

Anderson Chanel

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

Dear Licensing team,

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

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

I note that there is a new application from

Clarke and Parker, Fishmongers Ltd,

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

I object to this on the same grounds as before:

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

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

Regards,

Shah Noshaba

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

Dear Sir/Madam,

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

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

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

Regards

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

Dear Sir/Madam,

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

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

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

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

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

Kind regards,

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PS Before printing, think about the environment

Shah Noshaba

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

Dear Licensing Team,

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

We object to this on the following grounds:

Prevention of crime and disorder:

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

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

Prevention of public nuisance:

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

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

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

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

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

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

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

Public safety at licensed premises:

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

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

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

Licensing Act 2003 Representation

Name:

Address:

Postcode:

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

Name of Licensee: Clarke and Parker Fishmonger

Premises Address: 488 Muswell Hill Broadway

Postcode: N10 1BT

Reason(s) for representation:

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

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

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

Premises License change from A1 Retail to A3 Restaurants/Bars

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

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

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

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

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

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

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

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

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

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

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

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

Use of Outdoor Areas

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

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

History to Date

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

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

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

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

18 June 2018

Phone:

Email: