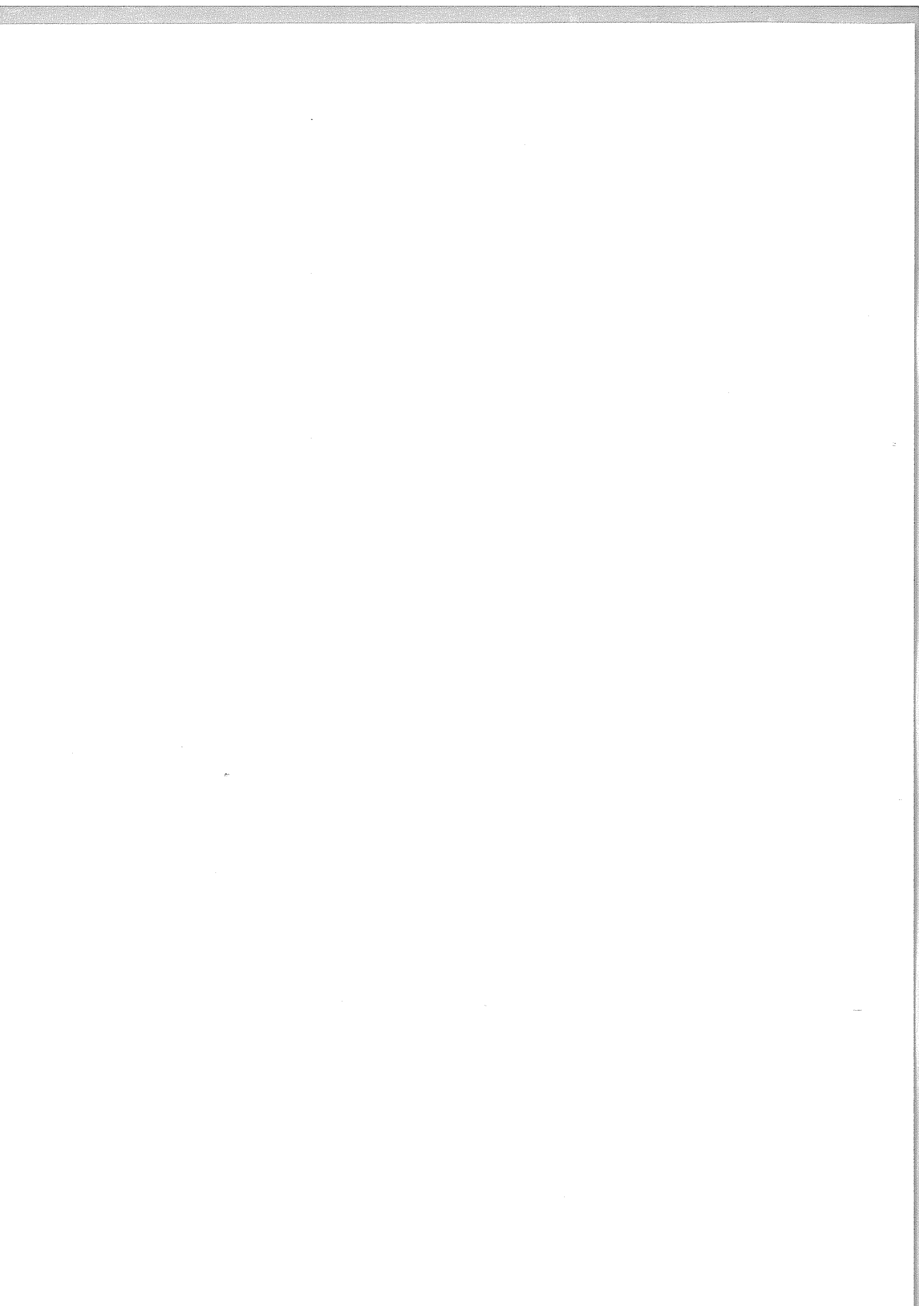
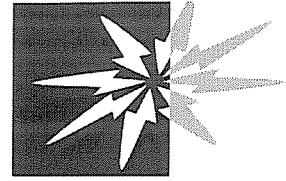


APPENDIX 2

REPRESENTATION FROM ENFORCEMENT RESPONSE





**Haringey** Council

## Licensing Consultation - Internal Memo

To: Daliah Barrett-Williams

From: George Roberts (Noise)

Name of Officer preparing representation: George Roberts

cc: Team Leader Enforcement Response, Derek Pearce

Our Reference: WK/000180456

Date: 3<sup>rd</sup> February 2011

Premises: Duke of Edinburgh, 83 Mayes Road, Wood Green, London, N22 6TN

Type of application: **Variation**

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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
- 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
- Cooking odour

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

### Supporting Information



*Front of premises facing Mayes road, corner of Coburg Road N22*



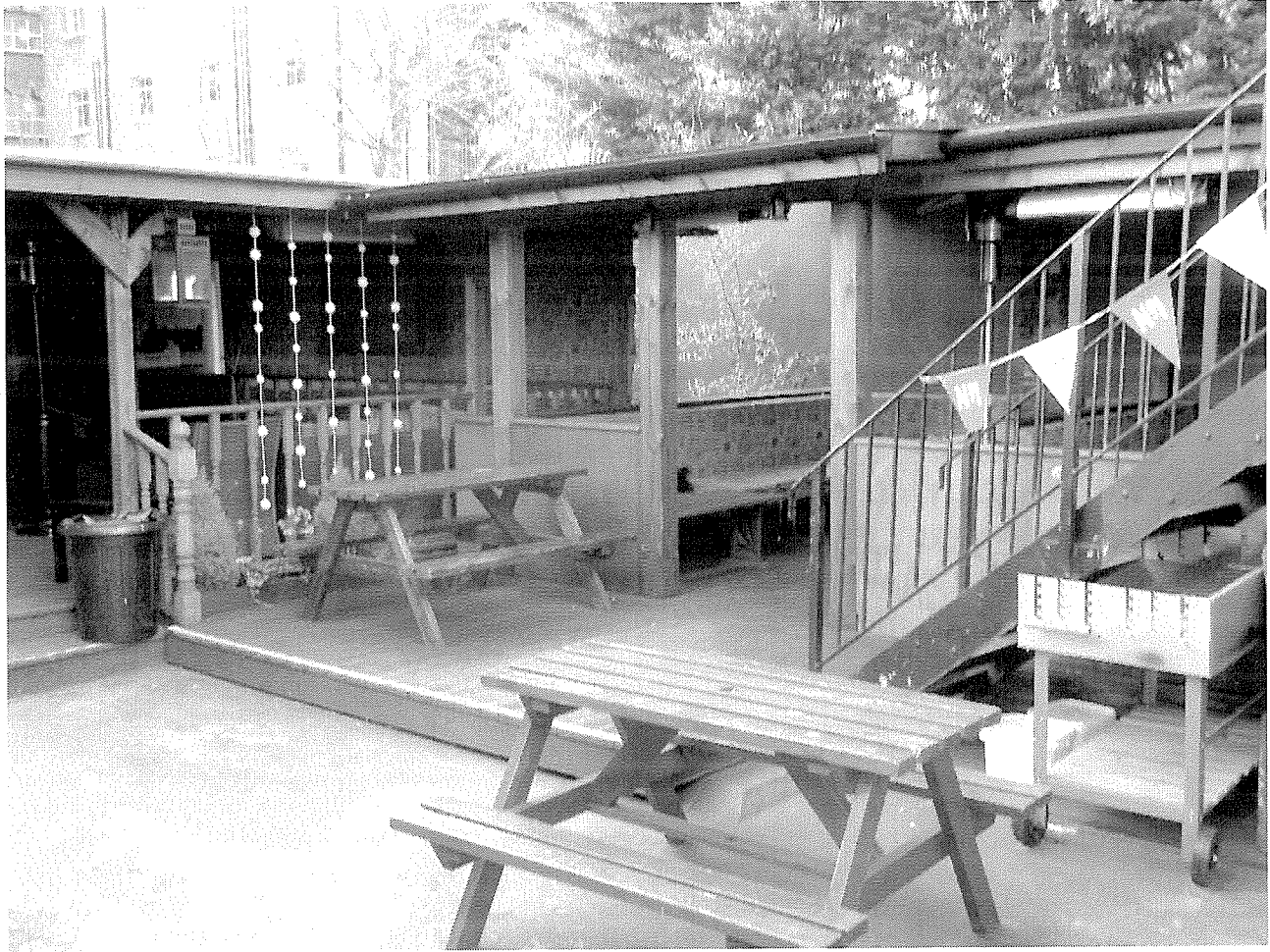
Rear of property, showing green gazebo roof in the garden area, which is given over entirely to shisha smoking.



Stage area within the bar area.

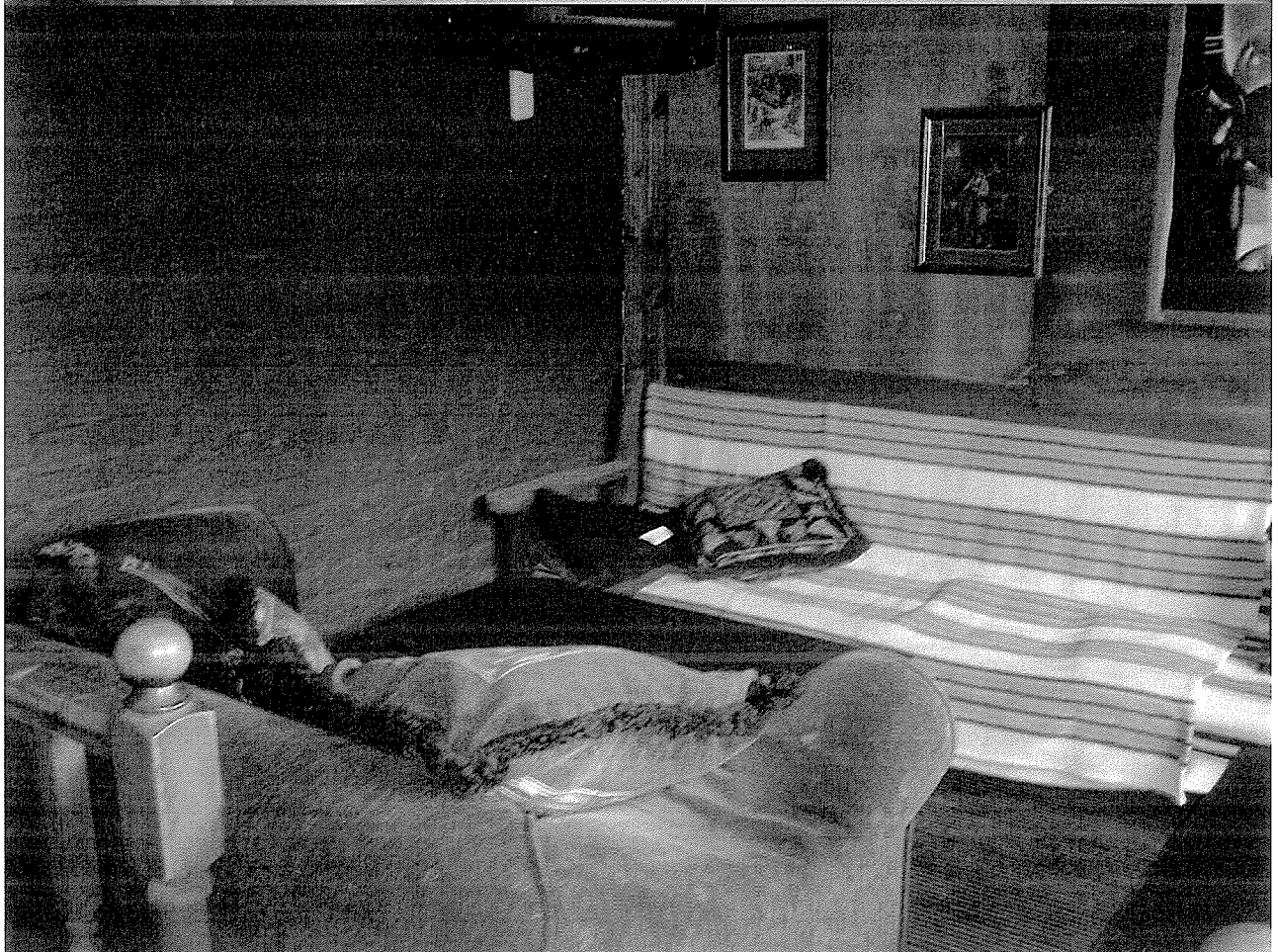


Seating area within bar area

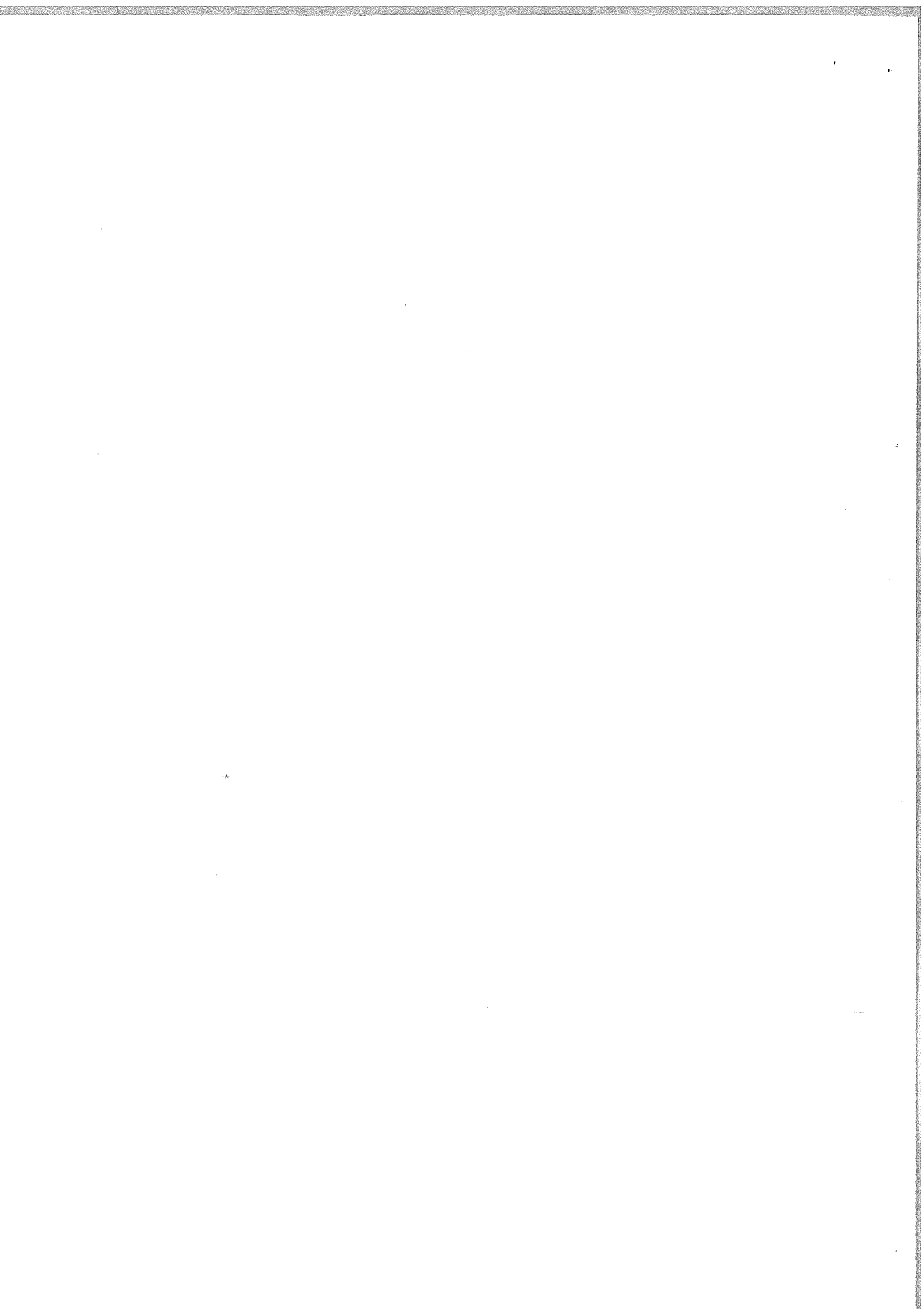


Rear garden





Rear garden seating areas





More seating areas in rear garden

Date reported & time	Subject	Observations & time	Outcome	Our Ref
17/7/09	Proactive visit re noise from shisha smoking outside	@2345 hrs All quiet on arrival- Low level voices witnessed with very low background music – Completed by JYC	Nuisance not established	WK127195
2/8/09 @0120 hrs	Loud music	@0400 hrs All quiet at time of arrival – Completed by JYC	Nuisance not established	WK128730 (1)
3/12/09 @2357 hrs	Loud music	See other complaint made on 3/12/09 @2358 hrs for visit info – Completed by MXE	Warning letter issued (Duplicate)	WK128730 (2)
3/12/09 @2358 hrs	Loud music	@0025 hrs Visit made, nuisance witnessed and was preventing the Comp from sleeping– Completed by MXE	Warning letter issued	WK128730 (3)
11/2/10 @2302 hrs	Loud music	@0130 hrs Visited but there was no noise coming from the pub. The pub appears to be closed as no customers were observed outside or inside – Completed by LXT	Nuisance not established	WK148285
18/2/10 @0018 hrs	Loud music	@0030 hrs Attended location, loud audible music clearly audible some 50 ft away – Premises licensed for regulated entertainment until 2300 hrs	Licensing warning letter issued	WK128730
24/3/10 @2351 hrs	Loud music	@0014 hrs No noise occurred all through the visit – Completed by LXT	Nuisance not established	WK128730 (5)
10/4/10	Proactive visit re regulated entertainment outside of licensed hrs	@0345 hrs Premises shut	Nuisance not established	128730
11/4/10	Proactive visit re regulated entertainment outside of licensed hrs	@0150 hrs No noise heard outside - premises appeared shut	Nuisance not established	128730

15/7/10 @2311 hrs	Loud music	@2335 hrs Visit made to the pub, low level noise heard. I spoke with the licensee advised him that a complaint had been made. I entered pub and saw a band packing up, so it was likely this was the source of the noise. No further action as no nuisance witnessed – Completed by MXE	Nuisance not established	WK128730 (7)
21/7/10 @2316 hrs	Loud music	@0030 hrs Music at the pub has now been turned down – Completed by MXE	Nuisance not established	WK128730 (8)
15/9/10 @2233 hrs	Loud music	@2334 hrs Blinds pulled down at front of premises and side door open - music could be heard outside in street from 50 metres and large crowd of customers still on premises – Premises playing regulated entertainment outside of the times permitted under premises licence – Completed by GYR	Warning letter issued + Simple caution accepted and completed	WK128730 (9) + WK170515

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

#### **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

Entry to the premises will be restricted to front main entrance located on Mayes Road whilst the premises is being used for regulated entertainment licensed activity

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

#### **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

## **Outside areas**

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

Signs shall be displayed in the rear beer garden 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

## **Deliveries and collections.**

Deliveries and collections associated with the premises will be arranged between the hours 0800 to 1900 Mondays to Saturdays and not on Sundays or Bank Holidays so as to minimise the disturbance caused to the neighbours

Glasses will be collected from the external area at the beginning of the day rather than at closing time when neighbours in close proximity might be unduly disturbed

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**

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.**

Door supervisors – minimum of 2 required to prevent breach of peace and control noise in the rear of the premises one positioned at front on main door and one positioned in rear beer garden required to be on duty from 2100 hrs until close of business on Fridays and Saturdays and on any other days that premises is open beyond it's regular hours as stipulated on the premises licence

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 drinks unless those drinks have been both purchased for off premises consumption and not open vessels

## 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

