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Sent: 04 July 2022 13:53

To: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: FW: LICENSING AUTHORITY REPRESENTATION- Application for a New Premises Licence: - District 22, 83 Mayes Road, Wood Green, London, N22 6TN

Dear Sirs,

We are making representation against the application for District 22, 83 Mayes Road, London N22.

The main reason for making the representation is that the premises has a history of public nuisance complaints associated with it and has previously been subject to a review process that ended with the premises licence at the time being curtailed since the premises was not well suited for offering regulated entertainment late into the evening.

The premiss is surrounding by residential property and has an outside area which is used to offer shisha smoking. The current director Mr Messoudi has sought to apply for planning permission for the retention of change of use of public house to mixed use restaurant and shisha lounge (sui generis), which was refused due to the potential loss of the building being used as a public house.

An application for a review of the current premises licence at the address was previously undertaken by residents and determined by the LSC in December 2016. The review was brought due to ongoing public nuisance issues and crime and disorder emanating from the venue which impacted on nearby residents. The premises is set along Mayes Road and has a side entrance on Coburg Road which leads into an area that was being used for shisha smoking. Noise from patrons emanating from the premises, standing outside on Coburg Road talking and shouting as well as fights taking place in the early hours of the morning had a cumulative impact on those living nearby. The Licensing Service continues to receive complaints from residents relating to ongoing issues with the late operation of the venue that has been causing problems.

Both Mr Messaoudi and Mr Topalli have been found to be operating the premises in breach of the law. The premises has had over 55 complaints since October 2021 relating to noise nuisance and or licensable activity being allegedly offered from the venue.

It is concerning that the new applicant has submitted another application seeking such late hours at a venue that has now been shown to not be suited for such hours. The Home Office Guidance issued under Section 182 Guidance places a requirement on applicants to demonstrate when setting out steps they propose to take to promote the licensing objectives that they understand the area.

The Council Statement of Licensing Policy advises the following in this instance:

LICENSING HOURS

The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

THE PREVENTION OF PUBLIC NUISANCE

Licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise to a range of nuisances that may potentially impact on people living, working or sleeping in the vicinity of the premises. Principal concerns relate to noise nuisance, light pollution and noxious smells.

This authority expects applicants for premises licences and club premises certificates to have made relevant enquiries about the local area and prepare their operating schedule on the basis of a risk assessment of the potential sources of nuisance posed to the local community by their intended operation. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive proposals to manage any potential risks.

We cannot support the application in its current format, we propose that the application is rejected as the applicants have failed to demonstrate that they will abide to licensing conditions.

If however the LSC considers it appropriate to allow the application in some form we propose that the hours are restricted as follows:

Opening hours:

Regulated Entertainment: Recorded Music

Sunday to Thursday 1600 to 2200 hours

Friday to Saturday 1600 to 2330 hours

Supply of Alcohol

Sunday to Thursday 1600 to 2130 hours

Friday to Saturday 1600 to 2330 hours

Supply of alcohol **ON** the premises.

Hours open to Public

Sunday to Thursday 1600 to 2230 hours

Friday to Saturday 1600 to 0000 hours

The outside shisha/smoking area is to close and all customers are to be asked to come inside by 2200, Monday to Sunday.

No amplified music to be played in the external area at any time. This is to avoid any potential for noise nuisance to nearby residents.

There needs to be an effective written dispersal policy to ensure that patrons are encouraged to leave the area quickly and quietly and not enabled to hang around on the Coburg Road Side of the premises at any time.



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