

To Daliah Barrett

Licensing Team Leader, Haringey Council

Date 06/04/2021

**RE: Objections to Taco Bell application for a license to provide late night refreshments**

Based on my experiences with the recent coffee shop that was operating on the same premises at Gladstone House until March 2021, I have experienced first-hand, the problems associated with a food/drink provider, ie. premises like a restaurant/cafe. My concerns remain high for several reasons with reference to the same premises where food was served before, albeit a different company. The following are reasons why I am objecting to Taco-Bell opening at Gladstone House under the current licensing proposals – the concerns have been categorized under the four licensing objectives. For your information, I also have concerns about ANY food provider operating next door, and will therefore also be in touch with the council planning team and anti-social behaviour team.

Licensing Objective 1 - Prevention of crime and disorder

**People urinating outside the premises** – I have seen people urinating outside Gladstone House on more than one occasion. It is a frequent occurrence, and I have informed the council about this. In **England** and Wales '**public urination**' is an offence under the 1986 **Public Order Act**. The council are aware of this problem, and I am currently unsure what steps are being considered to tackle this problem. **With more people using their premises, and also late at night, there is a strong likelihood of this becoming a worse problem.** The business owners never do anything about this. I'm afraid this demonstrates a lack of responsibility in looking after the surrounding area of the building. If it happens late at night or in the early hours, are they prepared to report this behaviour? Whose responsibility is it to monitor/report urinating around the back of the building, as the previous proprietor didn't do any anything about this. Neither did the building owner. Please note this is an act of crime and disorderly behaviour, and is illegal

**People gathering outside the premises** – To the front of the premises, even though the pavement is spacious, the junction is very busy and there is often anti-social behaviour and violence against other customers and passers-by. Recent crimes and incidents reported in the area would verify this – the figures indicate a high number of reported crimes and the most popular crimes are listed on the metropolitan police website (<https://www.police.uk/your-area/metropolitan-police-service/noel-park/>) as follows:

- Anti-social behaviour 75
- Violence and sexual offences 45
- Vehicle crime 30
- Other theft 23

The above shows the most commonly reported crimes in Feb 2021 in this area *(Please confirm if you wish to have further evidence of these – I would need to request these from the police, but the council should also have these records which may be accessible to the licensing team.)*

My point is – any business that opens late at night would inevitably attract more people, and therefore there is a strong likelihood that there is an increased risk of crime and disorderly conduct in the area. Even though the proposed premises would

not be selling alcohol, people have access to alcohol at the Weatherspoon just opposite Gladstone House.

**Cars parking illegally or loitering at the junction or performing U-turns** – Every day, there are cars performing U-turns on the corner of Gladstone Avenue. On many occasions, there are people crossing the roads, and it is an accident waiting to happen! With more people gathering at Gladstone House, the likelihood of people stopping their cars and potentially causing an accident, remains high.

### Licensing Objective 2 - Prevention of public nuisance

**Poor food waste management** – the restaurant/cafe/fresh-food/drink provider failed to secure their food-waste, and this encouraged pests and vermin to have a constant supply of food. This became a problem for the whole local area. Complaints to the restaurant owner were futile. And despite having several complaints, the local authority was not able to correct the problem or impose any sanctions. Food waste bins were always full and left open. Rats would pick up food from the bins and then enter my back garden with the food, so I know that the rats had access to food at the cafe. Despite numerous complaints to the council, there have been no steps to address this problem. The poorly managed food-waste bins at the back were kept in a site which is never cleaned. It is basically 'rat-heaven'. Poor food waste management caused terrible smells, which together with the regular top-up of urine from passers-by and customers using the area as a public toilet, has caused the area to become an area of public nuisance. It is positively disgusting. Longer opening times (till 3am) means more business, which also means more waste, and I am NOT happy about the prospect of more mismanaged waste near my back garden!

**Poor general waste management** – The general-waste bins are also poorly managed in the back yard of Gladstone House. Bins are left open, and the whole area is unclean. As the back yard is slightly tucked away with an unsafe gate, it provides the perfect shelter for people to use this area to fly-tip and urinate. In the front of the premises on Gladstone Avenue, people throw their cups, tissues and other rubbish over the wall into my front garden and also onto the road, causing the whole road to be full of rubbish, all of the time. Poor general-waste management also encourages vermin, and we have seen rats around the building every day. I understand that the applicant has said that "*Litter bins shall be available for customer use outside the premises at all times the premises are trading, these litter bins shall be emptied at regular intervals throughout every trading day*" - however, this was poorly managed previously, and I am not reassured that the business will manage this sufficiently at the front or at the back of the property, based on the amount of litter on Gladstone Avenue. **If I continue to get food/packaging/cups litter thrown in my garden (which I do), what reassurances can the licencing authority give me that this will be dealt with? The planning application does not give any details about the times between bins being cleared, and also does not give any reassurances about rubbish being cleared from the floors/road outside the premises, during the late evening. I am not convinced that they have demonstrated that would be pro-active in dealing with street-litter.**

- **Smoking in the front street-side seating area** – This is a big nuisance as I can't enjoy a smoke-free environment in my own front garden. Not only that, but cigarette ends are thrown all over the street floor, and over the wall into my front garden. A burnt bin-lid can only suggest that a burning cigarette was thrown over to my bin which now has holes and eventually fell off and got lost! Lots of cigarette ends on the street is inevitably a public nuisance as nobody wants to see rubbish on the street floors. Late at night, this is much harder to monitor or maintain. The adjoining wall is

not very high, so it is easy for people to throw things over the wall into my front garden. Will the proprietor be obliged to put up signs and notices to prevent cigarette litter? Isn't there a law against air pollution from a business premise if it's near a residence? With longer opening times, people inevitably stand around and smoke and this will be a nuisance for me and my family.

- **Food smells and noise from machinery is a predictable problem** - Under the Environmental Protection Act 1990 (EPA), smoke, fumes or gases from any premises is a nuisance and this includes steam and smells from that massive exhaust pipe at the back yard which is a metre from my back garden. All the food smells come into my back yard and it's not pleasant. This also makes noises, which is a problem if the premises are open till late. Even the lights staying on is a problem for my family, as it affects our sleep. With longer opening hours, there will be a lot of smell, noise, vibration, light and inevitably, this will lead to a greater public nuisance, and not just for my family.
- **Loud noises both inside and outside the premises** – The number of people gathering in the outside eating area always consists of people who want to chat, which ordinarily would be fine, but if the business is next door to a residence and is on a residential street, it becomes an issue, as families basically want safety and peace. People argue and fight and I often hear loud shouts from the premises (both inside and outside). For me and my family (and for the families in the area), I do not want to be disturbed beyond early evening time. We all need to sleep by a certain time, and if we can't sleep on time, we can't work efficiently the next day. Again, people who sit and eat/drink at the premises will most likely be loud and inconsiderate to our family's needs. My husband is also disabled and a wheelchair-user, so we have to sleep on the ground floor. We can basically hear everything, including the toilet flushing, crockery clunking and people talking. I understand that the owner said they would put in noise-proofing in their planning application, but apparently, they will only do so on the ground floor, whereas on page 17 of the planning application, it states that "*Licensable activities will be conducted and the facilities for licensable activities will be designed and operated so as to prevent the transmission of audible noise or perceptible vibration throughout the fabric of the building or structure to adjoining properties*". **Does the licensing authority know about the choice of materials that are being used to sound-proof the building in the current building work by the owner of Gladstone House? Will there be a guarantee that we will not hear anything from next door? Can you confirm whose responsibility is it to ensure that noise won't travel – the owner of the building or the owner of the business? What rights will me and my family have to challenge the proprietor to correct imperfections in sound-proofing? How will the licensing authority be able to impose sanctions for this to be addressed if I highlighted the issue to you? What level of proof would you need that sound is coming through, and will the council assist me and listen to me?**

#### Licensing Objective 3 - Public safety

**Groups of people gathering** – In the licensing application, the applicant has not considered public safety in the area outside the premises. In this climate of reclaiming the streets, as a woman I have felt very unsafe when going out after dark. Men standing around in clusters is a big deterrent for me and my daughters when considering going out. Having a hot-food premise on the edge of a residential area is

not only a worry for the local residents (due to the potential overflow of customers) but as Gladstone house is also so close to public transport, it has the potential to attract people from other areas who have no vested interest in respecting the local area. Again, the number of crimes in the area have been disproportionately higher than other areas, so I am concerned that yet another food-place would attract more people who would inevitably gather to exchange drugs, steal/pickpocket or harass women. Making use of the outside space encourages crime amongst individuals who are there to cause harm to the public, including anti-social behaviour, sexual harassment, theft and vehicle crime, as seen in the latest figures for the area (see above). Although the proposed late-night opening will be for indoor use only, the safety issue relates to people loitering outside. As a resident next door to Gladstone House, I am worried that youths will loiter outside in the early hours (as they do at the McDonalds across the road) and it will create an element of fear for me and the other residents in the area. The planning application says that *the PLH will ensure that patrons use the area which does not disturb the residents or local businesses*, but no details are supplied as to how this will be done. The previous business said the same thing, but they were unable to prevent people gathering and talking loudly, and throwing things on the floor in the streets. Based on what I have seen, I remain extremely sceptical that the applicant would be able to do anything different, and I am therefore objecting to this licence application.

#### Licensing Objective 4 - Protection of children from harm

**Children and young people living in the area** – I know of many families in the area who are unhappy about how unsafe the streets are for their children. The foul language and behaviour of many of the people who visit some of these restaurants in the area is harmful to children, even if they visit with an adult, as they can see and hear what goes on. The atmosphere is not family-friendly, and instils a sense of fear in a young person.

#### **Conclusion:**

The licensing application from Taco Time Ltd shows that they are seeking a licence to offer Late night refreshment until 3am and they also propose to make use of the outside space which belongs to the premises up to 11pm in the evening for customers to sit and consume food purchased. The planning application is inadequate, with sparse details – section I on page 14 has no details in the first box. The application does not give me any reassurance that all the points I have raised will be addressed during the course of their business.

**I strongly object to this licensing application and I do so within the consultation period. I do NOT want them to operate outside till 11pm, and I do NOT want their premises to operate inside till 3am.**

Regards,

**[REDACTED]**. Dated 06/04/2021