

From: Jennifer Barrett <Jennifer.Barrett@Haringey.gov.uk>
Sent: 28 August 2024 23:55
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: Noise Rep: Licence Variation Gina's (Formerly Blooming Scent Ltd), 639 High Road

Application Type: Licence Variation	Date: 28/08/2024
Licensing objectives considered in this representation: The Prevention of Public Nuisance. Public Safety The Prevention of Crime and Disorder	Our Ref: WK607656 Officer Name: Jennifer Barrett, Noise and Nuisance Team Manager Jennifer.barrett@haringey.gov.uk
Premises Name: Gina's (Formerly Blooming Scent Ltd), 639 High Road, Tottenham, London, N17 8AA	

Dear Licensing Authority

As a Responsible Authority, the Noise and Nuisance Team provide the following comments in respect of the application for the variation of the premises licence for Gina's (Formerly Blooming Scent Ltd), ref: LN/000026158 and dated 2/12/22.

The applicant has requested

1. To vary the layout of the premises in accordance with the plan submitted.
2. To amend conditions preventing the increase of the current capacity limit to align with the new space.
3. To amend any conditions that currently restrict or prohibit outdoor seating.

The applicant has also requested an increase in the operational hours for the sale by retail of alcohol (on and off the premises), the provision of late-night refreshment and the provision of regulated entertainment.

Commentary

1. Soundproofing and layout:

The premises layout has been altered to create an open plan café and entertainment area, effectively doubling the licensable area and including the provision of a stage area. The main frontage is on the High Road, is single glazed and a further entrance to the building can be accessed at the side of the building and via a decked outdoor space. The applicant refers to soundproofing but does not specify what this will consist of the specification for this, where and when this will be installed.

The council is unable to comment on this further in the absence of this information. We would expect this to be included in a Noise Management Plan or similar, provided by a qualified sound engineer or acoustician and the council would need to review and approve this plan before approval of the extended hours requested.

2. Noise controls and proposed use of the external area:

The council, in response to complaints from residents about noise and disturbance from smoke, odour, loud music and voices from the use of this space placed restrictions on its use for barbecues and entertainment in 2022 and 2023. A noise abatement notice was served on the premises on 25/5/23 and remains in force. It is noteworthy that this area is mentioned in the application but is not outlined in the licensable areas of the plan provided as part of the variation.

The applicant should also be required to limit the number of people permitted to use the outdoor area of the premises for smoking after 2200 hrs.

The applicant will need to confirm what controls will be implemented for the use of this area, how they will control patrons on Tottenham Hotspurs Football Club (THFC) Match and Event days and other days before we can agree to relax or remove the current controls outlined in the current licence.

3. Operating Hours:

The applicant has requested a significant increase in their operating hours as outlined in the table below. We are concerned that a 03.30hours terminal hour for 4 days a week and 01:00 for the other days of the week is excessive considering the restrictions placed on similar premises in the area, the current operating times and the proximity of the premises to residential properties.

In addition, we are unclear about their distinction between “Anything of a similar description of Live Music, Recorded Music and Performance of Dance” and “Live Music and Performance of Dance & Recorded Music” as they are subject to differing times and need this clarified to ensure clear, enforceable conditions can be incorporated into the varied licence.

We suggest the following hours as appropriate here:

Hours open to Public

Sunday to Tuesday - 0900 to 23:30 hrs

Wednesday to Saturday -0900 to 00:30hrs

4. Sale of Alcohol:

We are concerned that the requests for the sale of alcohol and late-night refreshment do not include the provision of a drink up / wind down period (a minimum of 30 minutes should be included in any varied licence granted.

Requested in the Variation	Currently permitted (LN/000026158)
Hours open to Public Sunday to Tuesday - 0900 to 0100 hrs Wednesday to Saturday -0900 to 0330 hrs	Hours open to Public Monday to Sunday - 1000 to 2200 hrs
Regulated Entertainment: Live Music and Performance of Dance Monday to Sunday - 0900 to 2300 hrs	<i>Recorded Music & Performance of Dance</i> Monday to Sunday - 1000 to 2200 hrs
Recorded Music Monday to Saturday - 0900 to 2300 hrs Sunday- 0900 to 2300 hrs	
Anything of a similar description of Live Music, Recorded Music and Performance of Dance Sunday to Tuesday 0900 to 0100 hrs Wednesday to Saturday - 0900 to 0330 hrs	
Late Night Refreshment Sunday to Tuesday- 2300 to 0100 hrs	

Wednesday to Saturday -2300 to 0330 hrs	
Sale of Alcohol Sunday to Thursday - 1000 to 0100 hrs Friday to Saturday 1000 to 0330 hrs	Supply of Alcohol Monday to Sunday - 1000 to 2200
Supply of alcohol ON and OFF the premises.	Supply of alcohol for consumption ON the premises.

5. Request to amend conditions.

The applicant has requested the removal of conditions relating to the use of the external area, restricting the use of this area for licensable activities

Current condition	Suggested Amendment
No furniture to be placed on the public highway/ pavement without proper authorisation under the Business and Planning Act 2020.	This would need to be considered when an application for a pavement licence is submitted. We are unable to comment until this is done and would be subject to considerations regarding space, match day restrictions and management controls.
No form of licensable activity to be permitted on the public highway/ pavement.	We recommend this condition is retained as is.
Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken off the premises and consumed in the street, particularly on match and event days at the Spurs Stadium. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.	We recommend this condition is retained as is.
To prevent any noise nuisance, no amplified music (recorded or live) to be played in the outdoor area of the premises.	We would consider relaxing this (for example permitting the use of the external area to 9pm or 10pm on given days but this would need to be conditional on the receipt of an approved Noise Management Plan which would include details of how this area would be managed and controlled).
Signs shall be prominently displayed in and on the exit doors advising customers not to gather and consume alcohol on the	We recommend this condition is retained as is.

pavement and on the street. The notices shall be positioned at eye level and in location where they can be read by the customers.	
To prevent any noise nuisance, to manage the volume level of any music (recorded or live) played within the indoor space of the premises.	We recommend this is re-worded for clarity to the following: The applicant shall be required to include details of noise management controls they will implement to prevent noise breakout from the premises (such as the installation of lobbies, details about the use and management of the stage and details of door controls).
The Licensee will ensure patrons leave the area promptly upon closing without littering.	We recommend this is re-worded for clarity to the following: The Premise Licence Holder shall manage patrons at egress to ensure they leave calmly and with minimum disturbance to the neighbourhood)

Conclusion:

The current application does not fully demonstrate how the applicant will effectively uphold the licencing objectives for The Prevention of Public Nuisance (especially for noise and nuisance controls, noise breakout and control of patrons in external areas), Public Safety (with respect to door controls, use of SIA/ Security on event and non-event days and confirmation of the capacity of the premises) and The Prevention of Crime and Disorder.

I have considered the above and recommend that the request for an extension up to 03:30 be refused.

END