

NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Friday, 2nd July, 2021, 2.00 pm - MS Teams (watch it [here](#))

Members: Councillors Sheila Peacock (Vice-Chair, in the Chair), Viv Ross, and Yvonne Say.

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. 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', 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

To receive any apologies for absence.

3. URGENT BUSINESS

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

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. SUMMARY OF PROCEDURE

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003.

6. APPLICATION FOR A NEW PREMISES LICENCE AT 365-369 GREEN LANES, LONDON, N4 (PAGES 1 - 56)

To consider an application for a new premises licence.

Fiona Rae, Principal Committee Co-ordinator
Tel – 020 8489 3541
Email: fiona.rae@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
River Park House, 225 High Road, Wood Green, N22 8HQ

Thursday, 24 June 2021

Report for: Special Licensing Sub Committee – 2 July 2021

Title: Application for a new premises licence at 365-369 Green Lanes, London, N4.

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

Ward(s) affected Harringay

Report for Key/ Non Key Decision: Not applicable

1. **Describe the issue under consideration**

1.1 An application has been submitted by Mr Garip Toprak for a new premises licence to allow for the sales of alcohol. Representations against the premises licence application have been received from residents and from Responsible Authorities. The matter is put to the Licensing Sub-Committee for determination at a public hearing.

1.2 This application seeks the following:

Late Night Refreshment

Friday to Saturday 2300 to 0200 hours

Supply of Alcohol

Sunday to Thursday 1100 to 2300 hours

Friday to Saturday 1100 to 0200 hours

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

Hours open to Public

Sunday to Thursday 0600 to 2330 hours

Friday to Saturday 0600 to 0230 hours

1.3 The premises is situated along a row of terraced shops with residential accommodation above and to the rear. The application provides the following description of the type of business that will be operated 'The premises is a Bistro Restaurant Lounge located on ground floor and mezzanine floor. Alcohol sales will take place ON the premises'.

The premises spans across three shop units and has a rear external area that will consist of two levels.

1.4 The application submitted by Mr Toprak does not offer any alternative timing for the use of the garden floors.

1.5 Representations have been received against this application by 'other persons' and Councilors, these are set out in Appendix 2. Representations have also been received from Responsible Authorities, these are set out in Appendix 3.

1.5 As such, in accordance with the legislation the Licensing Authority must hold a hearing to consider the application and any relevant representations. The Sub-Committee is asked to consider the content of this report and appendices, together with any oral submissions given at the hearing, and determines the application.

2 Background

- 2.1 The Licensing Sub-Committee has previously dealt with a review against a business operating as Rakkas which had its premises licence revoked for failing to uphold and promote the licensing objectives. The licence holder at the time was a Mr Ali Ozbek. We have confirmation from Rates Team that Mr Ali Ozbek remains the named ratepayer at the address 365-369 Green Lanes N4. He has been occupying 369 since 15/10/13 and 365-367 since 30/9/14. Mr Kenan the licensing agent advised that the previous licence holder has no involvement in this current application.
- 2.2 The applicant has offered that there will be no music played in the outdoors area. Also that all alcohol sales will only be via waiter/waitress service to the customers table. There are also conditions offered that are already set in law and therefore imposed should the premises licence be granted, these are:
- No service of alcohol to underage people.
 - Will not serve alcohol who already drunk in the premises.
 - Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours. – This is a requirement already under Fire Safety regulations.

3 Relevant representations

- 3.1 The representations from 'Other Parties' at (Appendix 2) are from Cllr Brabazon as a ward councillor and residents. there are a number of concerns raised relating to any potential links with the previous operation of the venue known as Rakkas which had its premises licence revoked for failing to uphold the licensing objectives and operating at a time when Covid measures were in place that required premises to close or prohibited certain types of activity such as shisha smoking. The lack of clarity in relation to the rear area is also cited and the understanding of its use and potential structure as set out in the Planning context is also raised. The potential for noise and the hours of operation from this area is a theme across all the representations submitted.
- 3.2 Representations from the Responsible authorities, at Appendix 3, cite concerns relating to the lack of information provided in the application. The use of the rear area and the potential for public nuisance arising from the use as an outdoor social space is a concern.
- 4 All the responsible authorities have been consulted about this application. They are as follows:
- The Licensing Authority – Representation at Appendix 3.
 - The Metropolitan Police – Representation at Appendix 3 – now withdrawn.
 - The London Fire and Emergency Planning Authority
Planning – Representation at Appendix 3 – clarity on the need for further planning application.
 - Health and Safety (includes Building Control)
 - Noise Environmental Health
 - Environmental Health – Representation at Appendix 3 – request for further information.
 - Trading Standards
 - Child protection
 - Public Health.

5 Licensing Officer comments

- 6.1 The following information is intended to advise Members of the relevant aspects of the

Statement of Licensing Police, 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.

- 6.2 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.
- 6.3 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.
- 6.4 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.
- 6.5 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.
- 6.6 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.
- 6.7 Licensees have a responsibility for the conduct of their customers while they are in and around their premises. If provision is made for customers to congregate or smoke outside of premises, then sufficient management controls must be put into place to ensure that no nuisance or disturbance is caused to local residents. Failure to control customers outside of premises can result in licence reviews being submitted endangering the continuation of the premises licence. 20.10 Some simple management controls can be put into place which can significantly reduce the risk of nuisance caused to local residents by customers outside of licensed premises. Consideration should be given to placing controls on:
- The time and number of people allowed to use shisha or similar items in any area.
- 6.8 Members should make their decisions on the civil burden of proof, that is the balance of probability.
- 6.9 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.
- 6.10 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.

7 Options:

7.1 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.

8 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.

9. 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".

9.1 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

10 Use of Appendices

Appendix 1 – Application document

Appendix 2 – Representation from residents

Appendix 3 – Representations from Responsible Authorities

Background papers: Section 82 Guidance

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Appendix 1 – Application Form and Plan



* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes
 No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	GARIP
* Family name	TOPRAK
* E-mail	
Main telephone number	
Other telephone number	

Include country code.

- Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="365-369"/>
Street	<input type="text" value="GREEN LANES"/>
District	<input type="text"/>
City or town	<input type="text" value="LONDON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="N4 1DY"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="02088016601"/>
Non-domestic rateable value of premises (£)	<input type="text" value="50,000"/>

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

GARIP

Family name

TOPRAK

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Right to work share code

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

Section 5 of 21

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

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises is a Bistro Restaurant Lounge located on ground floor and mezzanine . Alcohol sales will take place ON the premises.
PLEASE FIND ATTACHED THE PLANS.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes
 No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The applicant will accept the following conditions.

*APPLICANT ACCEPT TO EMPLOYEE A SIA REGISTERED DOOR SECURITY 7 DAYS A WEEK BETWEEN 8PM TO CLOSING TIME. EVERY SUPPLY OF ALCOHOL WILL BE MADE OR AUTHORISED BY A PERSON WHO HOLDS A PERSONAL LICENCE. NO REGULATED ENTERTAINMENT WILL BE ALLOWED AT OUTDOOR AREA. THE ALCOHOL WILL BE SERVE BY WAITER/WAITRESS TO THE TABLES. APPLICANT WILL ACCEPT THE STANDART RESTAURANT CONDITIONS.

The alcohol only will sale in operation hours and the alcohol will be consumed ON the premises. Cctv will be installed to the premises, installed the cctv system that meet the standard in 'Uk police requirements for digital cctv system'. The premises operates the "challenge 25" the proof of age scheme. The premises will open and shut at its permitted hours and the sale of alcohol or any other permitted licensing activity will not be carried out at any other time than its permitted opening hours. The premises shall install and maintain a CCTV system as per the minimum requirements of a Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. THE CCTV SHALL BE IN OPERATION AT ALL THE PREMISES ARE OPEN TO THE PUBLIC. A MEMBER OF STAFF CAPABLE OF DOWNLOADING IMAGES FOR THE POLICE OR AUTHORISED COUNCIL OFFICERS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. APPLICANT ACCEPT TO EMPLOYEE A SIA REGISTERED DOOR SECURITY 7 DAYS A WEEK BETWEEN 8PM TO CLOSING TIME.

NOTICES WILL BE DISPLAYED ADVISING CUSTOMERS OF THE PERMITTED HOURS. ALL STAFF WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND AT REGULAR INTERVALS OF SIX MONTHS THEREAFTER. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE, MAKING AND RECORDING A REFUSAL, AVOIDING CONFLICT AND RESPONSIBLE ALCOHOL RETAILING.

WRITTEN TRAINING RECORDS WILL BE KEPT. THE PREMISES WILL ACTIVELY ENGAGE WITH AND WORK WITH THE POLICE SAFER NEIGHBOURHOOD TEAM. the premises will keep strong management controls and train all staff so they are aware of the licence and its requirement. In particular:
No service of alcohol to underage people.

Continued from previous page...

Being vigilant to prevent disorderly behavior.

b) The prevention of crime and disorder

Cctv will be installed to the premises for safety and crime prevention. Will not serve alcohol who already drunk in the premises. The DPS will undertake routine monitoring of the refusals records and record that this is being done. All staff that makes sales of alcohol receives regular training (induction and refresher). Installed cctv systems that meet the standard in 'uk police requirements for digital cctv systems' shall operate and record video images at all times that premises are open to the public and any recordings made will be retained for not less than 31 days and made available to a police officer on request. A member of staff on premises at the relevant time will be capable of operating the cctv system.

c) Public safety

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received regards crime and disorder
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any refusal of the sale of alcohol

d) The prevention of public nuisance

Emergency light will be installed and fire extinguisher will be installed. The fire exit is free of any impediment or obstacle at all time of the operating hours.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received regards crime and disorder
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any refusal of the sale of alcohol

e) The protection of children from harm

Any alcohol must be sold by DPS or a person authorised by the DPS at all times. All staff who sells alcohol will be trained in the role by the DPS with regular refresher training. Records of training will be kept and made available for examining officers of the relevant authorities. Where a person appears to be under the age 25, identification in the form of passport, photo driving licence or a proof of age card bearing the pass hologram will be sought and if not provided service of alcohol will be refused. Suitable signage will be displayed at the point of entry and at the service area advising customers that the premises operates the "challenge 25" proof of age scheme.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

The following credit or debit cards are accepted in Haringey: Maestro - Mastercard Debit - Mastercard Credit - Solo - Visa Credit - Visa Debit (formerly Delta) and Visa Electron We cannot accept liability if payment is refused or declined by the card supplier. Due to end of day processing, this service will not be available between 10pm and 11pm every weekday evening (Mon- Fri). Users should note that any payments in process after the 10pm deadline need to be completed by 10.05pm

* Fee amount (£)

315.00

Continued from previous page...

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application. [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)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/haringey/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Consent of individual to being specified as premises supervisor

I Garip Toprak
[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

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

NEW PREMISES LICENCE APPLICATION

[type of application]

by

Garip Toprak
[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

365-369 GREEN LANES, NY 104

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

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

Gorip Toprak
[name of applicant]

concerning the supply of alcohol at

365-369 GREEN LANES, N4 1DY

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

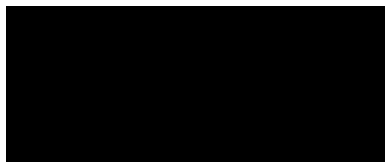
Personal licence number

LN201700312
[insert personal licence number, if any]

Personal licence issuing authority

ENFIELD COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

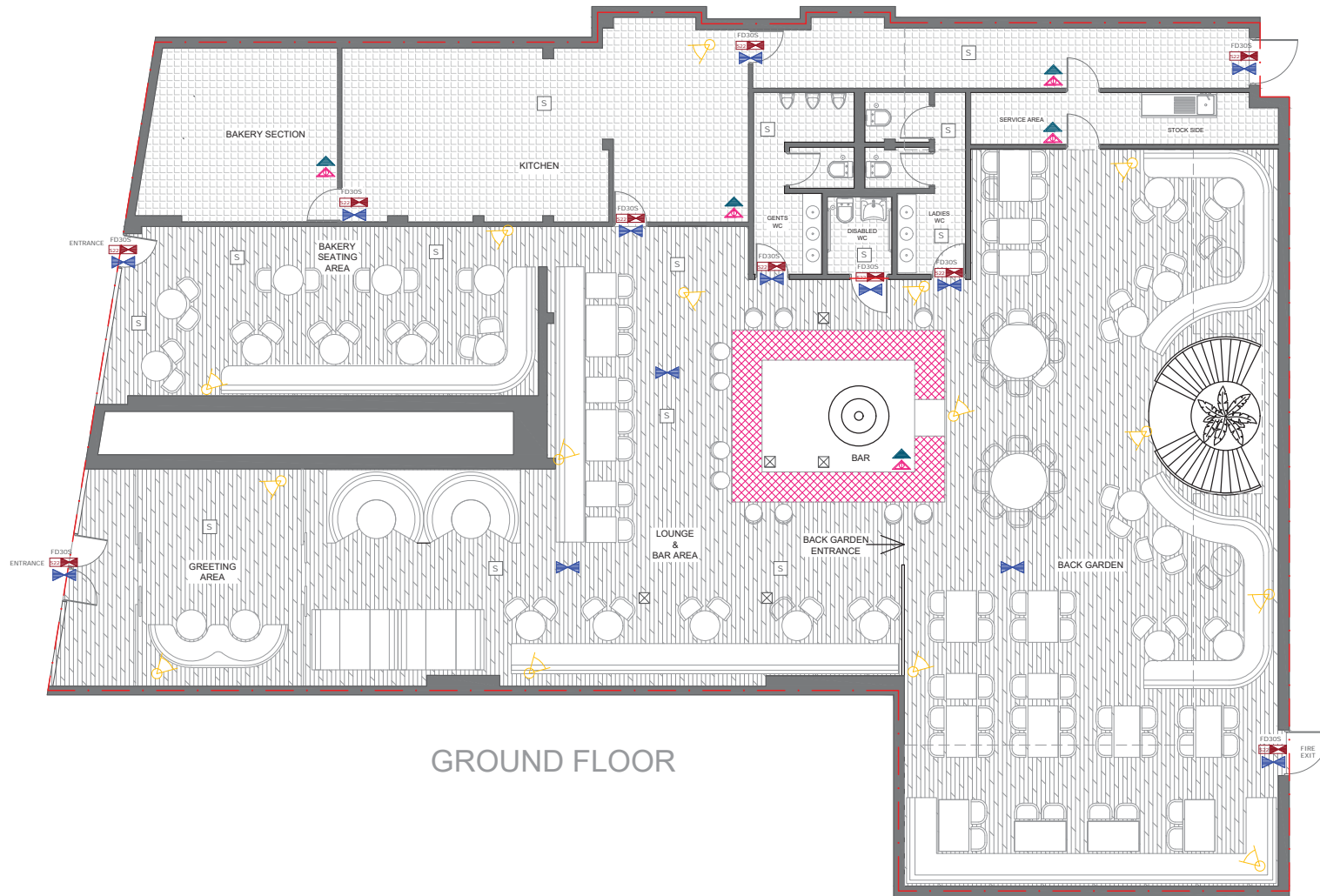


Name (please print)

Gorip Toprak

Date

04/05/2021



- LEGEND**
- AMBIT OF PREMISES
 - LIQUOR SALES
 - SAFETY LIGHTING
 - SMOKE DETECTOR
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LT. WATER FIRE EXTINGUISHER
 - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 - 30min FIRE RESISTANCE DOOR (FIRE DOOR TO HAVE INTUMESCENT STRIPS AND SELF CLOSER)
 - CCTV OPERATING SYSTEM

GROUND FLOOR

PLEASE NOTE
 1. All dimensions to be verified on site.
 2. All dimensions are in millimeters.
 3. No work shall commence until all approvals and agreements have been obtained. These include, Planning, Building Regulations, Water and party Wall.
 4. The Copyright of this drawing belongs to Adv Planning Limited T/A Advance Architecture.



Drawn By ES
 Checked By -

PROJECT STATUS
 EXISTING

LICENSING
 EXISTING

PROJECT
 AGH GARDEN,
 365-369 GREEN LANES,
 LONDON N4 1DY

SHEET
 JOB No.

PLAN
 -

DRAWING NUMBER
 DATE

L100
 30/04/2021

REV

ADVANCE ARCHITECTURE
 ARCHITECTURE / PLANNING / LICENSING
 352 Green Lanes, Palmers Green,
 London N13 5TJ - 020 8801 6601
 www.advancearchitecture.co.uk
 info@advancearchitecture.co.uk



PLEASE NOTE
 1. All dimensions to be verified on site.
 2. All dimensions are in millimeters.
 3. No work shall commence until all approvals and agreements have been obtained.
 These include: Planning, Building Regulations, Water and party Wall.
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Drawn By	ES
Checked By	-

PROJECT STATUS

LICENSING
EXISTING

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Appendix 2 – Representations from Residents

LICENSING ACT 2003 - REPRESENTATION FORM

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

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

<p>Personal Details</p> <p>Name [REDACTED] <i>on behalf of Gardens Residents' Association</i>.....</p> <p>Address..... [REDACTED] [REDACTED]..... </p> <p>Postcode... [REDACTED].....</p>
<p>Licence application you wish to make a representation on</p> <p><i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i></p> <p>Application Number..... WK/000498979.....</p> <p>Name of Licensee...Garik Toprak.....</p> <p>Name of Premises (if applicable)...Restaurant... ..</p> <p>Premises Address (where the Licence will take effect)... 365-369 Green Lanes</p> <p>Postcode.....</p>
<p>Reason/s for representation</p> <p><i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i></p> <p><i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i></p>

The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance We object to the supply of alcohol Friday to Saturday 11am – 2am, and the opening hours from 8am to 2.30 am. The restaurant is situated on the corner of a residential street, and the GRA is of the opinion that such late night opening and serving of alcohol is not appropriate for our part of Green Lanes due to the risk of noise and nuisance at a time of night when people are sleeping and noise is particularly intrusive. Looking at the plans, it also appears that it is intended that the garden will be used for customers. This backs directly on to residential properties, and would cause severe noise nuisance to local people – this would be the case whatever the time of day, but even more so up to 2.30 am. The garden should not be used for customers under any circumstances.
The Protection of Children from Harm

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

Signed: [REDACTED] – signed electronically (no printer available)
June 2021

Date: 7th

Please email the completed form to licensing@haringey.gov.uk.

LADDER COMMUNITY SAFETY PARTNERSHIP

Haringey Council Licensing Team
River Park House,
Level 1 North,
225 High Road,
Wood Green
London, N22 8HQ

6 June 2021

Premises Licence: 365-369 Green Lanes, N4 1DY

Introduction

I am writing to you on behalf of the local community in my capacity as elected Chair of both the Ladder Community Safety Partnership (LCSP) and the Harringay Ward Police Panel. The LCSP is an umbrella organization containing many individual members but also representatives of Neighbourhood Watches and Residents' Associations throughout the Ward including Green Lanes. We are an independent group, although we work in partnership with many other key stakeholders to improve the quality of life for local people. The Police Panel obviously works closely with our local officers and sets priorities which aim to keep the area safe, and free from crime, antisocial behaviour and other nuisances.

Our members – and particularly those who live near the premises (in flats along Green Lanes and to the rear in Lothair Road North) are very concerned at the prospect of such a large venue (triple size plus a mezzanine) opening for such long hours, especially until 2.30am on Fridays and Saturdays. The council's Licensing Policy 2021-26 (p8) states that its fundamental purpose '*is to ensure that licensed premises have a positive impact on their locality*' but our members are not convinced that such aims will be achieved via the proposals in this application.

Concerns are based on two of the key licensing objectives

- The prevention of crime and disorder
- The prevention of public nuisance

1. Lack of clarity in the application and associated plans

(a) Outdoor area(s)

These concerns are particularly regarding outdoor use and smoking areas at the premises. This is because this is essentially an entirely new venue formed by the amalgamation of 3 adjacent units, but the work to do so is still underway and the interiors have been largely gutted. The plans submitted are therefore the only indication of the final configuration, and it will be important that the venue is checked for compliance with these plans before it opens.

There is a reference on the plan to a 'back garden' area, but is not clear whether this really is a garden area, a partially enclosed space or neither. However this area is in the new rear extensions given planning approval in 2019 & 2021 which make clear all roof panels and doors need to be kept closed to avoid noise pollution to the rear of the venue, affecting Lothair Road North residents, and these living above (see Appendix: Planning Matters, below). Are the applicants seeking to submit further planning applications to seek to overturn these restrictions? Given that opening roof windows were proposed in both planning applications, and the requirement for them to be fixed was a condition of approval, this seems unlikely.

The applicant states (in section 18 of 21) '*no regulated entertainment will be allowed at outdoor area*' which implies they do intend to provide an outdoor area. However, it is not at all clear where the outdoor area referred to is located, though it is difficult to see where it could be, except at the back. It is essential that the applicant clarifies whether or not one is being provided and if so where.

There is no reference in the application to either a smoking area or the use of shisha pipes. Has an outside area been designated for customers who wish to smoke? Would they congregate on the Green Lanes pavement or at the rear of the premises - or round the corner in Lothair Road North, as seems to have been the case with the previous premises at 369 Green Lanes? Is it proposed to have a shisha lounge area, and if so, where would this be? If not, the applicant should make clear his intentions.

(b) Regulated entertainment

In sections 6-13 of 21 the applicant has ticked the boxes indicating no provision of the various types of regulated entertainment. Does this mean not at all, or only within the permitted hours of 08.00-23.00 for which a licence is not required? The statement noted above (in section 18 of 21 of the form) '*no regulated entertainment will be allowed at outdoor area*' implies that some form of it will take place elsewhere in the premises. Again, clarity is required in order to judge this application

2. Opening hours

Residents are anxious about the proposed continuation of very late opening hours until 2:30 am on Friday and Saturdays, as in the previous licence which was revoked. No other leisure or entertainment venue in Green Lanes is open

this late, and most close much earlier (the only exception is McDonald's, but this is in Williamson Road beside the Arena Shopping Centre; as such it is not surrounded by residential accommodation and it does not sell alcohol.

We understand from local residents that there have in the past been instances of customers who are already 'lively', arriving for a further round of drinks and refreshments after all the other bars and restaurants in the area have closed. It is perhaps significant that the applicants (like the previous management) are proposing to employ door security staff. This is obviously a responsible and sensible policy to help defuse potential trouble, but equally (to the best of our knowledge) no other restaurant in Green Lanes finds it necessary to do this. It is a serious issue, especially given the proximity of a great deal of residential accommodation, both above all three units of the premises (365-369 Green Lanes itself) and to the rear, in Lothair Road North.

3. Sound insulation

It should be a requirement of the licence that the sound insulation below the residential accommodation on the first floor at the front is demonstrated to be of an appropriate (specified) standard to prevent noise nuisance, particularly late at night. This is particularly important given that the whole interior seems to have been stripped out and all three joined together. The single storey rear extensions also need to have adequate sound insulation to prevent airborne transmission.

Conclusion

There are clearly a lot of concerns and the need for much greater clarity about the operation and functioning of this venue. We believe that –

- The proposed very late opening hours until 2.30am on Fridays and Saturdays should be curtailed
- Outside space needs to be clearly defined and identified
- The use of outside space needs to be regulated (eg hours and types of use permitted)
- Any shisha pipe use (if intended) should be in an appropriate location and in strict compliance with the council's regulations
- Any smoking area(s) need to be clearly delineated so as to cause minimum disturbance to nearby residents
- All the existing Planning conditions should be respected and should inform such licensing conditions as may be deemed necessary

Ian Sygrave

Chair, on behalf of the LCSP

Chair, on behalf of the Harringay Police Panel

Appendix

Planning Matters

It is well known that licensing and planning are two separate regimes, but they are often also mutually dependent. The Council's Licensing Policy 2021-26 (p13) makes this clear when it explains that all planning permissions and conditions must be respected. In the case of this application, HGY/2019/2317 (for 365-367 Green Lanes) and HGY/2021/0293 (for 369 Green Lanes) both state that:

'the rooflights within the extension [presumably the area referred to as the 'back garden' in the plans submitted with licensing application] shall be installed as non-opening and shall remain such for the lifetime of the development, unless otherwise approved in writing by the local planning authority'.

'Reason: to avoid potential noise disturbance into neighbouring residential properties...'

'No additional openings, including doors or windows, shall be installed into the extension other than those in the plans hereby approved without the benefit of full planning permission.'

'Reason: in the interest of protecting the amenities of neighbouring residential occupants from noise, light, odour or general disturbance ...'

These conditions obviously mean that this entire area cannot be used for shisha or smoking purposes. We also note that the plans submitted seem to show that the new rear extension to 369 Green Lanes extends to the north over part of the area to the rear of 371 Green Lanes, in contravention to the plans submitted to and approved by LBH Planning.

From: Zena Brabazon
Sent: 07 June 2021 10:04
To: Licensing <Licensing@haringey.gov.uk>
Subject: Premises License: 365-369 Green Lanes, N4 1DY

Dear Daliah and Licensing

I am writing as a ward councillor for Harringay ward to object to the application for a Premises License at 365-369 Green Lanes, N4 1DY.

This application is for a large venue (triple size plus a mezzanine) opening for such long hours, especially until 2.30am on Fridays and Saturdays. The council's Licensing Policy 2021-26 (p8) states that its fundamental purpose '*is to ensure that licensed premises have a positive impact on their locality*' but our members are not convinced that such aims will be achieved via the proposals in this application. It is very near residential properties and also Lothair Road, and I am concerned may cause nuisance to residents as set out in detail in paragraph 2 below, Opening Hours.

My concerns are based on two of the key licensing objectives

- The prevention of crime and disorder
- The prevention of public nuisance

For further background I have drawn on the submission from the Ladder Community Safety Partnership as below which I support. I understand there are also planning issues which Mr Sygrave has set out in his submission. Although separate planning and licensing are separate regimes, the planning issues are also germane. The planning conditions obviously mean that this entire area cannot be used for shisha or smoking purposes. It seems that plans submitted appear to show that the new rear extension to 369 Green Lanes extends to the north over part of the area to the rear of 371 Green Lanes, in contravention to the plans submitted to and approved by LBH Planning.

1. Lack of clarity in the application and associated plans

(a) Outdoor area(s)

These concerns are particularly regarding outdoor use and smoking areas at the premises. This is because this is essentially an entirely new venue formed by the amalgamation of 3 adjacent units, but the work to do so is still underway and the interiors have been largely gutted. The plans submitted are therefore the only indication of the final configuration, and it will be important that the venue is checked for compliance with these plans before it opens.

There is a reference on the plan to a 'back garden' area, but is not clear whether this really is a garden area, a partially enclosed space or neither. However this area is in the new rear extensions given planning approval in 2019 & 2021 which make clear all roof panels and doors need to be kept closed to avoid noise pollution to the rear of the venue, affecting Lothair Road North residents, and these living above (see Appendix: Planning Matters, below). Are the applicants seeking to submit further planning applications to seek to overturn these restrictions? Given that opening roof windows were proposed in both planning applications, and the requirement for them to be fixed was a condition of approval, this seems unlikely.

The applicant states (in section 18 of 21) '*no regulated entertainment will be allowed at outdoor area*' which implies they do intend to provide an outdoor area. However, it is not at all clear where the outdoor area referred to is located, though it is difficult to see where it could be, except at the back. It is essential that the applicant clarifies whether or not one is being provided and if so where.

There is no reference in the application to either a smoking area or the use of shisha pipes. Has an outside area been designated for customers who wish to smoke? Would they congregate on the Green Lanes pavement or at the rear of the premises - or round the corner in Lothair Road North, as seems to have been the case with the previous premises at 369 Green Lanes? Is it proposed to have a shisha lounge area, and if so, where would this be? If not, the applicant should make clear his intentions.

(b) Regulated entertainment

In sections 6-13 of 21 the applicant has ticked the boxes indicating no provision of the various types of regulated entertainment. Does this mean not at all, or only within the permitted hours of 08.00-23.00 for which a license is not required? The statement noted above (in section 18 of 21 of the form) '*no regulated entertainment will be allowed at outdoor area*' implies that some form of it will take place elsewhere in the premises. Again, clarity is required in order to judge this application

2. Opening hours

Residents are anxious about the proposed continuation of very late opening hours until 2:30 am on Friday and Saturdays, as in the previous license which was revoked. No other leisure or entertainment venue in Green Lanes is open this late, and most close much earlier (the only exception is McDonald's, but this is in Williamson Road beside the Arena Shopping Centre; as such it is not surrounded by residential accommodation and it does not sell alcohol.

We understand from local residents that there have in the past of been instances of customers who are already 'lively', arriving for a further round of drinks and refreshments after all the other bars and restaurants in the area have closed. It is perhaps significant that the applicants (like the previous management) are proposing to employ door security staff. This is obviously a responsible and sensible policy to help defuse potential trouble, but equally (to the best of our knowledge) no other restaurant in Green Lanes finds it necessary to do this. It is a serious issue, especially given the proximity of a great deal of residential accommodation, both above all three units of the premises (365-369 Green Lanes itself) and to the rear, in Lothair Road North.

Conclusion

There are clearly a lot of concerns and the need for much greater clarity about the operation and functioning of this venue and the proposed very late opening hours until 2.30am on Fridays and Saturdays should be curtailed. In addition:

- **Outside space needs to be clearly defined and identified**
- **The use of outside space needs to be regulated (e.g. hours and types of use permitted)**
- **Any shisha pipe use (if intended) should be in an appropriate location and in strict compliance with the council's regulations**
- **Any smoking area(s) need to be clearly delineated so as to cause minimum disturbance to nearby residents**
- **All the existing Planning conditions should be respected and should inform such licensing conditions as may be deemed necessary**

Regards

Zena

Zena Brabazon
Cllr, Harringay ward

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Appendix 3 – Representations from Responsible Authorities

From: Ekemezuma Felicia <Felicia.Ekemezuma@haringey.gov.uk>

Sent: 11 May 2021 17:10

To: Licensing <Licensing@haringey.gov.uk>; Haringey Building Control <Control.HaringeyBuilding@haringey.gov.uk>; Planning Enforcement <Planning.Enforcement@haringey.gov.uk>; Frontline <Frontline@haringey.gov.uk>; 'TRACY.BROWN@london-fire.gov.uk'; 'TRACY.BROWN@london-fire.gov.uk'; Shipp David <David.Shipp@haringey.gov.uk>; D'Aguilar Marlene <Marlene.DAguilar@haringey.gov.uk>; Osinaike Charley <Charley.Osinaike@haringey.gov.uk>; Ahmad Maria <Maria.Ahmad@haringey.gov.uk>; Squire Michael <Michael.Squire@haringey.gov.uk>; Ellick Brian <Brian.Ellick@haringey.gov.uk>; Barrett Jennifer <Jennifer.Barrett@Haringey.gov.uk>; Greer Sarah <Sarah.Greer@haringey.gov.uk>; ASB.Enforcement@haringey.gov.uk; 'FSR-AdminSupport@london-fire.gov.uk' <FSR-AdminSupport@london-fire.gov.uk>; police <NAMailbox-.Licensing@met.police.uk>

Cc: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; Shah Noshaba <Noshaba.Shah@haringey.gov.uk>; Cone Philip <Philip.Cone@haringey.gov.uk>

Subject: RE: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Hi Licensing

This is the old Rakkas and they are proposing to use the garden for eating an I assume shisha. I would be grateful if you could ask them for more details of the external structure before we respond to the application.

Thanks

Felicia Ekemezuma
Commercial EH & TS Manager




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Haringey Council
River Park House, 225 High Road, London N22 8HQ

T. 020 8489 5153
E. felicia.ekemezuma@haringey.gov.uk
(Please note I only work Mon – Wed)

www.haringey.gov.uk
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New Premises application: 365-369 Green Lanes. Licensing Authority Representation:

From the Licensing Authority viewpoint, I have concerns about the applicant meeting the threshold of specific Licensing Objectives, Public Nuisance, Public Safety and Crime and Disorder.

The premises previously operated as Rakkas at 369 Green Lanes under a licence held by Mr Ali Ozbek, this licence was subject to a review due to breaches found under the various Lockdown stages during the Covid pandemic. The Premises licence was revoked by the LSC. The new application is submitted by Garip Toprak, however, Mr Ali Ozbek remains the ratepayer at 365-369 Green Lanes. We understand that a new lease was to be assigned but unclear as to whom the new lessee would be, we assume it will be the new applicant. The new Premises licence application states that Mr Ali Ozbek has no involvement in the new application.

The premises is being opened up across three units with a large outdoor area to the rear which the Licensing Authority believes will be used for shisha activity although the applicant has not stated this in the application. The Licensing Authority has spoken with the agent and landlord for the premises who have indicated that the rear area will be used for shisha smoking. Whilst shisha smoking is not a licensable activity the conduct and management of this activity on licensed premises can be considered in terms of ensuring the objectives are upheld and promoted on the premises.

We do have concerns over the alterations to the three units, with the rear being used as a shisha garden with a retractable roof. Planning Services have advised that this type of mixed use (restaurant and shisha lounge) required an application to be submitted to Planning. The agent has been informed to make contact with planning with regard to this matter.

However we do have concerns with regards the rear area and the timings being sought by the applicant . There is the potential for nuisance issues to arise from its use be it noise, smoke and or light nuisance. The most popular times for customers will be in the evening and it is a known fact that nuisance is more noticeable in the evening. This is particularly exacerbated in 'smoke free compliant' premises as the shelter is outside and leads to greater transmission of noise.

It is our view that there is insufficient information from the applicant to address the concerns of Environmental Health and the granting of this application as presented would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety.

From the Public Nuisance, Public Safety and Crime and Disorder perspective, I would want the following conditions applied;

- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police and Local Authority Licensing Teams. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
- A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
- The Police will be informed if the system will not be operating for longer than one day of business for any reason;
- Footage will be provided free of charge to the police or other authorised officers upon request (subject to the Data Protection Act 1998) within 24 hours of any request.
- A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number shall be made available to residents and businesses in the vicinity.
- An incident log shall be kept at the premises and made available on request to a Police or authorised council officer. It must be completed within 24 hours of the incident and will record the following:
 - a) All crimes reported at the venue.
 - b) All ejections of patrons.
 - c) Any complaints received concerning crime and disorder.
 - d) Any incidents of disorder.
 - e) All seizures of drugs and offensive weapons.
 - f) Any faults in the CCTV system, searching or scanning equipment.
 - g) Any visit by a relevant authority or emergency service.
- The premises licence holder shall ensure that all sales staff receive appropriate training in relation to managing conflict and health and safety of the public and staff. Training documents shall be signed and dated and will be held in a suitable hard-copy log, to be made available to a Police Officer or Council Officer upon request. Said records shall be retained for at least 12 months.

Prevention of Public nuisance:

- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
- All windows and external doors shall be kept closed after 23:00 hours except for the immediate access and egress of persons.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
- Amplified music shall **NOT** be played at the premises at any time in the garden area
- No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
- The direction of lighting in the rear area must be directed away from any domestic premises so as not cause any light intrusion.

Noise and/or Odour from any flue used for the dispersal of cooking smells serving the building shall not cause a nuisance to the occupants of any

- properties in the vicinity. Any filters, ducting and extract fan shall be cleaned and serviced regularly.

In the event of a noise/nuisance complaint substantiated by an authorised officer, the licensee shall take appropriate measures in order to prevent any

- recurrence.

Prominent, clear and legible notices must be displayed at all exits (including the rear seating area) requesting the public to respect the needs of local

- residents and to leave the premises and the area quietly.

Public safety

The licence holder will ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.

Protection of children from harm:

- The premises will operate the 'Challenge 25' proof of age scheme where:
 - a. All staff will be fully trained in its operation;
 - b. Only suitable forms of photographic identification, such as passport or UK driving licence, or holograph equipped 'PASS' scheme cards, will be accepted; and
 - c. No one under the age of 18 years will be admitted into the lounge/shish garden part of the premises.

Phil Cone.
Licensing Enforcement officer



Licensing Authority |

1st Floor | River Park House | 225 High Road | Wood Green | London | N22 8HQ

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POLICE REPRESENTATION

Name and address of premises: 365-369 Green Lanes,
Hornsey, London,
N4 1DY

Type of Application: New Premises Licence

In summary, I wish to make representation on the following:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

1) A digital CCTV system must be installed in the premises complying with the following criteria:

- (a) Cameras must be sited to observe the entrance doors from both inside and outside.
- (b) 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.
- (c) Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.
- (d) Provide a linked record of the date, time of any image.
- (e) Provide good quality images - colour during opening times.
- (f) Have a monitor to review images and recorded quality.
- (g) Be regularly maintained to ensure continuous quality of image capture and retention.
- (h) Member of staff trained in operating CCTV at venue during times open to the public.
- (i) 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.

2) An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:

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

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

Officer: Kayleigh Mitcham
Licensing Officer North Area Police

Kayleigh.Mitcham@met.police.uk

Date: 6th June 2021

From: MacPherson Alan <Alan.MacPherson@haringey.gov.uk>
Sent: 07 June 2021 11:35
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Subject: RE: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Hi Daliah

Planning position is that the proposed use a mixed use restaurant shisha lounge (use Class sui generis) requires planning permission because this use is not permissible via any of the relevant permitted development provisions.

Kind regards

Alan MacPherson, Planning Enforcement Officer
Development Management | Planning, Regeneration and Economy | Haringey Council
River Park House 225 High Road | London | N22 8HQ
Tel: 020 8489 1761 |
www.haringey.gov.uk

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 07 June 2021 11:24
To: MacPherson Alan <Alan.MacPherson@haringey.gov.uk>
Subject: RE: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Hi Alan,
Thank you.

Is it possible to send me a summary of what the current Planning position as it relates to 365-369 Green Lanes please, I do not want to misinform the LSC on the background details of this matter

Thanks
Dale

From: MacPherson Alan <Alan.MacPherson@haringey.gov.uk>
Sent: 07 June 2021 11:21
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Subject: RE: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Hi Daliah

The residents understanding of the planning permission is correct. I have checked our records and no further planning applications have been submitted.

Kind regards

Alan MacPherson, Planning Enforcement Officer
Development Management | Planning, Regeneration and Economy | Haringey Council
River Park House 225 High Road | London | N22 8HQ
Tel: 020 8489 1761 |
www.haringey.gov.uk

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From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Sent: 06 June 2021 16:55
To: MacPherson Alan <Alan.MacPherson@haringey.gov.uk>
Cc: Ekemezuma Felicia <Felicia.Ekemezuma@haringey.gov.uk>
Subject: Fwd: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Hi Alan

Please see wording below from a resident relating to the Planning conditions, is this correct the consent given required an enclosed area with roof?

Our concern is that the area will be used for shisha smoking so having an enclosed rear area would not be compliant with Health Act. Has an application been submitted to Planning at this

time?

Regards
Daliah

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From: LCSP [Ladder Community Safety Partnership] <lcsp@blueyonder.co.uk>
Sent: Thursday, 3 June 2021, 14:19
To: Barrett Daliah
Subject: Re: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Dear Dale,
Thanks for this. I'm confused by the plans labelling the rear area 'back garden' which suggests that it is an outside area. As far as I'm aware from the approved planning applications for rebuilding the rear single storey back extensions, these are fully enclosed, and the roof windows were specifically required to be non opening to prevent noise nuisance. Can you clarify with applicant that this is the case. Maybe it just relates to the decor? Clearly it would not then be suitable for Shisha (or any other) smoking, or there being a case for limiting opening hours.
Best wishes
Ian

----- Original Message -----

From: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
To: 'LCSP [Ladder Community Safety Partnership]' <lcsp@blueyonder.co.uk>
Sent: 03/06/2021 12:17:31
Subject: FW: Application for a Premises Licence- 365-369 Green Lanes, Hornsey, London, N4 1DY (WK/498979)

Hi Ian,

Please note the last day of consultation will be on **7th June 2021**.

Please forward all responses to licensing@haringey.gov.uk

Kind regards

Daliah Barrett

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Licensing Authority I

1st Floor I River Park House I 225 High Road I Wood Green I London I N22 8HQ

Tel: 020 8489 8232

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