# APPENDIX 2—COMMENTS OF METROPOLITAN POLICE, NOW WITHDRAWN

#### Olson Kendra

From: Mark.L.Greaves@met.pnn.police.uk

Sent: 25 October 2011 06:42

To: Olson Kendra

Subject: Representation regarding Alabar Lounge

Thanks Kendra. We have no further representations.

Regards

Mark

Mark Greaves PC 164YR Crime Prevention Officer / CPDA Haringey Borough Police

Tel: 0208 3452164

This Message is Restricted/Confidential

If Printed please remember to dispose of as Confidential Waste

From: Olson Kendra [mailto:Kendra.Olson@haringey.gov.uk]

**Sent:** 24 October 2011 09:44 **To:** Greaves Mark L - YR

Subject: FW: Representation regarding Alabar Lounge

For info, see below from Alabar Lounge re your representation.

Regards,

Kendra Olson Licensing Administrator Haringey Council Tel: 020 8489 5544

E-mail: kendra.olson@haringey.gov.uk

From: Stewart Gibson [mailto:stewart.gibson@gpretail.co.uk]

**Sent:** 21 October 2011 22:43

To: Olson Kendra

Subject: RE: Representation regarding Alabar Lounge

Good evening.

I have consulted with my client and we can confirm that we agree to all the conditions suggested by the Police in respect of the email sent re Alabar Lounge.

Kind regards

Stewart Gibson Licence Agent

#### Olson Kendra

From:

Stewart Gibson [stewart.gibson@gpretail.co.uk]

Sent:

21 October 2011 22:43

To:

Olson Kendra

Subject: RE: Representation regarding Alabar Lounge

#### Good evening.

I have consulted with my client and we can confirm that we agree to all the conditions suggested by the Police in respect of the email sent re Alabar Lounge.

Kind regards

Stewart Gibson Licence Agent

From: Olson Kendra [mailto:Kendra.Olson@haringey.gov.uk]

**Sent:** 21 October 2011 15:37 **To:** stewart.gibson@gpretail.co.uk

Cc: Barrett Daliah

Subject: Representation regarding Alabar Lounge

Importance: High

Dear Mr Gibson,

Please find attached a representation from the Metropolitan Police regarding this application.

Please could you let us know how you wish to proceed with this?

Thank you,

Kendra Olson Licensing Administrator Haringey Council Tel: 020 8489 5544

E-mail: kendra.olson@haringey.gov.uk

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

This email has been scanned by the MessageLabs Email Security System.



Your reference:

Our reference: 224/2011

Date: 21 October, 2011

LICENSING TEAM UNITS 271 - 272 LEE VALLEY TECHNOPARK ASHLEY ROAD LONDON N17 9LN

#### Metropolitan Police Service

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

Tel: 0203 - 276 -0150

Dear Daliah

#### Re:- Application to Vary Premises Licence

#### The Alabar Lounge, 807 High Road N17 8ER

With reference to the above application Police have considered the application and wish to make the following representations.

This is under the Prevention of Crime & Disorder objective.

The application states the venue is open to the public until 0100 hours Sunday to Thursday and 0500 hours Friday and Saturday. It also requests permission to sell alcohol up to the same times. Haringey policy is the service of alcohol stops 30 minutes before the premises closes to the public.

A minimum of two door staff approved by the Security Industry Authority to be employed from 20.00 to close on all nights. This is a high crime / disorder / vioence area with gang activity. The highway is very busy with both vehicular and pedestrian activity. A later finish will attract potentially far more clients to the area. Door Supervisors can control entry to the venue both numbers and condition / attitude of clients including any gang activity. They can ensure groups do not congregate around the door. They can ensure bottles are not taken from the venue.

Be an active member of Pub Watch.

If you require further information please do not hesitate to contact me on the above telephone number.

Yours Sincerely

# APPENDIX 3—COMMENTS OF ENVIRONMENTAL HEALTH



### Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation:

Lamin Tamba Enforcement Response

/ Derek Pearce, Team Leader Enforcement Response

Our Reference: WK202796

Date: 9th November 2011

Premises: The Alabar Lounge, 807 High Road, London, N17 8ER

Type of application: Variation

I can confirm that I have considered the above proposal, and I have discussed the application with the Licensee, with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & I would like to make representations to the Application.

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

- Structure borne, airborne noise, and vibration
- Noise generated by patrons in external areas of the premises
- Noise generated from patrons queuing to enter
- Noise from patrons exiting the premises

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

The noise caused by patrons exiting the premises and locating suitable transport home is likely to be detrimental to the residential amenity.

### Supporting Information

Complaint history / Enforcement action

Date reported & time	Subject	Observations & time	Outcome	Our Ref
26/6/11		On 26 <sup>th</sup> June 2011 at 03.12am the premises were being used for regulated entertainment outside permitted hours.	Written Warning	WK181104

NS70 Rev: October 2011 www.haringey.gov.uk/noise

	·			
30/8/11	Noise	Occurrence of noise nuisance - noise	Abatement	WK199118
***************************************	Nuisance	break out due to front entrance door	Notice	
000000000000000000000000000000000000000	'	being left open and late opening.	Served &	,
PRIMAGONAMAR			Caution re:	
RF CA' A SAMANANA			late opening	

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

Operating hours (subject to Licensing sub-committee agreement)
That the premises on Friday and Saturday closes no later than 03:00

That regulated entertainment on Friday and Saturday ceases at 02:30

Reason: The proposed operating hours are inappropriate due to the close proximity of residential dwellings. We have substantiated the occurrence of noise nuisance at the premises once and a breach of one of the licensing conditions

In regard to the Conditions on the Licence we make the following recommendations making reference to the existing conditions and recommending new or amended conditions

#### The Prevention Of Public Nuisance

Notices will be placed at exits asking patrons to leave quietly.

No customers will be allowed to consume drinks outside the premises.

We recommend that these conditions remain

#### Operating hours

In order that noise escape is kept to a minimum when customers are leaving, all music, live or recorded, must stop 15 minutes before closing time.

We recommend the following replacement condition

In order that noise escape is kept to a minimum when customers are leaving, all music, live or recorded, must stop 30 minutes before closing time.

Late night refreshment will cease 30 minutes before closing time in order for customers to consume food purchased at the premises before closing time.

There will be a "drinking up" period of 30 minutes prior to closing time to allow customers to finish any drinks purchased.

We recommend that these conditions remain

#### 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 doors 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 doors are 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 the main front door onto the High Road N17 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.

We recommend that these conditions remain

The regulated entertainment licensable activity shall conclude 15 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties

This condition is covered by an earlier condition and may be removed

#### Other doors e.g. fire doors

The rear fire exit door will be fitted with an alarm that instructs staff when the door has been opened.

The rear fire door will be fitted with an electronic device that cuts the power to the live music and recorded music/ live DJ area when the door is opened We recommend the following replacement condition

The rear fire exit door will be fitted with an alarm that instructs staff when the door has been opened and an electronic device that cuts the power to the live music and recorded music / DJ area.

#### Structure borne noise

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

We recommend that this condition remains

#### 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 a limiting device set at a level which upon request may be agreed with the licensing authority We recommend that these conditions remain

#### 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 We recommend that these conditions remain

#### New conditions

The number of persons permitted to utilise the external area/frontage will be restricted to 5 people only at any given time.

Only patrons seated at tables will be permitted in the beer garden

The external area / frontage will be closed and patrons requested to come inside the main structure of the premises at 23:00

#### Deliveries and collections

Deliveries and collections associated with the premises will be arranged between the hours 08:00hrs and 20:00hrs so as to minimise the disturbance caused to the neighbours

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 will be 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 (minimum of two) 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: Because of the size of the premises and possible amount of customers attending a minimum of two door supervisors would be required from 20:00hrs until closing.

At all times when licensable activities are taking place a minimum of one Door Supervisor to be situated inside the premises to ensure crowd control.

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

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

No glasses or bottles to be taken outside and consumed on the highway as the area is in a street drinking zone.

Licensed door supervisors will patrol the curtilage of the premises to prevent patrons urinating in public areas in the vicinity of the premises.

#### 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 properties.

We recommend that these conditions remain

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# Enforcement Response - Frontline Services

Units 271-272, Lee Valley Technopark, Ashley Road, Tottenham, London N17 9LN Tel: 020 8489 1000 Fax: 020 8489 5133 www.haringey.gov.uk/noise



Head of Enforcement Service - Robin Payne

Haringey

Ms Barbara Oppon The Alabar Lounge 807 High Road Tottenham London N17 8ER

Our ref: UE/ENF WK/000194402

Date: 29th June 2011

Contact: Enforcement Response Team

Tel: 020 8489 1000

Email: enforcement.response@haringey.gov.uk

Dear Ms Oppon,

Warning Letter: Licensing Act 2003

Address: The Alabar Lounge, 807 High Road, Tottenham, London, N17 8ER

It has been identified that the above premises on 26th June 2011 at 03.12am were being used for regulated entertainment which is not permitted under a current license.

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) 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

C Buckle Enforcement Response Team

c.c The Alabar Lounge, 807 High Road, Tottenham, London, N17 8ER.

NS133 rev: June 2011

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Haringey Council

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rev: August 2011

# Environmental Protection Act 1990 - part III

Statutory nuisance - Abatement notice

To: Ms Barbara Oppen

at: The Alabar Lounge, 807 High Road, Tottenham, London, N17 8ER

The Person Responsible for a statutory nuisance at the premises in the Borough of Haringey known as The Alabar Lounge, 807 High Road, Tottenham, London, N17 8ER

TAKE NOTICE that the Council of the Borough of Haringey are satisfied that a statutory nuisance as defined by the Environmental Protection Act 1990 is likely to occur at the above-mentioned premises as a result of:

Noise arising from music and voices

THE COUNCIL DO HEREBY PROHIBIT FORTHWITH an occurrence of the nuisance and for that purpose requires you to:

Exercise proper control of the volume of sound generated at the premises arising from any musical instrument, voices, amplifier or sound reproduction equipment so as to ensure that the total volume of sound emitted is not likely to cause a nuisance to persons residing in the vicinity.

AND YOU ARE GIVEN FURTHER NOTICE THAT you may within 21 days from the date of service of this Notice upon you, appeal to the Magistrates' Court on any of the grounds contained in the Statutory Nuisance [Appeals] Regulations 1995. [See notes attached].

AND FURTHER TAKE NOTICE that in the opinion of the Local Authority the noise is likely to be of a limited duration such that a suspension of the Notice would render it of no practical effect AND THEREFORE this Notice shall have effect not withstanding any Appeal to a Magistrates' Court which has not been decided by the Court. The maximum penalty for failure to comply with this Notice is \$5,000 (£20,000 in the case of industrial, trade or business premises) plus a further £500 for each day on which the offence continues after conviction.

Dated: 31st August 2011

Our Ref: UE/ENF WK/000199118

Address (to which any communication regarding this Notice may be sent):-

for Robin Payne, being the Officer appointed for this purpose

The Assistant Director,
Single Frontline
Place & Sustainability
Regulatory Services
Enforcement Response
Unit 271, Lee Valley Technopark
Ashley Road, London, N17 9LN
Telephone: 020 8489 1000

This matter is being dealt with by: Enforcement Response Team

# APPENDIX 4—COMMENTS OF INTERESTED PARTIES

From:

Sent: 19 October 2011 10:30

To: Licensing

Subject: Objection to the extension of opening hours for the ALABAR LOUNGE - N17

Dear Licensing Team

I would like to object to ALABAR being allowed to extend its opening hours.

I would like to object under the following 2 sections

- b) Public Nuisance / Noise
- c) Public Safety

proof of the public Nuisance / Noise levels can be provided to you by your noise control teams, as they will posses a log of each time that a complaint has been made against the venue, they have also actually witnessed the noise levels from with in my property.

if the proposed extension to 5AM does go ahead, then the problem will increase in magnitude.

That section of the high road is actually residential... and im sure you will agree... a venue opening until that time of the morning .....in a residential area... will have noise issues and also.. public safety is vital.. as the high road is busy with buses and traffic throughout the night!

I wish for my details to be witheld - please ensure this is honoured.

Best regards

The Licensing Team
Units 271-272
Lee Valley Technopark
Ashley Road
Tottenham
N17 9LN

18<sup>th</sup> October 2011

RE: Objection to ALABAR (807 High Road, N17 8ER) being allowed to extend its opening hours.

To whom it may concern,

I am writing to you to object to the Alabar Lounge on Tottenham High Road to be allowed to extend its opening hours.

I would like to object under the following two sections under the Licensing Act 2003:

- The prevention of public nuisance
- Public safety at licensed premises

In the year that the Alabar Lounge has been in business it has brought nothing but upset and stress to nearby residents. Several amicable attempts were made to the business to request music be turned down, however most were unsuccessful. After a couple of months of trying to ignore the disturbance many calls were logged with your Enforcement Team (Particularly Paul Buckle who is aware of the situation).

Sadly, despite several warnings from the Enforcement Team the Alabar still persists with excessively loud bass driven music (Until 5am, Christmas Eve 2010) and to allow it's alcohol induced punters to spill onto the High Road which sometimes goes on for hours after closing.

We understand that the reality of living on a busy High Road comes with the constant noise of traffic, public arguments and so on. However, we also pay our rent/mortgage, work full time and have young children who need and deserve a decent night of sleep! If the proposed extension to 5am does go ahead, then the problem will increase in magnitude.

Please do the right thing by the residents in the area .

Yours faithfully,

Concerned resident.



D Barrett Licensing Team Unit 271 Lee Valley Techno Park Ashley Rd Tottenham N17 9LN Mr K Monteith Bricklayers 803-805 High Rd Tottenham N17 8ER

26<sup>th</sup> October 2011

#### Re Licensing Application for Alabar 807 High Rd, Tottenham

Dear Ms Barrett

I would like to object to the application to extend the trading hours at the above premises on the grounds of Noise, Management and Crime and Disorder risk:

- 1. I have had continual noise problems since the grant of the original license and especially when there have been Temporary Events noticed granted until 4am when the music would often over run.
- 2. The Music is audible in my private accommodation and I find it very difficult to sleep.
- 3. I have made various complaints to the authorities about the level of noise. The last one being on 29<sup>th</sup> August which I am sure you can get from your records. On this occasion the Noise people visited the premises at 12.30am and the music was turned down but unfortunately was turned up again when they left.
- 4. On certain occasions the front of the premises were closed to make the appearance of the bar being closed for business, but actually operated from the rear entrance which further increases the noise to my accommodation.
- 5. Groups of customers hang around after the premises close, which leads to noise from Car Radios and CD players and this could lead to potentially an increase in crime and disorder, if the extended hours were granted.

I have tried to meet with the current Management to discuss my concerns but unfortunately I have received no response.

If you require any further information please do not hesitate to contact me as I am extremely concerned about this application.

Kind Regards

Yours Sincerely

Kenny Monteith

Licensee

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NIT BER.

Dear Sir / Madan

Learning hours of the ALABAR BOT

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with them is the land music

your Succorty James Shelly

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