

BAR APOGEE

APPENDIX "B"

BAR APOGEE

DIARY OF DISTURBANCE

December 2007

- 22** Saturday - loud music
- 24** Monday (Christmas Eve) open after 3.00am with loud music and then a lock in - music to 4 am although reduced. Customers leaving up to 4am (**page 49**)
- 29** Saturday. police attended following windows smashed at front and side (**page 45**)
- 31** New Years Eve (Monday). Loud music. Police attended around 2 am following smashed windows at the front (**page 37**) Around 40-50 people outside the bar and across the road. Police van and car in attendance for approximately 25 minutes. At around 3.30am bottles emptied at rear. At around 6 am a loud argument in the car park at the rear.

January 2008

- 5** Saturday. Loud music and noise from people outside the bar.
- 12** Saturday. Loud music
- 13** Sunday. Loud music to 12.45 (**page 49**)
- 15** Tuesday. Loud music to midnight
- 19** Saturday. Loud music to 3.00 am at least - lots of noise outside with around 30 people shouting and screaming, lots of car horns.
- 25** Friday. Loud music from the bar and loud music from car stereo in car park for 20 minutes at 3.00am

February 2008

- 2** Saturday. Loud music and noise from customers outside (**page 42**)
- 9** Loud music
- 10** Sunday - loud music after midnight (**page 46**)

March 2008

- 1 Saturday - loud music and lots of noise from people outside shouting. Also, noise from customers outside rear fire door.
- 21 Friday. Music and customer noise well beyond 3.15 am
- 23 Sunday/Monday - woken up by customers leaving car park cars at 1.20 am - car stereo etc
- 29 Saturday. loud music until 5.25 am. Noise from people outside and car park.

April 2008

- 12 Saturday - loud music, woken by people in car park around 3 am.
- 19 Saturday. Loud music. Disturbed by loud people at front on and off. Woken at 3.20 by people leaving and music still playing.

May 2008

- 4 Sunday. Loud music and open to past 12.30.
- 11 Sunday. Loud music and open to 1 am
- 25 Sunday. Loud music and open to 1 am

June 2008

- 6 Friday. Loud music and noise from people outside. At 4.00 am my daughter was woken up by customers leaving. About 40-50 people all over road etc making lots of noise.
- 27 Friday. Loud music and noise from customers
- 28 Saturday. Loud music and noise from customers


July

- 6 Sunday. Loud music, open after midnight.
- 23 Wednesday. Private party at Apogee (notice on window) - playing loud music beyond 11pm. Bar carried on until around 1.30 am. Lights off at the front, blinds up etc but music could be heard and lights at back I Woken by people leaving at 1.40am

- 24 Thursday. Loud music and then around 12.30 about 80-100 people flooded Apogee (front, back, side) presumably some event that did not take place. 45 minutes of shouting, talking etc until they finally disbursed.
- 25 Friday. Loud music. Noise from customers outside.
- 27 Sunday. Noise team attended bar at around 11.20 pm to witness loud music playing in breach of licence.

September 2008

- 7 Sunday. Loud music. Noise Team attended at 11.50pm to witness loud music playing in breach of licence (page 50)
- 13 Saturday. Loud music. Lots of noise from people outside to include an argument between a group of girls sitting outside my gate for 30 minutes. Broken glass outside my gate and on my path. Lots of noise at closing. At 3.15 still about 10 young men outside the bar shouting etc.
- 14 Sunday. Noise team attended about 12.40 to witness loud music and bar open in breach of licence (page 50)


123 PARK ROAD, N8
20-09-08

Tim Newcombe

From: "Tim Newcombe" <tim.newcombe@virgin.net>
To: "Barrett Daliah" <Daliah.Barrett@haringey.gov.uk>
Sent: 07 June 2008 10:43
Subject: Bar Apogee

Dear Ms Barrett

I write to complain about the noise from Bar Apogee last night, ie Friday 6 June. I assume they had a late licence, but please confirm. Throughout the late evening/morning the music was loud, with noise from customers outside. At around 4 am my 7 year old daughter was woken up by customers leaving the bar. The bar owners appear to do little or nothing to moderate the noise from their customers late at night.

Can you also please confirm whether Bar Apogee had an extended licence on the following Sundays in May - 4, 11 and 25.

On these dates the bar was open and playing music until around 1.00 am.

If there was no extended licence, can you please confirm what action you intend to take.

Regards

Tim Newcombe
123 Park Road, N8

Diary of Nuisance from Bar Apogee – from Dec 2007

Christmas eve – Loud music base, and noise from customers outside of bar, until 4 am then continued noise of customers leaving, revving cars etc until 4.30

Fri 4th Jan – Loud music and base until past 2.30am

Sat 5th Jan – At 12.15am, fight outside bar on pavement and across road

Sun 13th Jan - Loud base until past 12 am and shouting customers standing outside

Mon 14th Jan – As above

Tue 15th Jan – As above

Sat 19th Jan – Loud music, loud people queuing outside past 12, then standing outside until past 2.30 am, cars parked on both sides of the road, slamming doors, revving engines until 3am

Sat 26th Jan – As above

Sat 2nd Feb – loud music until 2.30am

Sat 9th Feb – as above

Fri 21st Mar – as above (music and noise/general nuisance seems to be getting progressively worse again since hearing in early February)

Saturday March 29th – excessively loud music until past 4am – no response from noise team when contacted.

Saturday 19th April –excessively loud music and people noise on leaving at 3am

Saturday 26th April – excessively loud music and customers shouting loudly outside venue. Noise team called approx 11.35pm – arrived around 1am

Tuesday 6th May – Loud music until past midnight, shouting in street outside venue once closed

Sunday 11th May – excessively loud music past midnight (beyond licensed hours) Noise team called at 12.17am

Fri 16h May – excessively loud music and open beyond 2.30am – much noise in street at 3am. Called police as bottle being thrown but when arrived bar claimed nothing had happened

Sun 25th May – loud music and open until 1am

Sat 7th June – Excessively loud music – noise team called first at 10.50am.

Sat 28th June – Loud music and people outside – called noise team 23.55

Sun 6th July – excessively loud music and people shouting in street, Venue open until 1am – called noise team who arrived at just past 12am and spoke to venue who claimed an extended/new license. Subsequently found out this wasn't true.

Fri July 18th – loud music followed by customers (20 or so) loitering and shouting in street at 3am.

Tues July 22nd – large numbers of teenagers shouting and laughing with loud music until past midnight

Summer break

Sun Aug 31st – Music past midnight – called noise team who said they'd investigate.

Sat Sept 6th – Loud music until 2.30am – shouting in street on closing.

Sat Sept 13th – Loud music until past 2.30am plus customers were allowed to sit outside until closing, talking and shouting – sometimes 20 or so at a time.

Danny Bull

15/09/08

DANNY BULL
150A PARK ROAD
LONDON
N8 8JT

Statement From Glenys Davies and Dick Nuttall. 152 Park Road, N8 8JT

We live at 152 Park Road and have been seriously affected by the noise and disruption caused by Bar Apogee and its customers on a number of occasions over the past year or so.

Last December we contacted our local councillors and recounted our experiences as part of an objection to a new licence application: as we stated at the time we were being kept awake most weekends by the loud music and base vibrations coming from Bar Apogee, and were also being disturbed by the behaviour of the customers leaving the bar. Typically they would shout, call across the road to each other, slam car doors and hoot car horns; sometimes scuffles broke out, and several times we observed people vomiting into the gardens of local houses. This would go on until 3 or 4 am as they showed no consideration at all for the fact that local residents were trying to sleep. Further, when an extension was granted or the numbers of customers was particularly high, so the road was completely full of parked cars, some customers started using the car parking area belonging to the Kelland Close flats, (which are opposite Bar Apogee), which is even closer to the back of our house, and so were even more disruptive when they finally returned to their cars to drive home.

At that time we had complained personally to the minders outside the bar, and reported the problem to the Haringey Noise Line. As examples of dates when the disturbance had been particularly bad we cited Friday 7th December when Bar Apogee remained open until 4.10 am, and Saturday 8th of December when it remained open well past 3am.

The problems continued over Christmas and the New Year: on New Year's Eve itself the bar continued to be a source of noise until nearly 8am the following day. We were aware of several fights or scuffles outside Bar Apogee over the Christmas period, and noted that the bar had had its windows broken on two occasions. We also saw police talking to rowdy customers outside Bar Apogee, - although we understand from evidence given at the hearing that no calls were logged as being specifically to Bar Apogee itself.

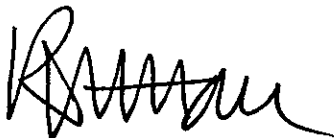


Since the licence extension hearing the level of noise and degree of disturbance has varied. There have been evenings when it has been hardly noticeable, although even on relatively quiet nights we can still usually hear the music in our sitting room, which is at the front of our house, despite our secondary glazing and the local traffic noise. (We have noticed that, although at the hearing the owners said that the outside doors were usually kept shut, they are in fact usually propped open.) Moreover, there have been other nights when we have suffered considerable noise such that we have been kept awake until the bar closed at 3am or later. Recent instances include: Friday 6th June when music was playing and customers created additional noise outside the bar until 4am; and Friday 25th July when we were disturbed by loud music, crowds of 50 or more people standing around outside Bar Apogee, cars being driven round and round the service road outside Kelland Close with their own loud music systems blaring, and the hooting and revving of passing cars trying to avoid people standing in the middle of the road. We called the noise line at 2.20 only to be told that a complaint had already been made. It was past 3am when the area was finally quiet. On another evening in July we were kept awake between 2 and 3am by a car stereo blaring out loud rap lyrics and realised that these were coming from a car parked directly outside Bar Apogee, empty, but with all its windows wound down, which seemed to belong to someone working at the Bar, given that the driver finally emerged from there at about 3am.

Particularly since the introduction of the smoking ban we have noticed a general increase in the number of customers standing or sitting outside the bar even on quiet nights, and on busy nights when many people 'overflow' from the bar itself, customers sitting on the walls of

local houses, and sometimes even on the bonnets of residents' cars, often still drinking from bottles.

We feel that this part of Park Road is not an appropriate place for a club like Bar Apogee to operate: it is a residential area, not a city centre. The building itself is clearly unsuitable for the level of music favoured by Bar Apogee staff and guest DJs, and we do not want, and do not see why we should have to put up with, the inconsiderate behaviour of many of its customers

Glenys Davies
Dick Nuttall
31 August 2008

Public Notice



Haringey Council

Notice of Application for the review of a Premises Licence.

Notice is given that application has been made to the Licensing Authority for a review of the premises license under s.51 and 87 of the Licensing Act 2003 in respect of the following premises:

**BAR APOGEE
115 PARK ROAD
CROUCH END
LONDON
N8 8JN**

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

THE OPERATION OF THE PREMISES HAS FAILED TO UPHOLD THE LICENSING CONDITIONS AND THE OBJECTIVE OF:

- **THE PREVENTION OF PUBLIC NUISANCE**

Interested parties or responsible authorities wishing to make representations must give notice in writing to:

Lead Officer – Licensing, Haringey Council, Techno park, Ashley Road, Tottenham, London N17 9LN.

By: 27th October 2008

The grounds for review and Haringey Councils Licensing register may be viewed by appointment Monday to Friday (except Bank Holidays) at the Licensing Team, Techno park, Ashley Road, Tottenham, London N17 9LN between the hours of 10.00am and 4.00pm.

IT IS AN OFFENCE LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (£5000), UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

APPENDIX 2

LETTER OF REPRESENTATION FROM THE NOISE TEAM

Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: Derek Pearce

Our Reference: WK93406

Date: 16th October 2008

Premises: Bar Apogee, Public House, 115 Park Road, Hornsey, London, N8 8JN

Review of Licence

I would like to confirm that I have considered the above Review of Licence application having regard to the prevention of public nuisance on behalf of the Enforcement Response out of hours (Noise) Team & would like to make representations to the Review process on the following grounds

History

Bar Apogee is a detached property situated on a busy main road. Residential accommodation is situated to the right (as viewed from the front) and across the road.

In excess of 70 complaints have been received about noise since 15th April 2007

On some occasions residents wish to register a complaint about noise but do not wish to have an officer visit them to assess the problem. A complaint typical of this relates to noise from patrons of Bar Apogee most weekends making noise in the street and from the car park.

Noise nuisance has been witnessed on a number of occasions resulting in the issue of warning letters during May 2007 and abatement Notices, under section 80 of the Environmental Protection Act 1990 in July 2007 and October 2007 with a final warning issued on 15th October 2007

On 11th May 2007 visit an officer responded to complaints of noise and as he approached the complainant's home at 23:20 hours he noted that he could hear loud music coming from Bar Apogee about 40 yards away. He noted that the noise from the music was intrusive and a nuisance. He went to Bar Apogee and spoke with the owners, two ladies, issuing them with a written warning. An hour later a further complaint was received but the complainant wished only to log the complaint rather than have a visit.

Bar Apogee have made efforts to address some of the concerns & a noise limiter was installed in 2007 and speakers relocated.

However, on the weekend of the 8/9th December 2007, following works being carried out an officer from the Enforcement Response Team received a complaint of noise nuisance from Bar Apogee. The noise was clearly audible from across the street during the early hours of the morning.

This indicated that the recommendations made were not being adhered to and in response at the time to an application for extended hours we considered it was inappropriate for the premises to be open later than the agreed times in the License at that time. Having regard to the absence of effective sound insulation at the premises there is the likelihood of complaints increasing if the premises opens later than the currently permitted hours and we would invite the sub-committee to consider whether the currently permitted hours should be scaled back until the management can demonstrate that they can operate without causing inconvenience and disturbance to neighbours

I have examined the Council's M3 database since December 2007 which indicates that over 40 complaints about noise from Bar Apogee have been received to the current date.

On 29th January an officer made the following observations

"Visit @0225, witnessed lots of people exiting premises spilling out into the road. There was no more noise than would have been expected from a large number of people milling around waiting for taxis and saying goodnight etc. The noise that in my opinion would have affected the neighbours opposite and was anti-social came from a man in a blue car who pulled up outside the bar playing loud music with his windows open from 0230 to approx 0240. As we drove around to take a closer look the music stopped before we could get close enough to positively identify problem vehicle. The door staff seemed to make no attempt to deal with it straight away. The only people seen leaving and re-entering the premises were in my opinion staff members etc. We left the area at 0245 hrs"

A further abatement notice relating to noise has been recently served following noise from music which affected local residents

We also wish it to be known that there have been incidents where the premises have been alleged to be playing music above background level outside permitted times

If the licence is retained in its current or amended format then we would wish the following conditions

Prevention of nuisance from noise/vibration

Airborne

The lobbied door which is intended to minimise noise breakout used for patrons to enter or leave the premises should be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be positioned at the door to ensure it is opened for as brief a period as possible

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property level of amplified entertainments & sound levels shall be controlled by means of a limiting device set at a level agreed with the licensing authority / Enforcement Response team.

Outside Areas

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

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

Dealing with complaints

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

Regular liaison meetings will be held to enable neighbours to raise concerns about any aspect of the licensed activities

Patrons entering/exiting premises.

A licensed door supervisor shall supervise and ensure that patrons / potential patrons behave in an acceptable manner & shall supervise patrons and ensure they leave in a prompt and courteous manor, respecting the neighbours

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

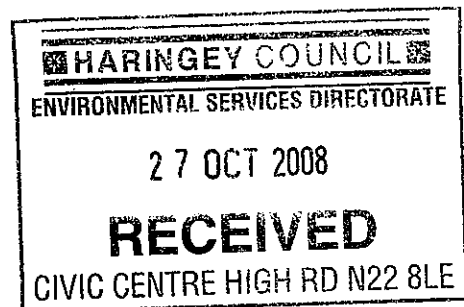
APPENDIX 3

LETTERS OF REPRESENTATION FROM THE LOCAL RESIDENTS

5
37 Palace Road
Crouch End
London N8 8QL

AG

Licensing Team
Enforcement
Urban Environment
Units 271-272 Lee Valley Technopark
Ashley Road
Tottenham N17 9LN



21 October 2008

Dear Sir

I would like to register my concern regarding an application for licensing the Princess Alexandra Public House, Park Road / Palace Road N8 to become a late night bar / restaurant / night club.

I understand that the proposed opening hours are:

Monday to Thursday 11am – 2am (Music and dancing until 1am.)

Friday to Sunday 11am – 3am (Music and dancing until 2am.)

New Years Eve –open 24 hours /deregulated.

Plus option to extend hours 12 times a year with temporary licences.

This would inevitably result in nights being disturbed every day of the week by loud music, inebriated and noisy persons in the street and additional vehicle movement in this quiet residential area, together with more broken glass and other mess in the area.

Normal opening hours up to 11pm are quite enough to have to contend with, as well as the already loud music and noisy customers emanating from Bar Apogee also in Park Road, thus I strongly object to the proposal to extend them.

I would be grateful if the above could be taken into account when you are considering the application.

Yours faithfully


P. Groves

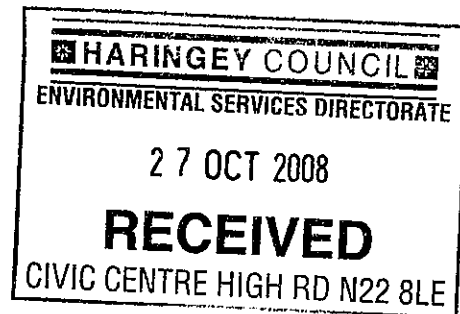


131 Park Road
Crouch End
London N8 8JN

Licensing Team
Haringey Council
1st Floor
Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN

Wednesday, 22 October 2008

Dear Ms Barrett,



Re: Review of Premises License – Bar Apogee, 115 Park Road, London N8 8JN

Firstly I would like to state my interest in this matter. I have been a resident of Crouch End since 1974 and at 131 Park Road, London N8 8JN since 1988. I was also the lease holder and licensee of 115 Park Road, N8 8JN which we traded as O's Bar from December 1999 till March 2007 when we sold our leasehold interest to Anastasia Pieris and her business partner at that time. I have also been a partner in a catering operation in Crouch End from 1993 till 1997 and a tenant and licensee for a restaurant in Crouch End since 1997.

Secondly I note that the form and wording of your letter seems to only encourage and allow applications that are in favour of the review of the licence for 115 Park Road and I hope that equal weight will be given to my letter that is against the review and in favour of the current licensee, Anastasia Pieris, retaining her license in its current form and conditions.

When I purchased my house at 131 Park Road I did so in the full knowledge that it was situated on a busy main road and had a school and open air swimming pool at the rear and a busy petrol station and two public houses a short distance away towards the centre of Crouch End. I understood that these were all facilities essential for a vibrant community but that there might be some noise and pollution associated with them. I also understood that I was able to purchase my property at a lower price because of the proximity of these local amenities and if I had wanted total piece of quiet I would have considered a more secluded area and paid the increased price accordingly.

At no time in the 20 years I have been a resident here has it occurred to me to complain about any small amount of noise I have heard from either of the local pubs in the same way as I have not thought to complain about any of the effects of the other amenities in the proximity of my house. I would especially not have thought of making efforts to close either of the pubs in the same way as I would not dream of having the road closed despite the fact that I have been awoken many a morning by a W7 bus thundering by.

Crouch End benefits as a community from the business people that are prepared to spend their time and money in providing facilities such as the shops, restaurants and bars in the community and I think it is a very 'not in my back yard' attitude for those of us who have chosen to live in the vicinity of these facilities to complain about their existence and noises associated with their operation.

As it happens, I have never heard any noise that I could be sure that was coming from 115 Park Road. On the rare occasions that I heard some disturbance on the street I could not have been sure whether it came from Bar Apogee as it could just as easily have come from the Princess Alexander across the road. I have never heard any music from the bar while in my house and I also sleep in the rear bedroom with my window partly open.

During the time that I was the licensee at 115 Park Road I had no objections to the increases in licensing hours that I applied for the premises nor in the granting of an entertainment

license nor for the renewal of these licenses. We took every care to adhere to all the licensing objectives and, from what I can see, Ms Pieris is doing the same. Also I note that when she took over the premises she closed up the windows at the front of the premises so would be less likely to be causing a noise nuisance than we were.

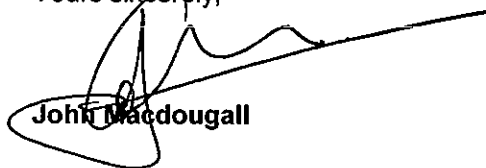
The only complaints that I personally received from neighbours were from Mr Tim Newcombe of 123 Park Road who complained constantly and I believe excessively. While I understand his right to quiet enjoyment of his home, I think he should bear some responsibility for his decision to buy a house so close to a public house. Some of his complaints were that "he could hear people talking in the car park". I am sure that, like me, Ms Pieris is ensuring that people leave her premises as quietly as possible but it is inevitable that some of them may be in conversation while getting into their cars.

Mr Newcombe told me that they had not heard any noise from our bar until he gave the front bedroom to his children and he and his wife moved to the rear bedroom and slept with the window open. He also told me that his children had not been disturbed by any noise from the bar but his wife was a very light sleeper and easily disturbed. I think it is also interesting to note that at no time did the residents of 121 Park Road complain to me of any nuisance or noise yet they are the closest resident to the bar.

I think there is reason to believe that some of the complaints he made to me were repetitive, vexatious and frivolous and I am concerned that this may also apply to this application for review of the license (I understand that he is the main proponent of this action).

In summary I believe that Ms Pieris does all possible to adhere to the licensing objectives and ask that the Council licensing team and committee rejects the application to review, cancel or vary her premises license.

Yours sincerely,



John Macdougall

Olson Kendra

From: Barrett Daliah
Sent: 22 October 2008 14:35
To: Olson Kendra
Subject: FW: Bar Apogee, 115 Park Road-licence review

Follow Up Flag: Follow up
Flag Status: Red

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

From: Jill George [mailto:jillegeorge@yahoo.co.uk]
Sent: 22 October 2008 14:18
To: Barrett Daliah
Subject: Bar Apogee, 115 Park Road-licence review

With reference to the review of the premises licence for Bar Apogee, 115 Park Road, N8 8JN

The operation of Bar Apogee has continued to be a public nuisance and a cause for concern to the local residents because of the following points.

Many patrons of the bar still gather outside the doors, using the chairs and tables provided.

The doors are often left open, using door catches, for long periods.

Noise made by these patrons and music from inside the premises become very intrusive and disturbing, often well into the early hours of the morning.

Vehicles are frequently parked in front of and around the premises, often half on the pavement. Park Road is narrow at this point and the obstructions persistently cause traffic to be reduced to one lane operation and the consequent noise of standing traffic and the stopping and starting of traffic, including night buses. This also creates an additional obstacle for emergency vehicles; it should be noted that Park Road is a standard route from Hornsey Fire Station.

The parking is also leading to the break up and subsidence of the public footpath in front of the bar.

On leaving the bar, patrons frequently behave in a noisy and anti-social manner as they walk up Park Road.

The non-opening of this bar, usually on Monday nights, is a very welcome respite to this on-going situation.

The pending application by the Princess Alexandra, opposite to the Bar Apogee, for a similar early morning hours music and dance licence will, if granted, only lead to a further deterioration to the present situation in the area.

At the last license hearing for the Bar Apogee, I recall there was an attempt to blame the Princess Alexandra for a lot of the nuisance late at night in the area. The Princess Alexandra has been closed for refurbishments for around 4 months, this has not led to any improvement in the late night problems.

Finally I list three infringements of the licensing conditions, as laid out in the current licence for the Bar Apogee.

Item 4 -The outer doors are often held open with door hooks.

Item 10 -More than 10 patrons are often outside.

Item 12 -No external CCTV has been in installed around the premises.

Finally I continue to be concerned about the influence and attraction of such a bar to the many young people in this heavily residential area.

Yours sincerely

J E George
156 Park Road
N8 8JT

22/10/08

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Olson Kendra

file

From: Barrett Daliah on behalf of Licensing
Sent: 24 October 2008 11:15
To: Olson Kendra
Subject: FW:
Follow Up Flag: Follow up
Flag Status: Red

From: Lisa Joughin [mailto:lisa.joughin@hotmail.co.uk]
Sent: 24 October 2008 11:01
To: Licensing
Subject:

Hello,

I am a new resident to the area of Park Road and I would like to express my concerns with regard to the late licence that Bar Apogee has and to request that this is substantially reduced at the review.

This is predominantly a residential street, we have moved here with a young family from the very centre of Crouch End with the expectation that this area will be quieter and we will be less disturbed during the night by instances of drunkenness or anti-social behaviour.

I'm not sure that whatever conditions are included in the license they will be able to deal with the impact of turning a large number of people out onto the street at 3 in the morning and it will be the surrounding area and residents who will suffer. In addition I am concerned about the increased traffic and noise caused during the night by taxis or cars taking people home.

The venue itself is also a source of excessive and disturbing noise because of the music/entertainment, but also because of the disturbance from the number of people standing outside drinking and talking with no concern or respect for their neighbours or the fact that it is a residential area.

The style and tone of this pub is not aimed at the local residents or community but is to draw in people from further away who do not respect this area, this type of bar would surely be better suited to an area which is not so residential.

I hope that you will take these concerns into consideration. If possible can you send me a copy of the licensing regulations so that I can review it for any specific breaches or issues in the license itself and are you able to inform me what is in your records with regard to this property.

Thank you for your help.

My Contact details are:

135 Park Road

N8 8JN

07989 499995

Best regards

Lisa Joughin

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24/10/2008

Olson Kendra

From: Barrett Daliah on behalf of Licensing
Sent: 24 October 2008 10:36
To: Olson Kendra
Subject: FW: Bar Apogee License Review
Follow Up Flag: Follow up
Flag Status: Red

From: Mulube, Martin [mailto:Martin.Mulube@marks-and-spencer.com]
Sent: 24 October 2008 10:16
To: Licensing
Subject: Bar Apogee License Review

Hello,

I am a new resident to the area of Park Road and I would like to express my concerns with regard to the late licence that Bar Apogee has and to request that this is substantially reduced at the review.

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Thank you for your help.

My Contact details are:
135 Park Road
N8 8JN
07970485822

Martin Mulube
Finance Analyst
Outlets

24/10/2008

Tel: +44 (0) 20 8718 3876
Mob: +44 (0) 7799 341 813
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LICENSING ACT 2003 - REPRESENTATION FORM

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

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

Personal Details
Name .Susan Ashton.....
Address...68 Palace Road..... Crouch End.....
Postcode....N8 8QP.....

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee.....
Name of Premises (if applicable)... Bar Apogee.....
Premises Address (where the Licence will take effect)..... 115 Park Road..... Crouch End.....
Postcode...N8 8JN.....

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

The Prevention of Crime and Disorder

On Friday and Saturday nights there have been disturbances in the area of Park Road around Bar Apogee, the Shell petrol station, and the former Princess Alexandra pub, now called Villiers Terrace (120 Park Road) which are all close together.

There have been small crowds of people outside Bar Apogee shouting, and sometimes fighting. This has occurred late at night, before and after midnight.

Public Safety

The disturbances have involved people fighting, and sometimes large numbers of youths have had running skirmishes on the road.

The Prevention of Public Nuisance

The closeness of these two pubs and the petrol station and the quite the open area seem to attract late night people to congregate.

The Protection of Children from Harm

The behaviour of the late night crowds has very poor. There is a lot of anger and swearing, and the noise and behaviour displayed show poor adult control, and adults of the brink of completely losing control of themselves.

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

Signed: SV Ashton

Date:

____24 October 2008____

Please send completed form to:

Haringey Council Licensing Team
Technopark
Ashley Road
Tottenham N17 9LN

Licensing Team
1st Floor Lee Valley Technopark
London N17 9LN

15th Oct 2008

- (1) In response to your letter regarding a review of premises license for Bar Apogee I wish to raise my concerns. I live towards the back of the premises and any late night music or noise will have an impact on my life.
- (2) I also wish to make a further objection to the renewal of a licence for the Princess Alexander on Park Road. It is about 50 yards from the Bar Apogee on the opposite side of the road. Throughout the Summer months I have been unable to retire to sleep because of the loud music from this premises.

My objections to both these premises receiving late night licences are based on them being a public nuisance .

I trust the Council will give serious considerations to my objections

Thank you

Signed :

of the said

Please contact me to discuss further.



Perryman Dylan

From: Barrett Daliah on behalf of Licensing
Sent: 20 October 2008 14:22
To: Perryman Dylan
Subject: FW: late opening hours

From: Grace dasilva [mailto:gracesilva@hotmail.com]
Sent: 20 October 2008 14:07
To: Licensing
Subject: late opening hours

Dear Sir/ Madam

I was just told of your intention of granting a licensing for late opening hours to Apogee and Villiers terrace, in Park Road corner with Palace Road.

May I remind you this is a residential area, having a late opening night bar with high music noise.

We already have problems with that pub with people standing outside smoking, half drunk singing and making noise, and you want to grant a license for more discomfort? we have people coming from the pub to the end of palace road kicking empty beer cans and singing very loud.

This is a residential area and we have children and jobs to go to every morning, I moved here 20 years ago, just because it was a nice and peaceful area to bring up my children, now you are trying to turn it to a nightmare? Please think again, money is not everything, but we like to come home at night in comfort and not to hear somebody else's noises.

I am totally against this licence, and I am asking you to consider your decision.

Is not just the noise but the number of cars that will be racing up and down Palace Road, to find a parking space, late at night, often making noise with their car engines.

Please think about the residents, and not the club owners.

Regards

Grace Silva
29 Palace Road
N8 8qj

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Haringey Licensing Office
Lead Licensing Officer
Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN

230 Park Road
Crouch End
London N8 8JX



18 October 2008

Dear Licensing Officer:

Re Licensing Applications of Princess Alexandra Pub of Park Road and Bar Apogee (opposite to Princess Alexandra) also in Park Road.

I am writing with concern about the proposal to turn the Princess Alexandra to a late night club type venue with a 3.a.m. licence and for The Bar Apogee situated opposite Princess Alexandra and currently subject to licence review, similarly to extend its licence to 3.a.m.

This would create a larger longer noise nuisance in a residential area which would cover both sides of the road and be unavoidable for any pedestrians as drinkers move outside to pavement to drink. I've seen this development in "Kiss the Sky" further down Park Road towards Crouch End village.

Crouch End village has plenty of places to drink and eat. There's no need for additional licensing hours extensions in the residential roads away from the village itself.

Neighbouring Muswell Hill already has a number of late night clubs and we sometimes suffer from their late night spillage of drinkers roaring their way home down Park road, and now we would have them from the opposite direction also. This is a residential area known for its pleasant aspect and family friendly amenities. It has a relaxed feel but these developments would tend to create a more urban stress feel. I believe any decisions to extend licensing hours would increase the number of "clubs" in Park Road from 2 (at the village end) to 4 (with the additional 2 in the residential part). It's not clear to me how residents around the additionally licence extended venues (should this be permitted by the licensing authority) would be able to sleep at night from the noise disturbance.

I believe there is a loss of family type venues as a result of the changing nature to venues that goes with extended licensing hours. There were only a couple of family friendly pubs in the area with gardens and the Princess Alexandra was one of those. It was one of the few nice old style pubs with open fires in the Winter and is our local (currently not in use pending renovations). I fear it will now become yet another late night only club venue aimed at young drinkers.

How would this fit with the Department of Health's Alcohol Strategy which I believe is a cross-government strategy in which local authorities can play a part and alcohol targets are among targets include in the national local authority set I believe?

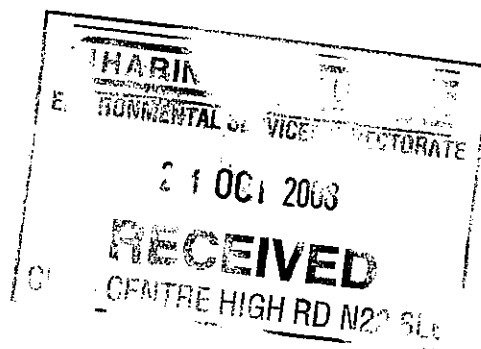
I fear an increase in extended hours venues will lead to more social pressure on young people to drink excessively. Crouch End and Haringey as a whole are not areas where youngsters drink because there's nothing to do (unlike some other areas in the country). These are vibrant lively communities with lots of amenities for young people and they don't need to go down the road of pressures to make drinking one the main social activities in the area and the borough. I've nothing against drinking or pubs and clubs in themselves, but it's the extension of drinking venues designed to attract young drinkers that concerns me with all the risks of underage drinking and peer pressures that entails.

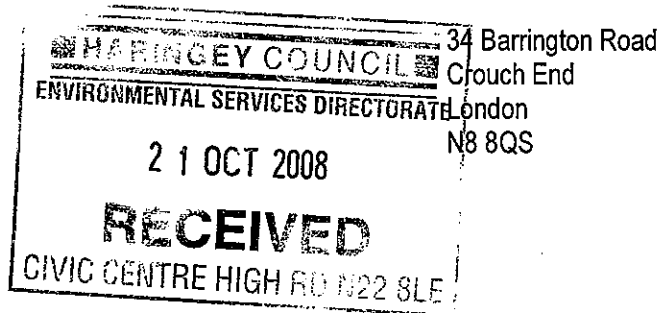
Past editions of local papers reveal that Bar Apogee and its predecessor O's Bar suffered from a considerable number of violent incidents on the street from its customers. I would not be happy to see its drinking hours extended.

Crouch End is a sought after area to live in because it's a nice green family friendly place to live and a bit of an oasis from the urban stress of more central areas of London. It would be easy to lose that through any licensing decisions that would create a permanent detriment to the area that would not easily be reversed because they would set a precedent for others.

I believe that the environmental and residential interests are most important and residents need to be able to sleep at night and feel safe in the evenings.

Regards
Mrs Marian Hone





Licensing@haringey.gov.uk

Tuesday 21st October 2008

Dear Sir/Madam,

Late License Applications Apogee and Villiers Terrace

It has recently come to our attention of the proposals of the establishments **Apogee and Villiers Terrace** who are bidding for opening hours as late as 3am on Friday and Sunday nights and 2am at other times as a music venue.

As a resident of the area, I would like to voice my **objections** about this before it goes to the licensing committee:

- This area is a quiet, residential area with many young families. There is already disturbance on occasion with drunken people leaving Apogee at or soon after 1.00am.
- We live outside the centre of Crouch End Broadway we do not expect to put up with the high noise level disruptions. Neither from the music from the bar nor from customers leaving the venues.
- Parking problems often come with this kind of late opening hours. This can already be seen when numerous cars park on either side of the street and half on the pavement along Park Road making it a hazard for pedestrians as well as for other drivers and buses passing.
- Groups of people are already congregating outside Apogee after 1am, whilst the noise level is certainly a nuisance to residents close by, it can be quite intimidating and worrying to listen to.
- Many bars, pubs and clubs within Crouch End do not stay open as late as 2am or 3am why should permission be granted to venues for this that are even closer to residential homes. It doesn't make sense.
- If licenses were granted this would clearly be an encouraging sign for more venues like this to open in the future in and close by residential areas. Making a currently quiet and pleasant Greater London Area yet another over used nightlife / clubbing area. London has so many of these already.
- Being the parents of a 1 year old we chose to live close to a park and away from the bars, as much as you can whilst staying in London. We know from talking with neighbours many other young families have chosen to live here for that very reason.

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'Lorna Walker and Richard Bareham'.

Lorna Walker and Richard Bareham

Barrett Daliah

From: kate alderton [strangel@earth101.org]
Sent: 20 October 2008 20:38
To: Licensing
Subject: re the princess alexandra/villiers terrace park rd n8

to whom it may concern,

i wanted to voice my concern about the application for a license with extended hours for the venue that used to be the alexandra pub on park rd crouch end n8.

having experienced the disturbance caused by the customers who use bar apogee on the same road which also has a late night license, i am very concerned that the change of license will create even more chaos on our road especially at weekends. we are already regularly woken by screeching cars, arguments, loud music from the bar and the idea of opening a night club on our road will only add to the noise pollution and disturbance to the residents, many of whom have children.

please take my concerns into consideration when looking at the application.

yours

kate alderton
133 park rd
london n8 8jn

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Barrett Daliah

From: sjwarland@tiscali.co.uk
Sent: 21 October 2008 19:00
To: Licensing
Subject: Review of Premises licence for Bar Apogee, 115 Park Road N8
Importance: High

Dear Ms. Barrett,

Thank you for your letter of notification concerning the review of the premises licence for Bar Apogee, dated 1st October 2008.

I would like to submit the following points for consideration regarding the issue of public nuisance:

1. Myself and other residents in the area are constantly disturbed by noise, including shouting, screaming, fighting, cars revving their engines and sounding their horns. The police have been called out on several occasions to deal with issues of this nature.
2. Residents on the ground floors have people hanging around outside their windows making a noise and disturbing their sleep.
3. Cars parking along the front of the bar cause obstruction to passing vehicles and cars from patrons park on our estate, which causes further disturbance to residents because of the noise the owners make when returning to them.
4. People hang around the area until the early hours, sometimes until 6-7am in the morning, which can be very disturbing for residents.

Due to the issues listed above, I hope the council will at least the very least consider imposing more stringent conditions to the premises licence to ensure a stop is put to the constant disturbance that residents living in the area have to put up with and allow them to continue to have a decent area to live in, without fear and constant annoyance.

Yours sincerely

Sarah Warland

Kelland Close

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22/10/2008

LICENSING ACT 2003 - REPRESENTATION FORM

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

Personal Details

Name..... ANNE-MARIE O'CARROLL & DUNLAN WARD
Address..... 70 PALACE RD
.....
.....
Postcode..... N8 8QP

Licence application you wish to make a representation on

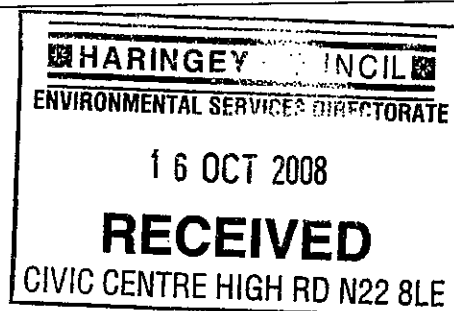
You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....
Name of Licensee.....
Name of Premises (if applicable)..... BAR APOGEE
Premises Address (where the Licence will take effect)..... 115 PARK RD
.....
.....
Postcode..... N8 8JN

Reason/s for representation

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

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



The Prevention of Crime and Disorder

We are aware of the selling of drugs in the immediate area which we feel is exacerbated by the presence of a night club.

Public Safety

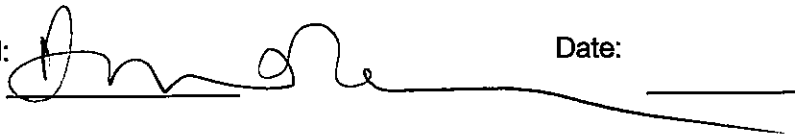
The Prevention of Public Nuisance

We find that there is a lot of raucous and aggressive behaviour in the early hours of the morning when the club is open

The Protection of Children from Harm

I, ANNE-MARIE O'CARROLL hereby declare that all information I have submitted is true and correct.

Signed:



Date: _____

Please send completed form to:

Haringey Council Licensing Team
2nd Floor
Civic Centre
High Road
Wood Green
London
N22 8LE

Barrett Daliah

From: sculptort [sculptort@blueyonder.co.uk]
Sent: 14 October 2008 10:33
To: Licensing
Subject: Re: Bar Apogee review of licence

My reasons under the given headings are; Crime and disorder Late night drinking with the current license already produces early morning revelers whom travel along Park Road shouting, screaming, breaking bottles/glasses, fighting, dragging dustbins into the street, Urinating in the street and peoples gardens. I have personally seen what appeared to be a joint being rolling in a car parked outside of Bar Apogee.

Public Safety

Cars fill all the parking spaces on this narrow road and buses and cars are forced into the middle section and it is not possible for two cars to pass each other. When this happens at speed even below 30 mph this becomes a very dangerous situation. Pedestrians sometimes have to walk into the road to get past cars parked on the pavement even though there is a car park around the back. The road is clearly marked with white and yellow lines and in the evening and early mornings these are completely ignored.

Public nuisance

Music has been heard on a regular bases. The car parking brings a nuisance level for residents. The revving engines and playing loud music whilst smoking in their cars is a problem. Cars honking to their friends whilst passing by the pub. Smokers talking and shouting whilst standing around in the street. Buses having to wait whilst oncoming traffic gets past them and because the bus is starting off in first gear this become extra noise.

Harm to children

I have no experience of outcomes or problems arising from this.

On 14 Oct 2008, at 09:55, Licensing wrote:

> Mr Slater

>

> Please give your reasons under the four objectives

>

> Crime and disorder

>

> Public safety

> Public nuisance

> Prevention of harm to children

>

> Regards

> Daliah Barrett

>

> -----Original Message-----

> From: sculptort [mailto:sculptort@blueyonder.co.uk]

> Sent: 13 October 2008 14:54

> To: Licensing

> Subject: Bar Apogee review of licence

>

> I wish to register my concerns over the Licensing hours of Bar Apogee.

> Terry Slater

> 158 Park Road

> N8 8JT

>

>

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Olson Kendra

From: Barrett Daliah
Sent: 14 October 2008 16:20
To: Olson Kendra
Subject: FW: Notification of review of BAR APOGEE (115 Park Road) license
Follow Up Flag: Follow up
Flag Status: Red

From: Giles Wadsley [mailto:gileswadsley@hotmail.com]
Sent: 14 October 2008 16:10
To: Barrett Daliah
Subject: Notification of review of BAR APOGEE (115 Park Road) license

150B Park Road
Crouch End
London
N8 8JT
14th October 2008

Dear Daliah

In reference to your letter to local residents dated 1st October 2008, regarding the review of the premises license for Bar Apogee, 115 Park Road, London N8 8JN, please see the following that you may want to take into consideration for the review.

I live across the road from Bar Apogee approximately fifty metres, so am reasonably effected by this bar having a late license.

Firstly, being in a residential area I was surprised a late night license was granted for these premises. There are houses right next to the Bar and with the the ban on smoking in public places, the potential for nuisance from noise late at night was high.

During the summer, the noise was quite bad in my front room when there were people outside plus the music from the bar, so generally I had to make a choice of opening the windows and listening to the bar, or keep windows closed and remain hot. I can't imagine what it would be like for the people who live across from me next to the bar.

After the events on New Years Eve, where I went past the bar and managed to get inside my flat 30 seconds before what could be described a nasty incident of fighting, glass throwing and screaming amongst a rather substantial amount of people who were at the bar which spilled into the road, I have generally avoided being out after 11pm, and ensure I get home early, as it can be intimidating going past the bar at night. Not ideal that I uncomfortable to go outside my own flat.

Yours sincerely

Giles Wadsley

16/10/2008

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MISS K ALDERTON
133 PARK RD
LONDON N8 8JN
07980 260 455

Dear Ms Barrett,

I am writing to you concerning the review of a premises license for bar Apogee at 115 Park Road N8 8N.

I live at 133 Park Road and have found them to be a nuisance neighbour on several counts since they took over the premises.

After a nights business the pavement outside the premises is littered with cigarette butts and broken bottles and glass. I have spoken to the council several times to ask them to attend to their mess but they never have. The mess is always cleared up just before they reopen the premises the next day, leaving the street full of glass and cigarettes which myself and my 2-year-old son wade through as we pass by each day.

The noise from the bar on weekends is very invasive as we sleep at the front of our house. Although they don't appear to have a club license they often advertise "club" nights on their board, which are very noisy and seem to go on well into the night. As you would expect from a late nightclub crowd their guests are very rowdy at closing time and scream and shout up and down the street at 2.30-3 am on the weekends.

My opinion is that this is an inappropriate venue for this part of the street given that it is a residential area and that the owners are operating their business with no real concern for the people who live and try sleep near by.

Thanks for your time

Yours

Kate Alderton



Barrett Daliah

From: hemapd@btopenworld.com
Sent: 22 October 2008 11:13
To: Licensing
Subject: Comments opposing possibility of a Nightclub in Crouch End

Dear Sir or Madam

I am sending this email as I am strongly against the possibility of a Nightclub opening in Crouch End which plans to have a closing time of 3.00 am. The premises in question is the "Alexandra Pub" on Park Road N8 currently rebranded as the "Villiers Terrace".

My views and those of my fellow residents opposing it are as follows:-

Firstly, the 3.00 am closing will have a great impact on this close knit Crouch End community, which consists of many young families and the older generation. The streets will become noisy into the early hours of the morning which is not very pleasant for the residents living in close proximity to the Nightclub who are trying to sleep.

There will be extra litter on the streets. We are already subjected to vast amounts of broken glass bottles and rubbish littering our streets which can cause injury in particular to young children and the older generation. Our streets are also covered with vomit on the pavements mainly at weekends and people urinating in the street which is not pleasant.

This may have impact on Crime within Crouch End. There will be large groups of people wondering the streets late at night, consumed with drunk and drugs, causing damage to property and cars. I myself have been a victim of car crime five times in the last two years. I live on Crouch Hall Road in Crouch End N8 8HH. These incidents have caused me considerable distress not to mention over a £1200 in expenses and a considerable rise in my car motor insurance premium. I have had to contact Hornsey Police Station several times to report large groups of youths damaging cars by jumping on car bonnets, lighting small fires to peoples front garden hedges, throwing bricks through peoples car windows, breaking car wing mirrors etc, shouting and screaming, and hurling abuse into the early hours of the morning.

Residents would not feel safe returning home late at night with large groups of people hanging around in the streets.

This will effect the house prices within the area.

There will be an increase in congestion in the area. As we are already suffering from a lack of parking for people living in the area and this will not help the situation but deteriorate it further.

This will put a burden on the local police and neighbourhood watch services.

Crouch End has a close knit village atmosphere which it has maintained over the years and is renowned for and we do not want it destroyed and for Crouch End to become a "Clubbing Destination" as the local papers are suggesting with the arrival of a Nightclub.

Lastly, I would like to mention that I would also like to oppose "Bar Apogee's" on Park Road which is currently undergoing a licence review and already has a 3.00 am closing time.

22/10/2008

RL - Villiers "Apogee"

These are some points which I feel need to be taken into consideration before any decision is made. I hope you will look into this matter for my neighbours and I as we are very concerned about what is happening in our area.

Yours faithfully,

Hema Patel-Durasamy

29 Crouch Hall Road
Crouch End
London
N8 8HH
England

Email: hemapd@btopenworld.com

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AL

Olson Kendra

From: Barrett Daliah on behalf of Licensing
Sent: 27 October 2008 10:36
To: Olson Kendra
Subject: FW: Late night clubbing in a residential area
Follow Up Flag: Follow up
Flag Status: Red

From: Richard Buckley [mailto:crouchpotato@talktalk.net]
Sent: 26 October 2008 13:26
To: Licensing
Cc: Miia Chambers - RCRA Secretary; Cllr Engert Gail
Subject: Late night clubbing in a residential area

Ramsey Court Resident's Association
Park Road
N8 8JU

Dear Licensing Team,

I am writing as the Chairperson of Ramsey Court Resident's Association in Park Road to oppose plans by the following pub or club organisations to gain permissions to allow new or extend current late-night licensing in a mainly residential area of Crouch End :-

1. Villiers Terrace - new application 30 October

120. Park Road, Crouch End, London, N8 8JP

2. Bar Apogee - license review 27 October

115. Park Road, Crouch End, London, N8 8JP

"Villiers Terrace" is seeking Monday to Thursday licensing until 1:00 a.m and Friday to Saturday licensing until 2:00 a.m. (Live or recorded music or dance being permitted also) this being extended for an additional hour during New Years' Eve deregulation

"Bar Apogee" is facing licensing review for the reasons :-

Failure to uphold the Licensing Objective of The Prevention of Public Nuisance

I am acutely aware of an increase in late-night noise nuisance in this residential area of Crouch End since bar Apogee was first licensed for late-night activities and the increasing burden on the security of our neighbourhood

27/10/2008

associated with it

Residents have complained and I have myself witnessed large crowds of youths shouting and cavorting on our streets to the point of waking up residents during the small hours, so we cannot sleep for the noise so vociferously generated and youths frequently stray onto our communal gardens throwing bottles and screaming at one another

Two establishments on opposite sides of the street allowing this sort of inconsiderate behaviour as a direct result of late licensing permissions will certainly lead to further detrimental effect on the peace and security of our residents

I would ask you please to deny these clubs the means to provide late night entertainment facilities for the benefit of a few and to the distress of a great many of the residents of our Association

The effects of this nuisance have already been demonstrated in the case of 'Bar Apogee' so how can a new licencing application of the recently converted and extended 'Villiers Terrace' (formerly Princess Alexandra) and a renewal of the current Bar Apogees' documented 'Failure' regarding 'Public Nuisance' issues be less likely to cause even more disturbance to our residents ?

Kind Regards,

Richard A. Buckley

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Olson Kendra

From: Barrett Daliah on behalf of Licensing
Sent: 27 October 2008 14:28
To: Olson Kendra
Subject: FW: Bar Apogee's License Review

From: Jeff Somerfield [mailto:jeff@49s.co.uk]
Sent: 27 October 2008 14:26
To: Licensing
Cc: sambanjos@aol.com
Subject: Bar Apogee's License Review

Dear Sir/madam

I wish to register my objection to the renewal of the above bars late license for the following reasons:

- 1] Park Road is a totally inappropriate place for a late licensed bar being a predominately resident area. If such licenses are to be granted they should be restricted to major commercial areas with good all night transport services.
- 2] The bar is mainly frequented by people from outside the local area and is not wanted by the vast majority of local residents.
- 3] People travelling to and from the bar in the early hours of the morning make a considerable amount of noise, waking up local residents and trespassing on their front gardens, as they walk between the late license bars in Muswell Hill and Park Road.
- 4] Over the past year there have been a large number of violent incidents associated with patrons of this bar and local residents are increasing afraid to venture out at night.
- 5] When I walk to the garage in the morning to pick up the papers on the weekend there is always broken glass and rubbish outside the Apogee bar which is a particular hazard to my dog and young children.

Yours faithfully

Jeff Somerfield
20 Ramsey Court
Park Road
Crouch End
N8 8JU

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file ✓

Olson Kendra

From: Barrett Daliah on behalf of Licensing
Sent: 27 October 2008 10:36
To: Olson Kendra
Subject: FW: Noise nuisance in Park Road N8
Follow Up Flag: Follow up
Flag Status: Red

From: wy8will [mailto:wy8will@talktalk.net]
Sent: 26 October 2008 15:35
To: Licensing
Subject: Noise nuisance in Park Road N8

To the Licensing Team:

As a Park Road resident please note my comments re

1. Bar Apogee Park Road N8: Licence Review

This bar already has a reputation for being excessively noisy and although not living immediately opposite it, its clients often disturb the peace of residents when leaving the bar and making their way homewards along Park Road or gathering at the bus stop. Our experiences of the nuisance generated by Bar Apogee should be taken into consideration when reviewing its licence.

2. Villiers Terrace Park Road : Licence Application

Re the above (absurdly- named - no desire to continue a tradition - and this alone has upset many residents even those not clients of the former public house), the fact that it is opposite the troublesome Bar Apogee, and that its assurances that it will not 'cause misery' to residents cannot be guaranteed as although basically a gastropub its request for opening hours to be extended to include other services including a DJ does not reassure residents that they will not be subjected to additional late-night noise from the premises. It may be soundproofed but Park Road and our homes are not! Therefore I suggest that the opening hours until 1.a.m during the week and 2.am.at weekends should be reduced to an earlier and more acceptable closure time.

Regards

W Williams
3 Ramsey Court
Park Road
N8 8JU

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27/10/2008

APPENDIX 4

LETTERS IN RESPONSE TO REVIEW FROM THE LICENCE HOLDER AND A LOCAL RESIDENT



24/09/2008

Dear Dalian,

Please find enclosed my letter to the objections for the review of the premises license regarding Bar Apogee.

- Also enclosed is a copy of a letter from resident Mr. John McDoughall of 131 Park Road N8.
- Residents names & addresses who do not find Bar Apogee to be a noise nuisance and never have.

If you have any queries please do not hesitate to contact me.

Many Thanks.

Anastasia Pieris

A handwritten signature in cursive script, appearing to read 'Ani'.

Barrett Daliah

From: Tricia Tomlinson [tricia.tomlinson@gmail.com]
Sent: 17 October 2008 23:32
To: Licensing
Subject: Bar Apogee and Villiers Terrace Licensing Review

Dear Sirs

As a resident of Park Road, Crouch End I am dismayed to discover that the owners of the refurbished Princess Alexandra pub are seeking a late license to open until 2am Monday to Thursday and until 3am Friday to Sunday.

Having lived with the disruption caused by the late opening of Bar Apogee over the last year or so it is hugely concerning to learn that another establishment only yards away may also be eligible for a late license.

Over the past year I have been woken from my sleep by people leaving Bar Apogee in the early hours of the morning which is some feat given that my bedroom is at the back of my home and does not overlook the road. On numerous occasions fights have broken out between people leaving the bar. The most recent, a couple of months ago, almost caused me to call the police as those involved were fighting in the street and creating an obstacle for passing motorists.

I no longer park my car on the road across from Bar Apogee at the weekends as on numerous occasions during the past 2-3 months I have found my wing mirrors completely detached from my car and thrown to one side on the pavement.

I have been unhappy with the noise levels from Bar Apogee for some time and have considered writing to the council before now but unfortunately I have dragged my feet on the issue. The prospect of another establishment having the same rights has compelled me to do so now.

As a professional I frequently leave my home at 6am in the morning to begin my working day and to have my sleep disturbed any time after midnight is not only a great inconvenience it represents a significant detriment to my quality of life. The tone set by these establishments has led me to believe that the area is no longer as safe as it was when I first moved in over 3 years ago.

I would strongly urge the council to reconsider issuing a late license to these establishments. The centre of Crouch End caters very well for all needs and we do not need quasi clubs in residential areas.

Regards
Tricia Tomlinson

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20/10/2008

Bar Apogee
115 Park Road
London
N8 8JN

Licensing Team
F.A.O: Dalia Barret
1st Floor
Lee Valley Techno Park
Ashley Road
Tottenham
London N17 9LN

13th October 2008

Dear Sir / Madam,

Re: Response to Application on review of premises license for Bar Apogee.

I write in reply to the above mentioned.

Please find my description of events in defence of the residents who have chosen to apply for a review of the application for the license premises for Bar Apogee.

I am strongly against this application as I do not agree with the reasons put in place by residents Mr Tim Newcombe, Mr Danny Bull and Glenys Davies/Dick Nuttall.

Mr Tim Newcombe has written that the bar was previously a quiet restaurant before we took over in March 2007, previously known as O's bar.

O's Bar was trading as a busy snack bar until 10:30 pm serving Thai food and then turned into a full Bar with regulated entertainment until 1am which included DJ's, live bands etc.

Previous owner then had his license extended to 2am without objections.

An entertainment license is only given unless a premises is running as a bar or club.

Since taking over we had spent £10,000 on sound proofing the building putting sound proof foam throughout the building, adding extra re-enforced glass which is something O's bar never had, as we made it our objective to prevent public nuisance.

After continuous complaints from Mr Tim Newcombe I had asked the council to assist me in monitoring the noise level in order to put a noise limiter in place.

Unfortunately this took three months of which I was also served a notice, during this time.

I then decided to stop all entertainment until the noise enforcement team came to assist me on the noise level which had detrimental affect on our business as we had no customers due to not having any entertainment.

My business partner then wrote another letter after several attempts of trying to contact the noise team as we could not continue running a business with no customers and we therefore desperate to put the noise limiter in place.

After 3 months of no custom, we eventually had the limiter set which is placed in the office so nobody can tamper with it.

I have taken all these measures and spent a considerable amount of money to ensure residents are not disturbed.

I also asked my direct neighbour if noise was a problem and he also wrote a letter to the council stating noise was not an issue.

I gave my direct neighbour my personal mobile number as I did with Mr Tim Newcombe and asked them to contact me if noise became an issue.

I strongly disagree with Mr Tim Newcombe who states that his complaints went ignored, as I am totally approachable.

Mr Tim Newcombe called me on one occasion and stated it was loud of which I turned the music down straight away which was before the limiter was put in place.

The other 3 residents on the application have never approached me at any time to complain about noise.

Mr Tim Newton complained verbally to previous owner Mr John McDougall about noise and I believe only wrote to the council once in the 6 years he had the O's bar.

I was also a customer of O's Bar before we took over and attended the Friday and Saturday nights of which on a few occasions had a few fight breakouts.

I can say we have never had police called to the premises for fights as we have fully trained and qualified security.

On one occasion we had our window smashed by someone who was under the age of 21 trying to come into the Bar.

We have a strict policy of Over 21's and this one occasion this person was refused entry due to his age which resulted in him throwing a stone.

Police happened to be at the petrol station next door to the bar at the time and came in to see if we needed assistance.

The matter had already been dealt with and the party stopped immediately and people were vacated.

We do hire the venue for Private party bookings, of which there is an occasional door charge for non private party members and people occasionally make invites to promote their night.

We had T.E.N.S notifications in place for some of the party bookings 3 of which were for charitable events to raise money for Cancer research, Lupus foundation, Breast Cancer which was advertised in the local newspaper, which has not been shown by the residents complaining.

We have now used up our T.E.N.S and only trade to our licensable times, which is 2 am although customers have 30 minutes drinking up time.

I would also like to comment on the statement made about customers parking their vehicles in front of the bar as the resident's state, which apparently causes congestion.

Customers who tend to come to the bar are either in walking distance or usually call Taxis as they are there to drink. I often use a mini cab firm called Crouch End Cars for my customers and therefore cannot recall my customers parking along the road although cars are permitted to park there we also have a car park which is available should people who are not drinking alcohol can use.

As you can see from the pictures which were enclosed by the residents there are NO cars parked anywhere near the bar.

Last year I applied for a later license which was granted and extended until 1:30am during the week.

I decided not to take on the new license as I felt neighbours would complain due to being during the week and took into consideration that some residents may work and decided to reject it keeping it at the times we already have.

During this meeting for the application we applied for I heard many residents object due to so called police call outs, trouble, broken glasses, noise, fights and much more.

Police records showed no call outs were made as we have never had trouble.

I asked one resident whether she had been to the bar or even met me in person to discuss her issues of which she replied No, I then asked how she would know all these events took place despite police stating they had never been called of which I had no reply.

I feel these accounts of allegations were agreed on by word of mouth from there fellow residents as they all live in very close proximity to each other and are friends.

I was also informed by a local resident that Mr Tim Newcombe had decided to knock on resident's doors to sign a petition and to discuss his issues with them about Bar Apogee, which in my opinion was trying to persuade other people's decisions. That particular resident refused, stating he had no issues towards us.

We are only open on Tuesdays, Thursdays, Fridays, Saturdays, and Sundays depending on whether we have a private party booking and during these days I never have problems with any customers.

On the 1st of January Police were called for an alleged disturbance within the premises, on arrival they found no customers in the Bar and left stating someone had wasted police time.

I feel highly disappointed in having this application made against me considering all the work I have carried out to ensure residents are not disturbed.

I strongly feel this has become a form of harassment and is vexatious due to not allowing Mr Tim Newcombe Park in my car park, even after explaining it was for customer use only.

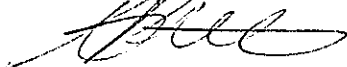
My business has been highly affected due to these complaints made even with the limiter in place that has been set with the council's recommendation and I have adhered to this at all times.

I am currently in the process of re-evaluating the sound proofing and ask for your patience during this time. We are open- minded to all suggestions in the meantime and will always use our best efforts to ensure that there is no disturbance to residents.

Thank you in advance.

Yours sincerely

Miss Anastasia Pieris



131 Park Road
Crouch End
London N8 8JN

Licensing Team
Haringey Council
1st Floor
Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN



Wednesday, 22 October 2008

Dear Ms Barrett,

Re: Review of Premises License – Bar Apogee, 115 Park Road, London N8 8JN

Firstly I would like to state my interest in this matter. I have been a resident of Crouch End since 1974 and at 131 Park Road, London N8 8JN since 1988. I was also the lease holder and licensee of 115 Park Road, N8 8JN which we traded as O's Bar from December 1999 till March 2007 when we sold our leasehold interest to Anastasia Pieris and her business partner at that time. I have also been a partner in a catering operation in Crouch End from 1993 till 1997 and a tenant and licensee for a restaurant in Crouch End since 1997.

Secondly I note that the form and wording of your letter seems to only encourage and allow applications that are in favour of the review of the licence for 115 Park Road and I hope that equal weight will be given to my letter that is against the review and in favour of the current licensee, Anastasia Pieris, retaining her license in its current form and conditions.

When I purchased my house at 131 Park Road I did so in the full knowledge that it was situated on a busy main road and had a school and open air swimming pool at the rear and a busy petrol station and two public houses a short distance away towards the centre of Crouch End. I understood that these were all facilities essential for a vibrant community but that there might be some noise and pollution associated with them. I also understood that I was able to purchase my property at a lower price because of the proximity of these local amenities and if I had wanted total piece of quiet I would have considered a more secluded area and paid the increased price accordingly.

At no time in the 20 years I have been a resident here has it occurred to me to complain about any small amount of noise I have heard from either of the local pubs in the same way as I have not thought to complain about any of the effects of the other amenities in the proximity of my house. I would especially not have thought of making efforts to close either of the pubs in the same way as I would not dream of having the road closed despite the fact that I have been awoken many a morning by a W7 bus thundering by.

Crouch End benefits as a community from the business people that are prepared to spend their time and money in providing facilities such as the shops, restaurants and bars in the community and I think it is a very 'not in my back yard' attitude for those of us who have chosen to live in the vicinity of these facilities to complain about their existence and noises associated with their operation.

As it happens, I have never heard any noise that I could be sure that was coming from 115 Park Road. On the rare occasions that I heard some disturbance on the street I could not have been sure whether it came from Bar Apogee as it could just as easily have come from the Princess Alexander across the road. I have never heard any music from the bar while in my house and I also sleep in the rear bedroom with my window partly open.

During the time that I was the licensee at 115 Park Road I had no objections to the increases in licensing hours that I applied for the premises nor in the granting of an entertainment

license nor for the renewal of these licenses. We took every care to adhere to all the licensing objectives and, from what I can see, Ms Pieris is doing the same. Also I note that when she took over the premises she closed up the windows at the front of the premises so would be less likely to be causing a noise nuisance than we were.

The only complaints that I personally received from neighbours were from Mr Tim Newcombe of 123 Park Road who complained constantly and I believe excessively. While I understand his right to quiet enjoyment of his home, I think he should bear some responsibility for his decision to buy a house so close to a public house. Some of his complaints were that "he could hear people talking in the car park". I am sure that, like me, Ms Pieris is ensuring that people leave her premises as quietly as possible but it is inevitable that some of them may be in conversation while getting into their cars.

Mr Newcombe told me that they had not heard any noise from our bar until he gave the front bedroom to his children and he and his wife moved to the rear bedroom and slept with the window open. He also told me that his children had not been disturbed by any noise from the bar but his wife was a very light sleeper and easily disturbed. I think it is also interesting to note that at no time did the residents of 121 Park Road complain to me of any nuisance or noise yet they are the closest resident to the bar.

I think there is reason to believe that some of the complaints he made to me were repetitive, vexatious and frivolous and I am concerned that this may also apply to this application for review of the license (I understand that he is the main proponent of this action).

In summary I believe that Ms Pieris does all possible to adhere to the licensing objectives and ask that the Council licensing team and committee rejects the application to review, cancel or vary her premises license.

Yours sincerely,

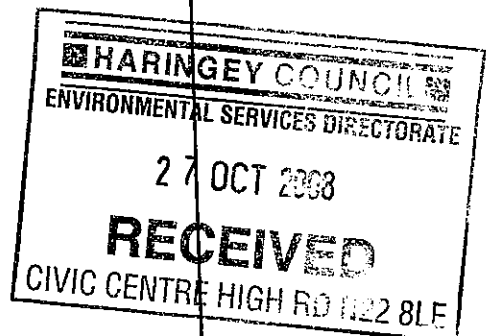


John Macdougall

RESIDENTS NAME	RESIDENTS ADDRESS	IS BAR APOGEE A NOISE NUISANCE?	ARE YOU HAPPY WITH OUR TRADING HOURS?
Sara Gouveia Kato Yrgrt	114A BARRINGTON Rd. N8 8 QX 14. Verron court Park Road. N8.	No, never had a problem with bar Apogee NO	yes, am very happy. yes -
Saudor Baloyt	33a Park Rd. N8	NO	yes
Muwanaa Tomo	33a Park Rd	No.	YES
Banca Nestor Nestor	Flat 8 31 Haringey Park Crouch End	NO (love it)	yes
MUSTAFA HALGUR Halgur	24 KELLING CLOSE N8. 8JS.	NO	YES
BRUCE GIBSON B Gibson	17A PARK ROAD N8 8JJ	NO	YES
Gerson Pereira Pereira	21 Conzon Road Muswell Hill N10 2RB	No.	Yes
Jing Alb. Alb.	45 Scilly C Wing. N8. 141.	No.	YES.
George Sammouris Sammouris	21 Kelland Close Park Rd. Church End	No	yes.
CHRISTOPHER 17179	43 43 summard HIGHTS N8 LONDON SW14	NO	YES
P. ROMAYA Romaya	FLAT 1, 27 The Broadway, Crouch Grd, London N8	Not at all	yes - could be later too
Anna Rendell Rendell	42 Oakfield Court Halemore Road London N15 0NU	No	Aye

RESIDENT NAME	RESIDENT ADDRESS	IS BAR APOGEE A NOISE NUISANCE	ARE YOU HAPPY WITH OUR TRADING HOURS
M. REYNOLDS-	121 PARK ROAD	NO	NO COMPLAINTS,
ROBERT JONES	40 TREGARON AVENUE N89EY.	NO	YES
MARIE-LOUISE FORADARI	83 PRIORITY RD CROUCH END N8 8LY	NO	YES
TONY FORADARI	"	NO	YES
Sandy Buckley	Palace Rd N8 8QL	NO.	yes,

RESIDENT NAME	RESIDENT ADDRESS	IS BAR APOGEE A NOISE NUISANCE?	ARE YOU HAPPY WITH OUR TRADING HOURS
MICHAEL DONOFRIO	53A GLEBERD NETA	NO	YES
MICHAEL DUKKON	310 Park Rd	NO	YES
ISA CLARKE	536 Alexandra Pk Rd W22	076	yes
M Matthews	148 Middle lane N8	NO	Yes
N Jones	3 Term Park Road N8	No	Yes
R BETTS	41 PR A WTH N8	No	Yes
G Holmes	181 Ferme Pk Rd N8	No	Yes
A. Tiley	49 Brunswick Ave N11	No!	Yes
Ralph Milt	70 Linzee Rd N14	NO, NO, NO!	(could be unhappy!)



Sara Gouveia
114 A Barrington Road
Hornsey, Park Road
N8 8 QX
London

Haringey Licensing Office
Licensing Team
Lec Valley Technopark
Ashley Road.
Tottenham
London N17 9LN
26/10/2008

Dear Sir/Madam,

Re: licensing Application Review of Bar Apogee.

I write with regards to the above mentioned, which I would like to give my view on.

I am a regular customer of Bar Apogee and feel it's the only bar so far since I moved to the area which I feel safe and comfortable in.

I live a few blocks down from Park Road and have always been going to Bar Apogee since the opening.

I have never witnessed any disturbance or trouble and am totally confused as to why this is going for a review.

This area needs more bars like Bar Apogee where you can go and feel safe without fights breaking out.

I use to go to the Princess Alexander Pub which is situated opposite Bar Apogee.

I have witnessed fights, shouting, people swearing, being abusive, aggressive, even heard of two deaths but still treated as normal, and yet Bar Apogee in the year I have been going have not even had a fight.

I am totally against this and feel disappointed in the council that without true fact and evidence can allow a review to happen.

I would like to see more bars in the area and am hoping the Princess Alexander will also be as friendly when it re-opens and nothing like how it use to be.

Yours sincerely

Miss Sara Filipa Soares Gouveia



APPENDIX 5

SECTIONS OF THE SECRETARY OF STATE GUIDANCE

11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.4 Licensing authorities may not initiate their own reviews of premises licences. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may however request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.5 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.6 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.8 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 11.9 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

11.10 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

- 11.11 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

11.12 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.

11.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.

11.14 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.15 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing

objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.17 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.18 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.21 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

APPENDIX 6

SECTIONS OF THE STATEMENT OF LICENSING POLICY

- 23.2 The benefit of this procedure is that it allows investment to be committed to a project at an early stage, in the knowledge that a premises licence will be granted subsequently by the Authority, if all matters in the statement are met.

24.0 Conditions

- 24.1 The Council recognises that the only conditions that should be imposed on a licence are those that are necessary and proportionate to meeting the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives.
- 24.2 The steps set out on the Operating Schedule will form the basis of conditions attached to any license granted. If no relevant representation is made, the application will be granted in accordance with the application and subject to conditions which are consistent with the Operating Schedule submitted by the applicant and the relevant mandatory conditions.
- 24.3 If relevant representations are made the Licensing Authority will hold a hearing unless there is agreement from all concerned that a hearing is not required. Where a hearing is held, the Licensing Authority has discretion whether or not to grant the application. If the application is granted, the Licensing Authority may attach or modify the conditions on the license to such extent as it considers necessary for the promotion of the licensing objectives
- 24.4 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned. Standardised conditions will not be imposed, but where appropriate the council will draw upon the model pool of conditions issued by the Department for Culture Media and Sport in annex D - H of the guidance issued by the Secretary of State under s182 of the Act. The Council may also impose conditions other than those set out in the annexes in circumstances where this is necessary to properly promote the four licensing objectives and to address problems referred to elsewhere in this Licensing Policy.

25.0 Enforcement

- 25.1 The Licensing Authority will undertake inspections, including joint inspections of premises and enter into other working arrangements with the Metropolitan Police, Fire Authority and other agencies to support the 'licensing objectives'.
- 25.2 Protocols will provide for targeting of agreed problem and high-risk premises, but with a 'lighter touch' to those premises which are shown to be well managed and maintained.

- 25.3 The Council has adopted an enforcement policy in accordance with the Government's 'enforcement concordat'. The key principles of consistency, transparency and proportionality are maintained throughout this policy.
- 25.4 Enforcement action will be taken in accordance with the principles of the enforcement concordat and the licensing enforcement policy. In particular enforcement action will be:
- targeted - i.e. focused on premises and activities that give rise to the most serious risk of the licensing objectives being undermined;
 - consistent - i.e. similar approaches will be taken in similar circumstances to achieve similar ends;
 - transparent - i.e. help applicants, designated premises' managers and anyone else with a duty to comply with licensing requirement understand what is expected and distinguishing between statutory requirements and guidance;
 - proportionate - i.e. action taken will be proportional to the risk of the licensing objectives being undermined.
- 25.5 The Licensing Authority will take appropriate enforcement action when there is a breach of licensing conditions causing significant risk to the licensing objectives. The selection of the most appropriate enforcement action from the options available will be in accordance with the licensing enforcement policy.
- 25.6 The Licensing Authority Enforcement Policy details the various options available in relation to enforcement measures. These measures will include the review of a licence at the request of an authorised person. The Licensing Sub-Committees will have a range of powers at review in order to secure the licensing objectives. These include the withdrawal of an activity from the premises licence, reductions in operating hours and additional conditions being attached to the licence.
- 25.7 The Council's licensing officers will monitor ongoing compliance with licence conditions. Where necessary for this purpose they will carry out inspections. Such inspections may be carried out without prior notice to the occupier or licensee if the licensing officer considers it appropriate in accordance with the law.
- 25.8 The Licensing Authority has produced a joint enforcement protocol in collaboration with the Police and London Fire & Emergency Planning Authority. This details the role of these bodies in the monitoring and enforcement role and will cover the new powers available, for example;
- Police powers to require the temporary closure of any licensed premises or temporary event on the grounds of disorder, likely disorder or noise constituting a nuisance.