Haringey Council

Licensing Sub Committee B

MONDAY, 26TH JANUARY, 2015 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Beacham, Mallett (Chair) and Sahota

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 6 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. SUMMARY OF PROCEDURE (PAGES 1 - 2)

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

5. 483 GREEN LANES, LONDON N4 1AJ (PAGES 3 - 58)

To consider an application for a premises licence variation.

6. ITEMS OF URGENT BUSINESS

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

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
Level 5
River Park House
225 High Road
Wood Green
London N22 8HQ

Maria Fletcher
Principal Committee Coordinator
Level 5
River Park House
225 High Road
Wood Green
London N22 8HQ

Tel: 020 8489 1512
Email: maria.fletcher@haringey.gov.uk

Friday, 16 January 2015

LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY

INTRODUCTION

1. The Chair introduces himself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
2. The Chair invites Members to disclose
   i) any prior contacts (before the hearing) with the parties or representations received by them; and separately
   ii) any declarations of interest.
3. The Chair explains the procedure to be followed by reference to this summary which will be distributed in advance.

NON-ATTENDANCE BY PARTY OR PARTIES

4. If one or both of the parties fails to attend, the Chair decides whether to:
   (i) grant an adjournment to another date, or
   (ii) proceed in the absence of the non-attending party.

   Normally, an absent party will be given one further opportunity to attend.

TOPIC HEADINGS

5. The Chair suggests the "topic headings" for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:

   Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.

   (i) the prevention of crime and disorder,

   (ii) public safety,

   (iii) the prevention of public nuisance, and

   (iv) the protection of children from harm.

~~6.~~ The Chair invites comments from the parties on any other topic headings to be discussed.

WITNESSES

7. The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8. Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to "cross-examine" the witness. The Chair then decides any such request.

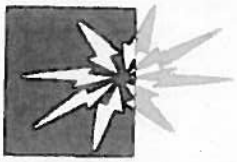
DOCUMENTARY EVIDENCE

9. The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10. If so, the Chair will ask the other party if they object to the admission of the late documents.
11. If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not generally be admitted.

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

Agenda Item 5

LICENSING ACT 2003
Sec 24



Haringey Council
Agenda Item
Page No. 1

Licensing Act 2003 Sub-Committee on 26th January 2015

Report title: Application for a Premises Licence Variation at 483 GREENS LANES N4 1AJ

Report of: The Licensing Team Leader

Ward(s) affected Harringay

1. Purpose

To consider an application for a new premises licence by Huseyin Seftali to allow Regulated Entertainment: Recorded Music, Late Night Refreshment and Supply of Alcohol for consumption on the premises.

2. Recommendations

2.1 (a) Grant the application as applied for,
(b) Modify the conditions of the application, 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: Dalian Barrett

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Interim Regulatory Services Group Manager

Contact Officer: John Smith Interim Licensing Team Leader
Telephone: 020 8489 2375

3. Regulatory Committee summary

For consideration by Licensing Sub Committee under Licensing Act 2003 for a New Premises licence.

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: 483 Green Lanes
The Background Papers are located at Level 6, Alexandra House, 10 Station Road Wood Green N22 7TR

LICENSING ACT 2003
Sec 24

5. REPORT

Background

5.1 An application for a new premises licence, by Huseyin Seftali in respect of 483 Green Lanes, London N4 1AJ. **Appendix 1**

5.2 **Details of the application being sought under the Premises Licence Application**

Provision of Recorded Music
Monday to Sunday **1100 to 0000**

Late Night Refreshment
Monday to Sunday **2300 to 0000**

Supply of Alcohol (consumption on the premises)
Monday to Sunday **1100 to 0000**

The premises to be open to the public
Monday to Sunday **0900 to 0030**

General-all four licensing objectives

5.3 **Crime and Disorder**
CCTV will be installed, a refusals book will be used, alcohol will not be sold to anyone underage or who is intoxicated.

5.4 **Public Safety**
Smoke alarms are fitted, serviced fire extinguishers are installed, electrical appliances are new and have been certified.

5.5 **Public Nuisance**
Signs asking customers to leave quietly and show respect for residents, volume of music reduced.

5.6 **Child Protection**
Alcohol will not be served to anyone under 18 years of age, challenge 21 will be used and ID required.

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 **Comments of Metropolitan Police**

Have made a representation to this application, the applicant has agreed to the conditions requested. **Appendix 2**

6.2 **Comments of Regulatory Services:**

Have made a representation to this application, the applicant has agreed to the conditions requested **Appendix 3**

Licensing Authority

Has not made a representation to this application.

Trading Standards

Have made a representation to this application, the applicant has agreed to the conditions requested. **Appendix 4**

6.3 London Fire and Civil Defence Authority

Have not made a representation to this application

6.4 Planning Services

Have not made a representation to this application

6.5 Comments of Child Protection Agency or Nominee

Have not made a representation to this application

7.0 Interested Parties

Five letters of representation has been received against this application **Appendix 5.** The applicant has responded to the representations, **Appendix 6**

8.0 Financial Comments

The fee applicable for this application was **£190.00.**

AG/080356
£190.00

HARINGEY COUNCIL
LICENSING
RECEIVED
24 NOV 2014

Haringey Council

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 Huseyin SEFTALI
(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			
483 Green Lanes Haringey			
Post town	N4 1AJ (London).	Postcode	N4 1AJ

Telephone number at premises (if any)	None installed currently.
Non-domestic rateable value of premises	£14000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

		Please tick as appropriate	
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 in Wales	☐	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	☐	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)

Mr ☑	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname SEFTALI				**First names** HUSEYIN.	
I am 18 years old or over				☑ Please tick yes	
Current postal address if different from premises address	485-487 Green lanes Haringey				
Post town	London			Postcode	N4 1AJ.
Daytime contact telephone number	0208340 2288				
E-mail address (optional)	nkemal@aol.com.				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	
I am 18 years old or over				☐ Please tick yes	
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? DD MM YYYY 01 12 2014

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

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

The premises is a 100SM building with garden. A bar area. The building has been completed refurbished with male/female disabled Toilet area. Seating area for 20-25 people. Serving snack food. Flexible change of use agreed. Hot food snacks.

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 any that apply
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 late night refreshment (if ticking yes, fill in box I) ☑

Supply of alcohol (if ticking yes, fill in box J) ☑

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			**Will the playing of recorded music take place indoors or outdoors or both – please tick** (please read guidance note 2)		
Day	Start	Finish		Indoors	☐
				Outdoors	☐
				Both	☐
Mon	11am	12am	**Please give further details here** (please read guidance note 3)		
Tue	11am	12am			
Wed	11am	12am	**State any seasonal variations for the playing of recorded music** (please read guidance note 4)		
Thur	11am	12am			
Fri	11am	12am	**Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sat	11am	12am			
Sun	11am	12am			

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	☐
Day	Start	Finish		Outdoors	☐
				Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the performance of dance** (please read guidance note 4)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sat					
Sun					

H

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

I

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)		
Day	Start	Finish		Indoors	☑
				Outdoors	☐
				Both	☐
Mon	11am	12am.	**Please give further details here** (please read guidance note 3)		
Tue	11am	12am			
Wed	11am	12 Midnight	**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
Thur	11am	12 Midnight			
Fri	11am	12 Midnight	**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** (please read guidance note 5)		
Sat	11am	12 Midnight			
Sun	11am	12 Midnight			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			**Will the supply of alcohol be for consumption – please tick** (please read guidance note 7)		
Day	Start	Finish		On the premises	☑
				Off the premises	☐
				Both	☐
Mon	11am	12 Midnight	**State any seasonal variations for the supply of alcohol** (please read guidance note 4)		
Tue	11am	12 Midnight			
Wed	11am	12 Midnight			
Thur	11am	12 Midnight	**Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Fri	11am	12 Midnight			
Sat	11am	12 Midnight			
Sun	11am	12 Midnight			

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

Name	Erdal SEFTALI
Address	61 Kendal Avenue Edmonton, London
Postcode	N18 1NE
Personal licence number (if known)	LN/201300870
Issuing licensing authority (if known)	ENFIELD

K

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).

None allowed or Accepted on Premises.

L

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	9am	12-30
Tue	9am	12-30
Wed	9am	12-30
Thur	9am	12-30
Fri	9am	12-30
Sat	9am	12-30
Sun	9AM	12-30

State any seasonal variations (please read guidance note 4)

None.

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

None.

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

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

b) The prevention of crime and disorder

CCTV.
Licensed Premises holder.
Refusal Book.
Awareness of law + Not Serving alcohol to underage drinkers - and people intoxicated.

c) Public safety

Smoke Alarms
Fire Extinguishers - all Serviced.
Electrical appliances new and Certificated

d) The prevention of public nuisance

Signs to ask customers to leave quietly
General Respect for Residents and members of Public - Reducing Noise of Music.

e) The protection of children from harm

NO Serving of alcohol to children under 18yrs
Challenge 21 and 25
Showing relevant ID.

Checklist:

Please tick to indicate agreement

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	24. 11. 2014.
Capacity	Owner.

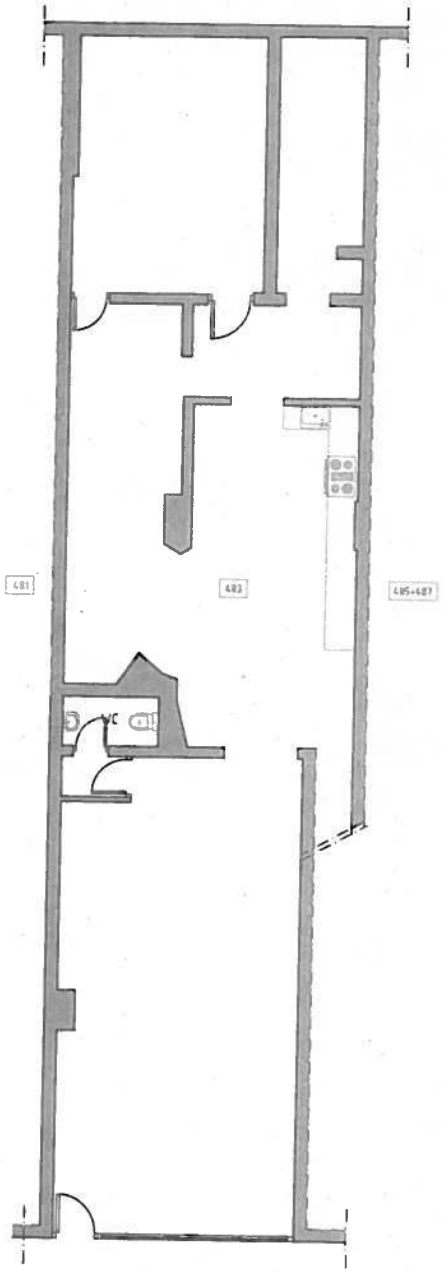
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

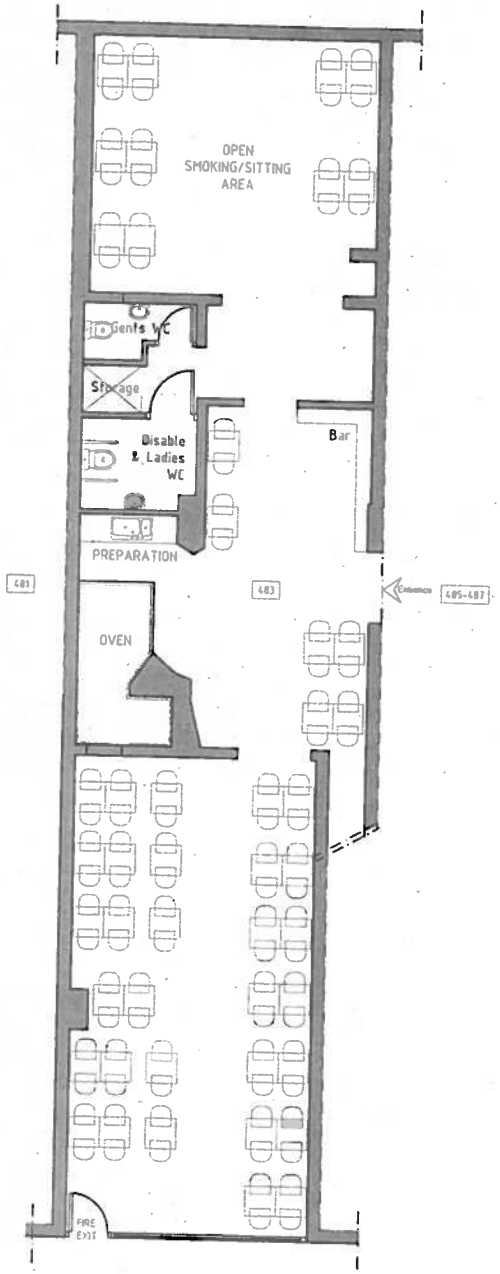
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) R.M.V.F.
MS N. Kemal. 471 Green lanes

Post town	London	Postcode	N4 1AJ.
Telephone number (if any)	07932790247		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
nkemal@aol.com.



EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

483 Green Lanes
London N4 1AJ

Existing and Proposed Ground Floor Plan

REF. NO :KNT-08072014-N41AJ

POLICE REPRESENTATION

Name and address of premises: 483 Green Lanes, Hornsey, London N4 1AJ

Type of Application: New Premises Licence.

I wish to make representation on the following:

- Prevention of crime and disorder

If this application were granted in full or part, I would recommend the following alterations be made to the licence conditions. I also suggest that additional conditions be attached to the licence, as set out below, to further promote the licensing objectives.

	Current Conditions		Recommendation
1	CCTV System will be installed.		A digital CCTV system to be installed in the premises. Cameras must be sited to observe the entrance doors from both inside and outside. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification. Cameras must be sited to cover all areas to which the public have access including any outside smoking areas. Provide a linked record of the date, time of any image. Provide good quality images - colour during opening times. Have a monitor to review images and recorded quality.

			(g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

This is under the Protection of Children from Harm Objective.

Challenge 25 Policy Implemented:

I recommend that the following form of verification of a person's proof of age is:

A valid passport.
A photo driving licence
A proof of age standard card system
A citizen card, supported by the Home Office.

If these conditions were accepted in full I would withdraw my representation.

Officer: Charlie Harrison
Licensing Haringey Police
Tel: 020 3276 0150

Date: 26th November 2014

Anderson Chanel

From:	Nicolaou George (Enforcement) on behalf of Enforcement Response
Sent:	25 November 2014 10:03
To:	Anderson Chanel; Haringey Building Control; Morris Marion; Ekemezuma Felicia; Williamson Emma; Ogosi Grace; 'YR-Licensing@met.police.uk'; Millward Deborah; 'firesafetyregulationNW@london-fire.gov.uk'; De Gruchy Jeanelle; Enforcement Response; Planning Enforcement; Pearce Derek; 'Charlie.Harrison@met.pnn.police.uk'; Whitehouse Rebecca
Cc:	Barrett Daliah; Smith John (Env); Shah Noshaba
Subject:	RE: Application for a New Premises Licence- 483 Green Lanes, Hornsey, London N4 1AJ (WK/304260)

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/000304260

Date: 25th November 2014

Premises: Shop, 483 Green Lanes, Hornsey, London, N4 1AJ

Type of application: New

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

This representation recommends that the following alterations/conditions to the operating schedule:

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

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 within the premises.

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

Date: 25th November 2014

Ref: (WK/304260)

To: See Below

TRADING STANDARDS REPRESENTATION FOR A NEW PREMISES LICENCE – 483 Green Lanes, Hornsey, London N4 1AJ

Trading Standards as Responsible Authority wish to make representation on the following matters in relation to this application.:

Please note that from 1 October 2010, an Age verification Policy is a mandatory condition attached to all premises licences- You MUST have a written policy.

The premises will operate a "Challenge 25" proof of age policy which will require any person who appears to be under the age of 25 to produce identification to prove they are 18 or over.

Only a passport, photo-card driving licence, Armed Forces ID cards or a proof of age card bearing the official "PASS" accreditation hologram should to be accepted as proof of age.

A notice(s) shall be displayed in and at the entrance to the premises where they can be clearly seen, indicating that there is a "Challenge 25" policy in place at the premises.

The premises is to maintain a refusals book to record the details of incidents where a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The Premises Licence holder / Designated Premises Supervisor or nominated representative shall regularly monitor the book and make a record of these checks. The book must be made available to a Police Constable / Authorised Officers of the Licensing Authority on request.

Any person who is authorised to sell alcohol at the premises will be provided with training on first appointment and on a regular basis thereafter. Training will include information on how to prevent underage sales and any other relevant matters. A written record will be kept of all training provided and this record will be kept on the premises for inspection by any Responsible Authority.

The garden area to cease being used by patron no later than 10pm each day- this is to prevent noise nuisance to nearby residential premises.

On behalf of Trading Standards- Responsible Authority

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Smith John (Env)

From: Ivan George [ivangeorge@hotmail.com]
Sent: 14 December 2014 23:26
To: Licensing
Subject: RE: License application: 483 Green Lanes, Haringey, London, N4 1AJ

485B GREEN LANE

HARINGEY
LONDON
N4 1AJ

14th December
2104

Licensing Team
Level 6 Alexandra House
10 Station Road
Wood Green
N22 7TR

RE: License application: 483 Green Lanes, Haringey, London, N4 1AJ

As a local resident I have some concerns about the new Devran Cafe Bar located at 483 Green Lanes has constructed an outside smoking area to the rear of the property, where my bedroom is situated, along with numerous other residents.
The obvious concern is the level of noise and smoke that will be made once this area is open.
Devran have applied for a Premises License and intend to sell alcohol and play music.
They have added a Flue Extractor to the side of the flat roof of the bar which is very close to my bedroom and kitchen windows. I was given to understand that this sort of Flue should be placed at a much higher level so that smoke fumes and the noise that it generates has much less effect to those who live in the close a vicinity.

483 is additional to the restaurant next door, 485 which is a restaurant, that has quite a big problem with the amount of waste that they produce and the minimal amount of storage available
for waste. They only have 2 paladins that are constantly overflowing and are never covered.
This creates such a putrid smell that I quite often refrain from opening my windows.
As the Freeholders of 485 have not consented to the 2 properties being linked, I cannot see how they will cope with the extra refuse that will be created.

As a resident who will undoubtedly be affected, should I not have been consulted about this application instead of seeing it taped to the front of the proposed site?

I have reviewed the online planning portal and can see the outside smoking area on the plans, but there is no notification of an Extractor Flue being built!

There is no planning application for the Extractor Flue or the outside smoking area.
I would have assumed that at this stage an application should have been made, in fact why have they been allowed to build a structure without getting planning permission in the first instance?

In accordance with the SPG6c notes please see the following points

2. NEED TO AVOID DISTURBANCE TO NEARBY PROPERTIES.

2.1.
It is important that the design of the flue extraction/ventilation equipment takes into account the need to ensure that no nuisance or disturbance is caused by odour, fumes, food droplets or noise to nearby properties.

2.3.
The Council is able to use town planning powers to prevent potential nuisance being caused to neighbouring properties. Unlike Environmental Health legislation which can only seek "best practicable" means to deal with a statutory nuisance (i.e. can only act after the event to try to obtain
The best outcome possible), under planning powers the council can stop the potential nuisance in the first place by refusing planning permission unless it is satisfied that no disturbance is likely to be caused.

2.4.
In most cases, the flue/duct should vent at a height of at least 1 metre beyond eaves level. There may be occasions however (such as if the building is only single storey high) where it may not be possible to vent the premises without causing a nuisance to neighbours. Thus, if it is likely that resultant nuisance cannot be prevented, such locations will be considered unsuitable for A3 usage
And planning permission will be refused.

2.5
In order to ensure there is no nuisance caused, systems will need to be fitted with some or all of the following:

1. Silencers
2. Filters
3. Anti-vibration mounts
4. Flexible couplings
5. Ducts lagging

3. Checking with the council before outlay – at the design stage

3.1
Businesses can save themselves unnecessary expense by checking whether their proposed extract systems is likely to be acceptable before incurring any expense.

3.2
Anyone intending to apply for planning permission for a change of use to A3, if they are at all unsure of a system's effectiveness, should check their proposed system with the council's Environmental Health Department before buying a lease or freehold on a property.

3.3
In order to ensure that Environmental Health officers can assist, a site plan before the purchase and System layout drawing should be provided and discussed with them before purchase/installation.

3.4
At the same time, the planning position should be checked just in case there are any obvious policy Objections (for example that the amount of A1 units in a particular frontage already is below the satisfactory threshold minimum).

3.5
It must be stressed that some locations simply will not be suitable for A1 usage because there is no satisfactory way to deal with the odours and fume nuisance that is likely to arise, due to physical constraints of the site. If in such circumstances an individual chooses to open up their business regardless, they are likely to incur costly unnecessary expenses as a result of enforcement action, including paying for the removal of any unauthorised ducting and putting the property back into the state it was in beforehand.

3.6
Furthermore, additional care with the design of ventilation systems is needed if historic buildings/areas are involved... For example, in conservation areas, or where a setting of a listed building is affected, additional care is needed to ensure that the appearance of the flue does not adversely affect the character and appearance of the historic environment. In such cases, the advice of the council's conservation officer should also be sought early on before signing any lease and before buying any unsuitable ventilation equipment. Some historic premises might be suitable ventilation equipment. Some historic premises might not be suitable for A3 usage even if Environmental Health concerns can be addressed, without extremely expensive solutions

I cannot see how the above guideline have been adhered to and fully expect the council will take the appropriate and immediate action.

Green Lanes is heavily populated and noisy, but when you turn off the main road it is considerably quieter. This is because it is mainly residential, but I can see that this has not been taken into consideration.
I do not want to be in a situation where I am unable to enjoy the peace and quiet of my own home, and or be unable to open my windows due to the noise from customers who will be seated in the outside smoking area, and will be listening to the music and drinking into the early hours of the morning.

I would like to know when the planning application for the rear outside smoking area and Flue Extractor will be made, and why it has not been questioned by any other faction involved in this matter.

I would also be grateful for an acknowledgement of this letter.

Yours sincerely,

Ivan George

485B Green Lanes
Haringey
London
N4 1AJ

9th December 2014

Licensing Team
Level 6 Alexandra House
10 Station Road
Wood Green
N22 7TR

RE: License application: 483 Green Lanes, Haringey, London, N4 1AJ

Provision of regulated Entertainment: Recorded Music: Monday to Sunday 11am to 12 midnight
Late Night Refreshment: Monday to Sunday 11pm to 12 midnight
Supply of alcohol: Monday to Sunday 11am to 12 midnight, for consumption on the premises
Hours Open to the Public: Monday to Sunday 9am to 12.30am. Premises Type: Restaurant

Dear Sir / Madam.

As a resident, living in a neighbouring property, I am writing to express my concerns about the license application (above) submitted by the new restaurant at 483 Green Lanes N4 1AJ and object to aspects of it.

My objections relate directly to the licensing objective: prevention of public nuisance.

The premises concerned used to be a bakery with a small storage area to the rear. Since July there has been substantial building work to develop the property into a café/bar with a semi-covered smoking garden at the back. This external area is overlooked on all sides by residential properties, both on Green Lanes, the mews behind and Pemberton Road. My own bedrooms and kitchen overlook this area, with my windows just a few metres away from the plastic sheeting that has been erected to shelter smokers and drinkers. Creating a licensed (as the new signage indicates) outdoor smoking space, would inevitably generate a large volume of noise disturbance for all the residents who live in such close proximity to it.

I refer to Haringey Council's current statement of licensing policy and have highlighted points that directly relate to this application:

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.***

24 ***Customer noise*** *– this may take many forms but of particular concern:*

Alcohol related drunken behaviour and shouting

Customers eating, drinking, smoking in open air areas

Whilst I understand that Green Lanes itself is a busy thoroughfare, the area at the back of 483 Green Lanes is primarily residential and much, much quieter, both during the day and evening. The sale of alcohol inevitably creates an atmosphere where patrons will talk and laugh loudly. Obviously the more people drink, the drunker and the louder they become and in turn, this may lead to anti-social behaviour. This will be accentuated at a time when neighbours, like myself will be trying to go to bed and get a decent night's sleep before going to work the next day. Furthermore, creating a contained area at the rear of the café/bar for smokers (possibly with outdoor heating) will only serve to encourage this dangerous habit and generate unhealthy and unpleasant odours that will affect local residents sitting on their balconies or those with their windows open.

In addition, the owner has just erected an extractor duct that is just a few metres away from my bedroom window and those of other residents. (See picture below). Haringey Council's planning team have told me that should any extractor system be installed, this would need to be specified on a planning application and approved following the appropriate consultation with neighbouring homeowners. This has not happened. It is clear from the attached photograph that the new duct, positioned so close to windows, will impact residents in terms of fumes, odours and possibly noise. Although I asked the council to clarify with the owner how any ventilation and extraction would be dealt with, in response to their planning application Ref: HGY/2014/2799 (Flexible Change of use), it seems I now have to wait until a retrospective planning application is submitted for the duct. Therefore, I would urge the licensing committee to consider the Council's own guidance re: flues when considering the licensing objective: prevention of public nuisance. I refer to Haringey Council's supplementary planning guidance 6c Restaurants/Hot Food premises (Use Class A3: ventilation and extraction)

2 NEED TO AVOID DISTURBANCE TO NEARBY PROPERTIES

2.1 It is important that the design of the flue extraction/ventilation equipment takes into account the need to ensure that no nuisance or disturbance is caused by odour, fumes, food droplets or noise to nearby properties.

As you can see from the attached photo, fumes and odour emitted from the flue will easily drift into the residential properties.

2.4 In most cases, the flue/duct should be at the height of at least 1 metre beyond eaves level. There may be occasions however (such as if the building is only single-storey high) where it may not be possible to vent the premises without causing a nuisance to neighbours. Thus, if it is likely that resultant nuisance cannot be prevented, such locations will be considered unsuitable for A3 usage and planning permission will be refused.

As you can see the new duct is well below eaves level, attached to a lower storey.

2.5 In order to ensure there is no nuisance caused, systems will need to be fitted with some or all of the following:

(i) Silencers

(ii) Filters

(iii) Anti-vibration mounts

(iv) Flexible couplings

(v) Duct lagging

As no planning application has been submitted for the design there is no indication of any attempts made to limit the noise.

3.3. In order to ensure that Environmental health officers can assist, a site plan and system drawing should be provided and discussed with them before purchase/installation

No planning application has been submitted and any site plans submitted do not include the new flue. Also, there has been no discussion with Environmental Health.

The licensing team may recall previous issues regarding the extractor duct attached to 485 Green Lanes (next door). This was also erected without appropriate consultation and caused a great degree of distress to me in terms of noise nuisance and odours that emanated from the duct. The issue was taken up by the

local ombudsman, which found in my favour and later ended up being taken to the Magistrates Court on 19.09.06. The following is quoted directly from the verdict:

"We have also heard evidence, in particular Mr Sharman, that there was a considerable smell emanating from the flue system which seemed to accumulate in the corner of the building where one of his windows is. We are satisfied that this is a public nuisance and it is an ongoing problem."

"...we find it unacceptable for him to resort to sleeping with ear plugs during the night time and having to keep his windows closed to minimise the noise and smell."

If anything this new duct is even closer to my windows than the one that caused the issues in the past. It is also lower and positioned in the "L-shaped" corner of the building so any fumes will not escape and will inevitably collect in the corner where my windows are. I would ask that the council resolve this issue, before granting any license that would allow the establishment to operate as a restaurant.

I recognise that most of the numerous flats that surround the new café/bar are probably rented properties, however neighbours should not suffer any loss of amenity in relation to noise disturbance and the possible odours generated from patrons' smoking and from the kitchen. Indeed, it is worth noting that another resident has already voiced their own concerns on Haringey's planning portal, regarding the noise disturbance and the close proximity of families with children living so close to this new external smoking area. I would urge representatives from the licensing department and environmental health to visit the rear of the property (even at the weekend) to see how much quieter this residential area is, compared to the main thoroughfare of Green Lanes and assess the severity of the impact themselves.

Regarding point 14.2 from the licensing policy, I also have some concerns regarding the applicant's proposed way of storing waste and how it could impact local residents in relation to litter, odour and the attraction to vermin.

In planning application HGY / 2014 / 3117 it is stated that the waste contract will be added to existing contracts of the Devran restaurant at 485/7 Green Lanes. However the application does not actually indicate *where* the waste will be stored. I am concerned that there may be an intention to store the waste in the same area as the neighbouring restaurant owned by the applicant, where only two paladin bins are used to store rubbish. These are frequently left open and overflowing, often with un-bagged food waste including bread, fish and vegetables. On occasion rubbish has been placed in large piles on Pemberton Rd. Mr John Forde from the council's enforcement team is already aware of this situation. (See attached photographs). I would appeal to the council to ensure that full provision has been made to manage the inevitable large quantities of waste, in order to stop the accompanying odours and attraction to vermin that have been an ongoing issue for some time at the "sister" restaurant next door.

Regarding the application to play recorded music on the premises, I refer again to the current statement of licensing policy

11.1 Are the surrounding properties residential, what steps can be taken to reduce the risk of nuisance to local residents. Is the premises adapted for purpose, ***does it have double glazing to minimise noise break out?*** *Is there adequate means of ventilation without the need for windows and doors to be propped open?*

I do not know what work has been done, if any (such as sound-proofing), to limit any noise disturbance and would urge the licensing committee to consider this. The planning application for a new shop front includes sliding windows and I am concerned that when these are open, residents living above the café/bar would be affected by the amplified music and noise generated by crowds of people.

Clearly, if the application to play recorded music also covers the external area, this would severely impact the local residents further. Even if the application just covers the interior, I am concerned (as statement of licensing policy 11.1 points out) that windows and doors would be left open allowing the sound to escape and be heard by the surrounding neighbourhood.

Whilst I understand that licensing and planning are separate teams, I would hope the Council aims to protect and support residents by using a sensible, considered and coherent approach between departments. Therefore, I think it is appropriate to point out that I raised my concerns about the construction of the smoking area with the planning department in July 2014. I received an email from Danni Briggs on 22.07.14 stating that the council had visited the site and was assured that the area was just being cleared and the owners were aware of the necessity for an application for any external work and the change of use for the outside area. However, the owner proceeded with building work, and as a result Mr John Ayers from the planning department resorted to placing a stop notice on any more construction work in this area on 10.10.14.

Mr Ayers from the planning department has verified in writing that the owners must place separate planning applications for any external work, including the erection of the flue, the construction of the outdoor area and its change of use. So far there have only been three planning applications submitted: for the change of signage (which is actually already erected), alterations to create a new shop front and an application for a "flexible change of use" for the bakery.

Therefore, the applicant is requesting a license which includes an external area that has not yet been granted the appropriate planning permission. I am also somewhat concerned that the new signage that was erected on the 7th October clearly states the new establishment to be a café bar, before the necessary submission of applications for the change of use of the premises or a licence to sell alcohol have been approved, following appropriate consultations. I have attached a photograph of the sign (which has since been covered up, under the instruction of Mr John Ayers from the planning team).

As a member of the local community and resident of my flat for over twenty years, I recognise that Green Lanes is a vibrant, busy place and that the council needs to encourage and support local businesses. I would like to point out that over the last few years all three of the retail properties below my flat have now been turned into restaurants / bars and there are also four restaurants opposite. Consequently there has already been a substantial increase in the amount of noise generated in the immediate vicinity. To exacerbate this further and allow the creation of a licensed outdoor space in a very quiet residential area behind Green Lanes is both detrimental and unreasonable to the many residents who wish to co-exist peacefully with the businesses on the main street.

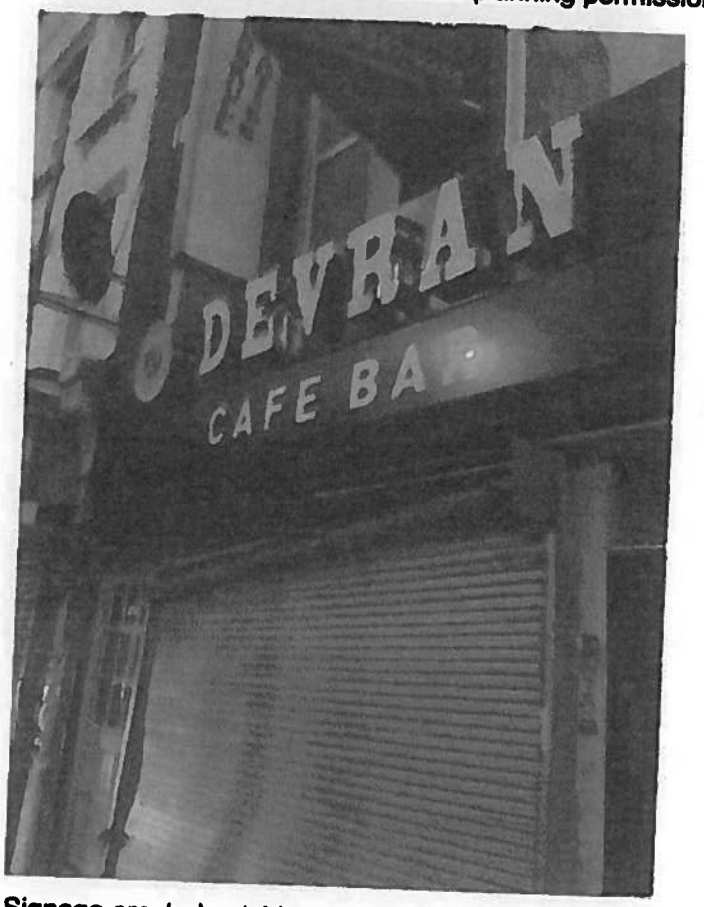
Change over time is inevitable, however, this must not be at the expense of local residents, who have a right to enjoy their property without undue interference. Creating a cohesive, safe and happy environment also means considering the needs of residents and encouraging some stability in the community. There is no doubt that the creation of a licensed café/ bar with an outdoor smoking and drinking area, along with the extractor positioned as it currently is will have a severe impact on the quality of life for the many people living in the vicinity.

I would, therefore, urge the council to take all the points listed above into account when considering the opening hours and license application to sell alcohol and play recorded music at 483 Green Lanes.

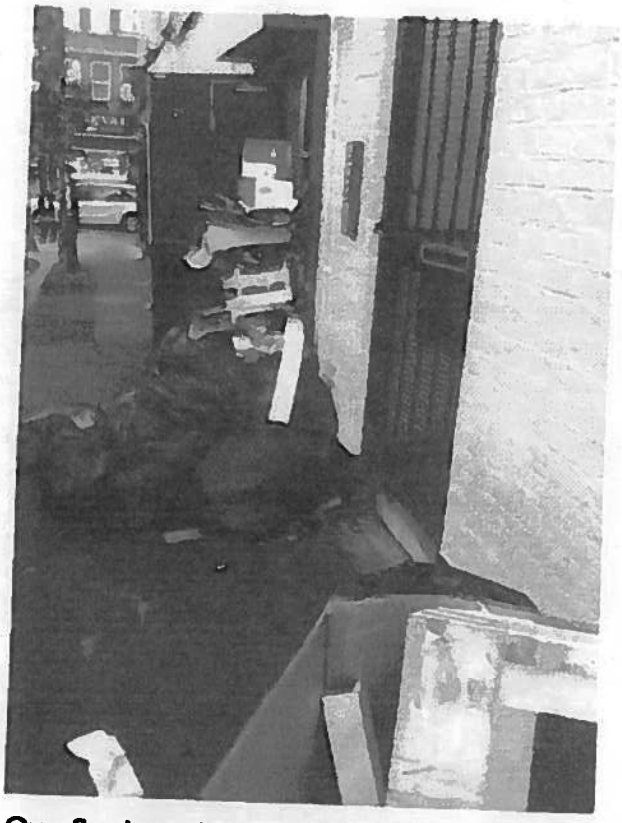
Yours sincerely

John Sharman

New extractor duct erected without planning permission. Note distance from windows. (Taken from my flat)



Signage erected outside 483 Green Lanes on 7th October 2014



Overflowing rubbish on Pemberton Rd

Un-bagged food waste including fish and vegetables

Bread in bins

Overflowing bins seen from residents' staircase

LADDER COMMUNITY SAFETY PARTNERSHIP
c/o Cherie'e, 455 Green Lanes, N4 1HE
lcsp@blueyonder.co.uk

Ms D Barrett
Lead Licensing Officer
Haringey Council
10 Station Road
Wood Green
London N22 7TR

17 December 2014

Dear Ms Barrett

Premises licence: 483 Green Lanes N4 1AJ
Applying for Mon -Sun 9am-12.30 am (opening hours)
Mon -Sun 11am-12.midnight (supply of alcohol)

1 INTRODUCTION

The Ladder Community Safety Partnership (LCSP) contains representatives of Neighbourhood Watches and Residents= Associations both from the >Ladder= roads, and in Green Lanes itself. We are an independent group, although working in partnership with Haringey Council and the Metropolitan Police where appropriate. In the context of this application, we have taken careful note of the views of residents who live close to the premises, whether in Green Lanes itself, or in the mews directly behind, and in Pemberton Road.

We are writing to you as members of the LCSP to oppose this application.

We believe that granting a licence for the activities and hours requested would be against the general principles of Haringey=s Licencing Policy and specifically under the following headings:

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

We are concerned, in particular, at the issues surrounding the prevention of public nuisance, in the light of the applicant=s request for a licensed outdoor space to the rear of the premises.

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

2 REASONS FOR OBJECTING

(1) Relevant sections of the Borough=s Licensing Policy/Objectives
We believe the following statements in the Borough=s Licensing Policy 2011 support our objections:

$ >*the Council considers that licensing law plays a key role in both preventing and controlling ... anti-social behaviour ... by regulating and applying conditions to affect the number, location and* ***hours*** *of premises*= [2.4]

$ >*this licensing policy statement is intended to support the Antisocial Behaviour Strategy by reducing the impact of drink related antisocial behaviour and the environmental crimes and nuisance that can be associated with licensed premises*= [7.13]

$ >*the council will have special regard to the local impact of licensing on related crime and disorder ... particularly when concerning location, impact, operation and management of all proposed licenses, applications, renewals and variations of conditions*= [8.6]

$ >*licensed premises,* ***especially those operating late at night and in the early hours of the morning,*** *can cause a wide range of nuisances that can impact on the people living, working or sleeping in the vicinity of the licensed premises.* ***The Council is committed to protecting the residents...*** *in the vicinity of these licensed premises.* = [14.1]

$ >*in particular,* ***late night activities*** *cause much of this nuisance.* ***Late night cafes*** *... can have a number of adverse effects on the residents in the vicinity of these premises. Nuisance such as noise, litter, anti-social behaviour, lights and odour all contribute to the loss of amenity to the general public*= [14.2]

$ >*noise nuisance is of particular concern*= [14.3]

$ >*the potential for additional crime and disorder and/or public nuisance is increased with* ***longer hours.*** = [19.1]

(b) Location
Although the premises is located in Green Lanes, it is surrounded by residential accommodation. It is towards the end of a terrace, with numerous flats above, while more flats are located opposite, both in Green Lanes itself and in the mews behind. Very close to the site are the entirely residential properties at the end of Pemberton Road. The houses at the eastern end of Pemberton Road and the properties in the mews are particularly vulnerable to noise nuisance, smoke pollution, fumes, litter and dumping

(c) The Prevention of Crime and Disorder
(d) Prevention of Public Nuisance
We have serious concerns about the potential for public nuisance and anti-social behaviour

both in the proposed rear outdoor smoking area and in the surrounding area. These anxieties are also based on the fact that the proposed opening hours are quite late. This is particularly the case from Sunday to Thursday evening, with a proposed closing time of 12.30 am, which will have a massive and negative impact on many local residents, trying to sleep and then having to get up for work or school only a few hours after the venue closes!

Other issues concerning the prevention of public nuisance also remain uncertain. What steps have been taken to prevent noise from escaping? What measures have been taken to prevent disturbances from early morning or late night deliveries, or from staff cleaning up after closing time? What steps have been taken to prevent littering and fouling of the public highway? The Borough=s Licensing Policy points out the special importance of these issues late at night and in the early hours of the morning.

Use of outside area at rear
However, the most serious issue is, of course, the use of the rear external area for smoking (and drinking/recorded music?) to which we are strongly opposed. It is hard to see how this can be squared with the legitimate needs of residents to have a decent night's sleep and a home free of cigarette smoke. It is equally hard to see what measures can realistically be taken to mitigate the inevitable noise nuisance and smoke pollution which will affect large numbers of residents whose bedrooms are very close to the area. It is simply not fair or reasonable to expect residents to cope with this serious deterioration in the quality of their daily lives. The Council's Licensing Policy states this very clearly: see sec 14.1 – 14.3 (quoted above)

3. CONCLUSION

The above comments and objections obviously make clear that residents are very concerned about allowing late hours especially for the rear of a premises which is surrounded by residential properties.

Finally, we are also concerned about the development of the site over the past six months, which has shown a highly disrespectful and cavalier attitude towards the Council's planning and enforcement officers. The details of this may be found in Mr Sharman's letter to the Licensing Team. We take the view that the applicants have already shown themselves to be unresponsive to some very basic planning regulations, which does not augur well for the responsible management of a late-night licence.

Yours sincerely

on behalf of the LCSP

Haringey

LICENSING ACT 2003 - REPRESENTATION FORM

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

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

Personal Details

Name Donald Ritchie

Address 116 Pemberton Road, London

Postcode N4 1BA

Licence application you wish to make a representation on

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

Application Number Not listed on the LB Haringey website

Name of Licensee Not listed on the LB Haringey website

Name of Premises (if applicable) Restaurant..

Premises Address (where the Licence will take effect) 483 Green Lanes ..

Postcode N4 1AJ

Reason/s for representation

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

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.
The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance As a resident of the lower part of Pemberton Road I am increasingly affected by noise and pollution from nearby businesses, and forced to sleep in the back of the house. This restaurant will come within 50 metres of my back garden. The noise from music will be a real nuisance. If the outdoor space is used as a shisha garden as I believe is planned that will greatly increase the noise I'd experience. Smoking in the restaurant's garden would also cause a new and unacceptable form of pollution affecting our bedrooms.
The Protection of Children from Harm

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

Signed: Donald Ritchie

Date: 20/12/2014

Please send completed form to:

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

Anderson Chanel

From: karen mccabe [kazcabe@googlemail.com]
Sent: 19 December 2014 22:02
To: Licensing
Subject: License application: 483 Green Lanes, Harringay, N41AJ

124A Pemberton Rd

Haringey

N4 1BA

15th December 2014

RE: License application: 483 Green Lanes, Harringay, N4 1AJ

Dear Sir / Madam,

I am writing to object to the license application from the new bar next door to Devran restaurant concerning the objective : the prevention of public nuisance. I have searched the planning portal for change of use of the outdoor area behind the bar but could not find any planning application despite seeing and hearing building work being done in the last few months.

I live directly behind Devran restaurant in 124A Pemberton Road and have been experiencing waste collection problems on a regular basis since I moved here almost two years ago. Their bins are often left overflowing right outside my door/gate - see attached photo which was taken only two weeks ago. The stench of rotting meat was overwhelming. I also have mice. When I have asked for the rubbish to be removed I have been told that it is not their fault but that of the council.They were removed soon after one of the managers saw me taking this picture. One one occasion there was a large blue broken bin left on the pavement and when I asked for it to be removed I was told to 'call the number' on the bin to have it taken away. I am concerned that the food waste from the new bar will also be stored in the already overflowing bins next to my house adding to problem.

I have attached photographs below.

There has also been an ongoing issue of many cigarette ends and packets being dropped on the pavement (despite an ashtray on the wall) by the staff who are usually sitting outside the kitchen door. I have politely pointed the mess out many times to the manager ,who now from time to time arranges for it to be swept. Until now, I have never contacted the council as I wished to avoid confrontation and co-exist without hostility with the restaurant.

As for the proposed late night shisha bar (as one of the builders told me it was to become), this would create noise at night from the music and people talking,shouting and alcohol related behaviour that would be extremely disturbing to me and residents next to me.

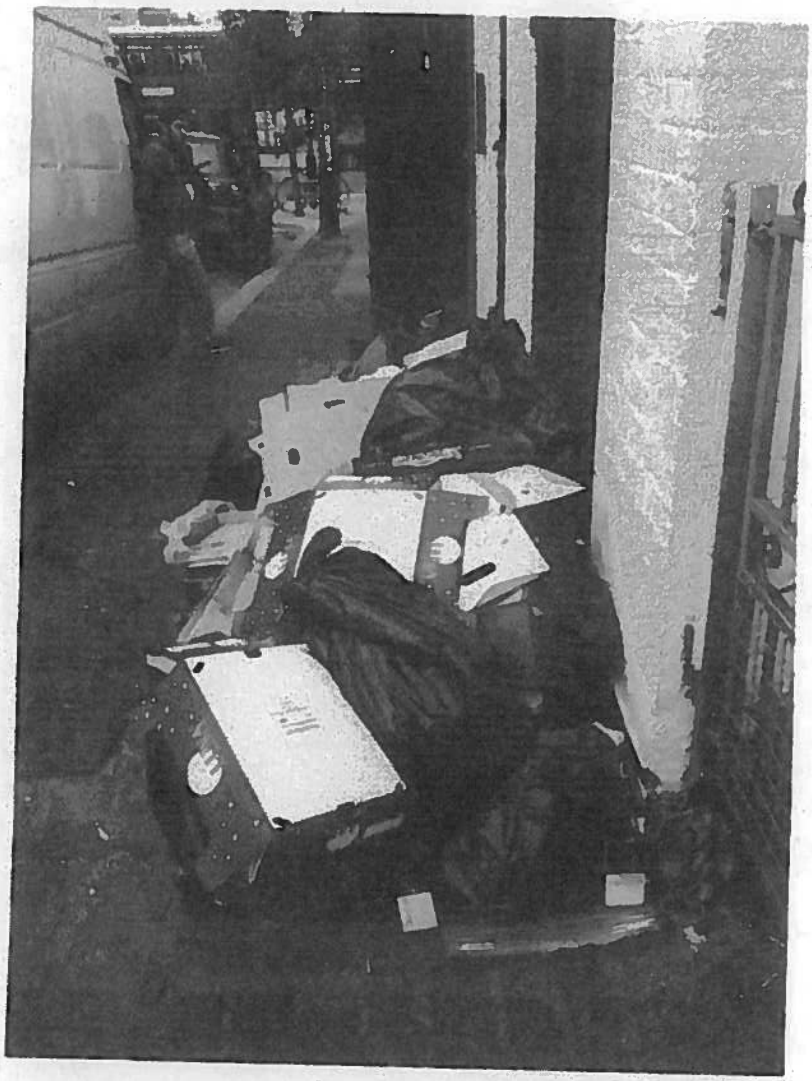
Yours sincerely,

Karen Mccabe

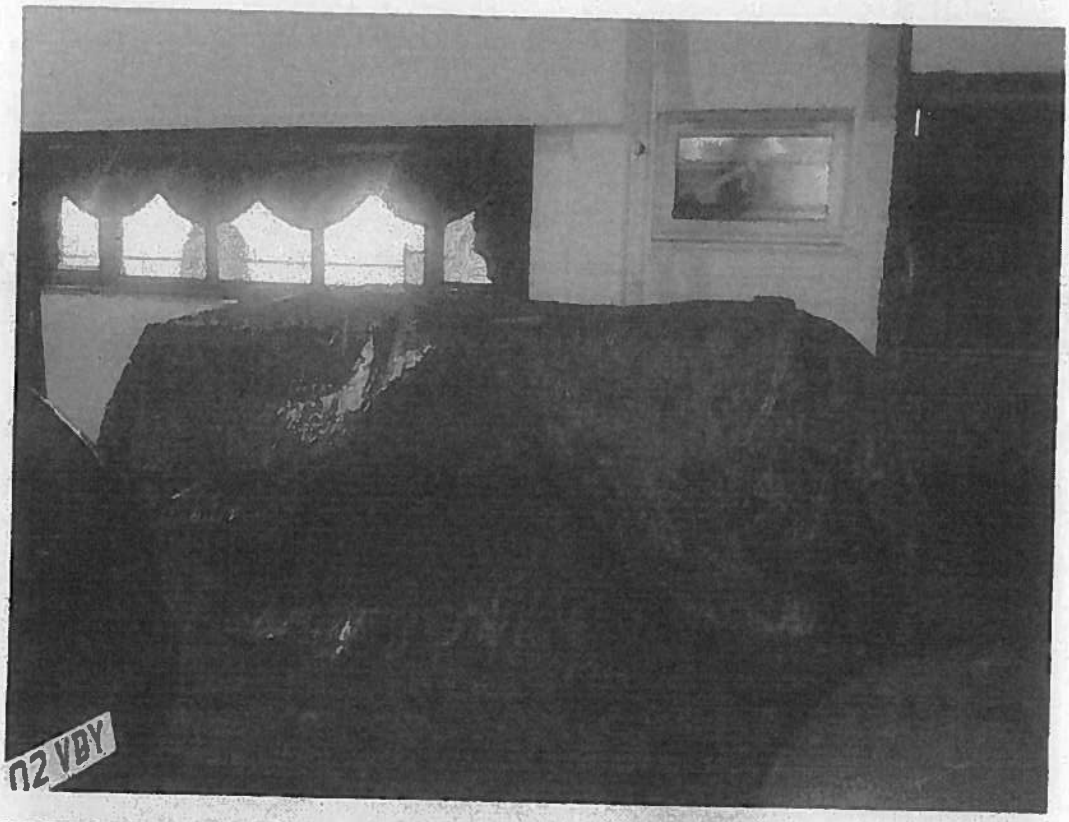
Email: Kazcabe@gmail.com
Tel: 07791537304

1. 

Devran rubbish (rotting meat) left on pavement outside my gates on 124 Pemberton Rd Dec 2014



The next pictures below show that the food and rubbish bins have been placed, first of all on the pavement and then on road, in a parking space since last sunday evening 14th December where they still remain today Dec 19th. They have been covered with the blue tarpaulin in an attempt to disguise them.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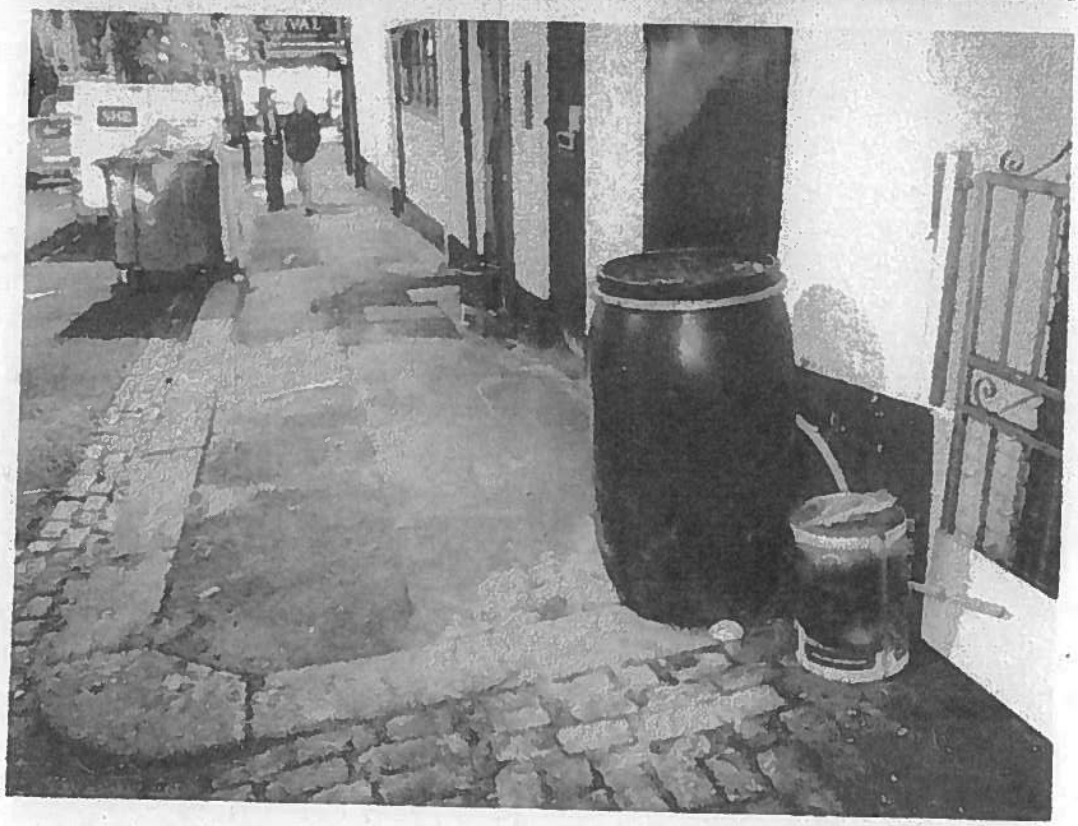

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Anderson Chanel

From: nkemal@aol.com
Sent: 22 December 2014 13:25
To: Licensing
Subject: Re: Application for Premises Licence - 483 Green Lanes, London, N4 1AJ RESPONSE

Dear Chanel,
I defiantly sent this response,but will respond again;
As previously agreed ,all doors and windows to be closed by 11pm.Since my initial response to the Enforcement Response,the doors have been fitted with a self closing device.THERE IS NO LIVE MUSIC OR MUSIC SPEAKERS in the indoor or outdoor areas.Thre will be no music in the garden area AT ANY TIME.Thre will be soft background music on a CD player.
Previously agreed ONLY SEATED CUSTOMERS at tables will be able to smoke,no standing area,in the garden,LIMITED TO 6 customers,monitored by staff.The smoking area to be closed by 10pm every evening.NO drinks to be allowed in the garden area after 10pm,as it will be closed anyway..
We accept all conditions re:Delivery /collection times,when the garden area to be cleared,daytime hours only,not at night,after closure.We accept there will be no queuing outside,which we do not envisage happening at the cafe/bar.All relevant complaint books/Health and Safety books to be available to customers and council officials at all times.The complaints to be accurately recorded and monitored by owner/manager.Display signs asking customers to respect our neighbours and to leave quietly to be clearly displayed for customers,with staff asking customers to observe the request.All illuminated external signage lights to be switched off in the evening.
Chanel,this is our response again,
Warm regards

Nevres

-----Original Message-----
From: Licensing <Licensing.Licensing@haringey.gov.uk>
To: nkemal <nkemal@aol.com>
Sent: Mon, 22 Dec 2014 12:35
Subject: RE: Application for Premises Licence - 483 Green Lanes, London, N4 1AJ RESPONSE

Afternoon Nevres,

You have responded to the representation from the Police however i do not see one to the Enforcement Response Representation.

Please see a copy attached

Kind regards

Chanel Anderson |
Licensing Administrator

Licensing Team I Place and Sustainability I
6th Floor I Alexandra Park House I 10 Station Road I Wood Green I London I N22 7TR

Tel: 020 8489 5544
chanel.anderson@haringey.gov.uk |

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facebook.com/haringeycouncil

Please consider the environment before printing this email.

From: nkemal@aol.com [mailto:nkemal@aol.com]
Sent: 22 December 2014 12:03

Shah Noshaba

From: nkemal@aol.com
Sent: 12 December 2014 11:05
To: Shah Noshaba
Subject: Re: Application for Premises Licence - 483 Green Lanes, London, N4 1AJ

Dear Ms Shah,
Thank you for the objection letter received 10th December 2014.
The response as follows:
483 is not a restaurant,it will be cooking Turkish hamburgers and light snacks.
Point 1 in the objection letter:The area at the back of 483 was originally a garden,with the last occupants changing the area into a store room area.
Point 2):An application for rear smoking area has been submitted.The area is currently NOT being used,as the premises is not open.The blue plastic cover has been placed over the structure,as requested by Mr.Ayres,enforcement officer.It is not being used to cover smokers.
The smoking area,when in use,will be restricted to 6 smokers after 10 pm.The cafe bar will stop serving alcohol at 1030 pm.It will close at 11pm.There is NO LATE night drinking or music activity in the building at anytime or any day,including the garden area.
Point 14.1 of Haringey's policy,does NOT APPLY to Diva cafe bar,as it will NOT be open late evening or early hours of the morning.There would therefore be no nuisances that could impact on the people living,working or sleeping in the vicinity of the licensed premises.
Point 14.2,14.3 and 24,we feel does not apply to the premises,as it will not be open late and the smoking area will be closed at 1030pm.The area will be monitored by staff.The management and staff are aware of Challenge 25,policies and procedures relating to the sale of alcohol,dealing with and serving customers,including stopping the sale of alcohol to customers already intoxicated,causing a nuisance .Signs will clearly be displayed re: leaving the premises quietly and staff will be monitoring customers when leaving the premises.
With regards to the extractor duct.An expert will be instructed to survey and design a suitable positioning of the duct.The current duct will be removed and appropriate permissions sought.
Point 2.4,2.5 of council policy to reduce noise odour,food droplets to nearby properties will be adhered tp.With reference to 485 Green Lanes.The DIVA cafe bar at 483 ARE NOT THE SAME owners.The photos of wastes in the objection letter ,do not have a date and are the responsibility of DEVRAN restaurant,not DIVA cafe bar.Diva cafe bar will be applying for new waste contracts,prior to opening.
In relation to 'play recorded music',the cafe bar will have only quiet BACKGROUND music on a cd player.There will be no music played in the garden/smoking area at anytime.The cafe bar will not be playing loud music at anytime.There will be no opportunity for music to 'escape' as there will be only soft background music playing.No external areas will not be disturbed by the 'music'
As the objector clearly states the area has had several restaurants over the past few years.The retail industry in Green lanes as not been able to compete with both Wood Green shopping city and the new shopping area at the top end of Green Lanes,which serves the needs of the local commuinty.The bakery,which is now DIVA was not able to sustain a profitable business as the rates and rent were too high,and he had no means of making a profit,so he sold the shop.The area had many empty shops ,which gave the area a 'run down look' which in turn restricted the amount of business rates collected by the council,which had a 'knock on' affect to the local services provision in the area,lack of local employment opportunities for local people.
The restaurants and bars in Green Lanes has given the area vibrancy,employment and much need business rates.
I hope this may answer the objection presented
Kind regards,
Nevres Kemal

-----Original Message-----
From: Shah Noshaba <Noshaba.Shah@haringey.gov.uk>
To: nkemal <nkemal@aol.com>
Sent: Wed, 10 Dec 2014 9:47
Subject: Application for Premises Licence - 483 Green Lanes, London, N4 1AJ

Dear Ms Kemal,

RE: APPLICATION FOR THE A PREMISES LICENCE- 483 GREEN LANES, HARRINGAY, LONDON, N4 1AJ

Please find attached an objections to the aforementioned application received today.

You will be advised of the date of the hearing.

Anderson Chanel

From: nkemal@aol.com
Sent: 30 November 2014 11:21
To: Anderson Chanel
Subject: Re: Metropolitan Police Representation- Application for a New Premises Licence- 483 Green Lanes, Hornsey, London N4 1AJ (WK/304260)

Dear Chanel,
We would like to confirm that we have clearly read all the objections received from the various agencies,and their recommendations.We would like to confirm, accept and agree these recommendations.They will be put into place. We would also like to confirm,that the building will only be playing BACKGROUND music.No live or loud music systems will be installed in the building.
Kind regards,
Nevres Kemal

-----Original Message-----
From: Anderson Chanel <Chanel.Anderson@haringey.gov.uk>
To: nkemal <nkemal@aol.com>
Sent: Wed, 26 Nov 2014 10:20
Subject: Metropolitan Police Representation- Application for a New Premises Licence- 483 Green Lanes, Hornsey, London N4 1AJ (WK/304260)

Dear Sir/Madam,

RE: APPLICATION FOR A NEW PREMISES LICENCE - 483 Green Lanes, Hornsey, London N4 1AJ - REPRESENTATION RECEIVED FROM METROPLITAN POLICE

Please find attached an objection to the aforementioned application by the Metropolitan Police.

Please advise the course of action you wish to undertake in regards to this objection.

Kind regards

Chanel Anderson |
Licensing Administrator

Licensing Team I Place and Sustainability I
6th Floor I Alexandra Park House I 10 Station Road I Wood Green I London I N22 7TR

Tel: 020 8489 5544
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