

APPENDIX 2
COMMENTS OF METROPOLITAN
POLICE



Your reference:

Our reference:

Date: 23 August, 2010

Ms D.BARRETT
ENVIRONMENTAL CONTROL SERVICES
TECHNO PARK
ASHLEY ROAD
TOTTENHAM N.17

Metropolitan Police Service

Licensing
Quicksilver Patrol Base
Western Road
Wood Green
N.22 6UH

Tel: 0203 – 276 -0150

Dear Ms. Barrett

Re:- Review of British Queen Public House, Love Lane N.17:-

With reference to the above Police wish to make the following representation under the Prevention of Crime & Disorder objective.

Prevention of Crime & Disorder objective.

Please see attached statement from Sergeant Macpherson the officer responsible for Northumberland Park Ward in which the British Queen is situated.

Yours Sincerely


Geoffrey Parker

Licensing

Quicksilver Patrol Base

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **James MacPherson**

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: **Police Sergeant 21 / 175591**

This statement (consisting of: 7..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

James MacPherson P589R

Date: **17th August 2010**

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the Sergeant for Northumberland Park Safer Neighbourhood Team in Tottenham. Licensed premises on my ward include the British Queen Public House Love Lane N17.

I have been asked to provide a statement in relation to an application for the Review of a Premises Licence in relation to the British Queen PH.

Several months ago a pub near Ducketts Common at Turnpike Lane closed. Very quickly it became evident that the Irish travellers who had frequented that pub were starting to use the British Queen.

I have examined calls to Police from the beginning of April to the end of July 2010. I have only regarded calls from inside the pub itself, calls to incidents immediately outside the British Queen or calls relevant to incidents directly linked to the premises. I have disregarded calls in the general area, close to or where there is no information linking an incident to the pub or people coming from the pub.

In the timescale mentioned there have been thirty calls to Police. Four were between 9 and 10pm, one between 10 and 11pm, four between 11pm and midnight, eight between midnight and 1am, six between 1am and 2am and five after 2am. A further two calls were between 7pm and 8pm. Calls are spread across all days of the week with early hours of a Wednesday as frequent as a Friday or Saturday. All of

Signature:

James MacPherson P589R

Signature witnessed by:

Continuation of Statement of JAMES MACPHERSON PS 84R

these calls specifically refer to white people, almost always males but with some calls referring to females being involved. One of three arrests at the location is of a female for public order and assault on Police. One call specifically refers to Irish and Polish fighting. Fifteen of the calls refer to Irish travellers. Group size varies from 5 or 6 to 20 plus to 40 to 50 and on one occasion reported by a Council official of over 100 attending an event.

Of the traveller events Police were called to, one was a wedding, one a wake and a third a christening.

Sixteen calls reported fighting, eight referred to disturbance, twelve made reference to inside the premises and four refusing to leave the premises. Two calls reported theft inside the premises. Three assaults were reported, two of them on staff which were not substantiated. Staff originated nine of the calls.

Two overnight burglaries at the pub were reported during this period.

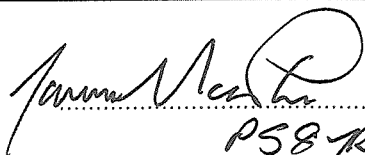
Eight of the calls specifically mentioned the use of glasses or bottles during fights or disturbances.

I have attended meetings of Residents Associations, Neighbourhood Watch, Ward Panel and Area based Working Groups. These have been attended by tenancy management, ward councillors and LBH Anti Social Behaviour Team. A recurring theme has been the ongoing problems being caused by patrons from the British Queen late at night.

I have liaised with the owners of the pub Admiral Taverns who have informed me of their plans to take Mr Davis to County Court to obtain an eviction. Proceedings were due to take place on 6th of August but are now pushed back to the end of October.

Although close to Tottenham High Road, this pub is immediately adjacent to a large number of

Signature:



Signature witnessed by:

PS 84R

Continuation of Statement of JAMES MURPHY PS 84R

residential blocks of flats, some of which directly overlook the front and side of the pub.

Night time policing in Haringey is generally busy and an immediate response is not always available. Residents get annoyed and angry at what they perceive as a lack of Police response to their calls. When officers do arrive there is usually a dispersal which for that occasion resolves the incident but not the ongoing problem. As the figures show almost all of the reports are directly linked to fighting and arguing inside and outside the British Queen.

Cad 517 of 6th April at 01.24. "People are fighting in the British Queen bar" Police responded 01.34 "This is a group of travellers at location. There is no one fighting. They are making their way towards the High Road. May get further calls".

Cad 12712 of 9th April at 23.37. Informant was ringing her son who was at a wedding in the pub. She heard women screaming over the phone and bottles flying and lots of disturbance in background. Women screaming "Don't do that! Don't do that"

It is an Irish traveller wedding. Police response at 23.57 They were a group of boisterous travellers who had moved off. No offences.

Linked Cad 12749 of 9th April at 23.40. There is a fight. All white males, about 5 of them... 2 females are asking them to stop. The males are in their 20's 2 very angry men and they are fighting.

Linked Cad 8 of 10th April at 00.00am. Two males fighting at location. Police were just there regarding same males. They have each other in a headlock.

Cad 273 of 19th April at 00.38. Caller has a group of around 45 travellers in his pub and they are declining to leave. They are partaking in a wake at the PH and have been there since 5pm. Caller has asked them to leave and they have declined to do so and are carrying on drinking. They are not rowdy or violent and the group comprises around 30 women and around 10 -15 males.

Linked Cad 327 of 19th April at 00.46. 4 men fighting outside the venue. Informant watching from her flat, believes they are Irish men. Police response at 00.50. It is all quiet outside the pub at the moment making enquiries with the licensee. Approximately 40 travellers at location. Staff have stopped serving. Pub is closed however approximately 40 drunken travellers hanging about outside. Nowhere to move them on at present.

Signature:

James Murphy
PS 84R

Signature witnessed by:

Continuation of Statement of

JAMES MAPHERSON PS 84R

Cad 1394 of 1st May at 02.39. Informant states more than 10 males fighting at location. Suspects are all white males approximate age 20s. Police response at 02.48 All quiet on Police arrival. No offences.

Cad 668 of 5th May at 02.12. Female requested police, shouting heard. Unknown what was going on. Caller spoke to female who is staff at location. A male has touched her breasts. Male is Irish, approximately 40 years wearing a black cap and beige cardigan. With other Irish males. Police response at 02.23. Persons have left location. Female does not want to know. No offences. She has signed pocket book to that effect.

Linked Cad 692 of 5th May at 02.19. Female trying to cancel police to above call.

Cad 10827 of 26th May at 21.06. customer has jumped behind the bar and taken a bottle of drink, refusing to return it.... Dispute over change he was given which his friend picked up.... Disturbance pending.

Believed suspect left scene. Unable to get through on phone to informant (landlord). No unit to deal. Referred to TIB (telephone reporting). Unit attends 14.32 on 27th No allegation made.

Cad 10503 of 6th June at 21.49. Six males fighting and refusing to leave- pub has been closed. Police response at 21.56 This is travellers. We have managed to get the males out in the street. They may be fighting amongst themselves. 22.13 One male arrested S.4 (public order offence). Further arguing in pub and removed. Further arguing and square up to each other - followed by Police to High Road.

Linked Cad 10520 of 6th June at 21.50. 6 IC1 - white eastern Europeans are drunk and forced door. Owner is shouting "Don't do this"

Linked Cad 10522 of 6th June at 21.50. 8 boys fighting first outside the pub and now gone inside. Informant says they are the same boys every night. 2 nights ago they were so drunk and smashed all cars. Pub has shut and they were cleaning but boys forced entry.

Cad 492 of 7th June at 01.10. Fight at location, cannot see, only hear, I can hear a male shouting. Police response at 01.40. area searched no trace.

Cad 544 of 9th June at 01.20. Drunk persons are coming out of the pub- there is a fight in progress 8-9 persons. Smashing car windows as well. Have bottles in their hands. Suspects are males irish and polish

Signature:

James Mapherson
PS 84R

Signature witnessed by:

Continuation of Statement of JAMES MACPHERSON P584R

people involved. Police response at 01.26. premises are closed... few still milling about. Irish travellers talking loudly and messing around in the street, all drunk. All asked to leave the area. No offences. Linked Cad 555 of 9th June at 01.22. large group of travellers are coming out of the pub in a drunken manner ...thinks a fight will occur... lots of pushing shoving and shouting.

Cad 323 of 15th June at 00.50. A group of Irish travellers are in the pub refusing to leave and have kicked off on one of the staff. The disturbance can be heard. Police response at 01.35. No offences, no cause police action.

Linked cad 330 of 15th June at 00.52. Fight going on between Irish.

Cad 814 of 25th June at 01.50. Male request for Police. Disturbance heard. Operator calls back. Male states that they have problems with a group of youths and 2 females are fighting. Unable to get further details as a very large disturbance in the background. Police response at 02.12 A van please - a female coming in for drunk and disorderly. Arrest for assault on police.

Cad 12453 of 29th June at 22.55. There is a disturbance coming from the pub fighting and shouting. Operator. Disturbance heard in the background. Police response 23.08 no fighting going on. Approximately 70 travellers at location. Due to previous knowledge there could be a possible disturbance in 1 hour's time

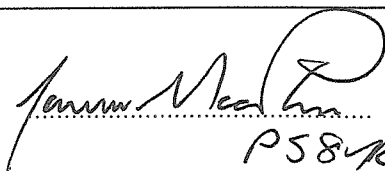
Linked Cad 193 of 30th June at 00.16. Informant wants to make complaint re noise coming from the pub... referred to Environmental Health.

Linked Cad 576 of 30th June at 00.57. 20+ drunken males have come out of local pub and are now street fighting. Some have bottles. IC1 Irish males approximate age 20 -40 casual clothes. Police response at 01.08 No fight, all good natured, we will be leaving the scene.

Linked Cad 978 of 30th June at 01.50. Informant is a Haringey Council Enforcement officer. He has responded to calls from the public regarding nuisance being caused at the location. The pub itself is closed but there are 100+ people outside the location causing a disturbance. Asking for police assistance in dispersing them. Police response at 02.00 travelling fraternity at location, drove past 10 minutes ago... good natured people, haven't caused any major problems tonight. 02.01 Road is now empty.

Cad 1137 of 2nd July at 02.24. There is a bad disturbance at location. The pub is locked up now..

Signature:



Signature witnessed by:

P584R

Continuation of Statement of

James Madh... JAMES MADHURSON
PS84R

then female started shouting "He's going to hit your car". Call cleared. Police response at 02.31. Members of the travelling community at the location. There has been some sort of dispute over money with the landlord at the location. They have gone to get their money back, but this is a civil dispute, that's all. Drunken travellers in dispute with staff regarding lost money. No offences, no allegations. All parties left the scene.

Cad 9760 of 4th July at 19.14. Fight pending at location. There has been a christening. 20+ males some armed with bottles threatening occupiers of the PH. Police response at 19.17. 10 travellers outside. All calm at present. No security at PH Suspects have tried to gatecrash. No injuries, just raised voices. All quiet ... will monitor situation. 19.21 30-40 travellers at location. Landlord has served and now wants Police to empty location.

Linked Cad 9864 of 4th July at 19.24. There are 20 odd Irish men outside and are causing a disturbance and starting to fight now. They are fighting. People inside the PH can't leave or go out. 19.30 (Duty officer) Landlord has been warned- he chooses to be the only pub in Tottenham to serve travellers. We will reconsider attendance if independent witnesses from locality call. Please downgrade. 19.59 All quiet 5 minutes ago.

Cad 13704 of 10th July at 23.31. informant states there is a massive fight at location with bottles being used. Police response at 23.34 60-70 members of the travelling community... not fighting but very heated. Advise units -speak to landlord - Roger- has been assaulted. 23.41 no offences to cause Police action. One unit to remain while crowd disperses.

Linked Cad 13756 of 10th July at 23.33. landlord calling -male in bar kicking off throwing glasses around and punched me. Medical aid declined. Male shouting in background.

Cad 486 of 21st July at 00.55. Caller landlord - have locked the doors.. 7 guys have broken their way in.... they have alcohol with them.. they are refusing to leave. They barged their way through the door ... and pushed me out of the way... there are now about 25 of them. Police response at 01.14. persons all removed from the public house.

Linked Cad of 21st July at 02.06 Caller LBH Noise enforcement - I have had several calls regarding noise nuisance from the above location. I believe travellers are causing problems at that location and causing a disturbance. I have yet to attend the location, can a unit attend to see if everything is ok. Police

Signature:

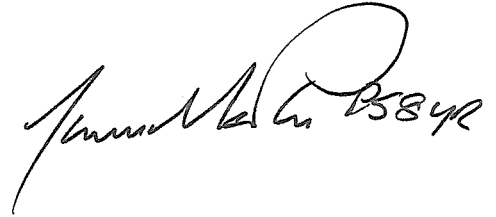
James Madh...
PS84R

Signature witnessed by:

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Continuation of Statement of JAMES MACPHERSON P584R

response at 02.20. all people in the pub have left the area prior to Police arrival. No offences.



Signature: James MacPherson P584R Signature witnessed by:

Witness contact details

Home address:
..... Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability 24.9.10 to 4.10.10

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

PS 8 YR 21 / 175591 James

Statement taken by (print name): **MacPHERSON** Station: **Northumberland Park SNT**.....

Time and place statement taken:

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **MARK HEMBURY**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 184810**

This statement (consisting of: **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: *Mark Hembury Inf. R.*..... Date: 23/9/2010.....

Tick if witness evidence is visually recorded (supply witness details on rear)

On Thursday 23rd September 2010 at approx. 0040 hrs, as a response to a call received over my personal radio, CAD 286 refers, I made my to The British Queen Public House, Love Lane, Tottenham N17. On my arrival at approx. 0042 hrs, I saw approx. 15 persons stood outside the premises, talking to one another - some appeared to be drinking from assorted bottles. I entered the premises, and saw approx. 40-50 persons inside, a mixed group of males and females, many seated, others standing. I saw a male I know as Roger Davis, the manager of the premises. He was attempting to make persons leave the premises, without any success. I spoke to him, and asked him what had occurred. He said "They won't leave - I want them out" I said to him "What time should you have closed?" He said "Eleven O'clock, well eleven thirty." I said "But its now a quarter to one." He said "But I've been trying to make them leave since eleven. Some of them have brought their own drinks in." Looking around, I could see that all those present appeared to be from the Travelling Community. Most of those present were consuming intoxicating liquour. Many were drinking from various branded bottles, others had full pints of lager or bitter. I instructed officers present with me to start in clearing the premises. As I assisted them, it became apparent that many of those present were drunk - demonstrating slurred speech with a strong smell of intoxicating liquour, eyes glazed and unsteady on their feet. Many were arguing with one another and voices were raised. Those present slowly began to leave, under constant pressure to do so from myself and other officers. Some attempted to take their drinks with them, with one male in particular objecting saying "I've only just bought it." I had personally seen no evidence of sale whilst present. After about 10-15 minutes, the premises were clear and I attempted to speak to Roger Davis. I started to point out a number of breaches of his licensing conditions, but was interrupted, as Mr Davis began waving his arms and shouting, saying "I'm just trying to run a business, its not my fault." When asked why he hadn't called Police earlier, he said "I've just called you haven't I? If I had called at nine o'clock, you would have accused me of over-reacting." I was disappointed, not only by the way in which I was being addressed, but also by the attitude taken by Mr. Davis, who appeared unwilling to accept any responsibility for the problems at his premises. When I explained that I would be submitting a statement

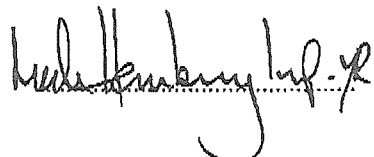
Signature: *Mark Hembury Inf. R.*..... Signature witnessed by:

RESTRICTED (when complete)

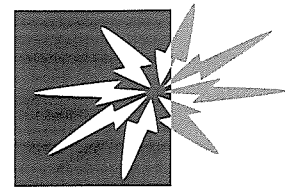
RESTRICTED (when completed)

Continuation of Statement of **MARK HEMBURY**.....

regarding what I had found, he said "you've just got it in for me." I then left the premises, with other officers monitoring the group of travellers, who were now milling around the immediate area of the premises.

Signature:  Signature witnessed by:

APPENDIX 3
COMMENTS OF ENFORCEMENT
RESPONSE (NOISE TEAM)



Haringey Council

Licensing Consultation

To: Licensing Officer

From: Enforcement Response (Noise)

Officer preparing representation: Derek Pearce, Team Leader Enforcement Response

Our Ref: WK166942

Date: 3rd September 2010

Premises: The British Queen, 21 Love Lane, N17 8HG

I confirm that The Enforcement Response Team have been notified about the Review request by Mr David Clark, Homes for Haringey, in regard to the Premises License at the above premises and wish to make representation in regard to the Licensing Objective: Prevention of Public Nuisance

The Licensable activities authorised by the current Licence are Provision of regulated entertainment & Sale / sale of alcohol for consumption ON the premises

The holder of the Premises Licence is noted as Admiral Taverns (58) Limited & the designated premises supervisor as Ms Dawn Fraser

It has been noted during recent visits to the premises that a Mr Roger Davis has been the person taking responsibility at the premises for management and is believed to have a lease on the premises.

We consider that the current operating schedule does not fully address the prevention of public nuisance from:

- airborne entertainment noise
- Noise generated by patrons in external areas of the premises
- Noise from patrons exiting the premises
- Noise generated from deliveries
- Noise generated from refuse collections
- Noise from plant and machinery
- Light nuisance
- Cooking odour
- Litter nuisance

The existing license has the following conditions relating to Prevention of Public Nuisance

- When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing.
- Being a detached property, there are no adjoining neighbours.
- The fact that this public house is a detached property assists in minimising noise transfer to neighbours.

- We are gradually phasing out standard glasses and replacing with toughened glasses
- The pub has a lobbied entrance which reduces noise emission. Cellar cooling condenser is positioned in an area so as not to cause nuisance to neighbours.

Supporting Information

There is a history of complaints being made about noise from these premises

On 20th February 2009 the duty officer visited and identified that there was music playing at the premises which was likely to disturb neighbours and a warning was issued

It was identified that the premises on Monday 13th April 2009 at 23.20 hrs were being used for regulated entertainment which was outside the permitted times under the license. In addition there was noise from the premises which was likely to disturb neighbours

On 20th June 2009 a noise enforcement officer, accompanied by a Police Officer, visited the British Queen in response to a complaint that there was noise from the premises and that there was regulated entertainment taking place outside permitted hours.

I have attached copies of the statements made by the noise enforcement officer, (Lamin Tamba) and the Police Officer, Sam Elikwu about the events of that night.

Any alleged offences described in the statements were dealt with by way of a warning rather than proceeding to prosecutions in the Magistrates Court but the statements are attached to form a part of our representation to indicate the poor management of the premises and the inadequate response by management to address noise and other issues and also the inadequate response to visiting enforcement officers.

If the sub-committee were to permit the premises License to continue then we would recommend the following alterations, additional conditions to the operating schedule:

Operating hours

That regulated entertainment ceases at midnight (or such earlier time as the committee may view to be appropriate) to ensure that local residents are not disturbed by noise from music playing at the premises

Conditions

We consider that the existing conditions are not comprehensive enough to protect local residents due to the close proximity of residential dwellings. Noise caused by patrons exiting the premises and locating suitable transport home is likely to be detrimental to the residential amenity unless effective management is exercised by the management.

If the licensing committee were to consider it appropriate to impose additional conditions then the following are suggested

Prevention of nuisance from noise / vibration

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open.

A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Adequate and suitable mechanical ventilation should be provided to public areas.

Entry to the premises will be restricted to the main entrance whilst the premises is being used for regulated entertainment licensed activity.

The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.

All regulated entertainment amplified activity will utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.

The level of amplified regulated entertainment shall be controlled by means of limiting device set at a level which upon request may be agreed with the licensing authority.

Outside Areas

No music will be played in, or for the benefit of, patrons in external areas of the premises

No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises

Signs shall be displayed in the external areas/on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours and they must be seen to exercise that right.

The external area / frontage will be closed and patrons requested to come inside the main structure of the premises at 10pm.

Deliveries and collections.

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

Dealing with complaints

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers

Regular liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities

Patrons entering/exiting premises.

Signs should be displayed requesting patrons to respect the neighbours and behave in a courteous manner

Prevention of nuisance from litter

Adequate receptacles for use by patrons will be provided in the local vicinity. The positioning of the receptacles will be agreed with the licensing officer

Prevention of Nuisance from Odour

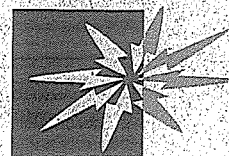
All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour

Prevention of nuisance from light

Illuminated external signage shall be switched off when the premises is closed

Security lights will be positioned to minimise light intrusion to nearby residential premises

Enforcement Response
Enforcement Service, Lee Valley Technopark, Ashley Road, Tottenham, London N17 9LN
Tel: 0845 0550921 **Email:** mailbox.noiseteampublic@haringey.gov.uk
www.haringey.gov.uk



Director Urban Environment Niall Bolger
Assistant Director Enforcement Service Robin Payne

Haringey Council

Date: 20 FEBRUARY 2009

To request a large print or translated copy call 0845 0550921

Environmental Protection Act 1990: Noise Nuisance

Address: BRITISH QUEEN PUB, LOVE LANE N17

Type of noise: LOUD MUSIC

You have received this letter because a Haringey Council Noise Enforcement officer has witnessed noise from your premises.

The Council has a duty to investigate complaints regarding disturbance caused by noise.

An investigation, in response to a complaint, carried out on 20/2/09 at 2015 hours, confirmed that noise coming from your premises was excessive.

The Council does not wish to restrict any private and reasonable activities.

However, it does have a duty to ensure that all residents can enjoy a reasonable degree of privacy and freedom from disturbance by noise within their own homes.

The Council must serve an Abatement Notice under Section 80 of the Environmental Protection Act 1990 in cases of persistent or severe noise nuisance. The effect of an Abatement Notice is to prohibit noise nuisance occurring or recurring, and it is an offence not to comply with such a Notice for which the maximum penalty on conviction is £5,000 (£20,000 in respect of commercial premises). It is requested that you co-operate by keeping the volume of sound produced in your premises at levels that do not cause noise nuisance in order that formal action by the Council does not become necessary.

Enforcement Response

(Out of hours) team



2005-2006
Getting Closer to Communities



INVESTOR IN PEOPLE

This relates to noise nuisance. If you want this in your own language please tick the box, fill in your name and address and send to the Freepost address below. A noise control customer charter is also available.

Albanian

Kjo ka të bëjë me bezdinë nga zhurma. Nëse e doni këtë në gjuhën tuaj, ju lutem shënjonit ✓ kutinë, plotësoni emrin dhe adresën tuaj dhe dërgojeni tek adresa e mëposhtme me Postim Falas. Statuti i klientëve mbi kontrollin e zhurmës është gjithashtu në dispozicion.

Kurdish

Ev li ser acizîya dengzarîyê ye. Heke hun wê bi zimanê xwe dixwazin, ji kerema xwe qutîkê îşaret bikin, nav û navnîşana xwe binivîsin û ji navnîşana posta bêpere ya jêrîn re bişînin. Peymaneke mişterî ya kontrola dengzarîyê jî peyde dibe.

Bengali

এই প্রচারপত্র অতিরিক্ত শব্দজনিত উপদ্রব সম্পর্কে। আপনি যদি এটা আপনার নিজের ভাষায় পেতে চান তাহলে বাক্সে টিক্ চিহ্ন দিন, আপনার নাম ও ঠিকানা লেখার জায়গা পূরণ করুন এবং নিচের ফ্রীপোস্ট বা বিনা ডাকমাশুলের ঠিকানায় পাঠিয়ে দিন। শব্দের মাত্রা নিয়ন্ত্রণের একটা কাস্টমার চার্টার বা খরিদারদের সনদও পাওয়া যায়।

Polish

Informacje tu zawarte odnoszą się do zakłóceń wynikających z hałasu. Jeżeli chcesz je otrzymać w twoim własnym języku, zaznacz kwadracik, napisz swoje imię i adres i wyślij pod znajdujący się poniżej adres bezpłatny. Dostępna jest również kontrolująca hałas karta klienta.

French

Ce document concerne les nuisances sonores. Si vous souhaitez l'obtenir dans votre langue, veuillez cocher la case, compléter votre nom et adresse et le renvoyer à l'adresse au port payé ci-dessous. Un charte des clients relative aux nuisances sonores est aussi disponible.

Romanian

Acest document are ca subiect Deranjul Locatarilor Zgomotul. Dacă doriți să vă fie tradus în limba dvs vă rugăm, bifați căsuța, completați-vă numele și adresa, si trimiteți-l la adresa gratuită de mai jos. Vă putem pune la dispoziție și Drepturile Clientului cu privire la Controlul Zgomotului.

Greek

Το έντυπο αυτό αφορά την ενόχληση από το θόρυβο. Αν το θέλετε στη δική σας γλώσσα παρακαλούμε σημειώστε το τετράγωνο, συμπληρώστε το όνομα και τη διεύθυνσή σας και στείλτε το στην πιο κάτω διεύθυνση χωρίς ταχυδρομικά. Διατίθεται επίσης η χάρτα πελατών για τον περιορισμό του θορύβου.

Somali

Qoraalkan waxa uu ku saabsan yahay dhibaatooyinka laxidhiidha buuqa iyo sawaxanka. Haddii aad jeceshahay in lagu soo diro asaga oo ku qoran afkaaga hooyo, fadlan calaamadee sanduuqa buuxina foomka kadiibna dib ugu soo dir cinwaanka hoos ku xusan. Waxaa hale ood heli karataa qoraalka axdiga xakamaynta buuqa.

Gujarati

આને ઘોંઘાટના ત્રાસ- પજવાણી સાથે સંબંધ છે. જો તમને આ તમારી પોતાની ભાષામાં જોઈતું હોય તો, કૃપા કરી બોક્સમાં નિશાની કરી, તમારું નામ અને સરનામું ભરી, અને નીચેના ફ્રીપોસ્ટ સરનામે તે મોકલો. ઘોંઘાટના અંકુશવાણુ કસ્ટમર ચાર્ટર પણ મળી રહેશે.

Turkish

Bu, gürültü yaparak rahatsızlık verme konusuyla ilgilidir. Bunu kendi dilinizde edinmek istiyorsanız lütfen kutuyu işaretleyip adınızı ve adresinizi yazarak aşağıdaki ücretsiz posta adresine gönderin. Gürültü denetimi ile ilgili müşteri bildirgesi de mevcuttur.

Please tell us if you would like a copy of this policy in another language that is not listed above or in any of the following formats, and send the form to the Freepost address below.

Large Print Disk Audio tape Braille

Other language (please specify):

Name:

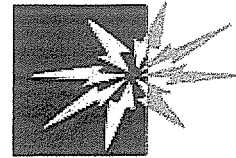
Address:

Postcode:

Please return to: Freepost RLXS-XZGT-UGRJ, Haringey Council, Translation and Interpreting Services, River Park House, 225 High Road, London N22 8HQ

Enforcement Response – Frontline Services

Units 271-272, Lee Valley Technopark, Ashley Road, Tottenham, London N17 9LN
Tel: 020 8489 1284
Fax: 020 8489 5133
www.haringey.gov.uk



Director of Urban Environment - Niall Bolger
Assistant Director - Frontline Services – Beverley Taylor

Haringey Council

The British Queen,
21, Love Lane,
Tottenham,
London,
N17 8HG

Your ref: UE/ENF/WK/000116662

Date: 15th April 2009

Contact: Enforcement Response
Team

Direct 020 8489 1000
dial:

Email: Enforcement.response

Warning Letter: Licensing Act 2003

Address The British Queen, 21 Love Lane, Tottenham, London, N17 8HG

It has been identified that the above premises on Monday 13th April 2009 at 23.20 hrs were being used for regulated entertainment which is not permitted under any current license. A copy of your current license is attached. You are warned that this practice must cease. Regulated entertainment includes but is not restricted to playing recorded music above background level, live music and karaoke.

It is an offence under section 136 of the Licensing Act 2003 if a person

- (a) carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or
- (a) he knowingly allows a licensable activity to be carried on.

You should familiarise yourself with the activities permitted under any current License & such unauthorised use of the premises must cease immediately.

No further warnings will be issued. This Authority may seek to prosecute if future unauthorised activity is identified. It is in your own interest to ensure that you are complying with the licensing laws. If any of the above is unclear or you require further clarification please contact the Licensing Lead Officer on 020 8489 8232.

Yours sincerely

Charles Buckle
Enforcement Response Team

Handwritten signature and date: 27/10/09

If you have used the service in the past and would like to comment about the service you received, please complete our online survey <http://www.haringey.gov.uk/enforcementconsultations>

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of SAMUEL ELIKWU PC465YR..... URN: [] [] [] []

Age if under Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of: 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 25th June 2009

Tick if witness evidence is visually recorded [] (supply witness details on rear)

This statement concerns my visit with a Haringey Environmental Health Officer to the BRITISH QUEEN Public House which is situated in LOVE LANE TOTTENHAM N17.

On Saturday the 20th of June 2009 at about 0410hrs, I was on duty in plain clothes and in company with Mr. Lamin TAMBA, a Haringey Council Environmental Health officer. We attended the British Queen Public House following complaint from a local resident about high level of noise from there.

Upon our arrival, I noticed groups of people leaving the Public House on foot and majority of these were walking to their respective vehicles parked in streets in the vicinity of the premises.

At approximately one hundred metres from the Public House, I could hear the sound of music from the premises, although it was not loud but combined with the noise made by people leaving the venue and the time of the day, the noise radiated seemed louder.

When we got to the front door of the premises we identified ourselves to the two black male standing at the door. I said to both male "Are both of you door supervisors employed by the Licensee for the night?" Both male answered "Yes".

I noticed that the two door supervisors were not wearing their respective SIA badge. When questioned about this, one stated that he has not got his as he had come straight there from his other place of employment. The other stated that he has got his and will bring it out to show us. However this did not materialise before we left the premises at about 0447hrs.

Whilst speaking to the door supervisors, people were going in and out of the premises. Some actually came out of

Signature: [Signature] Signature witnessed by:

Continuation of Statement of PC46512 SAMUEL ELIKWU.....

the premises with their beer bottles in their hands from which they drank as they gathered around us.

Mr. TAMBA then said to the door supervisors "We will like to see the Licensee". One of the door supervisor said, "You wait here and I will go and get him". Mr. TAMBA said, "We want to come in and speak to him". The aforesaid door supervisor ignored the latter statement and went straight into the premises. We tried to follow him inside but he quickly closed the door and locked it from inside. Shortly after the door supervisor had gone inside, the music was turned down completely.

After five minutes had elapsed, the door supervisor came out with the Licensee, a man whom I know from previous encounter to be Mr. Roger DAVIES. Mr. TAMBA said to him, "Do you have a license to open this late?" DAVIES said "Yes" and with this directed our attention to a notice stuck onto one of the windows on the premises. On closer examination of this notice, it transpired that it was merely a copy of his application to the Courts requesting an extension of his opening hours to 0500hrs. Mr. TAMBA explained at length to DAVIES that his current license allows him to open until 0100hrs and that he had violated his license by operating beyond this time. DAVIES then stated that he had applied for a variation of his license and had thought that this allowed him to open until 0500hrs. Mr. TAMBA then explained to him that the current closing time of 0100hrs applies until his application has been approved for extension of hours by the Court.

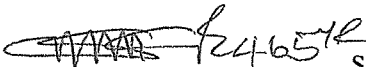
DAVIES became infuriated and started to shout and swear, stating that all he wanted to do was to try and earn a living. At this point I advised DAVIES to calm down and stop shouting and swearing. I also warned him that should he continue in the aforesaid manner, I will have to arrest him for Public Order Offence. DAVIES refused to produce a master copy of his License upon request by Mr. TAMBA. He also refused to have further discussion with us.

At this point a female DPS came out and assisted in calming DAVIES down before having a discussion with Mr. TAMBA.

Mr. TAMBA then informed DAVIES that he will be submitting a report about this incident to the Borough Licensing Officer.

At this point, I noticed that the Public House was empty and most of his customers had gone home.

We then left the venue at about 0447hrs.

Signature:  Signature witnessed by:

LONDON BOROUGH OF HARINGEY
Urban Environment

Ref: EU/ENF/WK 124506
Premises: The British Queen Public House, 21 Love Lane,
London, N17
LBH v Ms Dawn Fraser and Mr Roger Davis

Date(s) of Offence(s): 20 June 2009

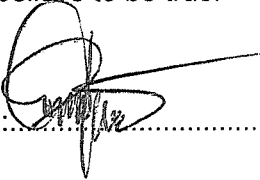
STATEMENT OF WITNESS

Criminal Procedure Rules 2005 r27.1(1)
(Criminal Justice Act, 1967, Section 9;
Magistrates' Court Act, 1980

Statement of: : Mr LAMIN TAMBA
Age of Witness: : OVER 18
Occupation of Witness: : ENFORCEMENT OFFICER
Address: : TECHNOPARK, ASHLEY ROAD, TOTTENHAM
LONDON, N17 9LN
Telephone Number: : 020 8489 1000

This Statement, consisting of 2 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

DATED: 26 October 2009

Signed: 

1. I am an Enforcement Officer employed in the Frontline Services of the London Borough of Haringey. My duties include the enforcement of the Statutory Nuisance Provisions of the Environmental Protection Act 1990, and enforcement of the provisions of the Licensing Act 2003.
2. I was on duty from 22:45 hrs on Friday 19 June 2009 until 10:30 on Saturday 20 June 2009.
3. At 03:39 a call was received via text message on a mobile phone about noise nuisance alleged to be coming from **The British Queen, 21 Love Lane, Tottenham, London, N17**. The Premises was also alleged to be operating regulated entertainment outside the terms of a valid regulated entertainment licence.
4. At 03:44 hours I telephoned the complainant who confirmed that regulated entertainment was still occurring. I then proceeded to **Love Lane, Tottenham, London, N17**.

Signed: 

LONDON BOROUGH OF HARINGEY
Urban Environment

Ref: EU/ENF/WK 124506
Premises: **The British Queen Public House, 21 Love Lane,
London, N17**
LBH v Ms Dawn Fraser and Mr Roger Davis

Date(s) of Offence(s): 20 June 2009

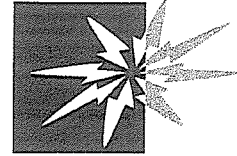
Continuation of Statement of: **LAMIN TAMBA**

5. At 04:10 I arrived at Love Lane, where **The British Queen Public House** was situated. The complainant lives in the block of flats opposite The British Queen. I could clearly hear loud music at the front of The British Queen with a pronounced bass beat. The lyrics were audible too but not excessive in front of the complainant's front door entrance, the voices from several patrons entering and exiting and smoking outside of the premises were loud and could have been causing nuisance to nearby residents. The people who were outside the premises were patrons of The British Queen as they were going in and out of it and sometimes coming out with bottles of alcohol and soft drinks. Alcohol was being supplied at the premises. Music was constant and audible outside the premises. Patrons were the main source of noise outside the public house.
6. I approached **The British Queen Public House** and requested to speak to the person responsible for the premises. The two unlicensed male door staff denied us entry into the premises despite a few requests from us. One of the door staff started to get aggressive and shut the doors to ensure that we did not enter the public house to investigate. The Licensee was at the premises. A man who I believe to be Roger Davis, the partner of Dawn Fraser, the Designated Premises Supervisor (DPS), came out following our request and identified himself as Roger. I advised him of the noise complaints plus operating regulated entertainment without a valid Licence. I requested a copy of his licence plus the conditions which came with it for inspection but he declined to supply it to us. All he stated was that he has already applied to vary the licence. I advised him to take appropriate steps to abate the noise nuisance and to cease the occurrence of regulated entertainment as his licence does not include the provision of regulated entertainment after 01:00am. He became irate and failed to co-operative at that point and I had to call for the DPS. A lady who claimed to be the DPS came to the door and agreed to reduce the volume of music and advised patrons to start leaving the premises. We left **The British Queen Public House** and parked out of sight and observed the events to ensure that licensed activities did not recur. Most customers had left the area by the time we left the area.
7. The activities I observed at **The British Queen Public House, 21 Love Lane, London, N17** were a breach of the licensing conditions which the premises had at the time of the investigation. They operated regulated entertainment without a valid licence. This is an offence under Section 136(1) of the Licensing Act 2003.
8. At approximately 04:47 I left the area of Love Lane.
9. I have examined the Department's records in respect of **The British Queen Public House, 21 Love Lane, London, N17**. This showed that the premise has a Licence under the Licensing Act 2003, but the licence only permits Regulated Entertainment on a Friday and Saturday until 01:00am.
10. The events I witnessed at **The British Queen Public House**, were a contravention of the current Licensing conditions held by the premises.
11. I produce marked as LT/1 and signed by me a copy of a warning letter dated 15 April 2009, relating to a previous instance of regulated entertainment outside permitted hours. I also produce marked as LT/2 and signed by me a copy of the Premises Licence held by the premises at the time of the offence.

Signed:



Enforcement Response Team
Enforcement , Lee Valley Technopark, Block 2, Ashley Road, London N17 9LN
Tel: 020 8489 1000 Fax: 020 8489 5133
www.haringey.gov.uk



Director Urban Environment - Niall Bolger
Assistant Director Frontline Services – Beverley Taylor

Haringey Council

Admiral Taverns (58) Limited
150 Aldersgate Street
London
EC1A 4EJ

Date: 11th November 2009

Your ref:

Our ref: UE/ENF/WK/000124516

COPY

Email: enforcement.response@haringey.gov.uk

Dear Sir

Re: The British Queen, 21, Love Lane, N17 8HG

We are currently have concerns about the above premises and in particular are investigating an incident which occurred on Friday 19th June 2009 relating to use of the premises for licensable activity outside permitted times

We understand that you are the premises license holder, that the Designated Premises Supervisor is Ms Dawn Fraser and that your tenant is Mr Roger Davis.

Please would you confirm the length of lease awarded to Mr Roger Davis and when this commenced.

Please also advise the name of the area manager and contact number so that we may work more closely in the future

Yours sincerely

Derek Pearce
Enforcement Response



2005-2006
Getting Closer to Communities



INVESTOR IN PEOPLE

APPENDIX 4
SECRETARY OF STATE
GUIDANCE

11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.4 Licensing authorities may not initiate their own reviews of premises licences. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may however request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.5 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.6 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.8 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 11.9 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

11.10 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

11.11 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
- representations considered by the licensing authority when the premises licence was first granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

11.12 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.

11.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.

11.14 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.15 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing

objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.17 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.18 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.19 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.20 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.21 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

APPENDIX 5
LICENSING'S AUTHORITY'S
STATEMENT OF LICENSING
POLICY APPLICABLE TO THIS
APPLICATION

10.5 Trading Standards

Trading Standards will carry out test purchasing for underage sales in licensed premises.

10.6 Environmental Health – Food Team

The Food Team will inspect all food premises and are able to take action in relation to any contraventions found under the Food Safety Act 1990.

11.0 Operating Schedule

11.1 The operating schedule will form part of the completed application form for a premises licence. The schedule should contain the information necessary to enable any responsible authority or interested party to assess whether the steps to be taken to promote licensing objectives are satisfactory. In respect of applications for provisional statements, applications will need to contain information as prescribed in Regulation.

11.2 Risk Assessments

Risk assessments help to identify areas of concern in the operating of the premises which may undermine the licensing objectives. Applicants can use the information to complete their application and Operating schedule, and the steps identified by the applicant are transferred on to the license as a condition. Risk assessments should be specific to the premises, the proposed licensable activities and the proposed hours of trading and also the anticipated number of people likely to be on the premises when licensable activities are taking place.

11.2 Further guidance in this policy on the Operating Schedule is contained in the Appendix.

12.0 The prevention of crime and disorder

12.1 The Home Office has identified that a large percentage of violent crimes, assaults and criminal damage are from offenders under the direct influence of alcohol. The Haringey Crime Audit 2001 acknowledged that alcohol related violence was found to be a problem in night-time entertainment areas and that almost a quarter of all arrests were drink related. Direct findings summarised that the misuse of drugs and alcohol has contributed to the increase of crime and disorder in the borough with young men being of particular concern. Alcohol has also been shown to be a factor in occurrences of domestic violence. In comparison to similar boroughs, Haringey compared well and had fewer violent crimes per 1000 residents than the adjoining boroughs of Islington and Hackney.

- 12.2 The Council is committed to reducing crime and disorder throughout the borough through its statutory duty under the Crime and Disorder Act and through the Haringey Safer Communities Strategy.
- 12.3 Good management, best practices and sound procedures in licensed premises do and can make an important difference to the level of alcohol related crime.

13.0 Public safety

- 13.1 Members of the public visiting licensed premises have the right to expect that due consideration has been taken in relation to public safety. Licensees, as providers of the premises for the sale of alcohol and/or regulated entertainment, must be able to demonstrate that they have considered and put in effect measures to protect members of the public.
- 13.2 In order to promote public safety responsible authorities may make representations on the grounds of public safety. The Licensing Authority will encourage those applying for a premises licence to undertake the necessary fire safety risk assessment and to be compliant with all relevant building control rules and regulations.
- 13.3 The Council recommends that the Metropolitan Police Promotion/Event Risk Assessment Form 696 and the After Promotion /Event Debrief Risk assessment Form 696A be used as an effective tool in this process.

Adult Entertainment

- 13.4 Nudity, striptease and other adult entertainment of a sexual nature fall within the remit of the Licensing Act 2003. This section details the approach the Licensing Authority will take when considering applications for this type of activity on its own merits. These premises may also require a licence under the Local Government (Miscellaneous Provisions) Act 1982.
- 13.5 Applicants to whom this applies are required to set out expressly in their Operating Schedule that they propose to offer entertainment involving nudity, striptease or other adult entertainment of a sexual nature. Any reference to music or dancing without express reference to adult entertainment will be interpreted as not including adult entertainment.
- 13.6 The Licensing Authority and the Police will have concerns about crime and disorder and public nuisance issues which may arise from the operation of the premises where these activities take place. The carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature. For these reasons there must be proper regulation of premises where these activities are offered.
- 13.7 When considering applications the Licensing Authority will have regard to whether the premises are in close proximity to the following:

- Schools

- Licensees will need to have measures or procedures in place to check the SIA register of door supervisors to ensure their premises and customers are only protected by door supervisors with an SIA licence.

14.0 The prevention of public nuisance

- 14.1 Licensed premises, especially those operating late at night and in the early hours of the morning can cause a wide range of nuisances that can impact on the people living, working or sleeping in the vicinity of the licensed premises. The Council is committed to protecting the residents and businesses in the vicinity of these licensed premises.
- 14.2 In particular, late night activities cause much of this nuisance. Late night cafés, clubs, pubs and restaurants can have a number of adverse effects on the residents in the vicinity of these premises. Nuisance such as noise, litter, anti-social behaviour, lights and odour all contribute to the loss of amenity to the general public.
- 14.3 Noise nuisance is of particular concern; music, people talking, ventilation equipment and traffic can all be disturbing especially at night when ambient noise is low.
- 14.4 The conduct of customers leaving premises or spilling out into public and open spaces is often a source of disturbance and anti-social behaviour. Problems can include littering, the breaking of glasses and bottles, vomiting and urination.
- 14.5 Fly posting or any other illegal methods of displaying advertisements relating to a licensed premises or events is considered to be a public nuisance and will not be tolerated by the Council. The Council will take action (including prosecuting) those that fly post and will support action by other Councils against those that fly post.
- 14.6 The Council is aware of the importance of the licensing trade to the local economy and its culture and leisure aspirations. Accordingly, it will try and work together with individuals and bodies who are able to make objection to licence applications, the statutory agencies and licensed businesses to ensure that licensed premises can provide a service in a responsible way and co-exist with the wider community.
- 14.7 In considering all licensed applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application. The council will expect applicants to address the issues under prevention of public nuisance detailed in the Appendix.

15.0 The protection of children from harm