

Licensing Act 2003 Sub-Committee on 05TH FEBRUARY 2008

Report title: Application for a new Premises Licence at BAR APOGEE, 115 PARK ROAD, **CROUCH END, LONDON N8 8JN** Report of: The Lead Officer Licensing Ward(s) affected 1. **Purpose** To consider an application by THESPOULA ATHANASI & ANASTASIA PIERIS to allow sale of alcohol, Late Night refreshment and Regulated Entertainment at the above premises. 2. Recommendations 2.1 Grant the application as asked (a) Modify the conditions of the licence, by altering or omitting or adding to them (b) (c) Reject the whole or part of the application The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives. Report authorised by: Robin Payne..... Assistant Director Enforcement Services Contact Officer: Ms Daliah Barrett - Williams Telephone: 020 8489 8232 3. **Executive summary** For consideration by Sub Committee under Licensing Act 2003 for a Premises licence with variation to the existing conditions Access to information: 4.

Local Government (Access to Information) Act 1985 Background Papers

The following Background Papers are used in the preparation of this Report:

File: BAR APOGEE

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

5. REPORT

Background

5.1An application for a new Premises Licence, by Thespoula Athanasi & Anastasia Pieris in respect of Bar Apogee, 115 Park Road, Crouch End, London N8 8JN under the Licensing Act 2003.

App1 - current licence.

Details of new application being sought under a new Premises Licence 5.2 APP2

Opening Hours for Public

Monday to Thursday	12:00-02:30
Friday & Saturday	12:00-04:30
Sunday	12:00-02:30

Late Night Refreshment

Monday to Thursday	23:00-02:00
Friday & Saturday	23:00-04:00
Sunday	23:00-02:00

Sale of Alcohol

Monday to Thursday	12:00-02:00
Friday & Saturday	12:00-04:00
Sunday	12:00-02:00

Provision of Regulated Entertainment: (Live Music & Recorded Music)

Monday to Thursday	12:00-02:00
Friday & Saturday	12:00-04:00
Sunday	12:00-02:00

Provision of entertainment facilities: (Making Music & Dancing)

 Monday to Thursday
 12:00-02:00

 Friday & Saturday
 12:00-04:00

 Sunday
 12:00-02:00

General-all four licensing objectives

The back area marked 'Private Function Room' on the plan will not be used until approved by Fire Safety Officer.

5.3 Crime and Disorder

A digital Closed Circuit Television System will be installed and maintained on the premises. The CCTV system will be recording at all times when the premises are open and the recordings shall be kept for at least 31 days and made available to the Police and Council on request within 24 hours.

A Minimum of two door supervisors will be stationed on the premises between 21.00 and the closing of the premises when regulated entertainment is taking place.

5.4 Public Safety

Fire Safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with.

The Maximum capacity of the premises at any time will be restricted as required by the Fire Safety Officer.

5.5 Public Nuisance

A noise limiter will be installed at a level set by the Environmental Health Officer. Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours.

Staff will call Taxis/Mini Cabs for the use of customers leaving the premises when requested to do so.

5.6 Child Protection

All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18. All persons who appear to be under 21 will be challenged to produce photographic identification.

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 Comments of Metropolitan Police

The Police have no adverse comments to make regarding this application

6.2 Comments of Enforcement Services:

Noise Team

Have made representation in relation to public nuisance - App 3

Food Team

Have no objections to this application.

Health and Safety

Have made representation to this application - App 4

Trading Standards

Have no objections to this application

6.3 Fire Officer

Have made representation in relation to fire safety issues. APP 5

6.4 Planning Officer

Have no objections to this application

6.5 Comments of Child Protection Agency or Nominee

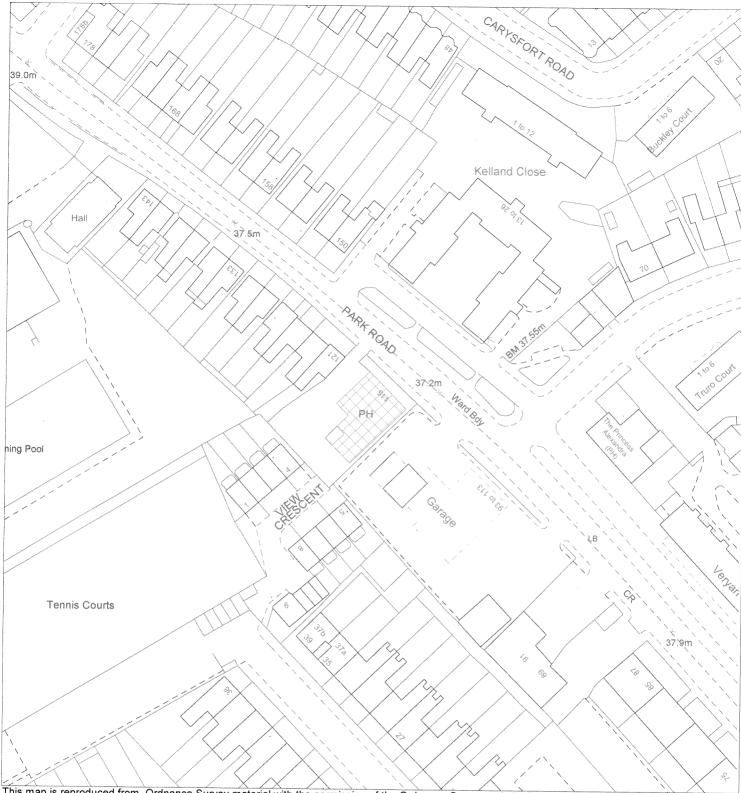
No representation made

7.0 Interested Parties -APP 6

Representation has been received against this application.

8.0 Financial Comments

The fee which would be applicable for this application was £190.00



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Town and Country Planning Act 1990 (As amended)

Plan relating to the Enforcement Notice dated

115 Park Road, London, N8 8JN



Robin Payne Assistant Director Enforcement Service 639 High Road Tottenham N17 8BD

		Drawn by	Haringey Council
l (Scale	1:1000
		Date	10/01/2008
NOI	RTH	Drawing	NVA

APPENDIX 1

COPY OF CURRENT LICENSE

PREMISES LICENCE

Receipt: AG762865 Premises Licence Number: LN00001433.

LN000003376

This Premises Licence has been issued by:

The Licensing Authority, London Borough of Haringey, Civic Centre, High Road, Wood Green, London, N22 8LE

Signature: Date: 24TH November 2005,

23rd March 2007

Part 1 - PREMISES DETAILS

<u>Postal Address of Premises or, if none, Ordnance Survey map reference or description:</u>

BAR APOGEE 115 PARK ROAD CROUCH END, LONDON N8 8JN

Telephone: 020 8340 7845

Where the Licence is time limited, the dates:

N/A

Licensable activities authorised by the Licence:

Supply of Alcohol

Regulated Entertainment: Live Music, Recorded Music & the Provision of Facilities for Making Music & Dancing

Provision of Late Night Refreshment

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

Supply of Alcohol

Monday to Thursday 1000 to 0000

(final hour ancillary to substantial refreshment i.e. food)

Friday 1000 to 0200

Saturday 1100 to 0200

Sunday 1200 to 2330

(final hour ancillary to substantial refreshment i.e. food)

Regulated Entertainment

Monday to Thursday 1000 to 2300

LICENSING ACT 2003

Sec 24

Friday 1000 to 0200

Saturday 1100 to 0200

Sunday 1200 to 2230

Provision of late night refreshment

Monday to Thursday 2300 to 0000

Friday & Saturday 2300 to 0200

Sunday 2300 to 2330

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

The opening hours of the premises:

Monday to Thursday 1000 to 0030

Friday 1000 to 0230

Saturday 1100 to 0230

Sunday 1200 to 0000

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 **ON** & **OFF** the premises.

For the final hour on Sunday through Thursday nights alcohol for consumption ON the premises, ancillary to substantial refreshment i.e. food.

Part 2

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

Miss Thespoula Athanasi 9 Ripon Road Tottenham London N17 6PP

Telephone: 079564 36295

LICENSING ACT 2003

Sec 24

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:

Miss Thespoula Athanasi 9 Ripon Road Tottenham London N17 6PP

Telephone: 079564 36295

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

LN000005125

Issued by London Borough of Haringey

Expires: 22nd February 2017

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.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

PUBLIC SAFETY

Number of persons accommodated at any one time within O's Bar shall not exceed:

- a.) 150 people when full floor area of premises is available or:
- b.) 120 people when area in front of the store/male sanitary accommodation is in use for performances.

No obstruction to adjacent sanitary accommodation or exit.

Any alterations or additions to electrical installations to be using a system of wiring approved by Haringey Council.

All Certificates required by the Council to be submitted promptly when they become due.

The management of the premises will assess the need for SIA approved security staff at the premises at regular intervals.

THE PREVENTION OF PUBLIC NUISANCE

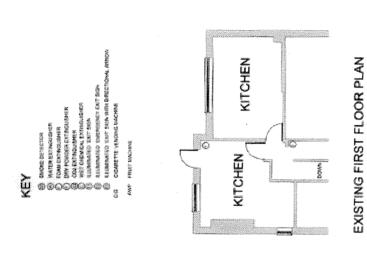
THE PROTECTION OF CHILDREN

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

Annex 3 – Conditions attached aft	er a hearing	by the	licensing	authority
	•			authority

Annex 4 - Plans



HS PARK ROAD
CROWCH END
LOADS, AS 8 TA
L. CALL M. MARKY PLAN
SCAL, I. 100

PRIVATE MALE MALE FEMALE SEATING SEATING

EXISTING GROUND FLOOR PLAN

APPENDIX 2

APPLICATION FORM

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

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	İV.	other (for example a statutory co	rporation)		please comple	te section (B)
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State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name THESPOULA ATHANASI				
Address 9 RIPON ROAD TOTTENHAM LONDON				
stcode N17 699				
Personal Licence number (if known) LN000005125				
Issuing licensing authority (if known) HARINGEY COUNCIL				

P Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)
The back area marked 'Private Function Room' on the plan will not be used until approved by the Fire Safety Officer.
b) The prevention of crime and disorder
A digital Closed Circuit Television System will be installed and maintained on the premises. The CCTV system will be recording at all times when the premises are open and the recordings shall be kept for at least 31 days and made available to the police and council on request within 24 hours. A minimum of two door supervisors will be stationed on the premises between 21.00 and the closing of the premises when regulated entertainment is taking place.
or the premises when regulated entertainment is taking place.
c) Public safety
Fire safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with. The maximum capacity of the premises at any one time will be restricted as required by the Fire Safety Officer.
d) The prevention of public nuisance
A noise limiter will be installed at a level set by the Environmental Health Officer. Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours Staff will call Taxis / Mini cabs for the use of customers leaving the premises when requested to do so.
e) The protection of children from harm
All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18

All persons who appear to be under 21 will be challenged to produce photographic

identification...

APPENDIX 3

REPRESENTATION FROM THE NOISE TEAM



Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Cc: Service Manager Enforcement Response

Our Reference: WK55974

Date: 14th December 2007

Premises: Bar Apogee 115 Park Road N8

Type of application: Variation

I would like to confirm that we have considered the above proposal with regard to the prevention of public nuisance and wish to make representations to the Variation on the following grounds

Due to the close proximity of residential dwellings, the proposed operating hours are inappropriate.

The premises opening later is likely to lead to the Enforcement Response out of hours team continuing to receive complaints about music and other noise from the premises

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

Supporting Information

Bar Apogee is a detached property situated on a busy main road. Residential accommodation is situated to the right (as viewed from the front) and across the road.

In excess of 30 complaints have been received about noise since 15th April 2007 Noise nuisance has been witnessed in the past year on a number of occasions resulting in the issue of warning during May 2007 and abatement Notices, under section 80 of the Environmental Protection Act 1990 in July 2007 and October 2007 with a final warning issued on 15th October 2007

Bar Apogee have addressed some of the concerns & a noise limiter has been recently installed and speakers relocated.

However, on the weekend of the 8/9th December 2007, an officer from the Enforcement Response Team received a complaint of noise nuisance from Bar Apogee. The noise was clearly audible from across the street during the early hours of the morning.

This indicated that the recommendations made are not being adhered to and that it is inappropriate for the premises to be open later than the currently agreed time. In fact having

regard to the absence of effective sound insulation at the premises there is the likelihood of complaints increasing if the premises opens later

We therefore recommend that the premises closes no later than currently agreed time and that regulated entertainment ceases at the currently agreed time.

However if it is seen fit to extend the hours then the following conditions should be placed upon the license

Prevention of nuisance from noise/vibration Airborne

The lobbied door to minimise noise breakout used for patrons to enter or leave the premises should be fitted with a self-closing device and staff required to ensure that it is not propped open & a member of staff shall be positioned at the door to ensure it is opened for as brief a period as possible

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 level of amplified entertainments & sound levels shall be controlled by means of a limiting device set at a level agreed with the licensing authority / Enforcement Response team.

Outside Areas

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

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

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 complainants 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 to enable neighbours to raise concerns about any aspect of the licensed activities

Patrons entering/exiting premises.

Where people queue to enter the premises a licensed door supervisor shall supervise and ensure the potential patrons behave in an acceptable manor

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

Signs should be displayed instructing patrons to respect the neighbours and behave in a courteous manor

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

APPENDIX 4

REPRESENTATION FROM HEALTH AND SAFETY

Barrett Daliah

From:

Chenier Pierre

Sent:

10 December 2007 17:06

To:

Barrett Daliah

Subject: Bar Apogee

VIEMORANDUM

器 HARINGEY COUNCIL 器

Date: 10/12/07

Phone: 020 8489 5136

Ref: LL0161

From: Pierre Chénier

Building Control

To: Daliah Barrett Licensing

ENTERTAINMENTS LICENSING Licensing Act 2003 **Applications**

With reference to your recent email, this department has no objections to raise in respect of the applications for following premise:

Bar Apogee, 115 Park Road N8

Given:

1. Confirmation that the furniture and wall linings are fire resistant/retardant.

2. A satisfactory battery discharge test certificate being submitted to Building Control for the Emergency Lighting to the Licensed area.

3. A satisfactory NICEIC electrical installation periodical test certificate being submitted to Building Control for the electrical installations to the Licensed area.

And; Subject to the following conditions being placed on the License;

- 1. The premises shall be run in accordance with the National Model Standard Conditions
- 2. A satisfactory battery discharge test certificate will be submitted to Building Control every 6 months for the Emergency Lighting.
- 3. A satisfactory NICEIC electrical installation periodical test certificate shall be submitted to Building Control every 12 months for the electrical installations to the licensed area.

Yours,

Pierre Chénier Senior Building Surveyor

APPENDIX 5

REPRESENTATION FROM FIRE OFFICER



FIRE AND COMMUNITY SAFETY DIRECTORATE Roy Bishop Deputy Commissioner

11 December 2007

Our Ref

FS/31/011283/LH

Your Ref.

Addressee

Date

Mrs D Barrett-Williams Licensing Team

London Borough of Haringey 2nd Floor, Civic Centre

High Road Wood Green London

N228LE

Please reply to
Kevin Close
Inspecting Officer

Direct Telephone 020 8803 7530

Direct Fax 020 8807 7196

Direct E-mail

haringeygroup@london-fire.gov.uk

Dear Madam,

LICENSING ACT 2003

Premises: Bar Apogee, 115 Park Road, London, N8 8JN

With reference to the application dated 16 November 2007, as shown on plan, un-numbered, the application has been examined and **the Fire Authority wish to make a representation** to the Licensing committee that the Public Safety objective of the Licensing Act has not been adequately addressed.

The applicant has been informed that the Fire Authority will be making a representation to the Licensing Authority.

The items that are of concern to this authority are detailed on the attached schedule.

The Fire Authority has not received all of the information required and has not therefore, been able to form a judgement as to whether the public safety objective of the Licensing Act has been adequately addressed.

Please advise me, at your earliest convenience, of the date and time of the Licensing Committee Hearing.

Should these matters be resolved to the satisfaction of this Authority at least 2 days prior to the Licensing Committee Hearing the representation will be withdrawn.

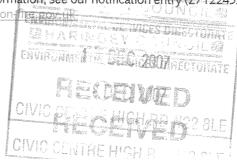
Any queries regarding this letter should be addressed to the person named at the top of the letter. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

for Assistant Commissioner

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455)





FIRE AND COMMUNITY SAFETY DIRECTORATE
Roy Bishop Deputy Commissioner

Bar Apogee, 115 Park Road, London, N8 8JN

Our Ref. FS/31/011283/LH

Your Ref.

SCHEDULE

Sheet 1 of 1

Schedule referred to in the letter reference FS/31/011283/LH under the Licensing Act 2003, issued by the London Fire and Emergency Planning Authority on 11 December 2007.

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to promote the public safety objective.

NOTE: Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the workplace, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

Licensing Objective not adequately addressed	Location and detail of matters which are considered to put people at risk in the event of a fire emergency	Steps considered necessary to promote the public safety licensing objective
Public Safety	From the plans submitted, unable to determine escape routes from the rooms marked private function room.	Provide detailed plans indicating escape from these rooms.
Public Safety	Travel distance maybe excessive from these rooms to place of relative safety.	These rooms require alternative means of escape.
Public Safety	Plans do not indicate licensed area(s).	Provide detailed plans.

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.iondon-fire.gov.uk

Date

Switchboard 020 7587 2000 www.london-fire.gov.uk



FIRE AND COMMUNITY SAFETY DIRECTORATE Roy Bishop Deputy Commissioner

Our Ref Your Ref. 21 November 2007 FS/31/011283/LH ENVIRONMENT Addressee Kevin Close The Manager J&H Licensing Consultants Inspecting Officer 35 Walfield Avenue Direct Telephone Direct Fax CIVIC CENTRE HIGH RD N22 81 haringeygroup@london-fire.gov.uk Whetstone 020 8807 7196 London N20 9PS

Dear Sir or Madam.

LICENSING ACT 2003

Premises: Bar Apogee, 115 Park Road, Crouch End, London, N8 8JN

With reference to the application dated 19 November 2007, in respect of the above mentioned premises, I have received insufficient information on which to determine the adequacy or otherwise of the fire safety arrangements in the premises.

Please submit to this office, within the next 5 working days:

- A set of plans showing the following additional information:-
- i) Access to the rooms marked.
- a) Private, (to the rear of the males toilet)
- b) Private function room.
- c) These will require an alternative means of escape.
- ii) Fire detection systems and any fire fighting equipment.
- A copy of your fire risk assessment

I enclose a copy of our guidance note for applicants for premises licences to assist you.

If the information requested is not supplied within the specified time, the Fire Authority will make a representation to the licensing committee that the Public Safety objective of the Licensing Act may not have been properly addressed.

Any queries regarding this letter should be addressed to the person named at the top of the letter. If you are dissatisfied in any way with the response given, please speak to the Team Leader quoting our reference.

Yours faithfully.

for Assistant Commissioner

C.C.: Mrs D Barrett-Williams, Lead Licensing Officer, Haringey Council, 2nd Floor, Civic Centre, High Road, Wood Green, London,

N228LE

Encl: FS_GN_71 and FS_GN_66

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APPENDIX 6

REPRESENTATION FROM INTERESTED PARTIES

Barrett Daliah sculptort [sculptort@blueyonder.co.uk] From: 14 December 2007 10:18 Sent: To: Licensing Re: Please do not allow Bar Apogee to extend its license Subject: Since Bar Apogee has taken over these premises, we are often disturbed by loud pumping music late into the night. There is noise from smokers standing outside the bar often shouting to each other in a drunken state. There is a tendency from some of the patrons who drive to the bar to sit outside in their vehicles revving their engines and again playing loud music. The bar is surrounded by residential housing. Often both workers and school children are unable to get to sleep before the early hours of the morning. This in my mind is almost criminal. If such a situation occurred opposite your house how would you feel arriving at work tired and distressed? The Slater family (including child of school age) 158 Park Road. On 14 Dec 2007, at 09:19, Licensing wrote: > Please can you give your reasons and add your details to make this > representation valid > Daliah Barrett (Lead Officer - Licensing) Haringey Council - Licensing > Authority Urban Environment Civic Centre High Road Wood Green London > N22 8LE > T 0208 489 8232 > F 0208 489 5528 > E daliah.barrett@haringey.gov.uk > ----Original Message----> From: sculptort [mailto:sculptort@blueyonder.co.uk] > Sent: 13 December 2007 20:10 > To: Licensing > Subject: Please do not allow Bar Apogee to extend its license > Please do not allow Bar Apogee to extend its license. This email has been scanned by the MessageLabs Email Security System.

For more information please visit http://www.messagelabs.com/email

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>	For	more	information	please	visit	http://www.messagelabs.com/email
>						
>	-					

From:

Sent: 14 December 2007 14:23 To: 'Trevor Hughes' Subject: FW: Please do not allow Bar Apogee to extend its license For you, see below Daliah Barrett (Lead Officer - Licensing) Haringey Council - Licensing Authority Urban Environment Civic Centre High Road Wood Green London N22 8LE 0208 489 8232 0208 489 5528 daliah.barrett@haringey.gov.uk ----Original Message----From: sculptort [mailto:sculptort@blueyonder.co.uk] Sent: 14 December 2007 10:18 To: Licensing Subject: Re: Please do not allow Bar Apogee to extend its license Since Bar Apogee has taken over these premises, we are often disturbed by loud pumping music late into the night. There is noise from smokers standing outside the bar often shouting to each other in a drunken state. There is a tendency from some of the patrons who drive to the bar to sit outside in their vehicles revving their engines and again playing loud music. The bar is surrounded by residential housing. Often both workers and school children are unable to get to sleep before the early hours of the morning. This in my mind is almost criminal. If such a situation occurred opposite your house how would you feel arriving at work tired and distressed? Yours, The Slater family (including child of school age) 158 Park Road. N8 On 14 Dec 2007, at 09:19, Licensing wrote: > Please can you give your reasons and add your details to make this > representation valid > Daliah Barrett (Lead Officer - Licensing) Haringey Council - Licensing > Authority Urban Environment Civic Centre High Road Wood Green London > N22 8LE 0208 489 8232 > T > F 0208 489 5528 daliah.barrett@haringey.gov.uk > ----Original Message----> From: sculptort [mailto:sculptort@blueyonder.co.uk] > Sent: 13 December 2007 20:10 > To: Licensing > Subject: Please do not allow Bar Apoque to extend its license > Please do not allow Bar Apogee to extend its license. > This email has been scanned by the MessageLabs Email Security System. > For more information please visit http://www.messagelabs.com/email

Barrett Daliah on behalf of Licensing

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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

123 Park Road London N8 8JN

Ms Daliah Barrett
Lead officer - licensing
Haringey Council - Licensing Authority
Urban Development
High Road
Wood Green
London N22 8LE

14 December 2007

BY FAX AND EMAIL

Dear Ms Barrett

Re Bar Apogee, 115 Park Road, Crouch End, London N8 8JN

I refer to the above and wish to register my opposition to the recent application for a premises licence made by Thespoula Athanasi and Anastasia Pieris.

I live in close proximity to Bar Apogee, together with my partner and three young children. I am self-employed and work mainly from home.

From around April 2007 the peaceful enjoyment of my home has been disturbed by noise emanating from Bar Apogee, and also from its customers arriving and leaving the premises, particularly after 11 pm on Friday and Saturday nights.

I did approach Ms Athanais and Ms Pieris directly on a number of occasions to discuss the problems I am experiencing. Initially they appeared to be receptive to my concerns. I have also contacted the Noise Team at Haringey.

The music emanating from Bar Apogee is disruptive. It is in my opinion excessive and inappropriately loud given the proximity of the bar to local residents, and the construction of the bar itself. I do not think the building has adequate sound proofing to deal with the level and type of music played. The bass is a particular problem causing vibration to my property.



I am also disturbed by the noise made by customers arriving and leaving what is essentially a destination venue. A particular problem is the noise made by customers hanging around outside after 11 pm on Friday and Saturday nights, and after the bar has closed. There is also noise from cars reviving engines, sounding horns, accelerating away fast etc. On occasion customers appear to have left the bar well after the official closing time.

The back of my property, which is relatively quiet, overlooks the car park at the rear of Bar Apogee. I am disturbed by customers of the bar using the car park, particularly after 11 pm. This includes the reviving of car engines, loud in-car music with heavy base, and conducting loud and raucous conversations. It is a small car park and even when empty it is not possible to turn round without using reverse gear. The difficulty in getting in and out of the car park is increased when the car park is congested.

The above problems cause sleep and more general disturbance to my family. My partner fully endorses the points raised in this letter.

I very much hope the above will be taken into consideration when making a decision regarding this application.

Yours sincerely

Tim Newcombe

From:

Sent:

11 December 2007 19:49

To:

Licensing

Subject:

Representation - Bar Apogee extended licence

Importance: High

Attachments: licensing_representation_form.doc

To whom it may concern

Please find attached a Licence Representation form to appeal against the request from Bar Apogee to extend their opening hours.

We've made a number of complaints against them due to the noise nuisance they create and we're incredibly concerned about this recent application.

I believe that the licence applicant is allowed to view all representations - however I'd much appreciate it that they didn't, at this point, know my name and exact address. Obviously if a hearing is required I'd be happy to appear for it.

Many thanks

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below):

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details							
Name							
Address							
Postcode							
Licence application you wish to make a representation on							
You do not need to answer all of the questions in this section, but please give as much information as you can:							
Application Number							
Name of Licensee Miss Thespoula Athanasi							
Name of Premises (if applicable)Bar Apogee							
Premises Address (where the Licence will take effect)							
Postcode N8 8JN							

Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

The Prevention of Crime and Disorder					
We believe crime in this area has increased 2.30am licences at weekend - and extending further. There is currently blood on the groubroken glass around the premises after mosyears there was a yellow police sign asking September. I no longer feel safe on this road	opening hours to 4am will on increase it and near the premises, there has been at weekends and for the first time in 4 for witnesses of a serious assault in				
Public Safety					
See above.					
The Prevention of Public Nuisance					
The main area of concern. The music from the premises keeps us awake most weekends until it closes. We believe a limiter was fitted but this only seemed to work for a couple of weekends. It makes weekends unbearable. There is also the noise of customers leaving the premises, many of which seem to drive and the slamming of car doors and revving engines can go on for a good half an hour after the music stops. Customers also smoke outside the premises and loud talking and shouting also causes a great deal of disturbance. This is a quiet, very residential area, and bars playing loud music until 4am don't belong here.					
The Protection of Children from Harm					
This is a family packed area with a large number of the glass and blood on the ground could call	mber of young children running around. ause harm.				
I,,hearb submitted is true and correct.	y declare that all information I have				
Signed:	Date:				
- Harris Company					
Please send completed form to:					
Haringey Council Licensing Team 2 nd Floor Civic Centre					
CIVIC CENTIE					

High Road Wood Green London N22 8LE

From: Glenys Davies [glenysdavies@grdavies.fsnet.co.uk]

Sent: 13 December 2007 15:32

To: Licensing

Subject: Bar Apogee, N8

Dear Licensing Team

I understand the owners of Bar Apogee, 115 Park Road, N8 have applied for an extension to their premises licence, allowing them to stay open until 4am on Fridays and Saturdays, and until 2am the rest of the week. I am a local resident, I live at 152 Park Road and I object to this extension being given. The noise and disturbance caused by Bar Apogee is already excessive - on many recent occasions the level of music and the drunken behaviour of the customers have made it impossible to sleep. The bar often already stays open until past 4am, (without permission?) and has, I know, been the cause of many complaints. It is already a public nuisance. Please reject this application for an extension and, if possible, reconsider the licence already granted.

Yours sincerely

Glenys Davies 152 Park Road, London N8 8JT

From:

Jill George [jillegeorge@yahoo.co.uk]

Sent:

16 December 2007 22:23

To:

Licensina

Cc:

lynne@lynnefeatherstone.org

Subject:

Bar Apogee licensing application /115 Park Road N8 8JN

From Ms J E George, 156 Park Road, N8 8JT 0208 340 9641

I have just discovered today that the Bar Apogee (115 Park Road N8 8JN) has applied for an extension of its trading license hours.

I am wholly opposed to this application. Since this bar started trading I have been frequently disturbed, particularly on Friday and Saturday nights due to the following forms of nuisance:

- 1. Loud music. (Public Nuisance)
- 2. Patrons having no regard for the area and its residents by shouting and shrieking in the vicinity of the bar and along the street. Also by slamming car doors, starting and revving car engines when they arrive and leave. (Public nuisance and disorder)
- 3. Cars parked along a very narrow section of road, often on both sides of the road and on the pavements.

This causes difficulties and dangers for through traffic (especially emergency vehicles and buses), resulting in excessive braking, acceleration and use of vehicle horns. (Public safety)

I find the existence of this bar with such extended late operating hours on any night of the week, completely at odds with this residential area.

Yours sincerely

Sent from Yahoo! Mail - a smarter inbox http://uk.mail.yahoo.com

From: Sent: paudus@tiscali.co.uk 15 December 2007 21:25

To:

Barrett Daliah

Cc:

Licensina

Subject:

Bar Apogee, Park Road N8 - request for hours to be extended to 4am

Dear Mr Barrett,

I am writing to object to the proposed late night extension of licencing hours for Bar Apogee, 115 Park Road N8.

I live close to Bar Apogee and feel that extension of hours as late as 4am will cause further unreasonable disturbance to myself and other residents.

Having lived here for over 10 years, I have noticed an increase in noise disturbance at night since Bar Apogee opened earlier this year, especially at weekends, in the form of shrieking and shouting from

revellers, car door slamming and reving of engines. I feel this has increased due to the type of young "club scene" clientelle the bar seeks to attract, as I have not noticed such pronounced nuisance from the premises when under previous management.

I have also observed cars cruising round the area after 12pm playing music loudly whilst apparently looking for space to park. To extend opening hours to 4am I feel will encourage similar behaviour from clientelle even later into the night.

The current appearance of the bar in the evenings I have to say I find somewhat intimidating, as at weekends I have often had to step past groups of people congregating outside Bar Apogee, presumably smokers,

but who have at times been rowdy and have clearly been drinking. The Bar does sometimes have bouncers on the door, and whilst this may indicate that the management are prepared to deal with troublesome clientelle, it also indicates that the Bar by the nature of its "nightclub" style is encouraging potentially troublesome clientelle into a residential area, who will only drink more if hours are further extended.

My impression is that there has been an increase over the past year of violent attacks in the area around Bar Apogee, and I have seen bloodstains on the pavement nearby on several occasions this year.

Park Road is a residential area, and a number of my close neighbours have children. I do not feel it is beneficial or fair to have them exposed to this kind of environment, nor to have our sleep disturbed further by noise into the night.

Finally, I would add that the increased pressure on car parking in the area at night can be hazardous. At some weekends after 11pm cars have been parked outside Bar Apogee and my house on both sides of the road (including stretch limousines on a number of occasions). This appears to be due to overspill from Bar Apogee's car park. This narrows the road further and means buses and wide vehicles have to brake (often noisily) to give way to oncoming traffic.

Regards Penni Audus 127 Park Road London N8 8JN

From:

Blanch Cameron-Smith [blanchcamsmith@blueyonder.co.uk]

Sent:

15 December 2007 14:21

To:

Barrett Daliah

Cc:

Licensing

Subject: Re. Extended Licensing Hours for Bar Apogee, Park Road

Blanch Cameron-Smith 127a Park Road, CROUCH END. London N8 8JN 020-8348-7200

13 December 2007

FAO Daliah Barrett,

Re. The proposed extension of opening hours for Bar Apogee on Park Road, London N8 from 2am to 4am

Dear Sir

It has come to my notice that the local Bar Apogee has applied for an extension to it's current opening hours, which would now take the time it currently serves alcohol to 4 am and I am no writing to you as a concerned adjacent resident to say that I must most strongly contest the granting of such an extension. I have lived in this property for nearly 22 years, love the area for the residential oasis that it is and would want to see the atmostphere of family life maintained as much as possible. This move would, I feel, run counter to that.

While I appreciate that London has an increasing population with it's additional recreational demands, it doesn't make sense to me to add to the stress levels of the people for whom this is home, and I do consider this a home for my 2 children and I. I have seen such an increase in disorderly behaviour in the immediate vicinity brought on by excessive alcohol consumption that I am starting to have concerns for my 20 year old daughter returning home late at night from visiting friends who live in other boroughs or even other houses here. She is imminently sensible about the route she takes and how she behaves, but there is no way she can avoid walking home without passing the bar. We have never before felt unsafe in this neighbouhood and want that not to become the norm; as I have said, it is still home to my family and all the residents who live along this road, so public safety will continue to become a growing concern with extended licensing hours, bringing into the area a lot of people who have no vested interest in the neighbourhood or the effects their behaviour may have on it.

I myself have been in the road outside at 3 am, sweeping up after a group of 2/4 men who had been loitering on the pavement and were very much 'under the influence' and decided it would be fun to take the revolving glass advertising stand from the bar/pub/garage (who knows!), smash it onto the road in a show of absurd bravado and then kick the glass around for a while for additional mirth. The noise of the traffic braking to swerve round the glass and the noise of other cars driving over it kept me up for an hour before I could no longer tolerate it, got dressed, took my broom and swept the debris off the road and into a bin before returning to try and get to sleep for what was left of the night. In the past we have had dreadful problems with late night swimmers in the Lido behind us, having just vacated the local pub as it was then and deciding that a late night swim was what was needed on a balmy summer night; the Pool authorities were very sympathetic and did their utmost to increase security and the nuisance swimmers did eventually stop. It would be awful to see that state of affairs return again, with a small sector of the community having further opportunity to cause more trouble simply because they are under the influence of alcohol and still in the area, rather than going home at an earlier hour and sleeping it off!

Early last year I witnessed a bicycle theft in the property opposite me, having already alerted the police

but being unable to leave my house as my son was asleep and I didn't want to run the risk of potential retaliation from the 2 men who were intent on stealing the bike in the garden across the road. It was obvious that they were both drunk and rather the worse for wear, but these recurring incidents just add to the worry of being an innner city resident. I appreciate that a lot of this kind of crime is opportunity related, but when you extend opening hours like this, there are more opportinities for visitors to add to the police figures of local theft and vandalism in this area and that cannot ever be a good thing.

In terms of public safety, the verbal/physical violence of some of the customers who have frequented both the bar on the Apogee site and the Princess Alexandra across the road is also on the increase and it is getting to be a very literal nightmare for those of us who live nearby, not being made any better for those with small children. My own car has been "keyed" and we've had car mirrors smashed, beer thrown over some vehicles and beer bottles/glasses left on the road or the adjoining walls from the night before. The noise of VERY lound music plus people shouting/swearing on the pavements outside is a regular 'early hours' occurrence. It wears you down with it's regularity and often makes working the next day appalingly hard when your degree of sleep has been so heavily compromised. The weekends are the only time most of us have to recover/regain our life/work balance and I am gong to admit that I have often gone to stay with friends rather than run the risk of continously disrupted sleep at night in my own home.

Add to this the problem of even more parking and traffic congestion as cars circle the area looking for somewhere to park off road and I just do NOT see how any real consideration of granting this licence application is feasible, let alone advisable.

I apologise if this seems like a diatribe of complaint, but I am appalled that such a licence is even being considered by the establishment in question, given that the owners know full well that it is a residential area, with families living all around it!! It just doesn't make sense to me and I would even like to see the current licence revoked to a time that is more appropriate for it's place in the vicinity.

Please do not hesitate to contact me with any queries at all regarding this email and I would very much appreciate a return email to say that you have received it. I understand that the deadline for it's receipt it Sunday, so I should be well within time for that.

Yours sincerely,

B Cameron-Smith

From:

```
14 December 2007 20:11
Sent:
                     Licensing
To:
                     RE: Extended late night licence for Barapogee, Park Road, Crouch End N8
Subject:
Hi Daliah,
Thanks for getting back to me. My address is as follows:
16 Kelland Close, Park Road, London N8 8JS.
Many thanks
Sarah
>----Original Message----
>From: Licensing.Licensing@haringey.gov.uk
>Date: 14/12/2007 9:18
>To: <sjwarland@tiscali.co.uk>
>Subj: RE: Extended late night licence for Barapogee, Park Road,
Crouch End N8
>Please can you add your address to make this representation valid
>Regards
>Daliah Barrett (Lead Officer - Licensing)
>Haringey Council - Licensing Authority
>Urban Environment
>Civic Centre
>High Road
>Wood Green
>London
>N22 8LE
>T
   0208 489 8232
>F 0208 489 5528
>E daliah.barrett@haringey.gov.uk
>----Original Message---
>From: sjwarland@tiscali.co.uk [mailto:sjwarland@tiscali.co.uk]
>Sent: 13 December 2007 21:59
>To: Licensing
>Subject: Extended late night licence for Barapogee, Park Road, Crouch
>End N8
>Importance: High
>Dear Sir / Madam,
>I am writing to you as I have just been informed by another local
>resident that a bar called Barapogee on Park Road have applied for
>extended late licence until the following times:
>Friday and Saturday till 4.00am and the rest of the week until 2.00
am.
>We live in Kelland Close and already have to endure the weekend loud
>music, screaming and shouting in the early hours of the morning from
>this bar and the Princess Alexandra on the corner of Palace Road. In
>the summer, because residents need to have their windows open the
noise
>is very loud and sometimes very unsettling.
>We also have to put up with some of the people frequenting these
>premises, parking on the main road, which is already severely
>restricted by parked vehicles, but also on the estate and blocking
```

sjwarland@tiscali.co.uk

```
the
>accesses and disturbing the peace.
>To consider letting this premises stay open for these hours and all
>through the week will be horrendous for local residents in the area.
>Why have we not been properly consulted on this proposal? I find it
>very difficult to understand why something that could potentially
>disturb so many people (this being a very residential area,) would
>require consultation.
>The council has a duty of care to all it's residents and should
>that our objections are registered and that this proposal is not
>allowed to go ahead.
>I understand that we have only until Sunday to register our
complaint,
>so please can you confirm that you have received this e-mail by 4.00
>tomorrow 14th December 2007 and that my objection has been properly
>logged.
>I hope to hear from you as soon as possible.
>Yours sincerely
>Sarah Warland
>Get an exclusive discount on Norton 360 from Tiscali
>http://www.tiscali.co.uk/products/securepc
>This email has been scanned by the MessageLabs Email Security System.
>For more information please visit http://www.messagelabs.com/email
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or system into which they are received and opened, it is the
responsibility of the recipient to ensure they are virus free and no
responsibility is accepted for any loss or damage from receipt or use
thereof. All communications sent to or from external third party
organisations may be subject to recording and/or monitoring in
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>

From: Lorna Landells [lorna.landells@blueyonder.co.uk]

Sent: 14 December 2007 17:39

To: Licensing

Cc: lynne@lynnefeatherstone.org; parkroadresidents@googlemail.com

Subject: Bar Apogee (or should it be Bar Apocalyptic?)

Dear Licensing Authority

We have just been told that Bar Apogee on Park Road has applied to extend its licence for opening to enable it to stay open until 4.00 am on certain nights. Whilst we really do wish the bar well and hope it succeeds, if you were to grant such a licence it would be an absolute nightmare for those of us who live nearby.

We have two small children (6 & 4 years old) and there is already enough rowdy behaviour at past midnight when anti-social revellers are wending their way home. To have a bar open until such a ridiculous time in the morning would only exacerbate this.

Please please do not grant this licence extension.

Lorna Landells Richard Landells Faye Landells Matthew Landells 170 Park Road