Saw from our front room that Mr Eastwood had returned with 2 Police officers. I went down to our front door and saw that they had gained access and saw the 3 men who were inside. As they were leaving, I asked what they had found – “they say they were cleaning” Mr. Eastwood tells me.

11/02/2008 – 12:15am, woken by shouting and again at 1:30am

12/02/2008 – 2:00am, woken by shouting

13/02/2008 – Loud shouting at 11:15pm to 12:45am.

1:30am, woken by more shouting.

1:50am, heard the shutters going up and down several times and the sound of voices dropped significantly – assumed they had closed.

7:50am, left the building and saw the doors were chained and locked from the inside again.

8:00am, returned to see man opening the door from the inside and another man who appeared to be asleep on the table. Think it was the same 2 men who were in there when Mr. Eastwood visited with the Police recently.

Since the issue of the Temporary Stop Notice and the effect/compliance dates of the Planning Enforcement Notice, the disturbances between 2:00am and 8:00am have reduced although before 2:00am, we are often subjected to loud outbursts of shouting as we are trying to get to sleep. They have also made an effort to reduce the noise in the passage although there are often men shouting at each other as they leave the club via the back door.

Men are still smoking in the passageway during the day and generally we are subjected to loud shouting and laughing around once an hour throughout the day. We are therefore still unable to open any of our windows.
END.

Appendix 2 – Decision Notice HGY/1998/1513

To

Pepi & Co Solicitors
549A Green Lanes London N8 0RQ

On behalf of

Andreas Nicou & Constantinos Viastilopoulos
1 Grand Parade Green Lanes
London N4

Planning Application Reference No. **HGY/1998/1513**

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995 (AS AMENDED)

NOTICE OF REFUSAL OF PLANNING PERMISSION

Location: **1 Grand Parade, Green Lanes N4 1JX**

Proposal: **Change of use of part of ground floor shop to social club.**

In pursuance of their powers under the above Act, the London Borough of Haringey as local planning authority hereby **REFUSE** for the above development in accordance with the application dated 12/11/1998 and drawings nos. 1403/A1

SEE SCHEDULE OF REASONS

Anne Doherty

Borough Planning Officer 29/12/1998

NOTE: 1. Attention is particularly drawn to the schedule AP1 attached to the notice which sets out the rights of Applicants who are aggrieved by the decisions of the Local Planning Authority.

2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations 1991, any byelaws or any enactment other than the Town and Country Planning Act 1990.

HGY/1998/1513

The following conditions have been applied to this consent and these conditions must be complied with

The proposed development would have adverse effects on the surrounding residential neighbours by reason of noise nuisance and general

disturbance contrary to Policy RIM 4.2 "Pollution & Nuisance From New Development" of the Haringey Unitary Development Plan.

The proposed development would result in an over-concentration of similar uses which would give rise to a loss of vitality and viability in relation to the predominantly retail function of the centre and would also result in an unacceptable increase in disturbance from noise nuisance and general disturbance in a Primary Shopping Frontage and is therefore contrary to Policy STC 1.3 "Town Centre Primary Frontages" of the Haringey Unitary Development Plan.

Please complete and sign point 6 and Certificate A and return to Mrs F McGeever at the above address.

Anne Doherty

Borough Planning Officer 29/12/1998

Planning, Environmental Policy and Performance

Appendix 3 – Correspondence to the Council

From: Simon Stanley (simonstanley1983@msn.com)

Sent: 08 December 2007 07:18:59

To: andrew.dickson@haringey.gov.uk

Cc: training@cameoplanning.co.uk; derek.pearce@haringey.gov.uk

Good morning Andrew,

We would be grateful for an update on the current situation with the enforcement notice. We are now up and about, at 7:00am on a Saturday morning, after lying away for 2 hours. Saturday morning from between 4 and 5:00am to, well, the following evening, seems to be party time! Music, shouting (men and women) singing, banging, arguments, lovely. And this has happened for the past 4 weekends in a row, sometimes saturday, sometimes sunday, sometimes both. It has also happened on many previous weekends, but we are now just noticing the trend.

People keep staggering (quite obviously drunk) up the passageway to the toilets and shouting at eachother on their way. Last weekend, Sunday I think, they were smashing plates. Oh, and our flat STINKS of smoke. (I even have a scented candle on the go next to me) We work all week, looking forward to a lie in on at the weekend, and we're being forced to get up even earlier than we would do on a week day!

The most frustrating thing is that the emergency team are not on duty until 10:00am! So we can do nothing to stop the noise (although Rosie is getting fed up with struggling to stop me from going down there or simply calling the police)

It seems ridiculous that in 2007 we still have to go through so much red tape, too-ing and fro-ing to stop people engaging in illegal, anti-social and totally inconsiderate behaviour.

I am tempted to go through our diary to count up the amount of hours sleep we have lost to these idiots, but to be honest, I think that may further prevent me from sleeping!

We have family staying over at xmas, coming down from Rosie's hometown to see us and see our new flat for the first time. How embarrassing do you think it will be to have to apologise to them for the terrible nights sleep they have had at the hands of our extremely unthoughtful neighbours? "Merry Christmas, welcome to our flat... it is hell"

We desperately look forward to hearing from you and enjoying a peaceful life again.

Simon and Rosie.

From: simonstanley1983@msn.com

To: andrew.dickson@haringey.gov.uk

CC: derek.pearce@haringey.gov.uk

Subject: Enforcement Complaint, 1 Grand Parade (Planning ref: HGY/1998/1513.

Complaint Ref: DEP/2007/00666)
Date: Wed, 24 Oct 2007 13:46:50 +0000

Dear Andrew,

Following your telephone conversation with my partner, Rosellen Walsh this morning, I have now spoken to Derek Pearce in the out of hours noise team.

I understand that you require surveillance to be carried out on the social club at 1 Grand Parade, to show that they are indeed operating "out of hours". Derek has asked that you contact him directly (derek.pearce@haringey.gov.uk / 0208 489 5264) with your requirements, so a visit can be arranged, and the necessary evidence obtained.

We would certainly be fully co-operative should they wish to visit our flat and stay for as long as they needed.

As you will see from my previous emails below, the noise is consistent, in that it is occurring every single night. Whether that be at 11:30pm, or 3:30am, or indeed, as was the case on Saturday morning (20th October) at 5:15, when the noise became so loud that I managed to record it on my telephone. Music was being played very loud and the sound of 3 or 4 mens' voices, with a ladies voice was very clear.

They were having a very intense argument, in which we heard the woman shouting "get off me, you're hurting me!" among other things. We called the out of hours number twice, to be told that no one could visit us at that time. We also called the local police station, to be told that only the council could deal with noise matters, and also left a message on the "safer neighbourhoods" voicemail. After the argument had settled, they then began singing along to the music.

On Saturday evening, I slept from 12:00 to 1:00am Sunday morning and was then awake until around 4:30. I spoke to an out of hours officer, who visited the premises, and he apparently told them to be quiet. They were quiet for around 10 minutes until the shouting and scraping of chairs began again, along with an intermittent thudding of the walls/floors. The shutters at the front were rolled up and down several times as people left and my entire day on Sunday was spent feeling extremely fatigued.

We have taken to wearing earplugs, which I do not believe is a solution and is of course a hazard, should the smoke alarm go off in the night.

Even last night, we heard noise coming from the side passageway and then the noise of someone above us banging on their window. "SHUT UP!" was their response. And then at 4:00, more noise and shouting coming from below.

Also, I have seen them smoking inside the premises, which then filters up through our floor and makes our rooms smell of smoke, even when the windows are closed. Please also consider the possibility that gambling and the consumption of alcohol could take place on these premises

Please can you see that this issue is resolved as quickly as possible. From our perspective, they are operating illegally, they are affecting the lives, sleep, peace and health of the residents around them, and need to have restrictions imposed as a matter of urgency.

My girlfriend is now ill which we believe may be from the constant nights of broken sleep and stress and we feel that our relationship and physical relationship are being affected too. Our lives at home are accompanied by the sound of men shouting at each other, all day and all night. We are unable to relax and enjoy each others company in peace.

I look forward to hearing from you as soon as possible and would be grateful if you could forward a copy of your email to Derek to myself.

Kind regards,

Simon Stanley,
1A Grand Parade
N4 1JX

From: Simon Stanley (simonstanley1983@msn.com)
Sent:
02 November 2007 15:35:58
To:
enforcement@haringey.gov.uk

Dear Sirs,

I live at 1A Grand Parade (N4 1JX), above a barber shop in the rear of the ground floor, and a "social club" in the front. (Not to be confused with the Salisbury Hotel!) The address of the club on the ground floor is "1 Grand Parade" and does not have a name as far as we know.

The club causes noise nuisance at all times of day, from the sound of the men talking below. They normally shout and argue and this comes up through our floors. They also stand in the passage at the rear of the premises, by their back door and under our bedroom windows. The noise from the passage also disturbs other residents in the area, as they often bang on windows and shout at them to be quiet.

It is not unusual for us to lay awake at 2am, 3am, 4am and right until we normally get up during the week at 7:00am, listening to them shouting, singing or the sound of their television. As you can imagine, this is making our lives miserable. They have a license to open until 1:30 (according to your planning department) however, this is not being followed.

Also, the landlord's father brought some post up to us on Tuesday and told us how during the previous night, at 2:00am, 4 or 5 armed men entered the club and attempted a robbery. We heard this going on and were kept awake until around 4am, with the comings and goings of the police.

He described what goes on at the club (as I think he goes in there from time to time) and told me "it's illegal, all illegal, we should close at around 1:00am but we stay open all the time, we drink, we smoke, we gamble, all illegal" He then mentioned, in a heavy Greek accent with broken English, "and they have Romanian dancing girls"

During daylight hours, they have their curtains open and smoke outside in the street, or in the passage at the rear. Again, with regards to them doing this at the rear, this means more noise from their voices and also means we are unable to open our bedroom or bathroom

windows during the day and night. When we do, our rooms end up smelling of smoke.

However - we don't know what to do now, as, now it is getting colder and darker (and they close their curtains / shutters at night) they have started smoking inside the premises. We have seen this through the small window in their front door, and more worryingly, we can smell the smoke through our floor. In all rooms, including our hall way. We were overjoyed when the smoking ban was introduced this year as we were finally able to enjoy public spaces without smelling of an ashtray - now we are having other peoples habits inflicted upon us in our own home.

On another point, they have an out house directly beneath our balcony in which they have a toilet. Before we saw this, we assumed they were urinating against the fence at the back of the yard, as the smell of urine is very strong. We cannot use our balcony for any period of time, as the smell is disgusting - again, all day and all night. The balcony is accessible from our kitchen, and we cannot even have the door or window open, as our kitchen begins to smell of urine.

Not the type of establishment we want to live above, I think you would agree? And, as it is all illegal and off the record, it was not something we would have known about during the purchase of our property.

We have lodged a complaint with the planning enforcement team, and they are working with the out of hours emergency team to investigate the late night opening, from a planning point of view, and also to the licensing department, and would now like you to address any issues that fall within your powers, so we may resolve the issues as soon as possible, with as much evidence as possible to bring about some form of action.

We do not feel safe in our own home and have no idea what dealings are going on below us. We have not had a full nights sleep in the month since we moved in and are unable to open our doors and windows. We would like the law to be on our side to ensure our safety and peace, as it is designed to do!

I think with the level of disturbance this "club" is causing, and the fact that their activities are completely un regulated, something needs to be done to ensure the wellbeing, and safety of the local majority.

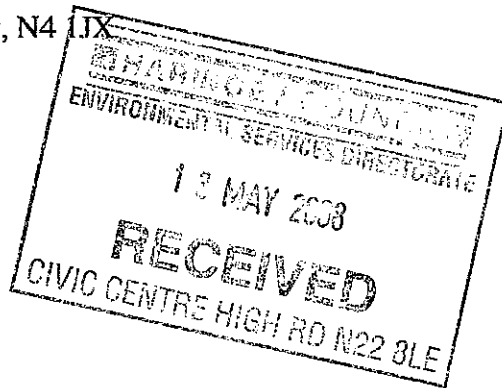
I look forward to hearing from you with your comments / ideas / proposed action.

Many thanks and kind regards,

Simon Stanley.

2b Grand Parade, Green Lanes, Harringay, N4 1JX

8th May 2008



Re: Café / Social Club at 1 Grand Parade, Green Lanes, N4 1JX / review of license application.

We wish to make a representation about this license review.

We live at 2 Grand Parade, above the shops, and have done so for many years. Our bedrooms are onto the rear lightwell that provides rear outdoor access for the cafe.

When the licensing committee met on 3rd October 2006, the late premises license was objected to by residents because of disturbance from night-time noise, in particular emanating from the rear of the property. The committee granted a 2am license, drawing parity with the Salisbury pub next door.

The council's noise team officer supplying information for the previous application stated 'The noise caused by patrons exiting the premises and utilising the external area, including the lightwell is likely to be detrimental to the residential amenity.'

The cafe has not kept to its license conditions re. hours and noise nuisance. The council's noise team can confirm the details of this, as they were frequently called throughout much of 2007, between the hours of midnight & 5am.

Residents have visited councillors requesting help with issues of night-time disturbance.

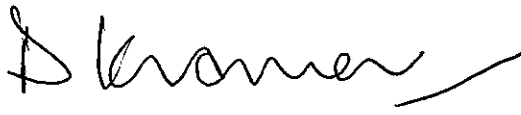
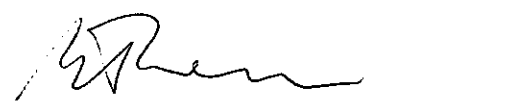
So far the council has been unable to deal with the problem affecting the residents. Brian Ellick from Haringey's Planning Enforcement Team wrote 'This is because the occupants are now concealing their activities even more, making it difficult for officers to obtain admissible evidence. As you are aware the individuals operating the premises at 1 Grand Parade have and are going to great lengths to conceal their activities. Pulling down the shutter, attempting to conceal noise, installing cctv , refusing to open the door, once the door is open some of the evidence has be concealed.'

Attached is some of the correspondence to council officials from residents of 2 Grand Parade over this period.

We would also request that the original license application documentation is consulted re. the council's noise team officer's previous license application information, and Licensing sub committee's minutes resolution.

Night-time noise at the rear of the flats makes for an increasingly difficult home environment, with loss of sleep, having to keep windows closed to cut down noise, and a general sense of night-time disturbance.

Yours sincerely

Mr. D. Kramer

Miss. M. Tham

c.c. Councillor Canver, D. Pearce, noise team leader

1 & 2 Grand Parade, Green Lanes, N4

Dear Councillor Canver


18 March 2008


Rather than a series of separate letters from all the residents of 1 & 2 Grand Parade we decided it might be simpler to send one letter from all of us.

During much of 2007 we have suffered from night-time noise coming from the rear of Salonica Cafe, 1 Grand Parade, N4 1JX. This has occurred at various times throughout the night, until morning, and disturbed our sleep.

We would really appreciate the council doing whatever is necessary so that we are not disturbed at night.

Yours sincerely

1a  SIMON STANLEY } Tenants since 28/09/07
 EDWASH. Rosellen Wash. }

1b  Peter Nunn } Tenants
 JANE FURLEAT TAN } Since 06/09/07

1c LEE WILLOCKP
~~XXXXXXXXXX~~

2a Roberto Silva, Roberto Riley
 Charles Jacobs

2b DKramer MR. D. KRAMER
 M. P. THAM

2c MDoyle MR. M. Whippy
 Maddie Doyle

Mr. D. Kramer
2b Grand Parade, Green Lanes,
London N4 1JX.

Page 79

31st March 2008

Re. Appeal / 1 Grand Parade, Green Lanes, London N4 1JX
APP/Y5420/C/08/2066307 - DEP/2007/00666

Dear Ms Hallett

We have been asked to make our views known on the above appeal.

The café at 1 Grand Parade, in the evenings and during the night, seems to operate as a private club / social club for men to play cards/gamble. Residents above & adjacent to the premises have frequently complained to the council about evening & night-time noise disturbing them, from the activities carried on. Enclosed is a copy of a recent letter from all the residents to the local councillor regarding the noise.

Throughout much of 2007, residents would be disturbed by noise coming from the premises, or the rear outdoor space, immediately under the six flats bedrooms, at any time from evening through to 6 or 7am in the morning.

We presume gambling takes place because of the loud arguments about cheating. At 7am the cashing-up could be heard. If alcohol is not served, then patrons arrive with alcohol, or have already consumed alcohol. Men, and occasionally women, have continued drunken conversations, or loud arguments, under our bedroom windows at night.

We understand from council officers that the premises has a license to act as a snack bar. Our experience is that it operates as a private social club, mainly for men. It does not ply it's snack bar trade publicly, to any person wanting a snack. There is no signage advertising 'snacks'; no signage naming the snack bar; there are no snacks on display for the public to see, no priceboard or pictures of food. In the late afternoon/early evening the curtains are drawn, so that it is not possible to see into the premises. Later still, roller shutters are lowered, but the premises remain open.

The council has a record of reports from the enforcement service of the activities occurring at the premises. And the police reports from call-outs by residents, and accompanied visits with council noise enforcement officers must all detail the unauthorised change of use.

The residents are very fed up with the disturbances caused by the activities of the premises /social club to our quiet enjoyment of our flats.
I am happy to answer more specific questions if the above needs clarification.

Please could I be sent a copy of the decision letter.

Yours sincerely



From: "Jacqueline Shannon" <jacqui@thelondongathering.com>
Subject: **The Cafe at 1and 2 Grand Parade**
Date: 3 March 2008 11:11:25 GMT
To: <nilgun.canver@haringey.gov.uk>
Cc: <eubert.malcolm@haringey.gov.uk>, <derek.pearce@haringey.gov.uk>, <dasos.maliotis@haringey.gov.uk>, <dk-material@pobox.com>

Dear Mr. Canver,

I understand the council is seeking evidence of a noise problem affecting 1 & 2 Grand Parade, N4.

Throughout much of October 2005 through October 2006 we had problems with being disturbed at night by the activities of the café at 1 Grand Parade.

The occupants of the address in question were less than considerate of their upstairs neighbours. I am a fairly tolerant woman, and far from confrontational. I even established a friendly relationship of "hellos" with one of the older men who was often seated outside during the daytime.

The primary reason for my departure from the apartment (which I loved) was the nighttime hours of this same establishment. I work in events and sometimes only have a few hours at home to sleep. On one occasion when the noise was exceptionally intrusive (at 3am) I went down to ask them kindly to be quieter. My housemates and I decided that a female going down may elicit a more sympathetic response. Being a men's club, they were quite shocked at my entrance. In fact when I entered it was like time froze. This surprise did not however translate to them keeping the back door to their venue closed as I had asked; at least not for longer than half an hour.

Having lived there for 12 months I can say they frequently cause noise after 11pm during the week. I believe this is primarily due to in an external toilet. They often leave the back door to the premises open which subjects the upstairs apartments, who's windows over look their back area, to quite loud music. Further it is common for them to take telephone calls in the back enclosure of the property, speaking extremely loudly when doing so.

On at least two occasions I was awoken by what sounded like an escalated argument. I say "sounded like" because this aggressive transaction was not carried out in English. I do know that the police arrived on the premises during one of these episodes although I was not the one who called them.

In my experience the noise issues occurred primarily between 11pm and 4am. They are one of three sorts; loud telephone calls, loud music and occasionally arguments and door slamming between two or more men.

I do hope that the council will act upon the complaints received regarding this premises. If you have any questions, my contact details are below.

Kind Regards,

Jacqui

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From: "Paulo Roberto Lima de Andrade" <papitoboco@ig.com.br>
Subject: Trouble 1/2 Grand parade
Date: 29 February 2008 19:56:08 GMT
To: Nilgun.Canver@haringey.gov.uk
Cc: eubert.malcolm@haringey.gov.uk, derek.pearce@haringey.gov.uk, dasos.maliotis@haringey.gov.uk, dk-material@pobox.com

Hi,

I was actually living in 2a Grand Parade, Green Lanes between 11/06 an 12/07, and honestly, the work-time from the cafe on 1, Grand Parade could just be resumed in 2 parts: a joke or a horror movie.

Joke because what has been saw that was, you know, just impossible to happen, I`d knew how react to many diferent situations: noise to get crazy, being disturbed by chatting during almost all night (in the week-days, they get near to 3/5 o`clock in the morning!!!), I`m not sure, but probably drug`s consumption and some fight`s, which in one of those, themselves felt completely necessary call the police, biggest was a confusion, and on this date, I`d hear something about ``back to shoot``, so we can see how kind of person we talking about.

Horror because I felt completely unprotected, no just about myself, but too about my wife, persons which has always paid yours taxes and done the correct to live on the area without affect anyone and with peace.

Unfortunately, this was affecting my life in all senses, professionally and personally, so my only option were get moved, and that`s what I`d.

But there is a question: that was correct???????

There is my complaint, with, on my concern, there`s over necessary evidences.

If there`s any further questions just call me on 07505009638 or 02088150960 on evening-time

Thanks for the space.

Paulo Andrade

From: D Kramer <dk-material@pobox.com>
Subject: **Noise nuisance / Salonica cafe, 1 Grand Parade, N4**
Date: 31 October 2007 09:05:49 GMT
To: Nilgun.Canver@haringey.gov.uk

 4 Attachments, 299 KB  

Dear Councillor Canver

I visited St. Ann's library for your surgery, along with neighbours from adjacent flats, and ended up speaking to you on the telephone from the library. (I also visited you at your surgery there a year ago (July 2006), with the same continuing problem of night-time noise from Salonica cafe at 1 Grand Parade, Green Lanes, N4). The length of the information & photographs below hopefully will give you a clear understanding of the problem. (which on the face of it, it should be a simple problem to resolve).

The background:

Residents have ongoing & continual noise problems, day & night, from Salonica cafe at 1 Grand Parade, Green Lanes, N4.

The ground floor cafe has access onto the lightwell and yard at the rear, containing an outside toilet. There are 6 flats affected by nighttime noise (12 bedrooms) at 1 & 2 Grand Parade.

(When planning permission was previously sought for change of use to a social club, it was refused because 'The proposed development would have adverse effects on the surrounding residential neighbours by reason of noise nuisance and general disturbance.'

The problem:

Speaking to Daliah Barrett (LBH Licensing) I understood her to say she cannot do anything about the problem of the door being left open / men talking loudly underneath our bedroom windows / the cafe never actually closing, and therefore the passage being used as access for the outside toilet 24 hours a day. She needed Noise Control to indicate that there was a problem to her.

Speaking to Mark Eastwood (LBH Noise Control) I understood him to say that the door being left open, and there being no door-closer or acoustic seals (as Derek Pierce's recommendation to the Licensing Committee had indicated) was a matter for Licensing.

I have talked to both departments a number of times over the last year. Between the two departments nothing satisfactory is happening, and the problem for residents continues.

At the time of granting a license to operate until 2am, Councillor Peacock (chairing the meeting) clearly believed the cafe would be closed for the rest of the night, and that residents should not be disturbed by any noise from this business, day or night.

Can you please help us with this.

D. Kramer & M. Tham

2b Grand Parade, N4 1JX

Copy of email sent to Daliah Barrett / LBH Licensing / 13 September 2007

Re. Salonica cafe, 1 Grand Parade, Green Lanes N4 1JX / Licensing sub-committee B 3 October 2006

Dear Daliah - further to the call earlier:

The licence was granted subject to the closing time being 2am.

We understood this to mean the premises would be empty & silent.

The reality is that the premises are open around the clock, albeit with the street façade shutters being closed.

At 5am it may be only 2 people, or it may be 10. Whichever, the passageway to the outside toilet is used, and residents are consistently woken up.

Talk emanating from the rear is nearly always audible, from quiet to raised voices. During the daytime, men talking in the rear passageway continues to disturb residents peace.

There are 12 bedrooms immediately above this area.

The sub-committee declared that this door must be kept closed except for access purposes.

This door has no door-closer so is left open for considerable amounts of the day & night. Also, since the smoking ban, the rear passageway is used by smokers, causing disturbance by talking under bedroom windows.

Derek Pearce who was present at the meeting, as part of the licensing consultation memos, recommended that:

Work Conditions

Prevention of nuisance from noise/vibration

All doors to be fitted with acoustic seals to minimise noise from the premises.

Rear access doors to be fitted with self-closing devices (in accordance with BS6458 Part 1 1984)

Management conditions

Prevention of nuisance from noise/vibration

All doors and windows will remain closed during the licensed activities. Where a door is used for patrons to enter or leave, the door will be fitted with a self-closing device and staff told to ensure that it is not propped open.

Management conditions

Outside Areas

Signs shall be displayed instructing patrons to recognise the residential nature of the area and conduct their behaviour accordingly.

We are not aware of these being observed or enforced.

Could you get back to us and tell us what can be done.

Yours sincerely, D. Kramer, M. Tham.

Below is a partial list of noise incidents, & contact with Noise Control & Licensing in the last 3 months. Other neighbours have also made numerous calls to Noise Control.

July 31st Tuesday 12 noon:

Loud disturbance at rear from Larnaca café customers. Neighbour indicates they will call police.

Sept 7th Friday / 8th Saturday:

Woken numerous times. 6am had to ask customers (drunk) to go inside & shut door. Went inside, but came back out again soon after, creating a lot of noise.

Sept 9th Sunday 23.35:

Phoned noise team about loud talking under bedroom windows. 00.23 noise team phoned back to ask if persisting. Quiet.

Sept 13th 3.40am

2c Grand Parade call police. Disturbance on Grand Parade with M/F/F (violent argument) originating from Larnaca café.

Sept 13th

Spoke to Daliah Barrett (LBH Licensing). She asked for details to be emailed to her.

Oct 8th Monday 23.17:

Phoned noise team about loud talking under bedroom windows. When neighbour requested quiet, told to "Shut up".

Oct 13th Saturday 6am:

Reported noise problem to noise team. Loud talking under bedroom windows.

Later during the day, spoke to (Mr) Lamin(?) – noise officer – he said he or another noise team officer would drop by the café that evening to tell the café they must keep the rear door closed at all times.

Oct 18th

Spoke to Mark Eastwood – noise officer – he said the requirement for the café to keep the door closed at all times & fit a door closer was the licensing dept's responsibility.

Oct 19th

Spoke to Daliah Barrett (LBH Licensing). She says she can only respond to the noise team witnessing a nuisance. She cannot enforce the door being kept closed(?). We as residents can initiate a review of the license, based on a failure to comply with the conditions.

Oct 20th Saturday 5.25am:

Phoned noise team about loud talking under bedroom windows from Larnaca café customers. Call logged.

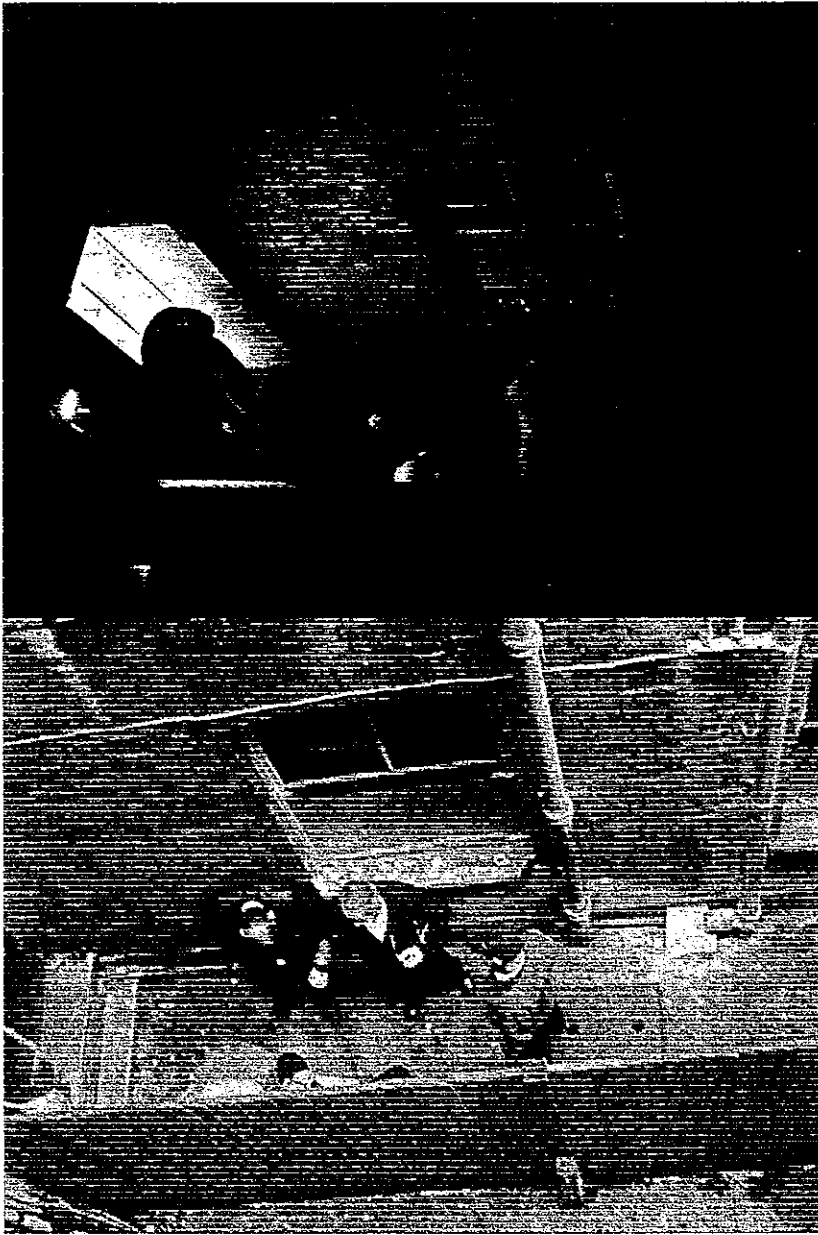
Oct 30th Tues 2am:

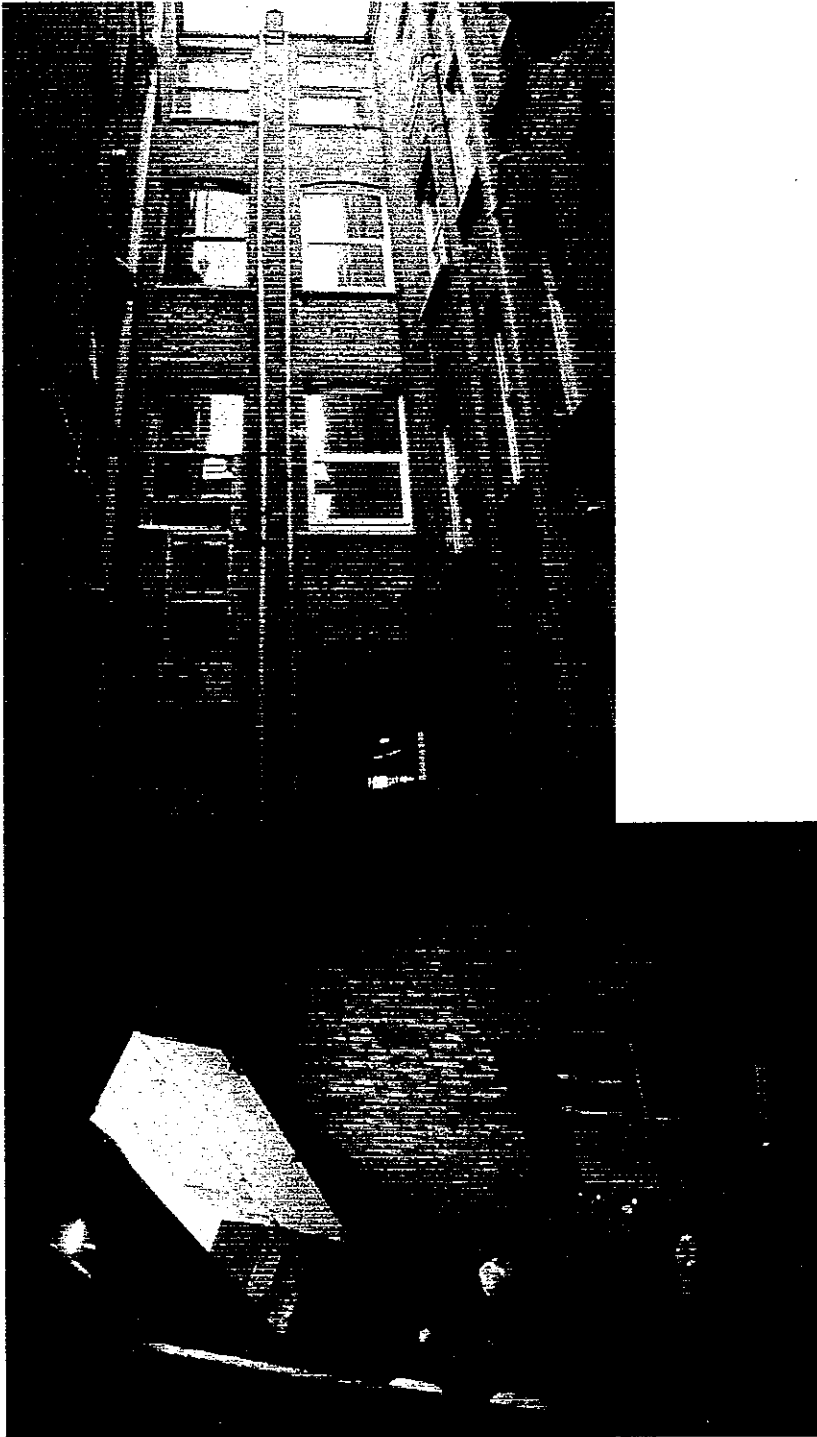
Loud disturbance at rear of cafe. Police called & attend. Men shouting & man/men chased/climbing over fence into yard of 2 Grand Parade. Police attend (for some time).

Photos showing:

Rear of 1 & 2 Grand Parade (Salonica cafe on Ground Floor; 12 bedrooms immediately above lightwell).

Cafe customers under bedroom windows; nighttime & daytime.





APPENDIX 3

COPY OF REPRESENTATION SUBMITTED BY
NOISE TEAM

Licensing Review Salonica Café

The service received a total 15 noise complaints in 2007 against Salonica Café out of the 15 the service substantiated a Statutory Nuisance in two occasions on the 22nd December 2007 and 23rd December 2007 as the result an abatement notice was served on the establishment on 23rd December 2007 (Wk 59123)

The service received a total of 9 noise complaint in 2008 out of the 9 complaints 4 were responded by visiting the premises/customer's however nuisance was not established, 2 was recorded as No Visit No Response from the Customer, 1 as Noise Not On Now while 2 was recorded as Noise Stopped.

The noise team carried out a total of 28 pro-active from the 13th January to the 25th March 2008 however no noise nuisance was witnessed.

As a result of the above mentioned evidenced gathered by the Noise team, the noise team supports the review and are able to document the occasions when the noise team witnessed nuisance from the premises.

Also the noise team recommends no smoking to be carried out at the rear of the premises.

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APPENDIX 4
EXTRACTS FROM GUIDANCE

11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.4 Licensing authorities may not initiate their own reviews of premises licences. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may however request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.5 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.6 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.8 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 11.9 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

11.10 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

- 11.11 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

11.12 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.

11.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.

11.14 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.15 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing

objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.17 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.18 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.21 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

APPENDIX 5
EXTRACTS FROM STATEMENT OF LICENSING POLICY

- 23.2 The benefit of this procedure is that it allows investment to be committed to a project at an early stage, in the knowledge that a premises licence will be granted subsequently by the Authority, if all matters in the statement are met.

24.0 Conditions

- 24.1 The Council recognises that the only conditions that should be imposed on a licence are those that are necessary and proportionate to meeting the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives.
- 24.2 The steps set out on the Operating Schedule will form the basis of conditions attached to any license granted. If no relevant representation is made, the application will be granted in accordance with the application and subject to conditions which are consistent with the Operating Schedule submitted by the applicant and the relevant mandatory conditions.
- 24.3 If relevant representations are made the Licensing Authority will hold a hearing unless there is agreement from all concerned that a hearing is not required. Where a hearing is held, the Licensing Authority has discretion whether or not to grant the application. If the application is granted, the Licensing Authority may attach or modify the conditions on the license to such extent as it considers necessary for the promotion of the licensing objectives
- 24.4 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned. Standardised conditions will not be imposed, but where appropriate the council will draw upon the model pool of conditions issued by the Department for Culture Media and Sport in annex D - H of the guidance issued by the Secretary of State under s182 of the Act. The Council may also impose conditions other than those set out in the annexes in circumstances where this is necessary to properly promote the four licensing objectives and to address problems referred to elsewhere in this Licensing Policy.

25.0 Enforcement

- 25.1 The Licensing Authority will undertake inspections, including joint inspections of premises and enter into other working arrangements with the Metropolitan Police, Fire Authority and other agencies to support the 'licensing objectives'.
- 25.2 Protocols will provide for targeting of agreed problem and high-risk premises, but with a 'lighter touch' to those premises which are shown to be well managed and maintained.

- 25.3 The Council has adopted an enforcement policy in accordance with the Government's 'enforcement concordat'. The key principles of consistency, transparency and proportionality are maintained throughout this policy.
- 25.4 Enforcement action will be taken in accordance with the principles of the enforcement concordat and the licensing enforcement policy. In particular enforcement action will be:
- targeted - i.e. focused on premises and activities that give rise to the most serious risk of the licensing objectives being undermined;
 - consistent - i.e. similar approaches will be taken in similar circumstances to achieve similar ends;
 - transparent - i.e. help applicants, designated premises' managers and anyone else with a duty to comply with licensing requirement understand what is expected and distinguishing between statutory requirements and guidance;
 - proportionate - i.e. action taken will be proportional to the risk of the licensing objectives being undermined.
- 25.5 The Licensing Authority will take appropriate enforcement action when there is a breach of licensing conditions causing significant risk to the licensing objectives. The selection of the most appropriate enforcement action from the options available will be in accordance with the licensing enforcement policy.
- 25.6 The Licensing Authority Enforcement Policy details the various options available in relation to enforcement measures. These measures will include the review of a licence at the request of an authorised person. The Licensing Sub-Committees will have a range of powers at review in order to secure the licensing objectives. These include the withdrawal of an activity from the premises licence, reductions in operating hours and additional conditions being attached to the licence.
- 25.7 The Council's licensing officers will monitor ongoing compliance with licence conditions. Where necessary for this purpose they will carry out inspections. Such inspections may be carried out without prior notice to the occupier or licensee if the licensing officer considers it appropriate in accordance with the law.
- 25.8 The Licensing Authority has produced a joint enforcement protocol in collaboration with the Police and London Fire & Emergency Planning Authority. This details the role of these bodies in the monitoring and enforcement role and will cover the new powers available , for example ;
- Police powers to require the temporary closure of any licensed premises or temporary event on the grounds of disorder, likely disorder or noise constituting a nuisance.

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