



**Haringey** Council

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## Licensing Sub Committee B

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THURSDAY, 29TH NOVEMBER, 2012 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

**MEMBERS:** Councillors Beacham, Brabazon and Demirci (Chair)

### **AGENDA**

**1. APOLOGIES FOR ABSENCE**

**2. URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be considered at item 9 below).

**3. DECLARATIONS OF INTEREST**

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

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

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

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

**4. MINUTES (PAGES 1 - 10)**

To approve the minutes of the previous meeting of the Licensing Sub Committee B held on 18 June 2012.

**5. SUMMARY OF PROCEDURE (PAGES 11 - 12)**

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

**6. TURKISH CYPRIOT COMMUNITY ASSOCIATION, 628-630 GREEN LANES, LONDON N8 0SD (HARRINGAY WARD) (PAGES 13 - 48)**

To consider an application by the Enforcement Response Team for a review of the premises licence at the Turkish Cypriot Community Association.

**7. SUMMARY OF PROCEDURE (PAGES 49 - 50)**

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

**8. SHAMATA, 445 GREEN LANES, LONDON N4 1HA (HARRINGAY WARD) (PAGES 51 - 86)**

To consider an application to allow Supply of Alcohol, Provision of Live Music and Late Night Refreshment.

**9. ITEMS OF URGENT BUSINESS**

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

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Tuesday, 20 November 2012

**MINUTES OF THE LICENSING SUB COMMITTEE B  
MONDAY, 18 JUNE 2012**

Councillors Beacham, Brabazon and Demirci (Chair)

Also Present: Councillor Reith

<b>MINUTE</b>	<b>SUBJECT/DECISION</b>
<b>PRCE42.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>
<b>PRCE43.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>
<b>PRCE44.</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>
<b>PRCE45.</b>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <p>That the minutes of the meeting held on 30 April 2012 be approved and signed by the Chair.</p>
<b>PRCE46.</b>	<p><b>SUMMARY OF PROCEDURE</b></p> <p><b>NOTED</b></p>
<b>PRCE47.</b>	<p><b>MARKFIELD ARTS LTD, 100-108 MARKFIELD ROAD, N15 4QF</b></p> <p>The Licensing Officer, Daliah Barrett, presented the report on an application by Abhishek Beltharia for a new premises licence at Markfield Arts Ltd, 100-108 Markfield Road, London N15 4QF. Ms Barrett advised the Committee that the representation made by the police in respect of this application had subsequently been withdrawn, but that representations had been made by Environmental Health, Building Control, the London Fire and Civil Defence Authority and from a number of interested parties. It was confirmed that, subsequent to the report being produced, the applicants wished to reduce the capacity sought from 2,000 to 850 persons.</p> <p>Derek Pearce, Enforcement Response, addressed the Committee in respect of the representation made by Environmental Health and raised the following points in his presentation and responses to questions from Members:</p> <ul style="list-style-type: none"> <li>The application did not address the issue of noise nuisance being caused to nearby business units; as a result, wording relating to nearby industrial property had been proposed in respect of the condition relating to sound</li> </ul>

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limits.

- Environmental Health recommended that all doors and windows should remain closed during use from 11pm to 10am, when relevant. Mechanical ventilation was recommended in order to address ventilation issues.
- In order to protect residential properties, it was included in the operating schedule that sound limits be managed at the premises such that noise was inaudible at the boundary of residential properties. The specific concern of Environmental Health was that no such proposal had been made in respect of industrial units, which was why appropriate wording was being proposed in their representation.
- The applicants requested a specific dB level to work to, as this could be managed more easily than the subjective definition of 'inaudible'. Mr Pearce agreed that this could be looked into, but would require an assessment of the existing background noise levels. It was emphasised that the essential principle had to be that of inaudibility. A set dB level was not set for most premises, as most did not have acoustic engineers on site.

The Fire Officer addressed the Committee, and raised the following points in respect of their representation and in response to questions asked by the Committee:

- The main concerns were identified as the capacity of the venue and that the risk assessments produced were not suitable for the nature of the vents proposed.
- While the capacity sought had been reduced to 850, it was still felt that this was excessive for the widths of the premises exits and that, until further plans to address this were submitted, the Fire Authority would recommend a maximum capacity of 450.
- With regards to the lack of risk assessments specific to different event-types, the applicants had confirmed that this was an issue that would be addressed.
- In order to increase the safe capacity of the building, the Fire Officer confirmed that there would need to be an increase in the number of exit routes from the building.
- In response to a question regarding access at the rear of the premises by turning left, the Fire Officer confirmed that exiting via this route would require negotiation regarding access with a neighbouring property, and this was therefore not being considered as an exit option at this time.
- The Fire Officer confirmed that they would expect a comprehensive risk assessment to take into account the nature of neighbouring businesses, and issues such as the presence of LPG containers in the adjoining yard.
- The Fire Officer confirmed that their main concern was regarding people getting out of the building safely; other issues would be covered by a management strategy.

Cllr Lorna Reith, Ward Councillor, and a number of local residents and businesses addressed the Committee in objection to the application and raised the following concerns:

- The premises was situated on a busy road used by commercial premises throughout the night. Concerns were expressed about people who might be turned away from the venue congregating in this road, close to

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commercial vehicles.

- Concern was raised regarding the proximity of the venue to schools which ran early-morning activities, and the risk of people leaving the premises at the same time as pupils were arriving at school.
- Concerns were raised regarding noise controls at the premises, as residents had been disturbed by noise during previous events held under TENs – with issues such as people coming and going from the premises and standing outside to smoke and take phonecalls, it was felt that it would not be realistic to control noise levels. Previous events had been clearly audible from Yarmouth Road and Keswick Close.
- In response to questions from the Committee, Cllr Reith confirmed that she had been able to hear music from the event at 7am when she had opened her window. Residents on Yarmouth Close had reported that noise had been audible even through closed windows, and that it would not have been possible for them to sleep, had their windows been open.
- It was confirmed that, although not an official walking route to the nearby schools, pupils did use the road past the premises to reach Gladesmore School.
- Residents agreed that, if noise from the venue was no louder than background levels, there would not be an issue, but this would have to be at a very low level.
- The applicants clarified that the hours applied for were such that there would be no overlap between patrons of the premises and school opening hours – it was only on Bank Holiday Mondays that the premises would seek to be open through until Monday morning, every other Sunday the premises would close at midnight.

It was confirmed that the opening hours being applied for should read as follows:

Sunday to Thursday: 0900 to 0000

Friday and Saturday: 24 hours

- Objectors raised concern regarding the proximity of the premises to Markfield Park, as there had been issues with antisocial behaviour in the park in the past. The premises would have limited control over the behaviour of people outside the venue and there was a concern that this would lead to a recurrence of antisocial behaviour and the public perception of the park and wider area.
- It was felt that the premises would make it difficult for businesses to operate in the local area, and complaints regarding litter had been received after the previous events. There were also concerns regarding the 24/7 nature of neighbouring businesses, and health and safety concerns both in respect of the proximity of people attending the venue throughout the night to commercial vehicles, and in respect of staff arriving at and leaving their businesses late at night or in the early hours of the morning, when there was potentially a large crowd of people in the area associated with the premises.
- It was confirmed that there were a number of 24-hour businesses operating in the area and that business owners may need access to their premises at any time, regardless of their hours of operation. Were access compromised for the owners, their customers or their suppliers, there was a risk that these businesses may relocate.

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- It was felt that there were not sufficient control measures on the road itself; there had been issues previously in respect of security and parking and it was not felt that adequate control measures could be put in place to mitigate the risks.
- A previous premises of a similar nature had led to security issues in the past and had also affected access to nearby businesses. There were concerns that this application would lead to recurrence of these issues.
- It was reported that at previous events, night-shift staff at nearby businesses had encountered problems with people trying to break into the premises and exhibiting threatening behaviour, as well as littering. Drivers of HGVs had been concerned regarding the safety of people standing in the street, as it was not always possible to see where people were.
- Local businesses confirmed that they had complained to the Council and the police regarding previous events held under TENs.
- Concerns were raised in respect of health and safety, due to the nature of the materials stored in the property adjacent to the premises as well as the proximity of the railway. There was felt to be a lack of safe access, particularly as neighbouring businesses required access to their properties throughout the night, including the use of HGVs.
- It was felt that regardless of the intentions of the applicant, it would be difficult to control the behaviour of patrons.
- The premises was located in an industrial area, and was not suitable for entertainment of this nature.
- Concern was expressed that, while the applicants professed to be an arts organisation they were limiting access to the premises to over-18s only by the nature of their events; concern was expressed in respect of the business model as set out on the Abitance webpage, and the impact of patrons leaving the premises at the times proposed.
- Artists who worked in units on the site operated at all times during the day and night, and concerns were raised regarding people's safety coming and going if the premises were operating as proposed.
- Concern was raised regarding the lack of public transport in the vicinity of the premises, and how those attending events would get to and from the site.
- There was a concern that the premises would have a negative impact on the area.

In response to questions from the Committee, it was reported that during a previous event, two large vehicles had been called out on Sunday morning and had difficulty getting into the depot, and had then had to drive out very slowly, guided by security staff, due to concerns regarding a crowd of people in the road. It was confirmed that this was at 6am.

The applicants addressed the Committee and made the following points:

- They were not intending to operate as a nightclub, but an arts organisation with a whole range of events, including some music events. Music events would not be held every night.
- They had reduced their capacity in line with guidance from the Fire Officer.
- It was intended to work with nearby businesses, the local authority and police to resolve any issues; the building had been chosen as it was felt it would be possible to run events without causing a nuisance to others.

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- The applicants had run many successful events without problems, and were willing to undertake acoustic tests to ensure that there were no issues.

In response to questions from the Committee, the applicants gave the following responses:

- The applicants described the events held under TENs as varied in nature, but all had been positive and with no incidents. It was confirmed that without a premises licence, it was not possible for them to run exhibitions for a full week or ten days.
- The applicants hoped that, as other aspects of the business grew, there would be a reduction in the number of music events, as these were intended to raise funding. The licence sought would enable events to be held weekly, and it was possible that events would be run on this basis to start off. Were the venue hired out for use by a film production company, as was intended as its primary use, there would be no events for the duration of the hire period.
- The applicants confirmed that they had experience working in a range of venues and locations and with production companies, and did not consider the nature of events proposed to be challenging.

In response to a question from the Committee, the meeting was adjourned for 10 minutes to allow officers to clarify with the applicants the hours being applied for.

It was confirmed that the hours applied for were:

Late Night Refreshment:

Sunday to Thursday: 2300 to 0000  
Friday and Saturday: 2300 to 0500

Supply of Alcohol:

Friday: 2000 to 0300  
Saturday: 2000 to 1000

It was confirmed that a Late Night Refreshment licence was not required for the provision of hot food after 5am.

- The Committee asked about the concerns raised by the Fire Officer in respect of the risk assessment supplied, and that fact that this document was marked up as 'first draft'. The applicants confirmed that they had employed a fire management consultant to review the documentation and make the necessary improvements.
- In response to concerns raised by local residents, the applicants denied that the littering reported was a consequence of their events, as they had personally helped to clean up after each event.
- The applicants confirmed that they had submitted an appeal in respect of the previous refusal of planning consent, and advised that they would enter into a waste contract once a licence were granted, as there would be no requirement for such a contract until they had obtained a licence.

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- It was confirmed that all events held would be invite-only private events, so attendance numbers would be known in advance. In light of the advice from the Fire Officer, the number of invites issued would be amended to ensure that safe capacity was not exceeded. It was confirmed that 2,000 had originally been applied for in order to maximise the flexibility of the business.
- The applicants advised that they had written to nearby businesses in advance of submitting their application, but acknowledged that in future it may be better to visit them in person to discuss any issues.
- The applicants believed that the location of the premises was suitable for a business of this nature, and wished to create a legal, properly-run space for events.
- It was expected that most people would arrive at the venue by means of public transport, and the events held so far had not led to any traffic management issues.
- The applicants confirmed that they would abide by the measures proposed by their fire management consultant in order to improve arrangements for managing fire risk.
- The applicants accepted that they were not fully aware of the nature of neighbouring businesses, and agreed to speak with business owners to get a better understanding.
- The applicants advised that they had not undertaken as much of their core arts work as they would have wished, but were now in a position to develop this side of the business. It was confirmed that the building contained permanent exhibition space, and that they had run instrumental workshops and were happy to provide further information on any of these events.
- In response to a question around trance events, it was confirmed that the demographic of people attending such events was small, and amounted to around 2,000 people in the country. Depending on the promoters and acts employed, those attending would be a known group of people.

In summing up, Ms Barrett advised that any traffic management measures would need to be undertaken by the Highways department. As a multi-use venue, there would be a need to address the issue of medical support available, dependent on the nature of the event being held. It was confirmed that activities such as set-building, etc, would not be governed by licence.

The Fire Officer advised that their objection stood, until further documentation was received with regard to fire risk management.

Objectors confirmed their concerns regarding overspill of people outside the venue, public safety, the negative impact on local businesses, the unsuitability of the location, fire risk, lack of public transport and the risk of antisocial behaviour.

The applicants confirmed that they had taken on board all the comments made and had engaged a fire consultant to look at some of the issues. They reported that the events so far had been well-run and no issues had arisen, and they believed that if granted a licence there would continue to be no problems and the venue would be well-managed. The applicants confirmed that they would work within the conditions on their licence to prevent any issues arising; the management team had the experience to run the venue properly and



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successfully, and wanted to develop a good relationship with local businesses.

**RESOLVED**

The Committee carefully considered the application and all the representations, the Council's Statement of Licensing Policy and section 182 of the guidance, and it was the Committee's decision that on this occasion it would not grant a premises licence. The Committee considered the possibility of granting a premises licence and imposing a number of conditions, however based on the questions asked of and the answers given by the applicant, the Committee were not convinced that the applicant had fully and properly considered the responsibility of the Licensing Act 2003.

Safety

The Committee heard and expressed concern at the fire safety officer's objections that appropriate, clear and safety-orientated arrangements had not appeared to have been put in place by the applicant. It was clear from the documents provided in advance of tonight's hearing that the fire authority still had outstanding concerns and serious reservations in relation to fire safety at the premises. The applicant, in advance of tonight's committee, should have ensured that the concerns were dealt with rather than attend tonight without a properly detailed fire safety plan.

Public nuisance

Local residents also provided examples of public nuisance, specifically noise nuisance, littering and anti-social behaviour. The Committee had no confidence that the applicant had given clear thought to these concerns and how to allay residents' fears.

An applicant must show resolve and commitment to the Licensing Act 2003 and meet any outstanding concerns, and the committee did not feel that the applicant had shown this. The applicant is entitled to reapply at a later date. However, the Committee would encourage the applicant to seriously consider all the issues and concerns raised by the residents, local businesses and responsible authorities before doing so.

**PRCE48. OBJECTION TO TEMPORARY EVENT NOTICE AT THE PAVILION, 185A PARK ROAD, LONDON N8**

The Licensing Officer, Dale Barrett, presented the report on an objection made by Environmental Health to a Temporary Event Notice (TEN) at The Pavilion, 185A Park Road, N8. As a consequence of the recent Police Reform and Social Responsibility Act, Environmental Health were now a responsible authority with the ability to lodge objections to TENs.

Derek Pearce, Enforcement Response, outlined the objection to the TENs application for the 30<sup>th</sup> June, for the provision of alcohol and regulated entertainment between 0000 and 0400. Mr Pearce made the following points:

- The specific concern was the Regulated Entertainment aspect of the application, as there was a background of noise complaints associated with the premises, particularly in relation to an event held on 26 May 2012.

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- On 26 May, complaints had been received in respect of music being played in the ground floor being audible outside the premises.
- It was felt that such events should not take place until the applicant had worked with the Council to protect local residents from noise nuisance.

In response to questions raised by the Committee, Mr Pearce made the following points:

- The measures suggested to address the issues raised would be sound-proofing, and addressing the issue of noise escape from the doors opening and closing, ideally by means of a lobby door.
- It was confirmed that it would be difficult to make the necessary changes in advance of the proposed date for this TEN.
- Without the issues being resolved, concern was expressed regarding the proposed time of 000 to 0400 as this was a particularly noise-sensitive time and, were the music at a similar level to previously, there would be an expectation of complaints.

Peter Mudahy addressed the Committee on behalf of the applicant, Mr Cornelius, and made the following points:

- The event had been running for three years, once a month, but in recent months there had been negative information circulated to residents about the event, encouraging people to make complaints.
- This was the applicant's sole source of income, and was an event catering to an older, respectable clientele, who respected the residential nature of the area. 20 employees relied on income from the monthly events.
- This was a well-managed, ticket-only event, which the community looked forward to each month.
- It was felt that the complaints being made were only as a result of the letters being circulated against the event; whereas the event had been running for three years without problems.
- It was acknowledged that improvements could be made to the fabric of the venue, and discussions were taking place with the premises owner regarding this, but there were no issues in respect of the way the event itself was managed.

In response to questions from the Committee, the applicants advised that they did turn the music down when requested in order to manage noise, and were looking into the possibility of a device to minimise the escape of noise.

Ms Barrett advised that Committee that, were they to grant the application, they had the ability to apply a condition from the main premises licence to that permission, or to add a new condition.

Mr Pearce advised that, were the application granted, he would wish there to be a condition attached in respect of protecting nearby noise-sensitive residences from noise nuisance, although his recommendation would remain that the application for a TEN be refused.

Mr Muhady concluded by saying that the applicant was reliant on revenue from this event, which was welcomed by the community as an opportunity to relax with food, music and friends once a month. The event had been running for 36 months in a row, and the Committee was asked to give the applicant the opportunity to

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continue with it.

**RESOLVED**

The Committee carefully considered the application, the representation from Environmental Health, the Council's Statement of Licensing Policy and section 182 of the guidance, and it was the Committee's decision to allow a temporary event notice for the 30<sup>th</sup> June, but only on the following terms:

- 1) That the hours of the event will be from 0000 to 0300.
- 2) That the applicant is to keep a log of complaints and a contact person is to be on site to deal with any complaints that may arise.
- 3) That the applicant take steps to ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.

As an informative, the Committee would like to stress that it is the applicant's responsibility to adhere to the terms of the TEN and ensure that necessary arrangements are made to control noise nuisance.

**PRCE49. ITEMS OF URGENT BUSINESS**

There were no items of urgent business.

The meeting closed at 23:15hrs.

CLLR ALI DEMIRCI

Chair

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

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

**Licensing Act 2003 Sub-Committee on 29<sup>th</sup> November 2012**

**Report title: Application for a Review of a Premises Licence at Turkish Cypriot Community Association, 628-630 Green Lanes, Hornsey, London N8 0SD**

**Report of: The Licensing Team Leader**

**Ward(s) affected Harringay**

**1. Purpose**

To consider an application by The Enforcement Response Team for a review of the premises licence at Turkish Cypriot Community Association.

**Summary of application**

- The applicants – Enforcement Response as a Responsible Authority are seeking a review of the Premises Licence with reference to the licensing objectives of the Prevention of Public Nuisance.

**Date review application served: 12<sup>th</sup> September 2012**

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

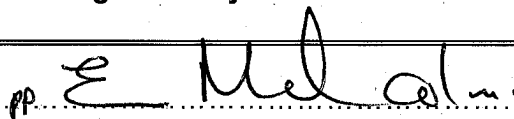
A copy of the review application and supporting documents are at Appendix 1.

**2. Officers Observations**

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

- 2.1
- need to promote the four licensing objectives
  - representations
  - relevant sections of the statutory guidance to licensing authorities (appendix 2)
  - relevant sections of the licensing authority's statement of licensing policy (appendix 3)

**Report authorised by: Joan Hancox**



**Head of Neighbourhood Services**

**Contact Officer: Ms Daliah Barrett-Williams**

**Telephone: 020 8489 8232**

**3. Access to information:**

Local Government (Access to Information) Act 1985

Background Papers

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

**File: TURKISH CYPRIOT COMMUNITY ASSOCIATION**

The Background Papers are located at Enforcement Service, Technopark, Ashley Road, Tottenham, London N17 9LN

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**4. REPORT****Background**

Multiple breaches of conditions listed on current premises licence. Enforcement Response have not been satisfied that the required conditions have been met.

**Licensable activities authorised by the Licence:****The times the Licence authorises the carrying out of licensable activities:****The Provision of Regulated Entertainment:****Plays & Films**

<b>Monday to Saturday</b>	<b>1900 to 2300 hours</b>
<b>Sunday all licensable activities will cease at</b>	<b>2200 hours</b>

**Live Music, Recorded Music, Performances of Dance, Provision of facilities for dancing & Provision of facilities similar to that of making music or dancing**

<b>Thursday to Saturday</b>	<b>1900 to 2300 hours</b>
<b>Sunday</b>	<b>1900 to 2200 hours</b>

<b>New Years Eve and Christmas Eve:</b>	<b>1900 to 0200 hours</b>
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**Provision of Late Night Refreshment:**

<b>New Years Eve and Christmas Eve only:</b>	<b>2300 to 0200 hours</b>
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**Supply of Alcohol:**

<b>Monday to Saturday</b>	<b>1900 to 2230 hours</b>
<b>Sunday</b>	<b>1900 to 2130 hours</b>

<b>New Years Eve and Christmas Eve:</b>	<b>1900 to 0130 hours</b>
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**The designated premises supervisor is: Mr Hasan Ozoncu**

**4.2.1 Details of the Application for Review and Supporting Documentation.  
Appendix 1**

The application for the review has been made on the following grounds:

The operation of the premises has failed to uphold the Licensing Objectives of The Prevention of Public Nuisance.

The license was granted by a Licensing Sub Committee subject to certain conditions being met. The premises licence holder was unable to make use of the license until such time the conditions imposed in relation to the prevention of public nuisance were satisfactorily completed. The licensing Authority have not been advised of these measure being carried out since the grant of the license.

**5.0 RELEVANT REPRESENTATIONS (CONSULTATION)**

**Responsible authorities:**

**5.1 Comments of Metropolitan Police**

No representation made.

**5.2 Comments of Regulatory Services:**

Have made representation regarding this application. **APP1**

**5.3 Comments of The London Fire and Emergency Planning Authority**

No representation made

**6.0 Comments of Interested Parties**

Letter of representation have been received against this application **APP2**

**7.0 POLICY CONSIDERATIONS**

**7.1 The following provisions of the Licensing Act 2003 apply to this application:  
Section 51-53 (review of premises licenses)**

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

1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

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

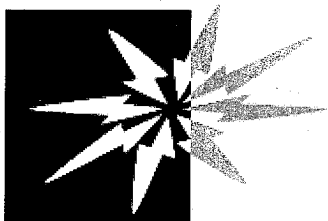
The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any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

**8.0 The following provisions of the Secretary of State's guidance apply to this application: Paras 2.33-2.40, 8.60, 11.5. These provisions are attached at Appendix 3.**

- 8.1 The following paragraphs of the licensing authority's Statement Of Licensing Policy apply to this application; page 24 'Public nuisance', these provisions are attached at **Appendix 4**.
- 8.2 The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

**APPENDIX 1 – APPLICATION BY ENFORCEMENT RESPONSE**

WK/225141



Haringey Council

Contact us | Online services

A | B | C | D | E | F | G | H | I | J | K | L  
 M | N | O | P | Q | R | S | T | U | V | W  
 X | Y | Z



## Review of Premises Licence or Club Premises Certificate

Please confirm the details you have entered

Please check the information below. If you want to make any amendments, please use the 'Previous Page' button and make your changes. If you are happy with it, press 'Submit Request' to send this form to us.

### Part 1 - Premises details

<b>Premises address</b>	628-630 Turkish Cypriot Community Association Green Lanes Hornsey London N8 0SD
<b>Telephone number at premises</b>	020 8826 1080 <i>if any</i>
<b>Name of premises licence holder or club holding club premises certificate</b>	<i>if known</i>
<b>Number of premises or club premises certificate</b>	00007857 <i>if known</i>

### Part 2 - Applicant details

**Please state whether you are applying for a premises licence as** 2) a responsible authority

### (C) Details of Responsible Authority applicant

<b>Name</b>	George Roberts
<b>Address</b>	Lee Valley Technopark  Ashley Road Tottenham London N17 9LN

**Contact details**

Tel: 020 8489 5238

Tel:

Fax:

Email: george.roberts@haringey.gov.uk

**P - Licensing Objectives**

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

1) the prevention of crime and disorder

2) public safety

3) the prevention of public nuisance

4) the protection of children from harm

**Please state the ground(s) for review**

**If there is not enough space here, you can upload an additional document on the 'supporting documents' page**

**Please provide as much information as possible to support the application**

**If there is not enough space here, you can upload an additional document on the 'supporting documents' page**

Multiple breaches of conditions listed on the current premises licence. We the relevant responsible authority have not been satisfied that the required conditions have been met in the section of the licence which states "The premises licence is granted only once the Licensing Authority has provided written confirmation to the Applicant that it has been satisfied that all the required conditions have been met to the satisfaction of the Responsible Authorities". This has not been ratified by Licensing. *The ground(s) for review must be based on one of the licensing objectives*

*Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.*

**Previous reviews**

**Have you made an application for review relating to these premises before?** No

**Equal opportunities information**

**What is your ethnic group?  
(Please select one option from the drop-down list)**

**If 'other', please specify**

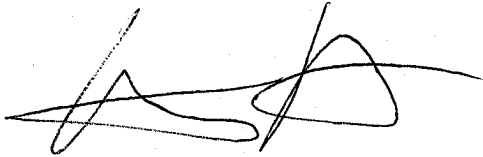
**Do you consider that you have a disability?**

**Your gender**

**I understand that I must print the application form and send my signed printout to the Licensing Team, to validate this application. \***



Submit Application



◀ Previous Page

12/9/12

LICENSING ACT 2003  
Sec 24  
Licensing Consultation

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: George Roberts

cc: Team Leader Enforcement Response, Derek Pearce

Our Reference: WK225141

Date: 6<sup>th</sup> October 2012

Premises: Cyprus Kitchen, 628-630 Green Lanes, London, N8 0SD

Type of application: Review

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### Introduction

The premises have been operating outside of their current premises licence and we have noted breaches of the licence and licence conditions. Little apparent effort has been made to address the items, especially those conditions which appear to have the most impact on local residents with regard to noise nuisance.

We have requested a review of the premises licence to address the lack of progress on these issues and disregard of licensing requirements, and conditions imposed by the licensing sub-committee when the premises licence was originally issued.

No communication has been sent from us (the responsible authority) to grant the current premises licence, and the premises have been operating as though the licence has been granted throughout the period since it was issued, even after being warned. This means that the premises has been operating under a license that has not been validated and licensable activity taking place has effectively been unlicensed/unauthorised.

In making this review we are seeking clarification on the terms of the Premises Licence to ensure that the Premises Licence holder promotes the Prevention of Public Nuisance.

We have reproduced the Premises Licence below with our comments [square brackets] below

## **PREMISES LICENCE**

Receipt: AG946925

Premises Licence Number: LN00007857

*This Premises Licence has been issued by:*

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



LICENSING ACT 2003  
Sec 24

Signature:.....

Date: 29<sup>th</sup> January 2010

**Part 1 – PREMISES DETAILS**

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

**TURKISH CYPRIOT COMMUNITY ASSOCIATION  
628-630 GREEN LANES  
HARINGEY  
LONDON N8 0JD**

**Where the Licence is time limited, the dates:**

**The premises licence is granted only once the Licensing Authority has provided written confirmation to the Applicant that it has been satisfied that all the required conditions have been met to the satisfaction of the Responsible Authorities.**

*[No written confirmation has to date been provided and therefore the premises licence according to the wording is not granted. This apparent discrepancy needs to be clarified]*

**Licensable activities authorised by the Licence:**

**The Provision of Regulated Entertainment: Plays, Films, Live Music, Recorded Music, Performances of Dance, Provision on facilities for dancing and Provision of facilities similar to that of making music or dancing**

**Supply of Alcohol**

**Provision of Late Night Refreshment**

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

**The Provision of Regulated Entertainment:**

**Plays & Films**

<b>Monday to Saturday</b>	<b>1900 to 2300 hours</b>
<b>Sunday all licensable activities will cease at</b>	<b>2200 hours</b>

**Live Music, Recorded Music, Performances of Dance, Provision of facilities for dancing & Provision of facilities similar to that of making music or dancing**

<b>Thursday to Saturday</b>	<b>1900 to 2300 hours</b>
<b>Sunday</b>	<b>1900 to 2200 hours</b>

<b>New Years Eve and Christmas Eve:</b>	<b>1900 to 0200 hours</b>
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**Provision of Late Night Refreshment:**

<b>New Years Eve and Christmas Eve only:</b>	<b>2300 to 0200 hours</b>
--	---------------------------

**Supply of Alcohol:**

LICENSING ACT 2003  
Sec 24

Monday to Saturday 1900 to 2230 hours  
Sunday 1900 to 2130 hours

New Years Eve and Christmas Eve: 1900 to 0130 hours

**The opening hours of the premises:**

Monday to Friday 0900 to 2300 hours  
Saturday 1200 to 2300 hours  
Sunday 1200 to 2200 hours

New Years Eve and Christmas Eve: 0900 to 0200 hours

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

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

**Part 2**

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

Turkish Cypriot Community Association  
628-630 Green Lanes  
Haringey  
London N8 0JD

Telephone: 020 8826 1080

E-mail: info@tcca.org

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

1080926

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

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

Z01N1048FL/1

Issued by: London Borough of Waltham Forest

Expires: 09/07/2019

**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.

**Exhibition of films:**

(2) Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **THE PREVENTION OF CRIME AND DISORDER**

Measurements will be taken to avoid any incidents by introducing a calming period during the last one hour of events. During the calming periods the music will be lowered and attendants to the event will be encouraged/warned to leave the premises quietly at the end of the events to avoid disturbance to the neighbours. Also during the events over consumption of alcohol will not be allowed.

### **PUBLIC SAFETY**

Turkish Cypriot Community Centre will have an up to date risk assessment and will have achieved all the recommendations. There will also be a health and safety policy in place which will be used on a day to day basis.

### **THE PREVENTION OF PUBLIC NUISANCE**

The building will be sound insulated and visitors will be warned to leave the building quietly to ensure that nearby residents are not disturbed.

### **Acoustic Sound Insulation**

Acoustic Sound Insulation will be provided to all external walls of the licensable area of the property in order to eliminate the noise disturbance and acoustic sound test certificates will be provided to the relevant council departments.

*[evidence of sound Insulation provided to external walls and acoustic sound test certificates have not been provided]*

### **Operating hours**

That regulated entertainment ceases no later than 23:00 on Monday through Saturday and no later than 22:00 on Sunday.

### **Prevention of nuisance from noise/vibration**

All doors and windows will remain closed during the regulated entertainment licensed activities.

The doors leading to the rear garden will be kept shut during the regulated entertainment licensed activities and used only for emergency egress

Adequate and suitable mechanical ventilation should be provided to public areas

*[evidence of suitable mechanical ventilation has not been provided]*

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **Structure borne noise**

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

### **Sound limits**

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

*All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager*

*All sound systems and equipment will be connected to this sound level checking and limiting equipment by a professional sound engineer and the report obtained from the sound engineer will be submitted to the Noise Team.*

*[confirmation that a limiting device has been fitted and set up is requested]*

### **Outside Areas**

*No music will be played in, or for the benefit of patrons in external areas of the premises*

*No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises*

*Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly.*

*The rear garden/frontage will be out of bounds to members of the public / users of the premises whilst regulated entertainment is in progress.*

### **Plant and machinery**

*All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise*

### **Dealing with complaints**

*A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers*

*Regular quarterly liaison meetings will be held to enable neighbours to raise concerns about any aspect of the licensed activities where this is requested by any local resident.*

### **Patrons entering/exiting premises.**

*Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner*

### **Prevention of nuisance from light**

*Security lights will be positioned to minimise light intrusion to nearby residential premises*

*The Applicant is also to supply two contact telephone numbers that local residents may use to report any complaints. Those numbers must be available during the licensable hours.*

## **THE PROTECTION OF CHILDREN**

*Turkish Cypriot Community Centre will have a Child Protection Policy in place.*

**Annex 2 – Conditions consistent with the Operating Schedule**

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

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

**RESOLVED**

To grant the application by Turkish Cypriot Community Association, 628-630 Green Lanes, London N8 0JD, to allow Provision of Regulated Entertainment, Supply of Alcohol and Provision of Late Night refreshment at the premises as follows:

Provision of Regulated Entertainment:

Plays & Films

Monday to Saturday 1900 to 2300 hours  
Sunday all licensable activities will cease at 2200 hours

Live Music, Recorded Music, Performances of Dance, Provision of facilities for dancing & Provision of facilities similar to that of making music or dancing

Thursday to Saturday 1900 to 2300 hours  
Sunday 1900 to 2200 hours

New Years Eve and Christmas Eve: 1900 to 0200 hours

Provision of Late Night Refreshment:

New Years Eve and Christmas Eve only: 2300 to 0200 hours

Supply of Alcohol (for consumption ON the premises):

Monday to Saturday 1900 to 2230 hours  
Sunday 1900 to 2130 hours

New Years Eve and Christmas Eve: 1900 to 0130 hours

Opening Hours

Monday to Friday 0900 to 2300 hours  
Saturday 1200 to 2300 hours  
Sunday 1200 to 2200 hours

New Years Eve and Christmas Eve: 0900 to 0200 hours

*[The following sections should be clarified to ensure that there is no doubt in regard to the position of the conditions of the Licence]*

The conditions outlined by the Noise Team for the prevention of public nuisance (as set out on pages 46 and 47 of the agenda pack) are to be imposed together with the conditions set out by the Applicant in the operating schedule and the Applicant's letter to the Environmental Health Officer, dated 21<sup>st</sup> January 2010, including air-conditioning.

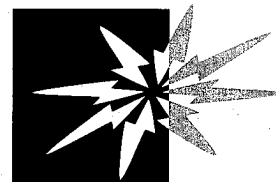
The Applicant is also to supply two contact telephone numbers that local residents may use to report any complaints. Those numbers must be available during the licensable hours.

For the avoidance of doubt, the premises licence is to be granted only once the Licensing Authority has provided written confirmation to the Applicant that it has been satisfied that all the required conditions have been met to the satisfaction of the Responsible Authorities.

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

The licence will be subject to a review if the conditions are not met.





Haringey Council

### Supporting Information

Table Below Shows Incidents Listed after 29<sup>th</sup> January 2010 when Licence issued

Date reported & time	Subject	Observations & time	Outcome	Our Ref
3/2/10 @2034 hrs	Car horns + Loud voices	@2041 Complainant called back	Noise had stopped	119298 (30)
19/5/10 @2116 & @2126 hrs	Loud music	@2210 Visit made by enforcement officer	Statutory nuisance not established	119298 (33 & 34)
2/6/10 @1956 & @2005 hrs	Loud music	@2022 Visit made by enforcement officer – Centre management advised that complaints received	Statutory nuisance not established	119298 (31 & 32)
13/6/10 @1705 & @1745 hrs	Loud music	@1750 Enforcement officer visited and could hear and see some people in the rear garden of the property. Some noise from children also - Enforcement officer visited other complainant at 1755 hrs and made observations from rear of the Cyprus Kitchen premises. Observed people came and went from inside the premises out to the rear garden. Kids playing running around etc. Rear doorway open. No other noise heard. After about 20 mins officer went round to the Cyprus Kitchen premises and spoke to a Mr Hassan. He explained that there had been a meal for a group of people who were going off to "Mecca" on a religious trip. There had been no entertainment, no party, just a gathering for a meal. There was no evidence of any licensable activities at all. Mr Hassan was aware of the requirements for sound insulation and air conditioning etc. No "events" were planned until such works completed and authorization given to go ahead	Statutory nuisance not established	119298 (35 & 36)
21/6/10 @2232 & @2245 hrs	Loud music	@2321 & @2325 Complainants called back	Noise had stopped	119298 (37 & 38)
10/7/10 @1207 hrs	Noise from venue	@2041 Complainant called back	Noise had stopped	119298 (39)
9/10/10 @1959 & @2022 hrs	Loud music	@2140 Enforcement officer visited and observed rear door of venue was closed, no noise heard. Officer entered the Cyprus Kitchen, tables set out for a meal for lots of people. No sign of alcohol being consumed, no sign of any licensable entertainment having taken	Statutory nuisance not established	119298 (40 & 41)

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

		place. No further action taken		
1/1/11 @0210 hrs	Loud music	@0221 Complainant called back	Noise had stopped	119298 (42)

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

8/1/11 @2242 & @2337 hrs	Loud music	@2349 Enforcement officer visited, no noise heard. Observed several tables set up in rows for a sit down meal. Nobody seated and only staff clearing up, customers had left. There were some musical instruments stacked at the side of the room. They were not set up as if ready for use. No music heard. No further action taken	Statutory nuisance not established	119298 (43 & 44)
30/1/11 @0105 hrs	Loud music	@0203 Enforcement officer visited and observed that premises was quiet, last few people just leaving	Statutory nuisance not established	119298 (45)
24/6/11 @2105 & @2115 & @2118 & @2207 hrs	Loud music	@2236 Enforcement officer visited complainant but noise witnessed was not excessive all through the visit. Officer then went to Cyprus Kitchen and got management to shut the only door that they left open at the rear	Statutory nuisance not established	119298 (46, 47, 48 & 49)
8/1/12 @2008 & @2040 hrs	Loud music	@2100 Enforcement officer visited and music from Cyprus Kitchen could be heard clearly in Harringay Gardens. However in complainant's premises the music was not loud enough in the officer's opinion to be considered a statutory nuisance. Officer then spoke to manager of premises Mr Ali Osman and cautioned him (See pages 81 to 83 from Caution Notebook of George Roberts) in relation to unlicensed regulated entertainment. Loud music was stopped by manager and he was informed by the officer that a report would be made which would likely result in further action regarding the incident	Statutory nuisance not established + Licensing warning letter dated 30/1/12	119298 (50 & 51)
19/2/12 @1819 & @1843 & @2029 & @2245 hrs	Loud music	@2010 Enforcement officer visited and observed some low level music, not a nuisance. Enforcement officer revisited at 2100 hrs could hear a low level bass noise, but it wasn't a nuisance. However the officer went to the Cyprus Kitchen and spoke to a Mr Osman, licence holder. There was a wedding going on in the rear room with live music and a live singer using a microphone. Mr Osman said he regretted allowing the booking and said he had made it clear to the people renting the hall that the music finish at 10 pm. He was having problems controlling the event. He also said there was very	Letter sent regarding proposal to review premises licence in relation to the licensing objective of public nuisance - letter dated 21/2/12.	119298 (52, 53, 54 & 55)

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

		<p>little English spoken by the people at the party. He did say that he would make sure it stopped at 10 pm. he would control the music level as best he could, but whenever he turned down the sound level on the mixer, they turned it up again. There didn't seem to be a limiter in use. Enforcement officer revisited at 2335 hrs and some music heard, which was not loud enough in his opinion to be a nuisance, however, event seemed to be continuing after licensed hours. Officer went round to the premises and spoke again to Mr Osman, who said he had been trying to get the people to stop and leave but without success. He had not called police. Officer removed the power cables to the amp and keyboard and explained to the party goers that the event should have finished at 10 pm. They were fairly argumentative and things got a little heated, but people did begin to leave. Although Mr Osman had tried to stop the event at the time the licence required, he had failed to do so and had taken no further action, i.e. calling police. He said to officer that he fully regrets having had the event and said he wouldn't have any more. He did seem remorseful but officer did point out to him that it is his responsibility to end such events and as such it is he that could be in trouble in such circumstances</p>		
24/6/12 @1928 & @2139 & @2152 hrs	Loud music + Loud voices	@1938 & @2202 & @2208 & @2329 Complainants called back	Noise had stopped	119298 (56, 57 & 58)
7/7/12 @1934 & @1943 hrs	Loud music	@2034 Enforcement officer visited complainant but music coming from the Cyprus Kitchen was not loud enough to be a statutory nuisance although it was noted that window open at rear. At 2047 hrs officer then spoke to Mr Ali Osman (manager) and discussed problem. Officer also examined the premises licence and after noting section headed "Where the Licence is time limited, the dates", requested to see	Multiple breaches of premises licence leading to current premises licence review	119298 (59 & 60)

		<p>letter from licensing confirming that all conditions had been met to their satisfaction. Mr Osman could not show me any such letter and the officer confirmed that the premises did not have a TEN authorising licensed activity for the night. Mr Osman was either carrying out unlicensed activity if licence not granted (even though issued) or there were multiple breaches of the premises licence which had been issued which are as follows:</p> <ul style="list-style-type: none"> <li>• No acoustic sound test certificates available to prove any sound insulation had been installed – Breach in section “Acoustic Sound Insulation”</li> <li>• Rear window open during regulated entertainment – Breach in section “Prevention of nuisance from noise/vibration”</li> <li>• No mechanical ventilation in premises – Breach in section “Prevention of nuisance from noise/vibration”</li> <li>• No anti-vibration mountings on speakers being used for regulated entertainment in venue – Breach in section “Structure borne noise”</li> <li>• Music although not a statutory nuisance could be heard and was “audible” in complainants property – Breach in section “Sound limits”</li> <li>• Musicians were plugged directly into</li> </ul>		
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		<p>their own amplifiers and speakers not using in house amplification system – Breach in section “Sound limits”</p> <ul style="list-style-type: none"> <li>• No report received from a professional sound engineer regarding the connection of “sound level checking and limiting equipment” - Breach in section “Sound limits”</li> <li>• No visible signs on frontage exterior or in interior of premises requesting patrons “respect neighbours and behave in a courteous manner” – Breach in 2 sections titled “Outside areas” and “Patrons entering/exiting premises”</li> <li>• No complaints book available – Breach in section “Dealing with complaints”</li> <li>• Complainant said that contact telephone numbers had not been provided by venue for use during licensable events – Breach in section “Prevention of nuisance from light”</li> </ul> <p>Officer advised Mr Osman that report to be made, but that as event taking place was a wedding he was required to reduce music volume and keep windows shut. Complainant said windows were still open when updated of visit and officer re-entered Cyprus Kitchen to confirm windows were shut</p>		
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**Annex 3 – Conditions attached after a hearing by the licensing authority**Table Below Shows Incidents Listed Before 29<sup>th</sup> January 2010 When Licence Issued

Date reported & time	Subject	Observations & time	Outcome	Our Ref
15/12/06	Loud music	N/A	Warning letter issued regarding loud music.	Predates changeover to M3 but noted on officers observation reports
24/2/07 @2114 hrs	Loud music + Voices	@2135 Offer of visit declined	Noise had stopped	21426
9/6/07 @2117 & @2140 hrs	Loud music	@2259 Officer visited complainant's premises and noise was not a problem – Officer then went to source of noise and discussed problem with party host	Statutory nuisance not established	36259 + 34568
26/10/07 @2218 hrs	Loud music + Voices	Officer visited (time not confirmed but somewhere between 2218 hrs & 2300 hrs) some music and voices heard when in complainant's rear bedroom. not a nuisance, but we visited the Cyprus kitchen and spoke to a Mr Hassan, organiser. Over 100 people in rear room having meal with music. music will be going off at 2300hrs music will be turned down until then	Statutory nuisance not established	52104
21/12/07	Loud music + Voices	@2213 Complainant called back	Noise had stopped	58847
30/3/08 @1633 & @1706 & @1719 hrs	Loud music + Voices	@1720 Officer visited complainant, music level had gone down, Officer visited Cyprus Kitchen and gave advise re keeping both rear porch door open, advised to ensure one is always closed to prevent noise escaping.	Statutory nuisance not established	69908 + 69906 + 69909
12/4/08 @2107 & @2208 hrs	Loud music	@2223 Officer visited complainant and heard loud intrusive music in their bedroom – Officer then visited Cyprus Kitchen and spoke to the man in charge who had music turned off – Officer advised on levels of music – Officer enquired if the premises had a licence for entertainment and was told that the owner was looking into it – Officer then served noise abatement notice on man in charge.	EPA Section 80 Noise abatement notice served + Licensing warning letter re unauthorised regulated entertainment dated 14/4/08	71480 + 71486

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

10/5/08 @2100 & @2139 hrs	Loud music	@2226 Officer visited area – Music could be heard from outside front of premises – Officer then entered Cyprus Kitchen and went to the rear of the premises and noticed that both porchway doors to garden/yard were wide open – Officer then spoke to manager and reminded him that one or both porch doors should be shut when playing music – Officer was informed that because premises had no air conditioning the doors were open to let air in – Officer told them to shut doors and keep music volume down and that report would be made	Nuisance confirmed - Reported	75714 + 75718
11/5/08 @1800 & @1800 &	Loud music	@1915 & @1920 Complainants called back	Noise had stopped	77606 + 77611
11/5/08 @1957 & @1959 & @2049 hrs	Loud music	@2125 Officer visited complainant's property and loud intrusive music witnessed coming from Cyprus Kitchen – Officer then visited Cyprus Kitchen and spoke to Mrs Turkay Hadji-Filippou a committee member and served a noise abatement notice – Music volume was reduced and rear porch door closed.	EPA Section 80 Noise abatement notice served	77921 + 77930 + 77616
20/6/08 @2311 & @2313 hrs	Loud music + Car horns + Loud voices	@0059 Officer visited	Statutory nuisance not established	79906 + 79907
23/6/08 @2154	Loud music + Loud voices	@2210 Complainant called back	Noise had stopped	80224
29/6/08 @1505 hrs	Loud music	@1640 Officer visited and observed BBQ going on at the Cyprus Kitchen. Tables and chairs set out in rear garden. Heard some loud music for about 7 minutes. Not long enough to take action on. Officer went to the Cyprus Kitchen and spoke to a lady who said she was in charge. Officer then tried to explain to her about the loud music, which had been played on a small stereo near the open rear doors, and was still switched on. A group of people then surrounded officer and began arguing about whether the noise was too loud etc. Officer decided to leave as the situation was getting out of hand, and he was working alone	Statutory nuisance not established	80957
5/10/08 @2302 hrs	Loud music	@2335 Officer visited location and observed there was a function on at the Cyprus Kitchen with a DJ playing, upon arrival music level was not loud and people were leaving. Spoke to DPS who stated they had just finished	Statutory nuisance not established	93655



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

26/4/09 @2126 & @2245 hrs	Loud music	@2211 & @2336 & @2338 Complainants called back	Noise had stopped	117778 + 117777
27/4/09 @2141 & @2219 hrs	Loud voices	@2147 & @2243 Complainants called back	Noise had stopped	117994 + 117996
10/5/09 @1634 & @1646 hrs	Loud music	@1815 Officer visited but no music heard but lots of people seen inside premises and in the rear garden – Officer entered Cyprus Kitchen and could see party balloons in the rear hall and a music system – Officer then spoke to Mr Hassan who said he worked there who said it was a private party and that they had applied for a licence	Statutory nuisance not established + Licensing warning letter dated 20/5/09	119298 (1 & 2)
29/5/09	N/A	N/A	Letter from licensing to Cyprus Kitchen management	119298
6/6/09 @2310 & @2329 hrs	Loud music	@2327 & @2346 Complainants called back	Noise had stopped	119298 (7 & 8)
13/6/09 @1539 & @1658 hrs	Loud voices	@1555 No response at complainant's address – Officer then visited Cyprus Kitchens and noted that there appeared to be a celebration function, approx 70 people seen inside	Statutory nuisance not established	119298 (9 & 10)
23/5/09 @1922 hrs	Loud voices	@2030 kids now gone inside by the time officer visited	Statutory nuisance not established	119298 (11)
22/6/09 @2253 hrs	Loud music	@2308 Complainant called back	Noise had stopped	119298 (12)
26/6/09 @2324 hrs	Loud music	@2333 Complainant called back	Noise had stopped	119298 (13)
26/9/09 @2013 hrs	Loud music	@2040 Officer observed some people seen inside the centre dancing the waltz or similar sort of dance, not really an event	Statutory nuisance not established	119298 (14)
26/9/09 @2148 & @2149 hrs	Loud music	@2359 Officer visited area - all quiet with 3 persons on premises - No noise or other activity evident	Statutory nuisance not established	119298 (15 & 16)
11/11/09 @2016 & @2050 hrs	Noise from venue	@2115 Officer visited area but no noise witnessed	Statutory nuisance not established	119298 (17 & 18)
28/11/09 @1749 & @1756	Loud music + Windows open	@1836 Heavy rain meant that rear door now shut and music turned down	Noise had stopped	119298 (19 & 20)

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

28/11/09 @2018 & @2052 hrs	Loud music	@2210 Officer visited Complainants premises and faint music heard, but not loud enough to be formally actionable. Officer advised complainant they would speak to venue management  @2225 Officer spoke to Mr Hassan Ali (manager) And advised him to make sure windows at rear remained shut + rear doors kept closed + to finish music at 2300 hrs sharp + to consider reducing volume of music	Statutory nuisance not established	119298 (21 & 22)
19/12/09 @2247 & @2313 hrs	Loud music	@2330 Visit made (Premises had temporary event notice until 11 pm) and loud music audible. Spoke to premises management and told to turn off music	Licensing warning letter dated 20/12/09	119298 (23 & 24)
31/12/09 @2139 & @2200 hrs	Loud music	@2240 music barely audible from complainant's location. Licensing offence, regulated entertainment without license	Licensing warning letter dated 1/1/10	119298 (26 & 27)
1/1/10	Pro-Active visit	@0200 Very faint music heard outside - Not a problem in officer's opinion during visit	Statutory nuisance not established	119298 (29)

**APPENDIX 2 – LETTER OF REPRESENTATION FROM ‘OTHER PARTIES’**

**Anderson Chanel**

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**From:** harringaygardens [harringaygardens@blueyonder.co.uk]  
**Sent:** 30 September 2012 16:20  
**To:** Licensing  
**Cc:** Barrett Daliah  
**Subject:** Re: Licensing review: Cyprus Kitchen, 638-640 Green Lanes, N8 0SD  
**To:** Haringey Council Licensing Team - [licensing@haringey.gov.uk](mailto:licensing@haringey.gov.uk)  
**From:** Residents of 2, 4, & 6 Harringay Gardens - [harringaygardens@blueyonder.co.uk](mailto:harringaygardens@blueyonder.co.uk)

30<sup>th</sup> September 2012

Re: Licensing review: Cyprus Kitchen, 638-640 Green Lanes, N8 0SD

The number of late night events that have taken place at the Cyprus Kitchen since the licensing hearing in January 2010 have been few and far between, and in recent times we have not had a problem with noise at the rear of the building.

The residents of Harringay Gardens whose houses back on to the Cyprus Kitchen's rear garden have no objection to them holding a license for the Sale of Alcohol, Regulated Entertainment and Provision of Late Night Refreshment providing the conditions of the license, agreed and documented at the licensing hearing in January 2010, are adhered to.

These conditions included:

1. Residents must not be able to hear any noise emitting from the Cyprus Kitchen in any part of their property.
2. The doors and windows at the rear of the Cyprus Kitchen are to remain closed at all times, and patrons are not allowed to smoke or cause any noise in the garden at any time.
3. Air conditioning to be fitted to the Cyprus Kitchen to allow ventilation due to the stipulation that windows and doors are to be kept closed.
4. Sound proofing to be fitted through out the building.
5. Residents to be given 3 phone numbers to contact the Cyprus Kitchen owner/manager in the event of a problem out of hours.

All parties at the licensing hearing in 2010 were told that points 3 – 5 as shown above had to be completed and an inspection carried out by the council before the license came into effect; however none of three conditions have ever been implemented, and therefore we believed a license was not currently held by the Cyprus Kitchen, until we were made aware of this review.

Yours faithfully  
Jean (2), Ken (4) and Pauline (6)

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**APPENDIX 3 – EXTRACT FROM SECTION 182 GUIDANCE**

## **PUBLIC NUISANCE**

- 2.33 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate 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 the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.34 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 other persons living and working in the area of the licensed premises.
- 2.35 Conditions relating to noise nuisance will normally concern steps appropriate 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 kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate 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.
- 2.36 As with all conditions, those relating to noise nuisance may not be appropriate 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 area 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 appropriate.
- 2.37 Where applications have given rise to representations, any 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 immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.

- 2.38 Measures to control light pollution will also require careful thought. Bright lighting outside premises considered appropriate 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.
- 2.39 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. However, premises should have adequate dispersal policies (where appropriate) in place to ensure that customers leave the premises promptly and with minimal disruption to those in the surrounding area.
- 2.40 Beyond the immediate area surrounding 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.

#### **PROTECTION OF CHILDREN FROM HARM**

- 2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).
- 2.42 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
  - a member or members of the current management have been convicted 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 when accompanied by an adult during a table meal);
  - it is known that unaccompanied children have been allowed access;
  - there is a known association with drug taking or dealing; or

refurbishment of premises) which in themselves may not be significant, but which cumulatively may impact adversely on the licensing objectives. This emphasises the importance of having an up-to-date copy of the premises plan available.

- 8.59 An application to remove a licensable activity should normally be approved as a minor variation. Variations to add the sale by retail or supply of alcohol to a licence are excluded from the minor variations process and must be treated as full variations in all cases.
- 8.60 For other licensable activities, licensing authorities will need to consider each application on a case by case basis and in light of any licence conditions put forward by the applicant. For example, the addition of live or recorded music to a licence may impact on the public nuisance objective, but this will depend on many factors. Licensing authorities will need to consider factors such as proximity to residential areas and any noise reduction conditions volunteered by the applicant. It is expected that in general applications to vary a licence for live music should benefit from the minor variations process unless there is likely to be an adverse impact on the licensing objectives. Similarly, in some circumstances, the addition of other types of regulated entertainment, such as the performance of plays or exhibition of films, to a licence may have no adverse impact on the licensing objectives.
- 8.61 In considering applications to add licensable activities, licensing authorities and officers may find it helpful to consider the following factors:
- the nature of the licensable activity;
  - proximity of the premises to residential areas;
  - any licence conditions volunteered by the applicant to mitigate the impact of the activity;
  - whether alcohol is sold at the premises when the licensable activity is taking place;
  - whether alcohol will continue to be sold during the extended period (for example, a pub that applies to stay open an extra hour after the sale of alcohol has ended to sell hot drink and food could be considered to benefit the promotion of the licensing objectives);
  - the track record of the premises – whether positive or negative (for example, any complaints or enforcement action related to the licensing objectives, or conversely any evidence of good practice in carrying on the licensable activity, such as under TENs); and
  - proximity to, and density of, public houses, nightclubs, etc. if customers from these other premises are likely to be attracted to the proposed licensable activity in large numbers (for example, people visiting a takeaway after leaving a public house).

This is not an exhaustive list and licensing officers should bring their own experience and knowledge of licensing to bear when considering applications.



**APPENDIX 4 – STATEMENT OF LICENSING POLICY**

premises and customers are only protected by door supervisors with an SIA licence.

#### 14.0 The prevention of public nuisance

- 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 Licensing Authority 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 Licensing Authority will expect applicants to address these issues under prevention of public nuisance when preparing the Operating Schedule:
  - Amplified music – noise from music played on the premises

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

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

**Licensing Act 2003 Sub-Committee on 29<sup>th</sup> November 2012**

**Report title: Application for a New Premises Licence at SHAMATA, 445 GREEN LANES, LONDON N4 1HA**

**Report of: The Lead Officer Licensing**

**Ward(s) affected Harringay**

**1. Purpose**

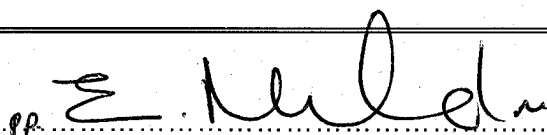
**To consider an application by Mr Irahim Eyup Cengizhan Farimaz allow Supply of Alcohol, Provision of Live Music and Late Night Refreshment.**

**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 appropriate to promote the licensing objectives.**

**Report authorised by: Joan Hancox**



**Head of Neighbourhood Services**

**Contact Officer: Ms Daliah Barrett-Williams**

**Telephone: 020 8489 8232**

**3. Executive summary**

For consideration by Licensing 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: Shamata**

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

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## 5. REPORT

### Background

5.1 An application for a new Premises Licence, by Mr Irahim Eyup Cengizhan Farimaz in respect of Shamata under the Licensing Act 2003.

### 5.2 Details of the application being sought under the Premises Licence-APP 1

Please note that the application has been altered by the applicant and the hours now being requested are reflected below:

#### Provision of Regulated Entertainment: Live Music

Friday to Saturday 2100 to 0000

#### Late Night Refreshment

Monday to Saturday 2300 to 0200

Sunday 2300 to 0000

#### Supply of Alcohol

Monday to Saturday 1000 to 0130

Sunday 1000 to 2330

For consumption **ON** the premises

#### Opening Hours

Monday to Saturday 0700 to 0200

Sunday 0700 to 0000

#### General-all four licensing objectives

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

### 5.3 Crime and Disorder

At least 2 members of staff will be on the shop floor between 2100 to closing time.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available to an Authorised Officer or a Police officer (Subject to the Data Protection Act 1998) within 24 hours of any request.

#### **5.4 Public Safety**

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All Fire escapes/escape routes will be clearly marked and kept free from obstruction at all times.

#### **5.5 Public Nuisance**

All customers are asked to leave quietly. Clear and legible notices will be displayed to remind customers to leave quietly.

Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

#### **5.6 Child Protection**

To protect the children from harm we have the following steps taken:

1. The premises are effectively and responsibly managed.
2. Provision of a sufficient number of people employed or engaged
3. Appropriate instruction, training and supervision of those employed or engaged.
4. The Licensee and staff will ask persons who appear to be under the age of 25 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.
5. A register of refused sales shall be kept and maintained on the premises.

### **6. RELEVANT REPRESENTATIONS (CONSULTATION)**

#### **Responsible authorities:**

#### **6.1 Comments of Metropolitan Police**

Have made no representation to this application

#### **6.2 Comments of Regulatory Services:**

#### **Environmental Health**

Made representation regarding this application, but have now withdrawn their representation as they are satisfied with the control measures proposed to be implemented in relation to the prevention of public nuisance. **Appendix 2**



**Trading Standards**

Have made no representation to this application

**6.3 London Fire and Civil Defence Authority**

Have made no representation to this application

**6.4 Planning Services**

Have made no representation to this application

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

No representation made on this matter

**7.0 Interested Parties – Appendix 3**

1 letter of representation has been received against this application.

**8.0 Financial Comments**

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

**APPENDIX 1 – APPLICATION**

**Application for a premises licence to be granted  
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/We Mr. Ibrahim Eyup Cengizhan Farimaz

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Shamata 445 Green Lanes			
Post town	London	Post code	N4 1HA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£13750

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

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

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

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<b>Mr</b> <input checked="" type="checkbox"/>	<b>Mrs</b> <input type="checkbox"/>	<b>Miss</b> <input type="checkbox"/>	<b>Ms</b> <input type="checkbox"/>	<b>Other Title</b> (for example, Rev)	
<b>Surname</b> Ferimaz			<b>First names</b> ibrahim		
<b>I am 18 years old or over</b>				<input checked="" type="checkbox"/>	<b>Please tick yes</b>
<b>Current postal address if different from premises address</b>		44-46 Leinster House Leinster Gardens			
<b>Post Town</b>	Baywater		<b>Postcode</b>	W2 3AT	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<b>Mr</b> <input type="checkbox"/>	<b>Mrs</b> <input type="checkbox"/>	<b>Miss</b> <input type="checkbox"/>	<b>Ms</b> <input type="checkbox"/>	<b>Other Title</b> (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>I am 18 years old or over</b>				<input type="checkbox"/>	<b>Please tick yes</b>

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
1	7	10 2012

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

Day	Month	Year

Please give a general description of the premises (please read guidance note1)  
Please refer to the enclosed plan.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

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

**Provision of entertainment facilities:**

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

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

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

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

**A**

Plays Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					

## B

Films Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day				Start	Finish
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			<b><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></b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed					
Thur					
			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

## E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri	21:00	00:00	<u>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</u> (please read guidance note 5)		
Sat	21:00	00:00			
Sun					

## F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>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			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**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 type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Sat					
Sun			<b><u>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</u></b> (please read guidance note 5)		

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>	
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Wed			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)	
Thur			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)	
Fri			<b><u>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</u></b> (please read guidance note 5)	
Sat				
Sun				

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



**K**

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	23:00	02:00			
Tue	23:00	02:00			
Wed	23:00	02:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	23:00	02:00			
Fri	23:00	02:00	<b>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</b> (please read guidance note 5)		
Sat	23:00	02:00			
Sun	23:00	00:00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	10:00	01:30			
Tue	10:00	01:30			
Wed	10:00	01:30			
Thur	10:00	01:30			
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	10:00	23:30			
			<b>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</b> (please read guidance note 5)		

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

<b>Name</b> Ibrahim Eyup Cengizhan Farimaz	
<b>Address</b> 44-46 Leinster House Leinster Bayswater	
<b>Postcode</b>	W2 3AT
<b>Personal Licence number (if known)</b> Not Known Yet	
<b>Issuing licensing authority (if known)</b> westminster City Council	

**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)**

N/A

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4) N/A
Day	Start	Finish	<b><u>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</u></b> (please read guidance note 5) N/A
Mon	07:00	02:00	
Tue	07:00	02:00	
Wed	07:00	02:00	
Thur	07:00	02:00	
Fri	07:00	02:00	
Sat	07:00	02:00	
Sun	07:00	00:00	

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

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

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

**b) The prevention of crime and disorder**

At least 2 members of staff will be on the shop floor between 21.00 to closing time.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable a frontal head and shoulders image of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

**c) Public safety**

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

**d) The prevention of public nuisance**

All customers are asked to leave quietly.  
Clear and legible notices will be displayed to remind customers to leave quietly.

Ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

**e) The protection of children from harm**

To protect the children from harm we have following steps taken

- 1- the premises are effectively and responsibly managed;
- 2- provision of a sufficient number of people employed or engaged
- 3- appropriate instruction, training and supervision of those employed or engaged

4- The licensee and staff will ask persons who appear to be under the age of 25 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.

5- A register of refused sales shall be kept and maintained on the premises

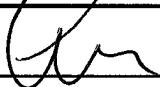
Please tick yes

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

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

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

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

Signature	
Date	20 September 2012
Capacity	Authorised Agent

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b>			
Licensing Department NARTS 55 Stoke Newington High Street			
<b>Post town</b>	London	<b>Post code</b>	N16 8EL
<b>Telephone number (if any)</b>	020 7241 3636		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
yuksel.uyran@narts.org.uk			

### Notes for Guidance

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

**Consent of individual to being specified as premises supervisor**

I MR IBRAHIM EYUP CENGIZHAN FARIMAZ  
[full name of prospective premises supervisor]

of 44-46 LEINSTER HOUSE  
LEINSTER GARDENS  
BAYWATER  
W2 3AT

-----  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW LICENSE  
[type of application]

by

MR IBRAHIM EYUP CENGIZHAN FARIMAZ  
[name of applicant]

relating to a premises licence NOT KNOWN YET  
[number of existing licence, if any]

for

445 GREEN LANES  
LONDON  
N4 1HA

-----  
[name and address of premises to which the application relates]



and any premises licence to be granted or varied in respect of this application made by

MR IBRAHIM EYUP CENGIZHAN FARIMAZ  
[name of applicant]

concerning the supply of alcohol at

445 GREEN Lanes  
LONDON  
N4 1HA

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

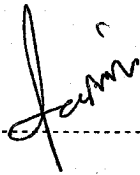
Personal licence number

NOT KNOWN YET  
[insert personal licence number, if any]

Personal licence issuing authority

NOT KNOWN YET  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

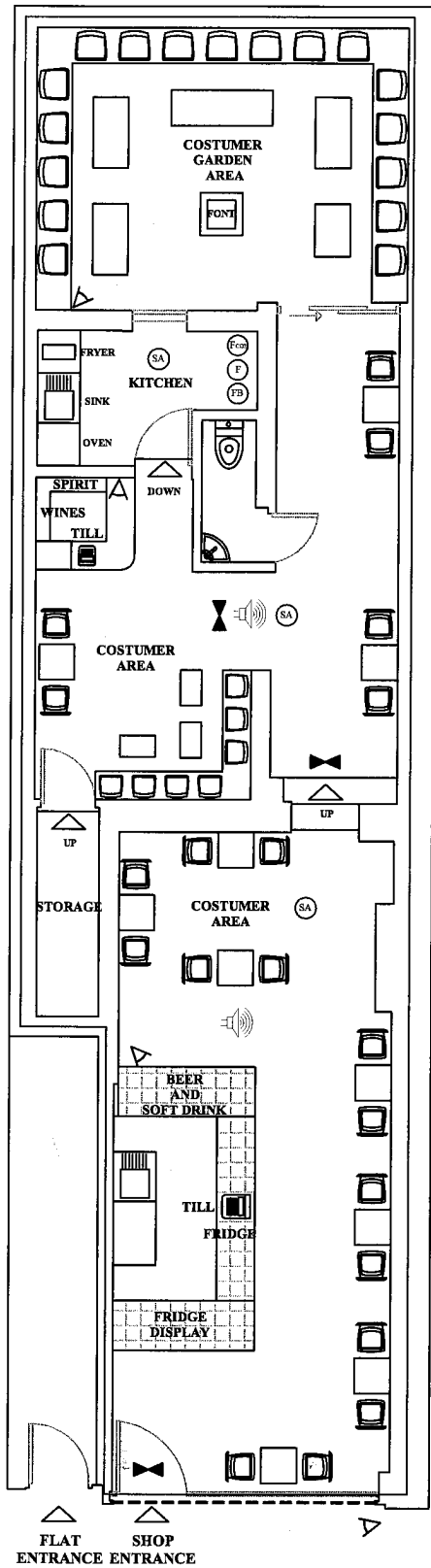


Name (please print)

IBRAHIM E.C. FARIMAZ

Date

18/09/2022



PROPOSED GROUND FLOOR PLAN

LEGEND	
	FIRE ALARM BELL
	FRIDGE
	AMBIT OF LICENSED PREMISES
	SAFETY LIGHTS
	SMOKE DETECTOR
	CCTV
	CARBON DIOXIDE FIRE EXTINGUISHER
	9 LT. WATER FIRE EXTINGUISHER
	FIRE BLANKETS

AMENDMENTS	
A	
B	
C	
D	
E	

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**SHAMATA**  
 445 GREEN LANES  
 LONDON  
 N4 1HA

PROPOSED  
 - GROUND FLOOR PLAN

SCALE 1/100 @A4

Date : 28 AUGUST 12

Ref.No : HKGL-1

ACT 2003  
 55 STOKE NEWINGTON HIGH STREET  
 N16 8EL  
 TEL: 020 72413636 FAX: 08716615283  
 www.act2003.com

**APPENDIX 2 – ENVIROMENTAL HEALTH- ENFORCEMENT RESPONSE  
REPRESENTATION**

**Anderson Chanel**

---

**From:** Nicolaou George (Enforcement)  
**Sent:** 29 October 2012 11:33  
**To:** Anderson Chanel; Licensing  
**Cc:** Enforcement Response; Pearce Derek  
**Subject:** WK/000231933  
**M3PPRef:** WK/000231933  
**M3PPUnique:** 00000004319E77AA8F6D211B04E00805FA682C2070091B275CEE796D011AFE900805FA682C200000096322C0000810D9B31C4A36243A85A2CF2809983E900088

**Licensing Consultation**

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: GEORGE NICOLAOU

cc: Team Leader Enforcement Response, Derek Pearce

Our Reference: WK/000231933

Date: 29th October 2012

Premises: Shamata, Shop, 445 Green Lanes, Hornsey, London, N4 1HA

Type of application: New

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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 Application

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

- airborne entertainment noise
- Structure borne noise or vibrations from entertainment
- Noise generated by patrons in external areas of the premises
- Noise generated from patrons queuing to enter
- Noise from patrons exiting the premises
- Noise generated from deliveries
- Noise generated from refuse collections
- Noise from plant and machinery
- Light nuisance
- Cooking odour
- Litter nuisance

The noise caused by patrons exiting the premises and locating suitable transport home is likely to be detrimental to the residential amenity. This may be exacerbated by the level of public transport available at the proposed closing hours.

**Prevention of nuisance from noise / vibration**

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas.

Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.

**Structure borne noise**

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

**Sound limits**

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

All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager

29/10/2012

The level of amplified regulated entertainment shall be controlled by means of limiting device set at a level which upon request may be agreed with the licensing authority

#### Outside Areas

No music will be played in, or for the benefit of patrons in external areas of the premises

No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises

Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbouring neighbours

#### Deliveries and collections.

Deliveries and collections associated with the premises will be arranged between the hours 07:00 AND 20:00 so as to minimise the disturbance caused to the neighbours

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

#### Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

#### Dealing with complaints

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers

Regular *state frequency* liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities

#### Patrons entering/exiting premises.

There will be no queuing outside the premises.

Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manner

Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner

#### Prevention of nuisance from litter

Adequate receptacles for use by patrons will be provided. The positioning of the receptacles will be agreed with the licensing officer

#### Prevention of Nuisance from Odour

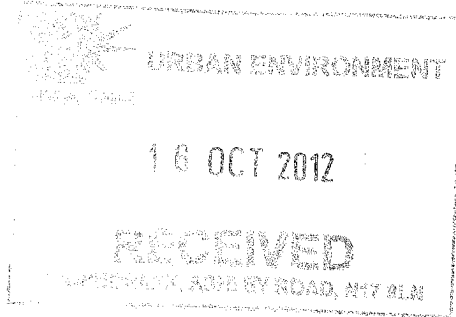
All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.

#### Prevention of nuisance from light

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

Security lights will be positioned to minimise light intrusion to nearby residential premises

**APPENDIX 3 – LETTER OF REPRESENTATION FROM ‘OTHER PARTIES’**



Flat C  
445 Green Lanes  
Haringey  
London  
N4 1HA  
15/10/12  
07501393498

**RE: Application for License and Late Night Music License at 445 Green Lanes**

Dear Licensing Team

I am a tenant at 445 Green Lanes, Haringey. The building has 7 individual studio flats with what I believed to be a shop underneath. I have been resident at this address for more than 2 ½ Years and during this time it has only been a shop premises or closed.

I was quite taken aback to see an application for a license as this building is not designed for any form of music. I have been in the shop while it was being renovated as there was a leak for the upstairs flats which the builders were trying to trace. The ceiling of the premises has just sheets of plaster board and then there is the wooden floor of the above flats there is no Sound insulation or Sound dampening used anywhere in this building. During renovations the builders could be clearly heard speaking and the noise from the building work was almost unbearable. We previously had problems when the building next door 443 Green Lanes was being used as a restaurant and they had music as the sound just carried through the floors.

As I do not know Licensing Laws I'm not really sure what I can tell you about this proposal but this building is not right for this application, There is only one entrance with no other exit so no emergency exit and with a large step at this entrance it cannot deal with wheelchair access. I do not object to anybody running a business from the premises below but it should have been done correctly, as tenants we have enough to deal with the traffic noise of Green Lanes itself.

I would ask that this application is closely looked at and that someone from your team inspect these premises before any license is granted. I further ask that the late night music license is declined. Please contact me if you require more information

Yours sincerely

Andrew Clancy

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