

Addendum to Representation in support of Application to Review a Premises Licence

Premises	Kiss The Sky Bar, 18-20 Park Road, Hornsey, London N8 8TD
Representation	Haringey ASB Enforcement (Noise Team – Responsible Authority)
Officer	Jennifer Barrett
Position	ASB Specialist Officer (Noise)
Date	16 th July 2021

Since the submission of our representation on the 29 June 2021 the Council has continued to receive complaints about noise from local residents.

We substantiated noise from loud music as a statutory nuisance on 8th July 2021. In accordance with our protocols, we issued a 2nd warning and secured compliance at the time of the visit. Since the Premises Licence Holder reduced the volume to an acceptable level at that time, we did not serve an abatement notice. We have received further complaint of noise nuisance on the 10th and 11th, but noise officers were unable to attend.

Our last visit to the premises to discuss noise controls was on 13th July 2021. We reiterated at this time measures that must be taken to control noise and prevent further complaints.

On 14th July 2021, a further report was made outside our service hours but was supplemented by video and audio recordings which have assisted us to corroborate complaints and that current noise control measures are ineffective. The evidence relating to the latter complaint is currently being collated and is likely to lead to the issue of an abatement notice.

We have continued to engage with the Premises Licence Holder of Kiss the Sky to provide guidance and support as well as to flag the issues raised and address complaints.

We have discussed specifically measures they will employ to promote the licensing objective the Prevention of Public Nuisance. We have discussed remedial works and adequate noise management control measures. They have agreed to employ the services of a qualified acoustician to provide expert advice about noise controls although we have not agreed a timescale for this.

The Premises Licence Holder has provided details of the soundproofing undertaken (as photographs and the technical specification of the insulation material). Further sound insulation work is needed, and it is recommended that he commission expert advice regarding appropriate measures.

We have established the noise disturbance is an issue and that the current conditions do not adequately address prevent public nuisance.

I maintain that further, more stringent measures for the control of noise from patrons the premises is required. I therefore do not wish to amend the recommendations made in my previous submission but clarify my previous comments below:

I recommend the following conditions are removed from the Licence:

- Regular registered door supervisors.
- Digital CCTV outside of building.

- “Please be quiet as you leave” signs.
- No drunkenness permitted outside.

I recommend the following conditions are added to the Licence:

Control Noise from Patrons

- Notices will be prominently displayed at the exit requesting patrons respect local residents and leave the area quietly.
- Staff and Door Supervisors shall actively monitor and control patrons queuing, leaving and entering the premises to ensure they leave the area quickly and quietly. Staff and Door Supervisors shall actively discourage loitering or waiting outside the premises after closing.
- The use of tables and chairs outside the premises shall not be permitted after 10pm
- The Licence Holder shall conduct regular assessments of the noise coming from the premises whilst it opens for business and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a logbook kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action. This record must be made available at all times for inspection by council officers. Regular liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities.

Controlling Noise Emissions

- The Licence Holder shall devise and implement fully a Noise Management Plan to be agreed in writing by the ASB Enforcement Team. The Plan should detail all noise control measures to be implemented. This should be informed or devised by an expert in acoustics and provided no later than 31 August 2021.
- Music played at the premises shall be limited to background level only until appropriate noise control measures are implemented.
- All external doors and windows shall be kept closed at any time when regulated entertainment is taking place.
- No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
- All speakers should be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.

END