

NOTICE OF MEETING

LICENSING SUB COMMITTEE A

Thursday, 12th July, 2018, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Vincent Carroll (Chair), Dhiren Basu and Luke Cawley-Harrison

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

3. 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 dealt with at item 9 below).

4. 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

5. MINUTES (PAGES 1 - 4)

To approve the minutes of the previous meeting of the Licensing Sub Committee A held on 12 April 2018.

6. SUMMARY OF PROCEDURE (PAGES 5 - 6)

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

7. LA TABERNA DEL PAISA, 43 WEST GREEN ROAD, TOTTENHAM LONDON N15 (PAGES 7 - 74)

To consider an application for a variation of the premises licence.

8. CLARKE AND PARKER FISHMONGERS, 488 MUSWELL HILL BROADWAY LONDON N10 (PAGES 75 - 110)

To consider an application for a new premises licence.

9. ITEMS OF URGENT BUSINESS

To consider any new items of admitted under item 3 above.

Felicity Foley, Principal Committee Co-ordinator
Tel – 020 8489 2919
Fax – 020 8881 5218
Email: felicity.foley@haringey.gov.uk

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

Wednesday, 04 July 2018

**MINUTES OF THE MEETING OF THE LICENSING SUB
COMMITTEE A HELD ON THURSDAY, 12TH APRIL, 2018, 7.00 -
7.50 pm**

PRESENT:

Councillors: Dhiren Basu, Clive Carter and Ann Waters (Chair)

74. FILMING AT MEETINGS

Noted.

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Brabazon. Councillor Basu was in attendance as a substitute.

Apologies for absence were received from Councillor Doron. Councillor Waters was in attendance as a substitute.

76. URGENT BUSINESS

None.

77. DECLARATIONS OF INTEREST

None.

78. SUMMARY OF PROCEDURE

Noted.

79. REVOCATION OF A STREET TRADING LICENCE

Daliah Barrett introduced the application made by the Licensing Authority which sought revocation of a street trading licence on the grounds of non-payment of the licence fee, under section 28 of the London Local Authorities Act 1990. Section 29 of the Act required the matter to be dealt with by the Licensing Committee.

Ms Barrett had spoken with the licence holder, Mr George Bates in relation to keeping up with the fees, and he had agreed to do so. Mr Bates had been given the chance to pay his fees by December 2017, but had not made any payments until January 2018.

George Bates addressed the Committee. He explained that he had taken over the licence from his father two years ago. In the first year he had been up to date with the

fees, however, in the last year his father had stolen money from him and he had been left with bills to pay at the wholesalers, and so had fallen behind with the fees. Mr Bate's father had now been served with an injunction which meant that he was not allowed to be around Mr Bates. He explained to the Committee that he was able to pay the current fees, but was struggling to clear the back log.

Ms Barrett explained that when Mr Bates had taken over the stall, his father had left a debt of £8,000, which had been paid by a relative. This relative ran a stall close to Mr Bate's stall and was meant to have helped Mr Bates in an advisory role.

Mr Bates added that since his father had not been allowed near the stall, he had been making a profit and had been able to pay towards the backlog.

The Committee adjourned from 19:25-19:31.

The Chair asked Mr Bates for a firm commitment that he would pay his regular site fees, plus an extra amount for the debt on a monthly basis. Mr Bates stated that he would be able to pay £250 each week to clear the debt, plus his stall fees as they were invoiced. The Chair informed Mr Bates that if the Committee were minded to agree to this proposal that it would be Mr Bates' final chance and the licence would be revoked.

The Committee adjourned from 19:40-19:48

RESOLVED

The Committee carefully considered the application from the Licensing Authority for the revocation of a street trading licence, the representations made by the licence holder, and the relevant sections of the London Local Authorities Act 1990.

The Committee decided that the licence would not be revoked.

Reasons

The Committee noted the difficulties that the licence holder had faced from his father's involvement in the business, the steps that had been taken to remove his father and that since his removal, regular payments had been made in the last 3 months, reducing the licence holder's indebtedness by £4291.49. The licence holder offered to pay £250 each week to the Licensing Authority, in addition to the monthly site fees, and the Committee formed the view that the licence holder had demonstrated that he was willing and able to pay his debt to the Council within a reasonable time, and that he should be given the opportunity to do so.

Informative

The Committee wished to stress the seriousness of non-payment of the site fees and informed the licence holder that failure to stick to the agreement made with the

Licensing Authority would likely result in a further Licensing Committee hearing and a possible revocation of the licence.

80. ITEMS OF URGENT BUSINESS

None.

CHAIR: Councillor Ann Waters

Signed by Chair

Date

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LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY

INTRODUCTION

1. The Chair introduces him/herself 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 confirmed in writing within five working days of the hearing.

Report for: Licensing Sub Committee 12th July 2018

Title: Application for a Variation of an existing Premises Licence at LA TABERNA DEL PAISA, 43 WEST GREEN ROAD, TOTTENHAM LONDON N15.

Report authorised by : Daliah Barrett-Licensing Team Leader – Regulatory Services.

Ward(s) affected Tottenham Green

Report for Key/

Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 An application has been submitted by Pablo Toban Pineda for an extension of hours to an existing licence to allow licensable activity namely, the sale of alcohol and regulated entertainment and late night refreshment. (Application Appendix 1).

1.2 The application seeks the following:

Regulated Entertainment: Recorded Music

Monday to Sunday 1200 to 2230 hours

Late Night Refreshment

Monday to Thursday 2300 to 0000 hours

Friday to Sunday 2300 to 0300 hours

Supply of Alcohol

Monday to Thursday 1100 to 0000 hours

Friday to Sunday 1100 to 0300 hours

Supply of alcohol **ON** the premises

Hours open to the public

Monday to Thursday 0800 to 0000 hours

Friday to Sunday 0800 to 0300 hours

1.3 The premises currently has a licence that allows it to operate to the following hours:

Regulated Entertainment: Recorded Music

Monday to Sunday 1200 to 0200 hours

Provision of Late Night Refreshment

Monday to Sunday 2300 to 0200 hours

Supply of Alcohol

Monday to Sunday 1200 to 0130 hours

For the consumption **ON** the premises

Hours Open to Public:

Monday to Sunday 1200 to 0200 hours

Copy of premises licence Appendix 2

- 1.4 Representations have been received against this application by 'other persons' and Responsible Authorities.
- 1.5 As such, in accordance with the legislation the Licensing Authority must hold a hearing to consider the application and any relevant representations.

1.5 Representations

The Licensing Authority representation can be found at Appendix 3
The Metropolitan Police representation can be found at Appendix 4
Residents' representations can be found at Appendix 5

2 Background

- 2.1 The premises currently operates as a social gathering venue and has applied for Temporary Event notices to enable operating until the early hours of the morning. There have been complaints received as a result of the later operation due to noise nuisance being caused by patrons attending the venue.

The current application seeking later hours has received representations against it and there have been complaints submitted to the out of hours service relating to noise nuisance coming from the venue.

- 2.2 During the consultation process representations from the Licensing Authority advised the applicant of the likely impact of noise nuisance being caused by the hours being sought. The Licensing Authority recommend that the hours of operation remain as they currently are.
- 2.3 Council officers are satisfied that the application has been made and advertised correctly.

3 Relevant Representations

- 3.1 All representations have to meet a basic legal and administrative requirements. If they fail to do so they cannot be accepted. The person or body sending the representation must give an explanation for rejection in writing.
- 3.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 3.3 All representations must be "about the likely effect of the grant of the premises licence on the promotion of the licensing objectives" Likely means something that will probably happen, i.e on balance more likely than not.
- 3.4 Representations from responsible authorities do not need to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 3.5 The representations from Residents (Appendix 4) cite the potential for noise and anti social behaviour remaining into late morning from patrons attending the venue.
- 3.6 All the responsible authorities have been consulted about this application. They are as follows:
The Licensing Authority
The Metropolitan Police
The London Fire and Emergency Planning Authority

Planning
Health and Safety (includes Building Control)
Noise Environmental Health
Food Environmental Health
Trading Standards
Child protection
Public Health

- 3.7 The applicant has offered measures in the operating schedule of the application that they say address the promotion of the Licensing Objectives. These can be found at Sec 18 of Appendix 1.

4. Licensing Officer comments

- 4.1 The following information is intended to advise Members of the relevant aspects of the Statement of Licensing Policy, guidance issued by the Secretary of State, legislation and good practice. Members may depart from the Councils Policy and or Section 182 Guidance provided they consider it appropriate to do so and provide clear reasons for their decision.
- 4.2 Committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 4.3 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 4.4 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.
- 4.5 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 4.6 Also The Licensing Authority may not impose conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of the hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Therefore conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be required.

- 4.7 The Licensing Act 2003 permits children of any ages to be on the premises which primarily sells alcohol provided they are accompanied by an adult. It is not necessary to make this a condition.
- 4.8 In cases Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 4.9 Members should consider in all cases whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 4.10 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff.

The Councils Licensing policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

5 Options:

- 5.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives.

The steps are:

In determining this application the Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives, namely:

- To grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premises supervisor.
- To reject the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

- 5.2 The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

6. Other considerations

Section 17 of the Crime and Disorder Act 1998 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

6.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

7. Use of Appendices

Appendix 1 – Application document

Appendix 2 – Copy of Premises Licence

Appendix 3 – Representation from Licensing Authority

Appendix 4 – Representation from Met Police

Appendix 5 – Other parties representations.

Background papers: Section 82 Guidance

Haringey Statement of Licensing policy

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Appendix 1– Copy of Application

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WK/409240

HARINGEY COUNCIL
LICENSING
RECEIVED

11 MAY 2018

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Pablo Emilio Toban Pineda

(Insert name(s) of applicant)

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

Premises licence number LN/000018315

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

43 West Green Road
South Tottenham

Post town London

Postcode N15 5BY

Telephone number at premises (if any)

Non-domestic rateable value of premises £9,200

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

g.lake@btinternet.com

Current postal address if
different from premises
address

22 HENRIETTA HOUSE
ST ANNE'S ROAD
LONDON

Post town London

Postcode N15 6NP

Part 3 - Variation

Please tick as appropriate

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

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Variation hours for sale of alcohol.

Existing hours 11.00 -22:30 Mon- Sun

Proposed

14:00 -24:00 Mon- Thurs

14:00-03:00 Fri-Sun

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

--

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3) Please tick all 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 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed			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 7)		
Thurs					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 5)</p> <p>State any seasonal variations for the exhibition of films (please read guidance note 6)</p> <p>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 7)</p>		
Mon					
Tue					
Wed					
Thurs					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			State any seasonal variations for indoor sporting events (please read guidance note 6)
Thurs			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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thurs					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed					
Thurs			<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 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> Low volume recorded music from 12:00 to 22:30		
Mon	12.00	22:30			
Tue	12.00	22:30	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed	12.00	22:30			
Thurs	12.00	22:30	<u>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 7)</u>		
Fri	12.00	22:30			
Sat	12.00	22:30			
Sun	12.00	22:30			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 5)	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thurs					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thurs			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	23:00	00:00			
Tue	2300	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	23:00	00:00			
Thurs	23:00	00:00	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 7)		
Fri	15:00	03:00			
Sat	15:00	03:00			
Sun	15:00	03:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	15:00 11:00	00:00			
Tue	15:00 11:00	00:00			
Wed	15:00	00:00			
Thurs	15:00 11:00	00:00			
Fri	15:00	03:00			
Sat	15:00	03:00			
Sun	15:00	03:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		

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 10).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) N/A
Day	Start	Finish	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 7)
Mon	8:00	00:00	
Tue	8:00	00:00	
Wed	8:00	00:00	
Thurs	8:00	00:00	
Fri	8:00	03:00	
Sat	8:00	03:00	
Sun	8:00	03:00	

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

None

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Applicant would be extra vigilant to ensure compliance with licence conditions.

b) The prevention of crime and disorder

Additional signs in place.

c) Public safety

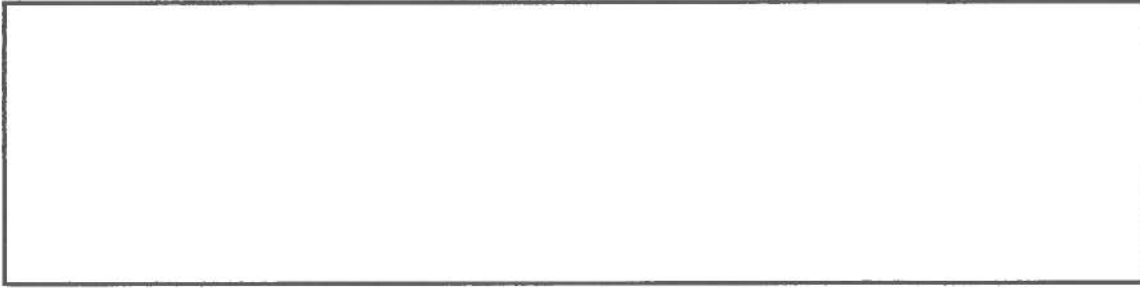
CCTV to police recommendations.

d) The prevention of public nuisance

Little or none recorded music after 22:00 hours.

e) The protection of children from harm

Strictly no service to under age people.



Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Glan Lake <i>Paul Emilio Tuboi</i>
Date	10/05/2018
Capacity	Agent <i>Paul Emilio OWNER</i>

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

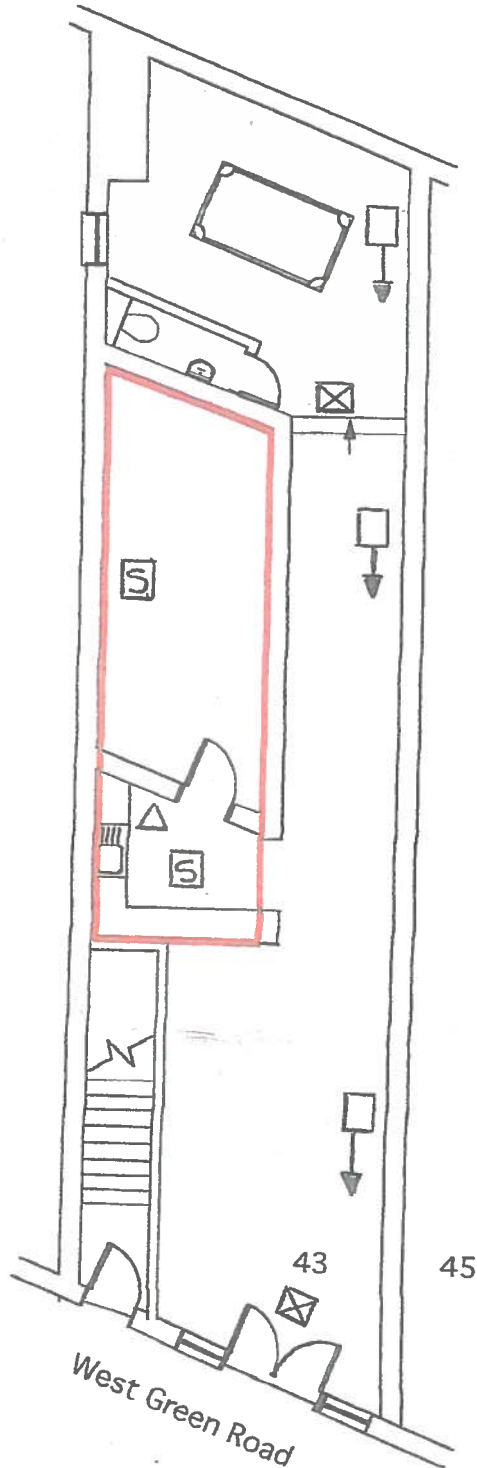
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

42 Lloyd Roads
Waltham Forest

Post town	London	Post code	E17 6NR
Telephone number (if any)			

ALCOHOL STORAGE OR DISPLAY OYTLINED IN RED



FIRE PROTECTION, MEANS OF ESCAPE AND EQUIPEMENT

Fire fighting equipment to comply with the requirements of BS 5306
 All signage to comply with the signs and signals regulations and meet the requirement of BS 5499

- S22 NOTICE
- ESCAPE (Emergency) LIGHTING
- FIRE EXIT
- HEAT DETECTOR
- SMOKE DETECTOR
- FIRE ALARM CALL POINT
- FIRE ALARM CONTROL PANEL
- WATER FIRE EXTINGUISHER
Maintained yearly
- CO2 FIRE EXTINGUISHER
Maintained yearly
- FOAM FIRE EXTINGUISHER
Maintained yearly
- FIRE BLANKET
- PB PUSH BAR
- FD FIRE DOORS FD 30/S
- * ALL FR CONSTRUCTION TO BE NOT LESS THAN 30 MIN FR LININGS AND SURFACE FINISHES OF WALLS AND CEILINGS TO HAVE CLASS O FLAME SPREAD RATING
- CCTV Actual position to be determined on site



Scale 1:100 @ A4

LA TABERNA DEL PAISA
43 WEST GREEN ROAD
LONDON N15 4BY

LICENSING PLAN
DWG 1740 (lic) 01

Scale 1:100 @ A4 Date APRIL 2017
 ©Glenlake 42 Lloyd Road. London E17 6NR
 Tel: 07957 318 592
 g.lake@btinternet.com

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Appendix 2– Copy current Premises Licence

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LICENSING ACT 2003
Sec 24

PREMISES LICENCE

Receipt: SELMS00003954

Premises Licence Number: LN/000018315

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
6th Floor Alexandra House, 10 Station Road,
Wood Green, London, N22 7TR**

Signature:

Date: 4th July 2017

Part 1 – PREMISES DETAILS

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

**LA TABERNA DEL PAISA
43 WEST GREEN ROAD
TOTTENHAM
LONDON
N15 5BY**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Regulated Entertainment: Recorded Music

Supply of Alcohol

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

Recorded Music

Monday to Sunday 1100 to 2230

Supply of Alcohol

Monday to Sunday 1100 to 2230

The opening hours of the premises:

Monday to Sunday 0800 to 2300

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

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

PREMISES DETAILS [CONT'D]

Part 2

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

Pablo Emilio Tobon-Pineda
22 Henrietta House
St Anns Road
Tottenham
London N15 6NP

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

Not applicable

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

Pablo Emilio Tobon-Pineda
22 Henrietta House
St Anns Road
Tottenham
London N15 6NP

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

Personal Licence: 069205
Issued by: London Borough of Hackney

Annex 1 –Mandatory Conditions

1. 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.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

Annex 1 –Mandatory Conditions

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

Annex 1 –Mandatory Conditions

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE

THE PROTECTION OF CHILDREN

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

Resolved 4th July 2017

The Committee carefully considered the application for a new premises licence, the representations made by the Metropolitan Police, Enforcement Response, local residents, the representations made by the Applicant and his representative.

Having heard the parties' evidence, the Committee resolved to grant the application as follows:

Regulated Entertainment: Recorded Music

Monday to Sunday 1100 to 2230 hours

Supply of Alcohol

Monday to Sunday 1100 to 2230 hours

For consumption **ON** the premises

Hours open to the Public

Monday to Sunday 0800 to 2300 hours

The Committee added the following conditions as requested by the Metropolitan Police and Enforcement Response:

- A digital CCTV system to be installed in the premises.
- Cameras must be sited to observe the entrance doors from the inside.
- 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.
- Be regularly maintained to ensure continuous quality of image capture and retention.
- Member of staff trained in operating CCTV at venue during times open to the public.
- Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.
- An incident log shall be kept at the premises and made available on request to the Police, which will record the following:

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

- a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints received
 - d) Any incidents of disorder
 - e) Seizures of drugs or offensive weapons
 - f) Any faults in the CCTV system
 - g) Any refusal of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service
- The following shall be used for the verification of a person's proof of age:
 - A valid passport
 - A photo driving licence
 - A proof of age standard card system
 - A citizen card, supported by the Home Office
 - 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 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.
 - All speakers shall be mounted on anti-vibration mountings to prevent transmission of sound energy to adjoining properties.
 - All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.
 - 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 on the frontage (communicating to smokers) requesting to 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 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.
 - 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.

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

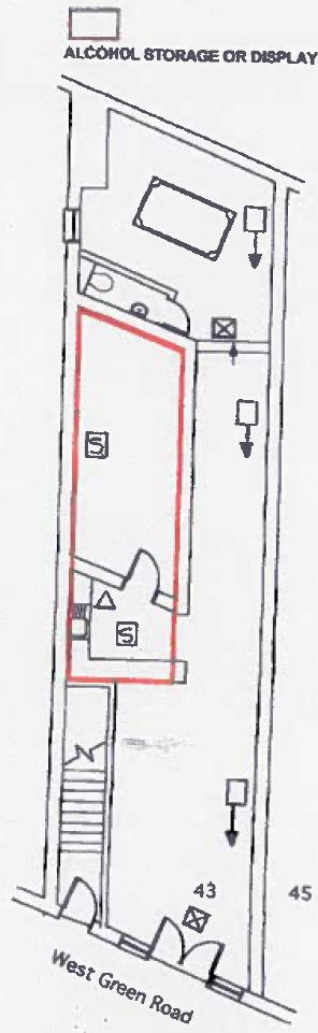
- Signs should be displayed (in a prominent position, visible as customers exit the premises) requesting patrons to respect the neighbours and behave in a courteous manner.
- Illuminated external signage shall be switched off when the premise is closed.
- All plant and machinery shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
- 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.

The Committee noted that the premises did not currently have the correct planning permissions in place and noted the applicant's intention to address any outstanding issues with the planning authority.

The committee recommended that the Applicant should continue to liaise with the Licensing Authority and other Responsible Authorities so as to have information about local licensing initiatives and best practice.

The Committee approached its deliberations with an open mind and only took its decision after having heard all the parties representations. The Committee considered that the decision was appropriate and proportionate

Annex 4 – Plans



ALCOHOL STORAGE OR DISPLAY OYTLINED IN RED

- FIRE PROTECTION, MEANS OF ESCAPE AND EQUIPMENT**
 Fire fighting equipment to comply with the requirements of BS 5306
 All signage to comply with the signs and signals regulations and meet the requirement of BS 5499
- S22 NOTICE
 - ⊗ ESCAPE (Emergency) LIGHTING
 - → FIRE EXIT
 - ⊠ HEAT DETECTOR
 - ⊡ SMOKE DETECTOR
 - ⊞ FIRE ALARM CALL POINT
 - ⊞ FIRE ALARM CONTROL PANEL
 - △ WATER FIRE EXTINGUISHER
Maintained yearly
 - ▲ CO2 FIRE EXTINGUISHER
Maintained yearly
 - △ F FOAM FIRE EXTINGUISHER
Maintained yearly
 - △ FIRE BLANKET
 - PB PUSH BAR
 - FD FIRE DOORS FD 30/S
 - ALL FR CONSTRUCTION TO BE NOT LESS THAN 30 MIN FR LININGS AND SURFACE FINISHES OF WALLS AND CEILINGS TO HAVE CLASS 0 FLAME SPREAD RATING
 - CCTV Actual position to be determined on site



LA TABERNA DEL PAISA
 43 WEST GREEN ROAD
 LONDON N15 4BY

LICENSING PLAN
 DWG 1740 (lic) 01
 Scale 1:100 @ A4 Date APRIL 2017
 © Glenlake 42 Lloyd Road, London E17 6NR
 Tel: 07957 318 592
 g.lake@btinternet.com

Appendix 3– Licensing Authority Representation

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Anderson Chanel

From: Barrett Daliah
Sent: 27 May 2018 15:48
To: Anderson Chanel
Cc: Mark.L.Greaves@met.pnn.police.uk (Mark.L.Greaves@met.pnn.police.uk)
Subject: FW: LICENSING AUTHORITY REPRESENTATION - Application for a New Premises
Licence: - LA TABERNA DEL PAISA 43 West Green Road, Tottenham, London, N15

For sending to Mr Lake please

We are making representation against the application the application for 43 West green Road London N15.

The main reason for making the representation is that the premises is in an area that has ongoing issues from late night venues. The property has residential premises directly above it and facing it. The noise problems associated with premises that operate to the hours being sought have been proven to have a negative impact on residents living nearby and the day to day operation of the venue has yielded complaints from residents living nearby.

We are unable to support any increase in hours at this venue.

It is concerning that the new applicant has submitted an application seeking such late hours at a venue without considering what has taken place in the locality. The premises offers snooker tables also and is used as a place for social gathering.

The Home Office Guidance issued under Section 182 Guidance places a requirement on applicants to demonstrate when setting out steps they propose to take to promote the licensing objectives that they understand the area .

The Council Statement of Licensing Policy advises the following in this instance:

53 LICENSING HOURS

The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

80 THE PREVENTION OF PUBLIC NUISANCE

Licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise to a range of nuisances that may potentially impact on people living, working or sleeping in the vicinity of the premises. Principal concerns relate to noise nuisance, light pollution and noxious smells.

This authority expects applicants for premises licences and club premises certificates to have made relevant enquiries about the local area and prepare their operating schedule on the basis of a risk assessment of the potential sources of nuisance posed to the local community by their intended

operation. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive proposals to manage any potential risks.

Licensing Authority -RA



Haringey Council
6th Floor, 10 Station Road, London, N22 7TR

T. 020 8489 8232
daliah.barrett@haringey.gov.uk

www.haringey.gov.uk
[twitter@haringeycouncil](https://twitter.com/haringeycouncil)
facebook.com/haringeycouncil

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Appendix 4– Metropolitan Police Representation

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Anderson Chanel

From: Mark.L.Greaves@met.pnn.police.uk on behalf of yrmailbox-.licensing@met.pnn.police.uk
Sent: 04 June 2018 10:47
To: Licensing
Cc: Barrett Daliah
Subject: RE: Application for the Variation of a Premises Licence- La Taberna Del Paisa, 43 West Green Road, Tottenham, London, N15 5BY (WK409240)

Dear Mrs Barrett

We are making representations against the application for La Taberna Del Paisa, 43 West Green Road N15 to extend their licensable hours. The present hours of alcohol sales are:

Monday to Sunday 1100 – 2230 - Opening hours 0800 – 2300.

The venue has applied to extending licensable hours until:

Monday to Thursday 1100 – 0000 - Opening hours 0800 - 0000
Friday to Sunday 1100 – 0300 - Opening hours 0800 - 0300

Policy in Haringey is for venues to cease alcohol sales 30 minutes prior to closing to allow a 'winding down' period for clients to have a reasonable time to finish their drinks. In this application applicant wishes to apply to sell alcohol up to closing time despite 'on sales' only.

The area surrounding the venue has ongoing issues with crime and anti – social behaviour, often alcohol related, including street drinking and the local Police Safer neighbourhood team have expressed concern about this venue opening until 0300. The surrounding hour whilst commercial a ground level is residential above these venues, including applicants venue. Applicant has recently received complaints from local residents regarding late night noise nuisance. During a visit on 24th April 2018 with applicant and Mr lake I noted a portable stereo system in venue not connected to speakers. I discussed soundproofing venues roof but applicant told me he could not afford to do that at the moment. The Premises Licence states 'all speakers shall be mounted on anti-vibration mountings to prevent transmission of sound energy to adjoining premises' the 6 wall mounted speakers were on ordinary metal brackets. The application states there are now only 2 small speakers in venue but no mention of required anti – vibration brackets. The venue did not have a CCTV system that reached the standard required by the licence condition. There was none of the required signage relating to disturbing neighbours except an A4 letter with small writing on the front window. Viewing CCTV for 24th March 2018 the venue was operating under a Temporary Event Notice until 0030 but played music until 0130 and closed at 0200.

The smoking area is on the footway at the front of the venue and clients congregating there until 0300 are likely to cause noise nuisance to adjacent residential venues.

Whilst Police do not object to an increase in hours Friday and Saturdays they consider it should take into account local residents generally work on weekdays. Police suggest the following hours:

Alcohol sales: Sunday to Thursday 1100 – 2230 - Opening hours 0800 – 2300
Friday & Saturday 1100 - 2330 - Opening hours 0800 – 0000

Police consider the applicant should show he can operate within the Conditions on his Premises Licence whilst not causing noise nuisance to neighbours before any major increase in licensable hours.

Regards

Mark Greaves

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Appendix 5– Residential Representation

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Shah Noshaba

From: [REDACTED]
Sent: 15 May 2018 09:08
To: Licensing
Subject: Licence Variation – La Taberna Del Paisa, 43 West Green Road, N15 5BY

[REDACTED]
London
N15 [REDACTED]

14 5 18

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

Dear Sir/Madam

Licence Variation – La Taberna Del Paisa, 43 West Green Road, N15 5BY

Further to the application posted on the premises for extended hours to the licence already held at La Taberna Del Paisa I hereby wish to object to the extension to 0300 hours **especially on Sunday**

I live opposite the premises and have found that since the bar has been licenced there has been generally more late night noise with people smoking and congregating outside the premises (when it is open – the opening hours are quite erratic). When music (on occasion live) is being played and the doors are open, or are being opened, the noise can be very loud indeed – loud enough to penetrate double glazing and still keep you awake and the base tones can be heard resonating as you walk along the street – this in itself is a public nuisance. The nuisance is exacerbated when we, along with other people in the flats work shifts having to get up at 0430 in the morning – this would mean that the music would keep people awake until 0300 then the time it takes time to clear people away – resulting in possibly 1 hour of sleep! One would assume the people living directly above and next to the premises have their own objections - the wall between this premises and the next being used as a urinal on the 'busier' nights

The second nuisance that this would cause is to young children in my and other people's flats directly opposite the premises. I have 3 children under the age of seven stay with me and at least 3 other residents have 5 children/babies between them all under the age of 6

I do hope this will give more of an 'insight' of the plight of the residents in our case to fight any extension to the hours already granted

Thanking you in advance for your help

Yours sincerely

Shah Noshaba

From: [REDACTED]
Sent: 16 May 2018 18:41
To: Licensing
Subject: Notice of application representation from neighbour

Dear sir / madam

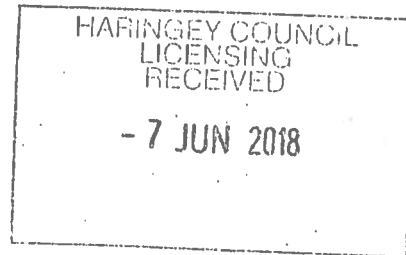
I [REDACTED] been living at [REDACTED] road for more than 3 years . I have received a notice of application to vary premisses licence letter from one of my neighbour today.

The notice given by Pablo emilio Tobon Pineda , for the premisses La Taberna Del Paisa 43 west green Road . London N155BY

I live just oposite of this premisses with my family . Since they opened the premisses we were disturbed by the noise of their customers and loud music at late night. Although it was frustrating most of the time we havent made any complaints now we saw the letter that they request to open untill midnight in weekdays and untill 3am on weekends for us its not acceptable. I kindly request from you to change their licence maximum to 11am .

Best regards

[REDACTED]



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

20/05/2018

Dear Licensing Team

My name is

I would like to support Pablo Emilio Tobon in his
business, La Taverna Del Paisa to be open at later in the evenings.

My work ends at about 8:00 pm from my cleaning job.

We and my family always try to make it to the marketplace at seven sisters,
but they close at 8:00pm as well. If La Taverna Del Paisa was open till later
on Fridays and Saturdays, it would be the place for me, my family and friends
where we can spend a great time at a family oriented and good ambience
music.

We hope you will support La Taverna Del Paisa to open later in the evenings.

If you have any questions, please feel free to call me at the number above.

Thank you so much!

Sincerely,

HARINGEY COUNCIL
LICENSING
RECEIVED

- 7 JUN 2018

Dear Licensing Team from Borough Of Haringey London

I am an occasional consumer in La Taberna Del Paisa in West Green Road and I am supporting Mister Pablo in his intention to open later in the weekends.

I live very close to the Snack Bar and despite I a Hungarian I start enjoying the place and the people coming in there. First of all the area does not have a better place that to suit me because I know the Latino Community from 2009 when first time I arrived in London searching for work and a Colombian shop owner offered me a job as bicycle repairer in his shop in Seven Sisters Indoor Market .Since I had find other jobs and I am still here working every day of the week and having a life. I come here and I find myself learning aside to English language the Spanish and enjoying the diversity of this city more that I had imagined.

The place looks safe and the people are in good faith talking a lot more then I am used to and never saying they are not well.MR Pablo and his employees are very servable and polite his food nice and healthy.

Also in the barber shop aside is a divers place and workers are skilled.

I think the late hours shouldn't be a problem because they can restrict the access into the premises if needed and is a very big police presence in the area at all time .Personally I go there Saturday late .Before I was going at the other place opened till 1am ,Zumbale aside to Costa at Seven Sisters Underground but I am too old for that place , and the music there is exaggerated loud and is to dark inside to many flashing lights etc.

For this reasons I have to say is not bad to let Pablo keep this place opened because in the evening he makes most of his business and he creates opportunities for the people to meet and enjoy quality time and help each other chat ,be happy also and some other similar places up the road are on to 4 am.

Sincerely Yours

21/05/2018

Tel: _____

Dear,
London Borough of Haringey, Licensing team.

My name is

I am writing you to support the application sent from Pablo Emilio Tobon Pineda, owner of La Taberna Del Paisa, to **VARY the HOURS OF PREMISES LICENCE**.

I am a long time very regular costumer of Sr. Pablo and I want to support him and make you consider his application.

La Taberna Del Paisa is an special and different place for an area where there is a big Latin community. Is a place where people like me and my wife can go to have a relaxed time in our area and the same for our community. Is an alternative enjoyable place to people like my and my wife and those that don't want to go to Elephant and Castle to a big Latin clubs or even clubs like Zumbale in Seven Sisters road (next to the station), to avoid massive parties with a lot of people and trouble makers.

This is one of the reasons I like La Taberna Del Paisa. Is a quite and familiar place for couples and mature people that only wants to have some drinks in a relaxed place without problem. Is important for our community because I guess as you already know, our communities Market of Seven Sisters closes by 7 pm and Pablos place is the perfect one for us to meet up with our friends and families in our area to watch football games, play pool, listen to music and/or grab a couple of drinks.

I hope you really consider his application because he is a very good person, hard worker and very helpful for the Latin community. A very good alternative and relaxed place that give us the chance to go somewhere different avoiding problems.

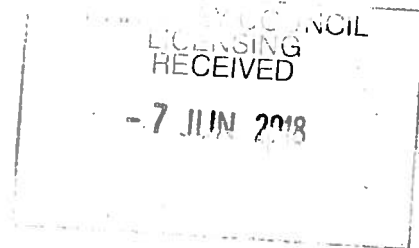
I can just ask you please extend his LICENSE to permit the Provision of Regulated Entertainment, Supply of Alcohol, and Late Night Refreshment.

If you have any enquiries, please contact me on

Mobile number;

Kind Regards,

Thanks;



21/05/2018

Licensing Team
London Borough of Haringey
Alexandra House,
10 Station Road,
N22 7TR

HARINGEY COUNCIL
LICENSING
RECEIVED

- 7 JUN 2018

Dear Officer,

**REPRESENTATIONS AGAINST APPLICATION TO VARY PREMISES LICENCE AT 43 WEST GREEN ROAD,
LONDON N15 5BY**

We, the tenants of [REDACTED], are writing in relation to the proposed extension to the opening hours of La Taberna Del Paisa ('the bar'), which is owned and managed by Pablo Emilio Tobon-Pineda.

Mr Tobon-Pineda has never had planning permission to use the premises as a bar - that would require an a change of use class which he has never felt the need to apply for. While that is a planning issue and does not come under the Licensing Act 2003, it shows a brazen disregard for the law. Unsurprisingly, he has taken a similar approach with regards to licensing matters.

The terms of the current licence for the bar permit recorded music to be played only between certain hours, which in the absence of a Temporary Events Notice are 8am - 10.30pm. The bar should be closed by 11pm, under the licence terms.

In our experience, Mr Tobon-Pineda has never abided by the licence hours. He usually closes the bar at about midnight, and the music is playing until that time. On weekends and Fridays the bar is usually open until 2-3am.

Another issue is the level of noise and music which is coming from the bar. The volume of the music is often raised to an extreme level, to the point where the bass is causing the floors and windows of the upstairs flats to vibrate. This has been happening almost every day, with music being blasted from the bar well after 10.30pm, often until 2am or 3am.

Because Mr Tobon-Pineda usually raises the volume only for a few songs at a time, usually 15-20 minutes, it is impossible for Haringey's noise team to witness this. However, we are having to live with this everyday disruption which is causing us a great deal of distress and alarm. All of us are either studying or working, and this nuisance is having a very negative impact not only on our ability to enjoy the property but also on our professional lives.

Noise is not the only problem caused by the bar below - every day we wake up to litter strewn all of the pavement area in front of our property. Empty beer cans, half eaten food and broken glass bottles make the place unhygienic and dangerous to walk through.

Mr Tobon-Pineda also frequently leaves unused empty beer supply boxes and trolleys directly in front of our door.

We have tried approaching Mr Tobon-Pineda several times to make reasonable requests with regards to the trolleys, the rubbish and the noise. He has always been extremely aggressive, shouting verbal abuse and physically assaulting a tenant. The police were called and gave him a verbal warning for common assault (police ref. is CHS 1896/14may).

We know we are not the only ones affected by the bar and its aggressive owner, as we have been in contact with other residents who despite not being directly above the bar are still very affected by the noise.

We are aware that in order for our representations to be considered they must relate to one or more of the four licensing objectives under the Licensing Act 2003. We consider that the above relate to three of the four objectives: the prevention of crime and disorder, the prevention of public nuisance, and public safety.

In view of the above, we believe that extending the hours of the bar would be inappropriate for Haringey and dangerous for us as neighbouring residents, and invite you to refuse the application.

Yours faithfully,

[Redacted signature]

6-6-18

[Redacted signature]

[Redacted signature]

6/6/18

[Redacted signature]

[Redacted]
Company Director - M.G Consulting Services (UK) Ltd 231-241 High Road N15 5BT

For the attention of:
Haringey Council Licensing Team
Alexandra House, Level 6
10 Station Road
Wood Green
London, N22 7TR

HARINGEY COUNCIL
LICENSING
RECEIVED
- 1 JUN 2018

**Notice of intention to submit representation in
respect of application of
Licensing Variation – regarding:**

**~La Taberna Del Paisa~
43 West Green Road, London N15 5BY
Licensee: *Mr. Pablo E. Tobon Pineda***

To whom it may concern,

I would like to address in the next few pages, the application submitted by Mr. P.E. Tobon Pineda, and my findings after having a talk with Mr. Tobon Pineda about his business and plans for the bar, and also and the intentions of himself personally regarding how this variation to his license would be used to actually reduce overall noise pollution in the local vicinity at later hours, while providing a specific niche late-night service that is much needed and lacking in the local area and also to provide written individual petitions, confirming the cooperation and expressed support of clients of the bar, most of whom are local residents like myself.

In an area such as that around West Green Road, where many different cultures thrive and co-habit for the most part successfully, nightlife culture will always be in demand, and provided.

As a resident of West Green Road and local business owner, some levels of ambient pollution in the form of noise is somewhat expected when deciding to live here, owing to the existence of local bars whose placement correspond to the commercial and community model that has been part of South Tottenham since before Licensing laws were written.

It is the local hub for people who live locally, and would rather not travel too far for their nocturnal leisure and pastime.

This being said, residents should not be made to suffer grievances in the form of noise pollution, beyond those considered inevitable, when living in such an area.

Mr Tobon Pineda's business model when applying for this license variation, has actually been motivated around creating a quieter, more relaxed and less intrusive ambience at later hours, providing drinks and hot snacks in an intimate and quiet environment, as an alternative to the loud and dance/music-driven bars that are the only other option for someone after 11:00pm that has an urge for a nightcap.

Bringing this niche clientele to his quiet establishment, the overall traffic of the already saturated local dance clubs would be reduced, logically resulting in less overall noise pollution for the community in general.

After many discussions with Mr. Tobon Pineda on this topic, I consider myself up to date with his intentions and business model, and am qualified to present reasons for representation, which shall be offered as required by your Licensing Committee with emphasis on the four key objectives of:

- Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - & Protection of Children from Harm
- detailed and presented accordingly*

~PREVENTION OF CRIME AND DISORDER~

- On all days of business that continue after 10:30pm, a dedicated security operative shall be designated to the vigilance of the security and safety of the patrons of the bar, entry and exit from the premises and observation and vigilance of the immediate area outside the premises.
- The designated security operative, as well as Mr. Tobon Pineda himself shall have contact and regular liaisons with local metropolitan police authorities, to ensure that swift attendance can be achieved by police should it become necessary, and also so that the local police can be up to date with any issues or policies that are considered pertinent regarding the community.
This relationship between the premises and local authorities already exists, and shall continue to exist harmoniously, god willing.

~PUBLIC SAFETY~

- Again, the majority of the maintenance of public safety shall fall upon the dedicated security operative, who shall be qualified and up to date on their responsibilities and all relevant issues pertaining to the safety of both bar patrons, and the general public of the immediate area in the community. Mr. Tobon Pineda is already proficient in these matters, and should he be lacking of any qualification or training that he nor I is aware of that would result as beneficial for public safety, it shall be undertaken forthwith.

~PREVENTION OF PUBLIC NUISANCE~

- No music or loud audio devices shall be used in the premises after 23:00pm, and all patrons of the bar shall be made aware through visible signs, of the bar's policy for a quiet and relaxed ambience within the premises.
- The smoking area immediately outside the premises shall be supervised by the dedicated security operative, to ensure the patrons of the bar maintain noise pollution to a minimum while in the area, and when arriving to or leaving the premises.

~PREVENTION OF PUBLIC NUISANCE~

- As stated above, the general business model and plan for this premises, is to provide a quiet and relaxed alternative to local late bars, and emphasis on this shall be given more than its due attention in all moments by all staff, the security operative, and Mr. Tobon Pineda.
A very strict policy to not serve alcohol to anyone even remotely drunk is vital to that objective, which combined with a polite and attentive security operative in place after 11:00pm, should result in the bar not only causing no added nuisance to the local community, but hopefully helping to reduce it.

With this representation I shall be providing the contact details for other similar patrons of the bar, and local residents who are aware of all of the above and in agreeance, who are willing to be contacted by your office at any time for their opinion, and many more shall be forthcoming.

Please contact me at any time at the above address, via email at [REDACTED], or by telephone on 0044(0)[REDACTED] at your convenience, should any query or information become necessary.

I hope this finds you well, and look forward to your correspondence.

Faithfully,

[REDACTED]

London 25/05/2018

Support Signatures

FIRMAS EN APOYO

Clients and neighbours of Taberna Del Paisa, West Green Road 43 N15 5BY we support the application of Mr Pablo E Tobon to the Haringey Council, Licensing Team, for late opening thru the weekend and Sunday evening. We support a good atmosphere in the area and behaviour in good faith and with authorities. NOSOTROS SOMOS CLIENTES O VECINOS DEL LOCAL "TABERNA DEL PAISA" Y QUEREMOS APOYAR A LA APLICACION DE PABLO EMILIO TOBON POR UNA LICENCIA DE ALCOHOL PUBLICADO COMO DICE LA NOTICIA Y ESTAMOS CONFIANDO EN EL COMO PERSONA QUE NO PERMITIRA QUE SU LOCAL HAGA DAMO A SU VECINDAD.

NAME	NOMBRE	ADDRESS	DIRECCION	SIGNATURE	FIRMA
[REDACTED]	[REDACTED]	TAMPA WAY LONDON	N17 9HQ	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	SEVEN SISTERS ROAD	N15 5NA	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	West Green Road	N15 5BE	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	WAKEFIELD ROAD		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N 15 4HL SOUTH	TOTTENHAM	[REDACTED]	[REDACTED]
✓ Taberna Del Paisa	[REDACTED]	Limford House	E2 8SD	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	E9 6EE - 2	WATFORD CLOSE	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Lawrence Rd	N17 0HY	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Gloucester Rd	N17 6QR	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	SEVEN SISTERS	N15 5HP	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	West Green Road		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N 15 4NW		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N 15 4NW		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N 15 15 WY		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	9 X 11 W17		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N16 8AN		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 5LP		[REDACTED]	[REDACTED]

Taberna Del Paisa
 43 West Green Road N15 5BY
 London

FIRMAS EN APOYO

NOSOTROS SOMOS CLIENTES O VECINOS DEL LOCAL 'TABERNA DEL PAISA' Y QUEREMOS APOYAR A LA APLICACIÓN DE PABLO EMILIO TOBON POR UNA LICENCIA DE ALCOHOL PUBLICADO COMO DICE LA NOTICIA Y ESTAMOS CONFIANDO EN EL COMO PERSONA QUE NO PERMITIRA QUE SU LOCAL HAGA DAÑO A SU VENCIDAD.

NOMBRE	DIRECCION	FIRMA
[REDACTED]	Wigan Howe	[REDACTED]
[REDACTED]	Dunbar Road	[REDACTED]
[REDACTED]	Seven Sister Road	[REDACTED]
[REDACTED]	Seven Sister Road	[REDACTED]
[REDACTED]	N16	[REDACTED]
[REDACTED]	N15 GSP	[REDACTED]
[REDACTED]	West Green Road	[REDACTED]
[REDACTED]	BACONSFIELDS	[REDACTED]
[REDACTED]	Downhill Park N15	[REDACTED]
[REDACTED]	Mill Road N15 4AS	[REDACTED]
[REDACTED]	N4 25Y KINGS CROSS	[REDACTED]
[REDACTED]	De Quincey House SW1V 3ET	[REDACTED]
[REDACTED]	Grin Jan Seven Sister Road	[REDACTED]

London 25/05/2018

Support Signatures

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NAME	NOMBRE	ADDRESS	DIRECCION	SIGNATURE	FIRMA
[REDACTED]	[REDACTED]	Kimberlode t.	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	WHITE HART ROAD	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Seaton Street - London	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N18 2J7 UK	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Hillside Rd.	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Staugford Road.	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N17 9BG	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N16 8UR	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N16 8UR	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 5BY	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N16 - BPL	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 4JR	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 4JR	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 4SP	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 5BX	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 5BT	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N16HA	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 5BT	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	R5. 8RF	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 5DA	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	ECTR, 00W	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 3QD	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N1 6AQ	[REDACTED]	[REDACTED]	[REDACTED]

Taberna Del Paisa
 43 West Green Road N15 5BY
 London

London 25/05/2018

Support Signatures

FIRMAS EN APOYO

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NAME	NOMBRE	ADDRESS	DIRECCION	SIGNATURE	FIRMA
[REDACTED]	[REDACTED]	N15 4PP	STANHOPE ROAD	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	ROYDON COURTS	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N.15-600 Crowland	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15-6TH	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N15 West Green	Alfonso Basso	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N12 JX	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Stanhope N4 1HZ	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	CLAPTON POND	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Stoke Newington N16 7JL	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Cady Walk N12 0N	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Cady Walk N12 0N	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	De Quincey House SW1V 3ER	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	N.7 & R.F	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	Green Lane N13 4SP	[REDACTED]	[REDACTED]	[REDACTED]

Taberna Del Paisa
 43 West Green Road N15 5BY
 London

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Report for: Licensing Sub Committee 12th July 2018

Title: Application for a New Premises Licence – CLARKE AND PARKER FISHMONGERS, 488 MUSWELL HILL BROADWAY LONDON N10.

Report authorised by : Daliah Barrett-Licensing Team Leader – Regulatory Services.

Ward(s) affected Fortis Green

Report for Key/ Non Key Decision: Not applicable

1. Describe the issue under consideration

1.1 An application has been submitted by Clarke and Partner Fishmongers Ltd for a new Premises Licence to allow licensable activity namely, the sale of alcohol and late night refreshment.

1.2 The application seeks the following:

Provision of Late Night Refreshment

Friday to Saturday 2300 to 0000 hours

Supply of Alcohol

Monday to Thursday 1200 to 2300 hours

Friday to Saturday 1200 to 0000 hours

Sunday 1200 to 2200 hours

For the consumption **ON** and **OFF** the premises

Hours open to the public

Monday to Thursday 1200 to 2330 hours

Friday to Saturday 1200 to 0030 hours

Sunday 1200 to 2230 hours

1.3 Representations have been received against this application by 'other persons' and Responsible Authorities. Only the residential representations remain outstanding at this time.

1.4 As such, in accordance with the legislation the Licensing Authority must hold a hearing to consider the application and any relevant representations.

1.5 Representations

Residents representations can be found at Appendix 2

2. Background

2.1 The premises previously operated a fishmongers burheld a licence that permitted the sale of alcohol. The owners now wish to alter the operation of the premises and operate a wine bar.

The current application has received representations against it that are based on concerns about a music venue being operated as well as concerns about noise nuisance becoming an issue.

- 2.2 Council officers are satisfied that the application has been made and advertised correctly.
- 3. Relevant Representations**
- 3.1 All representations have to meet a basic legal and administrative requirements. If they fail to do so they cannot be accepted. The person or body sending the representation must give an explanation for rejection in writing.
- 3.2 A responsible authority or other person can make a representation. There are two tests for other persons and only one for a responsible authority. The two tests are contained in Section 18 of the Act.
- 3.3 All representations must be “about the likely effect of the grant of the premises licence on the promotion of the licensing objectives” Likely means something that will probably happen, i.e on balance more likely than not.
- 3.4 Representations from responsible authorities do not need to meet the second test of not being vexatious and frivolous. Other persons have to meet this test.
- 3.5 The representations from Residents (Appendix 2) cite the potential for noise and anti social behaviour remaining into late morning from patrons attending the venue.
- 3.6 All the responsible authorities have been consulted about this application. They are as follows:
The Licensing Authority
The Metropolitan Police
The London Fire and Emergency Planning Authority
Planning
Health and Safety (includes Building Control)
Noise Environmental Health
Food Environmental Health
Trading Standards
Child protection
Public Health
- 3.7 The applicant has offered measures in the operating schedule of the application that they say address the promotion of the Licensing Objectives. These can be found at Sec 18 of Appendix 1.
- 4. Licensing Officer comments**
- 4.1 The following information is intended to advise Members of the relevant aspects of the Statement of Licensing Policy, guidance issued by the Secretary of State, legislation and good practice. Members may depart from the Councils Policy and or Section 182 Guidance provided they consider it appropriate to do so and provide clear reasons for their decision.
- 4.2 Committee will also wish to be aware of the guidance issued under section 182 of the Licensing Act 2003. Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions are focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.

- 4.3 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. It is the Licensing Authority's wish to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 4.4 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.
- 4.5 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place. Any action taken to promote the licensing objectives will be appropriate and proportionate.
- 4.6 Also the Licensing Authority may not impose conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of the hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Therefore conditions may not be imposed for the purpose other than promoting the licensing objectives and in some cases no additional conditions will be required.
- 4.7 The Licensing Act 2003 permits children of any ages to be on the premises which primarily sells alcohol provided they are accompanied by an adult. It is not necessary to make this a condition.
- 4.8 In cases Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 4.9 Members should consider in all cases whether or not primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 4.10 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff. The Councils Licensing policy generally expects applicants to address the licensing objectives and discuss how to do this with the relevant responsible authorities.

5. **Options:**

- 5.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

In determining this application the Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives, namely:

- To grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives.

- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premises supervisor.
- To reject the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

6. The licensing authority's determination of this application is subject to a 21 day appeal period or if the decision is appealed the date of the appeal is determined and /or disposed of.

7. **Other considerations**

Section 17 of the Crime and Disorder Act 1998 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can to prevent crime and disorder in its area".

Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life.
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

8. **Use of Appendices**

Appendix 1 – Application document

Appendix 2 – Other parties representations

Background papers: Section 82 Guidance
Haringey Statement of Licensing policy

Appendix 1 – New Application

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HARINGEY COUNCIL
LICENSING
RECEIVED

- 1 MAY 2018



**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 CLARKE AND PARKER FISHMONGERS LTD
(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			
488 MUSWELL HILL BROADWAY			
Post town	LONDON	Postcode	N10 1BT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 25,750

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | 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 (by ticking yes to one box below):

- 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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname		First names		
Date of birth		a 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality				
Current residential address if different from premises address				
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname		First names		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality				
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	CLARKE AND PARKER FISHMONGERS
Address	488 MUSWELL HILL BROADWAY LONDON N10 1BT
Registered number (where applicable)	10233456
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

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)

RETAIL UNIT IN TERRACE OF SHOPS
ALONG THE BROADWAY.
RESIDENTIAL PROPERTIES ABOVE.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thurs					
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Tue					
			<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> (please read guidance note 6)		
Wed					
Thurs					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thurs			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thurs					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thurs			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 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thurs					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thurs					
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 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 4)</p>		
Wed					
Thurs			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Fri					
Sat			<p>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 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thurs					
Fri	23:00	00:00	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 6)		
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thurs	12:00	23:00			
Fri	12:00	00:00			
Sat	12:00	00:00			
Sun	12:00	22:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	FINNEAS SPITERI	
Date of birth		
Address		
Postcode		
Personal licence number (if known)	LN/15451	
Issuing licensing authority (if known)		



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 9).

NO ADULT ENTERTAINMENT

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10	23:30	
Tue	10	23:30	
Wed	10	23:30	
Thurs	10	23:30	
Fri	10	00:30	
Sat	10	06:30	
Sun	10	22:30	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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 10)

STAFF WILL BE TRAINED WITH REGARD TO THEIR RESPONSIBILITIES IN THE RETAIL SALE OF ALCOHOL AND LICENCE CONDITIONS AND THE MEASURES NECESSARY FOR COMPLIANCE WITH THOSE CONDITIONS.

b) The prevention of crime and disorder

A CCTV SYSTEM MUST BE INSTALLED & MAINTAINED IN GOOD WORKING ORDER PROVIDING CLEAR QUALITY IMAGES. THE CCTV SYSTEM MUST COVER ALL AREAS WHERE THE SALE & SUPPLY OF ALCOHOL OCCURS WITHIN THE PREMISES, ALL ENTRANCES AND EXITS & ANY EXTERNAL SURROUNDING AREAS.

c) Public safety

AN ACCIDENT LOG SHALL BE MAINTAINED AND KEPT AT THE PREMISES AND MADE AVAILABLE ON REQUEST TO POLICE & AUTHORISED OFFICERS OF THE LICENSING AUTHORITY, WHICH WILL RECORD THE FOLLOWING: ALL INJURIES WHICH OCCUR WITHIN THE VENUE. ALL EMISSIONS OF PATRONS. ANY INCIDENTS OF DISORDER. SEIZURES OF DRUGS OR OFFENSIVE WEAPONS. ANY REFUSAL OF THE SALE OF ALCOHOL. THE INCIDENT LOG SHALL BE EXAMINED AND SIGNED ON A REGULAR BASIS BY THE DESIGNATED PREMISES SUPERVISOR.

d) The prevention of public nuisance

ALL EXTERNAL DOORS & WINDOWS SHALL BE KEPT CLOSED AT ANY TIME WHEN RELEVANT ENTERTAINMENT IS TAKING PLACE, EXCEPT FOR THE IMMEDIATE ACCESS & EGRESS OF PERSONS. NOTICES SHALL BE PROMINENTLY DISPLAYED AT ALL EXITS REQUESTING PATRONS TO RESPECT THE NEEDS OF LOCAL RESIDENTS AND LEAVE THE AREA QUIETLY. NO DRINKS OR OTHER REFRESHMENTS SHALL BE CONSUMED OUTSIDE THE PREMISES ON THE PAVEMENT AT ANY GIVEN TIME.

e) The protection of children from harm

THE PREMISES SHALL ADOPT 'CHALLENGE 25' AS ITS AGE VERIFICATION POLICY & STAFF SHALL BE TRAINED IN RESPECT OF THIS POLICY. A NOTICE SHALL BE DISPLAYED IN A PROMINENT POSITION AT THE PREMISES TO ADVISE CUSTOMERS THAT CHALLENGE 25 IS IN OPERATION AT THE PREMISES.

LOUIS LAWSON
08.08.90

o FOUR LICENSING OBJECTIVES (EXTRA):

- THE PREVENTION OF CRIME AND DISORDER:

THE CCTV SYSTEM MUST BE OPERATIONAL AT ALL TIMES WHEN LICENSABLE ACTIVITIES ARE TAKING PLACE AT THE PREMISES.

THE CCTV IMAGES MUST BE RETAINED FOR A PERIOD OF 31 DAYS AND MUST BE MADE AVAILABLE TO AN AUTHORIZED OFFICER UPON REQUEST. A SUFFICIENT NUMBER OF STAFF MUST BE TRAINED TO USE THE CCTV SYSTEM AND BE ABLE TO DOWNLOAD IMAGES ON THE REQUEST OF AN AUTHORIZED OFFICER.

THE CCTV RECORDING EQUIPMENT MUST BE KEPT IN A SECURE ENVIRONMENT UNDER THE CONTROL OF THE PREMISES LICENSE HOLDER OR OTHER RESPONSIBLE NAMED INDIVIDUAL.

THE CCTV SYSTEM MUST RECORD IN REAL TIME, MAINTAINED IN A GOOD WORKING ORDER + CHECKED EVERY 3 MONTHS.

- THE PREVENTION OF PUBLIC NUISANCE:

THE REFUSALS FOR THE SALE OF ALCOHOL MUST BE RECORDED IN A REFUSALS BOOK/LOG AND RECORDS KEPT FOR INSPECTION BY A AUTHORIZED OFFICER ON REQUEST.

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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

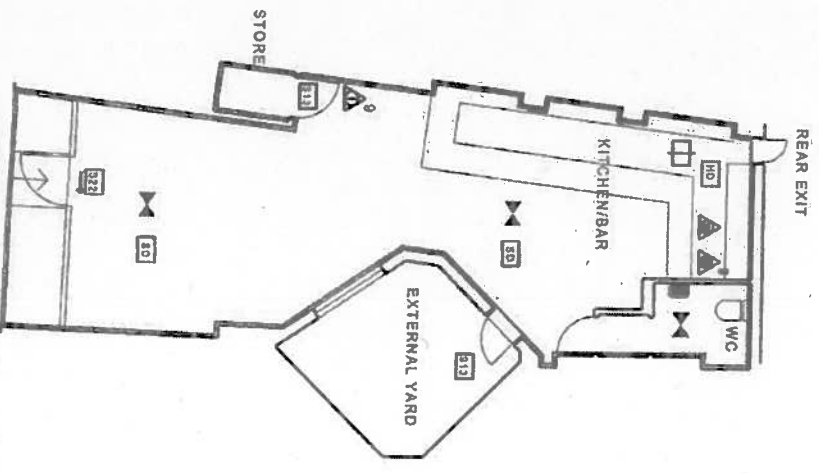
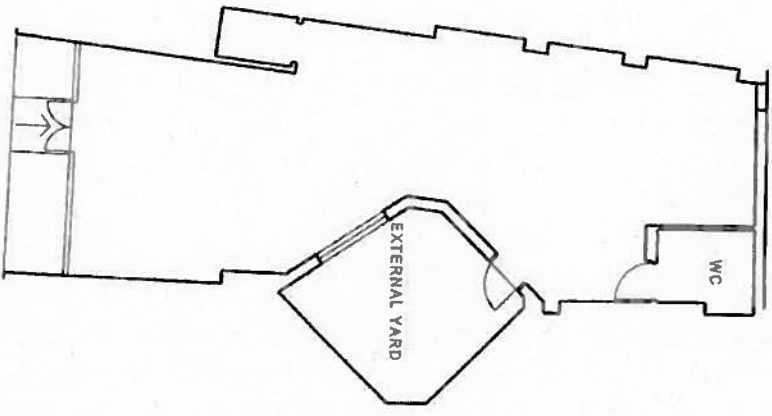
Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>[Handwritten Signature]</i>
Date	24.04.18
Capacity	70

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

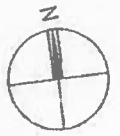
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
LOUIS CAWSON			
488 MUSWELL HILL BROADWAY			
Post town	LONDON	Postcode	N10 1BT
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

- 9 9 LITRE WATER EXTINGUISHER
 - 9 9 LITRE FOAM EXTINGUISHER
 - 2 2 KG CARBON DIOXIDE EXTINGUISHER
 - 2 2 KG DRY POWDER
 - ▲ FIRE BLANKET
 - ☐ FIRE CALL POINT (BS 5839)
 - ☐ AREA COVERED BY SMOKE DETECTOR (S9 6899)
 - ☐ AREA COVERED BY HEAT DETECTOR (BS 5839)
 - ☒ AREA COVERED BY EMERGENCY LIGHTING (BS 5286)
 - ☒ SIGN: 'FIRE DOOR KEEP SHUT' 5mm LETTERS, BOTH SIDES
 - ☒ SIGN: 'FIRE DOOR KEEP LOCKED' 5mm LETTERS
 - ☒ SIGN: 'SECURE OPEN WHEN PREMISES ARE OCCUPIED'
 - ☒ SIGN: 'FIRE EXIT WITH PICTOGRAM AND DIRECTION INDICATED' (ALL TO BS 5499)
- CERTIFICATES OF COMPLIANCE TO BS 5839 FOR FIRE ALARMS AND BS 5286 FOR EMERGENCY LIGHTING TO BE PROVIDED TO THE FIRE AUTHORITY



LICENSABLE ACTIVITIES TAKE PLACE ANYWHERE WITHIN THE RED LINES THE POSITION OF ANY LOOSE FURNITURE SHOWN IS FOR DIAGRAMMATIC PURPOSES ONLY. THE LOCATIONS OF FIRE EQUIPMENT IS SHOWN ON THE DATE HEREOF BUT MAY BE MOVED WITH THE CONSENT OF THE FIRE OFFICER DATE.....



DOUGLAS STEWART
 65 WARBURTON HOUSE, WARBURTON STREET
 LONDON E8 3RS
 mail@douglasstewart.net

CLIENT: MOHAMED AHMED

JOB TITLE: 488 MUSWELL HILL BROADWAY
 LONDON, N10 1BT

DRAWING: EXISTING AND PROPOSED PLANS

JOB NO: 207
 DATE: APRIL 2018

DWG NO.: 01
 SCALE: 1:100 (A3)

Appendix 2 – Other Parties Representations

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Anderson Chanel

From:
Sent: 15 June 2018 11:04
To: Licensing
Subject: Further objection, 488 Muswell Hill Broadway.

Dear Licensing team,

Thank you for your reply to my previous email in which I objected to the licence application of

Louis Cawson/Belmeis, 488 Muswell Hill Broadway, N10 1BT,

I note that there is a new application from

Clarke and Parker, Fishmongers Ltd,

"to provide late night refreshment and supply of alcohol for consumption on and off the premises"

I object to this on the same grounds as before:

Noise nuisance; there are many residential properties close to 488 Muswell Hill Broadway, N10 1BT. Many of us have bedrooms facing the street. The premises has an outside seating area which could increase the volume of noise inflicted on us late in the evening.

I am aware that there is a planning application for change of use and I have also objected to that.

Regards,

Shah Noshaba

From:
Sent: 19 June 2018 11:34
To: Licensing
Cc:
Subject: RE: Objection - Application to open a live music venue on 488 Muswell Hill Broadway

Dear Sir/Madam,

I would add that it is simply not technically feasible to sufficiently acoustically separate these two differing uses - bar and residential when the floor in between is a suspended timber floor built by the Victorians . The addition of soundbloc board and insulation can help but the sound levels produced by a live performance are simply too loud to be contained resulting in a significant impact on the neighbours above. Additionally, the flanking walls are solid brickwork which will allow the sound to travel upwards.

As with the adjacent La Luna, in the summer the doors/ windows are fully open and it is therefore impossible to keep the sound within the environment. A simple tour down to La Luna will illustrate the amount of sound break out onto the street and above. At the opening of La Luna, they had a live performance and although I am on the top floor, the level of sound was very significant indeed. To have this happening every night of week would make it intolerable to live there.

Approval of live music in this venue will, I am sure, be hastily followed by La Luna and all the other restaurants in the street and **the council will be failing in its duty of care to local residents if this is allowed to happen.**

Regards

From:
Sent: 19 June 2018 11:13
To: licensing@haringey.gov.uk
Cc:
Subject: Objection - Application to open a live music venue on 488 Muswell Hill Broadway

Dear Sir/Madam,

We are writing to object against the application to open a live music venue on 488 Muswell Hill Broadway.

A live music venue is not appropriate underneath and adjacent residential buildings. Significant noise disturbances have been experienced at no 458/460 Muswell Hill Broadway with restaurant La Lluna at ground floor level which should be on file at Haringey Council. Retrospective implementation of required sound insulation for airborne and impact sound is limited to existing Victorian buildings. Noise will always be able to travel through which would only result in filing complaints to Environmental Health Department late at night.

Additionally unfortunately a lot of antisocial behaviour has occurred since licences to open until midnight for drinking establishments have been granted in the area with

- littering into the entrance porches
- people use the entrance porches as smoking area
- drinking on the streets/pavement
- peeing in the front gardens opposite
- we had one occasion where a couple had sex in the entrance porch when we came home

We generally don't have any objections to have a restaurant or bar along Muswell Hill Broadway. We object to have a live music venue and opening times until midnight for the reason above.

Kind regards,

This email transmission is privileged, confidential and intended solely for the person or organisation to which it is addressed. If you have received this message in error please notify Bubble Architects immediately by email at info@bubblearchitects.co.uk. We cannot guarantee that the attached file is free from viruses. It is a condition of our supplying the file to you that, any liability on our part in respect of, or arising directly or indirectly out of any virus, is excluded. Therefore, please run virus-checking software and check the file thoroughly before opening it.

PS Before printing, think about the environment

Shah Noshaba

From:
Sent: 19 June 2018 17:24
To: Licensing
Subject: 488 Musell Hill Broadway

Dear Licensing Team,

Please accept our representation regarding the request for late night refreshments and the sale of alcohol on and off the premises.

We object to this on the following grounds:

Prevention of crime and disorder:

We are concerned about the disorder we may experience from late night customers in our doorways and on the street. We are aware of the problems caused by the bar opposite the mossy well and feel concerned similar problems may occur at 488. What has been put in place to minimise this (i.e. CCTV, ID checks, last admission policy, drinks taken outside)?

There are existing concerns about crime in the area and we ourselves have been the victim of crime following a rock thrown through our window. Such behaviour will only be exacerbated by a late night bar in a MAINLY RESIDENTIAL area.

Prevention of public nuisance:

We object to the sale of alcohol off the premises as this will encourage late night customers to pop in only to buy alcohol. We don't see the need for a restaurant to sell alcohol off premises and is likely to increase activity of drunken patrons on the street outside the premises and potentially in doorways.

We object to the late night refreshment and sale of alcohol as the noise from late opening hours will directly affect all neighbours. In particular us as immediate neighbours above. We also question the difference in request for opening times on the license application and the change of use applications (HGY/2018/1630).

We are seriously concerned about the nuisance we and other neighbours will experience from sounds coming from a bar. We live in an old building and currently can hear the builders talking through the floorboards and the external courtyard (which planning have agreed they are not allowed to use). If we can hear builders talk we can only fear the noises created by a bar full of people and potentially live music.

However we see no application for "Regulated entertainment, live music and recorded music" and we seek clarification on this.

We demand acoustic seals on windows, doors and an acoustic ceiling to minimise disturbance and music from downstairs seeping into our flats.

We also are worried about the upholding of the smoking ban - where will customers smoke and what is the impact on us neighbours?

Similarly we have concerns about people queuing and traffic - where will customers park?

Public safety at licensed premises:

According to regulations all doors and windows must be closed to prevent the sound of music seeping into adjoining properties. We therefore want to know about the capacity of people allowed, appropriate air conditioning and where these units will be placed. Similarly for cooking where will ventilators be placed as currently none are in place. We have questions about the fire risk assessment.

So far we have experienced a lot of nuisance already by building works ongoing outside the agreed working hours and premises supervisors failing to follow usual procedures on a number of occasions resulting in the loss of water and gas. We have raised numerous complaints about this and this has left us with little confidence that the supervisors/manager/owners will follow regulations going forward. We find it rather peculiar that they have been working on the property for nearly six months and are only now applying for this permission.

Thank you for listening to our concerns and please contact us for further information.

Licensing Act 2003 Representation

Name:

Address:

Postcode:

Application HGY/2018/1630 or UNW/2018/00130

Name of Licensee: Clarke and Parker Fishmonger

Premises Address: 488 Muswell Hill Broadway

Postcode: N10 1BT

Reason(s) for representation:

The owner of the Clarke and Parker Fishmonger is seeking two licenses:

- To change the premises license from A1 Retail to A3 Restaurants/Bars
- To obtain a license for provision of late night refreshment and regulated entertainment (live music)

As long-time residents of the flats immediately above the premises, we oppose these applications as we believe granting these licenses would be strongly contrary to the Four Licensing Objectives as follows:

Premises License change from A1 Retail to A3 Restaurants/Bars

The premises in question is located in a block of shops with flats above them. The particular location has been previously a small fishmonger shop, and changing it to a club serving alcohol with live music is a dramatic change which we believe poses a danger to Public Safety, and will cause Crime and Disorder, and Public Nuisance, contrary to the Licensing Objectives.

There are no other clubs serving alcohol with live music venues on our block. The closest such venue was the notorious "Socialite Bar" 2 blocks away. This club was the scene of numerous instances of Crime and Disorder, Public Nuisance, and posed a danger to public safety. Following an event reported in the press as "horrifying" in which 4 men were stabbed and one was shot, the license of the establishment was finally revoked in 2017. The Standard reported:

"I was woken by a gang of young men screaming at each and running around the immediate area outside my house... they were carrying weapons of some kind and finally roared away in two cars."

Residents claimed it was not an isolated incident, with one stating: "Every weekend we suffer intolerable disturbance and are awakened by fighting, shouts, screaming, punch-ups in the very early hours of the morning."

The IB times also reported a separate event: "Muswell Hill assault: 43-year-old woman attacked outside Socialite Bar in Haringey".

We believe that opening a club with full bar and live music in this particular location will lead to a similar situation as the prior music venue in the neighbourhood above, and thus endanger Public Safety, as well as causing increased Crime and Public Disorder and Public nuisance, thus we oppose changing the license.

Provision of late night refreshment and regulated entertainment (live music)

We oppose the licensing change of this shop to a bar/restaurant entirely as above, and additionally we oppose the request for provision of late night refreshment and regulated entertainment as this is an area of "denser residential accommodation" which, according to the council guidelines, should impose "stricter noise control conditions"

The requested licensing change will conflict with the Licensing Objectives by causing:

- tremendous disturbance to residents
- Public safety danger due to increased customer capacity (Capacity Limit)
- increased strain on local parking

The following items also would need to be accounted for in any licensing change:

- How to manage Capacity Limit
- Providing adequate seating for capacity (otherwise it will be a "high volume vertical drinking establishment")
- CCTV: front, back, and inside
- Preventing removal of containers
- Require availability of Food and Soft Drinks while alcohol is served
- SIA-registered door supervisor with search wand required at busy times (i.e. Thurs-Sun)
- ID-scanning equipment
- Last admissions/readmissions policy
- Dispersal policy
- Avoid certain performances (hatred or violence inciting re: race/ethnic/national origin, disability, religious, sexual orientation, gender)
- Prevent Noise/Vibration escaping from the premises: music, and noise from extraction system, ventilation plant, condensers, and patrons
- Prevent vehicle queues
- Prevent people queues
- Ensure clean-up operations by staff do not cause nuisance, and that staff leave premises quietly
- Uphold smoking ban
- Restrict delivery and collection times
- Limit lighting glare, including for security
- Prevent odour and pests from refuse/waste
- Prevent and clean up immediately litter and smokers' waste in the vicinity, to kerb and adjacent properties' frontage
- Smoke from proposed barbecue must be extracted properly. Location and hours must be strictly limited.
- No drinks taken outside
- Reduction of music levels 30 minutes prior to shutting off
- Prominent display of "Be quiet and mindful of neighbours" type signs at exits
- Supervise outside following closing for immediate dispersal
- Doors and windows must remain closed during music playing.
- Adequate ventilation must be ensured without opening doors/windows due to sound escaping, air conditioning thus likely required
- Acoustic seals on doors and double-doors/double-glazing/double-door lobby installed if necessary
- Fire alarms connected throughout building, alarms on fire doors, and connected to sound limiting device
- Management regular patrols of all external areas to ensure the above
- Hours must be regulated to prevent large numbers coming here after other establishments close
- Fire risk assessment required immediately and regularly updated

Use of Outdoor Areas

In addition to the above, we are concerned about the Public Nuisance and disturbance to residents that will be created by the use of outdoor areas, specifically the air shaft which has not been used by previous business, as well as the frontage. The council guidance notes state that the council may regulate the hours of operation of any licensed external area. We oppose the use of these areas outright.

If such licensing is granted or already exists, we again rely on the council guidance notes which state that regulations may: "...require patrons to return back into the premises at a specific time. In residential areas it is suggested that a closing time of 22:00 is appropriate. Any music relayed into the external area should cease earlier."

History to Date

In addition to opposing the licensing changes for the above reasons, we also note that during the recent months as the shop has been under construction, the premises supervisors have failed to follow usual procedure on at least 6 occasions resulting in loss of heat, hot water, electricity, and running water. This has been done repeatedly without notifying residents of the building work being done, and we do not know whether proper licenses have been obtained for these works. This has created a public health hazard on numerous occasions, including instances where we have had no running water or hot water while my wife was pregnant or to wash our newborn child.

We can reasonably conclude that the management team may continue to neglect their duties to Public Health and Safety going forward, thus we oppose the licensing changes. Residents have also been disturbed by noises due to building work at unreasonable hours on multiple occasions.

Thank you for listening to our concerns and please let me know if you would like myself and our neighbours to attend a hearing, or provide further details or evidence at any time.

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

18 June 2018

Phone:

Email: