

On 11 Nov 2021, at 13:15, Andrew B <> wrote:

Thanks Daliah,

I'm not sure the below is 100% reflective of the situation. For example, I have personally emailed to say that drinks are being served without food and that CCTV (a condition of their license) should be reviewed accordingly. I'm sure you agree that residents can't be expected to barge in with recording equipment. That said, I never received a response to that email so perhaps it was missed.

Andrew

From: 'Barrett Daliah' via ashmount-lodge <
Sent: 10 November 2021 16:47
To: 'Joyce Adams' <
Cc:
Subject: [ashmount-lodge] RE: COMPLAINTS RE 266 MUSWELL HILL BROADWAY N10

Hello Joyce,
Responses are below.
Regards
Daliah Barrett

From: Joyce Adams <joyceadams017@gmail.com>
Sent: 10 November 2021 15:37
To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Cc: ashmount-lodge@googlegroups.com; ASB.Enforcement@haringey.gov.uk
Subject: Re: COMPLAINTS RE 266 MUSWELL HILL BROADWAY N10

Dear Daliah

Thank you for your email.

As I mentioned in my previous email we (the residents) are already following all the suggested avenues ie: contacting the Haringey noise report line - the majority of the incidents occur between 2.30am and 3am after the phone line has closed therefore we report online, receive a case reference by email but never receive any updates as to whether anything is followed up. We also submit photographs, video footage and contact the police but again we receive no communication to inform us if anything is being investigated. We are doing everything we can and we will continue to do so but it is incredibly frustrating that we are not receiving any support from Haringey departments.

You didn't respond to my previous questions:

- We would like to know who is responsible for checking the compliance of the license for The Broadway, does anyone from the council actually visit the premises during operating hours to see whether they are in breach of their

license? The Council Enforcement and Police are able to check on compliance.

- Are they serving alcohol without food? Are drugs being taken on the premises? We do not have evidence of alcohol being sold without food. We are not able to confirm drugs are being taken onsite.
- Are security staff manning the door? (if so, why are their patrons being allowed to congregate in the street and not being moved on)? Officers have said there has been SIA at the door
- Does anyone check or monitor their CCTV? Only if there is a specific need to do so.
- I notice that The Broadway's website advertises a Sunday closing time of 01.00am, please confirm whether this is correct as we were under the impression this should be 12.30am. The timings are below. We will check their website and ensure that they correct any misleading information.
- **Supply of Alcohol**
 - **After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.**
 - **Sunday to Thursday 1100 to 0000**
 - **Friday to Saturday 1100 to 0200**
 - **Recorded Music**
 - **Sunday to Thursday 1100 to 0000**
 - **Friday to Saturday 1100 to 0200**
 - **Supply of alcohol and Recorded Music on Sunday that proceeds a Bank Holiday only from 1100 to 0200 hours. New Year's Eve until 0330 hours.**
 - **Provision of Late Night Refreshment**
 - **After 2300 hours on any day, all alcohol shall be sold only at a table with a meal.**
 - **Sunday to Thursday 2300 to 0000**
 - **Friday to Saturday 2300 to 0200**

Any Sunday that proceeds a Bank Holiday only from 2300 to 0200 hours. New Year's Eve until 0330 hours.

- **The opening hours of the premises:**
- **Sunday to Thursday 1100 to 0030**
- **Friday to Saturday 1100 to 0230**
- **Sunday that proceeds a Bank Holiday only from 1100 to 0230 hours.**
- **New Year's Eve until 0400 hours.**

- **Christmas Eve to open one hour longer than ordinarily permitted on that day, with all licensable activities to cease 30 minutes before that time.**

Once again, we find ourselves having to bear the brunt of a bad licensing decision and are expected to jump through hoops to build a case to try and resolve the situation ourselves. Things will inevitably become worse once The Venue is operating as we won't easily be able to determine which premises/patrons are causing the disturbance, as they are next to each other.

I look forward to hearing a response to the questions above.

Regards

Joyce Adams

On 8 Nov 2021, at 16:32, Barrett Daliah <Daliah.Barrett@haringey.gov.uk> wrote:

Dear Residents,

The Section182 Guidance that underpins the Licensing Act 2003 makes clear that there should be some attempt at talks and mediation on problems arising as a first step when dealing with licensed premises. Residents have contacted the Licensing Service and we have asked for monitoring as well as engaging with the licence holder to better manage the premises. Also submitting complaints for 'noise on now' which can be done online, would generate an officer to attend the premises to see if there were any breaches that could be dealt with at the time. The link to do so is here <https://www.haringey.gov.uk/environment-and-waste/noise-and-animal-control/noise-control#report>

Any request for a review will need to demonstrate that the operation of a premises licence undermines one of the four licensing objectives.

We would suggest that a review should only be initiated where all other enforcement avenues have been exhausted. Interested parties considering making a review application are strongly encouraged to [contact Licensing](#) before making an application for a review to discuss whether all areas of dispute resolution have been explored.

A review requires that you have gathered evidence of the issues that the licence holder is failing to comply with.

The current premises licence has safeguards within it that has conditions by which the premises should operate. Before applying for a review, applicants may want to consider whether their concern(s) could be effectively dealt with outside of the formal review process. This could involve, for example:

- Talking to the licence or certificate holder to determine whether there are any steps they may be willing to take to rectify the situation
- Asking us to talk to the licensee on your behalf
- Asking your local MP or councillor to speak to the licence or certificate holder on your behalf

- Talking to the relevant responsible authority (for example, environmental health in relation to noise nuisance, or the police in relation to crime and disorder) to determine whether there is other legislation that could help resolve the issue

Evidence is a crucial factor when applying for a review, things you may want to consider when seeking a review:

- It may be helpful to get the backing of other people living, or businesses operating in the vicinity of the premises, or other responsible authorities
- Look at our official records about the premises kept in the licensing register. This will show you if other people have made representations or asked for a review of a premises in the past
- If you are thinking of raising a petition, it is important to include names and addresses and indicate clearly on what grounds a review is being applied for. It would also help if a spokesperson could volunteer to receive details about the hearings from us and may be willing to speak on behalf of the petitioners at the hearing.
- If you want to ask another person such as an MP or local councillor to represent you at the review, it is advisable to make such a request in writing so that the individual can demonstrate he or she was asked. It will be a matter for the MP or councillor to decide whether they should agree to your request. They are not obliged to do so, however, most elected representatives are happy to help residents with this sort of issue, and there is no requirement for them to live in the vicinity of the premises in question for them to be able to make representations on behalf of residents that do. It should be noted that councillors who are part of the licensing committee hearing the application will not be able to discuss the application with you outside the formal hearing, so it is suggested that you do not approach them to try to.
- For individual incidents, try to get as much information as possible about any official response (for example, police being called out).
- You may also be able to back up your application with data such as crime statistics. However, it should be noted that conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and his/her staff or agents, but they can seek to control the behaviour of customers on the premises or in the immediate vicinity of the premises as they seek to enter or leave.
- If there is general noise nuisance on streets because of licensed premises, you will probably need to show how it relates to the specific premises.
- It is important to be able to back up your claims. You could do this by keeping a diary over a period of time, for example. Sound or video recordings may also be helpful. It may also be a while before any hearing, so it is good to keep a clear record.
- Residents or businesses applying for a review following a particular incident should be cautious, as a licensee may argue that this was a one off problem that can be rectified without a review.
- Have a good idea how you'd like the situation to be resolved.

The Licensing webpage contains information on the Responsible

Authorities <https://www.haringey.gov.uk/business/licensing-and-regulations/licensing/licensing-contacts>

Premises licence info and guidance <https://www.haringey.gov.uk/business/licensing-and-regulations/licensing/licensing-enforcement>

Regards

Daliah Barrett

Licensing Team Leader

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<advice-local-residents Review.pdf>

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