Appendix C

From: Daliah Barrett

Sent: Wednesday, August 14, 2024 7:53 AM

To: Wood Green < woodgreen@12thstreetburgers.co.uk >

Subject: FW: 12th Street Burger - 57 High Road, Wood Green, London N22 6BH

Representation (Corrected)

Dear Sir/Madam,

The Licensing Authority is considering your application under the impacts on the four licensing objectives.

You are requesting the following hours:

The application is seeking the following:

Late Night Refreshment- Online Sales

Monday to Sunday 2300 to 0600 hours

Hours open to Public

Monday to Sunday 0900 to 2300 hours Online services to the public until 6am

Having checked the current hours granted under the Planning permission for 57 High Road, Wood Green, London N22 6BH as follows:

The use hereby permitted shall not be operated before 08:00 or after 24:00 hours on any day. Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

Have you applied to Planning to have the hours altered to the timings you are requesting on a Premises Licence? If not, I would encourage you to do so. The Licensing process is not a substitute for any business to seek to gain later hours not granted under Planning law.

From a licensing perspective consideration must be given to the prevention of nuisance objective. We are unable to support the lateness of the hours being applied for across the

week and draw your attention to the Section 182 Guidance that under pins the Licensing Act 2003 with regards to hours already in existence under the Planning regime:

14.66 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time.

Moreover the hours of use being applied are excessive and will impact on nearby residential properties due to the late night use of vehicles carrying out deliveries etc.

As a point of law Late Night Refreshment only applies between 23:00 and 05:00 am each day. A licence cannot be granted for 6am as the law does not regard that time as Late Night Refreshment.

The Licensing Authority is stating the following times:

Late Night Refreshment- Online Sales

Monday to Sunday 2300 to 00:00 hours

Hours open to Public

Monday to Sunday 0900 to 00:00 hours

You are encouraged to seek changes to your Planning permission if you wish to seek later hours.

Proposed conditions:

The extraction flue/vents to be cleaned and repaired to ensure minimum noise breakout from their operation.

All flues and vents to be switched off by midnight to ensure residents are not impacted by noise,

The delivery of hot food and drinks sold as Late Night Refreshment shall only be made to a residential or business address, where the customer uses that address as an official place of residence or their recognised designated place of work. The delivery of hot food or drinks shall not be made or completed in a public place (on the street, in a park, by the bus stop, etc.)

Regards

Haringey Licensing Authority.