

Mr Tekleweni Tesfey Ghebreselassie

Your Ref:

Our Ref: Licensing

Date: 17th April 2023

REPRESENTATION LETTER

Dear Sir,

LICENSING ACT 2003 – Application for a New Premises Licence – 783 HIGH ROAD , TOTTENHAM N17

The Licensing Authority are making representation on this application as the submitted Operating schedule does not propose any relevant or appropriate conditions to show how the venue would be managed to promote the licensing objectives. The Operating schedules just reflect general information that is available from different pieces of guidance.

The hours being sought are considered very late for the premises which has residential property directly above it and also that back onto it. No direct thought for the prevention of public nuisance has been shown in the application. The operating condition proposed does not demonstrate how the applicant will manage the licensing objectives and no credible conditions are proposed. The Licensing Authority consider that a reduction in hours is required in order to address the need to prevent public nuisance.

The application is seeking hours for a proposed shisha area that does not have Planning permission and therefore the impact of having such this area used in this way has not been formally addressed. The Licensing Authority is concerned that nuisance from noise and smoke as well as smells will impact on nearby residents if this use is permitted. The applicant has been advised that Planning permission must be sought.

It is also unclear if the rear garden is solely for the use of the shop unit or it has a communal use also by the residents. **Evidence of the lease plan as been requested from the applicant.**

The Licensing Authority wish to propose the following conditions and amendments:

These times only relate to the existing premises- NOT the proposed shisha area.

Provision of regulated entertainment: Live Music

Sunday to Thursday	1500 to 2200 hours
Friday to Saturday	1500 to 2300

Provision of regulated entertainment: Recorded Music

Sunday to Thursday	0900 to 1500 hours
Friday to Saturday	0900 to 0000 hours

Provision of Regulated Entertainment: Provision of anything of a similar description to live music, recorded music or performances of dance

Sunday to Thursday	1200 to 1500 hours
Friday to Saturday	1200 to 0000 hours

Late night refreshment

Monday to Sunday	2300 to 0000 hours
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Sale of Alcohol

Monday to Sunday 1200 to 0000 hours

Supply of alcohol **ON** the premises only.

Hours open to Public

Sunday to Thursday 0900 to 22:30 hours

Friday to Saturday 1200 to 0030 hours

If there are specific events that require later hours, then there is the Temporary Event process that can be used.

Proposed shisha area:

The areas to be closed at 21:00 each day- this is to prevent noise nuisance impacting residents.

No Live music to be played in the proposed shisha area at any time

No recorded music to be played in the proposed shisha area at any time. This does not include **low level background** music.

The designated smoking area shall be monitored by door supervisors throughout its use to control the number and behaviour of patrons so as to not cause noise nuisance.

The above hours reflect the fact that there are residential properties and seek to address the potential for noise nuisance from music or people noise that could impact on residents.

THE REFERENCE TO CONDITIONS FOR A SHISHA AREA DOES NOT OVERRIDE THE REQUIREMENT FOR PLANNING PERMISSION TO BE APPLIED FOR AND GRANTED FOR THIS TYPE OF OPERATION.

Proposed conditions:

1. The premises shall not make use of the proposed shisha area until Planning permission has been granted.
2. The proposed shisha area will close to all parties no later than 21:00pm each day, to ensure residents are not impacted by public nuisance from this area.
3. The Premises shall not be used for any ticketed events promoted by an external individual/business.
4. All staff involved in the sale of alcohol shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
5. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
6. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location:
 - (a) At the entrance to the Premises;
 - (b) Behind the bar;
 - (c) In any other area where alcohol can be purchased by a customer.
7. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
7. There shall be a personal licence holder on duty at the premises from 20:00 hours until the premises closes to the public.
8. Loudspeakers shall not be located in the entrance lobby or any outside/external area of the premises building, this includes the proposed shisha area.
9. All windows and external doors shall be kept closed but not locked during regulated entertainment, except for the immediate access and egress of persons.
10. The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately hourly, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents/businesses. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six

months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.

11. No alcoholic drinks or glass containers shall be taken out onto the public highway.
12. The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
14. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
15. The Licensee and Designated Premises Supervisor shall ensure that alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).
16. The Premises shall install and maintain a comprehensive CCTV system which shall comply with minimum requirements agreed between the Licensee and the Metropolitan Police Service Licensing Officer.
17. The CCTV shall cover all entry and exist points (including the 'smoking area') enabling identification of every person entering the Premises at any time of day and irrespective of lighting conditions. The positioning of the CCTV cameras shall be agreed between the Licensee and a Metropolitan Police Service Licensing Officer prior to the opening of the Premises.
18. The CCTV system shall continually record whilst the Premises are open for licensable activities and during all times when customers remain on the Premises. All recordings shall be stored for a minimum of 31 days with date and time stamping on the footage.
19. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times the premises are open to the public. This staff member must be able to provide a Police Officer or an authorised officer of the Licensing Authority with copies of recent CCTV images or data with the minimum of delay when reasonably requested. Or Police Condition:
20. Posters stating that CCTV is in use at the Premises shall be displayed at or near the entrance to the Premises and within the building itself.
21. CCTV must be used when the premises is open to the public.
22. The police must be called to all incidents of unlawful violence or serious disorder.
23. An incident logbook shall be kept at the Premises and made available on request to a police officer or authorised officer of the Licensing Authority. The logbook shall record the following: (a) All crimes reported to the venue;
(b) All ejections of patrons;
(c) Any complaints received; (d) Any incidents of disorder at or associated with the Premises;
(e) All seizures of drugs and offensive weapons;
(f) Any faults in the CCTV system
24. On days when football or other large events are taking place at the Stadium there will be at least 2 door supervisors on duty.
25. A register of SIA-trained door supervisors and members of staff / contractors shall be kept at the Premises and updated each time such persons are employed by the Licensee. The register shall be made available on request by a police officer or authorised officer of the Licensing Authority. The register is to contain the following in respect of each person employed: (a) Full name; (b) Date of birth; (c) SIA Registration Number; (d) Date and hours worked; and (e) Contact telephone number and email address.

The Licensing Authority require site of the lease plan to verify the extent of the demise of the area. We are unclear at this time if the rear garden area is a communal space that the residents have access to also. Please provide clarification on this matter.

The licensing process is NOT an alternative to Planning and does not override Planning law.

Regards
Licensing Authority