

[REDACTED]

8 December 2022

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

We would like to object to the proposed Variation to the Premises License for 365-369 Green Lanes. The premises does not always comply with the Licensing or Planning restrictions currently in place or the licensing objectives. An extension of the license will only make matters worse.

Our concerns are based on the way in which the premises has operated since it re-opened in March 2022. While recognising that the Licensing Committee's remit does not cover Planning concerns, we would encourage the Licensing Committee to consider the proposed Variation to the Premises License not only in itself but also in the round.

Background

The premises reopened as a much larger venue in March 2022, extending the premises from a single shop front to a triple frontage and across four premises to the rear together with a new mezzanine floor.

The current license was granted in August 2021 with some restrictions due to the Licensing Committee's concerns over the potential for the premises activities to constitute a public nuisance, in particular noise. One of these requirements was for the rear of the premises to be closed and cleared of customers by 2100 hours.

The Planning Committee made related restrictions when granting permission to 369 Green Lanes in February 2021 for a rear extension such as requiring the development to be in compliance with approved plans and the roof lights and windows to be non-opening. 365-369 Green Lanes is not in compliance with these restrictions and indeed is subject to Planning Enforcement action.

Reasons for representation

Operation of the premises at 365-369 Green Lanes has given rise to the following concerns since March 2022, listed by licensing objective.

Prevention of public nuisance

- Noise from the premises particularly when windows on the rear extension are retracted.
- Noise from customers returning to their cars parked in Lothair Road North, Venetia Road, Tancred Road and other local roads. This has continued until 0100 an hour after the premises has closed and has consisted of loud talking and shouting from high spirited customers following rounds of drinks, slamming of car doors, revving engines and playing of loud music on their departure. We note that the Council's policy says that a licence holder's responsibility does not end at the door of their premises.
- Unpleasant smoke and cooking odours coming from the restaurant's chimneys.
- Use of the rear extension with noise and light pollution outside permitted hours (i.e. after 2100). The extension has a large retractable glass roof and sides which extend over the rear of four premises. Both Planning and Licensing Committees placed restrictions on the use of this area to manage noise levels. Licensing required the rear of the premises to be cleared of customers and closed by 2100 while Planning required roof lights and windows to be non-opening. These requirements are not being complied with.
- Questionable use of 145 Lothair Road North (LRN) which is adjacent to 365-369 Green Lanes. The rear of 145 LRN has been linked to 365-369 Green Lanes via a doorway in the garden of 145 LRN. This was done to facilitate access by staff from 365-369 Green Lanes to a newly constructed outbuilding in the rear of 145 LRN which is used for storage. 145 LRN has also been used for staff accommodation and an office.
- The premises are used for multiple purposes including restaurant, shisha, lounge bar and live entertainment. Compromises are being made to meet the differing requirements of these activities – for example, shisha requires open windows while restaurant requires closed windows. The premises activities should be limited to those it can do well.
- Empty bottles of alcohol and litter are left overnight on the pavement and front gardens of local roads.

Prevention of crime and disorder

- Large groups gather on the pavement in Lothair Road North before going to 365-369 Green Lanes. These groups can be noisy and intimidating and encourage pedestrians to cross the road to avoid them.
- Drug dealing and use of nitrous oxide cannisters in the local roads.

Public safety

- Cars accelerating cars down Lothair Road North to speeds which are not compatible with a narrow and quiet residential road thereby endangering vulnerable residents such as young children and elderly residents.
- Overflowing and smelly commercial waste bins on the pavement in Lothair Road North for extended periods create a health hazard and an obstruction to pedestrians, particularly those using buggies and walking aids, forcing them to go on to the road itself to pass one another. Further, this location of commercial waste bins on the pavement differs from all other local commercial businesses.
- An unsafe “emergency” access door (solid, heavy metal) opens outwards onto Lothair Road North is also used for deliveries and entrance / exit for staff although the Planning application for a rear extension which was granted in February 2021 stated that this access door would not be in use in normal operation. However, the door is used daily and is a health hazard as it is not possible for those opening the door to see whether it is safe to do so – an accident waiting to happen.

Evidence

We have raised these points with the manager of 365-369 Green Lanes and subsequently made complaints to the Council with supporting photographs and video evidence. These are detailed in the Appendix.

We also note that the tenants at one of the houses in Lothair Road North close to the premises curtailed their tenancy arrangements over the summer as the noise from the premises interfered with their studies.

Conclusion

This evidence shows that the operation of 365-369 Green Lanes has frequently conflicted with the Council’s licensing objectives. In light of this, it would be totally inappropriate to extend licensing hours. Indeed, the focus of the Licensing Committee should be on enforcing compliance with the existing terms of the premises’ licence.

We therefore urge the Licensing Committee to refuse permission for the extended hours which are being sought.

Yours sincerely

APPENDIX

Evidence

We have raised the points made in this letter initially with the manager of 365-369 Green Lanes and subsequently made complaints to the Council with supporting photographs and video evidence.

Complaints to the Council have been made through the Council's complaints system, to council departments, our local councilor and also the Ladder Community and Safety Partnership. Details follow below.

A sample of supporting photographs has been added.

Discussions with the manager of 365-369 Green Lanes

Date	Points discussed
19/3/22	<ul style="list-style-type: none">Commercial waste dustbins overflowing and left on pavementCars parked in front of drivesNoise from the restaurant (both front and rear)Noise from Rakkas' customers with parked cars when leaving Lothair Road North <p>The manager denied the overflowing waste bins came from Rakkas despite their name being written on the bins.</p> <p>The manager also denied any responsibility for noisy customers and parking issues.</p>
21/5/22	<ul style="list-style-type: none">Cars parked in front of drives – the manager admitted he had parked in front of the drives on 2 May
18/7/22	<ul style="list-style-type: none">Noise from customers with parked cars when leaving Lothair Road NorthNoise from rear of restaurant exacerbated by retracted windows <p>The manager said that he did not want to close the windows in the rear of the restaurant as his staff would fry and the air conditioning he had was not adequate.</p>

Emails to council departments

Date	Addressee	Concern raised
5/5/22	Head of Parking	Parking on yellow lines and use of blue badges
14/6/22	Noise and Nuisance manager	Noise, light pollution, smoke from 365-369 Green Lanes

14/6/22	Planning and Enforcement manager	Noise, light pollution, smoke from 365-369 Green Lanes
25/7/22	Head of Planning and Enforcement	Use of 145 Lothair Road North, location of commercial waste bins for Rakkas in Lothair Road North
26/7/22	Noise and Nuisance manager	Use of alleyway to rear of 365-369 Green Lanes

Email to local councilor

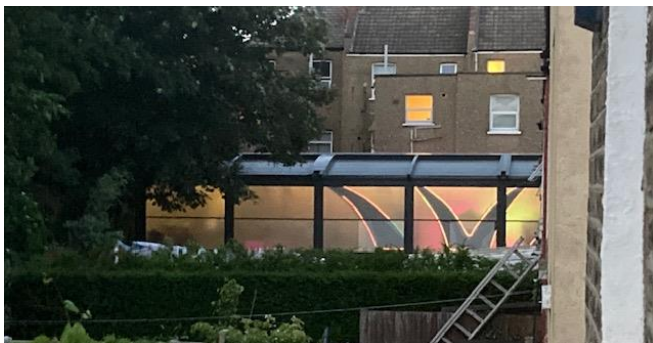
Email to local councilor sent on 9 May covering noise, smoke, light pollution, commercial waste bins, use of alleyway to rear of 365-369 Green Lanes, and non-compliance with Planning requirements specified in February 2021. The councilor used this as input to a complaint submitted to the relevant Council departments in September 2022.

Complaints raised with Council

Date of incident	Time	Reference	Category
28/3/22	1255	HC-14591264	Parking and abuse of blue badges
23/4/22	2028	HC-15526442	Noise – amplified music and voices from rear of premises
30/4/22	2312	HC-15536935	Noise – amplified music and voices from rear of premises
14/5/22	1458	HC-15559063	Noise – amplified music and voices from rear of premises
17/6/22	All pm and evening	HC-16648209	Noise – amplified music and voices from rear of premises
10/7/22	2230	HC-16941113	Noise – amplified music and voices from rear of premises
13/7/22	2117	HC-17144009	Noise – amplified music and voices from rear of premises
15/7/22	2225	HC-14144078	Noise – amplified music and voices from rear of premises
18/7/22	2028	HC-17180734	Noise – amplified music from rear of premises
18/7/22	2028	HC-17180797	Screaming, whistling and singing
23/7/22	2044	HC-17195462	Noise – amplified music and voices from rear of premises
23/7/22	2144	HC-17195485	Noise – amplified music and loud voices from rear of premises
30/7/22	2239	HC-17246720	Noise – amplified music and loud voices from rear of premises
4/8/22	2059	HC-17438522	Noise – amplified music and voices from rear of premises
5/8/22	2235	HC-17449992	Noise – amplified music and voices from rear of premises
20/8/22	2027	HC-17719527	Noise – amplified music and voices from rear of premises
30/8/22	2310	HC-17720152	Noise – amplified music and voices from rear of premises
31/8/22	2300	HC-17720263	Noise – amplified music and voices from rear of premises
2/9/22	2250	HC-17720317	Noise – amplified music and voices from rear of premises
3/9/22	2314	HC-17720385	Noise – amplified music and voices from rear of premises
4/9/22	2343	HC-17720444	Noise – amplified music and voices from rear of premises
11/9/22	2103	HC-18372876	Noise – amplified music and voices from rear of premises
18/9/22	2314	HC-18372932	Noise – amplified music and voices from rear of premises
18/9/22	2120	HC-18372982	Noise – amplified music and voices from rear of premises
21/9/22	2124	HC-18373058	Noise – amplified music and voices from rear of premises
22/9/22	2242	HC-18373458	Noise – amplified music and voices from rear of premises
29/9/22	2103	HC-18373508	Noise – amplified music and voices from rear of premises
8/10/22	2141	HC-18373614	Noise – amplified music and voices from rear of premises

10/10/22	2222	HC-18373729	Noise – amplified music and voices from rear of premises
15/10/22	2313	HC-18373739	Noise – amplified music and voices from rear of premises
18/10/22	1655	HC-18373761	Noise – amplified music and voices from rear of premises
12/11/22	2237	HC-18373795	Noise – amplified music and voices from rear of premises
12/11/22	2312	HC-18373809	Noise – amplified music and voices from rear of premises
25/11/22	2154	HC-18377758	Loud voices
3/12/22	2116	HC-18422569	Noise – amplified music and voices from rear of premises
24/4/22		n/a	“Emergency” door used for deliveries and unsafe opening of door; cars driving at speed; loud music
9/11/22		n/a	Commercial waste bins in Lothair Road North
11/11/22		n/a	Commercial waste bins in Lothair Road North
12/11/22		n/a	Commercial waste bins in Lothair Road North
15/11/22		n/a	Commercial waste bins in Lothair Road North
17/11/22		n/a	Commercial waste bins in Lothair Road North
19/11/22		n/a	Commercial waste bins in Lothair Road North
21/11/22		n/a	Commercial waste bins in Lothair Road North
22/11/22		n/a	Commercial waste bins in Lothair Road North
24/11/22		n/a	Commercial waste bins in Lothair Road North

Light pollution at rear of premises after 2100 hours



Overflowing commercial waste bins



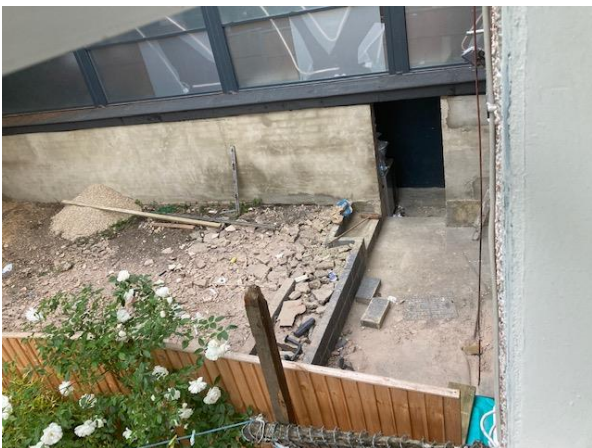
Retracted windows



Smoke



Doorway between the rear of 365-369 Green Lanes and 145 Lothair Road North



Delivery made via “emergency” access door

