

Mr Topali/Mr Donne

Your ref:

Date: 04<sup>th</sup> October 2022

Our ref:

BY EMAIL

Dear Sirs,

## COMMITTEE HEARING RESOLUTION

### **Application for a New Premises Licence under the Licensing Act 2003 – at District 22, 83 Mayes Road, Wood Green, London, N22 6TN (NOEL PARK) heard on 22<sup>nd</sup> September 22**

The Licensing Sub Committee carefully considered the application for a new premises licence for District 22, 83 Mayes Road, Wood Green, London, N22 6TN (NOEL PARK). In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, section 182 Guidance, the report pack, the additional papers submitted by the Applicant and the applicants and objectors written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence subject to the following conditions to promote the licensing objectives.

#### **The Licence is granted as follows:**

##### **Operating times:**

##### **Supply of Alcohol**

Sunday to Thursday	16:00 to 23.30 hours
Friday & Saturday	16:00 to midnight hours

##### **Hours open to the public:**

Sunday to Thursday	08:00 to midnight hours
Friday & Saturday	08:00 to 00:30 hours

##### **Conditions & Terminal hour for use of the front area of the Premises**

Monday to Sunday 21:00 hours  
Smoking area in front of the premises to be limited to 6 persons.  
All patrons occupying the area outside the front of the premises to go indoors by 21:00 hours everyday

##### **Door Supervisors:**

Door Supervisors must be present from 21:00 hours Friday to Saturday until close of the business and/or until all patrons have dispersed, whichever is the latter.

### **Conditions on the area at the back of the premises:**

The back shisha area to be closed at 22:30 each day.

### **Noise management Plan- Controlling Noise Emissions**

- The Licence Holder shall devise and implement fully a Noise Management Plan to be agreed in writing by the Noise and Nuisance 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 28 days after the issues of the licence.
- Music played at the premises shall be limited to background level only until the approved noise control measures as outlined in the Noise Management Plan are implemented.
- All external doors, windows and the retractable roof 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.
- The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

### **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 Licence Holder shall conduct regular assessments (externally and around the full perimeter) 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.
- The Applicant will provide a dedicated hotline for residents to raise any complaints with the premises/business owners.

The following conditions are imposed to promote the four licensing objectives:

1. **General – all four licensing objectives (b,c,d,e):** A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

A CCTV system will be installed at the premises covering the entrance, the external area and all internal areas.

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the Local Authority

All staff members engaged, or to be engaged, on the premises shall receive full training pertinent to the Licensing Act Staff Training regarding the 4 x License Objectives.

## 2. **The prevention of crime and disorder:**

- (i) A digital CCTV system recommended to be installed in the premises complying with the following criteria:
  - (a) Camera(s) must be sited to observe the entrance doors from both inside and outside.
  - (b) Camera(s) on the entrance must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
  - (c) Camera(s) must be sited to cover all areas to which the public have access, excluding toilets if on site.
  - (d) Provide a linked record of the date, time of any image.
  - (e) Provide HD digital quality images in colour during opening times.
  - (f) Have a monitor to review images and recorded quality.
  - (g) Be regularly maintained to ensure continuous quality of image capture and retention.
  - (h) Member of staff trained in operating CCTV at venue during times open to the public.
  - (i) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require.
- (ii)** An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system
  - (f) any visit by a relevant authority or emergency service

The premises shall operate a zero-tolerance policy to the supply and use of drugs.

Anyone who appears to be drunk or intoxicated shall not be allowed entry to the premises and those who have gained entry will be escorted from the business immediately.

## 3. **Public safety:** There shall be no vertical drinking at the premises. Table service only.

The premises will have a refusal book or electronic system to record all refusals of sales, this must be made available to the police and local authority officers upon reasonable request.

The Business will have a fire and health and safety risk assessment.

## 4. **The prevention of public nuisance:** Deliveries and waste collection will be done within the times recommended by the Local Council

During the hours of operation, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

Clear and legible notices will be prominently displayed at the exit to remind customers to leave quietly and have regard to neighbours

## 5. **The protection of children from harm:** A challenge 25 policy will be in operation at the premises with operate signage on display throughout the premises.

All staff members engaged, or to be engaged, on the premises shall receive full training pertinent to the Licensing Act, specifically regarding age-restricted sales, and the refusal

of sales to persons believed to be under the influence of alcohol or drugs. This shall take place every 6 months.

All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either Police Officers or an authorised officer of the Local Authority.

## **REASONS**

The Committee gave serious consideration to the submissions by the applicant & their representative, and to the concerns raised by the objectors again both of which were made in writing and orally.

It was noted that there had been complaints about breach of License regulations concerning these premises over a number of years. However, it was noted those complaints did concern previous owners. It was also noted that there was a new management team and that they had put forward proposals to alleviate those concerns and complaints. In some instances the Committee has gone beyond those proposals and added further restrictions as detailed above in terms of timing and closing hours, which also seeks to balance the concerns of both the applicants and objectors.

It was noted that the applicant would ensure security staff would be present, that a noise management plan would be agreed with the Environmental Protection Team. They had made those proposals themselves and had also agreed the Police recommendations. This demonstrated to the Sub-Committee a willingness to engage with the issues and concerns raised.

The Committee's decision in respect of the hours granted for opening, alcohol sales and the restriction on the activities at the front and back of the premises, along with the noise conditions proposed take into consideration the objections raised.

With the resulting grant the Committee is of the view that an appropriate balance has been struck between the wishes of the applicant, the objections of local residents and the overriding licensing objectives with the conditions proposed.

## **Appeal Rights**

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

Yours sincerely,

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