

Haringey Council Licensing Team
River Park House,
Level 1 North,
225 High Road,
Wood Green
London, N22 8HQ

9 December 2022

Dear Licensing Team

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

I am writing as ward councillor for Harringay ward to object to the application made by the Rakkas restaurant for a variation to their current license.

My objection is based in particular on the prevention of public nuisance, and in addition, on the way in which the premises has operated since it re-opened in March 2022 as a much larger venue - a triple frontage restaurant, with a mezzanine to the rear.

As ward councillor I have been contacted on several occasions by local residents who live near the premises. They have told me about the noise nuisance, emanating both from the premises, and from customers returning to their cars. Of particular concern was the use of the rear extension with noise and light pollution outside the permitted hours, (i.e., after 9pm). They have told me there was music coming from the rear extension, again in breach of licensing conditions. These breaches have been reported to the local authority.

Noise nuisance has particularly affected residents living in Lothair Road North, to the rear of the premises. The roof and side windows of the rear extension have been opened (contrary to requirements) and this has been especially problematic when live music was being played. On behalf of residents I have reported the noise nuisance, and disregard for the licensing conditions, to LBH enforcement officers. They have followed up, witnessed loud music from the premises themselves, and have issued a formal warning notice having confirmed the external area was in use after 11pm.

It is regrettable that, despite enforcement efforts and LBH engagement with the Rakkas, residents continued to report noise nuisance, with over 20 reports submitted by residents who have been adversely affected. During the very warm summer, Enforcement Officer visited in July, August and September because of repeated disregard for the conditions, and for residents whose right to enjoy their gardens was severely affected.

Noise nuisance has been compounded by the noise which occurs when Rakkas customers return to their cars, parked in Lothair Road North, Venetia Road, Tancred Road and others, late at night. Raised voices, shouting, slammed car doors, car stereos and revved engines all cause huge disruption when ambient noise levels are very low in otherwise quiet residential streets. As the Council's Licensing Policy 2021-26 states, '*A licence holder's responsibility does not end at the door of their premises*' (section 9.6).

Turning to light pollution, the unauthorised use of the rear extension after permitted hours has also led to problems with this for residents in Lothair Road North. As a very large glazed structure extending over the rear of four premises, the extension emits a huge amount of light and residents are aware of bright light shining long after the 9pm deadline, with customers clearly visible moving around in this area.

Residents have also filed complaints via the Council's website about unpleasant cooking smells emanating from the premises, and have reported on overflowing commercial waste bins on the pavement in Lothair Road North remaining there for up to 4 weeks, and also an unsafe emergency access door opening outwards onto Lothair Road North.

Given these experiences, you will appreciate that residents are very concerned about this new application to vary the license, to allow the back addition/outside area to remain open until 23.30 (Sun-Wed) and 00.00 (Thur-Sat).

The council's Licensing Policy 2021-26 (p8) states that its fundamental purpose '*is to ensure that licensed premises have a positive impact on their locality*' but, based on residents' real experience of this venue, it is debateable as to whether this aspiration for this licensed premises is possible.

Noise nuisance was an issue raised at the hearing for the current license. The concerns raised by the objectors at that hearing were considered by the committee to be reasonable. The committee '*was satisfied that a premises of this size would attract a lot of patrons and would need a comprehensive set of conditions to manage the likely impact of noise and other nuisance on local residents. The Committee accepted that the licence holder was offering a different business to the previous owner but retained some concerns about the manner in which it was proposed that the premises would operate.*'

Regarding the issue of managing the outside space, the Licensing Committee determined that it needed to be managed in a manner which promoted '*the licensing objectives with respect to nuisance, which had been a concern of the residents and decided that closing the outside area by 9pm would reduce the risk of the premises undermining the licensing objective with respect to public nuisance*'.

It is hard to escape the conclusion that the Licensing Committee took the issues of noise nuisance and management of the outside space very seriously, and set conditions designed to minimise problems. Regrettably, these problems remain where the license conditions have been breached. Given this, on what basis can the current variation be approved?

Zena Brabazon
Cllr, Harringay Ward