

Appendix 2 – Representations from Residents

LICENSING ACT 2003 - REPRESENTATION FORM

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

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

Personal Details Name [REDACTED] <i>on behalf of Gardens Residents' Association</i> Address..... [REDACTED] [REDACTED]..... Postcode... [REDACTED]
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..... WK/000498979..... Name of Licensee...Garik Toprak..... Name of Premises (if applicable)...Restaurant... .. Premises Address (where the Licence will take effect)... 365-369 Green Lanes Postcode.....
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**Public Safety****The Prevention of Public Nuisance**

We object to the supply of alcohol Friday to Saturday 11am – 2am, and the opening hours from 8am to 2.30 am. The restaurant is situated on the corner of a residential street, and the GRA is of the opinion that such late night opening and serving of alcohol is not appropriate for our part of Green Lanes due to the risk of noise and nuisance at a time of night when people are sleeping and noise is particularly intrusive.

Looking at the plans, it also appears that it is intended that the garden will be used for customers. This backs directly on to residential properties, and would cause severe noise nuisance to local people – this would be the case whatever the time of day, but even more so up to 2.30 am. The garden should not be used for customers under any circumstances.

The Protection of Children from Harm

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

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

Date: 7th

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

LADDER COMMUNITY SAFETY PARTNERSHIP

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

6 June 2021

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

Introduction

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

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

Concerns are based on two of the key licensing objectives

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

1. Lack of clarity in the application and associated plans

(a) Outdoor area(s)

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

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

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

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

(b) Regulated entertainment

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

2. Opening hours

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

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

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

3. Sound insulation

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

Conclusion

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

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

Ian Sygrave

Chair, on behalf of the LCSP

Chair, on behalf of the Harringay Police Panel

Appendix

Planning Matters

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

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

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

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

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

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

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

Dear Daliah and Licensing

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

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

My concerns are based on two of the key licensing objectives

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

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

1. Lack of clarity in the application and associated plans

(a) Outdoor area(s)

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

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

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

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Conclusion

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

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

Regards

Zena

Zena Brabazon
Cllr, Harringay ward