



NOTICE OF MEETING

Special Licensing Committee

THURSDAY, 10TH SEPTEMBER, 2009 at 19:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Patel (Chair), Beacham, Demirci, Dodds, Edge, Lister (Vice-Chair), Newton, Reid, Scott and Thompson

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. It being a special meeting of the 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, 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. MUSIC PALACE, 159A TOTTENHAM LANE, LONDON N8 (PAGES 3 - 292)

To consider an application to extend the hours for sale of alcohol and regulated entertainment and late night refreshment and to enable lap dancing to be provided on the premises.

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

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Wednesday, 2 September

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

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

Licensing Act 2003 Sub-Committee on 10th September 2009

Report title: Application for a variation Premises Licence MUSIC PALACE, 159A TOTTENHAM LANE, LONDON, N8

Report of: The Lead Officer Licensing

Ward(s) CE

1. Purpose

To consider an application by MS SERDAL ZIYA to extend the hours for sale of alcohol and regulated entertainment and late night refreshment and to enable lap dancing to be provided on the 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: Music Palace

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

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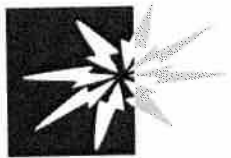


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Town and Country Planning Act 1990 (As amended)

Plan relating to the Enforcement Notice dated

159A Tottenham Lane N8



Haringey Council

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

 NORTH	Drawn by	Haringey Council
	Scale	1:1500
	Date	27/08/2009
	Drawing	N/A

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5. REPORT

Background

5.1 An application for a variation to a Premises Licence, by Ms Serdal Ziya in respect of Music Palace, 159A Tottenham Lane, London N8 under the Licensing Act 2003.

5.2 The applicant seeks to vary the premises license to allow **films, live music, recorded music, performance of dance (table and lap dancing), facilities for dancing, facilities for making music and the sale of alcohol:** App 1

Monday – Saturday 11.00 -02.00 and
Sunday 11.00 – 23.00.

To allow **late night refreshment** Monday – Saturday 23.00 – 02.00

The applicant has identified conditions currently imposed on the licence that could be removed as a consequence of the proposed variation:

Conditions 1 and 2 under the heading 'Prevention of Crime and Disorder' on the premises licence and all 4 of the existing conditions under the heading 'Protection of Children' on the licence.

For clarity these are as follows:

"Prevention of Crime and Disorder

Bottles containing beverages of any kind shall not be left in the possession of any customers after service and following the discharge of the contents into an appropriate glass or drinking vessel."

"Glass bottles containing wine may be sold for consumption with a meal taken at a table, by customers who are seated in an area set aside exclusively for persons taking table meals."

"Protection of Children

The licensee and staff will ask persons who appear to be under the age of 18 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

A register of refused sales shall be kept and maintained on the premises, in accordance with paragraphs 6(8) and 18(5) of Schedule 8 of the Licensing Act 2003, the licence holder shall have regard to the statutory provisions contained within the Children and Young Persons Act 1933 (as amended).

No adult entertainment including any of a nude physical nature is to be permitted on the premises regardless of who pays for it.

Children under 16 must be accompanied by an adult at all times."

A copy of the current licence is at **App 2**

THE OPERATING SCHEDULE

When the premises provide entertainment of an adult nature they will adhere to the operational guidelines as agreed with the Police. A copy of this document will be available for inspection by the responsible authorities at all times during trading.

App 3

5.2 Crime and Disorder

5.3 Public Safety

5.4 Public Nuisance

5.5 Child Protection

1. No under 18s will be permitted onto the premises at any time
2. anyone appearing to be 21 or under will be asked for i.d. at the front desk of the premises prior to entry. Acceptable forms of i.d. to be agreed with the Police and set out in the premises Operational Guidelines
3. A register of refusals will be kept at the front desk and all persons refused entry will be noted in it with reasons for the refusal (for instance 'no i.d.)

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 Comments of Metropolitan Police -App4

The Police made representation with regard to the Operational Guidelines and these matters are now resolved.

6.2 Comments of Enforcement Services:

Noise Team – APP 5

Have made comments / recommendations in relation to this application and speak of the history of noise nuisance associated with this premises in the past.

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 made no objection to this application

6.4 Planning Officer

Representation with regard to the hours of trade of the premises under the Planning Law were raised but do not affect the consideration of this application under the Licensing Act.

6.5 Comments of Child Protection Agency or Nominee

7.0 Interested Parties –APP 6

Objections have been made by residents and they have requested that Cllr Winskill and MP Lynne Featherstone have been requested to represent some of the residents.

8.0 Financial Comments

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

9.0 Licensing Authority Considerations

Currently these premises are licensed under Licensing Act 03 as a night club with a Premise License. Under the Licensing Act 2003 the application must be considered under the 4 licensing objectives which are:

- The prevention of crime and disorder
- public safety,
- prevention of public nuisance and
- the protection of children from harm.

The Act does not seek to provide regulation on matters of taste, decency or the general appropriateness of any form of entertainment. Such matters are governed by the laws dealing with indecency and obscenity.

When a pub, bar or club apply for a licence that will include regulated entertainment such as the performance of a dance, they have to declare in their application if this will be of an adult nature.

No application should be refused if it can have conditions applied to ensure that it will uphold the licensing objectives.

The Operational guidance put forward by the applicant suggests that topless dancing would take place at the table in view of all patrons but that full nudity will take place in a designated area.

EXTRACT FROM STATEMENT OF LICENSING POLICY – APP 7

Adult Entertainment

- 13.4 Nudity, striptease and other adult entertainment of a sexual nature fall within the remit of the Licensing Act 2003. This section details the approach the Licensing Authority will take when considering applications for this type of activity on its own merits. These premises may also require a licence under the Local Government (Miscellaneous Provisions) Act 1982.
- 13.5 Applicants to whom this applies are required to set out expressly in their Operating Schedule that they propose to offer entertainment involving nudity, striptease or other adult entertainment of a sexual nature. Any reference to music or dancing without express reference to adult entertainment will be interpreted as not including adult entertainment.
- 13.6 The Licensing Authority and the Police will have concerns about crime and disorder and public nuisance issues which may arise from the operation of the premises where these activities take place. The carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature. For these reasons there must be proper regulation of premises where these activities are offered.
- 13.7 When considering applications the Licensing Authority will have regard to whether the premises are in close proximity to the following:
- Schools
 - Places of worship
 - Residential accommodation
 - Venues of a similar nature offering adult entertainment
 - Community centres
 - Youth clubs

Where appropriate the Authority will also take into account the cumulative effect of a number of such premises on the character of the area in question.

- 13.8 Where such applications are made the Licensing Authority will expect the Operating Schedule to address and promote the licensing objectives by including a number of measures within it to regulate the adult entertainment examples of such measures are set out in the Appendix. A code of conduct for dancers and customers and appropriate disciplinary procedures should be developed in consultation with the Police and the Council.

13.9 The Operating Schedule should also set out procedures to ensure that all staff employed in the premises have pre-employment checks including suitable proof of identity, age and where required permission to work and measures to ensure the exclusion of staff under 18 from the premises when such activities are taking place.

Since writing our Policy the Government has made it clear that such premises do not require further permission out side of the Licensing Act 2003. However the Government has also carried out wide consultation on bringing these premises under the remit of the Local Government (Miscellaneous Provisions) Act 1982 under their own use classification as Sex Encounter Venues, this has not yet come into effect.

Other relevant Parts of Statement of Licensing Policy

1.6-1.7, 2.3-2.7, 7.4, 11.1-11.2, 12.1, 13.4-13.9, 16.1, 22.1-22.6, 24.1, Appendix-Guidance on the Operating Schedule.

Further guidance is attached at **App 8** – Extracts from the Section 182 Guidance .

Relevant Guidance:

Prevention of Crime and Disorder

Paragraphs 1.28 -1.30, 2.1 -2.18: Chapter 10, 13.40-13.42 and Annex D Part 1 of the Guidance issued under Sec 182 of the Licensing Act 2003

Public Safety

2.19-2.31: Chapter 10 Annexe D Part 2 of the Guidance issued under Section 182 of the Licensing Act 2003.

Prevention of Public Nuisance

Paragraphs 2.32-2.40: Chapter 10 and Annexe D Part 4 of the Guidance issued under Section 182 of the Licensing Act 2003.

Protection of Children from Harm

Paragraphs 2.41-2.50 and Part 5 Annex D of the Guidance issued under Section 182 of the Licensing Act 2003

APPENDIX 1

APPLICATION FORM

London Borough of Haringey

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Serdal Ziya*(Insert name(s) of applicant)*

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

Premises licence number

LN-200600321

Part 1 – Premises Details**Postal address of premises or, if none, ordnance survey map reference or description**

The Music Palace
 159A Tottenham Lane
 Hornsey

Post town London**Post code** N8 9BT9BT

Telephone number at premises (if any) N/A

Non-domestic rateable value of premises £6000

Part 2 – Applicant details**Daytime contact telephone number** 07958 086 450**E-mail address (optional)** n/a**Current postal address if different from premises address** 230 Silver Street**Post Town** Edmonton**Postcode** N18 1PS

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note

To vary the premises licence to allow films, live music, recorded music, performance of dance, facilities for dancing, facilities for making music and the sale of alcohol Monday – Saturday 11.00 -02.00 and Sunday 11.00 – 23.00.To allow late night refreshment Monday – Saturday 23.00 – 02.00.

To remove:

Conditions 1 and 2 under the heading 'Prevention of Crime and Disorder' on the premises licence

All 4 existing conditions under the 'protection of children' section on the premises licence

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- 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:

- 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)

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for 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 to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00	02.00	Please give further details here (please read guidance note 3) Amplified music video, sport, entertainment programs and any entertainment of a like kind		
Tue	11.00	02.00			
Wed	11.00	02.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	11.00	02.00			
Fri	11.00	02.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11.00	02.00			
Sun	11.00	23.00			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Music may be via artists singing, karaoke, DJ and other of a similar nature State any seasonal variations for the performance of live music (please read guidance note 4) Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon	11.00	02.00			
Tue	11.00	02.00			
Wed	11.00	02.00			
Thur	11.00	02.00			
Fri	11.00	02.00			
Sat	11.00	02.00			
Sun	11.00	23.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Amplified music played through an in house sound system State any seasonal variations for the playing of recorded music (please read guidance note 4) Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon	11.00	02.00			
Tue	11.00	02.00			
Wed	11.00	02.00			
Thur	11.00	02.00			
Fri	11.00	02.00			
Sat	11.00	02.00			
Sun	11.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Performers to dance as part of the entertainment.		
Mon	11.00	02.00			
Tue	11.00	02.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	11.00	02.00			
Thur ^{sp}	11.00	02.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	11.00	02.00			
Sat	11.00	02.00			
Sun	11.00	23.00			

H

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

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
Day			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	11.00	02.00	Please give further details here (please read guidance note 3) The following facilities may be provided at the premises; in house sound/music system, musical instruments, video or tv screens	
Tue	11.00	02.00		
Wed	11.00	02.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	11.00	02.00		
Fri	11.00	02.00	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11.00	02.00		
Sun	11.00	23.00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	
Day			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing	
Mon	11.00	02.00	Please give further details here (please read guidance note 3) Provision of permanent or temporary dance floor. Performers dancing facilities in order to provide entertainment.	
Tue	11.00	02.00		
Wed	11.00	02.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur	11.00	02.00		
Fri	11.00	02.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11.00	02.00		
Sun	11.00	23.00		

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon	23.00	02.00			Both	<input checked="" type="checkbox"/>
Tue	23.00	02.00	<u>Please give further details here</u> (please read guidance note 3) Hot food and drink provided as and when required including functions or events			
Wed	23.00	02.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur	23.00	02.00				
Fri	23.00	02.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	23.00	02.00				
Sun						

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11.00	02.00			
Tue	11.00	02.00			
Wed	11.00	02.00			
Thur	11.00	02.00			
Fri	11.00	02.00			
Sat	11.00	02.00			
Sun	11.00	23.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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)

No Under 18's will be permitted during licensable activities. However for the avoidance of doubt the premises does intend to provide adult entertainment.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	02.30	
Tue	11.00	02.30	
Wed	11.00	02.30	
Thur	11.00	02.30	
Fri	11.00	02.30	
Sat	11.00	02.30	
Sun	11.00	23.30	

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

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

Conditions 1 and 2 under the heading 'Prevention of Crime and Disorder' on the premises licence

All 4 existing conditions under the heading 'Protection of Children' on the premises licence

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

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

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

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

When the premises provide entertainment of an adult nature they will adhere to the operational guidelines as agreed with the Police. A copy of this document will be available for inspection by the responsible authorities at all times during trading.

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

1. No under 18's will be permitted onto the premises at any time.
2. Anyone appearing to be 21 or under will be asked for i.d. at the front desk of the premises prior to entry. Acceptable forms of i.d. to be agreed with the Police and set out in the premises Operational Guidelines
3. A register of refusals will be kept at the front desk and all persons refused entry will be noted in it with the reasons for the refusal (for instance 'no i.d.')

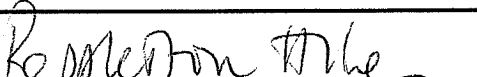
Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11)., If signing on behalf of the applicant please state in what capacity.

Signature	
Date	30/1/09
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

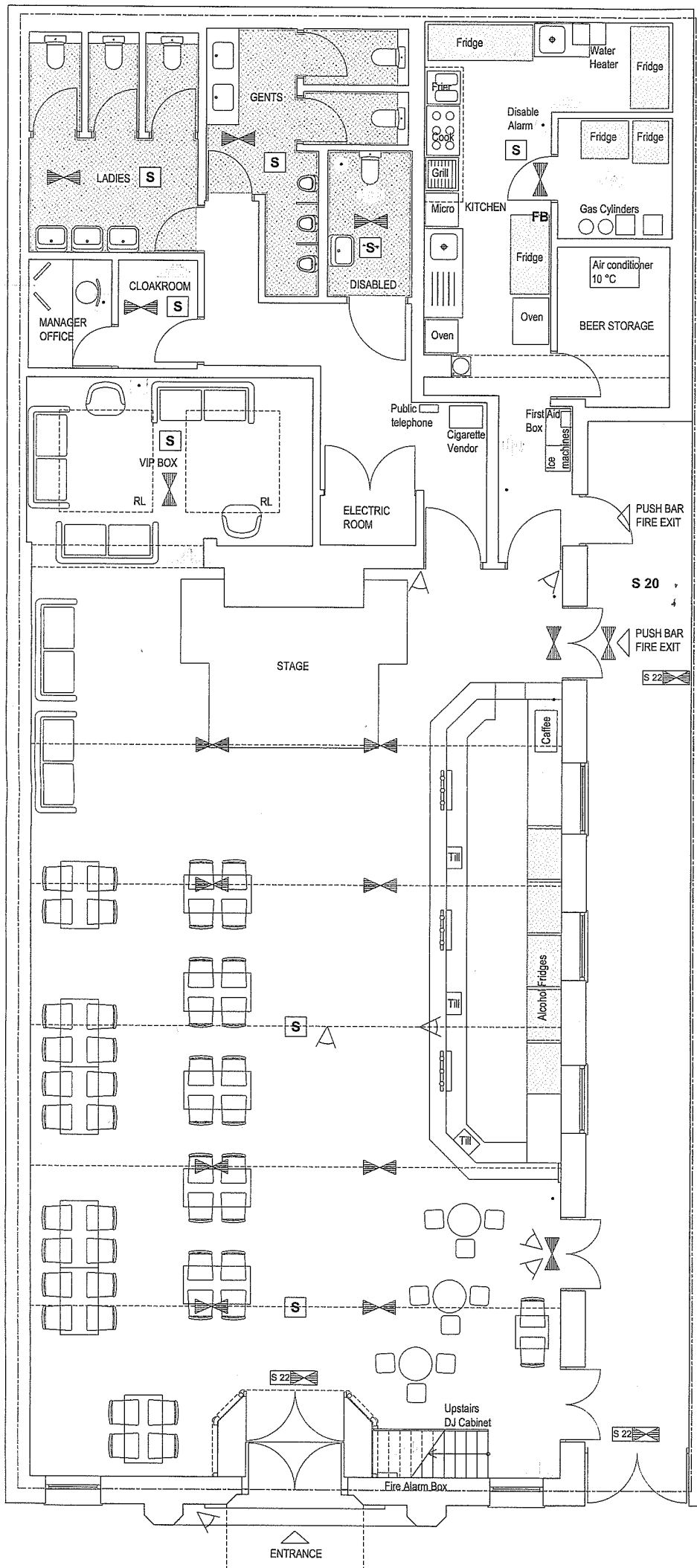
Signature	
Date	
Capacity	

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

Piers Warne
Poppleston Allen Solicitors
88 Kingsway

Post town	London	Post code	WC2B 6AA
Telephone number (if any)	0207 936 5869		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) p.warne@popall.co.uk			

CCTV recording device & CCTV monitors



LEGEND

- WC AREA
- FRIDGES
- AMBIT OF LICENSED PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- FIRE ESCAPE KEEP CLEAR
- INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
- CARBON DIOXIDE FIRE EXTINGUISHER
- 9 LT. WATER FIRE EXTINGUISHER
- FIRE ALARM BELL
- FIRE ALARM CALL-POINT
- DISABLED EMERGENCY CALL-POINT & ALARM
- FAN

MUSIC PALACE MUSIC PALACE
159 A
TOTENHAM LANE
N8 3DT

EXISTING
GROUND FLOOR

SCALE: 1/100@A3 DATE: 18/08/07

REF. NO: O180807-01

act2003 POSITIVE
business consultancy & training
90 Green Lanes LONDON
N16 9EJ

Tel: 020 7241 3636(4line)

www.act2003.com

I, **Imogen Moss** in the firm of Messrs. Poppleston Allen, Solicitors of 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS refer to the following:-

1. Letter to London Borough of Haringey dated 30 January 2009
2. Application Form
3. Original Premises Licence
4. Cheque in the sum of £190

I FURTHER CERTIFY that I have served documents 1 – 5 upon the following:-

1. Licensing, London Borough of Haringey, Environment, Techno Park, Ashley Road, Tottenham, London, N17 9LN

I FURTHER CERTIFY that I have served a true copy of documents 1, 2, 3 and 5 upon the following:-

2. The Commissioner of Police to the Metropolis, Metropolitan Police, Quicksilver Patrol Base, Unit 1, Quicksilver Place, Western Road, N22 6UH
3. The Chief Fire Officer, London Fire Brigade , London Fire & Emergency Planning Authority, Fire Safety Regulation: North West Area 1 , 169 Union Street, London , SE1 0LL
4. Health & Safety , London Borough of Haringey, Enforcement Service, Technopark, Ashley Road, Tottenham, N17 9LN
5. Child Protection, Quicksilver Patrol Base, Unit 1, Quicksilver Place, Western Road, N22 6UH
6. Trading Standards , London Borough of Haringey, Enforcement Service, Ashley Road, Technopark, Tottenham, N17 9LN
7. Planning Enforcement , London Borough of Haringey, Environmental Services, 639 High Road, Tottenham, N17 8BD
8. Environmental Health , London Borough of Haringey, Enforcement Service, Technopark, Ashley Road, Tottenham, N17 9LN

I effected service by sending the said documents to each and every one of them by special delivery addressed to them on 30 January 2009.

SIGNED

DATED: 30 January 2009

APP 2

COPY OF CURRENT LICENCE

LICENSING ACT 2003
Sec 24



HARINGEY COUNCIL

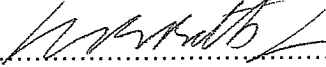
PREMISES LICENCE

Receipt: F00103090582

Premises Licence Number: LN00006460

This Premises Licence has been issued by:

*The Licensing Authority, London Borough of Haringey,
Urban Environment, Technopark, Ashley Road
Tottenham, London, N17 9LN*

Signature:.....

Date: 17th October 2007

Part 1 – PREMISES DETAILS

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

**MUSIC PALACE
159A TOTTENHAM LANE
HORNSEY
LONDON
N8 9BT**

Telephone : 0208 347 5444

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Regulated entertainment: films, live music, recorded music, performances of dance, making music, dancing, provision of entertainment facilities

Supply of Alcohol

Provision of Late Night Refreshment

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

Live Music

Monday to Saturday 1100 to 0000

Sunday 1100 to 2230

Films

Monday to Sunday 1100 to 2200

Provision of Late Night Refreshment

Monday to Saturday 2300 to 0000

Recorded Music, Facilities for Dancing and Making Music, Entertainment Facilities

Monday to Thursday 1100 to 0000

Friday and Saturday 1100 to 0200

Sunday 1100 to 2230



LICENSING ACT 2003
Sec 24



HARINGEY COUNCIL

Supply of Alcohol

Monday to Thursday	1100 to 0000
Friday and Saturday	1100 to 0200
Sunday	1100 to 2230

The opening hours of the premises:

Monday to Thursday	1100 to 0000
Friday and Saturday	1100 to 0200
Sunday	1100 to 2230

NO NEW ENTRY TO THE PREMISES AFTER MIDNIGHT.

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

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

Part 2

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

Serdal Ziya
230 Silver Street
Edmonton, London
N18 1PJ

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:

Serdal Ziya
230 Silver Street
Edmonton, London
N18 1PJ

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	LN/200600321
Expiry Date	17 th July 2016
London Borough of Enfield	

State whether access to the premises by children is restricted or prohibited:

Children under the age of 16 must be accompanied by an adult



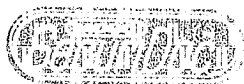


Annex 1 –Mandatory Conditions

(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.





Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

Bottles containing beverages of any kind shall not be left in the possession of any customers after service and following the discharge of the contents into an appropriate glass or drinking vessel.

Glass bottles containing wine may be sold for consumption with a meal taken at a table, by customers who are seated in an area set aside exclusively for persons taking table meals.

No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

Alcoholic drinks shall not be advertised, promoted or supplied in such a way that is intended or likely to encourage persons to consume alcohol to an excessive extent.

Alcoholic drinks shall not be supplied in such a way which will enable or which is intended to enable persons to consume unlimited quantities of alcohol drinks on payment of a single payment or payment arrangement which is not related to the amount or number of alcoholic drinks supplied.

An attendant shall be positioned in the cloakroom area during the whole time that it is in use.

A minimum of one SIA registered Door Supervisor per 100 customers, or part thereof, shall be on duty whilst the premises are in use under the Licence.

A digital CCTV system will be installed and maintained on the premises.

The CCTV system will be recording at all times when the premises are open and the recordings shall be made available to the Police and the Local Authority.

PUBLIC SAFETY

Bottle bins shall be provided at the exit doors and staff shall show due diligence in preventing bottles and glasses being taken from the premises.

Appropriate fire safety procedures are in place including fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

A risk assessment is to be carried out in relation to capacity of patrons to be admitted to the premises and these numbers to be agreed with the London Fire and Emergency Planning Authority.

There will be substantial refreshment at all times.

The fire alarm changeover switch shall be in the "Fire Alarm and Buzzers" positions during the whole time that the premises are in use under the Licence.

The fire alarm installation shall be under the supervision of a competent person who shall arrange for regular maintenance and testing to be carried out. The results of the tests shall be recorded in a logbook which shall be readily available for inspections by the Local Authority or the London Fire and Emergency Planning Authority.

The system of wiring used for electrical installation is not of the type required. However, the Local Authority will not require its removal so long as it is maintained in a satisfactory condition. Any alterations or additions to the installation (including those which may be found necessary as a result of an electrical inspection) shall be carried out using a system of wiring approved by the Local Authority (eg cables enclosed in screwed metal conduit or metal trunking, or mineral insulated metal sheathed cables).





Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF PUBLIC NUISANCE

All customers will be asked to leave quietly.

Clear and legible notices will be prominently displayed to remind customers to leave quietly.

There shall not be any opening windows in any area of the premises in which amplified music / voices are to be played.

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

The level of all entertainment that can be controlled by means of a limiting device shall be controlled by that device and the licensee having obtained a report from an acoustic consultant, and any recommendations shall be agreed with the Local Authority showing that these recommendations have been complied with.

Anti-drugs and no smoking signs will be displayed in the Premises.

Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours.

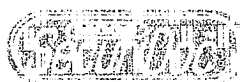
THE PROTECTION OF CHILDREN

The licensee and staff will ask persons who appear to be under the age of 18 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

A register of refused sales shall be kept and maintained on the premises, in accordance with paragraphs 6(8) and 18(5) of Schedule 8 of the Licensing Act 2003, the licence holder shall have regard to the statutory provisions contained within the Children and Young Persons Act 1933 (as amended).

No adult entertainment including any of a nude physical nature is to be permitted on the premises regardless of who pays for it.

Children under 16 must be accompanied by an adult at all times.





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

RESOLVED

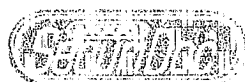
- Having considered all of the representations submitted at the hearing, and in written representations in relation to noise, nuisance and disorder, the Committee decided to grant the application with the following amended hours together with additional conditions:
- To accept the amendments to Live Music between 11:00 and 00:00 every night except for Sunday when it will cease at 22:30. These hours apply except for Christmas Eve, Boxing Day, and New Years Eve where these days fall upon a Friday or Saturday.
- Film to be permitted between 11:00 and 22:00 on Monday to Sunday
- Late Night Refreshment to be permitted between 11:00 and 00:00 on Monday to Sunday
- Recorded music, facilities for dancing, provision of entertainment facilities for making music and dancing, and the sale of alcohol are to be permitted between the following hours:

Monday to Thursday	11:00 to 00:00
Friday and Saturday	11:00 to 02:00
Sundays	11:00 to 22:30
- All doors and windows will remain closed during the licensed activities. Where a door is used for patrons to enter or leave the premises, the door will be fitted with a self-closing device and staff told to ensure that it is not propped open.
- The level of all entertainment that can be controlled by means of a limiting device shall be controlled by that device, and licensee having obtained a report from an acoustic consultant, and any recommendations, including the level of the limiting device, to be agreed by the Local Authority and the Local Authority to confirm in writing that this has been obtained and complied with.
- Where people enter and leave the premises, there will be two licensed door supervisors to supervise and ensure that they leave in a courteous manner, and to use a counting device to monitor capacity at the premises, between 22:00 and the closing of the premises.
- The licensee shall obtain an expert's report in relation to the sound proofing of the premises, having regard to all the licensable activities, and any recommendations shall be agreed with the Local Authority and the applicant shall obtain a written confirmation from the Local Authority showing that these recommendations had been complied with.
- All staff to be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are under the age of 18. Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:
 - A valid passport
 - A photo driving license issued in a European Union country
 - A proof of age standard card system
 - A citizen card, supported by the Home Office
- No adult entertainment including any of a nude physical nature is to be permitted on the premises regardless of who pays for it.
- Children under the age of 16 attending family functions must be accompanied by an adult at all times.
- No new entrants to the premises shall be permitted after 00:00 every night of the week.



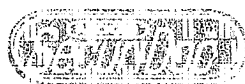
Annex 3 – Conditions attached after a hearing by the licensing authority

- A risk assessment is to be carried out in relation to capacity of patrons to be admitted to the premises and these numbers to be agreed with the London Fire and Emergency Planning Authority, the Metropolitan Police Service, and the Local Authority.
- There will be substantial refreshment at all times
- A digital CCTV system will be installed and maintained on the premises
- The CCTV system will be recording at all times when the premises are open and the recordings shall be made available to the police and Local Authority upon request.
- Anti-drugs and no smoking signs will be displayed in the premises.
- The fire alarm changeover switch shall be in the “Fire Alarm and Buzzers” positions during the whole time that the premises are in use under the Licence.
- The fire alarm installation shall be under the supervision of a competent person who shall arrange for regular maintenance and testing to be carried out. The results of the tests shall be recorded in a logbook which shall be readily available for inspections by the Local Authority or the London Fire and Emergency Planning Authority.
- The system of wiring used for electrical installation is not of the type required. However, the Local Authority will not require its removal so long as it is maintained in a satisfactory condition. Any alterations or additions to the installation (including those which may be found necessary as a result of an electrical inspection) shall be carried out using a system of wiring approved by the Local Authority (eg cables enclosed in screwed metal conduit or metal trunking, or mineral insulated metal sheathed cables).
- Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours.





Annex 4 – Plan of the Premises





HARINGEY COUNCIL

Licensing Act 2003
Section 24

PREMISES LICENCE SUMMARY

Receipt: F00103090582

Premises Licence Number: LN00006460

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
Urban Environment, Technopark, Ashley Road
Tottenham, London, N17 9LN**

Signature:.....

Date: 17th October 2007

Part 1 – PREMISES DETAILS

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

**MUSIC PALACE
159A TOTTENHAM LANE
HORNSEY
LONDON
N8 9BT**

Telephone : 0208 347 5444

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Regulated entertainment: films, live music, recorded music, performances of dance, making music, dancing, provision of entertainment facilities

Supply of Alcohol

Provision of Late Night Refreshment

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

Live Music

Monday to Saturday 1100 to 0000

Sunday 1100 to 2230

Films

Monday to Sunday 1100 to 2200

Provision of Late Night Refreshment

Monday to Saturday 2300 to 0000





Licensing Act 2003
Section 24

Recorded Music, Facilities for Dancing and Making Music, Entertainment Facilities

Monday to Thursday 1100 to 0000
Friday and Saturday 1100 to 0200
Sunday 1100 to 2230

Supply of Alcohol

Monday to Thursday 1100 to 0000
Friday and Saturday 1100 to 0200
Sunday 1100 to 2230

The opening hours of the premises:

Monday to Thursday 1100 to 0000
Friday and Saturday 1100 to 0200
Sunday 1100 to 2230

NO NEW ENTRY TO THE PREMISES AFTER MIDNIGHT.

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

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

Name, (registered) address of holder of Premises Licence:

Serdal Ziya
 230 Silver Street
 Edmonton, London
 N18 1PJ

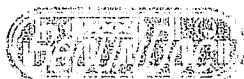
Registered number of holder, for example company number, charity number (where applicable):

Name of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Serdal Ziya

State whether access to the premises by children is restricted or prohibited:

Children under the age of 16 must be accompanied by an adult



APP 3

OPERATIONAL GUIDANCE THAT WILL FORM PART OF
THE CONDITIONS

OPERATIONAL GUIDELINES

'MUSIC PALACE'

GENTLEMEN'S TABLE SIDE DANCING CLUB

INDEX

- 1. INTRODUCTION**
- 2. MANAGEMENT DUTIES AND RESPONSIBILITIES**
- 3. RECRUITMENT AND PERSONNEL INFORMATION**
 - INTERVIEW AND SELECTION
 - REFERENCE REQUEST
 - DANCER DISCLAIMER
 - DANCER COMPLIANCE FORM
 - DANCER DISCIPLINARY ACTION
 - UNIT INDUCTION
 - SIGNING IN / OUT PROCEDURE
 - RECORD KEEPING
 - DISCIPLINARY PROCEDURE
- 4. ADMISSION CONTROL**
- 5. CUSTOMER SERVICE AND CODE OF CONDUCT**
- 6. DANCERS GOOD PRACTICE GUIDE**
 - CODE OF CONDUCT FOR DANCERS
- 7. DRUGS POLICY**
- 8. MARKETING POLICY**
- 9. OPERATING POLICY**
- 10. APPENDIX**
 - A. DANCER DISCLAIMER FORM
 - B. DANCER DISCLAIMER DISCLOSURE FORM
 - C. DANCER COMPLIANCE FORM
 - D. DANCER DISCIPLINARY RECORD SHEET
 - E. CODE OF CONDUCT FOR CUSTOMERS
 - F. CODE OF CONDUCT FOR DANCERS
 - G. PRE-OPENING / CLOSING CHECKLIST
 - H. DOOR SUPERVISOR / SECURITY STAFF SIGNING IN BOOK
 - I. CCTV DAILY LOG

1. INTRODUCTION

The aim is to provide a table side dancing facility at the premises currently known as The Music Palace, occupying the ground floor at 159A Tottenham Lane, Hornsey, London N8 9BT.

The premises are currently licensed as a nightclub, with the operators seeking to extend the hours throughout the week from 11am to 2am the following day Monday to Sunday. The purpose of the documentation contained herein is to demonstrate the high operating standards with which the club, in particular dealing with those issues set out in existing legislation, in particular the Licensing Act 2003, and the four licensing objectives therein.

The club intends to target the business community both local and in North London in general. A high standard of personal appearance will be expected from clients who attend the premises and who in turn will receive excellent customer service.

The location is situated on a main business road, with business properties surrounding and very few residents in the immediate vicinity. It is not intended that the premise will advertise extensively on the exterior and in addition it is not considered to be part of the business plan to market extensively in local press or in the local area. The intention is to operate the premise in a discreet fashion in order to ensure that residents in the immediate environment are not directly affected by the operation of the club.

These guidelines are designed to ensure that the venue operates in a safe, organised and professional manner.

Compliance with these guidelines, which will be reviewed regularly, will contribute to the environment in which we operate being both safe and lawful for customers and employees alike.

2. MANAGEMENT DUTIES AND RESPONSIBILITIES

During trading hours at least one member of the management known as the Duty Manager will be in the trading area at all times.

A Duty Manager will hold a Personal Licence and as such will have a good knowledge of the licensing laws and issues surrounding the Licensing Act 2003 and will be deemed competent by the owners and operators of the premise to hold the position as Designated Premises Supervisor if required to do so by the operators of the premise, should the current DPS leave the position.

It is the responsibility of the Duty Manager to implement the policies and guidelines of the owners and operators of the premise set out in this document and to ensure all legal requirements are met.

The Duty Manager will make the final decision on entry into, or, exclusion from the premise.

All security staff will be trained and licensed under the SIA accreditation scheme. At the commencement of their shift, all security staff are to sign in the door supervisor signing in book and their badge numbers are to be logged. At the end of their shift they are to sign out. It is the responsibility of the Duty Manager to ensure that all security staff are registered and their registration badges are displayed at all times.

Levels of security staff required at the premise will be dependent upon trading levels however there will be a minimum of one SIA registered member of security on duty at the entrance and, two inside the premise at any time that it is trading.

The Fire Book is to be checked by the Duty Manager prior to opening the premise to ensure that all checks are up to date. The 'Pre-opening Checklist' must be completed prior to opening. At the close of business, the 'Closing Checklist' must be completed. These documents are attached as appendix G.

Upon commencement of their shift, all dancers are to log into the operating system employed by the management for verification and control of dancers. This system identifies each dancer by name and a photographic image. The Duty Manager must ensure that only dancers logged into the system are working.

If there is a breach of club rules or these guidelines, the person responsible shall be immediately suspended and escorted from the premises by the Duty Manager and a member of security staff. If that person is a member of staff, then there will be an investigative interview held at a date to be determined by the Duty Manager in order to investigate the reasons for the breach.

It is the responsibility of the Duty Manager to ensure that all CCTV equipment is fully operational during every session and to report and defects to the owners and operators. A log to confirm that the CCTV is operational is to be kept and all recordings will be retained for a period of 30 days for inspection by an Officer of the Metropolitan Police or any Licensing Officer as required to fulfil their duties.

The Duty Manager will have a radio link to security staff at all times.

The owners and operators of the premise will actively support any town centre radio link schemes and will ensure that if such scheme is available, it is joined and a radio is kept with either the Duty Manager or head of security during such times that the premise is open to the public.

It is the responsibility of the Duty Manager to ensure that all incidents are recorded in the incident book.

When in the public part of the club, all dancers must be visible to a member of management or security at all times. This means that the layout of the premise will not permit dancers to take customers to any area that is not visible to either the Duty Manager or security.

Dancers and security staff will be randomly searched for illegal substances and/or weapons (dancers only by security staff or management of the same sex).

No alcohol is to be consumed by the Duty Manager prior to the commencement of or during shifts, under any circumstances.

Smoking will only be permitted by staff members in an area designated for that purpose.

Failure to comply with any of the above, may result in disciplinary action and ultimately dismissal.

3. RECRUITMENT AND PERSONNEL INFORMATION

INTERVIEW AND SELECTION

As part of the recruitment process all candidates will attend an interview. As part of this process all applicants will be expected to prove that they are legally allowed to work, are over 18 years of age and have no criminal convictions relation to sex or drugs. Failure to provide such evidence may result in an offer of employment or a contract of service being withdrawn. These conditions are not exhaustive.

REFERENCE REQUEST

No prospective employee or self employed persona shall commence work until references have been applied for and satisfactory replies received.

DANCER DISCLAIMER (Appendix A)

All dancers will be required to sign a "Dancer Disclaimer Form" prior to commencing work. This requests any information relating to convictions for sex or drug offences and will form part of their induction pack retained in their personnel file. Prior to commencement of every shift, dancers will be required to ding a disclosure form (Appendix B) to confirm that the details contained in their application form and "Dancer Disclaimer Form" have not changed.

DANCER COMPLIANCE FORM (Appendix C)

Dancers will be required to sign a "Dancer Compliance Form" confirming that they fully understand the "Code of Conduct for Dancers" and agree to comply with it.

DANCER DISCIPLINARY ACTION

A dancer will be disciplined for infringement / breach of any of the rules contained in the "Code of Conduct for Dancers" (Appendix F).

The level of disciplinary action will depend upon the nature of the incident and/or severity of the incident. Repeated infringement / breach will also be a consideration.

Recourse for discipline will be in line with employment law; however, the dancer may be required to pay contract damages that may range from £25 to the full house fee. The management reserves the right to suspend any dancer at any time pending investigative interview.

Any disciplinary action will be recorded on the dancer disciplinary record sheet (Appendix D)

The General Manager's decision is final.

UNIT INDUCTION

Prior to commencing work all workers will take part in the unit induction process. This will consist of:

- Unit familiarisation
- Introduction to and explanation of all Code of Conduct
- Licensing and Legal responsibilities
- Health and Safety in the workplace
- Drugs Policy procedures

SIGNING IN / OUT PROCEDURE

At the commencement of each shift, employees will sign in on a daily time record sheet. In the case of dancers they will also be required to log onto the computer management system, which will allow the Duty Manager to confirm the individuals ID by photographic image.

4. ADMISSION CONTROL

Notices explaining conditions of entry will be posted at the entrance.

No person under 18 years of age will be admitted at any time.

No person may be refused admission on grounds of disability, colour, race or ethnic origin.

Persons will be refused if:

- They are under the influence of alcohol (or appear to be)
- They are under the influence of drugs (or appear to be)
- They do not comply with dress requirements
- They are unable to pay the admission charge
- They are, or associate with, a known trouble maker or person deemed by the management to be unsuitable
- Are under the minimum entry age.

Admission must always be refused politely.

Any incident relating to refusal of admission should be entered into the unit incident book.

On entry to the premises the customer will receive the leaflet explaining the rules of the club concerning their conduct on the premises.

DRESS CODE

There will be a strict dress code operated at all times as follows:

- Smart Dress. Smart jeans are acceptable, although not encouraged. Sportswear of any kind (including training shoes) will not be allowed. Headwear and outdoor coats and jackets should be deposited in the cloakroom at reception.

5. CUSTOMER SERVICE AND CODE OF CONDUCT

On entering the venue, the customer will be greeted on reception where they will be required to pay an admission fee. They will be given a copy of the "Code of Conduct for Customers" (Appendix E) and asked if they would like to purchase any dance tokens. The tokens have a value of (£tbc) each and will be the only way of paying for dances.

As they enter the main area they will be welcomed by a host / hostess who will ask then if they would prefer a table or would like to use one of the bars.

If the customer requests a table, they will be seated and introduced to their waiter / waitress, who will take their drinks / food order.

If they go to the bar area they will be free to order their own drinks / food and mingle with other customers and dancers who are not dancing. They may at this point ask a dancer for a dance. They will then be taken to a table in a suitable area for the dance to take place.

CODE OF CONDUCT FOR CUSTOMERS (Appendix E)

1. You must be seated before a dancer can commence a dance and must remain seated throughout the dance.
2. You must not touch any dancer at any time during the dance, except when placing the dance token into the dancer's hand or garter.
3. You must remain fully clothed during the dance.
4. You must not dance at any time with the dancers.
5. You must not proposition any of the dancers for inappropriate or illegal conduct or to meet the dancers off the premises.
6. You must be over 18 years of age. Where there is any doubt the only proof of age accepted is either a valid driving licence (with photo) or a passport.
7. The club will not accept drunken or unruly behaviour at any time. Any person who is deemed to be intoxicated or unruly will be asked to leave the premises. Failure to comply with a reasonable request or contribution with such behaviour will result in your exclusion from the premises.

Please note that CCTV is used extensively within these premises in order to provide a safe environment for customers to enjoy their visit to the club.

6. DANCERS GOOD PRACTICE GUIDE

The dancers good practice guide is designed to ensure that the venue is operated in a respectable and professional manner at all times. The consequences of breaches of this guide, its restrictions and its code of conduct, can have severe consequences both morally and legally. Any breach will have a detrimental effect on the good standing of the premises and may represent a breach in law or / and Local Authority requirements. As such, any such breach will be treated as gross misconduct.

CODE OF CONDUCT FOR DANCERS (Appendix F)

1. When arriving at, and going from work, you attire should be respectful to the area in which we operate. You must be smart and look respectable to the general public from outside the venue at all times. You should arrive quietly and leave quietly so as not to bring yourselves or the venue into disrepute.
2. Dancers are to arrive ½ hour prior to commencement of their shift.
3. Dancers should sign in the staff signing book, sign the "Dancers Disclaimer Disclosure Form" and log onto the computer management system before the commencement of their shift.
4. When entering the floor area you should be appropriately dressed. Shoes must be worn at all times except when in the dancer's dressing room.
5. Hair, any make-up and any jewellery should be of good quality and reflect the standing of the establishment. It is imperative that this is maintained throughout your shift.
6. You may not give your telephone number, address or any contact information to any customer. Nor should you accept any telephone number, address or any contact information from any customer, or make any arrangement to meet a customer off the premises.
7. Dancers shall not be intoxicated at any time on the premises. Intoxicated individuals will be sent home and repeat incidents will be grounds for dismissal.
8. Chewing gum is not permitted at any time. Smoking is permitted only in designated areas during breaks. Eating is only allowed during breaks and in designated areas.
9. **TABLE SIDE DANCE PERFORMANCES.**
Topless tableside dancers may be performed for a charge of (£tbc) per dance (approximately 3 minutes duration). These may be performed in the main floor area or designated booths. (should have been removed)
Nude tableside dances may be performed for a charge of (£tbc) per dance (approximately 3 minutes duration). These may be performed in designated areas only.(to be defined)
10. Dancers will not perform in such a way as to purposely show the customers their genitalia.
11. Dancers should re-clothe immediately after each dance / performance. Dancers / entertainers who are not performing / dancing shall not appear in any public area wearing less than a g-string for males, and g-string / bikini bottom and top for females.
12. If a customer attempts to touch you or speak to you inappropriately during a stage or tableside performance, immediately cease the performance, and remind them of the rules of the club that were issued to them on entry. If the customer again breaches the club rules they will be spoken to by club security that may require them to leave the premises.
13. **PROSTITUTION**
Selling any form of sexual favours is prohibited. This will be deemed as gross misconduct and may lead to dismissal.
14. **SOLICITATION**
Accepting a customer offer of payment in return for sexual favours, whether or not you actually have any intention to commit the act, will be deemed as gross misconduct and may lead to dismissal.

15. DRUGS

The club's policy in relation to drugs is clearly outlines in the Company Drugs Policy.

16. Spouses or partners are not permitted in the club during any shift in which you are working. Furthermore, if you see a customer enter the club whom you know outside the working environment, you must inform the Duty Manager immediately.
17. Dancers will either leave at the end of their shift in a nominated taxi or a member of security will escort them to their car and off the premises.
18. A dancer may not leave the premises during a shift, except in an emergency and only with express permission of the Duty Manager. In all cases the dancer must sign out and log off the computer management system.
19. A dancer that has left early will not be re-admitted to the shift that they left or the proceeding shift unless this is at the request of the Duty Manager.
20. All dancers will be required to sign a "Dancer Disclaimer Form" prior to commencing work. This requests any information relating to convictions for sex or drugs offences. Prior to commencement of every shift, dancers will be required to sign a Dancer Disclaimer Form to confirm that the details contained in their application form and "Dancer Disclaimer Form" have not changed.
21. All dancers will be required to sign a "Dancer Compliance Form" confirming that they fully understand the "Code of Conduct for Dancers" and agree to comply with it.
22. The company employs extensive use of recorded CCTV. Regular compliance checks of performances will be made. Mystery shoppers will also be employed to pose as customers. The results of these checks will be forwarded to a Director of the company and may be used in any disciplinary action against you. Dancers must acknowledge and agree to the use of CCTV as part of their terms of employment.

The company maintain a zero tolerance policy regarding any breaches of the above rules.

7. DRUGS POLICY

PHILOSOPHY

The company has a zero tolerance to drug misuse and its associated culture. We make no concession that will encourage staff or customers who want to use our premises for such purposes. Whilst we offer care and assistance to any member of staff or customer in difficulty, it is the policy of the company that anyone found in possession, trying to sell or buying any illegal substance would be reported to and arrested by the police. Furthermore, the company will work with the Metropolitan Police and adopt its guidelines relating to drug misuse as its own.

THE COMPANY POLICY AS IT APPLIES TO STAFF MEMBERS

1. The company will not employ anyone who is known as an illegal drug user.
2. The possession or distribution of drugs for non-medical reasons when on company business either on or off the premises is strictly forbidden.
3. If you are prescribed drugs that may affect your performance at work you must inform your Duty Manager at the earliest opportunity.
4. The company reserves the right to search any employee or employee's property brought onto company property by the employee if there are reasonable grounds to suspect that the employee is in breach of the company's drugs policy. Refusing to comply will normally be treated as gross misconduct and may result in disciplinary action being taken.
5. Any employee arrested for a drug-related offence, even out of work, will be considered to be in breach of the company's drug policy. The company will take disciplinary action under such circumstances.
6. Any employee who suspects another of drug abuse should report this to the Duty Manager.
7. If the company suspects an employee of misuse of drugs, the company reserve the right, at its expense, to request the employee to undergo a medical examination to confirm / refute this. Refusing to comply will normally be treated as gross misconduct and may result in disciplinary action being taken.
8. As part of its staff development the company will endeavour to educate and inform employees about the consequences of drug abuse.

This policy will be reviewed annually.

8. MARKETING POLICY

AIM

The aims of all marketing activity will be as follows:

- To create an image of excellence and exclusivity
- To make people aware of the venue and the standards expected in relation to customer profile
- Always to portray a positive image and not to degrade the venue, its customers or its staff in any way
- To respect the privacy of clients at all times

TARGET MARKET

The venue will be targeted mainly to the business sector in the following ways:

- By pre-arranged visits to businesses to discuss opportunities with senior management.
- By building relationships with hotels that target a business client base.
- By advertising in local and national media publications that target a transitional business market.

It is anticipated that the local market will provide a cross section of potential clients with differing reasons for visiting the venue. No local marketing will take place that will portray the venue as anything but a reputable venue providing alternative entertainment in a "high class" environment.

9. OPERATING POLICY

DAY	OPERATING TIMES	ADMISSION CHARGE	DANCE PRICE
Monday - am	midday – 6pm	£[]	£[] / £[] VIP
Monday - pm	6pm – 2am	£[]	£[] / £[] VIP
Tuesday – am	midday – 6pm	£[]	£[] / £[] VIP
Tuesday - pm	6pm – 2am	£[]	£[] / £[] VIP
Wednesday - am	midday – 6pm	£[]	£[] / £[] VIP
Wednesday - pm	6pm – 2am	£[]	£[] / £[] VIP
Thursday – am	midday – 6pm	£[]	£[] / £[] VIP
Thursday - pm	6pm – 2am	£[]	£[] / £[] VIP
Friday – am	midday – 6pm	£[]	£[] / £[] VIP
Friday - pm	6pm – 2am	£[]	£[] / £[] VIP
Saturday - pm	7pm – 2am	£[]	£[] / £[] VIP
Sunday	6pm-11pm	£[]	£[] / £[] VIP

PAYMENT POLICY

All payment for admission and dances are to be made at reception. Customers will purchase dance tokens at reception with which to pay for their dances.

Payment for food or drink will be made in the usual way at the bars or through a waiter / waitress.

MUSIC

Music will be provided via a mixture of CD, DJ and Presenters.

Music type will vary through the day, however, in the main this will be as follows:

- AM session Classic chart and dance anthems
- PM session Dance anthems and up to date chart

GENDER GUIDELINES

From time to time, the club may operate Ladies Nights. On such nights, only male dancers will perform. The club will not operate mixed sessions where both male and female dancers appear.

APPENDIX

- A. DANCER DISCLAIMER FORM**
- B. DANCER DISCLAIMER DISCLOSURE FORM**
- C. DANCER COMPLIANCE FORM**
- D. DANCER DISCIPLINARY RECORD SHEET**
- E. CODE OF CONDUCT FOR CUSTOMERS**
- F. CODE OF CONDUCT FOR DANCERS**
- G. PRE-OPENING / CLOSING CHECKLIST**
- H. DOOR SUPERVISOR / SECURITY STAFF SIGNING IN BOOK**
- I. CCTV DAILY LOG**

A. DANCER DISCLAIMER FORM

I _____ certify that I have no criminal convictions or pending prosecutions for sex or drug related offences.

Furthermore, I hereby authorise [Name of Co.] to carry out an external background check on me should they require so to do. I also agree to my image being recorded on CCTV for reasons of compliance and security in line with the Data Protection Act.

The following details are required in order to carry our checks to establish suitability for the role you have applied for. Failure to provide the correct information may result in any offer of employment or services being withdrawn.

Birth details (as supplied on your birth certificate)

First name _____

Surname _____

Other name _____

Place of birth _____

Current name if different from above (as on current passport or driving licence)

First name _____

Surname _____

Other name _____

Stage name _____

Signed _____

Dated _____

E. CODE OF CONDUCT FOR CUSTOMERS

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2. You must not touch any dancer at any time during the dance except when placing the dance token into the dancer's hand or garter.
3. You must remain fully clothed during the dance.
4. You must not dance at any time with the dancers.
5. You must not proposition any of the dancers for inappropriate or illegal conduct, or to meet the dancers off the premises.
6. You must be over 18 years of age. Where there is any doubt the only proof of age accepted is either a valid driving licence (with photo) or a passport.
7. The club will not accept drunken or unruly behaviour at any time. Any person who is deemed to be intoxicated or unruly will be asked to leave the premises. Failure to comply with a reasonable request or contribution with such behaviour will result in your exclusion from the premises.

Please note that CCTV is used extensively within these premises in order to provide a safe environment for customers to enjoy their visit to the club.

F. CODE OF CONDUCT FOR DANCERS

1. When arriving at, and going from work, you attire should be respectful to the area in which we operate. You must be smart and look respectable to the general public from outside the venue at all times. You should arrive quietly and leave quietly so as not to bring yourselves or the venue into disrepute.
2. Dancers are to arrive ½ hour prior to commencement of their shift.
3. Dancers should sign in the staff signing book, sign the "Dancers Disclaimer Disclosure Form" and log onto the computer management system before the commencement of their shift.
4. When entering the floor area you should be appropriately dressed. Shoes must be worn at all times except when in the dancer's dressing room.
5. Hair, any make-up and any jewellery should be of good quality and reflect the standing of the establishment. It is imperative that this is maintained throughout your shift.
6. You may not give your telephone number, address or any contact information to any customer. Nor should you accept any telephone number, address or any contact information from any customer, or make any arrangement to meet a customer off the premises.
7. Dancers shall not be intoxicated at any time on the premises. Intoxicated individuals will be sent home and repeat incidents will be grounds for dismissal.
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11. Dancers should re-clothe immediately after each dance / performance. Dancers / entertainers who are not performing / dancing shall not appear in any public area wearing less than a g-string for males, and g-string / bikini bottom and top for females.
12. If a customer attempts to touch you or speak to you inappropriately during a stage or tableside performance, immediately cease the performance, and remind them of the rules of the club that were issued to them on entry. If the customer again breaches the club rules they will be spoken to by club security that may require them to leave the premises.
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22. The company employs extensive use of recorded CCTV. Regular compliance checks of performances will be made. Mystery shoppers will also be employed to pose as customers. The results of these checks will be forwarded to a Director of the company and may be used in any disciplinary action against you. Dancers must acknowledge and agree to the use of CCTV as part of their terms of employment.

The company maintain a zero tolerance police regarding any breaches of the above rules.

I confirm that I fully understand the above conditions relating to the "Code of Conduct for Dancers" and agree to abide by them.

First name _____

Surname _____

Other name _____

Stage name _____

Signed _____

Dated _____

H. DOOR SUPERVISOR / SECURITY STAFF SIGNING IN BOOK

The Music Palace employs the services of:

[Name and address of Security Company] for all matters relating to security.

Documentation relating to signing in books and incident logs will be adopted and used at this unit.

APPENDIX 4

LETTERS FROM METROPOLITAN POLICE



Your reference:

Our reference: 30/2009

Date: 26 February, 2009

Metropolitan Police Service

Ms D.BARRETT
Licensing
Techno Park
Ashley Road
Tottenham N.17

Licensing
Quicksilver Patrol Base
Western Road
Wood Green
N.22 6UH

Tel: 0203 – 276 - 0150

Dear Ms. Barrett

Re:- Application to vary a Premises Licence:-

Music Palace 159A Tottenham Lane N.8

With reference to the above application and our letter of representations dated the 23rd of February 2009. I have received correspondence from the applicant solicitor agreeing to our representations.

I therefore wish to withdraw our representation.

I attach a copy of the letter of acceptance.

If you require further information please do not hesitate to contact me on the above telephone number.

Yours Sincerely

Geoffrey Parker
Licensing
Quicksilver Patrol Base

c.c. Poppleston Allen



Your reference:

Our reference: 30/2009

Date: 11 March, 2009

Metropolitan Police Service

Ms D.BARRETT
ENVIRONMENTAL CONTROL SERVICES
TECHNO PARK
ASHLEY ROAD
TOTTENHAM N.17

Licensing
Quicksilver Patrol Base
Western Road
Wood Green
N.22 6UH

Tel: 0203 – 276 -0150

Dear Ms. Barrett

Re:- Application for a variation to a Premises Licence:-

The Music Palace 159A Tottenham Lane N.8

With reference to the above application Police have considered the application and wish to make the following representations.

1.This is under the Prevention of Crime & Disorder objective:-

The premises management will become members and actively participate in the local Pub Watch scheme.

2. This is under all the Licensing Objectives:-

The Operational Guidelines submitted with the application must be accepted as a condition of the licence in full, except table side dance performances number 9. Designated Booths are not acceptable to police and any dance must be performed in a area which is open and in full view of the customers and management of the premises.

Yours Sincerely

Geoffrey Parker
Licensing
Quicksilver Patrol Base

Poppleston Allen

APP 5

REPRESENTATION FROM NOISE TEAM

Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Cc:

Our Reference Wk/108692

Date: 3rd March 2009

Premises: Music Palace, 159 Tottenham Lane, London, N8 9BT

Type of application: Variation

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

Make representations to the Variation.

on the following grounds

Supporting Information

Since advice concerning sound insulation to premises to prevent airborne noise escaping, the proprietors of the premises have sealed all openings. Since these works have been completed we have only received two noise nuisance complaints, neither of which were established.

Informative

I would recommend the following alterations/conditions to the operating schedule: To prevent noise nuisance complaints, all music (live or recorded) broadcast or commentary should go through the premises Sound Limiter. Any live band music should be only permitted till no later than 23.00hrs, as the levels are hard to control even through a Sound Limiter. Thereafter only recorded music should be used and controlled through the premises Limiter.

All other present conditions for the premises should apply.

Charles Buckle
Enforcement Response Officer

APPENDIX 6

LETTERS OF REPRESENTATIONS FROM INTERESTED PARTIES

Mr S. Lillystone

*24 Fairfield Road
London
N8 9HG*

24th February 2009

Ms D Barrett
Lead Licensing Officer
1st Floor, Lea Valley Technopark
Ashley Road
Tottenham
LONDON
N17 9LN

Dear Daliah

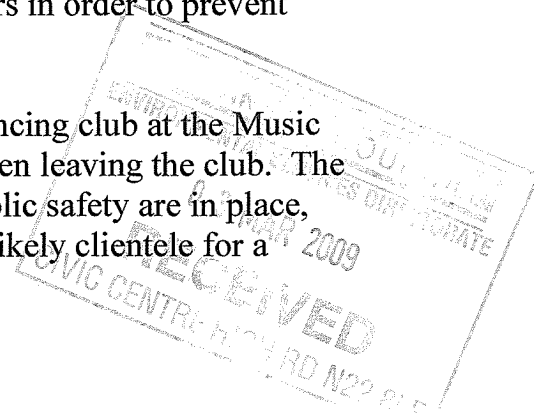
Re: **Music Palace, 159A Tottenham Lane N8 application for a premise license variation extension of hours, to operate a lap dancing club and extend hours**

I am writing to you to object to Music Palace's above application to extend its opening hours and what it can do during these hours, and to change its use to a lap dancing club. Our objections are on two primary grounds:

1 There is a history of public nuisance caused to residents from this venue, through excessive music played within the club and people leaving late at night. Often loud music has playing well after the normal licensing hours. For example, on Saturday February 28th, the music was playing until after 1.30 am. This is clearly a **public nuisance**.

Since the Bar licensees themselves have admitted that they have no way of reliably controlling the noise made by live music, they should be restricted to playing any loud music past the existing restricted hours in order to prevent more **public nuisance**.

2. I strongly object to the change of use to a lap dancing club at the Music Palace because of the impact on the local area of the men leaving the club. The Licensee has not demonstrated measures to protect public safety are in place, nor has any risk assessment taken place regarding the likely clientele for a



lapdancing club and the impact on women and girls inside and outside the building.

3 The applicant has not demonstrated that children and young people will be protected from harm

4 Haringey's Statement of Licensing Policy says that premises located near schools, nurseries or places of worship will be considered to be in sensitive areas. The variation should be refused, as all of these are in close proximity to this venue.

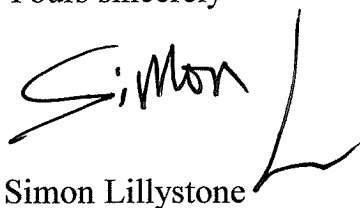
5 It has come to light that there are covenants on the 159A Tottenham Lane land on which the Music Palace sits which place strict prohibitions on the use of the land. These state:

- No beer wine or spirits shall be sold
- The Purchaser shall not carry on or permit to be carried on any noisy or offensive trade business or occupation or any nuisance
- Nor be used for any purpose which shall be an annoyance to the neighbourhood

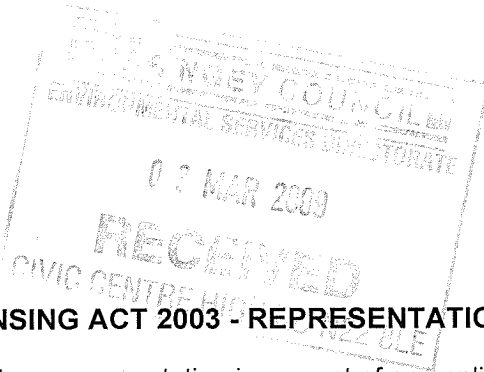
Given that these are the covenants on the land, surely the Council cannot override these and grant a license for lap dancing, which is quite clearly offensive to many, not indeed sale of alcohol?

Please refuse both the extension of hours where the volume of music cannot be controlled (e.g. live music) and the change of use to a lap dancing club, soon to be known as 'sex encounter premises'.

Yours sincerely



Simon Lillystone



LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details

Name... LOUISA STANTON
 Address... FLAT 1, 22 FAIRFIELD ROAD
CROUCH END, LONDON, E3
 Postcode... N8 9HG

Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....
 Name of Licensee... MUSIC PALACE, 159A TOTTENHAM LANE
 Name of Premises (if applicable)... MUSIC PALACE
 Premises Address (where the Licence will take effect).....
159A TOTTENHAM LANE, LONDON
 Postcode... N8

Reason/s for representation

*Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet **Variations, Representations and Appeals for Premises Licences and Club Premises Certificates**).*

NOTE: PLEASE SEE FULL REPRESENTATIONS IN SEPERATE LETTER

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

OBJECTIONS: INCREASE OPENING HOURS AND OPERATE AS A LAP DANCE CLUB

- SAFETY IMPLICATIONS FOR LOCAL WOMEN
- EXTENDING HOURS WILL EXTEND ~~EX~~ DRUNK AND DISORDERLY BEHAVIOUR WE ALREADY EXPERIENCE
- BRINGING DRUG + ALCOHOL ABUSERS TO THE AREA + CRIMINALS
- INCREASE IN DRUG DEALING, PETTY CRIME, VIOLENCE, ALCOHOL RELATED CRIME, ILLEGAL MINICABS, PROSTITUTION, SEXUAL CRIMES

Public Safety OBJECTIONS: INCREASE OPENING HOURS AND OPERATE AS A LAP DANCE CLUB

- INCREASED CRIME + DISORDER LOCALLY AFFECTS PUBLIC SAFETY
- NO RISK ASSESSMENT ON SAFETY OF VENUE'S FEMALE STAFF
- NO RISK ASSESSMENT ON BRINGING A NEW DEMOGRAPHIC (THE LAP DANCE CUSTOMER) INTO THE AREA

The Prevention of Public Nuisance OBJECTIONS: INCREASE OPENING HOURS AND OPERATE AS A LAP DANCE CLUB;

- HISTORY OF VENUE CAUSING A PUBLIC NUISANCE
- THE PROPOSAL ITSELF IS PROOF OF LACK OF RESPECT FOR THE AREA AND LACK OF INTEREST IN MINIMISING PUBLIC NUISANCE
- DIRECT CONTRAST TO USE OF LAND AS MAINLY RESIDENTIAL.

The Protection of Children from Harm OBJECTIONS: INCREASE OPENING HOURS AND OPERATE AS A LAP DANCE CLUB

- PROXIMITY OF SCHOOLS AND FAMILY HOMES
- LAP DANCE CLUB ACTIVITIES AND MARKETING UNHEALTHY TO EXPOSE CHILDREN TO ON A DAILY BASIS. DITTO DRUNKEN BEHAVIOUR.
- NO REASURANCE/RISK ASSESSMENT BY VENUE
- CHILDREN HAVE A RIGHT TO A PEACEFUL NIGHTS SLEEP
- HOW WILL VENUE KEEP UNDER 18'S OUT OF THE VENUE?

I, Y. Louisa Stanton, hereby declare that all information I have submitted is true and correct.

Signed:

YLS

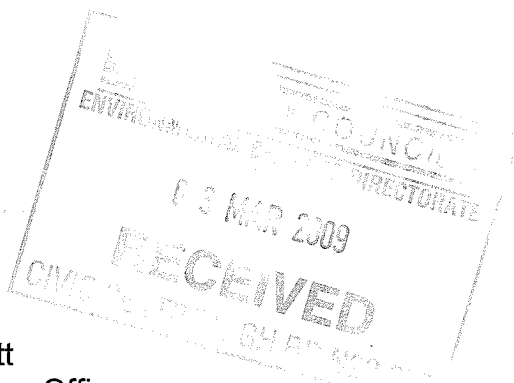
Date:

1. MARCH . 09

Please send completed form to:

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

Flat 1
22 Fairfield Road
N8 9HG
London
1 March 2009



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

Dear Ms Barrett,

Representation Against: Application for licence variation to Music Palace, 159A Tottenham Lane, London N8 – To operate a Lap dancing club and extend hours of trading.

I am a resident of Fairfield Road and my property directly backs onto the Music Palace premises. Since moving into the property in April 2008 I have frequently been disturbed by loud dance music from the venue both during the day and late at night. I most recently complained about this to Haringey Council's 24 hour services on Sunday, 1 March 2009 at 2:15am. The noise prevents me from sleeping and occasionally goes on until 3am – later I believe than the premises is currently licensed to trade.

I object to both proposed variations to the licence: both to extending hours of trading and to its operating as a lap dancing club.

The reasons for my objections are detailed below, arranged under subheadings to match the 4 licensing objectives:

The prevention of crime and disorder

During its opening hours the Music Palace alters the character of Tottenham Lane and the surrounding roads. There is a marked increase in drunken and disorderly behaviour, general public nuisance, violence and noise. During the day the area is a pleasant and safe place to work, to pass through and to visit local businesses. At night, it becomes somewhere I would not feel safe as a single woman walking alone.

Increasing the opening times will increase the amount of time Crouch End/Hornsey residents are exposed to drunken behavior and associated crime and disorder.

A drinking venue that is open around the clock will draw a regular stream of undesirable people to the area, including drug dealers, people who abuse drugs and alcohol, gang members and petty criminals. Their presence will increase the incidence of opportunistic crime in the surrounding streets such as vandalism, forced entry to property, mugging and violence. The number of illegal minicab drivers targeting the area will also increase.

Lap dancing venues are well known to fail to prevent their dancers and customers from engaging in prostitution/soliciting. They are also frequently linked to drug dealing and sex trafficking, crimes which will naturally have a detrimental impact on people living and working locally.

Research indicates that lap dancing clubs have a negative impact on the safety and well being of women living and working in the vicinity, both in terms of actual assault and in less measurable effects such as increased harassment and fear of violence. (See for example, the recent report Object 2008 report which sites research conducted by the Leith Project found that the rate of sexual assault increased by 50% in the London Borough of Camden following a series of lap dance club openings.) I personally would certainly feel less safe walking around my local area if this application is granted.

The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with the involvement of young men being a specific concern. The clientele of a lap dance venue is almost exclusively male, and this venue proposes to sell alcohol to them around the clock. Both of these factors will increase crime and disorder problems in the surrounding area.

The venue has a history of failing to protect the community from noise and nuisance and has not demonstrated how they will tackle the crime and disorder challenges that their proposed changes will involve. I have no confidence that they will do anything to minimise them.

The protection of children from harm

In the wake of the Baby P case it will be important for Haringey Council to reassure local residents that protecting local children from harm is a top priority. The proximity to the venue of schools and family homes means that hundreds of children will be passing by the venue on a regular basis. Any advertising or signage displaying adult content will be highly visible to them as will clients and dancers coming in and out of the venue from mid morning. This will expose them to adult material and sexual behavior on a day to day basis, encouraging them to believe such behavior is normal and acceptable and harming their development.

Haringey Council's statement of licensing policy says that premises located near schools, nurseries or places of worship are considered to be in sensitive areas. The variation should be refused as all of these are in close proximity to the venue.

Crouch End area is predominantly a family area and the site is next to scores of family homes and several schools. Crouch End is a family friendly place to live, and we want to keep it that way. Our local children have a right to a peaceful night's sleep, not to mention a safe walk to and from school.

Adult images on flyers and advertising hoarding will inevitably start to appear across Crouch End and Hornsey, which is damaging to all the young children living locally.

Many lap dance clubs have real issues in complying with their policies not to admit children and young people under the age of 18. On the basis of past form I would not trust this venue to make this a priority.

The venue has a history of failing to protect the community from noise and nuisance and has not provided any reassurance indicating how they will protect our local children and young people from the harm that this type of business will inevitably present.

Public safety

The arguments relating to public safety are the same as those listed under the prevention of crime and disorder (see pages 1 to 2), as increasing problems with crime and disorder will have a negative impact on public safety.

Opening a lap dancing club will also introduce at least 2 other public safety issues:

- 1) the safety of dancers
- 2) the impact of drawing a particular demographic (the lap dance venue customer) into the area.

The venue has not provided any information on how they will protect the safety of their female employees. It has not supplied details of any risk assessments carried out on this or on the issue of drawing a particular profile of customer into the area.

The prevention of public nuisance

The increase in opening hours will increase the amount of noise and nuisance that we already experience in this residential area. The noise and nuisance will be occurring through the daytime and late into the night. This will offer no relief to those who live and work near to the venue. During the daytime it will prevent local homeowners like myself from enjoying our properties (particularly our outside areas), prevent us from opening our windows and force us to purchase expensive sound insulation including double glazing. At night, the noise will affect our sleep and have a detrimental effect on our health and wellbeing.

The proposed function of these premises (a lap dancing club) is in direct contrast to the mainly residential use of the local environs. It is poor planning to put a lap dancing club in the middle of a residential area. This would decrease the desirability of the area amongst homebuyers and tenants and decrease property prices.

The venue has a history of failing to protect the community from noise and nuisance. They breached their own conditions on opening ours as recently as March 1 2009. This continuing disregard for local residents proves that they are not either not willing to protect local residents and businesses from nuisance, or capable of doing so.

This application in itself is proof that they have no interest in preventing public nuisance and that they are not capable of conducting their business in harmony with the local community.

Summary:

Allowing an all-hours drinking and lap dance venue to open in Crouch End would have a detrimental effect on our local residents (particularly children), will be damaging to local businesses and risk altering the unique character of the area.

I understand that the council needs to demonstrate objections on the basis of the four key criteria. I feel confident that it will obtain more than enough evidence to do so, both from local residents and from research and learning from other similar cases elsewhere in London and the UK.

Thank you for taking the time to read this letter.

Yours sincerely

Louisa Stanton

cc: Lynne Featherstone – MP for Hornsey and Wood Green



02/03/09

The Licensing Authority
London Borough of Haringey
Urban Env. Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re: License Variation – Music Palace, 159A Tottenham Lane.

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue as a local residents and parents of children attending Rokesly Junior School.

I object on these grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from the premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all of these premises.

From: .
Sent: 03 March 2009 10:11
To: Licensing
Subject: objection to Music Palace 159a Tottenham Lane

Dear sir/madam

Re. Licence Variation Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds

Prevention of crime and disorder. The proposed variation will increase alcohol related crime and disorder in crouch end.

Public safety. The licensee has not demonstrated measures to protect public safety are in place, no risk assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers.

Prevention of public nuisance. This venue has a history of public nuisance through excessive noise from music played within the premise and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm. For example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly infant and junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue that is within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration I urge the Licensing Authority to reject this application.

Please ensure my details aren't shared with the applicant for fear of intimidation.

Barrett Daliah

From:

Sent: 02 March 2009 12:59

To: Licensing

Subject: OBJECTION TO LICENCE VARIATION - MUSIC PALACE, 159A TOTTENHAM LANE

Dear Sir/Madam

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk=assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played with the premises and customers leaving late at night. I have personally witnessed fights taking place outside of the venue on several occasions.


Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400 m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

 **SAVE PAPER** - Please do not print this e-mail unless absolutely necessary

02/03/2009

Barrett Daliah

From:

Sent: 02 March 2009 09:55

To: Licensing

Subject: License Variation - Music Palace, 159a Tottenham Lane

Dear Sir/Madam

I wish to object in the strongest possible terms to the application for a change of licensing condition at The Music Palace to allow adult entertainment at this venue.

Firstly, the council's own policy states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Since Rokesly Schools, the YMCA, and the parish church are in the immediate vicinity of these premises the application should surely be turned down on these grounds alone. It is hard to imagine an enterprise more at odds with the ethos of all three institutions.

Secondly, there is an issue of public safety. The council's own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping and other offences of a sexual nature'. Bearing this in mind, the fact that opening hours are proposed from 11.00am, and the school and YMCA are less than 250m away with a clear view of the premises means that children and young people are potentially exposed to risk. I understand that no risk assessment has been carried out on the likely clientele for lap-dancing or safety considerations to protect dancers.

Also, the venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night. Surely the council does not wish to extend this nuisance to daylight hours? In addition to this there is the potential for even more alcohol related crime and disorder in Crouch End.

I very much hope that the Licensing Authority reject this highly inappropriate application.

Please ensure that my details are not shared with the applicant for fear of intimidation.

Yours faithfully

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Barrett Daliah

From: [Redacted]
Sent: 02 March 2009 10:40
To: Licensing
Subject: Music Palce 159a Tottenham Lane

Dear Sir/madam,

Re : License Variation - Music Palace ,159a Tottenham Lane

I wish to raise my objection for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime and Disorder- The proposed variation may lead to increased alcohol related crime in Crouch End

Public Safety - The Licensee has not demonstrated measures to protect public safety are in place.

Prevention of Public Nuisance - This venue has a history of public nuisance through excessive noise.

Protection of Children from Harm - The applicant has not demonstrated that children and young people will be protected from harm ie visibility from within the venue.

Sensitive Locations - the council's own policy also states that the Licensing Authority will take into account the proximity of schools ,places of worship etc.. Rokesly Infant and Junior scholls are located less than 250m away from these premises and this is a main route for secondary school children attending Highgate Wood School and Hornsey Girls.

Taking all the above into consideration ,I urge the Licensing Authority to reject this application.

Yours sincerely

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The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Road
N17 9LN

March 1st, 2009

Dear Sir/Madam,

Re: License Variation – Music Palace, 159A Tottenham Lane.

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue. I object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk-assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying-on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will taken into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400 m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all of the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

Barrett Daliah

From: I
Sent: 03 March 2009 10:15
To: Licensing
Subject: FW: objection to Music Palace 159a Tottenham Lane

From: Li...
Sent: 03 March 2009 10:11
To: 'licensing@haringey.gov.uk'
Subject: objection to Music Palace 159a Tottenham Lane

Dear sir/madam

Re. Licence Variation Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds

X Prevention of crime and disorder. The proposed variation will increase alcohol related crime and disorder in crouch end.

Public safety. The licensee has not demonstrated measures to protect public safety are in place, no risk assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers.

Prevention of public nuisance. This venue has a history of public nuisance through excessive noise from music played within the premise and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm. For example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly infant and junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue that is within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration I urge the Licensing Authority to reject this application.

Please ensure my details aren't shared with the applicant for fear of intimidation.

Barrett Daliah

From:

Sent: 03 March 2009 13:34

To: Licensing

Subject: Re. License Variation – Music Palace, 159a Tottenham Lane

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – eg activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, young clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises. The YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

The Licensing Authority
LB Haringey
Urban Env Technopark
ASHley Rd
N17 9LN

London, 28th February 2009

Dear Sir/Madam,

Re; License Variation- Music Palace, 159A Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue

I object on the following grounds:

Prevention of Crime and disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch end.

Public Safety. The licensee has not demonstrated measures to protect public safety are in place. No risk-assessment has been carried out.

Prevention of public Nuisance. This venue has history of public nuisance through excessive noise from music played and customers leaving late at night.

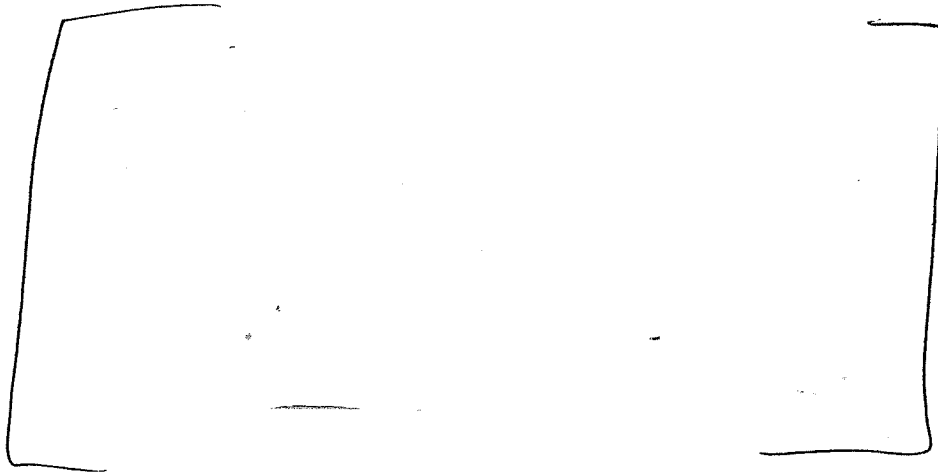
Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm.

Sensitive locations. The council own policy also states that the Licensing Authority will take into account the proximity os schools (at less than 250 m), places of work-ship(at 400m), youth clubs(at 400 m), residential accommodation (opposite) and community centers (at 300 m).

Taking all into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Sincerely,



please
do not
pass on
to
applicant.

26th February 2009

Re: Application for a premise license variation to Music Palace, 159a Tottenham Lane London N8 - to operate a lap dancing club.

As a local resident, I must object to this application as being completely inappropriate for the area in which it is situated.

1. The late license will increase alcohol related crime and disorder. When the venue was Bar Rocca, there were many incidents locally when the police were called out after the bar had closed.
2. The all day opening would mean that children would be vulnerable - would there be photographic advertising outside; the doors are glass so the inside of the venue can be seen; the men leaving would presumably be in a heightened sexual state; what message does it give young children about men and women; there are three schools nearby - an infant school opposite and a girl's school up the road. Haringey's statement of licensing policy says

that premises located near schools, nurseries or places of worship will be considered to be in sensitive areas.

Haringey does not need this adverse publicity in the light of it's recent child protection issues.

3. Public safety. As a woman, I would feel intimidated getting to my own home, which is a few hundred yards away, and no doubt the 'customers' would park in our street.

4. The prevention of public nuisance - before it became the Music Palace there were incidents of people leaving the venue and then fights occurring in local streets.

5. If this were a few months away, the proposed legislation to reclassify such clubs as 'sex encounter venues' would have a much greater impact on public perception.

I am strongly opposed to this application, and ask that it is rejected outright.

I also ask that my personal details are not shared with the applicant. There has already been an incident of verbal intimidation towards someone in the school seen to be objecting.

Yours,

The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Rd
N17 9LN.

Dear Sir/Madam,

Re: License Variation - Music Palace, 159A Tottenham Lane.

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Child Protection. The applicant has not demonstrated that children and young people will be protected from harm. In essence the license variation submission requests that the Music Palace be a licensed lap dancing club. The venue is directly opposite a primary school of around 700 children and plans to open during school hours. Activities and promotional material both within and on the outside of the venue will be visible from the street and possibly from the school itself. It is of note that the school gates are almost directly opposite the venue. As far as I am aware that has been no risk or impact assessment of the proposed variation on either the school or the individual children who by law attend that school.

Child Safety. The applicant has ignored the impact on child safety in the broadest sense, for example through an increase in traffic and congestion. The single largest cause of preventable child deaths is accidents: I reiterate the fact that the school gates are almost directly opposite the venue. Again, has any risk or impact assessment been undertaken?

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern. The council has a stated priority of reducing crime and disorder: this was also the main manifesto pledge of the majority party.

Public Safety. The applicant has not demonstrated that measures to protect public safety are in place. No risk-assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other

offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Sensitive locations. The council's policy states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure that my details are not shared with the applicant, for fear of intimidation.

Yours faithfully

From:
Sent: 03 March 2009 14:15
To: Licensing
Subject: License Variation - Music Palace, 159a Tottenham Lane

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – eg activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, young clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises. The YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Louison
NE 8 Q 5
2/3/09

The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Rd
N17 9LN.

Dear Sir/Madam,

Re: License Variation - Music Palace, 199A Tottenham Lane.

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk-assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm - for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokely Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokely Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully



Rokesly Avenue
Crouch End
London
N8 8NH

2 March 2009

The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Rd
N17 9LN.

Dear Sir/Madam,

Re: License Variation - Music Palace, 159A Tottenham Lane.

We write as co-chairs of the Rokesly Junior School Parent Staff Association ("PSA"). We wish to register the PSA's objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

The PSA objects on the following grounds:

Child Protection. The applicant has not demonstrated that children and young people will be protected from harm. The license variation submission requests that the Music Palace be a licensed lap dancing club. This venue is directly opposite a primary school of around 700 children and plans to open during school hours. Activities and promotional material both within and on the outside of the venue will be visible from the street and possibly from the school itself. It is of note that the school gates are almost directly opposite the venue. As far as the PSA is aware that has been no risk or impact assessment of the proposed variation on either the school or the individual children who by law attend that school.

Child Safety. The applicant has ignored the impact on child safety in the broadest sense, for example through an increase in traffic and congestion. The single largest cause of preventable child deaths is accidents: the school gates are almost directly opposite the venue. Again, has any risk or impact assessment been undertaken?

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern. The council has a stated priority of reducing crime and disorder: this was also the main manifesto pledge of the majority party.

Public Safety. The applicant has not demonstrated that measures to protect public safety are in place. No risk-assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers. The council's own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Sensitive locations. The council's policy states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, the PSA urges the Licensing Authority to reject this application.

Please ensure that my details are not shared with the applicant, for fear of intimidation.

Yours faithfully

NE 9PD

2/3/07

The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Rd
N17 9LH.

Dear Sir/Madam,

Re: License Variation - Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk-assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The council's own licensing policy states that "the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature" (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm - for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The council's own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours Faithfully

Barrett Daliah

From: Lindsay Wright [lindsaywright@blueyonder.co.uk]
Sent: 15 February 2009 22:50
To: Licensing
Cc: lynne@lynnefeatherstone.org
Subject: Protest against licence application for the Music Palace, Tottenham Lane, N8

We live at No 58 Hermiston Avenue, near the Music Palace on Tottenham Lane.
We have three children aged ten and under, all of whom attend Rokesly School.

We were shocked to hear that this venue has applied for an extension to its licensing hours, and even more shocked to hear that they hope to turn it into a Gentleman's Club, which we take to mean they plan to have lap dancers in attendance. This is a residential area, near a school and a church. It is totally inappropriate for such an establishment to operate here - this is not Soho, it is Crouch End, a suburban area of London. The majority of people living round here are either professionals, who need to get up for work in the morning, or families with children, who need to get up for school. We can ill afford to have our sleep interrupted by the inevitable late-night revelling this will undoubtedly cause.

My children have to go to school each day. The licensing extension aims to extend opening hours until 2 am six days a week. When the venue was operating as Bar Rocca, there were people revving their engines, shouting to each other, urinating in our gardens and, on one occasion trying to break into our house and into our next door neighbour's car. This disruption was not a rare event - it was every weekend and we had to call the noise pollution team on numerous occasions, as did many of our neighbours. Our lives were an absolute misery - we know of several people who tried to move out of the area due to all the stress. If the venue becomes a lap dancing club, it will in all likelihood attract a similiarly noisy, disreputable crowd as Bar Rocca did, perhaps even more so due to the sexualised nature of the acts they will be showing, and we fear for our children's sleep and for our own sanity if this gets the go-ahead. No doubt we will be treated to the delights of tanked-up stag party revellers tying themselves to our lamp-posts - we're really looking forward to that!

We also have concerns that having an establishment of this nature in a residential area could increase the likelihood of crime, particularly that of a sexual nature. There is the possibility that such a club would make the streets of Crouch End (a residential area, after all) less safe for women and could even encourage the growth of prostitution in the area, as those visiting it may well be seen as likely targets for prostitutes.

Why haven't we been consulted by letter about this? We had to learn from it in the local paper - and than God they decided to tell us about it. The lack of communication is wholly inappropriate in the light of the monumental changes being applied for. They say there is a notice in the door but unless you are walking right past it there's no chance you're going to see it, so they are hardly going out of their way to notify the local community (I wonder why). Also, I understand there is no mention of the 'Gentleman's Club' aspect on the notice, not surprisingly - so the notice is misleading and inaccurate, and does not provide the full facts.

We beg you not to approve this application. Please.

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Barrett Daliah

From: John Hemingway [john.hemingway@tiscali.co.uk]
Sent: 17 February 2009 15:48
To: Licensing
Subject: Music Palace Tottenham Lane N8

25 Elmfield Avenue
London N8 8QG
Daytime Tel: 020 8340 0876

17.02.09

Dear Sir/Madam

Re: Application for extended licence at The Music Palace (159a Tottenham Lane N8)

As residents of Elmfield Avenue we wish to **object most strongly** to the proposed variation to opening hours for the above site.

Under the current licensing arrangements, we have already been subjected to noise and disturbance from this venue.

At the moment this property provides live music which can be heard in our houses at the time when most people in this residential family neighbourhood are attempting to sleep. An extension to the opening hours until 2.00 a.m. will mean that this will continue even later into the night, when families have to get up early in the morning to get ready for work and school.

The venue will also attract people from a wider area who will travel by car and park in local residential streets. Not only will this make parking very difficult for residents; it will also create further disruption as people return to their parked vehicles late at night to return home. We will then be subjected to car doors banging, engines being switched on and the noise of departing vehicles. It is unreasonable for residents who have to work the next day to be subjected to this as late as 2.30 a.m.

As this establishment serves alcohol, we will also be subjected to noise and disturbance created by patrons leaving the venue and walking down Elmfield Avenue. It is unreasonable to subject local residents to this nuisance, disorder and disruption in the early hours of the morning on a regular basis.

In our view the quality of life of a large number of local council tax payers, voters and residents should take priority over the commercial considerations of a business which already disrupts our lives and we call on the licensing authorities to reject this application.

Yours sincerely

John Hemingway Annie Hemingway

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Barrett Daliah

From: Jules Wilkinson [jwilkinson@easynet.co.uk]
Sent: 03 March 2009 19:50
To: Licensing
Subject: PROPOSAL FOR LAP DANCING CLUB CROUCH END

I would like to object to the proposed lap dancing venue at the Music Palace on Tottenham Lane in Crouch End on the basis of protection of public nuisance and protection of children from harm. Crouch End is demographically dominated by families with small children. There are a number of primary schools and a secondary school in the area (including Rokesly which has a very large intake) and several residential streets close to the Music Palace on Tottenham Lane. This is a completely inappropriate business to have in the area. Schoolchildren of all ages walk up and down this stretch of road particularly during the afternoon. Families in Crouch End have already had to ask for the banning of an inappropriate poster that was displayed across Ferme Park Road roundabout. As many residents pointed out 'our children can read, they can see, they ask questions!'

My name is Julia Wilkinson, 125 Tunderwick Road, N8 9JR. I would like my confidentiality to be upheld though, as there has already been an incident of the owner of the club shouting abuse across a childrens' school playground because he heard about parents' objection to the club.

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Barrett Daliah

From: Michael Cordery [michael@korucreative.co.uk]
Sent: 03 March 2009 16:46
To: Licensing
Cc: Caroline Blood
Subject: Music Palace on Tottenham Lane (Planned lap Dancing License)

TO WHOM IT MAY CONCERN

Please register my objection to the application for Music Palace on Tottenham Lane to be granted a Lap Dancing License.

I think this has great potential to create a public nuisance whilst attracting and encouraging crime & disorder.

I think the hours, activities and type of clientele this venue would attract from outside the local residential and commercial area will put public safety at risk especially where child protection is concerned - there is a local Primary School very, very close by and this business proposes to be open during school hours.

It is my hope the local council take a very carefully considered deliberation on this matter as approval could have very grave consequences for a strong local community that, is opened minded but, would be completely out of step with a business that puts public order and safety at risk with no benefit to the local community.

Yours faithfully,

Michael Cordery
113 Ferme Park Road
Crouch End
London N8 9SA

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Barrett Daliah

From: Andrew Rogers [livemusic@mac.com]
Sent: 02 March 2009 18:39
To: Licensing
Subject: License variation - Music Palace 159A Tottenham Lane

Dear Sir/Madam,

I wish to register my objection to the application for a change of licensing condition at the Music Palace 159A Tottenham Lane to allow adult entertainment at the venue.

I object for the following reasons:

Protection of children from harm: This venue is in close proximity to Rokesley school , less than 250m away , and is clearly visible from the school , activities within the venue will be visible to the children in the school .It would be a distressing experience for the children to have to walk home past this venue.

Prevention of crime and Disorder: The proposed variation will increase alcohol related crime and disorder in Crouch End, and put the children in the school at greater risk of harm.

Public safety: The Licensee has not demonstrated measures to protect public safety are in place, and the councils own licensing policy states that "the carrying on of these activities can provide new opportunity for prostitution , pimping and other offences of a sexual nature"

(LBH New Statement of Licensing policy Jan 2008)

Taking these into consideration , I would urge the Licensing Authority to reject this application .

Please ensure my details are not shared with the applicant for fear of intimidation.

Andrew Rogers
48 Carysfort road
Crouch end
N8 8RB

Tel : +447768076629

livemusic@mac.com

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Barrett Daliah

From: Sophie Matthew [dm015m7847@blueyonder.co.uk]
Sent: 03 March 2009 15:08
To: Licensing
Subject: Lapdancing club in Crouch End

To whom it may concern

I am writing to register a very strong objection to the idea that there might be a lap dancing club on Tottenham Lane in Crouch End. This objection is based on multiple reasons -

This area is known as somewhere where families come to live - it has a very high density of families and young children - much higher than many other areas of London. There are at least four local primary schools (Weston Park, Rokesley, St Peters and St Marys) in near proximity to the proposed site, as well as at least two secondary schools (HOrnesy Girls and Highgate Woods). Many of the children who go to these schools would be walking past the club to or from school, sometimes unaccompanied. This in my view is reason enough to deny permission for a lap dancing club to open - children should not be unnecessarily exposed to the sort of people who are attracted to these clubs - where presumably there is also drinking - on the grounds of protection of children from harm -

There is also very likely to be issues of public nuisance, crime and disorder and public and safety. Statistics show that these clubs do attract these problems - the clientele is also likely to be people who objectify women and potentially include people who would take this to the extreme of committing various sexual or public order offences.

I myself have two children at Weston Park Primary School - one of whom will soon be walking to Highgate woods on her own and would have to walk past, or near to, this club - if it was there I would be very concerned about her safety - and also what sort of drunken and inappropriate behaviour she might be exposed to at her age.

Crouch End is a quiet and largely family orientated residential area and it makes no sense to situate a lap dancing club in this area - the level of policing and noise pollution etc is already much higher, for example, in the West End and there is no underground in Crouch End. This is a quiet residential area where I assume that preference is given to locating such clubs in areas where there are already similar events and fewer families and children.

Please, please don't allow our local community to be adversely affected by such a crazy proposal. It is a completely inappropriate location for it.

I would like this objection to be registered and to be kept informed of any further action - as well as what steps can be taken if this crazy proposal is taken any further.

My (confidential) contact details are:

Mrs Sophie Matthew

57 Uplands Road

Crouch End

London

N8

Sophie100@blueyonder.co.uk

Please register this objection but keep my contact details confidential. I am concerned because I have heard that after a recent article in the local paper, in which a school governor and local Mum, Louisa objected to the proposal, the owner

went to the school and shouted abuse across a busy playground at a teacher. The teacher knew nothing about the venue or proposal. This is completely inappropriate intimidation tactic by someone who is obviously not reasonable or sensible enough to be given permission to run such a premises. This sort of behaviour only increases concern about what would happen if the club was allowed to open.

Yours sincerely
Sophie matthew

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44

Barrett Daliah

From: debra.godding [debra.godding@blueyonder.co.uk]

Sent: 03 March 2009 13:41

To: Licensing

Subject: License Variation - Music Palace, 159A Tottenham Lane

18 Barrington Road
Crouch End
London
N8 8QS

Dear Sir/Madam

License Variation - Music Palace, 159A Tottenham Lane

I am writing to you as a parent of a child at Rokesly Junior School and as a resident of Crouch End and wish to object to the change of licensing condition to allow "adult entertainment" at the Music Palace in Tottenham Lane. Please ensure my details are not shared with the applicant for fear of intimidation.

My objections are on the grounds that changing the license fails to promote the Council's objectives of protecting children from harm, public safety and prevention of public nuisance, for the reasons outlined below.

1. One of the main entrances to Rokesly Junior School is just across Tottenham Lane from the Music Palace, so many children pass the establishment on their way to school. Anyone with children knows that they read street signs, posters etc as they walk along. If lap dancing is permitted, presumably the Music Palace will advertise it. Even if the publicity is just a verbal statement, I cannot imagine that any parent would want to deal with a child's questions about lap dancing.
2. The businesses in a location are partly responsible for the character of an area. If the variation to the license is granted, other businesses may take it as a signal that certain things are considered acceptable. So, for example, nearby newsagents may start stocking magazines with more explicit sexual content. The proximity of the Rokesly Schools and Hornsey School for Girls mean that many children and adolescents use these newsagents and so would be exposed to these magazines.
3. The Council's Statement of Licensing Policy, January 2008 (Clause 13.6) acknowledges that such activities "can provide the opportunity for prostitution, pimping and other offences of a sexual nature". If allowing lap dancing does lead to prostitution etc, these activities would not be confined to the licensed hours. Therefore, they may pose a threat to children and, perhaps more so, to pupils of Hornsey School for Girls which is just up the hill from the venue.
4. I have lived in Crouch End for many years and up until now, have considered a place where women can go out in the evening and walk home in relative safety. If the license is granted, this will no longer be the case, as walking home any time after 11pm would entail the risk of running into men under the influence of alcohol and possibly sexually aroused.

I therefore trust that the Licensing Authority will feel able to reject this application.

Once again, please ensure my details are not shared with the applicant for fear of intimidation,

Yours faithfully,

Debra Godding

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Barrett Daliah

From: nick and sue [nick-sue@bluewin.ch.no.uk]
Sent: 03 March 2009 22:14
To: Licensing
Subject: License Variation - Music Palace - 159a Totenham Lane

We wish to register our objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment (lap dancing) at this venue.

We object on the following grounds:

- Prevention of crime and disorder - there is statistics available showing increase of crime & disorder around such venues - The proposal will increase alcohol related crime in Crouch End a family community local to a school. The Haringey crime audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.
- Public safety - The councils own licensing policy states that 'the carrying on of these activities can provide opportunity for prostitution, pimping, and other offences of a sexual nature (LBH New Statement of Licensing Policy Jan 2008). How will our neighbourhood be protected from this? There is a YMCA hostel opposite, which houses vulnerable people.
- Prevention of Public Nuisance - this venue has a history of public nuisance. I have phoned many times in the early hours of the morning to request them to turn down the volume as I could not sleep. Also customers leaving in the early hours have awakened us with their banging of car doors & excessively noisy farewells.
- Protection of Children from Harm - the venue has a glass entrance & advertises its events on the outside. As a parent of young children I do not wish them to be exposed to such things. If the area becomes frequented by those suggested above there is added risk to child safety in an area which has a high family population, 3 schools & is residential.
- Sensitive locations - the councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accomodation and community centres. Rokesly Infant & Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises. There is also a local girls school - Hornsey school for girls - do their parents realise what has been proposed so close to their school?

Taking all of the above into consideration, I urge the Licensing Authority to reject this application.

P

Sincerely

5-1-9
15-
N8 2NP

E-mail message checked by Spyware Doctor (6.0.0.386)
Database version: 5.11880
<http://www.pctools.com/spyware-doctor-antivirus/>

Barrett Daliah

From:

Sent: 01 March 2009 20:20

To: Licensing

Subject: Licensing Variation Music Palace, 159a Tottenham Lane

The Licensing Authority
London Borough of Haringey

Dear Sir/Madam

Re: Licensing Variation Music Palace, 159a Tottenham Lane

I am writing to register my objection to the application for a change of licensing at the Music Palace to allow adult entertainment at this venue, on the following grounds.

My children attend Rokesly Infant and Junior schools, less than 250m from these premises, and I do not feel that it is appropriate for such a venture to be operating so near a school. My two daughters, aged 5 and 8, walk past this building on their way to and from school and I do not want to be put in the position of having to explain to them what lap dancing is, or even have them witness activities inside through the glass doors and windows.

I also feel that the proposed variation will increase alcohol-related crime and disorder in this family neighbourhood.

As a woman, I am worried about walking past premises that are carrying out activities which may lead to sexual harassment of women on the street outside. It also seems to me possible that such a venue could provide opportunities for prostitution and pimping.

Taking all this into consideration, I urge the Licensing Authority to reject this application.

Please ensure that my details are not shared with the applicant for fear of intimidation.

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Barrett Daliah

From: -
Sent: 03 March 2009 20:48
To: Licensing
Subject: Music factory Tottenham lane

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – eg activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, young clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises. The YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

19/03/2009

Barrett Daliah

From: ''
Sent: 03 March 2009 23:02
To: Licensing
Subject: Re. License Variation – Music Palace, 159a Tottenham Lane

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – eg activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, young clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises. The YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Barrett Daliah

From: [REDACTED]
Sent: 03 March 2009 14:21
To: Licensing
Subject: 'Gentleman's Club' at 159A Tottenham Lane

Dear Sir/Madam

As a Crouch End resident I am totally opposed to Haringey Council granting a license to the Music Palace in Tottenham Lane for the purpose of it being used as a 'Gentleman's Club' (in other words a lap dancing venue).

Such a club, situated

1. in close proximity to a local primary school
2. across from the YMCA health and fitness centre
3. on a direct route from Highgate Wood Secondary School to Crouch End
4. close to local shops
5. in an area densely populated with families

would be entirely inappropriate.

Such an establishment would lead to an influx in customers from outside the local area and a greater level of alcohol related crime.

The position of the club in relation to our local schools and shops would bring families in direct contact with this. It would definitely constitute a public nuisance to Crouch End.

Yours sincerely

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Barrett Daliah

From: Sabrina (Mother to a six year old who attends Rokesly Infant School and concerned member of the Community)
Sent: 03 March 2009 11:50
To: Licensing
Subject: Re: License Variation - Music Palace, 159A Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime & Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of children from harm. The applicant has not demonstrated that children and young people will be protected from harm – for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The music palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

F

Sabrina (Mother to a six year old who attends Rokesly Infant School and concerned member of the Community)
154a Nelson Road
London
N6

Central YMCA

Registered Charity No 213121
Registered Office:
112 Great Russell Street
London WC1B 3NQ
Tel: 020 7343 1844
Fax: 020 7436 2687
<http://www.ymca.co.uk>

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Central YMCA is a trading name of the Central Young Men's Christian Association, a Limited Company Registered in England No. 119249.

Barrett Daliah

From:
Sent: 03 March 2009 20:09
To: Licensing
Subject: Music factory

March 2009

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – eg activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, young clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises. The YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

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Barrett Daliah

From: [REDACTED]
Sent: 03 March 2009 19:52
To: Licensing
Subject: objection to Music Palace 159a Tottenham Lane

Dear sir/madam

Re. Licence Variation Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds

Prevention of crime and disorder. The proposed variation will increase alcohol related crime and disorder in crouch end.

Public safety. The licensee has not demonstrated measures to protect public safety are in place, no risk assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers.

Prevention of public nuisance. This venue has a history of public nuisance through excessive noise from music played within the premise and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm. For example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly infant and junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue that is within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration I urge the Licensing Authority to reject this application.

Please ensure my details aren't shared with the applicant for fear of intimidation.

[REDACTED] (Partner of Rokesly attendee)

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Barrett Daliah

From: Barrett Daliah
Sent: 03 March 2009 20:49
To: Licensing
Cc: Cawley, Clive
Subject: License variation - music palace 159A Tottenham Lane

Dear sir / madam,

I am writing to register my objection to the application for a change of licensing condition at the music palace to allow adult entertainment at this venue.

I object on many grounds but primarily because my children attend nearby rokesly school and the thought of drunken men visiting a strip club as we either drop off or pick up our children is appalling and not something haringey council should even contemplate for this area.

The venue already has a history of excessive noise from music played within the venue and customers leaving late at night so to encourage even further deprivation is surely madness?

I urge you to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Regards

Vertigo Records
+44 (0) 207 4715207

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Barrett Daliah

From:
Sent: 03 March 2009 23:45
To: Licensing
Subject: License Variation - lapdancing application

The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley RD
N17 9LN

Dear Sir/Madam,

RE: License Variation - Music Palace, 159A Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk - assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 20008) which pose obvious risks to public safety. The applicant has not given any details or how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from harm. The applicant has not demonstrated that children and young people will be protected from harm- for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly Infant and Junior Schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all of the above into consideration, I urge for the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation

Kindest Regards

Avenue

2 March 2009

Dear Sir/Madam

Re: License Variation - Music Palace, 159A Tottenham Lane.

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Protection of Children from Harm: The proposed variation will use the establishment as a lap dancing venue from 11.00 am until 2.00 am. This is clearly within school hours when young children will be using the thoroughfare outside the club. The applicant has not demonstrated that children and young people will be protected from harm - for example activities within the venue will be visible from the street through the glass doors and window on the frontage and sides.

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The licensee has not demonstrated measures to protect public safety are in place; no risk-assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers. The council's own licensing policy states the 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New statement of licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. The venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving the late at night.

Sensitive locations: The council's own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours sincerely

Barrett Daliah

From:

Sent: 03 March 2009 13:24

To: Licensing

Subject: The Music Palace

2 March 2009

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

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Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

Fiona Fraser-Allen

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Barrett Daliah

From:
Sent: 03 March 2009 14:06
To: Licensing
Subject: License Variation Music Palace, 159a Tottenham Lane

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation Music Palace, 159a Tottenham Lane

We wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

We object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature¹ (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

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Taking all the above into consideration, we urge the Licensing Authority to reject this application.

Please ensure our details are not shared with the applicant for fear of intimidation.

Yours faithfully

Andrew Bolton
Laura Lee Davies

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Bill will let councils close lap dancing clubs near schools

Dec 19th, 2008

by *admin.*

Lap dancing clubs may be closed if they are located too near “inappropriate” sites such as schools, under transitional powers contained in the policing and crime bill published yesterday.

On lap dancing, the introduction of “transitional powers” to deal with existing lap dancing clubs goes further than originally billed. The home secretary, Jacqui Smith, has already indicated that she expects the legislation to curb the growth in the number of lap dancing clubs, which has doubled to 300 over the last four years.

But Coaker indicated that the “transitional powers” contained in the bill would give local authorities the power to refuse to renew the licences of existing clubs if there are local objections that they are sited inappropriately.

Despite the recent protests of the lap dancing industry that what goes on in their clubs is not “sexually stimulating”, the legislation proposes to categorise lap dancing clubs as “sex encounter establishments” and remove them from the existing 2003 entertainment licensing regime, which classed them along with bars and pubs. A sex encounter venue is defined as one in which relevant entertainment is provided before a live audience for the financial gain of the organiser. An audience can consist of only one person.

The effect will be to allow local authorities to take far more account of the views of residents in granting new licences and to ban the opening of further clubs by declaring that a particular town or city centre has reached saturation point.

“Councils and local authorities are unable under the current regime to prevent the proliferation of lap dancing clubs,” said Coaker. “I think the numbers will probably go down [after the act comes into force] but what’s important is that the local people and local authorities feel they have the power to ensure that they are sited appropriately.”

Barrett Daliah

From:**Sent:** 03 March 2009 13:34**To:** Licensing**Subject:** Re. License Variation – Music Palace, 159a Tottenham Lane

The Licensing Authority
LB of Haringey
Urban Env Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

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Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

Barrett Daliah

From:**Sent:** 03 March 2009 11:16**To:** Licensing**Subject:** Music Palace

Dear sir/madam

Re. Licence Variation Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds

Prevention of crime and disorder. The proposed variation will increase alcohol related crime and disorder in crouch end.

Public safety. The licensee has not demonstrated measures to protect public safety are in place, no risk assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers.

Prevention of public nuisance. This venue has a history of public nuisance through excessive noise from music played within the premise and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm. For example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly infant and junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue that is within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration I urge the Licensing Authority to reject this application.

Please ensure my details aren't shared with the applicant for fear of intimidation.

David Kane

Mrs A. Lillystone

24 Fairfield Road

*London
N8 9HG*

24th February 2009

Ms D Barrett
Lead Licensing Officer
1st Floor, Lea Valley Technopark
Ashley Road
Tottenham
LONDON
N17 9LN

Dear Daliah

Re: **Music Palace, 159A Tottenham Lane N8 application for a premise license variation extension of hours, to operate a lap dancing club and extend hours**

I am writing to you to object to Music Palace's above application to extend its opening hours and what it can do during these hours, and to change its use to a lap dancing club. Our objections are on two primary grounds:

1 We live immediately behind the Bar and have been plagued since it opened by the loud music from the Bar's already late night live music. Our children's (age 11, 18 and 16) bedrooms' face directly out onto the Bar and when loud music is playing they find it hard to sleep. Our bedroom faces onto the other side of the house, Fairfield Road, however it is often easy to hear the loud music which can keep us awake too. Also, there is often loud music playing well after the normal licensing hours. For example, on Saturday February 28th, the music was playing until after 1.30 am. This is clearly a **public nuisance**.

The Bar should not be allowed to create loud noise in a primarily residential area, and given that they themselves have admitted they have no way of reliably controlling the noise made by live music, they should be restricted to playing any loud music past the existing licensing hours in order to prevent more **public nuisance**.

2. Whilst I have no moral objection to lap dancing clubs, I strongly object to the change of use to a lap dancing club at the Music Palace because of the impact on the local area of the men leaving the club. Currently the local area is predominantly residential with many families living nearby. Currently it is a safe place for women and girls to walk and there are no 'sex workers' in the area. :

a) Research shows that introduction of lap dancing clubs increases sexual crime in an area. For example, research undertaken in 2003 by the Lilith Project in Camden

Town found that the rate of sexual assault increased by 50% following a series of lap dancing club openings.

Also, research has shown that there is a relationship between lap dancing clubs and increased demand for the purchase of sex (see Object 2008 Report 'A Growing Tide'). There is currently no discernible sex trade in Crouch End – introduction of a lap dancing club would be likely to introduce prostitution with it.

Hence the change of use should be refused in relation to the likelihood of increased **crime and disorder**, and also **protection of children from harm**, as there is no reason to suppose that sexual assault or verbal intimidation would not be exacted on girl teenagers (such as my 16 year old daughter, who daily walks the local streets alone, and has done since she was 9 years old).

- b) Research also shows that lap dancing clubs have a negative impact on the safety and well being of women living and working in the vicinity, both in terms of actual assault and in less measurable effects such as increased harassment and fear of violence. (see Object 2008 Report 'A Growing Tide'). The Music Palace is sited in a predominantly residential area, across the road from Rokesley Primary School. How can women and girls feel safe in the area when men are coming out sexually fired up and frustrated onto the residential back streets directly from a lap dancing club? I would not feel safe, nor would I be happy about my own daughter's safety knowing the lap dancing club's clientele were on the local residential streets. Hence the change of use should be refused also on the grounds of **public safety**.

I understand that the Government is currently passing an amendment through Parliament which will reclassify Lap-dancing clubs as 'sex encounter venues'. This is to enable local people to have more say in the opening of such clubs, and make it easier for Local Authorities to control the locations in which they are allowed to open – for example, not allowing one in a predominantly residential area, near a primary school, such as the case of the Music Palace in Crouch End. I have attached an EdConnect article from 19th December 2009 which summarises the issues relating to lap dancing clubs and how the Government also intends to allow Councils to close inappropriately sited lap dancing clubs such as the Music Palace would be, were it to be given the go-ahead.

Please refuse both the extension of hours where the volume of music cannot be controlled (e.g. live music) and the change of use to a lap dancing club, soon to be known as 'sex encounter premises'.

Yours sincerely

A. Lillystone

Alison Lillystone

P.S. I also attach the Land Registry Title which details the restrictive covenants on the land of 159A Tottenham Lane.

Barrett Daliah

From: Joanna Read [read.joanna@googlemail.com]
Sent: 03 March 2009 14:35
To: Licensing
Cc: llynnne@lynnfeatherstone.org; Cllr Winskill David
Subject: Lap Dancing at the Music Palace

To whom it may concern:

I wish to lodge my objection on the application by the owners of The Music Palace in Crouch End to open a lap-dancing club on the site.

I feel strongly that such a venue would be completely inappropriate and totally at odds with its position directly opposite Rokesly School and the residential nature of the area. It is also directly opposite the YMCA, where hundreds of young men are housed. As a local resident of 21 years I feel I know and understand our local community, such an establishment will have detrimental effects and have significant impact upon women's sense of safety at night. In addition it is well known that

In addition, there is statistical evidence (see below) that shows a significant increase in the incidence of sexual assault in the vicinity of these venues.

I would strongly urge Haringey Council to refuse the application.

Yours faithfully,

Jo Read
57 Mountview Road
London N4 4SR

Evidence Below + Stoke Newington's response to the same issue:

The Lilith Report showed a 57% rise in sexual assaults in a set time period in a certain area. It did not show causal links between strip clubs and sexual assault (or give me any hint that the links are there to be proved). However, it strongly inferred it. This is not a good reason to object to a perfectly legal business. The Lilith Report showed a 57% rise in sexual assaults in a set time period in a certain area. It did not show causal links between strip clubs and sexual assault (or give me any hint that the links are there to be proved). However, it strongly inferred it. This is not a good reason to object to a perfectly legal business.

Articles

You are in: London > London Local > Your Stories > Articles > The Strip Club at the End of My Street?!

The Strip Club at the End of My Street?!

By Kate Smurthwaite

How would you react to the prospect of your local bar being granted a licence to become a strip pub? Residents and businesses in Stoke Newington have taken action.

I moved to Stoke Newington in 2004, to one of the thousands of three-bedroom Victorian terraces that attract more young families every year but are also home to an unbelievably diverse community.

The fantastic range of restaurants reflects this with everything from Turkish grills to Thai, Indian and new trendy gastro-pubs popping up every week.

It's an area that's going places, community groups are springing up. This week new trees were planted in my street.

Satchmo's was the latest trendy bar to open in the area.

We popped in for drinks and were set to make the place our local except that they weren't all that friendly.

"Within a stone's throw is a Mosque, a Church, a community centre... oh, and there's a primary school too. "

When the bar was quiet they closed at nine, when friends of ours tried to start a comedy show called The Poodle Club downstairs I saw no sign of the posters to promote it around the bar.

We went back to our old local. The Poodle Club moved up the road to the White Hart where the staff rave about it to customers and it's rammed every week.

Then a letter came through my door from a group called Stop The Strip Pub.

They had noticed a single A4 sheet of paper stuck in the window of Satchmo's announcing their intention to apply for a licence to offer table and pole-dancing daily from 11am until the early hours of the morning.

I wasn't even sure whether to believe it but I went along to the protest just in case. Now I'm volunteering every hour I can spare to canvas support for the objections.

Support

The reaction has been incredible. People that I've talked to want to sign letters, take petitions for their friends and put up posters.

People thank me for letting them know. Offers of support have come flooding in.

Local businesses have offered meeting space, free drinks and one local resident insisted on giving me a bowl of her homemade soup!

Support has rolled in from high places too.

Ken Livingstone offered his "full support", Diane Abbott said she's "horrified" at the proposals.

Other people supporting the campaign include Mayor of Hackney, Jules Pipe, and all three local ward councillors, two of whom attended the protest.

Objections

It's hard to know where to start with the objections - the shop opposite is a Turkish wedding shop.

By tradition many such weddings start at the dress shop and it's common to see women in sumptuous dresses gathered outside being photographed on their big day.

If the licence goes through these gatherings will be directly in front of the clientele who have stepped outside to smoke between table dances.

Within a stone's throw is a Mosque, a Church (by co-incidence currently involved in a campaign to combat human trafficking by addressing the businesses that provide the demand driving the

crime), a community centre, a venue offering Tae Kwon do lessons to children ... oh and there's a primary school too.

A young Turkish woman living on the same residential street as Satchmo's went in to ask what was planned. The reaction? She was asked if she had come in to audition.

Evidence collected by the Lilith report suggests a marked increase in rape, sexual assault and harassment in areas where strip clubs have opened up.

The news lately has had a sinister feel for women. Between Stephen Wright, Levi Bellfield and Mark Dixie, it's never been clearer we live in an age where attitudes towards women are broken and need fixing.

What exactly is the argument FOR a strip club in a residential area?

Residents and local businesses have until 25th March to lodge their complaints and can find out how to do so at our website. Click on the link up on the right hand side of the page.

Kate Smurthwaite is an award winning comedienne and blogger.

BBC London asked Scott Davis, the manager of Satchmo's, to comment on local objections to the application for a Sex Encounter Licence. He feels the fears of the Stop the Strip Pub campaigners are unfounded:

Satchmo's bar is looking to re-invent itself as a modern and stylish cocktail bar offering dj's, live sports and adult entertainment including burlesque, pole dancing and table dancing.

While it is certainly within everyone's right to voice their opinion, unfortunately our application is being opposed by a small group of local residents who basically don't want it in 'their back yard'.

I personally held a meeting for this group in the hope of educating them on our application and where it stands in today's society but was met by a bunch of people who had already made their minds up.

Stringent regulations

None of them know this part of the licensed industry yet they voiced several unfounded quotes which I hope now to address.

With any new application of this kind, comes stringent regulations, operating procedures, policies, standards and close relationships with all local authorities.

These cover safety of the public and staff on and off the premise, crime prevention and security to name but a few.

On top of this the venue management, although licensed, are further assessed by the police to make sure they are suitable operators.

These are measures rarely exercised in other parts of the licensed trade and ones that are put in place to ensure the safety of the public.

Issues and concerns

On the issue of exposing children to the adult industry: We plan to open only in the evenings, long after school children have made their way home.

On the off chance of children or youths wandering past at night security would prevent them loitering near to the premise.

On the issue of bringing undesirables to the area: We intend to operate a well run business that will not attract undesirables.

There are Sauna's and full sex clubs already operating in this area!

The people you fear we will attract are already being catered for locally on a level far beyond our application.

I haven't heard of any local problems relating to these businesses.

On the issue of proximity to local residents and churches: We wish to work closely with local community groups to address any concerns they may have.

We can ensure the professional running of the venue and the standard of clientele on the premise.

London is extremely built up and because of this, we all live within reach of things that may not cater to us personally but also have a place in society.

We do have great support from many locals, including families and business owners and welcome any enquiry from the local community.

last updated: 12/05/2008 at 17:01
created: 20/03/2008

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Barrett Daliah

From: ROD DOWLER [r.dowler@btinternet.com]
Sent: 03 March 2009 22:04
To: Licensing
Cc: Barbara Dowler
Subject: Application for a lap-dancing club in Crouch End

3 March 2009

For the attention of:

Daliah Barrett-Williams

Licensing Lead Officer

Enforcement Services

Frontline Services - Urban Environment

Haringey Council
Units 271-272 Lee Valley Technopark
Ashley Road
Tottenham N17 9LN

Dear Ms Barrett-Williams,

Application for Variation to a Premises Licence – Music Palace , 159a Tottenham Lane , London N8.

As residents of Crouch End since 1976, we write to **oppose** the above Application for Variation to the Premises Licence relating to the Music Palace , 159a Tottenham Lane , N8.

We note that the applicant seeks the variation to enable the premises to be operated as a 'Gentleman's Club', offering adult entertainment, including films, dancing etc. We strongly believe that the location of these premises so close to Rokesly Infant & Junior Schools and in a densely populated residential area, makes them highly unsuitable for such use. Many Highgate Wood School students live in this area and many others pass the premises every day on their way home from school, and to and from Crouch End.

The extended operating times (11.00 to 02.00 six days a week and 11.00 to 23.00 on Sundays), permitting long hours of alcohol consumption combined with 'adult entertainment', could put children and young people at considerable potential risk from adults frequenting the premises. And the understanding that no one under 18 will be permitted on the premises does not reassure us. A 'Gentlemen's Club' and the forms of entertainment associated with it would be a totally inappropriate use of premises in Crouch End. It would tend to attract undesirable people into the area, might encourage prostitution, and would have an unhealthy, detrimental effect on the quality of life in our community.

In the interests of safeguarding children, young people and the quality of life in the Crouch End area, we urge that this Application is firmly rejected.

Yours sincerely,

Rod & Barbara Dowler

18 Cecile Park

London N8 9AS

Contact numbers:

Personal Tel: 0208 340 1079

Personal Mob: 0780 276 3674

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LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name Harry Rose
Address 52 Toppsfield Parade .. Crouch End
Postcode

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number
Name of Licensee
Name of Premises (if applicable) Music Palace
Premises Address (where the Licence will take effect)
159A Tottenham Lane, London
Postcode N8

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

There not many crimes if the the
premise is not open.

Public Safety

It safer for the children and
families near by.

The Prevention of Public Nuisance

The street will be less busy and
not alot of noise.

The Protection of Children from Harm

Keep children away from danger.

I,.....,hearby declare that all information I have
submitted is true and correct.

Signed:

Rose

Date:

19.02.09.

Please send completed form to:

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



LICENSING ACT 2003 - REPRESENTATION FORM

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Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name.....	Linda
Address.....	52 Topfield Parade Crown End
Postcode.....	N8 8PT

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	
Name of Licensee.....	
Name of Premises (if applicable).....	Music Palace
Premises Address (where the Licence will take effect).....	
.....	159A Tottenham Lane
Postcode.....	N8

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

<p>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</p>
<p>The Prevention of Crime and Disorder</p> <p>This will be less crime in the local area.</p>
<p>Public Safety</p> <p>There are lots of fighting in the streets</p>
<p>The Prevention of Public Nuisance</p> <p>Music is playing all night.</p>
<p>The Protection of Children from Harm</p> <p>It is suitable because the primary school is near by.</p>

I, Linda, hereby declare that all information I have submitted is true and correct.

Signed: Linda

Date: 19.02.09

Please send completed form to:

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

Barrett Daliah

From: [REDACTED]
Sent: 03 March 2009 13:12
To: Licensing
Subject: Fw: Music Palace Crouch End

--- On Tue, 3/3/09

wrote:

From: [REDACTED]
Subject: Music Palace Crouch End
To: licensing@haringey.gov.uk
Date: Tuesday, 3 March, 2009, 1:09 PM

I wish to register an objection to the above on the grounds of protection of children from harm.

This proposal will change the entire nature of Crouch End and make that area pretty much out of bounds for families who bith live in the area or those outside the area but whose children go to shool in Crouch End (as mine do).

I would prefer to kæep my objection confidential on the grounds of the intimidation tactics which have **allegedly** already been utilised in response to Rokesley School's objections.

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Barrett Daliah

From: Lindsay Wright [lindsaywright@blueyonder.co.uk]
Sent: 02 March 2009 20:16
To: Licensing
Cc: Hornsey.snt@met.police.uk; lynne@lynnefeatherstone.org
Subject: Protest against licence application for the Music Palace, Tottenham Lane, N8

Dear Daliah Barrett

I would like to draw your attention to these alarming statistics which have been compiled by the Lilith Project in Camden. I would like these to be put forward as additional support for my previous objection to this licence, under the 'prevention of public disorder', 'public safety' and 'prevention of public nuisance' categories. I think the statistic indicating that there was a 50% increase in reports both of female rape and sexual assaults against women in the years following the opening of the Spearmint Rhino Club in Tottenham Court Road speaks for itself.

I would also like to point out that there is a requirement for applicants to place an A4 size notice, usually on pale blue paper with text in 16 point font. The font size of the notice in the window of the Music Palace is certainly not 16 point, and is no more than 12 point. It is insufficiently prominent in the window to be noticed by passersby, unless they were specifically looking for it.

Statistics:

. Research undertaken by the Lilith Project in 2003 in Camden found that in the years following the opening of a lap dance club on Tottenham Court Road, reports of female rape increased by 50% and reports of sexual assaults against women increased by 50%. (Eden, 2003)

. The numbers of reported rapes around lap dance clubs is three times the national average. (Eden, 2003)

. Women feel more threatened travelling at night than men, and are more likely to restrict their travel plans based on fear of crime. (TfL, 2004)

. Lapdancing clubs can disrupt local residents. Between April 2000 and March 2001 Camden recorded 2730 noise complaints, the areas that received most complaints were those with the greatest number of striptease and lap dancing clubs, all of which had late-opening licences.

. Research carried out by Glasgow Chamber of Commerce in 2003 found that three-quarters of city centre business believed that lap-dancing clubs would damage the reputation of the city, half were concerned about the safety of their staff in the vicinity of the clubs.

. Research in the USA and Scotland found that men in lap dancing clubs often perpetrate acts of sexual violence against the women stripping there. Holsopple (1998) found that 61% of the women had had a customer attempt to vaginally penetrate them with fingers against their will.

Quotations:

'the area around the University Street and Tottenham Court has now been denigrated into a 'no go' area for female shoppers and male passers-by who are often accosted by pimps and other strip clubs offering sexual services and favours.' (Report of Director, 2002)

"Prostitution is rife. All the clubs have strict no-touching rules, but they can't stop the girls from saying: 'Hey, I knock off at two, how about I see you back at my place then?' Guys I know who would never dream of picking up a hooker on the street seem somehow to think it's fine because he's met this girl in a bar, even if she was wearing no clothes and asking for money.'
(The Daily Telegraph, 2006)

'if you're a single woman expect to be hassled by one of the many groups of blokes who seem to hunt in packs. I always feel an underlying sense of tension in the pubs

and I've seen more than an average amount of trouble for an area.' (Anon, 2001)

Clearly the fears about an increase in crime, expressed by myself and no doubt numerous other residents, are far from unfounded. I fail to see how the owner can guarantee that there would not be an increase in crime, or an increased threat to public safety, if this licence goes through - short of personally accompanying every customer to his car when the venue closes, which I imagine he is not offering to do.

We have a right to be protected from the very real threat, in terms of public safety, that this wholly unsuitable application presents. The statistics I have reproduced here clearly indicate that there are many precedents for increased crime and a reduction in public safety when these kind of establishments are permitted to open. I urge the council to heed the lessons that the Lilith Project statistics so starkly demonstrate and to turn down this application.

Yours sincerely

Lindsay Wright
58 Hermiston Avenue
London N8 8NP

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from:

Mrs. L. Sinha,
14A Fairfield Rd
London N8 9HG.

Dear Sir/Madam,
Re: Application for a Premise license
Variation to Music Palace, 159A
Tottenham Lane, London N8 - To
operate a Lapdancing club.

As a local resident I strongly object
to the variation of the license of the above
mentioned Music Palace. because this is
a residential area inhabited mostly by families,
lies and with a school and a church nearby.
It is already bad enough that such a
place should be in our midst - to extend the
hours and to give them the license to per-
form a quasi sex show every night (and day?)²
is unbelievable - this is Crouch End - not Soho.

Even Archway, which is in zone 2 and is a more
urban part of North London, last year rejected
a similar application for a lapdancing license
in the Archway Tavern. The existence of a lapdancing
venue anywhere gives the surroundings an air
of sleaze, will attract unsavoury characters to the
area and also the possibility of sexshops opening
in the High Street.

Also as the majority of
residents around here have to get up early
in the morning to go to work or to school
we need our hours of sleep and to hear noises
be it music, voices, car doors slamming ~~or~~ car
starting, engines revving until 3 a.m six nights
a week, will make life unbearable for
the local residents

Yours sincerely
L. Sinha

16 FEB 2003
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LICENSING ACT 2003 - REPRESENTATION FORM

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Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name.....	JUDI JOHN
Address.....	36A FAIRFIELD GARDENS CROUCH END LONDON
Postcode...	N8 9DD

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	
Name of Licensee.....	
Name of Premises (if applicable).....	THE MUSIC PALACE
Premises Address (where the Licence will take effect).....	159A TOTTENHAM LANE
Postcode..	N8 9BT

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

Later drinking hours will mean more inebriated people in the area, which could mean more petty crime in a residential area.

Public Safety

The clientele of a lap-dancing club will be predominantly low males, ~~not~~ ~~which~~ looking for ~~sex~~ sexual entertainment, which poses a threat to women living in the area and going out and about in the evening.

The Prevention of Public Nuisance

The club is in a predominantly family residential area, and already plays loud music into the early hours of the morning, which is a miserable situation for residents nearby. Extending the hours would make this situation worse.

The Protection of Children from Harm

By its very nature, a lap-dancing club will attract the sort of undesirable male clientele to the area who are a danger not only to children, but also to female residents. There is a primary school just across the road from the club - please reject this application.

I, JUDI JOHN hereby declare that all information I have submitted is true and correct.

Signed:

Judi John

Date:

12.02.09

Please send completed form to:

The Licensing Team

Enforcement

Urban Environment

Units 271-272

Lee valley Technopark

Ashley Road

London

N17 9LN

Barrett Daliah

From: phoebe soteriades [phoebesausages@hotmail.com]

Sent: 03 March 2009 17:24

To: Barrett Daliah

Subject: 159A tottenham lane, n8

Regarding the proposal to extend the licensing hours at the music palace , 159a tottenham lane, n8

I am a resident in 26 Fairfield road - directly at the back of the music palace

I would like to register my discontent with the proposal to extend licensing hours and turn this venue into a lap dancing club.

Not on any moral grounds but predominantly regarding the noise which is already a disturbance and can clearly be heard whenever the venue is open - I need my sleep so am not keen for the hours to be extended.

Also I have a very irregular waork pattern and often return home late at night on my own and am genuinely concerned by studies suggesting increased levels of crime - particularly sexually related crime - in areas where lap dancing clubs have opened.

Yours

Phoebe Soteriades

Flat 3

26 Fairfield Road, N8 9HG

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22 Fairfield Road
N8 9HG
London
09 Feb. 09



Daliah Barrett,
Lead Licensing Officer
1st Floor lee Valley Technopark,
Ashley Road
Tottenham London
N17 9LN

Dear Ms Barrett,

Representation Against: Application for licence variation to Music Palace, 159A Tottenham Lane, London N8 – To operate a Lap dancing club and extend hours of trading.

I am a resident of Fairfield Road. My property backs onto this property. I have in the past raised my objections to the extension of licensing hours for this premises and I am again raising them as part of this representation process. I would like to express my objection against any further extension of trading hours for these premises and in addition my strong objection that it be altered to become a lap dancing club.

My objections are as follows:

1. The increase in licensing hours would increase noise after hours in a residential area.
2. The use of these premises as a lap dancing club goes against the planning for the area. It is poor planning to put a lap dancing club in the middle of a residential area. There is also an infant school within 100 metres of this site.

Residential Area:

Crouch end is a residential area and with the sites adjoining (behind, opposite and to the right hand side) have all gained planning permission to be residential accommodation. This site adjoins a conservation Area and therefore any development, whether retail, resident or a mix of both will have a direct and potentially detrimental impact on the surroundings.

The council has recently approved two large residential blocks within 100 metres of this business; hence it would appear the investment in the area is to develop it as a residential centre. This license application completely conflicts with this plan and establishing the kind of business you would normally only expect to see in a non-residential area shows a complete lack of regard for current and future residents.

Crouch end is a family area:

The crouch end area is predominantly a family area and the proximity of the site to family homes and schools is of key note. Crouch End is a family friendly place to live, and we want to keep it that way. Our local children have a right to a peaceful night's sleep, not to mention a safe walk to and from school. This is a residential area with many working families. The licensing hours extension to 02:00 during week days and 23:00 on Sundays would cause noise disturbance to many current productive residents in the surrounding streets.

Type of Business:

The main businesses are shops and restaurants. There are not even a huge number of bars. The Music Palace is the only club in the area and it already attracts unsavory people to the area. The introduction of this new service would attract more such people to the area and an increase in crime and disorder both during the day and after hours will only cause disturbance to local residents and businesses.

The night club will also draw people to the area late at night throughout the week and this will increase the incidence of opportunistic crime such as vandalism, forced entry to property, mugging and violence. It will also increase the amount of professional crime locally including drug dealing, prostitution and illegal minicabs

In summary I believe this application relates to the following licensing objectives:

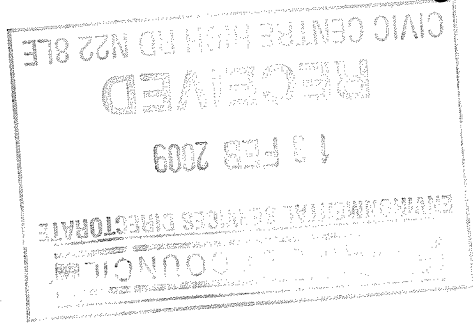
- The prevention of crime and disorder
- The protection of children from harm
- Public safety
- The prevention of public nuisance

Crouch end is a residential area predominantly accommodating families and couples. This proposal will spoil the unique character of the area. I consider it paramount that the residents of Crouch End have a say in its future. I hope that in considering this license application you will take our thoughts into consideration.



Regards
Fiona Ross

CC: Lynne Featherstone – MP for Hornsey and Wood Green



LICENSING ACT 2003 - REPRESENTATION FORM

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<p>Personal Details</p> <p>Name..... <u>FIONA ROSS</u></p> <p>Address..... <u>22 FAIRFIELD ROAD</u></p> <p>.....</p> <p>.....</p> <p>Postcode..... <u>N8 9HG</u></p>

<p>Licence application you wish to make a representation on</p> <p><i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i></p> <p>Application Number.....</p> <p>Name of Licensee.....</p> <p>Name of Premises (if applicable)..... <u>MUSIC PALACE</u></p> <p>Premises Address (where the Licence will take effect).....</p> <p>..... <u>159 A Tottenham Lane</u></p> <p>Postcode..... <u>N8</u></p>

<p>Reason/s for representation</p> <p><i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i></p>

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

This licence request will encourage disorderly behaviour in the area throughout the day (from 11am) to late into the night. This will increase crime, & disorder, & disturbance to local residents. Increase in opportunistic crime including mugging, vandalism & burglary.

Public Safety

This is a family/residential area with close proximity to a school. Customers of this establishment will be paying to watch women degrade themselves for money. This is not something I would want my children exposed to.

The Prevention of Public Nuisance

The Music palace plays excessively loud music & the extension of licensing hours with allow them to do this late at night on week nights disturbing local residents.

The Protection of Children from Harm

There is an infant school within 100 metres of this establishment. At 11am in the morning there are 100s of children in an around the area. Having unsavoury people encouraged into the area at all, let alone, during the day creates an obvious risk to our children.

I, Fiona Ross....., hereby declare that all information I have submitted is true and correct.

Signed: Fiona Ross

Date: 12/2/2009

Please send completed form to:

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

Barrett Daliah

From: mandjbal@aol.co.uk
Sent: 17 February 2009 15:35
To: Licensing
Subject: Re: Music Palace application

Attention: Licensing Team - Haringey Council

Attention: Licensing Team - Haringey Council

We understand that The Music Palace in Tottenham Lane N8 has applied for an extension to its current licence and also applied to be a lapdancing bar.

We strongly object to these applications as we live within this residential area close to The Music Palace. We already have to put up with the noise of people leaving the bar late at night and driving away cars, which are parked along roads, adjacent to the bar. The noise is very disturbing and would be unbearable if the hours were extended throughout the week.

The residents consist of many families and older people. Children have to get up for school and people have to go to work each morning. Disturbed sleep does not help the situation.

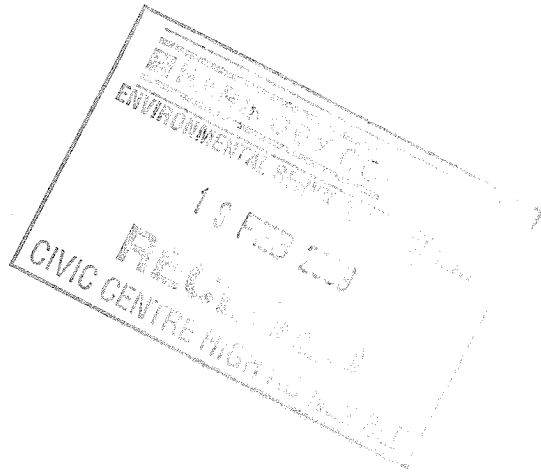
We all remember the disruption caused when the venue was Bar Rocca and the problems we all suffered then. Thankfully the licensing committee understood our problems then and we hope the same common sense will apply now. The idea that this could be a lapdancing bar is also not acceptable for the same reasons and this would probably cause more disturbances when the bar closed.

We hope you consider these objections when you look at these applications and not allow more disruptions to residents lives than necessary.

Marie & John Baldwin
42 Elmfield Avenue
Crouch End N8 8QG

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

13 February 2009
Re: Lapdancing club application

Dear Daliah

We are writing to object to the application for Music Palace, 159a Tottenham Lane, London N8 to operate a lapdancing club.

We run a design business at 163 Tottenham Lane, two doors away. We are not a shop, we often have to work late and have to pass these premises on a daily basis. The proposed opening hours mean that we are likely to be exposed to antisocial behaviour throughout the working day as well as at night. Our business includes women workers, visitors and customers who are likely to feel vulnerable in this environment.

Our material objections are on the following grounds:

The prevention of crime and disorder There is no doubt that a lapdancing club would have a deleterious effect on the local area, creating a dangerous environment especially for women and children. Recent research (Eden 2003) suggests that rape of women increases by 50% and reports of sexual assaults against women increase by 50% in areas where lapdancing clubs operate. Numbers of reported rapes around lapdancing clubs are three times the national average.

The protection of children from harm There are two schools within a short distance from the proposed club; one, a primary school, the other a girls' secondary school. Bus stops near the club are used by schoolchildren on their way home, who may be exposed to sexual harassment and inappropriate imagery.

Public Safety The club is by its very nature going to encourage large groups of men who are drunk and sexually stimulated. They will make their way out of the club, into the surrounding streets and onto public transport and are likely to engage in sexually threatening behaviour. The applicants may argue that they will keep a 'well regulated' club without disorder but they have no control over what takes place outside the club.

The prevention of public nuisance Between April 2000 and March 2001 the London Borough of Camden recorded 2,730 noise complaints. The areas that received most complaints were those with the greatest number of striptease and lap dancing clubs, all of which had late-opening licences. The club will be a magnet for people looking to recruit women into prostitution.

Yours sincerely

Rob Silk

on behalf of the owners and staff at Tattersall Hammarling & Silk

TATTERSALL HAMMARLING & SILK LIMITED

Barrett Daliah

From: Gold, Fiona [Fiona.Gold@islingtonpct.nhs.uk]
Sent: 24 February 2009 14:28
To: Licensing
Subject: Music Palace licence extension objection

From: Gold, Fiona
Sent: 24 February 2009 14:19
To: 'licensing@haringey.gov.uk'
Subject: Music Palace licence extension objection

To whom it may concern

I write to object to the license extension and in particular the intention to use the venue as a lap dancing establishment.

This is a residential area with a school nearby and a large number of families living in the area. A late license for this type of establishment is likely to attract groups of men. With a late license to sell alcohol it is likely that these men would be drunk and may therefore cause noise or other disruption to the residents while walking around the streets.

I understand fully the need for businesses to develop and attract trade. However, as a parent of a young child I feel strongly that this type of trade should not be encouraged in such a clearly residential and family-orientated area. Recent undercover journalist research has shown that it is very hard to regulate lap dancing venues, and a number of lap dancing venues in London contravene guidelines set to protect the dancers such as distance from the client and no physical contact to be made with the client. It is very hard to enforce these rules and to police this industry. I therefore suggest that it would be difficult to ensure that a lap dancing venue would remain a purely visual entertainment. This may attract the type of man who is seeking more than just a dance. I am concerned that this would encourage prostitution in the area.

The current weekend trade at Music Palace brings loud drunk people down our road late into the night. On a weekend this is more tolerable than week nights when we all have to get up for work the next day. I therefore am against a late license 6 days a week.

I strongly hope that you will consider the disruption to local residents that this late license and change in venue function would bring.

Regards,

Fiona Gold
Address: 31 Elmfield Ave, N8 8QG

Fiona Gold
Speech & Language Therapist
Children's Centre Team
2nd Floor
Northern Health Centre

Tel: 020 7445 8225
Mondays & Tuesdays

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Barrett Daliah

From: Lindsay Wright [lindsaywright@blueyonder.co.uk]
Sent: 22 February 2009 21:21
To: Licensing
Subject: Protest against licence application for the Music Palace, Tottenham Lane, N8

From

Jonathan Rogers
58 Hermiston Avenue
London N8 8NP

22/2/09

Dear Sir/Madam

I wish to protest at the current licence application that the Music Palace has made.

This is a quiet, residential area and it is completely unacceptable for a club to stay open until 2am, which will inevitably have an adverse effect on the people that live around here.

Although the Music Palace has been relatively quiet in the recent past, this has a lot to do with their current market, which seems to be older music fans. The music has, however, been clearly audible from our house, indicating little or no sound proofing. If this club is allowed to stay open until 2am, this will cause many sleepless nights for my family (we, like many around here, have 3 children who all need sleep for school) They will also, no doubt, be woken up when drunken party goers stumble back to their parked cars (our street will no doubt be used for this.) This is what happened when the Music Palace was Bar Rocca.

There will be an increase in crime, as it has been proven that most anti social behaviour is drink related. Any lap dancing bar will always market itself to stag dos and large crowds of men, looking to get drunk. Is the owner going to be responsible for all the damage to peoples property?

This club will not serve the community at all, all it will bring to Crouch End is crime. Which eventually Council Tax payers will be forced to pay for.

I plead with you to reject this application.

Yours sincerely

Jonathan Rogers

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17 Fairfield Road
London N8 9HG
Tel: 020 8341 0558
Fax: 020 8347 8694

27th February 2009

Licensing Authority
Unit 271
Ashley Road
Tottenham
N17 9LN

Dear Sir,

Re: Application for licence change at 159a Tottenham Lane, N8

I am writing to object strongly to the application to operate as a lap dancing club and extension of hours on the following grounds:

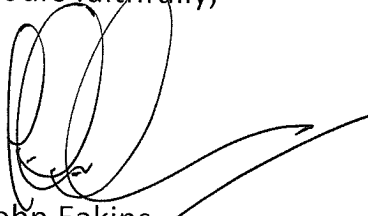
- The change would lead to an increase in alcohol-related **crime and disorder** in Crouch End. The Haringey Crime Audit of 2001 showed that about a quarter of arrests were related to alcohol, mainly ingested by young men, who would be likely to be the main visitors to the lap dance club
- No risk assessment has been carried out by the licensee on who might attend the lap dance club or on safety considerations for the dancers. No measures are proposed to protect **public safety**
- This old chapel is unsuitable for a music club playing loud electronic music, and has been the focus for years of complaints from neighbours both because of **noise nuisance and disorderly behaviour** of revellers leaving the place in the early hours of the morning. (Extension of hours should be the last thing the licensing authority should consider for this venue)
- The applicant has not demonstrated that children and young people would be protected from harm – e.g. activities within the venue would be visible from the street through glass doors on the frontage and inside. I object on the grounds of risk to young people and children, particularly from Rokesly School

* Haringey's Statement of Licensing Policy says that premises located near schools, nurseries or places of worship are in **sensitive areas**. This application should be refused, as the venue is close to all three.

In summary, I do not believe that a lap dancing club is appropriate in a predominantly family area across the road from a primary school. Any extension of hours would exacerbate the noise nuisance from a venue that was never intended to transmit electronic noise.

I hope you will refuse this application.

Yours faithfully,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

John Eakins

17 FAIRFIELD ROAD
LONDON N8 9HG
Tel: 020 8341 0558

27th February 2009

Licensing Authority
Unit 271, Ashley Road
Tottenham, N17 9LN

Dear Sir,

Proposed licence change at 159a Tottenham Lane, N8

I am writing to object strongly to the application to operate as a lap dancing club and extension of hours on the following grounds:

1. The change would lead to an increase in alcohol-related **crime and disorder** in Crouch End. The Haringey Crime Audit of 2001 showed that about a quarter of arrests were related to alcohol, mainly ingested by young men, who would be likely to be the main visitors to the lap dance club
2. No risk assessment has been carried out by the licensee on who might attend the lap dance club or on safety considerations for the dancers. No measures are proposed to protect **public safety**
3. This old chapel is unsuitable for a music club playing loud electronic music, and has been the focus for years of complaints from neighbours both because of **noise nuisance and disorderly behaviour** of revellers leaving the place in the early hours of the morning. (Extension of hours should be the last thing the licensing authority should consider for this venue)
4. The applicant has not demonstrated that children and young people would be protected from harm – e.g. activities within the venue would be visible from the street through glass doors on the frontage and inside.
I object on the grounds of **risk to young people and children**, particularly from Rokesly School
5. Haringey's Statement of Licensing Policy says that premises located near schools, nurseries or places of worship are in **sensitive areas**. This application should be refused, as the venue is close to all three.

In summary, I do not believe that a lap dancing club is appropriate in a predominantly family area across the road from a primary school. Any extension of hours would exacerbate the noise nuisance from a venue that was never intended to transmit electronic noise.

I hope you will refuse this application.

Jill Eakins



191B Ferme Park Road
Crouch End
London
N8 9BS

18th February 2009

Haringey Council
Licensing Team
1st Floor
Lee Valley Technopark
Ashley Road
Tottenham
London
N17 9LN

Dear Sirs,

Re: Licensing Act 2003 – Application for a premise license variation to Music Palace, 159A Tottenham Lane London N8 – To operate a lap dancing Club

Further to your letter dated 5th February 2009.

I write to object to the above application on the following grounds:-

- *The Protection of Crime and Disorder
- *The Protection of children from harm
- *Public safety
- *The prevention of public nuisance

I have strong opinions on all the above objections for the following reasons and would like to ensure the Music Palace does not become a lap dancing club.

I live nearby the establishment and on numerous nights in the week we are currently awoken or kept awake by loud music into the early hours from this club and this can be heard quite clearly from my property.

There are also a lot of groups of people in and around the club and the noise and disturbance is a public nuisance already and I feel these problems, if granted permission for a lap dancing club will increase tremendously.

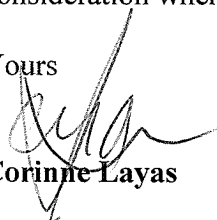
The current parking conditions in the area are already in dire distress and by approving this application will attract many more people to park their vehicles in and around the club, causing local residents to have to park further away from their own property and causing more highway problems for other nearby residents.

A lap dancing club in the area is not needed and I believe will attract undesirable visitors to the local area and this is a concern for our children's protection.

There is also a local school across the road that runs after school and evening events that children have to attend to and many children and adults use the local YMCA club during various hours throughout the day and night to go to various classes and I think this will deter them coming to the local area, due to the lap dancing club and the activities taking place from within. I think they will feel the area is therefore not a desirable place to attend anymore, which will then have a knock on effect on local businesses and in this current climate we need to help all local businesses and work together and not grant licenses that will have a negative effect on businesses in the area.

I strongly disagree with granting this application and I hope you can take all my points into consideration when making your final decision.

Yours



Corinne Layas

FRONT LINE SERVICES
URBAN ENVIRONMENT

RE: MUSIC PALACE
TOTTENHAM LANE NB.

35 Elmfield Avenue
Crouch End
London N8 8EG

17/02/09

The Music Palace has applied for an extension to its licence the application is for a permit to open till 2AM six days a week. This is not acceptable in a residential area of family homes where the majority of residents have jobs to go to and children to get up for school.

The Music Palace in the present case is open till 2AM at weekends, there is an ongoing problem with people leaving the Music Palace at 2-3AM.

Customers park cars in Elmfield Ave & Hermiton Ave on leaving the Music Palace are slamming car doors shouting & swearing. Customers park with car radios on, drinking alcohol bottles & cans are left on the footpath and in residents gardens.

My home is 100m from the Music Palace & directly opposite Rokeby School at weekends I am constantly awoken by the anti-social behaviour of people leaving the Music Palace at 2AM the boundary fence to Rokeby School & residents gardens are used as urinals.

This is not acceptable, I strongly object to an extension to the licence for the Music Palace to open until 2AM six days a week. As a resident & tax payer I strongly object to a late opening music bar and late opening bar in a residential area directly opposite a school.

Yours Sincerely
M. Donoghue

To: Deliah Barrett
 Lead Officer (licensing)
 Licensing Team/Haringey Council
 1st floor, Lee Valley Techno Park
 Ashley Road
 Tottenham, London N17 9LN

From: Sarah Holland
 19 Fairfield Road
 London N8 9HG.

Ref: Application for a Premise
 licensing Variation to
 Music Palace,
 159A Tottenham Lane, N8.
 to operate as a Lapdancing Club

Date: 16 February 2009.

Dear Deliah Barrett,

As a local resident I would like to strongly object to the licensing Application for 159A Tottenham Lane, London N8, to operate as a Lapdancing Club.

I would like to object on the grounds of:-

- the protection of children from harm - I am the mother of twin who will shortly be attending Rokesley Infants School (opposite 159A Tottenham Lane) and I am horrified to think that a Lapdancing Club would be allowed a distance so close to a school;
- the prevention of public nuisance - the later hours will cause a lot of disruption to local residents, and it is a worry that the type of customers that the Club will attract will be coming into the area. The customers will be mainly men who have very little respect for women, and it will make women in the area feel very unsafe and uncomfortable walking past the club.

— the prevention of crime and disorder — there will be people coming out of the clubs at 2am from Monday to Saturday, and many will have been drinking heavily. This is a quite residential area, nothing else is open that late during the week, it will cause a lot of noise and nuisance and inevitably crime and disorder.

Yours sincerely,

Serdar Ahmed,



LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name.....	Angela Stopping
Address.....	26 Elmfield Avenue
.....	Crouch End
.....	London
Postcode.....	N8 8QG

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	
Name of Licensee.....	
Name of Premises (if applicable).....	Music Palace
Premises Address (where the Licence will take effect).....	159A Tottenham Lane, London N8
.....	
Postcode.....	N8

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

The longer hours are likely to combine to ensure that the venue creates noise into the early hours for residents

The Protection of Children from Harm

The venue is 100 metres from a school Rokesley. The fact the venue will be open from 11am will mean that children walking home from school could come into contact with

Angelo Sterling hereby declare that all information I have submitted is true and correct.

Signed: ASterling

Date: 16/2/09

children + workers at the club.

Please send completed form to:

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

J E Knight
20 Fairfield Road
London N8 9HG
ENGLAND
Tel: 0208 340 5998
20 February 2009

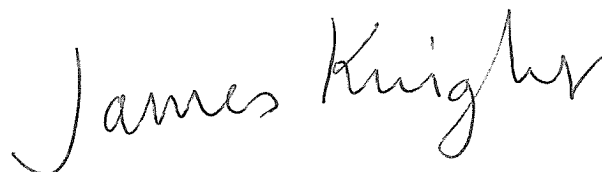
Dear Daliah Barrett

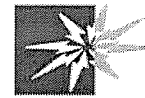
MUSIC PALACE 159A TOTTENHAM LAND, LONDON N8
CHANGE OF USE TO "LAP DANCING CLUB"

I wish to object to the application for a premise license variation (sic) to operate a lap dancing club at the above address. My objections are given below, prompted by the fact that my flat overlooks the rear of the premises.

1. The noise level in these establishments is generally very high, and guidance from police and local government is generally ignored. To have to endure this every night until 2am is quite indefensible.
2. Lap Dancing Club is a euphemism for a pick up joint for prostitutes. If this was the sole line of business I would not care. However, this kind of establishment goes hand in hand with drug dealing, pimping and all the other allied trades - and not a few of the "lap dancers" are actually vulnerable young women with drug habits which use this calling to pay for their drugs. The problem is not so much the girls themselves but those who prey on them - drug pushers, pimps, etc. And a great many of these girls are well under the age of 18 - and therefore count as children.
3. Anyone who has passed down a street in Soho late at night will be aware of the gauntlet one has to run. And once a place has a reputation for an easy place to score then others are soon drawn in on the coattails of the legalised club.
4. The present hours of use were arrived at by lengthy consultation with the local residents; let them keep to that. Most men should be able to chat up a prostitute in a bar within the hours already in force.

Yours sincerely

A handwritten signature in cursive script that reads "James Knight". The signature is written in dark ink and is positioned below the typed name "James Knight" in the original document.



Haringey Council

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name...MR. W. R. C. DESBOROUGH
Address...FLAT 1 22 FAIRFIELD ROAD CROUCH END
Postcode...N8 9HG

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee...THE MUSIC PARADE
Name of Premises (if applicable)...THE MUSIC PARADE
Premises Address (where the Licence will take effect)..... 159a TOTTENHAM LANE CROUCH END
Postcode...N8 9BT

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

SAFETY IMPLICATIONS - PARTICULARLY FOR WOMEN
 DRUNK + DISORDERLY BEHAVIOUR
 BRINGING DRUG + ALCOHOL ABUSE INTO THE AREA
 INCREASING DRUG DEALING, PETTY CRIME, VIOLENCE
 ALCOHOL RELATED CRIME, SEXUAL CRIMES, ILLEGAL MINI-CARS.

Public Safety

SECURITY AND SAFETY OF LOCAL FEMALE POPULATION
 IS JEOPARDIZED
 INCREASE IN THE NUMBERS OF DRUNK + DISORDERLY
 PEOPLE CREATING A DANGEROUS + THREATENING ATMOSPHERE.
 DRUG DEALING / PROSTITUTION / ILLEGAL MINI CARS, SEXUAL CRIMES.

The Prevention of Public Nuisance

NOISE - WE REGULARLY GO AWAKE BEYOND
 THE VENUE'S CURRENT 'LEGAL' OPENING TIMES :
 ANY MORE NOISE WOULD BE INTOLERABLE FOR MANY +
 PREVENTS LOCAL RESIDENTS FROM ENJOYING THEIR HOMES

The Protection of Children from Harm

THE CLUBS IN THE MIDDLE OF A RESIDENTIAL AREA
 WITH SCHOOLS + YMCA CLOSE BY. THE CLUBS IS A
 THREAT TO THEIR SECURITY DUE TO INCREASE IN
 DRINKING, DRUG TAKING THAT THE CHANGE IN LICENSE WILL BRING.
 LONGER OPENING HOURS WILL ALSO IMPACT UPON LOCAL CHILDREN'S
 RIGHT TO A GOOD NIGHTS SLEEP

I, WILL DESBOROUGH....., hereby declare that all information I have submitted is true and correct.

Signed: 

Date: 1/3/09

Please send completed form to:

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

Mr W.R.C. Desborough
Flat 1
22 Fairfield Road
Crouch End
London
N8 9HG

Daliah Barrett
Lead Licensing Officer
1st Floor IEE Valley Technopark
Ashley Road
Tottenham London
N17 9LN

1st March '09

Dear Ms Barrett,

RE: Representation Against: Application for licence variation to Music Palace, 159A Tottenham Lane, London N8 – To operate a Lap dancing club and extend hours of trading.

I write to you regarding the Music Palace's license variation application. As a local resident and Crouch End homeowner I am gravely concerned that the above application is to be considered by the planning office.

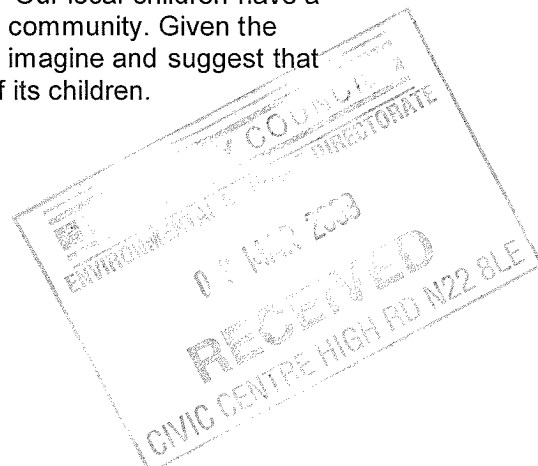
This application must be rejected upon the following grounds:

1. The Prevention of Crime and Disorder

Putting a lap dancing club on Tottenham Lane will increase the amount of drugs in the area as well as drunk and disorderly behaviour. The night club will also draw people to the area late at night throughout the week and this will increase the incidence of opportunistic crime such as vandalism, forced entry to property, mugging, violence. It will also increase the amount of professional crime locally including drug dealing, prostitution and illegal minicabs.

2. The Protection of Children from Harm

The proximity of the site to family homes and schools - Crouch End is a family friendly place to live, and it should remain that way. Our local children have a right to a peaceful night's sleep and to live in a safe community. Given the borough's recent record on child protection, I would imagine and suggest that Haringey Council's number 1 priority is the safety of its children.



3. Public Safety

The opening of a lap dancing club in a residential area jeopardizes the security and safety of the local female population and brings with it a profound threat from those 'clients' of the lap dancing club seeking to satisfy their frustrations.

4. The Prevention of Public Nuisance

Noise – we are often kept awake until 3am on many Saturday nights, (i.e. they are already breaking the restrictions they are supposed to operate under). If allowed all week it would be intolerable, depriving residents of sleep and the ability to enjoy their homes

Furthermore, I am sure you are aware that Crouch End is a family-orientated, residential enclave. It has established a well-deserved reputation as a safe, respectable, friendly and hospitable area with a community spirit considered special and perhaps, unique for north London. The addition of a lap-dancing club to its environs would be incongruous, and misjudged, to say the least.

Countenancing this application flies in the face of what Crouch End is, what it should aspire to be, and exactly why it has flourished.

The constituents and children of Crouch End entrust the local council and planning office officials thereof with the responsibility of protecting and preserving the area. This application's approval would be, at best, a betrayal of Crouch End's residents and at worst a negligent and implicit charter for crime - an affront to the very fabric of this community, with far-reaching and dangerous consequences.

I would urge you to dismiss this application: if not for civic, social and moral reasons, then for the prevention of crime and disorder and the impediment to the security of the community that this application poses.

Yours sincerely,



Mr Will Desborough

CC: Lynne Fetherstone, MP

CC: Tony Allcock, Editor, Hornsey & Crouch End Journal

To
Deliah Barrett

Haringey Council
Licensing Team
1st Floor Lee Valley
Technopark
Ashley Road
London N17 9LN

Reference
Lapdancing club application
on Tottenham Lane

Date
10.02.2009

Dear Daliah,

This is a response to your letter of 05.02.09 advising of the application by the Music Palace on Tottenham Lane N8 to operate a lapdancing club with extended opening hours.

Living in the direct vicinity with our back garden backing on to the open site across from the Music Palace we oppose the application for the following reasons.

As a resident:

1. There is already loud music that we can hear from our garden, and also our bedroom making it difficult to sleep at times. In summer when we might sit outside or have the windows open we do not wish to hear what other people choose to hear. The hours should not be extended, and a check might be advisable to ensure the building itself is noise-insulated correctly to prevent noise pollution over the legal limits set out.

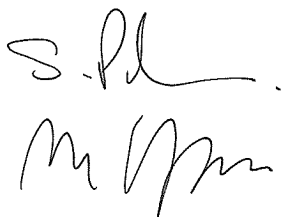
As a member of the community:

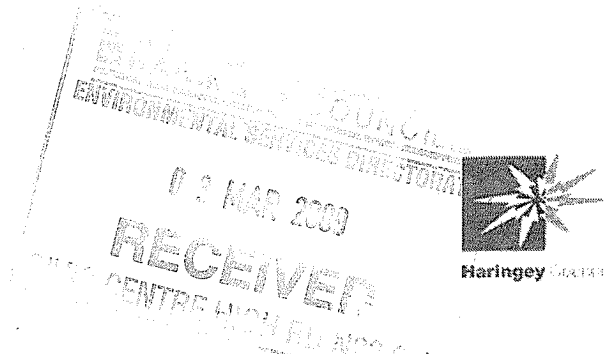
1. The proximately to the nearby primary school and the proposed opening hours starting from 11am would seem at odds to the point of being irresponsible. Schoolchildren wait for the bus after school on the opposite side of the street!
2. The adverse effect on the street scene in this family-orientated area. The sort of visual advertising that is associated with lapdancing venues will no doubt lower the tone of the area directly effected.
3. The potential increase in unsocial behaviour and lowering the feeling of safety and security that certain members of the community might have as they walk past on the pavement to visit shops on the Broadway.

We hope that you think that for the above reasons the club application should be refused and that the opening hours are at present late enough.

Yours sincerely,

Stephen Parker
Manuela Wyss





LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

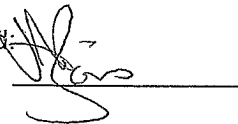
Personal Details	
Name.....	JUDITH BAINES
Address.....	FLATS 5, 22 FAIRFIELD ROAD CROUCH END, LONDON
Postcode.....	N8 9HG

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	
Name of Licensee.....	
Name of Premises (if applicable).....	MUSIC PALACE
Premises Address (where the Licence will take effect).....	159A TOTTENHAM LANE
Postcode.....	N8

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>
The Prevention of Crime and Disorder SEE ATTACHED
Public Safety SEE ATTACHED
The Prevention of Public Nuisance SEE ATTACHED
The Protection of Children from Harm SEE ATTACHED

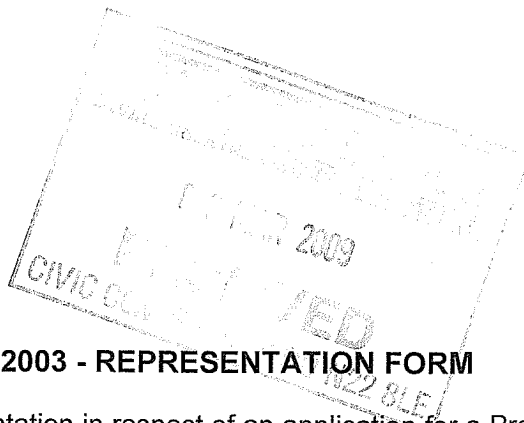
I, J. BAINES....., hereby declare that all information I have submitted is true and correct.

Signed: 

Date: 1/3/09

Please send completed form to:

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



LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name <u>MATTHEW LINGARD</u>
Address <u>FLAT 5, 22 FAIRFIELD ROAD</u> <u>CROUCH END, LONDON</u>
Postcode <u>N8 9HG</u>

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee.....
Name of Premises (if applicable) <u>MUSIC PALACE</u>
Premises Address (where the Licence will take effect)..... <u>159A TOTTENHAM LANE</u>
Postcode <u>N8</u>

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

See attached

Public Safety

See attached

The Prevention of Public Nuisance

See attached

The Protection of Children from Harm

See attached

I, M. LINGARD....., hereby declare that all information I have submitted is true and correct.

Signed: *M. Lingard*

Date: 1-03-09

Please send completed form to:

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

Barrett Daliah

From: Iain Croft [iain_croft@hotmail.com]
Sent: 03 March 2009 13:48
To: Licensing
Cc: hornsey.snt@met.police.uk; lynne@lynnefeatherstone.org; iain.croft@bbc.co.uk
Subject: Music Palace, 159A Tottenham Lane, N8

From: Iain Croft. 56 Hermiston Avenue, London N8 8NP

Dear Daliah Barrett

re: **Music Palace**, 159A Tottenham Lane, N8

I am writing to add my objection to the application by the Music Palace in Tottenham Lane to vary its licence, in order to extend its opening hours and operate as a lap-dancing club.

I consider this to be totally inappropriate in a residential area, close to a school and streets with very young children and elderly people living in them. I also feel that its proximity to the YMCA, which is home to a number of vulnerable young people, also makes this application inappropriate.

I am concerned about an increase in crime and disorder. I have concerns that the customers will be noisy and boisterous when they vacate the premises at 2 am who may not respect the fact that this is a residential area where people are trying to sleep. In the small section of Hermiston Avenue where I live, there are 7 children under the age of 10 and two elderly pensioners. If these children are awoken in the early hours on a regular basis, I am concerned about the impact on their education and health.

Research carried out by the Lilith Project has also indicated that, in areas where lap-dancing clubs open, reports of both rape and sexual assault increase by 50%. My wife works shifts, and alights at the bus stop near the club. I have concerns that she might be subjected to harassment and inappropriate approaches.

I am also very concerned about the notification in the window of the Music Palace that appears to be using a very small font. Is there not a stipulation that these have to be displayed, by law, in a large font to ensure they are sufficiently visible? Perhaps you could also look into this?

I urge you to please reject this application.

Many thanks for your time and patience in this matter,

Iain Croft
56 Hermiston Avenue
London
N8 8NP

Windows Live Hotmail just got better. [Find out more!](#)

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

03/03/2009

Barrett Daliah

From: Hoffman, Tami [Tami.Hoffman@BSKYB.COM]
Sent: 02 March 2009 14:26
To: Licensing
Subject: Objection to Music Palace 19A Tottenham Lane

The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Rd
N17 9LN.

Dear Sir/Madam,

Re: License Variation - Music Palace, 159A Tottenham Lane.

On behalf of Rokesly Infant School Parent Staff Association I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk-assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm - for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokely Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Yours Sincerely,

Tami Hoffman
Chair of Rokesly Infant School PSA

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London
N8

02/03/09

The Licensing Authority
London Borough of Haringey
Urban Env. Technopark
Ashley Road
N17 9LN

Dear Sir/Madam

Re: License Variation – Music Palace, 159A Tottenham Lane.

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue as a local residents and parents of children attending Rokesly Junior School.

I object on these grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from the premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all of these premises.

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee. **Personal Details**

Name... ..
Address.. ..
.....
.....
Postcode

Please do NOT allow my name and address to be passed to the applicant. I am aware there has already been one incident of intimidation relating to this application.

You do not need to answer all of the questions in this section, but please give as much information as you can:
Licence Number...KN-200600321.....
Name of Licensee...Ms Serdal Ziya.....
Name of Premises (if applicable)...Music Palace.....
Premises Address (where the Licence will take effect).....
...159A Tottenham Lane, Hornsey, London.....
.....
Postcode...N8 9BT.....

Reason/s for representation

*Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet **Variations, Representations and Appeals for Premises Licences and Club Premises Certificates**).*

This is a totally inappropriate and sensitive location for such an establishment. The granting of the requested license hours of 11.00 am onwards will put young people from the 4 local schools plus local women at risk from being accosted and abused by members leaving the club in an ungratified state of titillation

The inference that women will be dancing naked or part naked is degrading to their sex and will lead to exploitation.

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder

The proposed extension of hours for the sale of alcohol could well lead to men leaving the premises in a drunken and rowdy condition leading to an increase in alcohol and sexual arousal related crime by said men...

Public Safety

There is no demonstration of measures to ensure that members will be monitored as to their consumption of alcohol nor of how the public will be protected from being accosted or verbally abused. Nor is there any demonstration of measures to protect the female performers from unwelcome attentions.

The Prevention of Public Nuisance

Ever since the change of use from a Salvation Army Citadel these premises and the people that visit them have been the cause of noise, disturbance and litter by those leaving the premises late at night

The Protection of Children from Harm

This is a sensitive location and totally unsuitable for such an establishment. There are two schools immediately diagonally opposite (Rokesly Infant School and Rokesly Junior School) plus two other schools in the vicinity (Hornsey School for Girls and Weston Park). The pupils from all four of these schools use the 41 and 91 bus stops outside these premises. Our children and young people must be protected at all costs from possible approach, abuse and otherwise being accosted by inappropriate members of the public. The children from other schools in the area use Crouch End and its food retailing premises in their lunch time and are likely to be in the vicinity of this location.

There is also a Church in the area (Holy Innocents) and a young People's hostel (YMCA) all of which make it an inappropriate location for such an establishment.

Crouch End is a residential community with many families living in the location. It is wrong that a "lap-dancing" club should be located in this area. If men require such entertainment it should not be in the environment of Crouch End but in some location such as a "retail park" or an "industrial park" which does not operate at late hours or cause nuisance and distress to local inhabitants.

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Barrett Daliah

From: Hooper, Claire, CMG [Claire.Hooper@currentmedicinegroup.com]
Sent: 03 March 2009 14:05
To: Licensing
Subject: Application for License Change: The Music Palace, Crouch End

Dear Sir or Madam:

I wish to comment on the application by the owners of The Music Palace in Crouch End to open a lap-dancing club on the site.

I feel strongly that such a venue would be completely inappropriate and totally at odds with its position directly opposite Rokesly School and the residential nature of the area. It is also directly opposite the YMCA, where hundreds of young men are housed.


I have the misfortune to work directly next to such a club in Old Street and have had direct experience of the kind of behaviour it encourages. I have seen young women subject to abuse by men gathered outside the pub opposite, on the assumption that they work in the club. In addition, there are statistics that show an increase in the incidence of sexual assault in the vicinity of these venues.

I would strongly encourage Haringey Council to refuse the application and consider a much more suitable use for the building.

Yours faithfully

Claire D. Hooper

Flat 5
57 Mountview Road
London
N4 4SR

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Barrett Daliah

From:**Sent:** 03 March 2009 21:53**To:** Licensing**Subject:** lap dancing club in Crouch End

Dear Sirs

We have just heard that there is potentially going to be a lap dancing club in Crouch End. We are categorically against this. We feel that it would draw the wrong kind of individual to an area that, so far, has managed to retain a village feel and family friendly. The type of individual that is drawn to lap dancing clubs is normally of a lewd or crass nature and can have absolutely no benefit to our area.

I would like to hear the argument for there being such a club. I will be saddened if it's the usual spiel of bringing jobs, wealth or commerce to this area, as that is blatantly not the truth.

I've heard that the proposed opening times are 11am to 2am, I know the proposed venue and it is in close proximity to a primary school, which in my opinion, is completely indefensible. So I would like to object to this club primarily on the grounds of the Protection of children from harm.

However, due to the very nature of lap dancing clubs and the types of individuals mentioned above, I would also object on the following other grounds,

- Prevention of crime & disorder
- Protection of public safety
- Protection of public nuisance

We have also heard that the owner of this club has allegedly been abusive to a teacher at the primary school because she raised obvious objections, for this reason we would like to keep our details confidential.

Regards,

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Barrett Daliah

From: dl015w6108@blueyonder.co.uk
Sent: 27 February 2009 10:24
To: Licensing
Subject: The Music Palace, Tottenham Lane, N8

To: Daliah Barrett

As a resident of Crouch End, I object to the proposed extension to the licensing hours of the Music Palace, Tottenham Lane, N8. Also, the proposed application to include what is termed 'adult entertainment', which in fact means lap dancing. Crouch End is not a suitable place for such an establishment. It is a residential area. The later opening hours would have an impact on the amount of noise generated at closing time [ie slamming of car doors, laughing and talking] at such unsocial hours on the many people [children and adults] who are trying to sleep.

From: Mr D Loud
42 Hermiston Avenue
Hornsey
London N8 8NP

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Barrett Daliah

From: dl015w6108@blueyonder.co.uk
Sent: 27 February 2009 10:33
To: Licensing
Subject: The Music Palace, Tottenham Lane, N8

To: Dalia Barrett

As a resident of Crouch End, I object to the proposed extension to the licensing hours of the Music Palace, Tottenham Lane, N8. Also, the proposed application to include what is termed 'adult entertainment', which in fact means lap dancing. Crouch End is not a suitable place for such an establishment. It is a residential area. The later opening hours would have an impact on the amount of noise generated at closing time [ie slamming of car doors, laughing and talking] at such unsocial hours on the many people [children and adults] who are trying to sleep.

From: Mrs P Loud
42 Hermiston Avenue
Hornsey
London N8 8NP

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Barrett Daliah

From: Imogen Pennell [jpennell@blueyonder.co.uk]
Sent: 02 March 2009 18:32
To: Licensing
Cc: Patrick Cozier
Subject: Application for Variation to Premises Licence - Music Palace

2nd March 2009

Your Ref: DB/KB/ANN/LIC

For the attention of:

Daliah Barrett-Williams

Licensing Lead Officer

Enforcement Services

Frontline Services - Urban Environment

Haringey Council
Units 271-272 Lee Valley Technopark
Ashley Road
Tottenham N17 9LN

Dear Ms Barrett-Williams,

Application for Variation to a Premises Licence – Music Palace, 159a Tottenham Lane, London N8.

As Chair of Highgate Wood School Governing Body, I write to oppose the above Application for Variation to the Premises Licence relating to the Music Palace, 159a Tottenham Lane, N8.

27/08/2009

We note that the applicant seeks the variation to enable the premises to be operated as a 'Gentleman's Club', offering adult entertainment, including films, dancing etc. We strongly believe that the location of these premises so close to Rokesly Infant & Junior Schools and in a densely populated residential area, makes them highly unsuitable for such use. Many Highgate Wood School students live in this area and many others pass the premises every day on their way home from school, and to and from Crouch End.

The extended operating times (11.00 to 02.00 six days a week and 11.00 to 23.00 on Sundays), permitting long hours of alcohol consumption combined with 'adult entertainment', could put children and young people at considerable potential risk from adults frequenting the premises. And the understanding that no one under 18 will be permitted on the premises does not reassure us. A 'Gentlemen's Club' and the forms of entertainment associated with it would be a totally inappropriate use of premises in Crouch End. It would tend to attract undesirable people into the area, could encourage prostitution, and would have an unhealthy, detrimental effect on the quality of life in our community.

In the interests of safeguarding children, young people and family life in the Crouch End area, we urge that this Application is firmly rejected.

Yours sincerely,

Imogen Pennell

Chair of Governors

Highgate Wood School

Montenotte Road

London N8 8RN

Contact numbers:

Highgate Wood School: 0208 3427970

Personal Tel: 0208 348 8945

Personal Mob: 07962 322 048

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Barrett Daliah

From: m:
Sent: 04 March 2009 00:11
To: Licensing
Subject: Re. License Variation – Music Palace, 159a Tottenham Lane

Dear Sir/Madam

Re. License Variation – Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds;

Prevention of Crime and Disorder. The proposed variation will increase alcohol related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol related with involvement of young men being a specific concern.

Public safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk assessment has been carried out on the likely audience of lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy Jan 2008) which pose obvious risks to public safety. The applicant has not give any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm – eg activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, young clubs, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises. The YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Please ensure my details are not shared with the applicant for fear of intimidation.

Yours faithfully

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27/08/2009

Barrett Daliah

From: [REDACTED]
Sent: 03 March 2009 23:27
To: Licensing
Subject: Objection to License variation - Music Palace 159A Tottenham Lane
Attachments: objection letter.doc

Please find attached an objection to the proposed change of licence.

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The Licensing Authority
LB Haringey
Urban Env Technopark
Ashley Rd
N17 9LN.

11.30pm Tuesday 3rd March

Dear Sir/Madam,

Re: License Variation - Music Palace, 159A Tottenham Lane.

We wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

We object on the following grounds:

Prevention of Crime and Disorder. The proposed variation will increase alcohol-related crime and disorder in Crouch End. The Haringey Crime Audit of 2001 identified almost a quarter of arrests as being alcohol-related with involvement of young men being a specific concern.

Public Safety. The Licensee has not demonstrated measures to protect public safety are in place; no risk-assessment has been carried out on the likely audience for lapdancing or safety considerations to protect dancers. The councils own licensing policy states that 'the carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature' (LBH New Statement of Licensing Policy January 2008) which pose obvious risks to public safety. The applicant has not given any details of how they intend to deal with the possibility of the above in their application.

Prevention of Public Nuisance. This venue has a history of public nuisance through excessive noise from music played within the premises and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm - for example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, places of worship, residential accommodation and community centres. Rokesly Infant and Junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Ave within 400m of the premises. The Music Palace is clearly visible from all of these premises.

Taking all the above into consideration, I urge the Licensing Authority to reject this application.

Yours sincerely,

[Signature]

- please note we would like to ensure that our contact details are not shared with the applicant for fear of intimidation.

Barrett Daliah

From: clare mcevoy [claremoule@googlemail.com]
Sent: 03 March 2009 17:07
To: Licensing
Subject: Music Palace Tottenham Lane

To whom it may concern at the planning dept:

I strongly object to the Music Palace becoming a lap dancing bar on the grounds of prevention of crime and disorder as well as on the grounds of being a public nuisance.

Crouch end has a good reputation and attracts families because of the housing, schools, facilities etc. If people want to go to a lap dancing bar there are a lot in Soho which is a short journey away.

It is not a suitable place and will inevitably lead to other places like it springing up in the area if it's a success.

yours sincerely
Clare Moule

52, Redston Road
London N8 7HE

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Barrett Daliah

From: Adele McKay [adele.mckay@fsmail.net]
Sent: 03 March 2009 11:56
To: Licensing
Subject: Objection to planning application

Re: Music Palace on Tottenham Lane application to turn the club into a lap dancing venue

I wish to lodge a formal objection to the above application on a number of grounds. This is a residential area and so not appropriate for this kind of club. Rokesley Primary School is very close by (attended by one of my children) and i do not think it is appropriate to have this kind of club operating within school hours so close by. Girls from Hornsey Girls School come into this area at lunch time and are vulnerable to sexual and drug exploitation from some of the worse elements who associate themselves with this kind of venue. This is also a concern for the vulnerable men who live in the YMCA hostel nearby. Lastly, it is my view that this kind of venue will lend a sleazy tone to an area that has a community/family feel to it and does not fit with the needs of this area.

Thank you for your consideration of this objection.

Yours sincerely

Ms Adele McKay
Flat A, 274 Ferme Park Road. N8 9BL

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Barrett Daliah

From: Lorraine Croft [lorraine@corehealthsuite.com]
Sent: 03 March 2009 17:12
To: Licensing
Subject: Lap dancing club

Dear Sir/Madam

I have been given to understand there is a proposal in force to open a lap dancing club in Crouch End! Firstly, I would have to point out that it was kept very quiet and in fact has only been brought to my notice today, but I can honestly say I cannot think of a more inappropriate place for such a venue to be considered.

It is far too close to a Primary School (and my child does not even go there!) as to the possibilities of danger to very young persons, I feel it could create a very unsafe environment, not only for children but anyone who may feel vaguely threatened by those coming out of a club at all hours of the day and night. I work at the YMCA and try to promote health and fitness. I would find it difficult to let people know where I am, having to tell them to find me, opposite the Lap dancing club!!

People tend to migrate towards Crouch End because of its child friendly atmosphere, close community ties and village feel. This is really not the kind of place that is needed in this area.

Each to their own, but not in the middle of Crouch End please.

Yours sincerely

Lorraine Croft & Simon Heale
81 Uplands Road
N8 9NH

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Barrett Daliah

From: Caroline Blood [caroline@fullproofservices.com]
Sent: 03 March 2009 19:22
To: Licensing
Subject: Music Palace on Tottenham Lane - planned lap dancing licence

Dear Sirs

I would like to register an objection to the application by the Music Palace on Tottenham Lane for a lap dancing licence.

I believe there are four criteria for objection and I feel that each one is applicable to this issue, largely because of the type of people such a venture would draw into the area, putting at risk:

1. Prevention of crime & disorder
2. Protection of public safety
3. Protection of public nuisance
4. Protection of children from harm

Crouch End is very much a family community - strongly child-focused. Indeed, there is a primary school not far from the Music Palace. To provide lap-dancing 'services' in such a community, particularly during daylight hours, seems incongruous and certainly not in the interests of the families who live here.

My family has lived in Crouch End for nearly ten years, and nobody I know here would be interested in the activities such a licence would cover. However, many of us have enjoyed live bands and children's parties at the Music Palace.

I can see no benefit to the community in adding lap dancing to the entertainment currently provided by the Music Palace and I would urge the local council to give serious consideration to the wisdom of granting this licence.

Yours faithfully

Caroline Blood
113 Ferme Park Road
Crouch End
London
N8 9SA

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Barrett Daliah

From:
Sent: 03 March 2009 19:52
To: Licensing
Subject: objection to Music Palace 159a Tottenham Lane

Dear sir/madam

Re. Licence Variation Music Palace, 159a Tottenham Lane

I wish to register my objection to the application for a change of licensing condition at the Music Palace to allow adult entertainment at this venue.

I object on the following grounds

Prevention of crime and disorder. The proposed variation will increase alcohol related crime and disorder in crouch end.

Public safety. The licensee has not demonstrated measures to protect public safety are in place, no risk assessment has been carried out on the likely audience for lap dancing or safety considerations to protect dancers.

Prevention of public nuisance. This venue has a history of public nuisance through excessive noise from music played within the premise and customers leaving late at night.

Protection of Children from Harm. The applicant has not demonstrated that children and young people will be protected from harm. For example activities within the venue will be visible from the street through the glass doors and windows on the frontage and sides.

Sensitive Locations. The councils own policy also states that the Licensing Authority will take into account the proximity of schools, places of worship, youth clubs, residential accommodation and community centres. Rokesly infant and junior schools are located less than 250m from these premises, the YMCA is directly over the road and there is a parish church at the corner of Tottenham Lane and Rokesly Avenue that is within 400m of the premises. The Music Palace is clearly visible from all these premises.

Taking all the above into consideration I urge the Licensing Authority to reject this application.

Please ensure my details aren't shared with the applicant for fear of intimidation.

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Barrett Daliah

From: Troy Harpin [troyharpin@googlemail.com]
Sent: 27 February 2009 15:03
To: Licensing
Subject: Re: Music Palace lap dance bar

8 Elmfield Avenue
Hornsey
London
N88QG

Dear Sir,

I am writing to object to the possible extension of hours and the opening of a lap dance bar at the Music Palace in Tottenham Lane in Crouch End, I think it is highly inappropriate in this residential area.

- A) It is a danger to Children who will be walking home from school as there will be men leaving the bar sexually charged and the children are in danger of being verbally abused and physically assaulted. This invites crime into the area.
- B) It is a danger to women and the general public for the same reasons.
- C) Disruption will occur because of the long drinking hours and will increase violence in our residential area.
- D) This is a family area and highly inappropriate to have opposite a school.

In short, It is a threat to public safety and will bring harmful consequences to what at the moment is a safe area.

Your Sincerely,

Troy Harpin

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Barrett Daliah

From: charles.sharp@o2.co.uk
Sent: 03 March 2009 19:27
To: Licensing
Subject: Objection to application by Music Palace 159A Tottenham Lane N8

Dear Sir/madam,

We would like to object to the proposed change in hours and operation of this venue.

It is likely that the proposal for use as a gentleman's club will lead to a large turnover of clients arriving by car, parking locally, and then leaving at a later time. In a densely parked residential area this is likely to cause considerable public nuisance to residents, as those going to the club search for parking spaces. Experience of previous licensing regimes have shown that late departing residents can make considerable noise, as well as damage property, when leaving. There is no case for the extension of hours beyond the current limits.

In terms of the particular use of the premises, the placement of such a facility next to a school and residential area seems especially inappropriate. The land immediately next to the Music Palace has residential planning permission, and a primary school is opposite. It cannot be a suitable location.

I hope you will reject any extension of hours or changes of use.

Charles Sharp & Kay Taylor
27 Elmfield Avenue
London N8 8QG

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APPENDIX 7

STATEMENT OF LICENSING POLICY



The London Borough of Haringey

Statement of Licensing Policy

January 2008

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The London Borough of Haringey

Statement of Licensing Policy

1.0 Introduction

- 1.1 The introduction of the Licensing Act 2003 brought about significant changes to the way licensed premises would be regulated.
- 1.2 Haringey, like all licensing authorities published its Statement of Licensing Policy in January 2005. The law prescribes that a new Statement of Policy must be produced by a licensing authority every three years. This Statement of Licensing Policy will come into effect in January 2008 and will replace Haringey's Statement of Licensing Policy dated January 2005.
- 1.3 Haringey Council will be responsible for granting Premises Licenses, Club Premise Certificates, Temporary Event Notices and Personal Licenses in respect of the retail sale and supply of alcohol and the provision of Regulated Entertainment and Late Night Refreshment.
- 1.4 The law prescribes that all policies must be designed to promote the four main licensing objectives. This document sets out the policies that will be applied when determining applications.
- 1.5 The licensing activities covered in the policy include:
- Retail sale of alcohol;
 - The supply of alcohol by or on behalf of a club;
 - The provision of late night refreshment i.e. the supply of hot food or drink from premises between 2300 to 0500hrs;
 - The provision of regulated entertainment. This includes:
 - A performance of a play;
 - Exhibition of a film;
 - Indoor sporting events;
 - Boxing and wrestling matches;
 - Performance of live music and/or dance and playing of recorded music;
 - Provision of facilities to dance;
 - Provision of facilities for making music.
- 1.6 The licensing policy will not undermine the applicant's right to apply under the Licensing Act 2003 for a variety of permissions; nor does it override the right of any person to make representations on an application, or seek a review of a licence or certificate.

- 1.7 The licensing process deals with a range of leisure activities in which the Government want to see greater flexibility, but with greater and proper responsibility. The Statement of Licensing Policy seeks to encourage responsible licensees with restrictions only relating directly to the four objectives given in the Licensing Act 2003.
- 1.8 In drawing up this Statement of Licensing Policy the Council has had regard to the nature of the Borough and the needs and wishes of the communities it serves and has consulted with all the statutory consultees and other appropriate bodies.

2.0 Licensing Objectives

- 2.1 The Council's Statement of Policy has been developed to promote the following four objectives:
- prevention of crime and disorder;
 - public safety;
 - prevention of public nuisance
 - protection of children from harm

- 2.2 Each of the licensing objectives is considered to be of equal importance for the purpose of this policy. It is for applicants to decide on the matters relevant to their application and to show within their Operating Schedule the measures they propose to take to promote these objectives. The Licensing Authority will consider each case on its own merits. When considering issues under each of the licensing objectives, applicants may wish to use the examples of possible considerations set out in the Appendix.

2.3 **Other Means of Control**

Licensing is only one of the ways the Council is working to improve community safety. We will continue to work in partnership with neighbouring authorities, the police, local businesses and people to secure these objectives.

- 2.7 The Council acknowledges that the licensing function cannot be used for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. The licensing controls do however play a key role in preventing crime and disorder in and around licensed premises and support this objective on the streets generally. Apart from the licensing function, there are a number of other measures available for addressing issues of unruly behaviour that can occur away from licensed premises; these include:

- Planning controls;
- Working in partnership with local businesses and transport operators on a number of measures to create a safe and clean environment in these areas, including:

- provision of extensive CCTV and radio communication systems
 - provision of appropriate street lighting, rubbish collection and street cleaning
 - provision of better late night bus, rail and taxi/minicab services
 - provision of Police Community Support Officers/street and litter wardens
- Police enforcement of the law with regard to disorder and anti-social behaviour;
 - Prosecution of those selling alcohol to people who are already drunk
 - Powers to designate parts of the borough as places where alcohol may not be consumed publicly, and powers to confiscate alcohol from persons in those areas.
 - Acknowledging the powers of the police or other responsible authority, or a local resident or business under the Licensing Act 2003, to seek a review of the licence or certificate

However, the Council nonetheless considers that licensing law plays a key role in both preventing and controlling alcohol related crime and anti-social behaviour by ensuring that the licensing objectives are promoted through well-managed premises and where appropriate by regulating and applying conditions to affect the number, location and hours of premises.

3.0 The London Borough of Haringey

3.1 Haringey is located in the north of the capital and is more than 11 square miles in area. The borough is the home of Alexandra Palace, where public television was born and of Tottenham Hotspur Football Club based at White Hart Lane. It is one of the most culturally diverse areas in the country with over half of its 226, 000 people from ethnic minority backgrounds. The food, tobacco and drinks sector makes the second highest contribution to the local economy behind manufacturing.

4.0 Consultation on the Licensing Policy

4.1 The development of this licensing policy has been made in consultation with the following:

- the chief officer of the Metropolitan Police for Haringey;
- the fire authority;
- representatives of those that hold existing licences in Haringey; representatives of clubs registered in Haringey;
- bodies and individuals that represent businesses and residents in Haringey.
- Haringey Teaching Primary Care Trust
- Local Safeguarding Children Board
- relevant Council Departments

4.2 We will further consult these stakeholders prior to determination of successive Statements of Licensing Policy.

5.0 Partnership Approach.

5.1 The council is aware of the importance of partners in the development and running of the policy and is committed to work in partnership with those highlighted in 4.1.

5.2 In working in partnership with these groups the council will:

- consult and communicate on licensing issues with all licensees;
- consult with the community and their representatives on licensing issues;
- work with licensees and others in the community to achieve the licensing objectives;
- undertake pro-active enforcement operations in line with the council's enforcement policy and protocols. The enforcement process will also be linked to the potential risk at the premise of contravening the four licensing objectives.
- actively seek ways to reduce any crime culture that may exist in the close vicinity of licensed premises;
- develop a media strategy to promote our partnership and ensure it is in a position to react effectively to public issues.

6.0 Reviewing the Policy

6.1 The Policy will come into effect on 22nd January 2008. It will remain in force for not more than three years, during which time it will be subject to periodic review and further consultation. It is considered that as the new provisions are used, matters may arise that will lead to the consideration of a review of this Statement of Licensing Policy well within the three year term.

7.0 Integration of Policies

7.1 The Council has adopted a number of plans, strategies and policies that will interact with its approach to, and statement of licensing policy. The Council recognises the need to avoid as far as possible duplication with other regulatory regimes and will not seek to impose conditions where it can be demonstrated that the licensing objectives can be met by existing legislation.

7.2 By consulting widely prior to this policy statement being published, the Council will endeavour to secure proper integration with local crime prevention and reduction, child and youth protection, drug and alcohol abuse/prevention, together with planning, transport, tourism and cultural strategies.

Sustainable Community Strategy 2008 - 2016

7.3 The Haringey Community Strategic Partnership brings together the Council, Police, Primary Care Trust (NHS), local businesses, educational organisations community and voluntary organisations, faith communities and other

partners. The aim of the Haringey Sustainable Communities Strategy is to make the borough a better place by working together to improve local services.

7.4 The Sustainable Communities Strategy 2008-2016 is the shared vision for Haringey and sets out the priorities for the borough over the next ten years. Our overall vision is to measurably improve the quality of life for the people of Haringey by tackling some of our biggest problems and making it a borough we can all be proud of. The Sustainable Communities Strategy identifies six key priorities-that people are at the heart of change, for Haringey to have an environmentally sustainable future, economic vitality and prosperity shared by all, be safer for all, have healthier people with a better quality of life and to be people and customer focused.

Better Haringey

7.5 The Council is investing £5 million to help achieve its ambition of being a top performing London borough. Better Haringey is delivering cleaner and safer streets and enforcement is seen as important in maintaining this. This licensing policy statement is seen as one of the key policies that will support tougher enforcement.

Cultural Strategy 2003 - 2007

7.6 The arts are increasingly important to the economy of Haringey, and are a key driver for economic development and growth. Among the Council's priorities is to ensure that it supports the economic growth, creativity and culture of the borough by providing new workspaces, cultural venues and support.

7.7 The Council recognises the value of cultural activities including live music, dancing and theatre, and will take proper account of these needs to encourage and promote them, for the wider cultural benefit of the community.

The Safer Communities Strategy 2005-2008

7.8 Haringey has developed the Safer Communities Strategy to improve the quality of life for its residents, businesses and visitors. Haringey will link with other major plans and funding opportunities in order to make the best use of resources.

7.9 The strategy sets out how crime and disorder priorities will be tackled over a three-year period. The key feature of the policy is to concentrate the partnership working on known high crime areas and neighbourhoods. This will include improving services for victims and witnesses of crime, target youth crime, violent crime, street crime together with drug and alcohol related crime.

- 7.10 The strategy is to encourage a local problem solving approach to the causes of crime and reduction of crime and disorder. Involvement of local communities is essential for successful crime and disorder reduction and will be a high priority for those implementing both the Safer Communities Strategy and Crime Reduction Strategy.

Neighbourhood Renewal Strategy 2002-2012

- 7.11 Haringey's Neighbourhood Renewal Strategy provides the framework for the renewal of the most deprived parts of the borough. Five priority neighbourhoods have been identified – Wood Green, White Hart Lane, South Tottenham, Mid Tottenham and Northumberland Park.

Antisocial Behaviour Strategy

- 7.12 The council has published its Antisocial Behaviour Strategy. This strategy outlines the council's intention to tackle the causes and effects of antisocial behaviour. This licensing policy statement is intended to support this strategy by reducing the impact of drink related antisocial behaviour and the environmental crimes and nuisance that can be associated with licensed premises.

Alcohol Strategy

- 7.13 The council has produced an Alcohol Strategy in collaboration with its partners in the Primary Care Trust and others. This Statement of Licensing Policy will aim to be supportive and have a degree of consistency between the two policies.

Alcohol Harm Reduction Strategy

- 7.14 The Government published in 2004 its Alcohol Harm Reduction Strategy for England. This outlines how the Licensing Act 2003 can be used to address some of the social health and crime and disorder issues raised by the misuse of alcohol, when considering applications for premises and personal licences.
- 7.15 The Council will develop a local Alcohol Strategy, which will have regard to the sale of alcohol to under 18's, the safe consumption of alcohol and the impact of effective steps in combating anti-social behaviour.
- 7.16 The council will ensure that all operating schedules agreed with licensees are suitable and sufficient to address these issues.

Changing Lives: The Children & Young People's Plan 2006-09

- 7.17 'Changing Lives' is a three year plan developed by the Children & Young People Strategic Partnership following extensive consultation - to help Haringey children & young people to be happy, healthy and safe with a bright

future. The plan contains 20 priorities, grouped under the five outcomes identified by the government in its *Every Child Matters* agenda.

- 7.18 Priorities grouped under the outcome 'Be Healthy' are designed to help children and young people to be physically, mentally, emotionally and sexually healthy, to have healthy lifestyles, enjoy sport and recreation and to choose not to take illegal drugs. An effective licensing policy is crucial to the achievement of these goals.
- 7.19 Priorities grouped under outcome 'Stay Safe' are designed to help children and young people to be safe from maltreatment, neglect, violence and sexual exploitation, safe from accidental injury and death, from bullying and discrimination, from crime and anti-social behaviour in and out of school. Again, an effective licensing policy is a key part of the achievement of the majority of these goals.

Safer Clubbing

- 7.20 This initiative was introduced to improve safety for all club goers and particularly in relation to drug use and clubbing, where licensing regimes can impact on factors which increase the risk to safety of those taking drugs. Safety in such premises will also need to consider the threat of carrying weapons. The Council will adopt a leading role in addressing these matters through partnership arrangements with the police, club owners and local drug agencies.

8.0 Relevant Legislation

Disability Discrimination Act 1995

- 8.1 The Disability Discrimination Act 1995 introduces measures to tackle discrimination encountered by disabled people in areas of employment, access to goods, facilities and services, and the management, buying or renting of land or property.
- 8.2 The council will have particular interest in the likely impact of licensing on disability discrimination when considering the operation and management of premises for licence applications, renewals and variations of conditions. Of particular concern will be the public safety objective in respect of persons with disabilities during the operation of the premises and during emergency situations.

Race Relations Act 1996

- 8.3 The Race Relations Act 1996 as amended by the Race Relations (Amendment Act) 2000 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. Local Authorities are also required under the 1976 Act, as amended, to produce a racial equality scheme, assess and consult on the likely impact of

proposed policies on race equality, monitor policies for adverse impact on the promotion of race equality and publish the results of such consultation, assessments and monitoring.

- 8.4 Haringey has published its Race Equality Strategy in which it sets out how it aims to address race equality issues in the borough.

Crime and Disorder Act 1998

- 8.5 Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effects of exercising their functions, and do all they can to prevent crime and disorder in their area.

- 8.6 The Council will have special regard to the local impact of licensing on related crime and disorder in the borough particularly when considering the location, impact, operation and management of all proposed licences/certificates, applications, renewals and variations of conditions.

Human Rights Act 1998

- 8.7 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention Right.

- 8.8 The Council will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 - that in determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established in law;
- Article 8 - that everyone has the right to respect their own home and private life; and
- Article 1 of the First Protocol - that every person is entitled to the peaceful enjoyment of their possessions including for example the possession of a licence.

Anti Social Behaviour Act 2003

- 8.9 The Anti Social Behaviour Act 2003 is designed to ensure appropriate powers to deal with serious anti social behaviour. Section 40 of the Act provides powers for local authorities and those working with them to tackle antisocial behaviour in local communities by enabling the chief executive officer of the relevant authority to make a closure order in relation to a licensed premises or temporary event if he reasonably believes that a public nuisance is being caused by noise coming from the premises and that the closure of the premises is necessary to prevent that nuisance.

The Gambling Act 2005

- 8.10 It should be noted that the function of granting permits for category C or D machines in alcohol licensed premises falls to the relevant Licensing Authority under the Gambling Act 2005. The holder of a premises license need only notify the Licensing Authority of their intention to have up to 2 machines on the premises and pay the relevant fee. Any amount of machines over 2 must be made by application with the relevant fee. This Authority has delegated authority to consider up to 4 machines, above that amount will require the applicant to show reasons why they need more than 4 machines. An application must be accompanied by a plan to show where the machines will be sited and also needs to demonstrate how the machines will be monitored to ensure compliance. There is a code of practice issued by the Gambling Commission which must be complied with and enforced by the Licensing Authority.

The Violent Crime Reduction Act 2006

- 8.11 The Act represents the latest legislative move by the government on anti social behaviour, with measures to address alcohol-fueled violence, the sale, possession and use of weapons, and mobile phone piracy. The Act includes provisions to issue persistent drunken offenders with drinking banning orders, and closure notices to premises selling alcohol to children. Through the introduction of 'alcohol disorder zones', the Act aims to pass on some of the increased costs of policing city centres and violence "hot spots", with licensees paying additional charges in such areas. In addition the Act inserts a new procedure into the Licensing Act 2003, which allows for an accelerated review of licensed premises, by a licensing authority with the attaching of temporary conditions to the licence pending a full review of the licence.

Health Act 2006

- 8.12 The Health Act 2006 has been introduced to protect employees and the public from the harmful effects of second hand smoke. As of 1st July 2007 it is against the law to smoke in virtually all enclosed public places, workplaces and public and work vehicles in England. The law requires no smoking signs to be displayed in all smoke free premises and vehicles. The law applies to anything that can be smoked, and this includes cigarettes, pipes, cigars and herbal cigarettes. Failure to comply with this law is a criminal offence.

9.0 Planning

- 9.1 Planning permission is usually required for the establishment of new premises and change of use of premises. Uses that are relevant to licensed premises are set out in the Town and Country Planning (Use Class) Order 1987 (as amended) and include:
- a retail shop, licensed for the sale of liquor for example (A1);
 - food and drink sold and consumed on the premises (A3);
 - public house, wine bar or other drinking establishment (A4)

- hot food sold for consumption off the premises (A5)
- assembly and leisure uses, including cinemas, concert halls, dance halls and indoor/outdoor sports and recreation (D2); and
- various “sui generis” uses which do not fall within a use class such as theatres.

9.2.1 Planning and Licensing are separate regimes and will be dealt with separately to avoid duplication and inefficiency. Licensing applications should not be a re-run of the planning application and licensing decisions will not cut across decisions taken by the Planning Committee or permission granted on appeal. It should be noted however that there is no legal basis for the licensing authority to refuse a license application because it does not have planning permission.

9.3 All premises that apply for a licence will be encouraged to obtain planning permission for the intended use and hours of operation if not already deemed "lawful" for the purposes of planning control. The Licensing Authority will give appropriate weight to relevant Planning decisions and to the views of the Planning Authority on the compliance of the application with the licensing objectives.

10.0 Regulatory Services

Building Control

10.1 Building regulations govern a variety of issues, which will directly contribute to the licensing objectives, including the means of escape, structural integrity, accessibility and public safety. Applicants are reminded that Building Regulation approval and completion certificates are required for works under the Building Regulations to avoid contravention of those regulations.

Health and Safety

10.2 The Health & Safety Team within the Enforcement Service is responsible for ensuring that businesses provide a safe working environment for employees, members of the public and other persons at the premises. The enforcement of Health & Safety is shared with the Health & Safety Executive with local authorities responsible for retail premises, warehouses, hotels, leisure type premises and certain service type industries. This enforcement covers all of the premises applicable to the licensing provisions of the 2003 Licensing Act.

10.3 Health & Safety Officers will work closely with other services such as Building Control and agencies such as the London Fire and Emergency Planning Authority. Their primary input will be to the Public Safety objective in licensing control.

Environmental Health Noise Team

10.4 The Noise Team has powers under the EPA 1990 to investigate reports of noise nuisance in any licensed premises.

10.5 Trading Standards

Trading Standards will carry out test purchasing for underage sales in licensed premises.

10.6 Environmental Health – Food Team

The Food Team will inspect all food premises and are able to take action in relation to any contraventions found under the Food Safety Act 1990.

11.0 Operating Schedule

COD
11.1 The operating schedule will form part of the completed application form for a premises licence. The schedule should contain the information necessary to enable any responsible authority or interested party to assess whether the steps to be taken to promote licensing objectives are satisfactory. In respect of applications for provisional statements, applications will need to contain information as prescribed in Regulation.

11.2 Risk Assessments

Risk assessments help to identify areas of concern in the operating of the premises which may undermine the licensing objectives. Applicants can use the information to complete their application and Operating schedule, and the steps identified by the applicant are transferred on to the license as a condition. Risk assessments should be specific to the premises, the proposed licensable activities and the proposed hours of trading and also the anticipated number of people likely to be on the premises when licensable activities are taking place.

11.2 Further guidance in this policy on the Operating Schedule is contained in the Appendix.

12.0 The prevention of crime and disorder

COD
12.1 The Home Office has identified that a large percentage of violent crimes, assaults and criminal damage are from offenders under the direct influence of alcohol. The Haringey Crime Audit 2001 acknowledged that alcohol related violence was found to be a problem in night-time entertainment areas and that almost a quarter of all arrests were drink related. Direct findings summarised that the misuse of drugs and alcohol has contributed to the increase of crime and disorder in the borough with young men being of particular concern. Alcohol has also been shown to be a factor in occurrences of domestic violence. In comparison to similar boroughs, Haringey compared well and had fewer violent crimes per 1000 residents than the adjoining boroughs of Islington and Hackney.

- 12.2 The Council is committed to reducing crime and disorder throughout the borough through it's statutory duty under the Crime and Disorder Act and through the Haringey Safer Communities Strategy.
- 12.3 Good management, best practices and sound procedures in licensed premises do and can make an important difference to the level of alcohol related crime.

13.0 Public safety

- 13.1 Members of the public visiting licensed premises have the right to expect that due consideration has been taken in relation to public safety. Licensees, as providers of the premises for the sale of alcohol and/or regulated entertainment, must be able to demonstrate that they have considered and put in effect measures to protect members of the public.
- 13.2 In order to promote public safety responsible authorities may make representations on the grounds of public safety. The Licensing Authority will encourage those applying for a premises licence to undertake the necessary fire safety risk assessment and to be compliant with all relevant building control rules and regulations.
- 13.3 The Council recommends that the Metropolitan Police Promotion/Event Risk Assessment and the After Promotion /Event Debrief Risk assessment be used as an effective tool in this process.

Adult Entertainment

- 13.4 Nudity, striptease and other adult entertainment of a sexual nature fall within the remit of the Licensing Act 2003. This section details the approach the Licensing Authority will take when considering applications for this type of activity on its own merits. These premises may also require a licence under the Local Government (Miscellaneous Provisions) Act 1982.
- 13.5 Applicants to whom this applies are required to set out expressly in their Operating Schedule that they propose to offer entertainment involving nudity, striptease or other adult entertainment of a sexual nature. Any reference to music or dancing without express reference to adult entertainment will be interpreted as not including adult entertainment.
- 13.6 The Licensing Authority and the Police will have concerns about crime and disorder and public nuisance issues which may arise from the operation of the premises where these activities take place. The carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature. For these reasons there must be proper regulation of premises where these activities are offered.
- 13.7 When considering applications the Licensing Authority will have regard to whether the premises are in close proximity to the following:

- Schools

- Places of worship
- Residential accommodation
- Venues of a similar nature offering adult entertainment
- Community centres
- Youth clubs

Where appropriate the Authority will also take into account the cumulative effect of a number of such premises on the character of the area in question.

- 13.8 Where such applications are made the Licensing Authority will expect the Operating Schedule to address and promote the licensing objectives by including a number of measures within it to regulate the adult entertainment examples of such measures are set out in the Appendix. A code of conduct for dancers and customers and appropriate disciplinary procedures should be developed in consultation with the Police and the Council.
- 13.9 The Operating Schedule should also set out procedures to ensure that all staff employed in the premises have pre-employment checks including suitable proof of identity, age and where required permission to work and measures to ensure the exclusion of staff under 18 from the premises when such activities are taking place.

Tables and Chairs Policy

- 13.10 Under s115 of the Highways Act 1980 permission is required to place amenities such as tables and chairs on the public highway but permission is not required to place tables and chairs on private frontages. The Licensing Authority should ensure that where an Operating Schedule indicates that tables and chairs are to be included within the licensed area that an application is made to cover those areas. The Licensing Authority will liaise with the Highways Authority about the grant of permission under Part 7A of the Highways Act 1980. However, these are separate jurisdictions and any decision should still be taken on licensing objectives.

Door Supervisors

- 13.11 Whenever security operatives are employed at licensed premises to carry out a security function, they must be licensed by the Security Industry Authority (SIA).
- Competent and professional door supervisors are key to public safety at licensed premises and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Harm Reduction Strategy.
 - If a licensee directly employs security operatives, he/she will need to be licensed by the SIA as a supervisor/manager.
 - This licensing authority will be looking to ensure that licensees recruit SIA licensed door supervision staff from reputable companies with SIA Approved Contractor Status.

- Licensees will need to have measures or procedures in place to check the SIA register of door supervisors to ensure their premises and customers are only protected by door supervisors with an SIA licence.

14.0 The prevention of public nuisance

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- 14.1 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 and businesses in the vicinity of these licensed premises.
- 14.2 In particular, late night activities cause much of this nuisance. Late night cafés, clubs, pubs and restaurants 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.
- 14.3 Noise nuisance is of particular concern; music, people talking, ventilation equipment and traffic can all be disturbing especially at night when ambient noise is low.
- 14.4 The conduct of customers leaving premises or spilling out into public and open spaces is often a source of disturbance and anti-social behaviour. Problems can include littering, the breaking of glasses and bottles, vomiting and urination.
- 14.5 Fly posting or any other illegal methods of displaying advertisements relating to a licensed premises or events is considered to be a public nuisance and will not be tolerated by the Council. The Council will take action (including prosecuting) those that fly post and will support action by other Councils against those that fly post.
- 14.6 The Council is aware of the importance of the licensing trade to the local economy and its culture and leisure aspirations. Accordingly, it will try and work together with individuals and bodies who are able to make objection to licence applications, the statutory agencies and licensed businesses to ensure that licensed premises can provide a service in a responsible way and co-exist with the wider community.
- 14.7 In considering all licensed applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application. The council will expect applicants to address the issues under prevention of public nuisance detailed in the Appendix.

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15.0 The protection of children from harm

- 15.1 The main concern of regulatory authorities involves the exposure of children to under age drinking, drug use and the necessary level of supervision and care that needs to be exercised to ensure a safe environment. Premises must ensure that children are protected from physical, moral or psychological harm.

Children & Alcohol

- 15.2 Young people aged 16 and 17 will only be permitted to consume beer, wine or cider on licensed premises if accompanied by an adult 18 years and over and are eating a table meal.
- 15.3 Children aged under 16 are not allowed into premises that are predominantly used for the supply and consumption of alcohol on the premises unless they are accompanied by an adult.
- 15.4 The Council however recognises the wide variety of premises for which licences may be sought. These include premises which are not predominantly used for the supply and consumption of alcohol including theatres, cinemas, restaurants, cafes, takeaways, community halls and schools. Access by children to these types of premises will not be limited unless specified in the Licensing Act 2003 or considered necessary to do so in order to protect them from harm.

Children and Cinemas

- 15.5 Films cover a vast range of subjects some of which deal with adult themes and/or contain scenes that are considered unsuitable for children within certain age groups.
- 15.6 The Council shall impose a condition in all premises licences and all club premises certificates to prevent the viewing of films by children below the age restriction for that film as classified according to the recommendations of the British Board of Film Classification (BBFC) (or any other body designated under section 4 of the Video Recordings Act 1984) or the council, as the case may be.
- 15.7 The Council must be satisfied that where age restriction films are shown, the premises are suitable in terms of the access and the film cannot be viewed by under-age children through any aperture. Access control shall be via the employment of suitably stationed adult staff.

Children and Public Entertainment

- 15.8 Conditions may be imposed on licences for premises where children will be present at places of public entertainment to the effect that adult staff must be present to control the access and egress of children and to ensure their safety.

- 15.9 Where a large number of children are likely to be present on any licensed premises, the Licensing Authority will impose conditions requiring an adequate ratio of adults to children in order to ensure the prevention of harm to children and to also ensure public safety.
- 15.10 The Council will expect the premises to provide adequate numbers of attendants in accordance with model conditions shown at appendix F of the guidance issued under section 182 of the Licensing Act 2003.
- 15.11 Details of requirements for operating schedules in respect of protection of children from harm are contained in the Appendix to this policy.

(For the purpose of this policy a "child" means an individual aged under 16 or who is unaccompanied if he is not in the company of an individual aged 18 or over as defined in the Licensing Act 2003)

- 15.12 Measures will need to be in place to ensure the exclusion of persons under 18 from the premises when entertainment of an adult or sexual nature is taking place.

16.0 Transport

- 16.1 In meeting the licensing objectives the Council would expect the applicants to take into consideration the transport arrangements for dispersing people from their premises so to avoid concentrations outside their premises and in town centres. This could include directing people to public transport routes or making suitable arrangements with licensed cabs or mini-cabs.
- 16.2 The Council supports the Safer Travel at Night initiatives in conjunction with Transport for London, the Greater London Authority and the Metropolitan Police.

17.0 Live music, dancing and theatre

- 17.1 The Council recognises the value of cultural activities including live music, dancing, street art, circus and theatre, and will take proper account of these needs to encourage and promote them for the wider cultural benefit of the community. It will not seek to place unreasonable restrictions on these activities where the licensing objectives are not put at risk.
- 17.2 The Council will seek to obtain a balance between the potential for limited neighbourhood disturbances and the benefits of cultural activities to the whole community. It will take care not to deter such activities when the risk to the licensing objectives does not justify it. Only conditions strictly necessary for the promotion of the licensing objectives will be attached to licences. The Council is aware of the need to avoid measures as far as possible that deter live music, dancing and theatre by imposing direct costs of a substantial nature.

18.0 Cumulative Impact & Saturation Policy

- 18.1 The Council will not take 'commercial demand' into account when considering an application as this is a matter for the planning committees and for the market.
- 18.2 However, the Council recognises that the cumulative impact of the number, type and density of licensed premises concentrated in a particular area may lead to problems of nuisance and disorder in the vicinity of the premises. The Council recognises the availability of a special policy, referred to as a Saturation Policy, to assist in such cases. The Licensing Authority on being satisfied that it is appropriate can make such a policy based on the available evidence and may declare such a policy within their overall statement of Licensing Policy.
- 18.3 The Council will take the following steps when considering whether to adopt a special saturation policy in a specified area:
- identification of concern about related crime and disorder or nuisance;
 - consideration of whether it can be demonstrated that crime and disorder and nuisance are arising as a result of customers of licensed premises, and if so identifying the area from which problems are arising and the boundaries of that area, or that the risk factors are such that the area is reaching a point where a cumulative impact is imminent;
 - consultation with those specified in 4.1 above;
 - subject to that consultation, inclusion of a special policy regarding future applications for premises licences or club premises certificates from that area within the terms of the statutory guidance in the Statement of Licensing Policy.
- 18.4 The Council will review any special saturation policies regularly and at least every three years at the time of considering its Licensing Policy, to see whether they have had the effect intended, and whether they are still needed or whether they need expanding.
- 18.5 Saturation policies will never be absolute. They will still allow for each application to be considered individually on its own merits and for licences and/or certificates that are unlikely to add to the cumulative impact on the licensing objectives, being granted.
- 18.6 The Council in discussion with the police has decided not to adopt a Special Saturation Policy at the present time. However the Council will keep potential problem areas under constant review.

19.0 Licensing Hours

- 19.1 The Council recognises that variable licensing hours for the sale of alcohol may be desirable to ensure that concentrations of customers leaving premises simultaneously are avoided. However, the potential for additional crime and disorder and/or public nuisance is increased with longer hours. Appropriately licensed shops, stores and supermarkets will normally be permitted to sell

alcohol during the normal trading hours, for consumption off the premises, where consistent with the council's licensing objectives.

- 19.2 It is anticipated that varied licensing hours will minimise concentrations of customers leaving licensed premises simultaneously, which will help reduce the potential disorder and nuisance outside premises.
- 19.3 The Council will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, stricter conditions with regard to noise control and/or limitations to opening hours may be imposed in the case of premises where relevant representations are made and that are situated in largely residential areas. Operating hours between 23.00 and 07.00 are considered to give greater potential for noise nuisance.
- 19.4 Fixed trading hours (zoning) within designated areas will not be set as this could lead to significant movements of people across boundaries at particular times seeking premises opening later.
- 19.5 The principle of flexible hours is key to these reforms and the objectives of Government. Conditions to be imposed on a licence affecting this will be given thorough consideration and will not be imposed without good reason or in an arbitrary fashion.
- 19.6 It should be noted that the consumption of alcohol is not a licensable activity, only its sale or supply. It is therefore permissible for premises to allow the consumption of alcohol, previously purchased within the licensing authorisation, outside the hours authorised for sale or supply.

20.0 Timetable of Implementation

- 20.1 The Licensing Policy will come into effect on 22nd January 2008.

21.0 The Types of Licences

Under the new provisions, licences are granted unless there are relevant representations (objections) made to them. The Government has advised that "*where the responsible authorities and interested parties do not raise any representations about the application made to the Licensing Authority, it is a duty of the Authority to grant the licence or certificate subject only to conditions that are consistent with the operating schedule or club operating schedule and any mandatory conditions prescribed in the 2003 Act itself.*"

The Licensing Authority would encourage applicants and clubs to discuss operating schedules with responsible authorities to improve the efficiency of the applications process.

Personal Licences

21.1 Personal licences authorise individuals to sell or supply alcohol or authorise the sale or supply of alcohol for consumption on or off premises. Applicants applying for a personal license must:

- be aged 18 years or over;
- have not forfeited a personal licence in the previous five years;
- possess an approved licence qualification;
- not have any relevant criminal conviction as specified in the Act;
- have paid the appropriate fee to the licensing authority.

21.2 Personal licences are valid for 10 years and will be 'portable' between premises across the country. Applicants need to apply to the local authority where they live for the licence, but renewals are to be made to the original issuing authority. It should be noted that whilst 'portable', personal licences are not transferable.

21.3 Personal licence holders have responsibilities under licensing provisions. Failure to uphold these responsibilities will be enforced by the Licensing Authority and powers to revoke licences are available.

Premises Licences

21.4 A premises licence authorises the use of any premises, which includes any place and includes part of a premises, for licensable activities such as:

- the sale of alcohol by retail;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provisions of regulated entertainment;
- the provisions of late night refreshment.

21.5 A premise licence will be valid for the life of the premises, subject to any review.

21.6 Applications are required to be advertised at the premises for a period during which representations can be made. It is also expected that Licensing Authorities will include the details on their websites.

21.7 For one off events with more than 500 people a premise licence must be gained. The council believes that greater notice of an application than that given in the Act will enable both applicant and council to consider the matter fully. The council feels the following should be sufficient.

Event Numbers

Application time

500 – 1999
2000+

6 weeks
3 months

Club Premises Certificate

- 21.8 A Club Premises Certificate is required when qualifying clubs want to supply alcohol and provide other activities on club premises.
- 21.9 Club Premises Certificates will be issued to Qualifying Clubs formally Registered Members Clubs. To be eligible for a Club Premises Certificate the club organisation members must have joined together for a particular social, sporting or political purpose and then have combined to purchase alcohol in bulk as members of the organisation for supply to their members and their guests.
- 21.10 Any member of a club over 18 years may apply for a Club Premises Certificate. All applications must be accompanied by:
- completed application form;
 - required fee;
 - operating Schedule;
 - a scale plan of the premises to which the application relates in the prescribe form;
 - a copy of club rules;
 - a copy of the notice to be advertised in the prescribed form.

Temporary Licences

- 21.11 The Licensing Act provides for certain occasions when small scale events do not need a licence provided that advance notice is given to the Metropolitan Police and the Licensing Authority. The Metropolitan Police can only object to a Temporary Event Notice if the event is likely to undermine the licensing objectives.
- 21.12 Temporary events involving activities may be undertaken with a Temporary Events Notice subject only to:
- Less than 500 persons at the event at any one time;
 - No longer than 72 hours duration;
 - With 24 hours between events.

- 21.13 Whilst the minimum statutory time is 10 days the council believes that more time will enable both applicants and council to consider the matters more fully. The council feels that four weeks would be sufficient.

22.0 Variations of Premises & Club Premises Licences

- ACU
- 22.1 Applications to vary a Premises Licence will be dealt with in a similar manner to applications for a new Premises Licence. If relevant representations are not received the application for variation will be granted.
- 22.2 If relevant representations are made and not withdrawn the Licensing Authority will hold a hearing and at that hearing the Licensing Authority may approve the application, modify the conditions of the licence or reject the application in whole or part
- 22.3 The licence will not be varied so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates.
- 22.4 The Authority may vary a premise licence so that it has effect subject to different conditions in respect of different parts of the premises concerned and/or in respect of different licensable activities.
- 22.5 Local residents and businesses are able to raise representations (objections) to applications for, and variation to premises licences. These must relate to the four licensing objectives and the proposals made in the application. Representations will normally be made in writing to the Licensing Team Leader within the Enforcement Service.
- 22.6 Details of applications and variations to premise licences will be required to be displayed on or outside the premise concerned.

23.0 Provisional Statement

- 23.1 Applicants may apply for a premises licence before new premises are constructed, extended or changed. This would be possible where:
- copies of planning permission are provided or a lawful planning use can otherwise be demonstrated;
 - clear plans of the proposed structure exist;
 - an operating schedule is capable of being completed in regard to activities to take place there ;
 - the time at which such activities will take place is given;
 - the proposed hours of opening are given;
 - the appropriate steps have been taken to promote the licensing objectives.

- 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.

- 25.9 In order to monitor and review the operation and enforcement of the provisions, reports will be produced at least on an annual basis summarising the issues and actions taken during the preceding period. These will be joint reports with the Police and Fire Authority.

Appeals against the Licensing Authority decision

- 25.10 Appeals against the decision of the Licensing Authority are made to the Magistrates Court for the petty session's area in which the premises concerned are situated. For Haringey premises, this will be the court presently situated in Highgate. Appeals against personal licences are made to the court in the Licensing area where the decision was made.

Haringey Magistrates will have a bench specifically detailed for the purpose of appeals.

- 25.11 The Court on hearing the appeal may;
- Dismiss the appeal
 - Substitute any other decision that the Licensing Authority could have made
 - Remit the case back to the Licensing Authority to deal with as directed by the court.
 - Award costs as the court thinks fit.
- 25.11 It is important that the Licensing Authority gives comprehensive reasons for its decisions, lack of which in itself could give rise to grounds of appeal.

26.0 Administration, Exercise and Delegation of Functions

- 26.1 The council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. The powers under the Act also allow for delegation of powers/functions to a Licensing Sub-Committee or to one or more officers.
- 26.2 Appreciating the need to provide a speedy, efficient and cost effective service to all parties involved in the licensing process, the Council has taken advantage of these powers and has established five Licensing Sub-committees to undertake the day to day work of hearings.
- 26.3 Many of these decisions and functions are largely administrative in nature such as the grant of non-contentious applications, including for example those licences and certificates where no representations have been made. These decisions will be delegated to council officers. All such matters dealt with by officers will be reported for information to the next Licensing Committee.
- 26.4 Applications where there are relevant representations will be dealt with by the Sub-committee, unless such representations are considered irrelevant, frivolous or vexatious or unless the council, the applicant and everyone who

has made representation agrees that a hearing is not necessary and representations are withdrawn.

- 26.5 The table given below sets out the agreed delegation of decisions and functions of the Licensing Committee, Sub-Committee and officers. The various delegations include delegation to impose appropriate conditions.
- 26.6 The scheme of delegations is without prejudice to the right of relevant parties to refer an application to a Licensing Sub-Committee or a full Licensing Committee if considered appropriate in the circumstance of any particular case.
- 26.7 Unless there are compelling reasons to the contrary, the council will require the Licensing Committee or any of its Sub-Committees to meet in public; although councillors can retire into private session to consider their decision and any conditions.
- 26.8 The operations of licensing hearings are detailed in Government Regulation and in the Council's Local Licensing Procedure Rules.
- 26.9 The delegations of functions in relation to licensing matters are as follows: -

Matter to be dealt with	Full Licensing Committee	Sub-Committee	Officers
Application to grant or renew personal licence		If a police objection made	If no police objection made
Decisions on revocation of a personal licence where a conviction comes to light after grant		If a police objection made	If no police objection made
Application for premises licence/club premises certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club premises certificate		If a representation made	If no representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review		All cases	

premises licence/club premises certificate			
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application			All cases
Determination of a police objection to a temporary event notice		All cases	

27.0 Fee Structure

27.1 Fees – statement on setting and process

Fees for all Licensing Act 2003 permissions have been set by Central government. The fees were set with the aim of recovering the licensing authorities costs of administering, inspecting and enforcing the regime. Central Government have the power to make changes to the level of fees through regulations. .

Appendix - Guidance on the Operating Schedule

Operating Schedule

The operating schedule is part of the application for a premises licence and should contain information so that others can assess whether the steps a business intends to take will satisfy the licensing objectives. As such it is asking the applicant how their business will be run. This is an 'assessment of the risks' by the applicant and what control measures or actions are proposed to stop this risk. This must be specific to the premises and activities detailed in the application and not general in nature.

The operating schedule must include and consider:

- what activities are planned at the premises;
- the times during which the applicant proposes that the activities are to take place;
- any other times during which the applicant proposes that the premises are to be open to the public;
- where the applicant wishes the licence to have effect for a limited period , that period must be detailed;
- details of the Designated Premises Supervisor and a copy of the personal licence ;
- if the activities include sale of alcohol, whether such sales are proposed to be for the consumption on the premises or off the premises, or both;
- the steps which the applicant proposes to take to promote each of the licensing objectives - See guidance below

(further items may be required from time to time if the Government so directs)

The Operating Schedule and the Licensing Objectives

Operating Schedules must clearly satisfy the four licensing objectives. This is considered in more detail below with each of the objectives in turn.

1 . The prevention of crime and disorder

Licensees have the responsibility to take steps to prevent crime and disorder. The Council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Such considerations should not only look at issues within the premises, but also matters related to the vicinity of the premises. Listed below are provisions that may be used if applicable.

The record of compliance with respect to the items contained in this section will be considered by the Licensing Sub Committee.

Applicants are expected to demonstrate how these will assist in their premises:

- Registered door supervisors – How they will be used in the premises, what they will be asked to do and what they are seeking to achieve. (NB Door Supervisors must be licensed by the Security Industry Authority) ;
- Use of CCTV - How CCTV will be used and monitored to help prevent crime and disorder;
- The use of responsible drinking promotions - what will and will not be used by the premises to promote custom ;
- Stopping the sale of alcohol to those under 18 years of age- how will the business achieve this. (Of equal concern for both on licences and off licences)
- Promoting of safer drinking (including the use of drink when driving) - what will the business specifically do, policy, practices, how may they assist customers to achieve this;
- Have effective protocols in place to deal with intoxicated patrons and/or persons under the influence of illegal drugs and the supply of illegal drugs. The issue of spiking drinks should also be considered. (This may include for example, co-ordination and participation in a local pubwatch scheme);
- Adequate search facilities - how this will operate;
- Methods to discourage drinking of alcohol (supplied for consumption on the premises) in a public place in the vicinity of the premises;
- Procedures to deal with violence and/or anti-social behaviour including any crime which discriminates against any sectors of the community;
- Methods to discourage the handling and distribution of stolen, counterfeit or other illegal goods;
- Addressing prostitution or indecency at the premises;
- Ensuring adequate training given to staff in crime prevention measures
- Procedures for risk assessing promotions and events where the event is likely to attract customers that may heighten the possibility of violence and/or disorder and include plans to minimise such risks.
- Utilising good practices outlined in the British Beer & Pub Association publication- Drugs and Pubs: A Guide for Licensees.

2. Public safety

Licensees have the responsibility to take steps towards protecting public safety. The council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Listed below are provisions

that may be used if applicable. Applicants are expected to demonstrate how these will assist in their premises:

- Use of CCTV and panic buttons - how will these provisions be operated to protect safety ;
- Use of shatter proof drinking vessels or bottles , requiring use of toughened glass or plastic ;
- Use of security personnel both within and at the access points to premises. How many are proposed, what will be the duties and how will their activities protect safety. (Security staff must be licensed by the Security Industry Authority who will also advise on minimum numbers);
- Compliance with Health & Safety legislation including if required a documented health and safety policy statement, and comprehensive risk assessment ;
- Capacity limits where necessary to prevent overcrowding or prevent nuisance on entering or exit;
- Implementation of crowd management measures
- Undertaking the necessary fire safety risk assessment, and to be compliant with all relevant building control rules and regulations;
- Adequate lighting (including any Emergency Lighting to BS 5266) - what areas of the premises are considered, particularly external areas.;
- Arrangements for emergency situations including any necessary evacuation (to include people with disabilities);
- The safe use of special effects equipment e.g. lasers, strobe lighting and smoke machines - this will include details from suppliers and contractors ;
- Installation of fire alarms and fire safety measures- service contracts in place (Fire Alarm to BS 5839 PTI);
- Clear signage throughout the premises e.g. emergency exits, fire extinguishers etc.
- For venues providing music and dancing in a 'nightclub' premises, what specific aspects of Safer Clubbing have been incorporated.
- Arrangements for the management, supervision and training of staff to ensure that the measures incorporated above are implemented.

3. The prevention of public nuisance

In considering all licence applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance and /or anti-social behaviour having regard to all the circumstances of the application. Listed below are provisions that may be used if applicable. Applicants are expected to demonstrate how these will assist in their premises:

Noise and other nuisance

- The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment and human voices . This is particularly important in residential areas ;
- The steps taken or proposed to be taken by the applicant to prevent disturbances by customers arriving at or leaving the premises. There will be greater responsibilities placed on premises operating between 23:00 - 0700 hours than at other times of the day ;
- The provision to properly extract and disperse odours and smells from cooking by properly installed and maintained ventilation equipment.
- The actions necessary to prevent disturbance from deliveries or collections at early or late hours, or from staff clearing up after closing time.

Leaving and outside the premises

- The steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrians or cars). If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction. Such considerations must also be considered in respect of people loitering at takeaways and off licences.
- The steps taken or proposed to be taken to prevent littering and fouling of public and open spaces - what specific measures are proposed by the business.
- The steps taken or proposed to be taken by the applicant to ensure customers leave the premises in a quiet and orderly fashion ;

Parking and Public Transport

- The arrangements made or proposed for parking by customers , and the effect of parking by them on local residents ;
- Whether there is sufficient provision for public transport (including taxis and private hire vehicles) for customers ;
- Whether licensed taxis or private hire vehicles are likely to disturb local residents and if so what the business proposes to prevent this;

- The arrangement for advising customers of the details for public transport and taxis in the area.

Sensitive Areas

- The installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, schools, nurseries, hospitals, hospices or places of worship;
- The use of gardens and other open-air areas at the premises;

Refuse and cleansing

- The arrangements for storage and disposal of trade refuse - trade refuse contracts will be required for all premises;
- Whether the premises would lead to increased refuse storage or disposal problem - does your contract detail sufficient collections ;
- The arrangements for cleansing or otherwise keeping clean the vicinity of the premises. This will include litter, refuse and other items originating from the premises;
- The arrangements for cleansing open and public areas in the vicinity of the premises of fouling caused by clients.

Record of compliance

- The history of noise and other nuisance complaints proved against the premises will be considered , particularly where statutory notices or warning letters have been served on the present licensees;

Lighting

- The position of external lighting, including security lighting that is installed inappropriately.

4. The protection of children from harm

When considering whether to limit access to children at licensed premises the council will consider each application on its own merits. However the council will expect applicants to consider and address the following in their operating schedule if applicable. Applicants are expected to provide the detail necessary to demonstrate how the provisions will assist in achieving this objective at their premises:

- There will be a strong presumption against access by persons under 18 to premises where any of the following apply:
 - a history of convictions for serving alcohol to minors or premises with a reputation for, or inadequate arrangements to deter, under-age drinking;
 - a known association with, or inadequate arrangements to deter, drug taking or dealing;
 - a strong element of gambling taking place on the premises;
 - where entertainment of an adult or sexual nature is commonly provided;
 - where there are inadequate arrangements to protect children from supply and use of other products which it is illegal to supply to children e.g. cigarettes.
 - The council will expect cigarette vending machines to be in sight and under the supervision of bar staff in accordance with the appropriate code of practice.
 - where in the opinion of the Licensing Committee, there are inadequate controls on the times during which children may be present on the premises.
- Young people aged 16 and 17 will only be permitted to consume beer, wine or cider on licensed premises if accompanied by an adult 18 years and over and are eating a table meal.
- Where limiting access to children is considered necessary, the Council will consider the following after relevant representations:
 - limitations on the hours when children may be present;
 - an age limitation ;
 - limitations or exclusions when certain activities are taking place;
 - access limited to parts of the premises;
 - the requirement for accompanying adults;
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- The Licensing Authority considers the age restraints on alcohol provision and providing adult entertainment and gambling to be of utmost importance. Applicants must provide clear details in their operating schedule as to what methods or measures they will be using to verify age. The Licensing Authority recommends that the only way to verify a person's proof of age is with reference to:
 - a valid passport;
 - a photo driving licence issued in a European Union country;
 - a proof of age standard card system;

- a citizen card, supported by the Home Office.

APPENDIX 8

EXTRACTS FROM SECTION 182 GUIDANCE

Annex D

Pools of conditions

CORE PRINCIPLES

1. When applicants are preparing their operating schedules or club operating schedules, responsible authorities are considering applications and licensing authorities are considering applications following the receipt of relevant representations, they should consider whether the measures set out below are necessary to promote the licensing objectives.
2. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:
 - the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.
4. Licensing authorities should carefully consider conditions to ensure that they are not only necessary but realistic, practical and achievable, so that they are capable of being met. Failure to comply with any conditions

attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce should be avoided.

5. It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

PART 1. CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Pagers provide two-way communication, allowing licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager systems can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

The Secretary of State recommends that text or radio pagers should be considered for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These conditions may also be appropriate and necessary in other areas.

It is recommended that a condition requiring the text/radio pager links to the police should include the following requirements:

- the text/pager equipment is kept in working order at all times;
- the pager link is activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- any police instructions/directions are complied with whenever given; and
- all instances of crime or disorder are reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

Door supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out individuals excluded by court bans or by the licence holder;
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside venues.

Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with:

- the number of supervisors;
- the displaying of name badges;
- the carrying of proof of registration;
- where, and at what times, they should be stationed on the premises; and
- whether at least one female supervisor should be available (for example, if female customers are to be given body searches).

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

Bottle bans

Glass bottles may be used as weapons to inflict serious harm during incidents of disorder. A condition can prevent sales of drinks in glass bottles for consumption on the premises. This should be expressed in clear terms and include the following elements:

- no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar;
- no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place);

In appropriate circumstances, the condition could include exceptions, for example, as follows:

- but bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

Bottle bans may also be a relevant necessary measure to promote public safety (see Part 2).

Plastic containers and toughened glass

Glasses containing drinks may be used as weapons and in untoughened form, can cause very serious injuries. Where necessary, consideration should therefore be given to conditions requiring the use of safer alternatives which inflict less severe injuries. Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is necessary. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of plastic containers or toughened glass may be a necessary condition during the televising of live sporting events, such as international football matches, when there may be high states of excitement and emotion fuelled by alcohol.

The use of plastic or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety (see Part 2).

Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (eg glasses and opened bottles) for example, by requiring the use of bottle bins on the premises. This may again be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

Restrictions on taking open containers from the premises may also be relevant necessary measures to prevent public nuisance (see Part 4).

CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be enforced.

Restrictions on drinking areas may also be relevant necessary measures to prevent public nuisance (see Part 4).

Capacity limits

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but should also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is considered necessary, door supervisors may be needed to ensure that the numbers are appropriately controlled (see above).

Proof of age cards

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent these crimes, it may be necessary for certain licensed premises to require the production of "proof of age" before sales are made. The Secretary of State strongly supports the PASS accreditation system which aims to approve and accredit various proof of age schemes that are in existence. This ensures that such schemes maintain high standards, particularly in the area of integrity and security. While conditions may refer directly to PASS accredited proof of age cards, they should also allow for the production of other proof, such as photo-driving licences, student cards and passports.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the "Challenge 21" or other similar initiatives. Under the "Challenge 21" initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21 and who is attempting to buy alcohol. Making this a licensing condition would ensure that most minors – even those looking older – would need to produce appropriate proof of age before making a purchase.

Proof of age may also be relevant and necessary to protect children from harm (see Part 5).

Crime prevention notices

It may be necessary at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to volunteer the display of such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of

notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be necessary for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

Drinks promotions

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club premises certificates in an area as this is likely to breach competition law. It is also likely to be unlawful for licensing authorities or police officers to promote voluntary arrangements of this kind as this can risk creating cartels.

However, conditions specifically designed to address irresponsible drinks promotions or discounting at individual premises may be permissible provided they are necessary for the promotion of the licensing objectives. Licensing authorities should be aware that there may often be a very fine line between responsible and irresponsible promotions. It is therefore vital that they consider these matters objectively in the context of the licensing objectives and before pursuing any form of restrictions at all, take their own legal advice.

Signage

It may be necessary for the normal hours at which licensable activities are permitted to take place under the terms of the premises licence or club premises certificate to be displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

Large capacity venues used exclusively or primarily for the "vertical" consumption of alcohol (HVVDs)

Large capacity "vertical drinking" premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises which have exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol, and little or no seating for patrons.

Where necessary and appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see paragraphs 10.58-10.64) to control entry for the purpose of compliance with the capacity limit.

PART 2. CONDITIONS RELATING TO PUBLIC SAFETY

The attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999, and the Regulatory Reform (Fire Safety) Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control them. Conditions enforcing these requirements are therefore unnecessary.

From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. Licensing authorities should note that under article 43 of the Regulatory Reform (Fire Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies. See Chapter 2 for more detail about the Order.

General

Additional matters relating to cinemas and theatres are considered in Part 3. It should also be recognised that special issues may arise in connection with outdoor and large scale events.

In addition, to considering the points made in this Part, those preparing operating schedules or club operating schedules, licensing authorities and responsible authorities should consider:

- Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) ("The Purple Book") ISBN 0 7176 2453 6
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997) ("The Green Guide") ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through: www.streetartsnetwork.org.uk/pages/publications.htm

- The London District Surveyors Association's "Technical Standards for Places of Public Entertainment" ISBN 0 9531229 2 1

The following British Standards should also be considered:

- BS 5588 Part 6 (regarding places of assembly)
- BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- BS 5588 Part 9 (regarding means of escape for disabled people)
- BS 5839 (fire detection, fire alarm systems and buildings)
- BS 5266 (emergency lighting systems)

In most premises existing legislation will provide adequately for the safety of the public or club members and guests. However, where this is not the case, consideration might be given to the following conditions.

Safety checks

- Safety checks are carried out before the admission of the public.
- Details of such checks are kept in a Log-book.

Escape routes

- Exits are kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
- Where chairs and tables are provided in restaurants and other premises, internal gangways are kept unobstructed.
- All exits doors are easily openable without the use of a key, card, code or similar means.
- Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.

- Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- The edges of the treads of steps and stairways are maintained so as to be conspicuous.

Disabled people

- When disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and disabled people on the premises are made aware of those arrangements.

Lighting

- In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present.
- Emergency lighting is not altered.
- Emergency lighting batteries are fully charged before the admission of the public, members or guests.
- In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

Curtains, hangings, decorations and upholstery

- Curtains, hangings and temporary decorations are arranged so as not to obstruct exits
- temporary decorations are not used without prior notification to the licensing authority/relevant responsible authority.

Capacity limits

- Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate is not exceeded.
- The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and required to inform any authorised person on request.

Access for emergency vehicles

- Access for emergency vehicles is kept clear and free from obstruction.

First aid

- Adequate and appropriate supply of first aid equipment and materials is available on the premises.
- If necessary, at least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

Temporary electrical installations

- Temporary electrical wiring and distribution systems are not provided without notification to the licensing authority at least ten days before commencement of the work and/or prior inspection by a suitable qualified electrician.

- Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable BS 7909.
- Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use.

With regard to the first bullet above, it should be recognised that ten days notice may not be possible where performances are supported by outside technical teams. For example, where temporary electrical installations are made in theatres for television show performances. In such circumstances, the key requirement is that conditions should ensure that temporary electrical installations are only undertaken by competent qualified persons, for example, employed by the television company.

Indoor sports entertainments

- If necessary, an appropriately qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- Any ring is constructed and supported by a competent person and inspected by a competent authority.
- At any wrestling or other entertainments of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times (see also Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Commission and Sport England).

Special effects

The use of special effects in venues of all kinds being used for regulated entertainment is increasingly common and can present significant risks. Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Further details and guidance are given in Part 3.

Alterations to the premises

Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence to delete the relevant public safety condition. The applicant will need to propose how they intend to take alternative steps to promote the public safety objective in a new operating schedule reflecting the proposed alteration to the premises. The application for variation will enable the responsible authorities with expertise in safety matters to consider whether the proposal is acceptable.

Other measures

Other measures previously mentioned in relation to the Prevention of Crime and Disorder may also be relevant as necessary to promote public safety. These might include the provision of door supervisors, bottle bans, and requirements to use plastic or toughened glass containers (see Part 1 for further detail).

PART 3. THEATRES, CINEMAS, CONCERT HALLS AND SIMILAR PLACES (PROMOTION OF PUBLIC SAFETY)

In addition to the points in Part 2, there are particular public safety matters which should be considered in connection with theatres and cinemas.

PREMISES USED FOR CLOSELY SEATED AUDIENCES

Attendants

- (a) The number of attendants on each floor in a closely seated auditorium should be as set out on the table below:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1 – 100	One
101 – 250	Two
251 – 500	Three
501 – 750	Four
751 -1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

- (b) Attendants shall not be engaged in any duties that would prevent them from promptly discharging their duties in the event of an emergency or require their absence from that floor or auditorium where they are on duty.
- (c) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).

- (d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- (e) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.
- (f) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

Seating

Where the potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.

Standing and sitting in gangways etc

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- (c) In no circumstances shall anyone be permitted to-
 - (i) sit in any gangway;
 - (ii) stand or sit in front of any exit; or
 - (iii) stand or sit on any staircase including any landings.

Drinks

Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to or be consumed by a closely seated audience except in plastic and paper containers.

Balcony Fronts

Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

Special effects

Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

Specials effects include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers;
- explosives and highly flammable substances.

In certain circumstances, it may be necessary to require that certain special effects are only used with the prior notification of the licensing authority. In these cases, the licensing authority should notify the fire and rescue authority, who will exercise their inspection and enforcement powers under the Regulatory Reform (Fire Safety) Order 2005.

Further guidance can be found in the following publications:

- HSE Guide 'The radiation safety of lasers used for display purposes' (HS(G)95
- 'Smoke and vapour effects used in entertainment' (HSE Entertainment Sheet No 3);
- 'Special or visual effects involving explosives or pyrotechnics used in film and television production' (HSE Entertainment Sheet No 16);
- 'Electrical safety for entertainers' (HSE INDG 247)
- 'Theatre Essentials' – Guidance booklet produced by the Association of British Theatre Technicians 8

Ceilings

All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person who will decide when a further inspection is necessary and a certificate concerning the condition of the ceilings forwarded to the licensing authority.

PREMISES USED FOR FILM EXHIBITIONS

Attendants – premises without a staff alerting system

Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1 – 250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

Attendants – premises with a staff alerting system

(a) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1 – 500	Two	One
501 – 1000	Three	Two
1001 – 1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

- (b) Staff shall not be considered as being available to assist in the event of an emergency if they are:
- (i) the holder of the premises licence or the manager on duty at the premises; or
 - (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay their response in an emergency situation; or
 - (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which they are required to go on being alerted to an emergency situation.
- (c) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- (d) The staff alerting system shall be maintained in working order.

Minimum lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

PART 4. CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE

It should be noted that provisions of the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or a club premises certificate for the prevention of public nuisance. But this must be balanced by the potential impact on disorder which may result from arbitrarily fixed closing times. However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times.

Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public as such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue. Or the playing of recorded music might only be permitted after a certain time where conditions have been attached to the licence or certificate to ensure that any potential nuisance is satisfactorily prevented.

Restrictions might also be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

In premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to the following conditions.

Noise and vibration

In determining which conditions are necessary and appropriate, licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter the holding of events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. The following conditions may be considered:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by one or more of the following conditions:
 - a simple requirement to keep doors and windows at the premises closed;
 - limiting live music to a particular area of the building;
 - moving the location and direction of speakers away from external walls or walls that abut private premises;
 - installation of acoustic curtains;
 - fitting of rubber seals to doorways;
 - installation of rubber speaker mounts;
 - requiring the licensee to take measure to ensure that music will not be audible above background level at the nearest noise sensitive location;

- require licensee to undertake routine monitoring to ensure external levels of music are not excessive and take appropriate action where necessary;
- noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful).
- Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted.
- The placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

Noxious smells

- Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

Light pollution

- Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

Other measures

Other measures previously mentioned in relation to the Prevention of Crime and Disorder may also be relevant as necessary to prevent public nuisance. These might include the provision of door supervisors, open containers not to be taken from the premises, and restrictions on drinking areas (see Part 1 for further detail).

PART 5. CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely. This would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

Access for children to licensed premises – in general

Restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made where it is necessary to protect children from harm. Precise policy and details will be a matter for individual licensing authorities.

The Secretary of State recommends (unless there are circumstances justifying the contrary) that:

- for any premises with known associations (having been presented with evidence) with or likely to give rise to:
 - heavy or binge or underage drinking;
 - drugs;
 - significant gambling; or
 - any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature,

there should be a strong presumption against permitting any access at all for children under 18 years.

- for any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access under the above circumstances, should when preparing new operating schedules or club operating schedules or variations of those schedules:

- explain their reasons; and
- outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case the Secretary of State recommends that, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children subject to the terms of the 2003 Act

Age Restrictions – specific

Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, licensing authorities will need to consider:

- the hours of day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- types of event or activity that are unlikely to require age restrictions, for example:
 - family entertainment; or
 - non-alcohol events for young age groups, such as under 18s dances,
- types of event or activity which give rise to a more acute need for age restrictions than normal, for example:

- during "Happy Hours" or on drinks promotion nights;
- during activities outlined in the first bullet point in the first paragraph above.

Age restrictions – cinemas

The British Board of Film Classification classifies films in accordance with its published Guidelines which are based on extensive research into public opinion and professional advice. The Secretary of State therefore recommends that licensing authorities should not duplicate this effort by choosing to classify films themselves. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role. Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

Licensing authorities should be aware that the BBFC currently classifies films in the following way:

- U Universal – suitable for audiences aged four years and over
- PG – Parental Guidance. Some scenes may be unsuitable for young children.
- 12A – Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 – Passed only for viewing by persons aged 15 years and over.
- 18 – Passed only for viewing by persons aged 18 years and over.

Licensing authorities should note that these classifications may be subject to occasional change and consult the BBFC's website at www.bbfc.co.uk before applying relevant conditions.

The Secretary of State considers that, in addition to the mandatory condition imposed by section 20, conditions restricting the admission of children to film exhibitions should include that:

- where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;
- immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film;
- when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms:

"Where a programme includes a film recommended by the licensing authority as falling into an age restrictive category no person appearing to be under the age specified shall be admitted to any part of the programme; where a programme includes a film recommended by the licensing authority as falling into a category requiring any persons under a specified age to be accompanied by an adult no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult, and the licence holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. For example:

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained."

Theatres

The admission of children to theatres, as with other licensed premises, is not expected to be restricted normally unless it is necessary to promote the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play should normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

Licensing authorities are also expected to consider whether a condition should be attached to a premises licence which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of children during any emergency (See Part 3).

Performances especially for children

Where performances are presented especially for unaccompanied children in theatres and cinemas, licensing authorities will also wish to consider conditions to specify that:

- an attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

Licensing authorities should also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

Children in performances

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended set out requirements for children performing in a show. Licensing authorities should familiarise themselves with these Regulations and not duplicate any of these requirements. However, if it is necessary to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.

- **Special effects** – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- **Care of children** – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website, in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors.

Consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletins.

Proof of Age cards

Proof of age cards are discussed under Part 1 in connection with the prevention of crime and disorder. However, a requirement for the production of proof of age cards before any sale or supply of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm.

Proof of age cards can also ensure that appropriate checks are made where the presence of children is restricted by age at certain times, such as 16.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the "Challenge 21" or other similar initiatives. Under the "Challenge 21" initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21 and who is attempting to buy alcohol. Making this a licensing condition would ensure that most minors – even those looking older – would need to produce appropriate proof of age before making such a purchase.

Crime and Disorder Act 1998

- 1.28 All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act.
- 1.29 Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area.
- 1.30 The Government believes that licensing authorities should, as a matter of good practice, involve Crime and Disorder Reduction Partnerships (CDRPs) in decision-making in order to ensure that statements of licensing policy include effective strategies that take full account of crime and disorder implications.

Alcohol Harm Reduction Strategy

- 1.31 Licensing authorities should familiarise themselves with the relevant government's alcohol harm reduction strategy. In England this is *Safe. Sensible. Social. The next steps in the National Alcohol Strategy* published in June 2007 and in Wales the Welsh Assembly published *Tackling Substance Misuse in Wales: A Partnership Approach* in September 2000, which is currently being further developed. Licensing authorities should ensure that their licensing policies complement the relevant strategy, and subsequent measures, where these may help to promote one or more of the licensing objectives.

The Anti-Social Behaviour Act 2003

- 1.32 Licensing authorities need to be aware of new powers that will be available to local authorities under sections 40 and 41 of the Anti Social Behaviour Act 2003. The Act provides that if the noise from any licensed premises is causing a public nuisance, an authorised environmental health officer would have the power to issue a closure order effective for up to 24 hours. Under this provision, it is for the Chief Executive of the local authority to delegate their power to environmental health officers within their authority. If after receiving a closure order the premises remain open, the person responsible may upon summary conviction receive a fine of up to £20,000 or imprisonment for a term not exceeding three months, or both. This complements the police powers under Part 8 of the 2003 Act to close licensed premises for temporary periods.

Violent Crime Reduction Act 2006

- 1.33 The Violent Crime Reduction Act 2006 received Royal Assent on 8 November 2006. The Act introduces new measures to ensure that police and local communities have the powers they need to tackle guns, knives and alcohol-related violence. Relevant measures include:
- (from 3 May 2007) an amendment to the Licensing Act to introduce a new offence of persistently selling alcohol to children. The offence will be committed if, on three or more different occasions in a period of three consecutive months, alcohol is unlawfully sold to a minor on the same premises

2. The licensing objectives

CRIME AND DISORDER

- 2.1 The steps any licence holder or club might take to prevent crime and disorder are as varied as the premises or clubs where licensable activities may be carried on. Licensing authorities should therefore look to the police as the main source of advice on these matters. They should also seek to involve the local CDRP, as recommended in paragraph 1.21 of this Guidance.
- 2.2 The Government's expectation is that the police will have a key role in undertaking the following tasks:
- developing a constructive working relationship with licensing authority licensing officers and bodies such as the local authority social services department, the Area Child Protection Committee or another competent body;
 - developing a constructive working relationship with designated premises supervisors and other managers of premises, including premises providing late night refreshment;
 - advising, where necessary, on the development of a venue drug policy;
 - developing a constructive working relationship with the Security Industry Authority including joint visits and enforcement action where appropriate;
 - agreeing the protocols for actions taken by door supervisors in relation to illegal drugs or violent behaviour, particularly when police officers should be called immediately;
 - advising on and approving search procedures and the storage procedures for confiscated drugs;
 - gathering and sharing intelligence on drug dealing and use with partner organisations and local venues;
 - advising on the installation and monitoring of security devices such as CCTV;
 - advising on the provision of safe and accessible transport home in consultation with community safety colleagues, local transport authorities and transport operators;
 - working with venue owners and managers to resolve drug-related problems and problems of disorder, drunkenness and anti-social behaviour; and
 - advising on the protection of employees on licensed premises who may be targets for attacks and reprisals.
- 2.3 The Security Industry Authority also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity and that door supervisors are properly licensed. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. In the exercise of their functions licensing authorities should seek to co-operate with the SIA as far as possible and consider adding relevant conditions to licences where necessary and appropriate.
- 2.4 The essential purpose of the licence or certificate in this context is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of, the premises as they seek to enter or leave.

- 2.5 Licence conditions should not replicate licensing offences that are set out in the 2003 Act. For example, a condition that states that a licence holder shall not permit drunkenness and disorderly behaviour on his premises would be superfluous because this is already a criminal offence. A condition that states that a licence holder shall not permit the sale of controlled drugs on the premises would be similarly superfluous.
- 2.6 Conditions are best targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television cameras both inside and immediately outside the premises can actively deter disorder, nuisance and anti-social behaviour and crime generally. Some licensees may wish to have cameras on their premises for the protection of their own staff and for the prevention of crime directed against the business itself or its customers. But any condition may require a broader approach, and it may be necessary to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.7 Similarly, the provision of requirements for door supervision may be necessary to ensure that people who are drunk or drug dealers or carrying firearms do not enter the premises, reducing the potential for crime and disorder, and that the police are kept informed.
- 2.8 Text and radio pagers allow premises licence holders, designated premises supervisors and managers of premises and clubs to communicate instantly with the local police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises. The Secretary of State recommends that text or radio pagers should be considered appropriate necessary conditions for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises.
- 2.9 Some conditions primarily focused on the prevention of crime and disorder will also promote other licensing objectives. For example, a condition requiring that all glasses used on the premises for the sale of alcoholic drinks should be made of plastic or toughened glass or not allowing bottles to pass across a bar may be necessary to prevent violence by denying assailants suitable weapons, but may also benefit public safety by minimising the injury done to victims when such assaults take place (for example, facial injuries resulting from broken glass).
- 2.10 A condition must also be capable of being met. For example, while beer glasses may be available in toughened glass, wine glasses may not. Licensing authorities should carefully consider conditions of this kind to ensure that they are not only necessary but both practical and achievable.
- 2.11 Similarly, although most commonly made a condition of a licence on public safety grounds, licensing authorities should also consider conditions which set capacity limits for licensed premises or clubs where it may be necessary to prevent overcrowding likely to lead to disorder and violence. If such a condition is considered necessary, the licensing authority should consider whether door supervisors are needed to control numbers.

- 2.12 In the context of crime and disorder and public safety, the preservation of order on premises may give rise to genuine concerns about the competency of the management team charged with the maintenance of order. This may occur, for example, on premises where there are very large numbers of people and alcohol is supplied for consumption, or in premises where there are public order problems.
- 2.13 The designated premises supervisor is the key person who will usually be charged with day to day management of the premises by the premises licence holder, including the prevention of disorder. However, conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. A condition of this kind could only be justified as necessary in rare circumstances where it could be demonstrated that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.14 It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained and licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act ensure, for example, that the prevention of disorder is in sharp focus for all such managers, licence holders and clubs.
- 2.15 Communications between the managers of the premises and the police can also be crucial in preventing crime and disorder. Involvement by operators and managers in voluntary schemes and initiatives may be particularly valuable. Conditions requiring dedicated text or pager links between management teams and local police stations can provide early warning of disorder and also can be used to inform other licence holders that a problem has arisen in the area generally. For example, where a gang of youths is causing problems in one public house and their eviction will only result in them going on elsewhere to cause problems on other premises, there is advantage in communication links between the police and other licensed premises and clubs.
- 2.16 However, while this may be necessary and effective in certain parts of licensing authority areas, it may be less effective or even unnecessary in others. Police views on such matters should be given considerable weight and licensing authorities must remember that only necessary conditions, which are within the control of the licence holder or club, may be imposed.
- 2.17 The Indecent Displays Act 1981 prohibits the public display of indecent matter, subject to certain exceptions. It should not therefore be necessary for any conditions to be attached to licences or certificates concerning such displays in or outside the premises involved. For example, the display of advertising material on or immediately outside such premises is regulated by this legislation. Similarly, while conditions relating to public safety in respect of dancing may be necessary in certain

circumstances, the laws governing indecency and obscenity are adequate to control adult entertainment involving striptease and lap-dancing which goes beyond what is lawful. Accordingly, conditions relating to the content of such entertainment which have no relevance to crime and disorder, public safety, public nuisance or the protection of children from harm could not be justified. In this context, however, it should be noted that it is in order for conditions relating to the exclusion of minors or the safety of performers to be included in premises licence or club premises certificate conditions where necessary. The Local Government (Miscellaneous Provisions) Act 1982 insofar as its adoptive provisions relate to sex establishments – sex shops, sex cinemas and in London sex encounter establishments – also remains in force.

- 2.18 Guidance to the police on powers to close premises (formerly Chapter 11 of this Guidance) can now be found on the DCMS website at www.culture.gov.uk.

PUBLIC SAFETY

- 2.19 Licensing authorities and responsible authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation. There will of course be occasions when a public safety condition could incidentally benefit health, but it should not be the purpose of the condition as this would be ultra vires the 2003 Act. Accordingly, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.20 From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 ('the Fire Safety Order') replaced previous fire safety legislation. As such any fire certificate issued under the Fire Precautions Act 1971 will have ceased to have effect. Licensing authorities should note that under article 43 of the Fire Safety Order any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order automatically cease to have effect, without the need to vary the licence. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies.
- 2.21 The exception to this will be in cases where the licensing authority and the enforcing authority for the fire safety order are one and the same body. For example, designated sports-grounds and stands where local authorities enforce the fire safety order. In such circumstances fire safety conditions should not be set in new licences, but conditions in existing licences will remain in force and be enforceable by the licensing authority.
- 2.22 The Fire Safety Order applies in England and Wales. It covers 'general fire precautions' and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around 'most premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.
- 2.23 Responsibility for complying with the Order rests with the 'responsible person', which may be the employer, or any other person or people who may have control of the premises. Each responsible person must carry out a fire risk

LICENSING HOURS

- 13.40 With regard to licensing hours, the statement of policy should generally emphasise the consideration which will be given to the individual merits of an application. The Government recommends that statements of policy should recognise that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance.
- 13.41 The Government also wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and attractive to domestic and international tourists. Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 13.42 Statements of licensing policy should indicate that shops, stores and supermarkets, are free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there. Statements of licensing policy should therefore reflect this general approach.

CHILDREN

- 13.43 The 2003 Act made it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.
- 13.44 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises and the following paragraphs are therefore of great importance notwithstanding the new offences created by the 2003 Act.
- 13.45 It is not intended that the definition "exclusively or primarily" in relation to the consumption of alcohol should be applied in a particular way by reference to turnover, floor space or any similar measure. The expression should be given its ordinary and natural meaning in the context of the particular circumstances. It will normally be quite clear

that the business being operated at the premises is predominantly the sale and consumption of alcohol. Mixed businesses may be harder to pigeonhole and it would be sensible for both operators and enforcement agencies to consult where necessary about their respective interpretations of the activities taking place on the premises before any moves are taken which might lead to prosecution.

13.46 The fact that the new offence may effectively bar children under 16 unaccompanied by an adult from premises where the consumption of alcohol is the exclusive or primary activity does not mean that the 2003 Act automatically permits unaccompanied children under the age of 18 to have free access to other premises or to the same premises even if they are accompanied or to premises where the consumption of alcohol is not involved. Subject only to the provisions of the 2003 Act and any licence or certificate conditions, admission will always be at the discretion of those managing the premises. The 2003 Act includes on the one hand, no presumption of giving children access or on the other hand, no presumption of preventing their access to licensed premises. Each application and the circumstances obtaining at each premises must be considered on its own merits.

13.47 A statement of licensing policy must not therefore seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them. Licensing policy statements should not attempt to anticipate every issue of concern that could arise in respect of children in relation to individual premises and as such, general rules should be avoided. Consideration of the individual merits of each application remains the best mechanism for judging such matters.

13.48 A statement of policy should highlight areas that will give rise to particular concern in respect of children. For example, these should include premises:

- where entertainment or services of an adult or sexual nature are commonly provided;
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing⁵;
- where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

13.49 In the context of paragraph 13.48 above, it is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to apply common sense to this matter. However, such entertainment or services, for example, would generally include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

⁵ Police, licensing authorities and licensees need to be aware that following its commencement on the 20th January 2004, a new power is available under the Anti-Social Behaviour Act 2003 to close premises where there is the production supply or use of class A drugs and serious nuisance or disorder. This power provides an extra tool to the police to enable rapid action against a premises where there is a Class A drug problem, enabling its closure in as little as 48 hours should this be necessary. Police authorities are advised to consult the Notes of Guidance on the use of this power (Home Office, 2004) available on the Home Office website. These powers will also be covered in brief in the update to Safer Clubbing available in 2004.

13.50 A statement of policy should make clear the range of alternatives which may be considered for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in combination, include:

- limitations on the hours when children may be present;
- limitations excluding the presence of children under certain ages when particular specified activities are taking place;
- limitations on the parts of premises to which children might be given access;
- age limitations (below 18);
- requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of those people under 18 from the premises when any licensable activities are taking place.

13.51 Statements of policy should also make clear that conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has given a temporary event notice. Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the licensing authority concerned, these volunteered prohibitions and restrictions will become conditions attached to the licence or certificate and will be enforceable as such. No other conditions concerning the presence of children on premises may be imposed by the licensing authority in these circumstances.

RESPONSIBLE AUTHORITY AND CHILDREN

13.52 A statement of licensing policy should indicate which body the licensing authority judges to be competent to act as the responsible authority in relation to the protection of children from harm. This may be the local authority social services department, the Area Child Protection Committee, or another competent body. It would be practical and useful for statements of licensing policy to include the correct descriptions of the responsible authorities in any area and appropriate contact details.

CHILDREN AND CINEMAS

13.53 The statement of policy should make clear that in the case of premises giving film exhibitions, the licensing authority will expect licensees or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself. Where a licensing authority intends to adopt its own system of classification, its statement of policy should indicate where the information regarding such classifications will be published and made available to licensees, clubs and the general public.

13.54 The 2003 Act also provides that it is mandatory for a condition to be included in all premises licences and club premises certificates authorising the exhibition of films for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by a body designated under section 4 of the Video Recordings Act 1984 – the British Board of Film Classification is the only body which has been so designated – or by the licensing authority itself.

CORE PRINCIPLES

1. When applicants are preparing their operating schedules or club operating schedules, responsible authorities are considering applications and licensing authorities are considering applications following the receipt of relevant representations, they should consider whether the measures set out below are necessary to promote the licensing objectives.
2. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:
 - the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.
4. Licensing authorities should carefully consider conditions to ensure that they are not only necessary but realistic, practical and

attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce should be avoided.

5. It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

PART 1. CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Pagers provide two-way communication, allowing licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager systems can also be used by licence holders, door supervisors, managers,

- (b) Staff shall not be considered as being available to assist in the event of an emergency if they are:
- (i) the holder of the premises licence or the manager on duty at the premises; or
 - (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay their response in an emergency situation; or
 - (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which they are required to go on being alerted to an emergency situation.
- (c) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- (d) The staff alerting system shall be maintained in working order.

Minimum lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

PART 4. CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE

It should be noted that provisions of the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or a club premises certificate for the prevention of public nuisance. But this must be balanced by the potential impact on disorder which may result from arbitrarily fixed closing times. However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times.

Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public as such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue. Or the playing of recorded music might only be permitted after a certain time where conditions have been attached to the licence or certificate to ensure that any potential nuisance is satisfactorily prevented.

Restrictions might also be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

In premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to the following conditions.

Noise and vibration

In determining which conditions are necessary and appropriate, licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter the holding of events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. The following conditions may be considered:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by one or more of the following conditions:
 - a simple requirement to keep doors and windows at the premises closed;
 - limiting live music to a particular area of the building;
 - moving the location and direction of speakers away from external walls or walls that abut private premises;
 - installation of acoustic curtains;
 - fitting of rubber seals to doorways;
 - installation of rubber speaker mounts;
 - requiring the licensee to take measure to ensure that music will not be audible above background level at the nearest noise sensitive location;
- require licensee to undertake routine monitoring to ensure external levels of music are not excessive and take appropriate action where necessary;
- noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful).
- Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted.
- The placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

Noxious smells

- Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

Light pollution

- Flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

Other measures

Other measures previously mentioned in relation to the Prevention of Crime and Disorder may also be relevant as necessary to prevent public nuisance. These might include the provision of door supervisors, open containers not to be taken from the premises, and restrictions on drinking areas (see Part 1 for further detail).

2.29 The special provisions made for dancing, amplified and unamplified music in section 177 of the 2003 Act apply only to premises with a "permitted capacity" of not more than 200 persons. In this context, the capacity must be where the fire and rescue authority has made a recommendation on the capacity of the premises under the Fire Safety Order. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority who will consider it and then decide what the "permitted capacity" of those premises should be.

2.30 Whilst the Cinematograph (Safety) Regulations 1955 (S.I 1995/1129) which contained a significant number of regulations in respect of fire safety provision at cinemas, no longer apply, applicants taking advantage of the "grandfather rights" pursuant to Schedule 8 to the 2003 Act will have been subject to conditions which re-state those regulations in their new premises licence or club premises certificate. Any holders of a converted licence seeking to remove these conditions and reduce the regulatory burden on them (to the extent to which that can be done while still promoting the licensing objectives), would need to apply to vary their converted licences or certificates. When considering variation applications or applications for new licences, licensing authorities and responsible authorities should recognise the need for steps to be taken to assure public safety at these premises in the absence of the 1995 Regulations.

2.31 Public safety includes the safety of performers appearing at any premises.

PUBLIC NUISANCE

2.32 The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.²

2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are

² It should also be noted in this context that it remains an offence under the 2003 Act to sell or supply alcohol to a person who is drunk. This is particularly important because of the nuisance and anti-social behaviour which can be provoked after leaving licensed premises.

kept closed after a particular time in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.35 As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.
- 2.36 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave.
- 2.37 Measures to control light pollution will also require careful thought. Bright lighting outside premises considered necessary to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.38 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives.
- 2.39 Beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.
- 2.40 The cumulative effects of litter in the vicinity of premises carrying on licensable activities can cause public nuisance. For example, it may be appropriate and necessary for a condition of

a licence to require premises serving customers from take-aways and fast food outlets from 11.00pm to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter. Such conditions may be necessary and appropriate in circumstances where customers late at night may have been consuming alcohol and be inclined to carelessness and anti-social behaviour.

PROTECTION OF CHILDREN FROM HARM

- 2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.
- 2.42 However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, it should be noted that the Secretary of State recommends that the development of family-friendly environments should not be frustrated by overly restrictive conditions in relation to children.
- 2.43 The Secretary of State intends that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the 2003 Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. Licensing authorities, the police and other authorised persons should focus on enforcing the law concerning the consumption of alcohol by minors.
- 2.44 Conditions relating to the access of children which are necessary to protect them from harm are self evidently of great importance. As mentioned in connection with statements of licensing policy in Chapter 13 of this Guidance, issues will arise about the access of children in connection with premises:
- where adult entertainment is provided;
 - where there have been convictions of the current management for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
 - where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises (but not small numbers of cash prize machines);
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 2.45 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. Such trading practices should be obvious from the operating schedule or club operating schedule provided with the relevant application allowing the framing of an appropriate, time-limited condition.

circumstances, the laws governing indecency and obscenity are adequate to control adult entertainment involving striptease and lap-dancing which goes beyond what is lawful. Accordingly, conditions relating to the content of such entertainment which have no relevance to crime and disorder, public safety, public nuisance or the protection of children from harm could not be justified. In this context, however, it should be noted that it is in order for conditions relating to the exclusion of minors or the safety of performers to be included in premises licence or club premises certificate conditions where necessary. The Local Government (Miscellaneous Provisions) Act 1982 insofar as its adoptive provisions relate to sex establishments – sex shops, sex cinemas and in London sex encounter establishments – also remains in force.

- 2.18 Guidance to the police on powers to close premises (formerly Chapter 11 of this Guidance) can now be found on the DCMS website at www.culture.gov.uk.

PUBLIC SAFETY

- 2.19 Licensing authorities and responsible authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation. There will of course be occasions when a public safety condition could incidentally benefit health, but it should not be the purpose of the condition as this would be ultra vires the 2003 Act. Accordingly, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.20 From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 ('the Fire Safety Order') replaced previous fire safety legislation. As such any fire certificate issued under the Fire Precautions Act 1971 will have ceased to have effect. Licensing authorities should note that under article 43 of the Fire Safety Order any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order automatically cease to have effect, without the need to vary the licence. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies.
- 2.21 The exception to this will be in cases where the licensing authority and the enforcing authority for the fire safety order are one and the same body. For example, designated sports-grounds and stands where local authorities enforce the fire safety order. In such circumstances fire safety conditions should not be set in new licences, but conditions in existing licences will remain in force and be enforceable by the licensing authority.
- 2.22 The Fire Safety Order applies in England and Wales. It covers 'general fire precautions' and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around 'most premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.
- 2.23 Responsibility for complying with the Order rests with the 'responsible person', which may be the employer, or any other person or people who may have control of the premises. Each responsible person must carry out a fire risk

assessment which must focus on the safety in case of fire for all 'relevant persons'. The fire risk assessment is intended to identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions that need to be taken including, where necessary, capacity limits.

- 2.24 The local fire and rescue authority will enforce the Order in most premises and have the power to inspect the premises to check the responsible person is complying with their duties under the Order. They will look for evidence that the responsible person has carried out a suitable fire risk assessment and acted upon the significant findings of that assessment. If the enforcing authority is dissatisfied with the outcome of a fire risk assessment or the action taken, they may issue an enforcement notice that requires the responsible person to make certain improvements or, in extreme cases, issue a prohibition notice that restricts the use of all or part of the premises until improvements are made.
- 2.25 Further information and guidance about the Order and fire safety legislation is available from the Communities and Local Government website www.communities.gov.uk/fire.
- 2.26 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be unnecessary for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if necessary, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or interested parties, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make clear their expectations in this respects to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.
- 2.27 "Safe capacities" should only be imposed where necessary for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be unnecessary to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it necessary for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be necessary in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.28 As noted above, a capacity limit should not be imposed as a condition of the licence on fire safety grounds (unless the licensing authority and the enforcing authority for fire safety purposes are the same) since, under article 43 of the Fire Safety Order, it would have no effect and so would not be enforceable.

2.29 The special provisions made for dancing, amplified and unamplified music in section 177 of the 2003 Act apply only to premises with a "permitted capacity" of not more than 200 persons. In this context, the capacity must be where the fire and rescue authority has made a recommendation on the capacity of the premises under the Fire Safety Order. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority who will consider it and then decide what the "permitted capacity" of those premises should be.

2.30 Whilst the Cinematograph (Safety) Regulations 1955 (S.I 1995/1129) which contained a significant number of regulations in respect of fire safety provision at cinemas, no longer apply, applicants taking advantage of the "grandfather rights" pursuant to Schedule 8 to the 2003 Act will have been subject to conditions which re-state those regulations in their new premises licence or club premises certificate. Any holders of a converted licence seeking to remove these conditions and reduce the regulatory burden on them (to the extent to which that can be done while still promoting the licensing objectives), would need to apply to vary their converted licences or certificates. When considering variation applications or applications for new licences, licensing authorities and responsible authorities should recognise the need for steps to be taken to assure public safety at these premises in the absence of the 1995 Regulations.

2.31 Public safety includes the safety of performers appearing at any premises.

PUBLIC NUISANCE

2.32 The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.²

2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are

² It should also be noted in this context that it remains an offence under the 2003 Act to sell or supply alcohol to a person who is drunk. This is particularly important because of the nuisance and anti-social behaviour which can be provoked after leaving licensed premises.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

Large capacity venues used exclusively or primarily for the "vertical" consumption of alcohol (HVVDs)

Large capacity "vertical drinking" premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises which have exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol, and little or no seating for patrons.

Where necessary and appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see paragraphs 10.58-10.64) to control entry for the purpose of compliance with the capacity limit.

PART 2. CONDITIONS RELATING TO PUBLIC SAFETY

The attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999, and the Regulatory Reform (Fire Safety) Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control them. Conditions enforcing these requirements are therefore unnecessary.

From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. Licensing authorities should note that under article 43 of the Regulatory Reform (Fire Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies. See Chapter 2₄ for more detail about the Order.

General

Additional matters relating to cinemas and theatres are considered in Part 3. It should also be recognised that special issues may arise in connection with outdoor and large scale events.

In addition, to considering the points made in this Part, those preparing operating schedules or club operating schedules, licensing authorities and responsible authorities should consider:

- Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) ("The Purple Book") ISBN 0 7176 2453 6
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997) ("The Green Guide") ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through: www.streetartsnetwork.org.uk/pages/publications.htm

- The London District Surveyors Association's "Technical Standards for Places of Public Entertainment" ISBN 0 9531229 2 1

The following British Standards should also be considered:

- BS 5588 Part 6 (regarding places of assembly)
- BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- BS 5588 Part 9 (regarding means of escape for disabled people)
- BS 5839 (fire detection, fire alarm systems and buildings)
- BS 5266 (emergency lighting systems)

In most premises existing legislation will provide adequately for the safety of the public or club members and guests. However, where this is not the case, consideration might be given to the following conditions.

Safety checks

- Safety checks are carried out before the admission of the public.
- Details of such checks are kept in a Log-book.

Escape routes

- Exits are kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
- Where chairs and tables are provided in restaurants and other premises, internal gangways are kept unobstructed.
- All exits doors are easily openable without the use of a key, card, code or similar means.
- Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.

- Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- The edges of the treads of steps and stairways are maintained so as to be conspicuous.

Disabled people

- When disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and disabled people on the premises are made aware of those arrangements.

Lighting

- In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present.
- Emergency lighting is not altered.
- Emergency lighting batteries are fully charged before the admission of the public, members or guests.
- In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

Curtains, hangings, decorations and upholstery

- Curtains, hangings and temporary decorations are arranged so as not to obstruct exits
- temporary decorations are not used without prior notification to the licensing authority/relevant responsible authority.

Capacity limits

- Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate is not exceeded.
- The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and required to inform any authorised person on request.

Access for emergency vehicles

- Access for emergency vehicles is kept clear and free from obstruction.

First aid

- Adequate and appropriate supply of first aid equipment and materials is available on the premises.
- If necessary, at least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

Temporary electrical installations

- Temporary electrical wiring and distribution systems are not provided without notification to the licensing authority at least ten days before commencement of the work and/or prior inspection by a suitable qualified electrician.

- Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable BS 7909.
- Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use.

With regard to the first bullet above, it should be recognised that ten days notice may not be possible where performances are supported by outside technical teams. For example, where temporary electrical installations are made in theatres for television show performances. In such circumstances, the key requirement is that conditions should ensure that temporary electrical installations are only undertaken by competent qualified persons, for example, employed by the television company.

Indoor sports entertainments

- If necessary, an appropriately qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- Any ring is constructed and supported by a competent person and inspected by a competent authority.
- At any wrestling or other entertainments of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times (see also Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Commission and Sport England).

PART 5. CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely. This would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

Access for children to licensed premises – in general

Restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made where it is necessary to protect children from harm. Precise policy and details will be a matter for individual licensing authorities.

The Secretary of State recommends (unless there are circumstances justifying the contrary) that:

- for any premises with known associations (having been presented with evidence) with or likely to give rise to:
 - heavy or binge or underage drinking;
 - drugs;
 - significant gambling; or
 - any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature,

there should be a strong presumption against permitting any access at all for children under 18 years.

- for any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access under the above circumstances, should when preparing new operating schedules or club operating schedules or variations of those schedules:

- explain their reasons; and
- outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case the Secretary of State recommends that, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children subject to the terms of the 2003 Act

Age Restrictions – specific

Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, licensing authorities will need to consider:

- the hours of day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- types of event or activity that are unlikely to require age restrictions, for example:
 - family entertainment; or
 - non-alcohol events for young age groups, such as under 18s dances,
- types of event or activity which give rise to a more acute need for age restrictions than normal, for example:

- during "Happy Hours" or on drinks promotion nights;
- during activities outlined in the first bullet point in the first paragraph above.

Age restrictions – cinemas

The British Board of Film Classification classifies films in accordance with its published Guidelines which are based on extensive research into public opinion and professional advice. The Secretary of State therefore recommends that licensing authorities should not duplicate this effort by choosing to classify films themselves. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role. Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

Licensing authorities should be aware that the BBFC currently classifies films in the following way:

- U Universal – suitable for audiences aged four years and over
- PG – Parental Guidance. Some scenes may be unsuitable for young children.
- 12A – Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 – Passed only for viewing by persons aged 15 years and over.
- 18 – Passed only for viewing by persons aged 18 years and over.

Licensing authorities should note that these classifications may be subject to occasional change and consult the BBFC's website at www.bbfc.co.uk before applying relevant conditions.

The Secretary of State considers that, in addition to the mandatory condition imposed by section 20, conditions restricting the admission of children to film exhibitions should include that:

- where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;
- immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film;
- when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms:

"Where a programme includes a film recommended by the licensing authority as falling into an age restrictive category no person appearing to be under the age specified shall be admitted to any part of the programme; where a programme includes a film recommended by the licensing authority as falling into a category requiring any persons under a specified age to be accompanied by an adult no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult, and the licence holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. For example:

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained."

Theatres

The admission of children to theatres, as with other licensed premises, is not expected to be restricted normally unless it is necessary to promote the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play should normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

Licensing authorities are also expected to consider whether a condition should be attached to a premises licence which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of children during any emergency (See Part 3).

Performances especially for children

Where performances are presented especially for unaccompanied children in theatres and cinemas, licensing authorities will also wish to consider conditions to specify that:

- an attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

Licensing authorities should also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

Children in performances

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended set out requirements for children performing in a show. Licensing authorities should familiarise themselves with these Regulations and not duplicate any of these requirements. However, if it is necessary to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.

- **Special effects** – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- **Care of children** – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website, in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors.

Consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletins.

Proof of Age cards

Proof of age cards are discussed under Part 1 in connection with the prevention of crime and disorder. However, a requirement for the production of proof of age cards before any sale or supply of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm.

Proof of age cards can also ensure that appropriate checks are made where the presence of children is restricted by age at certain times, such as 16.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the "Challenge 21" or other similar initiatives. Under the "Challenge 21" initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21 and who is attempting to buy alcohol. Making this a licensing condition would ensure that most minors – even those looking older – would need to produce appropriate proof of age before making such a purchase.

a licence to require premises serving customers from take-aways and fast food outlets from 11.00pm to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter. Such conditions may be necessary and appropriate in circumstances where customers late at night may have been consuming alcohol and be inclined to carelessness and anti-social behaviour.

PROTECTION OF CHILDREN FROM HARM

- 2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.
- 2.42 However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, it should be noted that the Secretary of State recommends that the development of family-friendly environments should not be frustrated by overly restrictive conditions in relation to children.
- 2.43 The Secretary of State intends that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the 2003 Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. Licensing authorities, the police and other authorised persons should focus on enforcing the law concerning the consumption of alcohol by minors.
- 2.44 Conditions relating to the access of children which are necessary to protect them from harm are self evidently of great importance. As mentioned in connection with statements of licensing policy in Chapter 13 of this Guidance, issues will arise about the access of children in connection with premises:
- where adult entertainment is provided;
 - where there have been convictions of the current management for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
 - where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises (but not small numbers of cash prize machines);
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 2.45 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. Such trading practices should be obvious from the operating schedule or club operating schedule provided with the relevant application allowing the framing of an appropriate, time-limited condition.

- 2.46 Similarly, gambling may take place in part of a leisure centre but not in other parts of those premises. This means that the access of children will need to be carefully considered by applicants, licensing authorities and responsible authorities. In many respects, it should be possible to rely on the discretion and common sense of licence and certificate holders. However, licensing authorities and responsible authorities should still expect applicants when preparing an operating schedule or club operating schedule to state their intention to exercise discretion and where they are necessary, to set out the steps to be taken to protect children from harm when on the premises.
- 2.47 Conditions, where they are necessary, should reflect the licensable activities taking place on the premises and can include:
- where alcohol is sold, requirements for the production of proof of age cards or other age identification before sales are made, to ensure that sales are not made to individuals under 18 years (whether the age limit is 18 or 16 as in the case of the consumption of beer, wine and cider in the company of adults during a table meal);
 - limitations on the hours when children may be present;
 - limitations on the presence of children under certain ages when particular specified activities are taking place;
 - limitations on the parts of the premises to which children may have access;
 - age limitations (below 18);
 - limitations or exclusions when certain activities are taking place;
 - requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place
- 2.48 The Secretary of State considers that representations made by the child protection bodies and the police in respect of individual applications should be given considerable weight when they address necessary issues regarding the admission of children.
- 2.49 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.50 The admission of children to theatres, as with other licensed premises, should not normally be restricted. However, theatres may present a range of diverse activities. The admission of children to the performance of a play should normally be at the discretion of the licence holder and no condition restricting their access to plays should be attached. However, theatres may also present a wide range of entertainment including, for example, variety shows incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainments may also be presented at theatres specifically for children. It may be necessary to consider whether a condition

should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

2.51 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under s.154 of the Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. For example, where as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act

Section	Offence
Section 145	Unaccompanied children prohibited from certain premises
Section 146	Sale of alcohol to children
Section 147	Allowing the sale of alcohol to children
Section 147A	Persistently selling alcohol to children
Section 148	Sale of liqueur confectionery to children under 16
Section 149	Purchase of alcohol by or on behalf of children
Section 150	Consumption of alcohol by children
Section 151	Delivering alcohol to children
Section 152	Sending a child to obtain alcohol
Section 153	Prohibition of unsupervised sales by children

that the business being operated at the premises is predominantly the sale and consumption of alcohol. Mixed businesses may be harder to pigeonhole and it would be sensible for both operators and enforcement agencies to consult where necessary about their respective interpretations of the activities taking place on the premises before any moves are taken which might lead to prosecution.

13.46 The fact that the new offence may effectively bar children under 16 unaccompanied by an adult from premises where the consumption of alcohol is the exclusive or primary activity does not mean that the 2003 Act automatically permits unaccompanied children under the age of 18 to have free access to other premises or to the same premises even if they are accompanied or to premises where the consumption of alcohol is not involved. Subject only to the provisions of the 2003 Act and any licence or certificate conditions, admission will always be at the discretion of those managing the premises. The 2003 Act includes on the one hand, no presumption of giving children access or on the other hand, no presumption of preventing their access to licensed premises. Each application and the circumstances obtaining at each premises must be considered on its own merits.

13.47 A statement of licensing policy must not therefore seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them. Licensing policy statements should not attempt to anticipate every issue of concern that could arise in respect of children in relation to individual premises and as such, general rules should be avoided. Consideration of the individual merits of each application remains the best mechanism for judging such matters.

13.48 A statement of policy should highlight areas that will give rise to particular concern in respect of children. For example, these should include premises:

- where entertainment or services of an adult or sexual nature are commonly provided;
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing⁵;
- where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

13.49 In the context of paragraph 13.48 above, it is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to apply common sense to this matter. However, such entertainment or services, for example, would generally include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

⁵ Police, licensing authorities and licensees need to be aware that following its commencement on the 20th January 2004, a new power is available under the Anti-Social Behaviour Act 2003 to close premises where there is the production supply or use of class A drugs and serious nuisance or disorder. This power provides an extra tool to the police to enable rapid action against a premises where there is a Class A drug problem, enabling its closure in as little as 48 hours should this be necessary. Police authorities are advised to consult the Notes of Guidance on the use of this power (Home Office, 2004) available on the Home Office website. These powers will also be covered in brief in the update to Safer Clubbing available in 2004.

13.50 A statement of policy should make clear the range of alternatives which may be considered for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in combination, include:

- limitations on the hours when children may be present;
- limitations excluding the presence of children under certain ages when particular specified activities are taking place;
- limitations on the parts of premises to which children might be given access;
- age limitations (below 18);
- requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of those people under 18 from the premises when any licensable activities are taking place.

13.51 Statements of policy should also make clear that conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licensee or club or person who has given a temporary event notice. Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the licensing authority concerned, these volunteered prohibitions and restrictions will become conditions attached to the licence or certificate and will be enforceable as such. No other conditions concerning the presence of children on premises may be imposed by the licensing authority in these circumstances.

RESPONSIBLE AUTHORITY AND CHILDREN

13.52 A statement of licensing policy should indicate which body the licensing authority judges to be competent to act as the responsible authority in relation to the protection of children from harm. This may be the local authority social services department, the Area Child Protection Committee, or another competent body. It would be practical and useful for statements of licensing policy to include the correct descriptions of the responsible authorities in any area and appropriate contact details.

CHILDREN AND CINEMAS

13.53 The statement of policy should make clear that in the case of premises giving film exhibitions, the licensing authority will expect licensees or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself. Where a licensing authority intends to adopt its own system of classification, its statement of policy should indicate where the information regarding such classifications will be published and made available to licensees, clubs and the general public.

13.54 The 2003 Act also provides that it is mandatory for a condition to be included in all premises licences and club premises certificates authorising the exhibition of films for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by a body designated under section 4 of the Video Recordings Act 1984 – the British Board of Film Classification is the only body which has been so designated – or by the licensing authority itself.

CORE PRINCIPLES

1. When applicants are preparing their operating schedules or club operating schedules, responsible authorities are considering applications and licensing authorities are considering applications following the receipt of relevant representations, they should consider whether the measures set out below are necessary to promote the licensing objectives.
2. Any risk assessment to identify necessary measures should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:
 - the nature and style of the venue;
 - the activities being conducted there;
 - the location; and
 - the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.
4. Licensing authorities should carefully consider conditions to ensure that they are not only necessary but realistic, practical and

attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce should be avoided.

5. It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

PART 1. CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Pagers provide two-way communication, allowing licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager systems can also be used by licence holders, door supervisors, managers,

