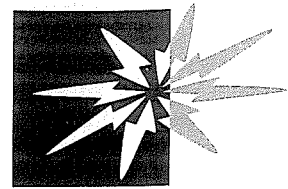


APPENDIX 3 COMMENTS OF
ENFORCEMENT RESPONSE (NOISE)
TEAM



Haringey Council

Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: Mark Eastwood

cc: Team Leader Enforcement Response, Derek Pearce

Our Reference: WK/000179225

Date: 1st January 2011

Premises: The Black Grape, The Black Boy, 268 West Green Road, Tottenham, London, N15 3QR

Type of application: New

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & would like to **make** representations to the Application

The operating schedule does not address the prevention of public nuisance from:

- airborne entertainment noise
- Structure borne noise or vibrations from entertainment
- Noise generated by patrons in external areas of the premises
- Noise generated from patrons queuing to enter
- Noise from patrons exiting the premises
- Noise from plant and machinery
- Light nuisance

The proposed operating hours are inappropriate due to the close proximity of residential dwellings.

It is stated by the applicant in category "E" of the application "Live (acoustic/amplified) music and amplified voice (all performances will be limited to end at 0200 to minimise nuisance, except on New years Eve and new years Day)". Therefore the applicant understands that such events could be a nuisance to others. I ask the committee to consider that any amplified voice and / or amplified recorded music could be as loud or louder than any live music, and therefore should also stop at 02:00hrs.



Front of property facing west green road junction with black boy lane, Tottenham N15.



Parade of shops with residential properties above, diagonally opposite the Black Grape.

Complaint History ove the last 12 months.

| Date reported & time | Subject | Observations & time | Outcome | Our Ref |
|---|---|---|--------------------|---------|
| 17 th May 2010 at 12:43hrs | Loud music from the Black grape bar | No response from the complainant, | No visit made | |
| 23 rd August 2010 Via Email | Loud music and loud voices from people outside the Black grape bar. | Complainant advised of contact details for the out of hours team. Noise was not "on now" no visit made. | No visit made. | |
| 29 th August 2010 at 23:16hrs. | Loud music coming from the Black Grape Bar. | Visit made, no nuisance established. | No further action. | |

If the sub-committee were to grant this application then we would recommend the following alterations/conditions to the operating schedule:

Operating hours

That the premises closes no later than 03:00hrs.

That regulated entertainment ceases at 02:00hrs.

Reason: The applicant has stated as mentioned above that they feel it is likely that live entertainment continuing after 02:00hrs could be a nuisance. In light of this and considering the residential properties nearby it is likely that any regulated entertainment including live music, recorded music and amplified voice at any time after 02:00hrs is likely to bring complaint of nuisance.

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. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

Entrance/exit from the premises whilst regulated entertainment licensable activities are ongoing shall be via a lobbied door to minimise noise breakout.

Structure borne noise

All speakers are mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties

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

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

The number of persons permitted to utilise the external area/frontage will be restricted to *twelve persons*

The external area /frontage will be closed and patrons requested to come inside the main structure of the premises at *23:00hrs, with the exception of persons using the area for smoking purposes.*

Disposal of Refuse.

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

Patrons entering/exiting premises.

Where people queue to enter the premises licensed door supervisors shall supervise and ensure the potential patrons behave in an acceptable manner

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

Door supervisors

At events when more than 50 persons are expected at any one time, a minimum of two SIA registered door staff to be provided from 21:00hrs until close. A further two SIA registered door staff to be provided when more than 250 persons are expected at any one time. These additional door staff to be able to operate inside the premises or on the door, whichever is operationally preferable at any one time.

When the premises turn out a licensed door supervisor shall supervise patrons and ensure the leave in a prompt and courteous manner, respecting the neighbours

A licensed door supervisor will be positioned on the exit door to ensure, as far as reasonably practical, that patrons do not leave with drinks.

A licensed door supervisor will patrol the cartilage of the premises to prevent patrons urinating in public areas in the vicinity of the premises

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

Re Premises Licence on behalf of Marvelgold Estates Ltd

268 West Green Road, Tottenham, London N15 3QR

Dear Ms Barret

Further to the objections from the police & Enforcement officers

Our observations

Police representation dated 13th January this is accepted.

Mark Eastwood re Enforcement of noise.

Our observations

Operating hours

Even though The premises are applying For a new licence It has traded with a premises licence for the last four years , And has traded successfully without any problems. My clients feel that the premises should stay open until the applied for times and refute your argument.

In the previous application I inserted the live clause because I have found in the past that live bands of a certain genre (ie Rock bands) do tend to be louder than recorded music or voice. This was not found to be the case in these premises which was live band lead.

Prevention of nuisance from nuisance/ vibration

All doors remain closed at all times in the normal course of our Trade there are no windows to open. Climate control is via a seal air condition system. All doors are lobbied and sound is regulated by a member of staff at all times.

Structure borne noise

This is covered by the use of well-placed speaker arrangements i.e. Bass speaker's mounted under the stage and with upper and mid-range speakers placed in the four corners of the main auditorium mounted insulated with speaker brackets to the walls.

Sound limits

Sound emissions are monitored successfully by my clients and or their management and at this stage I feel a limiting device Is uncalled for.

Outside areas

My client has no intention to fit any speaker systems near the foyer or outside of the premises.

As a responsible management company there would naturally be signage requesting the patrons to leave In a well behaved and quiet fashion, security or management are always at hand to monitor these levels,

All my clients find that it would be unreasonable to restrict persons from sitting in the outside patio area which is designed for eating alfresco and enjoying what good weather that we may have.

Again I stress that there had been no complaints on any of these matters

Disposal of refuse

We would comply with your observations

Plant and machinery

there are no plant and machinery outside that would cause any form of noise disturbance other than the fans from the air condition units which are on the roof spaces and are below acceptable tolerances.

Dealing with complaints the complaints book will be held at the premises to record details of complaints and we would happily furnish our neighbours with a hotline number so they may contact us if they felt the need.

Patrons entering and exiting the premises

As I noted earlier signage and supervisors would be at hand in most cases This is in reference related more with reference of the function suite than the bar.

Door supervision

As stated if we expect more than 50 persons, one security if we are expecting above 100 persons two security And then one security for every hundred persons thereafter All security would be registered SIA front line.

Our door supervisors are always at hand to help with the speedy and quiet vacation of patrons from the premises at all times. My clients would not allow their property to be stolen and as such staff are always mindful of glasses full or empty taken of our boundaries.

Patrolling the immediate area to minimise noise is a matter of good management and we would greatly frown on any attempts of our patrons from any form of urination or patrons loitering unduly around our boundaries after we have closed. I might add that my experience is that most urination is done by people passing from other venues and not from customers who have just passed our own well equipped toilets. We have a policy of allowing any customer readmission who wishes to use our toilet facilities after they have left.

I am aware that our clients have strong support for allowing there toilets to be used by members of the general public as long as it does not breach security.

Prevention of nuisance from light

We have very little signage but would be happy to turn off any such lights at the end of trading times.

Kind regards

Nicky Price (acting agent for Marvelgold Estates Ltd)

APPENDIX 4 COMMENTS OF FIRE
OFFICER

Olson Kendra

From: Barrett Daliah
Sent: 20 January 2011 15:40
To: Olson Kendra
Subject: FW: The Black Boy (Bar & Suite)
Attachments: fire log book.pdf; plan for licence fire equipment 2010.pdf

From: KEVIN.CLOSE@london-fire.gov.uk [mailto:KEVIN.CLOSE@london-fire.gov.uk]
Sent: 20 January 2011 15:19
To: Barrett Daliah
Subject: FW: The Black Boy (Bar & Suite)

Hi Dale,

For your information.

Thanks

Kevin Close
Inspecting Officer
Barnet, Enfield and Haringey Borough Team
Fire Safety Regulation:North West Area 1
London Fire Brigade
020 8555 1200. ext; 38256
Fax 020 8807 7196
E-mail:- firesafetyregulationNW@london-fire.gov.uk

From: Nicky Price [mailto:nicky@massmediauk.net]
Sent: 12 January 2011 13:19
To: CLOSE, KEVIN
Subject: RE: The Black Boy (Bar & Suite)

All are in hand I accept & agree your recommendation.
Morgan fire will reinstate the equipment and furbish us with the risk assessment.
Enclosed is a fire evac plan for the public which will be place at all entrances and exit points.

From: KEVIN.CLOSE@london-fire.gov.uk [mailto:KEVIN.CLOSE@london-fire.gov.uk]
Sent: 12 January 2011 12:57
To: nicky@massmediauk.net
Cc: Daliah.Barrett@haringey.gov.uk
Subject: The Black Boy (Bar & Suite)

Hi Nicky,

Just to confirm our recent meeting concerning the above premises. I shall formally write to you but for convenience the matters to be addressed are as follows:-

1. Complete a fire risk assessment
2. Complete an emergency fire plan

20/01/2011

3. Ensure the fire alarm and emergency lighting are working correctly.
4. Staff are fully trained in emergency procedures.
5. The capacity of the Platinum Suite is to be reduced to 240 until such times as the exits are increased in size and amended capacity numbers agreed.

Regards

Kevin Close
Inspecting Officer
Barnet, Enfield and Haringey Borough Team
Fire Safety Regulation:North West Area 1
London Fire Brigade
020 8555 1200. ext; 38256
Fax 020 8807 7196
E-mail:- firesafetyregulationNW@london-fire.gov.uk

For fire safety advice please go to <http://www.london-fire.gov.uk/YourSafety.asp>

EMAIL DISCLAIMER: The Information in the email may contain confidential or privileged materials. Please read the full email disclaimer notice at <http://www.london-fire.gov.uk/EmailDisclaimer.asp>.

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

FIRE SAFETY RECORD OF TESTS LOGBOOK

PREMISES ADDRESS:

The Black Grape
268 West Green Road
Tottenham
London N15 3QWR

Responsible person

David Ried

AN INTRODUCTION TO YOUR LOG BOOK

The **Regulatory Reform (Fire Safety) Order 2005** requires the '**responsible person**' for a premises to ensure that all fire safety facilities, equipment and devices are maintained in efficient working order and in good repair. Additionally, where there are employees, they should be provided with adequate safety training. The Order requires that tests, maintenance and safety training are capable of being audited to ensure they are being carried out.

This fire safety log book has been prepared to assist the '**responsible person**' in co-ordinating and maintaining a fire safety record keeping system.

Whilst this book is not comprehensive it seeks to cover the main requirements for demonstrating compliance with current fire safety legislation in respect of keeping fire safety records.

It is recommended that this log book is kept in a loose leaf format with new record keeping pages being photocopied or downloaded when required.

The log book should be kept up to date and readily available for inspection or audit by the Fire and Rescue Service as and when required.

It should be noted that it is an offence for a person to knowingly make a false entry.

FIRE SAFETY TRAINING AND DRILLS

Fire safety training must be given to employees so that they are aware of the following:-

- What to do if they discover a fire
- How to raise an alarm of fire.
- What to do if they hear the fire alarm
- Where fire extinguishers are located and how to use them (if it safe to do so)
- Escape routes from the building
- The whereabouts of the evacuation assembly point(s)
- How to call the Fire and Rescue Service
- Arrangements for the evacuation of people with special needs
- The dangers associated with obstruction of fire exits and wedging open of fire resisting doors

Safety training should be given:-

- At the time they are first employed,
- On their being exposed to new or increased risks, and,
- At periodic intervals as appropriate. (atleast annually, depending upon the nature of the risk)

Safety drills should be carried out:-

- At periodic intervals appropriate to the nature of the risk. (a minimum of one safety drill each year is recommended)
- All employees MUST evacuate the premises regardless of seniority or commitments

FIRE ALARM SYSTEM

The fire alarm test should be carried out in accordance with the manufacturer's instructions and the current British Standard.

IT IS IMPORTANT THAT ANY TESTING OF THE FIRE ALARM SHOULD NOT RESULT IN A FALSE SIGNAL OF FIRE

DAILY - Inspect the panel for normal operation of the system. Where provided, check that the connection to the monitoring centre is functioning correctly.

WEEKLY TEST BY USER – Carry out a test and examination to ensure that the system is capable of operating under alarm conditions, namely:-

Operate a manual call point at approximately the same time each week using a different call point for each successive test. Where appropriate inform the monitoring control centre prior to the test.

QUARTERLY INSPECTION OF BATTERIES - Batteries and their connections should be examined by a person who is competent in battery maintenance. Electrolyte levels should be checked and topped up as necessary.

PERIODIC INSPECTIONS AND TESTS BY A FIRE ALARM ENGINEER - These should be carried out by a competent person, e.g. a fire alarm engineer. Requirements for these inspections and tests will depend upon the type and design of the system but will generally be carried out six monthly.

FIRE DETECTORS

- i. Carry out a regular visual inspection of each detector to check for damage, excessive accumulations of dirt, heavy deposits of paint and other conditions likely to interfere with correct operation.
- ii. Each detector should be checked and tested for correct operation and sensitivity in accordance with the manufacturer's instructions and the current British Standard.

MEASURES TO REDUCE UNWANTED ALARMS

False alarms will not only disrupt business operations but may also contribute to death or injury should Fire and Rescue Service resources be deployed answering false alarms when they should be attending incidents where life or property is in danger. To reduce the probability of false alarms on systems incorporating automatic fire detectors it is very important that a suitable system of testing and maintenance is in place. The cause of any false alarm should be properly investigated with measures being taken to avoid a repetition.

EMERGENCY LIGHTING

Emergency lighting tests should be carried out in accordance with the manufacturer's instructions and the current British Standard.

DAILY - Where there is a central power supply, carry out a visual inspection of indicators to ensure the system is in a ready condition.

MONTHLY - Simulate a failure of the normal lighting supply for sufficient time to allow all luminaires to be checked for correct operation.
Check each luminaire for any obvious signs of damage or deterioration, including the cleanliness and general condition of lenses and diffusers.

ANNUALLY - Simulate a failure of the normal lighting supply for the full duration of the battery and carry out a check of the charging arrangements to ensure proper functioning.

Note: All checks, tests and maintenance including faults and remedial action taken, should be recorded. The date on which each fault is rectified should also be recorded.

FIREFIGHTING EQUIPMENT

Portable Fire Extinguishers

Portable fire extinguisher tests should be carried out in accordance with the manufacturer's instructions and the current British Standard.

MONTHLY - Check to ensure each extinguisher is in position, accessible, not discharged, damaged or lost pressure (if fitted with a pressure indicator) and that operating instructions are clean, legible and face outwards. Where circumstances require, e.g. where extinguishers are in exposed locations or particularly susceptible to theft or damage, the monthly checks should be carried out more frequently.

ANNUALLY - Portable fire fighting equipment should be inspected by a competent person in accordance with the manufacturer's instructions.

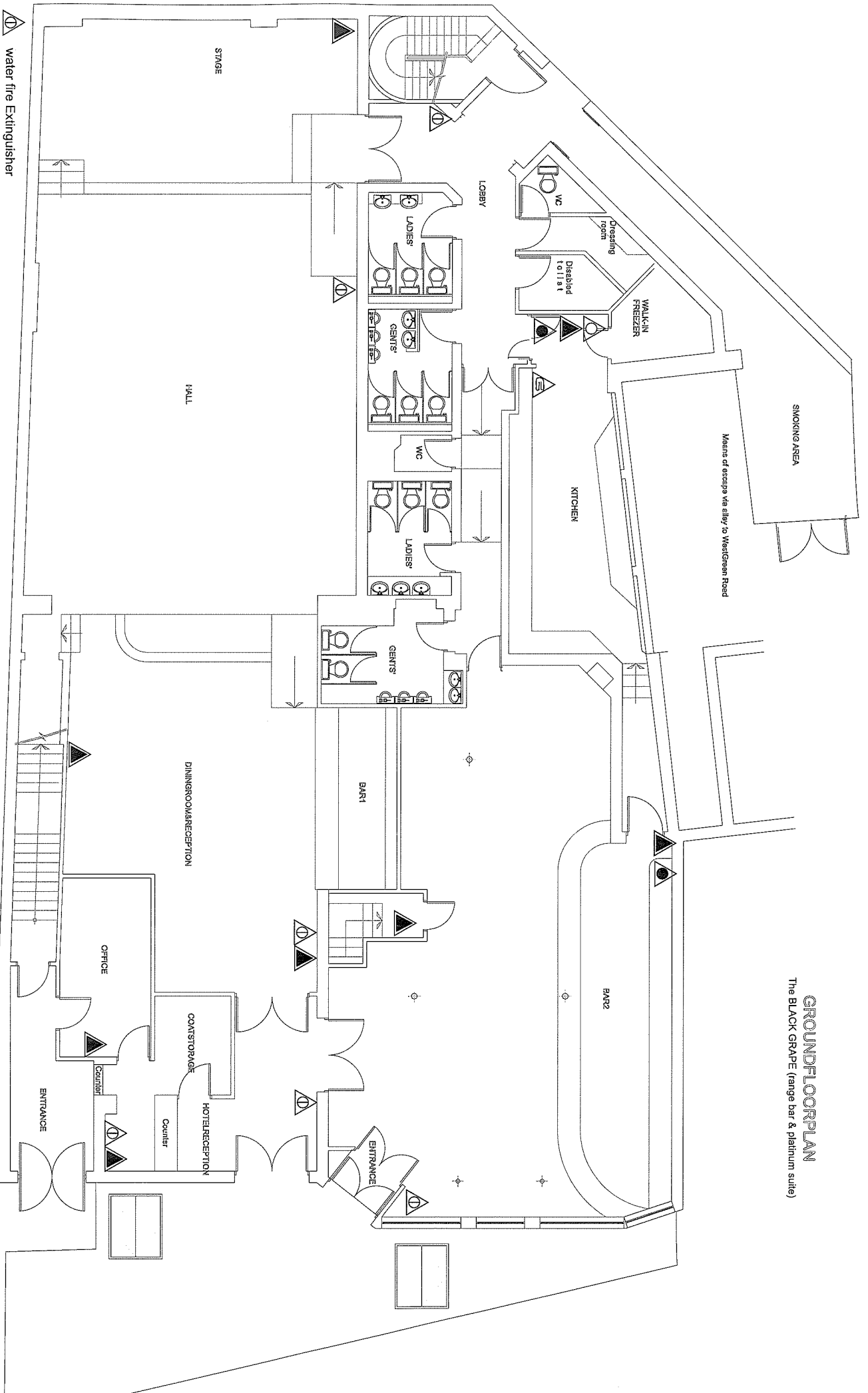
Note: All checks, tests and maintenance including faults and remedial action taken, should be recorded. The date on which each fault is rectified should also be recorded.

MISCELLANEOUS TESTS AND CHECKS

Means of escape, together with the measures provided for the protection of means of escape, should be inspected at periodic intervals. The inspections should ensure all internal and external exit routes are unobstructed and that exit door furniture and fire-door self-closing devices operate efficiently. Additionally, fire resisting doors and partitions should be in satisfactory repair and all safety signs and notices should be legible and properly displayed.

Note: All checks, tests and maintenance including faults and remedial action taken, should be recorded. The date on which each fault is rectified should also be recorded.

GROUND FLOOR PLAN
The BLACK GRAPE (range bar & platinum suite)



The red spot shows you are here.....

APPENDIX 5 COPY OF PREVIOUS
LICENCE

PREMISES LICENCE

Receipt: AG909659

Premises Licence Number: LN00003338

This Premises Licence has been issued by:

***The Licensing Authority, London Borough of Haringey,
Urban Environment, Technopark, Ashley Road
Tottenham, London, N17 9LN***

Signature:.....

Date: 24th November 2005
10th August 2009

Part 1 – PREMISES DETAILS

Postal Address of Premises or, if none, Ordnance Survey map reference or description:

**THE BLACK BOY HOTEL
268 WEST GREEN ROAD
TOTTENHAM
LONDON
N15 3QR**

Telephone: 0208 221 6363

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Regulated Entertainment Plays, Films, Indoor Sporting Events, Recorded Music, Performances of Dance, Making Music, Facilities for Dancing

Live Music

Supply of Alcohol

Late Night Refreshment

The times the Licence authorises the carrying out of licensable activities:

Regulated Entertainment

Monday to Thursday 1000 to 0300

Friday and Saturday 1000 to 0500

Sunday 1100 to 0300

Christmas Day and Good Friday 1100 to 0300

Live Music

| | |
|--------------------------------------|---------------------|
| Monday to Thursday | 1000 to 0200 |
| Friday and Saturday | 1000 to 0200 |
| Sunday | 1100 to 0200 |
| Christmas Day and Good Friday | 1100 to 0200 |

Supply of Alcohol

| | |
|--------------------------------------|---------------------|
| Monday to Thursday | 1000 to 0230 |
| Friday and Saturday | 1000 to 0430 |
| Sunday | 1100 to 0230 |
| Christmas Day and Good Friday | 1100 to 0245 |

Late Night Refreshment

| | |
|--------------------------------------|---------------------|
| Sunday to Thursday | 2300 to 0300 |
| Friday and Saturday | 2300 to 0500 |
| Christmas Day and Good Friday | 2300 to 0245 |

The opening hours of the premises:

| | |
|--------------------------------------|---------------------|
| Monday to Thursday | 1000 to 0300 |
| Friday and Saturday | 1000 to 0500 |
| Sunday | 1100 to 0300 |
| Christmas Day and Good Friday | 1100 to 0300 |

New Years Eve opening hours from the start of permitted hours on 31 December until the start of permitted hours on 1 January.

Where the Licence authorises supplies of alcohol whether these are on and/or off supplies:

Supply of alcohol for consumption both **ON** and **OFF** the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence:

Mr Mayer Gold
268 West Green Road
Tottenham
London N15 3QR

Registered number of holder, for example company number, charity number (where applicable):

Name, address and telephone number of designated premises supervisor where the Premises Licence authorises the supply of alcohol:

Adetokunbo Oyelola
21 Somerset Close
Tottenham
London N17 6DL

Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the Premises Licence authorises for the supply of alcohol:

Personal Licence Number: LN/000007354
Expiry Date: 04/08/2019
London Borough of Haringey

Annex 1 –Mandatory Conditions

(2) Supply of alcohol: No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence,
or

(b) at a time when the designated premises supervisor does not hold a personal licence or his
personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made
or authorised by a person who holds a personal licence.

Door supervision

At specified times one or more individuals must be at the premises to carry out a security activity
and each of these individuals must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

- SIA Registered door control will be provided on either door as appropriate to the event(s) taking place from 2100 until close on any night when we expect more than 50 persons to visit the premises at the same time.
- On those days door staff will count entrance against a total of 400 (300 in the function hall, 100 at the bar area).
- A personal licence holder will be present on the premises whenever trading (the dps will be a member of the local Pub Watch for so long as it exists).
- New 32 camera CCTV system with additional panic buttons and an improved alarm system are installed.

PUBLIC SAFETY

- All Certificates required by the Council to be submitted promptly when they become due.
- The total number of persons accommodated at any one time within the premises shall not exceed: **400**, provided that the number of persons accommodated within one of the specific areas at any time shall not exceed: Bar Area: **100**, Function Hall: **300**
- The doors or gates in the following locations shall be locked back in the open position whilst the premises are in use under the Licence and Notices shall be exhibited thereto worded:

'THIS DOOR/GATE TO BE KEPT LOCKED BACK OPEN WHILST THE PREMISES ARE OCCUPIED':

(A) the outer lobby doors from the Bar area leading to West Green Road

(B) the final exit from the rear of the function hall leading to West Green Road

- The fire alarm changeover switch shall be in the "Fire Alarm Lights and Buzzers" position during the whole time that the premises are in use under the Licence.
- The fire alarm installation shall be under the supervision of a competent person who shall arrange for regular maintenance and testing to be carried out. Officers of the Council or London Fire Emergency Planning Authority shall record the results of the tests in a Logbook, which shall be readily available for inspection.
- Safe clubbing guidance will be followed during door controlled hours.
- Air extraction and air conditioning is installed in both areas.

THE PREVENTION OF PUBLIC NUISANCE

- Live music will end at 0200 except on New Years Eve and New Years Day.
- Live music will only be staged in the function hall and main bar area.
- Recorded music will end between 0300 and 0500 except for New Years Eve and New Years Day.
- All windows will be kept closed after 2300.
- Notices to be displayed at exits asking customers to leave quietly.

Annex 2 – Conditions consistent with the Operating Schedule

THE PROTECTION OF CHILDREN

- The restriction of the Licensing Act 2003 will apply.
- Photographic proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under 20 years of age.
- Under 18's will not be allowed on the premises after 2400 unless part of a private function.
- When plays / dance activities are designed to include children they may only attend when accompanied by an adult who will be made aware that they are responsible for the protection of the child from physical and mental harm.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

LODGED WITH LICENSING AUTHORITY