



## NOTICE OF MEETING

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# Special Licensing Sub-Committee A

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THURSDAY, 28TH MAY, 2009 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Patel (Chair), Demirci and Reid

### AGENDA

**1. APOLOGIES FOR ABSENCE**

**2. URGENT BUSINESS**

It being a special meeting of the Committee, under the Council's Constitution, Part 4, Section B, Paragraph 17, 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, licence, 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 or Gambling Act 2005. A copy of the procedure is attached.

**5. MIZGIN RESTAURANT, 485 GREEN LANES, LONDON N4 1AS (PAGES 3 - 42)**

To consider an application to allow for the provision of Late Night Refreshment at the above premises.

**It being a special meeting of the Committee, under the Council's Constitution, Part 4, Section B, Paragraph 17, no other business shall be considered at the meeting.**

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

Helen Jones  
Principal Committee Coordinator  
(Non Cabinet Committees)  
Tel: 020-8489 2615  
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Wednesday, 20 May 2009

<b>LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY</b>	
<b>INTRODUCTION</b>	
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.
<b>NON-ATTENDANCE BY PARTY OR PARTIES</b>	
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.
<b>TOPIC HEADINGS</b>	
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:  <b>Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.</b>
	(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.
<b>WITNESSES</b>	
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.
<b>DOCUMENTARY EVIDENCE</b>	
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?	
<b>THE LICENSING OFFICER'S INTRODUCTION</b>		
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.	
<b>THE HEARING</b>		
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	
<b>CLOSING ADRESSES</b>		
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.	
<b>THE DECISION</b>		
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.	
19.	The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting.	

**Licensing Act 2003 Sub-Committee on 28<sup>th</sup> MAY 2009**

Report title: Application for a New Premises Licence at MIZGIN RESTAURANT, 485 GREEN LANES, LONDON N4 1AS

Report of: The Lead Officer Licensing

Ward(s) affected HARRINGAY

**1. Purpose**

To consider an application by NIZAMETTIN KOVAYCIN to allow for the PROVISION OF LATE NIGHT REFRESHMENT at the above premises.

**2. Recommendations**

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

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

Report authorised by: Robin Payne.....

  
 Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett -Williams

Telephone: 020 8489 8232

**3. Executive summary**

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

**4. Access to information:**

Local Government (Access to Information) Act 1985

Background Papers

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

**File: MIZGIN RESTAURANT**

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

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## 5. REPORT

### Background

**5.1** An application for a New Premises Licence, by **Nizamettin Kovaycin** in respect of **MIZGIN RESTAURANT, 485 GREEN LANES, LONDON N4 1AS** under the Licensing Act 2003.

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

### The provision of Regulated entertainment:

#### The provision of late night refreshment:

Sunday to Thursday	2300 to 0200
Friday to Saturday	2300 to 0400

#### Opening Hours

Sunday to Thursday	0700 to 0200
Friday to Saturday	0700 to 0400

### General-all four licensing objectives

CCTV and surveillance.

Provision of fire fighting equipment.

Provision of public notices.

Adults to accompany children.

### 5.3 Crime and Disorder

Provision of CCTV and surveillance monitor.

### 5.4 Public Safety

Provision of fire fighting equipment.

Limiting the number of people on the premises.

Restaurant=1x foam fire extinguisher

Kitchen=1xdry powder fire extinguisher

Rear=Fire door to be kept open during opening hours.

### 5.5 Public Nuisance

Provision of public notices on wall and door, i.e. written notices asking customers to leave quietly.

### 5.6 Child Protection

To only allow children accompanied by adults, parents or guardians.

**6. RELEVANT REPRESENTATIONS (CONSULTATION)****Responsible authorities:****6.1 Comments of Metropolitan Police**

Have made no representation on this application.

**6.2 Comments of Enforcement Services:****Noise Team**

Have made representation. App 2

**Food Team**

Have made no observations.

**Health and Safety**

Have no objections to this application

**Trading Standards**

Have no objections to this application

**6.3 Fire Officer**

Have no objections to this application.

**6.4 Planning Officer**

Have made no comments

**6.5 Comments of Child Protection Agency or Nominee**

Have made no comments

**7.0 Interested Parties-**

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

**8.0 Financial Comments**

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



APPENDIX 1

APPLICATION FORM

AL914808

**Application for a premises licence to be granted 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~~ NIZAMETTIN KOVAYCIN

apply for a premises licence under section 17 the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 - Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description 485 GREEN LANES N4 1AS	
Post town HARINGEY	Postcode N4 1AS

Telephone number at premises(if any) 0208 340 8965

Non-domestic rateable value of premises £ 19,500

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

- Please tick  yes
- a) an individual or individuals\*  please complete section (A)
  - b) a person other than an individual\*
    - i. as a limited company  please complete section (B)
    - ii. as a partnership  please complete section (B)
    - iii. as an unincorporated association; or  please complete section (B)
    - iv. other (for example a statutory corporation)  please complete section (B)

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

(2) Insert name(s) of applicant

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Please tick  yes
- I am making the application pursuant to
  - a statutory function; or
  - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
 (for example, Rev)

Surname

KOVAYCIN

First names

NIZAMETTIN

I am 18 years old or over

Please tick  yes

Date of birth

Day	Month	Year
01	02	1966

Current postal address if different from premises address

SAME AS 56 EXMINE HOUSE.  
 MOSELLE STREET.  
 LONDON. N17 8DE.

Post town

Postcode

Daytime contact telephone number

0208-3408965

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT (if 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
<input type="text"/>	<input type="text"/>	<input type="text"/>

Current postal address if different from premises address

Post town

Postcode

<input type="text"/>	<input type="text"/>
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Daytime contact telephone number

E-mail address  
(optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

## Part 3 - Operating Schedule

When do you want the premises licences to start?

Day	Month	Year
17	04	2009

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS A RESTAURANT. WHICH SERVES HOT AND COLD FOOD.

THE RESTAURANT DOES NOT SERVE ALCOHOL. I AM THE OWNER OF THE BUSINESS AND WILL BE MANAGING THE BUSINESS.

THE PREMISES IS LOCATED IN GREEN LANES IN A TERRACED ROW OF SHOPS.

IN CONSULTATION WITH THE LOCAL AUTHORITY I EMPLOYED AN SOUND ENGINEER TO CARRY OUT A SURVEY.

AND HAVE CARRIED OUT CERTAIN WORKS TO THE EXTRACTOR FAN TO MINIMISE DISTURBANCE.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick  yes

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

**Provision of entertainment facilities for:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

**A**

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

**B**

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

**C**

<b>Indoor sporting events</b>			Please give further details here (please read guidance note 3)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b>			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Wed			
Thur			
Fri			
Sat			
Sun			



**E**

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

**F**

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

**G**

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

**H**

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

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

**J**

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

**K**

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

**L**

<b>Late night refreshment</b>			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Please give further details here (please read guidance note 3)  SERVICE OF LATE NIGHT REFRESHMENT'S.
Mon	23:00	02:00	
Tue	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)  NONE
Wed	23:00	02:00	
Thur	23:00	02:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)  NONE.
Fri	23:00	04:00	
Sat	23:00	04:00	
Sun	23:00	02:00	

**M**

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

Address

Postcode

Personal Licence number (if known)

Issuing licensing authority (if known)

**N**

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

**O**

**Hours premises are open to the public**

Standard days and timings  
(please read guidance note 6)

Day	Start	Finish
Mon	07:00	02:00
Tue	07:00	02:00
Wed	07:00	02:00
Thur	07:00	02:00
Fri	02:00	04:00
Sat	02:00	04:00
Sun	02:00	02:00

State any seasonal variations (please read guidance note 4)

NONE

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

NONE.

**P** Describe the steps you intend to take to promote the four licensing objectives:

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

CCTV + SURVEILLANCE.  
 PROVISION OF FIRE FIGHTING EQUIPMENT  
 PROVISION OF PUBLIC NOTICES -  
 ADULTS TO ACCOMPANY CHILDREN

b) The prevention of crime and disorder

PROVISION OF CCTV & SURVEILLANCE MONITOR.

c) Public safety

PROVISION OF FIRE FIGHTING EQUIPMENT.  
 LIMITING THE NUMBER OF PEOPLE PERMITTED ON THE PREMISES.  
 REST = 1x ~~RAM~~ BAM EXTINGUISHER / KITCHEN = 1x DRY POWDER EXTINGUISHER.  
 REAR = FIRE DOOR TO BE KEPT OPEN DURING OPENING HOURS.

d) The prevention of public nuisance

PROVISION OF PUBLIC NOTICES ON WALL & DOOR.  
 IE: WRITTEN NOTICES ASKING CUSTOMERS TO LEAVE  
 QUIETLY.

e) The protection of children from harm

TO ONLY ALLOW CHILDREN ACCOMPANIED BY ADULTS.  
 PARENTS OR GUARDIANS.

CHECKLIST:

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

Please tick  yes





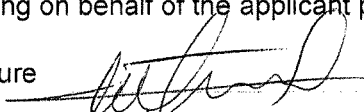


**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 - Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 11)  
If signing on behalf of the applicant please state in what capacity.

Signature



Date

17/04/2009

Capacity

For joint applications signature of 2nd applicant, 2nd applicant's solicitor or other authorised agent.  
(Please read guidance note 12)

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

Signature

Date

Capacity

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

MIZGIN RESTAURANT.  
485 GREEN LANES

Post town **WARRINGEY**

Postcode **N4 1AS**

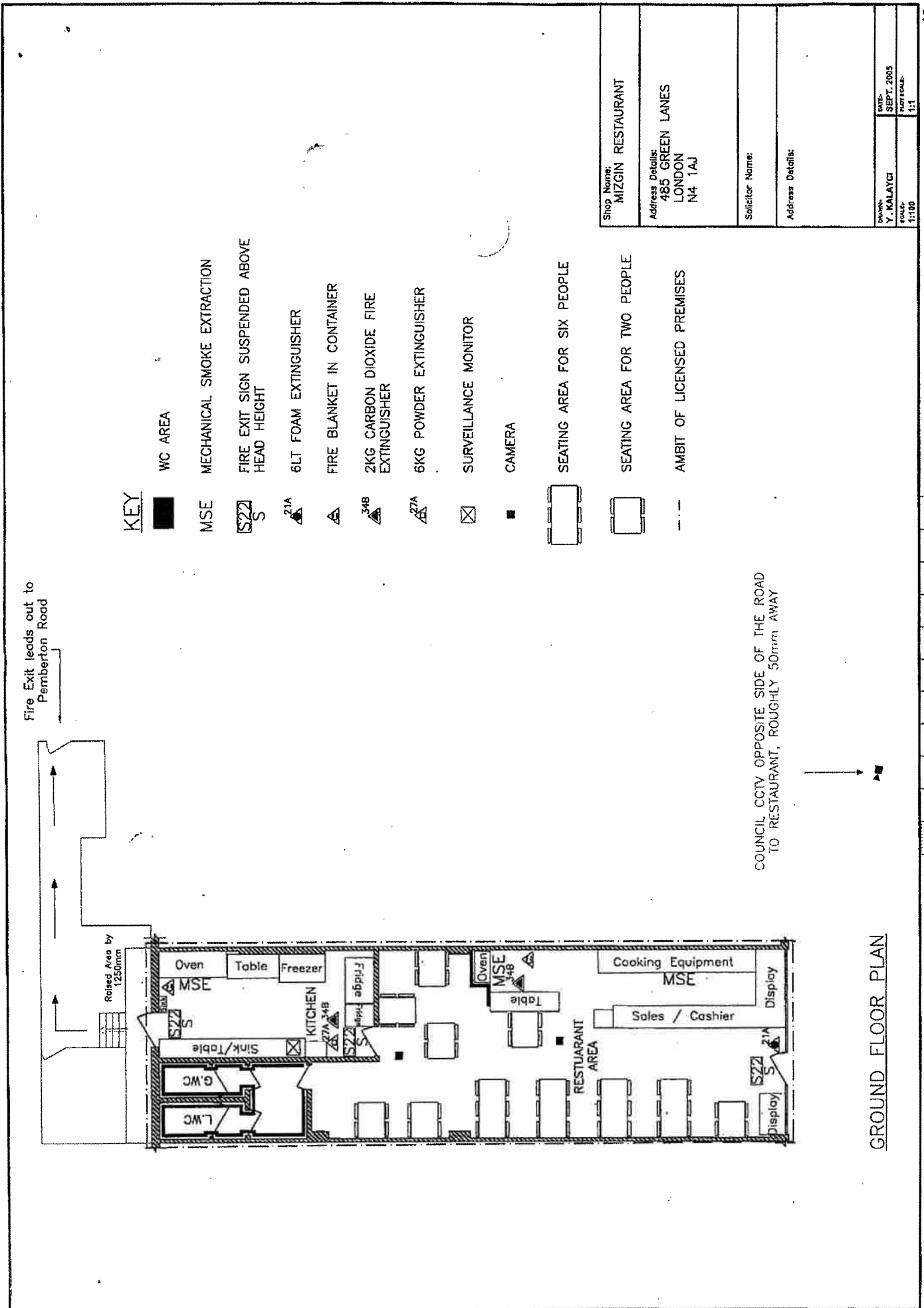
Telephone number (if any) **0203 340 8965**

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



**Notes for Guidance**

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



**KEY**

- WC AREA
- MSE MECHANICAL SMOKE EXTRACTION
- S FIRE EXIT SIGN SUSPENDED ABOVE HEAD HEIGHT
- ▲ 21A 6LT FOAM EXTINGUISHER
- ▲ 27A FIRE BLANKET IN CONTAINER
- ▲ 34B 2KG CARBON DIOXIDE FIRE EXTINGUISHER
- ▲ 27A 6KG POWDER EXTINGUISHER
- ⊗ SURVEILLANCE MONITOR
- CAMERA
- ▭ SEATING AREA FOR SIX PEOPLE
- ▭ SEATING AREA FOR TWO PEOPLE
- - - AMBIT OF LICENSED PREMISES

Shop Name: MIZGIN RESTAURANT	
Address Details: 485 GREEN LANES LONDON N4 1AJ	
Solicitor Name:	
Address Details:	
OWNER: Y. KALAYCI	DATE: SEPT, 2005
SCALE: 1:100	SHEET NO.:
	111

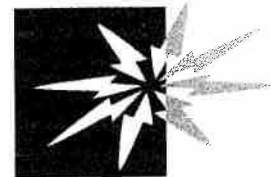
COUNCIL CCTV OPPOSITE SIDE OF THE ROAD TO RESTAURANT, ROUGHLY 50mm AWAY



**GROUND FLOOR PLAN**

APPENDIX 2

REPRESENTATION FROM NOISE TEAM



**Haringey** Council

## Licensing Consultation - Internal Memo

To: Daliah Barrett-Williams

From: George Roberts (Noise)

Cc: Derek Pearce & Eubert Malcolm

Our Reference: WK119248

Date: 14<sup>th</sup> May 2009

Premises: Mizgin Restaurant, 485 Green Lanes, N4 1AJ.

Type of Application: New

---

We would like to confirm that we have considered the above proposal with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & would like to make representations to the application on the following grounds:

That the proposed operating hours are inappropriate due to the close proximity of residential dwellings & the operating schedule does not address the prevention of public nuisance from:

- Airborne noise.
- Noise generated from deliveries.
- Noise generated from refuse collections.
- Noise from plant and machinery.
- Light nuisance.
- Cooking odour.

### Supporting Information

There is a history of complaints relating to noise and odour from the extract ventilation system at the premises which resulted in the licence for late night refreshment being revoked in 2008 as part of a review process instigated by the Enforcement Response team. Historically the premises have been found to be open past their licensed hours and action has been taken by the Enforcement Services.

However proactive visits have taken place since September 2008 and the premises has been found to be closed after 23:00 hours.

Complaints regarding smell nuisance and especially noise nuisance from the extractor are more likely to be received later at night e.g. after 23:00 hours.

The condition that was imposed in 2006 stating that the extract system be upgraded and or modified in order to dissipate odours away from the building in liaison with the Environmental Health team and a competent contractor who is acceptable to both parties and for both parties to agree the upgrade or modification had not been complied with but following revocation of the licence the management have worked closely with the Enforcement Response team and we are able to report that we believe the premises can now be licensed to open after 23:00 hours provided suitable conditions are in place We do not consider that the premises should be licensed to open after 02:00 hours having regard to both possible noise from the extractor system and also the noise which may occur from patrons leaving the premises after this time. We have found that residents are particularly sensitive to noise from commercial premises in the early hours of the morning

A visit was made on 6<sup>th</sup> May 2009 and remedial work as advised by Sound Advice Acoustics Ltd had been successfully carried out. A visit confirmed compliance and there have been no complaints since.

We would therefore recommend the following alterations/conditions to the operating schedule:

Operating Hours - that the premises closes no later than 0200 hrs.

#### **Prevention of Nuisance**

##### Airborne

The main entrance door will remain closed during the licensed activities after 2300 hrs apart from when patrons enter or leave the premises

##### Deliveries and Collections

Deliveries and collections associated with the premises will be arranged between the hours 0800 to 1800 hrs so as to minimise the disturbance caused to the neighbours.

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

##### Prevention of Nuisance from Odour and Noise from Plant and Machinery

All ventilation and extraction systems shall be turned off at the close of trading, correctly maintained and regularly serviced to ensure that it is operating efficiently, and with minimal disturbance to neighbours arising from odour or noise.

##### Prevention of Nuisance from Light

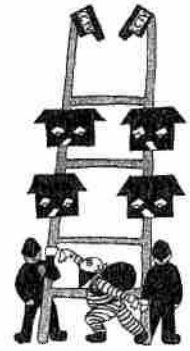
Illuminated external signage shall be switched off when the premises is closed.

APPENDIX 3

REPRESENTATIONS FROM RESIDENTS – WITH  
SUPPORTING LETTERS FROM MP AND WARD  
MEMBERS.

## LADDER COMMUNITY SAFETY PARTNERSHIP *...keeping crime off*

P.O. Box 32109 Haringey London N4 1GN  
lcsp@blueyonder.co.uk



*the "Ladder"*

Ms D Barrett  
Lead Licensing Officer  
Haringey Council  
Techno Park  
Ashley Rd  
London N17 9LN

11 May 2009

Dear Ms Barrett

**Late-night premises licence: Mizgin, 485 Green Lanes N4 1AJ  
Applying for Sun-Thur, 7am - 2am, Fri, Sat 7am - 4am**

### 1 INTRODUCTION

The Ladder Community Safety Partnership (LCSP) contains representatives of Neighbourhood Watches and Residents' Associations both from the 'Ladder' roads, and in Green Lanes itself. We are an independent group, although working in partnership with Haringey Council and the Metropolitan Police where appropriate. In the context of this application, we have taken careful note of the views of residents who live in the flats above commercial premises in Green Lanes itself, and also those who live at the Green Lanes end of nearby residential streets such as Pemberton Rd and Kimberley Gardens

**We are writing to you as members of the LCSP to oppose the very late hours of this application.**

**We believe that in the context of the well known problems in the area, granting a licence for the activities and hours requested would be against the general principles of Haringey's Licencing Policy and specifically under the following headings:**

- The Prevention of Crime and Disorder
- Prevention of Public Nuisance

**We are concerned, in particular, at the issues surrounding the prevention of public nuisance, in the light of the applicant's request for**

- very late hours (especially 4.00am on Friday & Saturday)
- the lengthy track record of non-compliance

More information on why we believe the Committee should reject this application is provided under appropriate headings overleaf.

## 2 REASONS FOR OBJECTING

### (a) Relevant sections of the Borough's Licensing Policy/Objectives

We believe the following statements in the Borough's Licensing Policy 2008 support our objections:

- *'the Council considers that licensing law plays a key role in both preventing and controlling ... anti-social behaviour ... by regulating and applying conditions to affect the number, location and hours of premises'* [2.7]
- *'this licensing policy statement is intended to support the Antisocial Behaviour Strategy by reducing the impact of drink related antisocial behaviour and the environmental crimes and nuisance that can be associated with licensed premises'* [7.12]
- *'the council will have special regard to the local impact of licensing on related crime and disorder ... particularly when concerning location, impact, operation and management of all proposed licenses, applications, renewals and variations of conditions'* [8.6]
- *'licensed premises, especially those operating late at night and in the early hours of the morning, can cause a wide range of nuisances that can impact on the people living, working or sleeping in the vicinity of the licensed premises. **The Council is committed to protecting the residents...** in the vicinity of these licensed premises.'* [14.1]
- *'in particular, late night activities cause much of this nuisance. Late night cafes ... can have a number of adverse effects on the residents in the vicinity of these premises. Nuisance such as noise, litter, anti-social behaviour, lights and odour all contribute to the loss of amenity to the general public'* [14.2]
- *'noise nuisance is of particular concern'* [14.3]
- *'the potential for additional crime and disorder and/or public nuisance is increased with longer hours.'* [19.1]
- *'operating hours between 23.00 and 07.00 are considered to give greater potential for noise nuisance'* [19.3]

### (b) Licensing Hours and History of Non-Compliance

In the light of the above statements and of the licensing objectives in general, we have particular concerns about the very late hours being sought.

**Firstly**, there is no licenced premises in Green Lanes, between the railway bridge (s end) and Turnpike Lane (N end) which has permission to open beyond 2am. a succession of Licensing Committees has taken the view that, in order to uphold the key licensing objectives of prevention of crime and disorder, and prevention of public nuisance, no very late hours such as 4am should be granted in Green Lanes. Indeed, Mizgin itself was refused both longer hours and a late-night licence at all, at the last two Committee hearing about this premises (6 Jan 2009, 16 April 2008, the latter decision being upheld on appeal by the Magistrate's Court on 9



September 2008).

**Secondly**, we have particular concerns about granting very late hours for this premises in the light of the continuous history of non-compliance since the restaurant opened in 2003. The Borough's Licensing Policy Statement (2008) makes it clear that *'The history of noise and other nuisance complaint proved against the premises will be considered, particularly where statutory notices or warning letters have been served on the present licensees'* (p33). We attach to this letter the Licensing Committee's decision of 6 January 2009, supported by the Council's Enforcement Response Officer, who notes that *'The Council has initiated approximately 13 prosecutions (since 2006) against Mr Kovaycin of Mizgin Restaurant, 485 Green Lanes, for operating outside the terms of the premises licence and for breaching the conditions of the licence'*.

**(c) The Prevention of Crime and Disorder  
Prevention of Public Nuisance**

We are pleased to see in the applicant's statement that he has 'employed as sound engineer' to minimise noise nuisance from the extractor fan which has for many years been a very serious problem for residents. We hope that this has solved the problem. However, there is only one comment from the applicant regarding the prevention of public nuisance ('notices asking customers to leave quietly'). This fails to address many of the areas outlined in the Council's Licensing Statement Guidelines (especially pages 32-3). For example:

- what steps have been taken to prevent noise escaping from the premises?
- what steps have been taken to prevent disturbances from deliveries or collections at early on late hours, or from staff cleaning up after closing time?
- what steps have been taken to prevent littering and fouling of public and open spaces? This is very important because (i) the premises has already been prosecuted for dumping waste on the public highway, (ii) the premises offers a take-away facility
- what arrangements have been made for storage and disposal of trade refuse? (especially as longer hours may generate more rubbish)

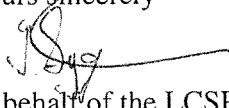
The Borough's Licensing Policy points out the special importance of these issues after 23.00 and in residential areas.

**3. CONCLUSION**

Our comments and objections obviously make clear that residents are very concerned at the possible implications of very late hours at these premises. We are therefore opposed to the granting of the hours applied for (2am Sun-Thurs, 4am Fri-Sat). Rather, we wish to propose a compromise decision, bearing in mind both the concerns of local residents and the needs of the present applicant to continue to operate a successful business.

In this light we propose an extension of hours, for a one year trial period, to 12 midnight (Sun-Thurs) and 1am Fri-Sat. If this works satisfactorily, with no noise nuisance or licensing breaches, then we would not object to a new application for 2am daily, which would bring the premises in line with all the other comparable outlets in Green Lanes

Yours sincerely



on behalf of the LCSP

1st Floor, Technopark, Ashley Road, Tottenham, London N17 9LN  
Tel: 020 8489 8232 Fax: 020 8489 5528  
www.haringey.gov.uk  
Lead Officer (Licensing) Daliah Barrett-Williams



Haringey

Date: 08<sup>th</sup> January 2009  
Our ref:  
Direct dial: 020 8489 8232  
Email: Daliah.barrett@haringey.gov.uk

# For a large print copy contact 020 8489 8232

LSCP

## LICENSING ACT 2003

### MIZGIN RESTAURANT, 485 GREEN LANES LONDON N4

I write to advise you of the outcome of the Licensing Committee hearing that took place on 06<sup>th</sup> January 2009.

I have included the outcome of the hearing, if you have any queries please do not hesitate to contact me.

**MIZGIN RESTAURANT, 485 GREEN LANES, LONDON N4 1AS  
(HARRINGAY WARD)**

#### RESOLVED

The Committee considered the application by Cumra Ales for a premises licence at Mizgin Restaurant and decided to refuse the application.

The Committee considered the written representation of the Enforcement Response Officer, Ladder Community Safety Partnership and Mr Sharman and the oral evidence given at the hearing.

The Committee considered that there was a long history of nuisance and non-compliance with conditions on the licence of the premises. The Committee was satisfied that Mr Koyevcin is still the principal stakeholder in the business and involved in the day-to-day management of the Mizgin restaurant. The change of management after 11pm would not make a significant difference to the management of the premises.

The Committee considered the previous prosecutions for non-compliance with the licence and the revocation of the previous licence. The Committee also had regard to the fact that the Magistrates' Court had upheld the revocation of the licence only four months previously.

The Committee was satisfied that the problems with the extractor fan

have not yet been resolved. Given the history of the site and non-compliance with conditions on the licence, the Committee was not satisfied that a condition that required a consultant's recommendation to be implemented and agreed with the Council would be adhered to. The Committee also considered that, based on previous problems, any condition relating to the time of closing might not be complied with.

The Committee was satisfied that it was necessary to refuse the application in order to uphold the licensing objective of the prevention of public nuisance.

You have the right of appeal against this decision. If you wish to appeal, you must file a notice of appeal at the Magistrates' Court within 21 days of notification of this Decision. The address of the Haringey Magistrates' Court is: Haringey Magistrates' Court, Fishops Road, Highgate, London N6 4HS. Please refer to the Licensing Act 2003, section 181 and Schedule 5 for more information about your right of appeal.

**If any of the above is unclear or you require further clarification please contact me on 0208489 8232.**

Yours sincerely,

DALIAH BARRETT  
LEAD LICENSING OFFICER



2009-2006  
Licensing Officer

100% COUNCIL CONTROL



2009-2006  
Licensing Officer

100% COUNCIL CONTROL



**APPEAL AGAINST DECISION OF THE LONDON BOROUGH OF  
HARINGEY LICENSING SUB-COMMITTEE on 16th April 2008**

**MIZGIN RESTAURANT, 485 Green Lanes, London N4 1AJ**

**REASONS FOR DECISION ON 9th September 2008**

This is an appeal from a decision of the Licensing Authority for the London Borough of Haringey following a review on the 16th April 2008 to revoke the premises licence in respect of The Mizgin Restaurant, 485 Green Lanes, London N4 1AJ.

We have heard much the same evidence from what we understand as was considered by the Licensing Authority on 16th April 2008, although brought up to date by both sides in respect of the period since then.

The Licensing Committee of the council on review decided that Mr Kovaycin had breached the conditions of the licence by trading outside his allowable hours and failing to comply with the conditions imposed on the licence by the Magistrates' Court on 19th September 2006.

It is said that, in particular since the hearing on 19th September, Mr Kovaycin has committed offences and been convicted for trading after permitted hours. He has also been seen to be trading outside the hours on other occasions by council staff. Mr Kovaycin claims the council have a vendetta and denies there was any wrongdoing even though he has been convicted on some of these occasions by the Magistrates' Court. We are satisfied that Mr Kovaycin has been trading outside the hours and therefore been in breach of condition (1) on his licence.

Condition (2) on the licence also required that he upgrade and/or modify the ventilation system in order to dissipate the odours away from the building and to reduce the noise of the system. The court clearly required him to do this in conjunction with the local authority and to communicate with them before the work was done. This he has plainly failed to do and has also managed to make the situation worse by employing contractors who diverted the flue nearer to the building rather than away from the building. Therefore the nuisance that the court was concerned with in 2006 is still in existence.

To compound this it also appears that the fan is not always being turned off at the cessation of the permitted hours, either because of the illegal trading after hours or, from what Mr Kovaycin says, from his cleaning staff turning on the fan outside the hours in order to dissipate odours from the chemicals used in the cleaning. This is therefore a breach of the third condition imposed.

We are therefore satisfied the Licensing Committee at Haringey came to the right decision in deciding that Mr Kovaycin was in breach of all the conditions of his licence and therefore through his actions was not promoting the statutory licensing objectives of crime and disorder and prevention of public nuisance.

We next had to decide if the decision of the committee to revoke the licence was the appropriate remedy.

We looked at all the same options as the Committee and are in full agreement for the same reasons and therefore the only appropriate course of action for us to take today is to uphold the Committee's decision to revoke the licence. We are not satisfied that, after looking at previous events, that Mr Kovaycin would comply with any other condition or course of action that we could impose.

9th September 2008



Haringey Council

Licensing Consultation - Internal Memo

To: Licensing Officer

From: Entertainment Response Officer (Noise)

Name of Officer preparing representation: **Eulbert Malcoim**  
cc: **Teahn Leader**Cur Reference: **WIC/200100424**Date: **27th November 2008**Premises: **Mizgin Restaurant, 485 Green Lanes, Haringey, London, N4 1AL**Type of application: **New**

I would like to confirm that I have considered the above proposal with regard to prevention of public nuisance and prevention of crime and disorder on behalf of the Enforcement Response (Noise) Team & would like to make representations to the Application on the following grounds.

I wish to object to the application for a licence to operate after 23:00 hours under the prevention of Public Nuisance Objective. In my opinion the proposed operating hours are likely to cause noise and smell nuisance which will be detrimental to the residential amenity.

In addition it is my view that the operating schedule does not address the prevention of crime and disorder objective:

The proposed operating hours are inappropriate due to the close proximity of residential dwellings and the operating schedule does not address the prevention of public nuisance from:

- Noise from the extraction unit
- Cooking odour emanating from the extraction unit

The application states that Mr Kovaycin as the leaseholder intends to manage the business from 7am until 11pm. The role of Mr Curma is to manage the business from 11pm until close. As Mr Kovaycin has had his licence revoked we have concern that Mr Kovaycin will continue to have an involvement in running the business. Mr Kovaycin has demonstrated over the years with persistent non-compliance with licensing requirements that he is not a fit and proper person to hold a licence. There is no evidence that Mr Curma will be anything other than a front manager for Mr Kovaycin.

www.haringey.gov.uk

#### Background

The premises is situated in a terrace of shops with residential accommodation above. There are a number of premises that provide late night refreshment in the surrounding area.

A hearing took place on 19<sup>th</sup> September 2006 at Highbury Magistrates' Court against the decision by Haringey Council in their capacity as local licensing authority not to grant Mr Kovaycin all of his applied for hours a late night premises late night refreshment licence.

Following consideration of the evidence the Court granted the licence but limited the hours to 1am in the morning following Friday and Saturday nights and to midnight on Sundays to Thursdays.

Two further conditions were placed on the licence in relation to the extractor fan as follows:

- (i) *The extract ventilation system will be upgraded and/or modified in order to dissipate the odours away from the building. This should be done in liaison with the environmental health team and a competent contractor, who is acceptable to both parties, and for both parties to agree the upgrade or modifications plans. The work will need to be completed within three months from the 19<sup>th</sup> September 2006.*
- (ii) *The operation of the extract ventilation system shall also cease at the cessation of opening times.*

Mr Kovaycin has provided no evidence that the extract ventilation system has been upgraded or modified in accordance with the Magistrates' requirements and there is evidence that the operation of the extract ventilation system has not always ceased at the cessation of opening times

The Council has initiated approximately 13 prosecutions (since 2006) against Mr Kovaycin of Mizgin Restaurant 485 Green Lanes for operating outside the terms of the premises licence and for breaching the conditions of the licence.

On the 9<sup>th</sup> September an appeal was heard following a decision of the Licensing Authority for the London Borough of Haringey following a review on the 16<sup>th</sup> April 2008 to revoke the premises licence in respect of The Mizgin Restaurant, 485 Green Lanes, London N4 1AL.

Following evidence brought forward by the Enforcement Response team and a local resident the Magistrates were satisfied that the Licensing Committee at Haringey came to

the right decision in deciding that Mr Kovaycin was in breach of all the conditions of his licence and therefore through his actions was not promoting the statutory licensing objectives of crime and disorder and prevention of public nuisance.

Other supporting information

Summary of prosecutions are provided below and the table below.

Date of offence	Offence	Prosecution
25 <sup>th</sup> September 2005	Operating a late night café without a licence - Section 15(1)(b) of the London Local Authorities Act 1990	29 <sup>th</sup> March 2006
2 <sup>nd</sup> October 2005	As above	28 <sup>th</sup> March 2006
16 <sup>th</sup> October 2005	As above	28 <sup>th</sup> March 2006
22 <sup>nd</sup> January 2006	Using the premises as a night café without a licence - Licensing Act 2003	10 <sup>th</sup> October
25 <sup>th</sup> February 2006	As above	10 <sup>th</sup> October 2006
25 <sup>th</sup> February 2006	Dumping waste on the public highway - Sections 33 & 34 Environmental Protection Act 1990	10 <sup>th</sup> October 2006
5 <sup>th</sup> March 2006	Using the premises as a night café without a licence - Licensing Act 2003	10 <sup>th</sup> October 2006
11 <sup>th</sup> March 2006	Using the premises as a night café without a licence - Licensing Act 2003	10 <sup>th</sup> October 2006
14 <sup>th</sup> May 2006	As above	10 <sup>th</sup> October 2006
29 <sup>th</sup> May 2006	As above	10 <sup>th</sup> October 2006
24 <sup>th</sup> December 2006	Trading after permitted hours - Licensing Act 2003	4 <sup>th</sup> February 2008
13 <sup>th</sup> January 2007	As above	4 <sup>th</sup> February 2008
20 <sup>th</sup> January 2007	As above	4 <sup>th</sup> February 2008

Further proactive visits since September 2006 have taken place and the premises has been found to be closed after 23:00 hours

Complaints regarding smell nuisance and especially noise nuisance from the extractor are more likely to be received later at night e.g. after 23:00 hours

The condition that was imposed in 2006 stating that the extract system be upgraded and or modified in order to dissipate odours away from the building in liaison with the Environmental Health team and a competent contractor who is acceptable to both parties and for both parties to agree the upgrade or modification has not been complied with

We have received calls from different companies but no written proposals have been submitted and no agreement of the works have been made. No confirmation of the works being carried out has been received.

**Informative**

In summary we recommend that the premises closes no later than 23:00 hours

However should a licence be issued we suggest consideration be given to the following conditions

**Deliveries and collections.**

Deliveries and collections associated with the premises will be arranged between the hours of 8am to 8pm so as to minimise the disturbance caused to the neighbours

**Plant and machinery**

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise. The extract system be upgraded and or modified in order to dissipate odours away from the building in liaison with the Environmental Health team and a competent contractor or be appointed who is acceptable to both parties and for both parties to agree the upgrade or modification.

**Prevention of Nuisance from Odour**

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



**Rt. Hon. DAVID LAMMY MP**

House of Commons  
London SW1A 0AA

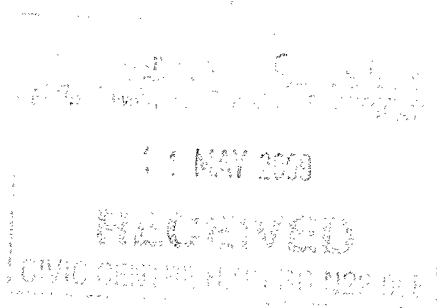
*Member of Parliament for Tottenham*

Tel: 020 7219 0767

Fax: 020 7219 0357

[www.davidlammy.co.uk](http://www.davidlammy.co.uk)

Ms Daliah Barrett  
Licensing Team  
Haringey Council  
Urban Environment  
Units 271-272 Lee Valley Technopark  
Ashley Rd  
London  
N17 9LN



Our Ref: 030825

06 May 2009

Dear Ms Barrett,

I am writing in support of letters from other local residents, including one from the Ladder Community Safety Partnership (LSCP), to object to the application from Mizgin Restaurant, 485 Green Lanes, London, N4 1AS, for a licence to serve 'Late Night Refreshments' from 11pm to 4am on Friday and Saturday nights/Saturday and Sunday mornings.

As a local resident, I am deeply concerned about the fact that allowing these premises to open until 4am is very likely to lead to an increase in noise disturbance, increased litter, antisocial behaviour and general disorder in our local area.

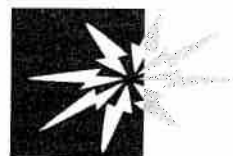
I would like my strong opposition to be noted as part of the consideration of this application.

Please let me know the outcome of this application.

Yours sincerely

**DAVID LAMMY**  
**Member of Parliament for Tottenham**

Members' Room  
5th Floor, River Park House, 225 High Road, Wood Green, London N22 8HQ  
Tel: 020 8348 3892 Mobile: 07875 490055  
[www.haringey.gov.uk](http://www.haringey.gov.uk)  
[karen.alexander2@haringey.gov.uk](mailto:karen.alexander2@haringey.gov.uk)



Councillor Karen Alexander  
Member for Harringay Ward

**Haringey** Council

12<sup>th</sup> May 2009

Dalia Barrett  
Lead Licensing Officer  
Licensing Team  
Techno Park  
Ashley Road  
London  
N17 9LN

Dear Dalia

**Mizgin Restaurant, 485 Green Lanes, London N4 1AJ**

We understand that the owner of the above premises has applied for a new licence. Cllr Baker and myself have been asked by a local residents group, the Ladder Community Safety Partnership to support them in their opposition of this application for longer opening hours and therefore we would like to see this application denied for the following reasons:-

- No other premises on Green Lanes are allowed to be open beyond 2am and granting this licence would set a dangerous precedent which would result in flood of similar applications.
- Mizgin has a long history of non-compliance and breaches which have resulted in the licence being revoked.
- Objections under two of the key licensing objectives including prevention of crime and disorder and public nuisance which includes anti-social behaviour, noise, litter and late-night dumping.

For these reasons we would urge Haringey Council to refuse this application.

Yours sincerely

**Karen Alexander and Carolyn Baker**  
*Liberal Democrat Members for Harringay Ward*



2005-2006  
Getting Closer to Communities



INVESTOR IN PEOPLE

**Barrett Daliah**

---

**From:** Cllr Haley Brian  
**Sent:** 13 May 2009 13:42  
**To:** Barrett Daliah  
**Subject:** Mizgin 485 Green Lanes

Dear Daliah,

I wish to make objections as a resident for the application for a 5pm license from Mizgin and 485 Green Lanes.

I understand that this applicant has abided by all current license hours however I believe that 2am is a reasonable time and represents a balance between the needs of residents and the business.

In relation to the four criteria

**Prevention of crime and disorder**

I believe that this application does not account adequately for the problems associated with late night drinking.

**The prevention of Public Nuisance**

There are a number of residential units above shops as well as residential side streets, should this premises get a license to serve until 5 am the noise will have a serious impact on the quality of life of local residents.

**Public Safety**

A later license will mean that a different type of clientele will be attracted to the area. Lost of work has been undertaken to reduce prostitution on Green Lanes and the extension of this license would reduce the impact of this work.

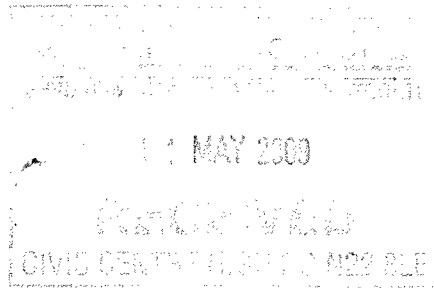
Brian Haley  
8 Atterbury Road  
N4 1SG



Top Flat  
485B Green Lanes  
Haringey  
London  
N4 1AJ

Tel: 0208 341 5961

7<sup>th</sup> May 2009



Kendra Olson  
Licensing Administrator  
Haringey Council  
Techno Park  
Ashley Road  
Tottenham  
London  
N17 9LN

**RE: Licence application "Mizgin Restaurant" Green Lanes N4**

Dear Ms Olson,

I am writing with regards to the recent application for a new Premises Licence for the "Mizgin Restaurant" 485 Green Lanes N4 to provide late night refreshment from 23.00 to 2:00 Sunday to Thursday and from 23.00 to 4.00 on Friday and Saturday.

As a resident living above the establishment, I have been directly affected by the fumes and noise emitted from the restaurant's ventilation duct attached to my property. As the Council is aware, this problem was exacerbated by a long history of non-compliance with the licensed hours, since the restaurant opened in 2003. The numerous warnings and successful prosecutions by the Council led to the night café licence eventually being revoked on 16<sup>th</sup> April 2008, by the Licensing sub-committee.

This matter was discussed at two appeal hearings at Haringey Magistrates Court on 19<sup>th</sup> September 2006 and 9<sup>th</sup> September 2008. At the earlier hearing, the Magistrates noted and sympathised with my living conditions and only granted a licence on the limited terms and conditions below:

- (1) We are content to limit the hours to 1am in the morning following Friday and Saturday nights and to midnight on Sundays to Thursdays.
- (2) We also impose a condition that the extract ventilation system be upgraded and or modified to dissipate odours away from the building. This should be done in liaison with the environmental health team and a competent contractor, who is acceptable to both parties, and for both parties to agree the upgrade or modification plans. The work needs to be completed within three months from today.
- (3) The operation of the extract ventilation system shall also cease at the cessation of the opening times.

Unfortunately after this hearing, these conditions were not adhered to – leading to further successful prosecutions by Haringey Council and to the night café licence eventually being revoked.

I am now pleased to report, however, that the owner of the restaurant has recently complied with condition (2) above. The ventilation system has just been replaced and is now quieter and directs fumes away from my property. I am obviously very happy about these improvements and just wish they had happened in 2006, as instructed by the magistrates.

Representatives of Haringey Council (Mr Malcolm and Mr Pearce) visited my property on 6<sup>th</sup> May 2009 at 23:30, in consultation with Mr Kovaycin and witnessed the new extractor system operating at different settings – up to a maximum of 10. Clearly ambient noise in the early hours is much quieter and I do feel that running the new system on a setting of 10 would be a disturbance. However, settings below 8 were acceptable. I would ask that this be considered if the Council now decides to grant any extension of opening hours.

Obviously, given the long history of non compliance in this case, I have concerns as to whether the restaurant will be run according to any conditions placed upon it now. However, the owner of the establishment does seem to have been a lot more co-operative in recent months, consulting myself and the Council when upgrading the ventilation duct. If the Council decides to grant any extension of opening hours (possibly for a trial period) I would hope the situation is monitored carefully and is in line with similar establishments in the area.

After nearly six years of dealing with this issue I am very keen that it is resolved amicably for all the concerned parties and would be very happy if a suitable compromise can now be found.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Sharman', with a long horizontal stroke extending to the right.

John Sharman



## Gardens Residents Association (GRA)

Sonya Prentice - Chair

34 Rutland Gardens, Harringay, London. N4 1JP

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

13/5/09

Tel 020 8489 8232  
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Email [licensing@haringey.gov.uk](mailto:licensing@haringey.gov.uk)

Dear Daliah Barrett <[Daliah.Barrett@haringey.gov.uk](mailto:Daliah.Barrett@haringey.gov.uk)>  
**Re: Mizgin Restaurant - 485 Green Lanes, London, N4**

The Gardens Residents Association (GRA) is concerned about the application by Mizgin Restaurant for an extension of its License from 11pm until 4am on Friday and Saturday and from 11pm until 2am the rest of the week.

GRA understands that 2am has been the ultimate cut off time for eating, drinking and entertainment on Green Lanes and will oppose any application for opening hours beyond 2am.

GRA is deeply concerned that extending the opening hours would have a negative impact on the neighbouring streets. The Gardens area is generally very quiet at night but noises can be very intrusive and disturbing to residents and late night openings would attract customers from outside the area leaving and rejoining their cars in the residential side streets. Since Mizgin is a provider of takeaway food, an increase in litter is also more than likely.

A successful application would also set a precedent for further applications which would lead to a rapid deterioration of the quality of life in the Gardens.

GRA is aware that Mizgin restaurant has a history of non-compliance with Council regulations which are an additional concern to our residents. Under these circumstances, GRA is extremely reluctant to see its opening hours extended at all.

The gardens Residents Association therefore opposes this application but would support a probation period of one year with reduced extended hours: 11pm until midnight Sunday to Thursday and 11pm until 1am on Friday and Saturday, at the end of which a new application would be required.

Yours sincerely

Sonya Prentice  
GRA Chair

The GRA is an Award Winning Residents Association  
London's Green Corner's Award - The Conservation Foundation 2008

Green Pennant Award Winners  
Green Pennant Award Winners  
1st Prize Best Community Garden  
1st Prize Best Community Garden  
1st Prize Best Neighbourhood Award

- The Civic Trust 2009  
- The Civic Trust 2007  
- Harringay in Bloom 2007  
- Harringay in Bloom 2006  
- Harringay in Bloom 2006

green pennant award

The GRA are members of NFRA - RTCV and PCFCG

1st Prize Best Community Garden in January - London in Bloom 2006  
Green Pennant Award Winners - The Civic Trust 2006  
Highest Award Winner - Recyclers of the Year Award - Better Harringay 2006  
1st Prize Best Community Participation Project - Harringay in Bloom 2005  
1st Prize Best Community Garden - Harringay in Bloom 2004

Stanhope Gardens - Portland Gardens - Doncaster Gardens - Essex Gardens - Grafton Gardens - Rutland Gardens - Devon Gardens

Roseberry Gardens - Sussex Gardens - Chesterfield Gardens - Cleveland Gardens - Kimberley Gardens - Warwick Gardens

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