

**5. REPORT**

**Background**

**5.1** The application for the review has been made on the following grounds  
The operation of the premises has failed to uphold the Licensing Objectives of  
The Prevention of Public Nuisance

**5.2 Licensable activities authorised by the Licence**

**Supply of Alcohol**

Monday to Wednesday	1100 to 0000
Thursday	1100 to 0100
Friday & Saturday	1100 to 0200
Sunday	1200 to 0000
Good Friday	1200 to 2230
Christmas Day	1200 to 1500 and 1900 to 2230

For consumption **ON** and **OFF** the premises

**Regulated Entertainment**

Monday to Wednesday	1100 to 0000
Thursday	1100 to 0100
Friday & Saturday	1100 to 0200
Sunday	1200 to 0000

**Provision of Late Night Refreshment**

Sunday to Wednesday	2300 to 0030
Thursday	2300 to 0130
Friday & Saturday	2300 to 0230

**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 Wednesday	1100 to 0030
Thursday	1100 to 0130
Friday & Saturday	1100 to 0230
Sunday	1200 to 0030
Good Friday	1200 to 2250
Christmas Day	1200 to 1520 and 1900 to 2250

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

The designated premises supervisor is: **Logini Surenkumar**

- 5.3 Details of the Application for Review and Supporting Documentation.  
Appendix 1 - Comments of Mr L. Humphries and Dr. J. Sarre.  
Appendix 1 A- Copy of premises Licence**

**5.4 RELEVANT REPRESENTATIONS (CONSULTATION)**

**Responsible authorities:**

**Comments of Metropolitan Police**

- 5.5 Have made representation Appendix 2**

**5.6 Comments of Enforcement Services:**

Have made representation Appendix 3

**5.7 Comments of The London Fire and Emergency Planning Authority**

No representation made on this matter.

**5.8 Comments of Interested Parties**

Letter of representation have been received against this application. **See supporting documentation**

**6.0 POLICY CONSIDERATIONS**

- 6.1 The following provisions of the Licensing Act 2003 apply to this application:  
Section 51-53 (review of premises licenses)**

In determining the application the Licensing Sub Committee can take such steps as it considers necessary for the promotion of the licensing objectives, which are:

1. Take no further action
2. modify the conditions of the license
3. exclude a licensable activity from the scope of the license
4. remove the designated premises supervisor
5. suspend the license for a period not exceeding three months
6. revoke the license.

Where the Licensing Sub Committee takes steps mentioned in 3 or 4 it may provide that the modification or exclusion is to have effect permanently or for a period of time as it may specify. The Licensing Sub Committee is asked to give reasons for its decision.

The Licensing Sub Committee must make its decision within 5 working days of the end of the hearing. Any decision of the Licensing Sub Committee is stayed from coming into effect for 21 days from the date of the decision, pending any appeal that might be made and the determination of that appeal. Any party to the proceedings may appeal against the decision of the Licensing Sub Committee.

**LICENSING ACT 2003**

**Sec 24**

- 6.2** The following provisions of the Secretary of State's guidance apply to this application: Paras 11.1-11.30 these are attached at **Appendix 4**.
- 6.3** The following paragraphs of the licensing authority's Statement of Licensing Policy apply to this application; page 46 and 47 Crime and Disorder, these provisions are attached at **Appendix 5**.
- 6.4** The Licensing Sub Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence, and the protection of private and family life.

**APPENDIX 1 – REVIEW APPLICATION AND SUPPORTING DOCUMENTATION**



Haringey Council

**Application for the review of a premises  
licence or club premises certificate under  
the Licensing Act 2003**

HARINGEY COUNCIL  
LICENSING  
RECEIVED  
17 JUN 2015

Reference number:  
LBH/3357114

WK/323826

(1)

**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

(2) We MR L HUMPHRIES + DR J. SARNE

apply for the review of a [premises licence under section 51]

[club premises certificate under section 87] of the Licensing Act 2003 for the premises  
described in Part 1 below

**Part 1 - Premises or club premises details**

Postal address of premises or club premises, or if none, Ordnance Survey map reference or  
description

THE FOUNTAIN PUB,  
WEST GREEN ROAD

Post town

Postcode (if known) N15

Telephone number (if any)

Name of premises licence holder or club holding club premises certificate (if known)

?

Number of premises licence or club premises certificate (if known)

?

**Part 2 - Applicant details**

I am

1) an interested party (please complete section (A) or (B) below)

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

Please tick ✓ yes

Delete any words in square brackets which do not apply

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant(s)

Please tick ✓ yes

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

Surname

HUMPHRIES

First names

LEE

I am 18 years old or over

Please tick ✓ yes

Date of birth

Day	Month	Year

Current address

Post town LONDON

Postcode

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

DR. JANE JANE  
JANE ADDRESS

Post town

Postcode

Date of birth

Day	Month	Year

Telephone number (if any)

E-mail address  
(optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address HARINGEY COUNCIL	
Post town	Postcode
Telephone number (if any)	
E-mail address (optional)	

This application to review relates to the following licensing objective(s)

Please tick ✓ one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

THE PUB HAS A LATE LICENCE + PART OF THE CONDITION OF THE LATE LICENCE IS TO CLOSE ALL WINDOWS + DOORS AFTER 11PM.

AS THIS DOES NOT HAPPEN ALL THE LOCAL RESIDENTS ARE SUBJECTED TO NOISE NUISANCE EVERY WEEKEND.

**Please provide as much information as possible to support the application**  
**(please read guidance note 2)**



Have you made an application for review relating to these premises before?

Please tick ✓ yes

If yes, please state the date of that application

Day      Month      Year

21	05	2014
----	----	------

If you have made representations before relating to these premises, please state what they were and when you made them.

VIA YOUR WEBSITE

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 3 - Signatures** (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4)  
If signing on behalf of the applicant please state in what capacity.

Signature

*J. King*

Date

15/6/15

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you using an email address your e-mail address (optional)

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

**Subject:** Stage 1 Complaint LBH/3357114 Sarre

**From:** Shah Noshaba (Noshaba.Shah@haringey.gov.uk)

**To:**

**Cc:** Daliah.Barrett@haringey.gov.uk; Eubert.Malcolm@haringey.gov.uk;  
Stephen.Collingwood@haringey.gov.uk; Feedback@haringey.gov.uk;

**Date:** Thursday, 21 August 2014, 10:20

London

Dear

**Your complaint about late night license issued to the Fountain pub at 125 West Green Rd., our reference: LBH/3357114**

Thank you for giving us an opportunity to investigate your complaint.

The Fountain Pub has a license that allows the following licensable able activity and times for these activities:

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

Supply of Alcohol

Provision of Late Night Refreshment

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

Supply of Alcohol

Monday to Wednesday

1100 to 0000

Thursday	1100 to 0100
Friday & Saturday	1100 to 0200
Sunday	1200 to 0000
Good Friday	1200 to 2230
Christmas Day	1200 to 1500 and 1900 to 2230

**Regulated Entertainment**

Monday to Wednesday	1100 to 0000
Thursday	1100 to 0100
Friday & Saturday	1100 to 0200
Sunday	1200 to 0000

**Provision of Late Night Refreshment**

Sunday to Wednesday	2300 to 0030
Thursday	2300 to 0130
Friday & Saturday	2300 to 0230

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 Wednesday	1100 to 0030
Thursday	1100 to 0130
Friday & Saturday	1100 to 0230
Sunday	1200 to 0030
Good Friday	1200 to 2250
Christmas Day	1200 to 1520 and 1900 to 2250

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

The latest that alcohol can be served at the premises is until 2.00am on a Friday and a Saturday night. The premises then closes 30 minutes later.

There have been occasions that the premises had given notice of extending the hours of the license and under the law the venue is permitted to use 12 of these applications per year to a maximum of 21 days.

There are conditions on the license to limit any noise nuisance that may arise from the conduct of the premises, these are:

Doors and windows are securely shut at 23.00.

Beer Garden to be closed by 23.00 (no amplified music in this area).

You will note that the beer garden is to be cleared by 23.00, no regulated entertainment should be carried out in the beer garden.

You have raised a number of concerns relating to the operation of the premises and we will be discussing the concerns you have raised with the Licensee and also carry out monitoring visits to the premises.

As a resident you have the ability to apply for the review of the Premises License under any or all of the four licensing objectives, these are:

The prevention of crime and disorder

Prevention of Public Nuisance

Public safety

Protection of children from harm.

I have attached some guidance in relation to this above.

Your email has also been shared with the Metropolitan Police as you have made allegations of drugs use at the Premises.

We are aware that you have raised concerns with the Enforcement Response Team and we are able to confirm that there have been no direct calls relating to noise on while the premises has been in operation. There are complaints submitted by email relating to noise at the premises but these we are unable to take action against as the noise nuisance was no longer taking place. We would ask that you call the Enforcement Response Team when the noise is on the following number 0208489 1000 during the day/ 0208489 0000 after 5pm and at the weekends.

The premise has a current application out for consultation with regard to some additional structure being put in place at the rear of the premises which should act as a buffer against noise escape from the premises.

The Enforcement Response Team will carry out monitoring visits to the premises in the meantime a

warning letter will be sent to the Licensee notifying them of the concerns raised in your letter and reminding them of their obligations to uphold and promote the licensing objectives.

I have included an attachment which gives some advice on how to apply for a Review of a Premises license should you wish to discuss the action going forward.

I hope that I have resolved your concerns to your satisfaction.

If you are unhappy with my response, you can ask our Feedback and Information Governance Team to review your complaint. You should tell them what you remain dissatisfied about and what you want us to do to put things right. This normally has to be done within 12 months of this response. Their contact details are:

**Feedback and Information Governance Team**

7<sup>th</sup> Floor, River Park House

225 High Road

Wood Green

London N22 8HQ

Phone: 020 8489 1988

Email: [FIG@haringey.gov.uk](mailto:FIG@haringey.gov.uk)

Yours sincerely,

**Daliah Barrett**

**Licensing Team Leader**

Haringey Council

Licensing Team, Lee Valley Technopark, Ashley Road, London N17 9LN

T. 020 8489 8232

[Daliah.barrett@haringey.gov.uk](mailto:Daliah.barrett@haringey.gov.uk)

[www.haringey.gov.uk](http://www.haringey.gov.uk)

[twitter@haringeycouncil](https://twitter.com/haringeycouncil)

[facebook.com/haringeycouncil](https://facebook.com/haringeycouncil)

Please consider the environment before printing this email.

---

**From:** [REDACTED]  
**Sent:** 31 July 2014 10:29  
**To:** [REDACTED]  
**Subject:** Stage 1 Complaint LBH/3336214 Sarre

Dear,

**Your complaint about a late night license issued to the fountain pub at 125 West Green Rd.**

Thank you for your email received on 31 July 2014. Your complaint has been logged with the reference LBH/3336214.

We have asked an appropriate officer to arrange an investigation of your complaint and send a full reply to you by 21 August 2014.

Yours sincerely

**Caroline Penny**

**Service Officer**

Haringey Council

River Park House, 225 High Road, London N22 8HQ

' 020 8489 1000

\* [caroline.penny@haringey.gov.uk](mailto:caroline.penny@haringey.gov.uk)

[www.haringey.gov.uk](http://www.haringey.gov.uk)

[twitter@haringeycouncil](https://twitter.com/haringeycouncil)

[facebook.com/haringeycouncil](https://facebook.com/haringeycouncil)

-----Original Message-----

From: [noreply@haringey.gov.uk](mailto:noreply@haringey.gov.uk) [<mailto:noreply@haringey.gov.uk>]

Sent: 30 July 2014 12:28

To: Feedback

Subject: New Complaint (Reference No. HC-218856)

A new Complaint has been received on 30/07/2014, 12:28 . Please see details below.

Complaint Reference Number: HC-218856

#### DETAILS OF THE COMPLAINT

Feedback Area: Licensing

Service: Urban Environment

Type: Complaint

Feedback Details: I wish to make a representation regarding the late night license issued to the fountain pub at 125 West Green Rd.

1. The landlord/s do not act responsibly in the management of the activities they are licensed for. They frequently allow drinking long past 1.30am, sometimes until 5am. They don't have sufficient ventilation so doors and windows are propped open allowing the very loud noise of amplified music and drunken behaviour to travel. They allow drunken customers to use the pub garden to drink and smoke for the entire time the pub is open even though the garden is immediately adjacent to a considerable number of family homes. They are also allowing customers to drink in the garden whilst building works are carried out there, making it unsafe. They also allow drunken customers to congregate at the front of the building on the forecourt and pavement, causing a nuisance to passers-by, and allow drunken customers to interact with passing drivers etc causing obstructions to the traffic and potentially fatally unsafe situations. Furthermore, they allow the operation of noisy machinery including extractors late into the night, again creating a disturbance. They allow the



amplification of both recorded and live music at too high a volume for a residential neighbourhood. There is no evidence of them attempting to act as responsible neighbours. By doing so they clearly demonstrate their lack of skill and diligence in the management of a licensed premises and should not be allowed to continue to do so.

2. The pub is situated in a densely populated residential area which has changed in character. Where the block opposite on West Green Rd was previously light industrial and previously unoccupied at night, the site is now being re-developed as flats bringing even more residents into the area. This area is otherwise quiet in the evenings so the noise of the pub travels a considerable distance and creates a disturbance to substantial numbers of residents. There is also a mosque opposite making this an inappropriate site for high levels of drunken behaviour. Because of the character of the neighbourhood it is no longer an appropriate location for premises with late night licenses.

3. Furthermore, the lax management the pub creates an effect of anti-social public behaviour beyond the confines of the property. Because many of the clientèle are drawn to the longer licensing hours but unable to afford bar prices for extended periods the pub encourages people to buy alcohol from shops and consume it on the adjacent streets and estates before/during/after their pub visit. This results in groups of men congregating drinking, smoking and eating. They cause a nuisance to passers-by who may feel unsafe, they also leave cans, bottles, cigarette butts and food related rubbish on the streets and neighbouring properties as well as vomiting and urinating. This is unpleasant and unsightly, encourages pests and results in additional increased risks to passing adults and children at any time from infections, broken glass etc. The area is in Tottenham Green ward, already designated as a controlled zone for street drinking. In order to reduce alcohol related crime and disorder and public nuisance and to reduce threats to the safety of the public and children it is therefore imperative serious action is taken.

What would you like us to do: Provide a service to you Would you like us to do anything else: In this representation I therefore give evidence of the poor management of the pub by the current landlords and request that:

- I. they be struck off as individuals licensed to sell alcohol.
- II. the terms of the pub's property licence be altered to end the sale of alcohol after 23:00.
- III. the terms of the pub's property licence be altered to end the use of the pub garden after 21:00.
- the terms of the pub's property licence be altered to end the playing of amplified music until appropriate noise management strategies are put into place and properly operated.
- IV. the terms of the pub's property licence be altered to end the use of noisy machinery eg extractors etc after 21:00.
- V. any future applications for licences for this pub be carefully scrutinised and managed to reduce the overspill effect of anti-social behaviour and public nuisance in the surrounding area VI. the relevant authorities be instructed to more actively manage the Tottenham Green control zone to end street drinking and its attendant nuisances and threats to safety.

#### USER/REQUESTOR DETAILS

Title:

First Name:  
Middle Initial:  
Last Name: ( )  
Contact Method: E  
House Name:  
House Number:  
Street:  
Town: London  
Postcode: ( )  
Daytime Tel No: ( )  
Evening Tel No:  
Email:

Are you giving feedback on behalf of some else: N

#### EQUAL OPPORTUNITIES DETAILS

No information supplied

The information above will be available within the reporting tool.

This email and any files transmitted with it are confidential, may be subject to legal privilege and are intended only for the person(s) or organisation(s) to whom this email is addressed. Any unauthorised use, retention, distribution, copying or disclosure is strictly prohibited. If you have received this email in error, please notify the system administrator at Haringey Council immediately and delete this e-mail from your system. Although this e-mail and any attachments are believed to be free of any virus or other defect which might affect any computer 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 accordance with relevant legislation.

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

## **Anderson Chanel**

---

**From:** Barrett Dallah  
**Sent:** 08 July 2015 21:19  
**To:** Shah Noshaba; Anderson Chanel  
**Subject:** FW: The Fountain, 125 West Green Rd  
**Attachments:** Noise impact statement J Sarre.pdf; Noise statement shared.pdf

for review file

Daliah Barrett  
Licensing Team Leader  
Community Safety & Regulatory Services

Haringey Council  
6th Floor, 10 Station Road, London, N22 7TR

T. 020 8489 8232  
M. 07870 154 126  
dallah.barrett@haringey.gov.uk

[www.haringey.gov.uk](http://www.haringey.gov.uk)  
[twitter@haringeycouncil](https://twitter.com/haringeycouncil)  
[facebook.com/haringeycouncil](https://facebook.com/haringeycouncil)

Please consider the environment before printing this email.

---

**From:** [redacted]  
**Sent:** 08 July 2015 20:48  
**To:** Barrett Dallah; [redacted]  
**Subject:** Re: The Fountain, 125 West Green Rd

Dear Daliah,

Thanks for your emails requesting more details to inform your license review.

Please find attached one personal statement from myself, and one joint statement from [redacted] and 12 of our neighbours. I hope they will provide all the details you need and look forward to hearing the results of the review.

---

**From:** Barrett Dallah <[Daliah.Barrett@haringey.gov.uk](mailto:Daliah.Barrett@haringey.gov.uk)>  
**To:** [redacted]  
**Sent:** Wednesday, 24 June 2015, 15:54  
**Subject:** Re: The Fountain, 125 West Green Rd

Hi  
They need to make a written submission to me by post or email.

If you can do a statement saying how often and when you are affected by noise and the effect it has had on you your household?

Regards  
Daliah

Sent from a mobile device

On 24 Jun 2015 15:37:22, [redacted] wrote:  
Dear Dahlia

wrote:

Thank you for your email. We'd be happy to give you an additional statement - what sort of things would you like to know?

I do know that the other residents in our block also struggle with the noise, as we have discussed it with them and suggested they also submitted the form. However for many of them English is not their first language and I suspect many struggle with the ins and outs of council systems & forms etc. Is there a simple way for them to contribute to the process?

Best wishes

---

**From:** Barrett Dallah <[Dallah.Barrett@haringey.gov.uk](mailto:Dallah.Barrett@haringey.gov.uk)>  
**To:** ~~.....~~ >  
**Sent:** Wednesday, 24 June 2015, 14:32  
**Subject:** RE: The Fountain, 125 West Green Rd

Hello :

I have seen your review submission and I think it would be very helpful if you could submit an impact statement that will inform the Committee about the problems you are experiencing and how it affects you.

Also do you know if other residents are affected by the operation of the premises?

Happy to discuss.  
Regards

**Dallah Barrett**  
**Interim Regulatory Services Manager**  
**Community Safety & Regulatory Services**

**Haringey Council**  
**6th Floor, 10 Station Road, London, N22 7TR**

T. 020 8489 8232  
M. 07870 154 126  
[dallah.barrett@haringey.gov.uk](mailto:dallah.barrett@haringey.gov.uk)

[www.haringey.gov.uk](http://www.haringey.gov.uk)  
[twitter@haringeycouncil](https://twitter.com/haringeycouncil)  
[facebook.com/haringeycouncil](https://facebook.com/haringeycouncil)

Please consider the environment before printing this email.

---

**From:** .  
**Sent:** 20 September 2014 09:21  
**To:** Licensing  
**Subject:** The Fountain, 125 West Green Rd

Dear Sir/ Madam

Following my representation about the disturbances caused by The Fountain, and their ongoing infringements of their current license despite your warning, I wish to request a review of their license.

Please send me the necessary paperwork.

Yours sincerely

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email and any files transmitted with it are confidential, may be subject to legal privilege and are intended only for the person(s) or organisation(s) to whom this email is addressed. Any unauthorised use, retention, distribution, copying or disclosure is strictly prohibited. If you have received this email in error, please notify the system administrator at Haringey Council immediately and delete this e-mail from your system. Although this e-mail and any attachments are believed to be free of any virus or other defect which might affect any computer 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 accordance with relevant legislation.

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email and any files transmitted with it are confidential, may be subject to legal privilege and are intended only for the person(s) or organisation(s) to whom this email is addressed. Any unauthorised use, retention, distribution, copying or disclosure is strictly prohibited. If you have received this email in error, please notify the system administrator at Haringey Council immediately and delete this e-mail from your system. Although this e-mail and any attachments are believed to be free of any virus or other defect which might affect any computer 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 accordance with relevant legislation.

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

## Impact statement re: The Fountain, 125 West Green Rd

We are requesting a review of the late license currently granted to The Fountain after suffering over 2 years of frequent noise pollution from the premises and garden which face our bedroom and living room windows.

The pub is currently licensed until 2am on Thursdays, Fridays and Saturdays, and although the garden is only licensed to be open 11pm the landlords never close the garden at that time. We are therefore subjected to the noise of increasingly drunk and loud pub visitors talking, shouting and singing etc from whenever the pub opens right through til closing time. This means that every Thursday, Friday and Saturday we are forced to endure the noise until at least 2am. On occasion it has continued until after 5am. The pattern is repeated every week.

Until recently we were also subjected to very loud music during these times. The pub built a sun-room/lobby space outside the backdoor to contain the noise. However, both internal and external doors and many of the windows for this space are left open so we get bursts of music as people go in and out. During bad weather the pub-goers stand inside this room to smoke again with external doors and windows open so even when they are not in the garden itself the noise from their interactions is just as bad.

At the end of every night, about 3am over the weekend and about midnight the rest of the time they then empty the bottles into a recycling bin with a loud smash. So if one has managed to get to sleep despite the noise from pub-goers, the smashing glass ensures you are awakened again.

The noise is so loud that it is impossible to get to sleep if the windows are open, and some nights even with double glazed windows closed and ear plugs in they still keep me awake late into the night.

My experience of this ongoing and persistent noise has effected me in several ways.

- It means that I do not get enough sleep on those nights and am tired the following day, not simply from one night of insufficient sleep but from an ongoing pattern of externally caused sleep deprivation.
- I am a self employed ceramicist and my work is both physically demanding, and on Saturdays when I am selling to the public demands a high level of social energy. When I am tired it is difficult to fulfil either of these demands well, so the noise is having a direct and detrimental effect on my business.
- When I am tired I get irritable and withdrawn. This has an impact on the people I see on Thurs-Sat whether they are clients, customers, friends, neighbours, or my partner because I am grumpy and less able to engage well with them. This has a detrimental effect on my relationships with others.
- Because of the pattern of sleep deprivation over Thurs-Sat, I am forced to spend Sun-Weds trying to catch up the lost sleep. As a result on those days I am distracted and

still unavailable to the people around me. Because of my focus on sleep I am also less inclined to wish to socialise so I am seeing friends less and less.

- I know that the landlords must be aware of the terms of their license, yet they choose to deliberately flout it every night. Having reported them to the Council's noise service several times I also know they have been informed of their neighbours' unhappiness with the situation. Yet they still allow it to occur. From this I can only conclude that they have no regard for their license and no respect for the people living around them. This lack of consideration pains and upsets me. Their consistent transgression despite warnings makes me feel both angry and powerless giving rise to a level of desperation and ongoing stress.
- The history of this experience leaves me dreading and despairing of weekends and unable to relax fully even at times when the garden is relatively quiet because I know that at any times it could erupt into hugely noisy revelling or arguments or anything in between.

Before coming to live on Turner Ave I would never have realised the level of suffering that noise could cause and the impacts that it could have. Now I am painfully aware of the unbearable ways that being subjected to noise can detrimentally impact on both physical and mental health.

Having discussed the situation with several of our neighbours I am also aware that they and their families also suffer similar problems. Please see the shared statements for their names, addresses and signatures.

I therefore hope that you will take our request for the review seriously and give weight to the statements made in your deliberations. Given the increasingly residential nature of the area and the wider impacts the pub has on the area which contravene Council policy, outlined in my previous statement, you will agree that at the very least a late license is no longer appropriate for this venue. I hope you will also give serious consideration about whether the current landlords persistent negligence which suggests calls into question their ability to correctly operate licensed premises or indeed to hold a license at all.

## Statement from the residents at Turner Avenue who live behind The Fountain Pub on West Green Road

The noise we experience from the Fountain Pub is mostly made up of people talking loudly, laughing loudly, singing loudly and shouting from their beer garden. The pub's beer garden has now been extended to make it larger and now has a working fountain which is often left on constantly throughout the night.

The noise from the beer garden often goes on until 2am when the pub closes. Mostly the late evenings are on Friday and Saturday nights but can also occur on Thursday and Sunday evenings too.

The loud conversations and shouting prevents the residents who live around the pub's beer garden from living a peaceful life. The noise is exacerbated in the warmer months as it not only encourages more people to drink outside in the beer garden therefore we are prevented from leaving our windows open to allow cooler air into our flats which get hot due to the sun shining on them all afternoon.

We know the pub's late licence states that the pub must close their beer garden and any doors and windows shut tightly at 11pm but this has rarely happened. When on the odd occasion they have closed their beer garden earlier than 2am, their customers open all the large windows at the back of the pub in the new extension so the noise from the smokers room/extension is no different than if they were still in the beer garden.

Some of us leaseholders/tenants who go to work early and leave for work at 5am and some of us also work six days a week working on Saturdays which means we may only get 3 hours sleep at the weekends. The knock-on effect means we are constantly tired, irritable, lethargic and annoyed that we are made to suffer in this way for a minority of people's enjoyment. To watch the TV, a film or listen to the radio again our windows have to be kept shut as the sounds of loud conversation can drown out the volume.

Some of the adults and children in the flats are forced to wear earplugs if they wish to sleep but some people cannot wear earplugs thus have to wait until 2am until they can sleep.

1. Day Mr

Paul  
Gibbins

Ageliz

Jim  
~~John~~

~~John~~  
John



Dad  
10 year old

~~Jack~~  
6 year old

12 years

15 years 8

14 years

**Subject:** Your Complaint

**From:** noreply@haringey.gov.uk (noreply@haringey.gov.uk)

**To:** {

**Date:** Wednesday, 30 July 2014, 12:28

Thank you for your Complaint

Your Complaint has been sent to the Feedback and Information Governance Team for consideration. For further information please contact the Feedback and Information Governance Team by email [feedback@haringey.gov.uk](mailto:feedback@haringey.gov.uk) or by telephone on 020-8489 2550, quoting the Feedback Acknowledgement Ref. below.

Complaint Reference Number: HC-218856

#### DETAILS OF YOUR COMPLAINT

Feedback Area: Licensing

Service: Urban Environment

Type: Complaint

Feedback Details: I wish to make a representation regarding the late night license issued to the fountain pub at 125 West Green Rd.

1. The landlord/s do not act responsibly in the management of the activities they are licensed for. They frequently allow drinking long past 1.30am, sometimes until 5am. They don't have sufficient ventilation so doors and windows are propped open allowing the very loud noise of amplified music and drunken behaviour to travel. They allow drunken customers to use the pub garden to drink and smoke for the entire time the pub is open even though the garden is immediately adjacent to a considerable number of family homes. They are also allowing customers to drink in the garden whilst building works are carried out there, making it unsafe. They also allow drunken customers to congregate at the front of the building on the forecourt and pavement, causing a nuisance to passers-by, and allow drunken customers to interact with passing drivers etc causing obstructions to the traffic and potentially fatally unsafe situations. Furthermore, they allow the operation of noisy machinery including extractors late into the night, again creating a disturbance. They allow the amplification of both recorded and live music at too high a volume for a residential neighbourhood. There is no evidence of them attempting to act as responsible neighbours. By doing so they clearly demonstrate their lack of skill and diligence in the management of a licensed premises and should not be allowed to continue to do so.
2. The pub is situated in a densely populated residential area which has changed in character. Where the block opposite on West Green Rd was previously light industrial and previously unoccupied at night, the site is now being re-developed as flats bringing even more residents into the area. This area is otherwise quiet in the evenings so the noise of the pub travels a considerable distance and creates a disturbance to substantial numbers of residents. There is also a mosque opposite making this an inappropriate site for high levels of drunken behaviour. Because of the character of the neighbourhood it is no longer an appropriate location for premises with late night licenses.

3. Furthermore, the lax management the pub creates an effect of anti-social public behaviour beyond the confines of the property. Because many of the clientèle are drawn to the longer licensing hours but unable to afford bar prices for extended periods the pub encourages people to buy alcohol from shops and consume it on the adjacent streets and estates before/during/after their pub visit. This results in groups of men congregating drinking, smoking and eating. They cause a nuisance to passers-by who may feel unsafe, they also leave cans, bottles, cigarette butts and food related rubbish on the streets and neighbouring properties as well as vomiting and urinating. This is unpleasant and unsightly, encourages pests and results in additional increased risks to passing adults and children at any time from infections, broken glass etc. The area is in Tottenham Green ward, already designated as a controlled zone for street drinking. In order to reduce alcohol related crime and disorder and public nuisance and to reduce threats to the safety of the public and children it is therefore imperative serious action is taken.

What would you like us to do: Provide a service to you

Would you like us to do anything else: In this representation I therefore give evidence of the poor management of the pub by the current landlords and request that:

- I. they be struck off as individuals licensed to sell alcohol.
- II. the terms of the pub's property licence be altered to end the sale of alcohol after 23:00.
- III. the terms of the pub's property licence be altered to end the use of the pub garden after 21:00.
- the terms of the pub's property licence be altered to end the playing of amplified music until appropriate noise management strategies are put into place and properly operated.
- IV. the terms of the pub's property licence be altered to end the use of noisy machinery eg extractors etc after 21:00.
- V. any future applications for licences for this pub be carefully scrutinised and managed to reduce the overspill effect of anti-social behaviour and public nuisance in the surrounding area
- VI. the relevant authorities be instructed to more actively manage the Tottenham Green control zone to end street drinking and its attendant nuisances and threats to safety.

#### YOUR DETAILS

Title:   
First Name:   
Middle Initial:   
Last Name:   
Contact Method:   
House Name:   
House Number:   
Street:   
Town: London  
Postcode:   
Daytime Tel No:   
Evening Tel No:   
Email:

Are you giving feedback on behalf of some else: N

**EQUAL OPPORTUNITIES DETAILS**

No information supplied

The [noreply@haringey.gov.uk](mailto:noreply@haringey.gov.uk) mailbox is not monitored. Please do not reply to this e-mail. If you wish to contact the Council regarding this form application, please use the contact details provided elsewhere in this e-mail, or visit <http://www.haringey.gov.uk/contact> for more contact information.

This email and any files transmitted with it are confidential, may be subject to legal privilege and are intended only for the person(s) or organisation(s) to whom this email is addressed. Any unauthorised use, retention, distribution, copying or disclosure is strictly prohibited. If you have received this email in error, please notify the system administrator at Haringey Council immediately and delete this e-mail from your system. Although this e-mail and any attachments are believed to be free of any virus or other defect which might affect any computer 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 accordance with relevant legislation.

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

**APPENDIX 1A – COPY OF PREMISES LICENCE**

## PREMISES LICENCE

Receipt: AG763316

Premises Licence Number: LN/00001132  
LN/000003333

*This Premises Licence has been issued by:*

**The Licensing Authority, London Borough of Haringey,  
6<sup>th</sup> Floor Alexandra House, 10 Station Road,  
Wood Green, London, N22 7TR**

Signature:.....

Date: 24<sup>th</sup> November 2005  
Minor VAR: 28<sup>th</sup> August 2014

### Part 1 – PREMISES DETAILS

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

**THE FOUNTAIN  
125-127 WEST GREEN ROAD  
LONDON  
N15 5DE**

Telephone: 020 8802 0433

**Where the Licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the Licence:**

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

**Supply of Alcohol**

**Provision of Late Night Refreshment**

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

**Supply of Alcohol**

<b>Monday to Wednesday</b>	<b>1100 to 0000</b>
<b>Thursday</b>	<b>1100 to 0100</b>
<b>Friday &amp; Saturday</b>	<b>1100 to 0200</b>
<b>Sunday</b>	<b>1200 to 0000</b>
<b>Good Friday</b>	<b>1200 to 2230</b>
<b>Christmas Day</b>	<b>1200 to 1500 and 1900 to 2230</b>

LICENSING ACT 2003  
Sec 24

**Regulated Entertainment**

<b>Monday to Wednesday</b>	<b>1100 to 0000</b>
<b>Thursday</b>	<b>1100 to 0100</b>
<b>Friday &amp; Saturday</b>	<b>1100 to 0200</b>
<b>Sunday</b>	<b>1200 to 0000</b>

**Provision of Late Night Refreshment**

<b>Sunday to Wednesday</b>	<b>2300 to 0030</b>
<b>Thursday</b>	<b>2300 to 0130</b>
<b>Friday &amp; Saturday</b>	<b>2300 to 0230</b>

**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:**

<b>Monday to Wednesday</b>	<b>1100 to 0030</b>
<b>Thursday</b>	<b>1100 to 0130</b>
<b>Friday &amp; Saturday</b>	<b>1100 to 0230</b>
<b>Sunday</b>	<b>1200 to 0030</b>
<b>Good Friday</b>	<b>1200 to 2250</b>
<b>Christmas Day</b>	<b>1200 to 1520 and 1900 to 2250</b>

**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.

**Part 2**

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

Amu Pubs Ltd  
77 Herent Drive  
Ilford  
IG5 0HF

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

3134026

LICENSING ACT 2003

Sec 24

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

Logini Surenkumar  
77 Herent Drive  
Ilford  
IG5 0HF

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

Licence Number: P00469  
Issued by: London Borough of Redbridge  
Expires: 24<sup>th</sup> August 2015



## **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.

### **Additional Mandatory Conditions in relation to Supply of Alcohol**

- 1.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink

## **Annex 1 –Mandatory Conditions**

without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the Operating Schedule**

This licence has been granted upon the conversion, under Schedule 8 to the Licensing Act 2003, of the existing justices' license and such rights and restrictions that applied thereto are hereby incorporated into this license, subject to any terms herein to the contrary and / or any limitation or restriction imposed by the Licensing Act 2003 or any subsequent amendment thereto.

### **THE PREVENTION OF CRIME AND DISORDER**

A minimum of 2 door supervisors shall be employed on Friday and Saturday nights and when regulated entertainment is provided to control entry.

At least 1 female door supervisor(s) shall be engaged at the premises at such times as door supervisors are required to be provided

The premises shall install and maintain a comprehensive digital CCTV system.

All areas of the licensed premises, including all public entry and exit points and street environment, will be covered enabling facial identification of every person entering in any light condition.

The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping.

A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public.

This staff member shall be able to show the police or the Licensing Authority recordings of the proceeding two days immediately when requested.

There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 hours by a disc jockey/s one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The Log will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of customers
- (c) any incidents of disorder (disturbances caused either by one person or a group of people)
- (d) seizures of drugs or offensive weapons
- (e) any faults in the CCTV system or searching equipment and scanning equipment
- (f) any refusal of the sale of alcohol during hours the premises is licensed to sell it

All doors and windows shall remain closed at all times after 20:00 hours during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.

Loud speakers shall not be located in the entrance lobby, or outside the premises or in any external areas of the premises.

All door staff to be SIA registered.

Drunkenness, anti-social behaviour and the possession of drugs is not tolerated.

Signs displayed politely requesting customers to leave premises quietly.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **PUBLIC SAFETY**

The total number of persons accommodated within the Ground Floor Lounge Bar at any one time shall not exceed **200**.

Entertainment shall not be provided within the bar

We have annual inspection and certification for our electrical installations (Public Entertainment License) regulations.

We have an annual inspection of our fire fighting equipment.

We have annual inspection and certification for our emergency lighting installation.

Staff (including door staff) are trained in first aid procedures.

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

### **THE PREVENTION OF PUBLIC NUISANCE**

Phone number is left with local residents for them to contact us should any problems arise.

Doors and windows are securely shut at 23.00.

Beer Garden to be closed by 23.00 (no amplified music in this area)

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. It will be a responsibility of the Premises Licence holder to request assistance, in writing and to ensure that the limiter is working effectively.

No music to be heard at the boundary of the nearest residential premises.

Staff to monitor the outside areas to ensure that patrons are not causing a public nuisance

All doors and windows to remain closed whilst there is regulated entertainment.

Members of staff to monitor doors to ensure that they are not open for any length of time

Speakers to be mounted onto anti vibration matt's

At closing time staff to ensure that patrons leave in a quiet and courteous manner.

### **THE PROTECTION OF CHILDREN**

Children only admitted with a supervising adult—to the garden or toilets only.

No children admitted after 19.00.

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

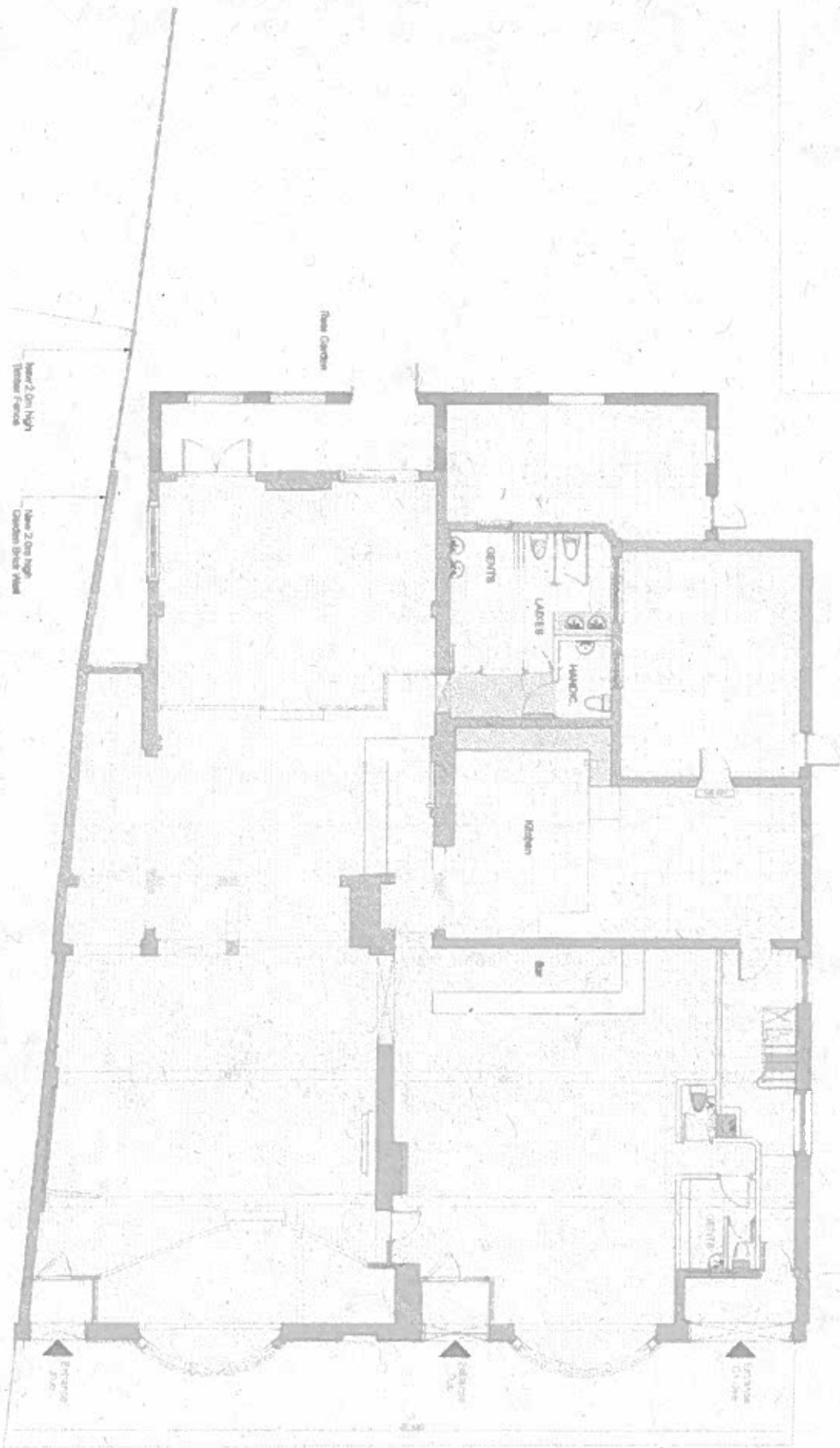
- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

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

Not applicable

# Annex 4 - Plans

Architectural  
 Scale  
 1:50  
 1:100  
 1:200  
 1:500  
 1:1000



120

PROJECT: The Pavilion, PA  
 CLIENT: The Pavilion Trust  
 DATE: 2014

SCALE: 1:50  
 DRAWN BY: J. J. J.  
 CHECKED BY: J. J. J.  
 DATE: 2014

117 to 123

GROUND FLOOR PLAN

**APPENDIX 2 – METROPOLITAN POLICE REPRESENTATION**



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

**TERRITORIAL POLICING**

**YR - Haringey Borough**

Quicksilver Patrol Base  
Unit 1 Quicksilver Place  
Western Road  
London  
N22 6UH

Telephone: 020 32760150

Email: [Mark.Greaves@met.police.uk](mailto:Mark.Greaves@met.police.uk)  
[www.met.police.uk](http://www.met.police.uk)

14th July 2015

Dear Ms Barrett

**Premises Licence Review: The Fountain Pub, 125-127 West Green Road,  
London, N15 5DE**

As Haringey Police Licensing Officer I have been familiar with this venue and the owner / DPS Mr Logini Surenkumar ( Siva ) for over 2 years.

After visits to the venue and speaking to Siva by phone I have mentioned he needs to be at the venue as owner and DPS late on Friday and Saturday nights when problems are most likely to occur. I met him at River Park House on Tuesday 14th July 2015 to discuss this Review and asked him what time he left the venue on Friday and Saturday nights. He told me he left between 2230 and 2300 hours and agreed he should and would be there until closing on these days as violent crime and noise complaints will be late evening onwards. He told me he would change the DPS to his present manager when she passed her Personal Licence and she would be at the venue until closure although she cannot do this every night obviously. With regards noise problems Siva insisted his staff were fully briefed about not opening windows or allowing the beer garden to stay open after 2300 hours as per Premises Licence but I pointed out he was not there to actually see his orders were carried out and could not be sure they actually were.

I pointed out a Condition on the Premises Licence under 'The Prevention of Public Nuisance' stating 'Phone number is left with local residents for them to contact us should any problems arise.' Siva told me his phone number was behind the bar. I pointed out this did not satisfy the wording in the Condition and that local resident suffering noise pollution from the venue at 0130 hours are unlikely to attend venue and ask to look at a phone number behind the bar.

The surrounding area to this venue has changed in the last few years with residential flats being built and thus increasing the amount of persons potentially affected by noise from the venue.

He informed me he has 3 SIA officers working from 2200 hours on Friday and Saturdays. This meant he had one in the rear smoking area leaving 2 to control the inside and the entrance. On hearing this he stated he sometimes has 4 on a Saturday. He pointed out that he now charges £5 entrance fee on Saturdays nights to ensure a better class clientele. He informed me a DJ played from 2230 until 0145. The regular 2200 hours arrival time of SIA security officers means regular clients, including possible persons security would not wish to



admit, know they can attend prior to 2200 and not be searched and I assume charged to gain entry and only have 30 minutes to wait for regulated entertainment to begin.

I have listed below offences reported at the venue over the previous 12 months that relate to crime and disorder. I note they occur after midnight on Friday and Saturdays when the venue closes at 0230.

**2815616/14: Assault:** On Sunday 13th July 2014 at 0100 victim exits venue to smoke at front. Inside venue a male approaches suspect and speaks with him. Suspect breaks the leg off a chair and walks to exit. As victim enters venue suspect hits him over the head with the chair leg causing a 1" laceration to side of head. Ambulance attends. Victim does not know suspect or why he was assaulted.

**2817320/14: Affray:** Sunday 3rd August 2014 at 0100. This is a confusing story. Polish victim left venue to mend the battery on his car outside which involved revving the engine. A Romanian male came out of venue to complain about the noise and was told to go away. SIA Door Supervisor sees a group of males run out of venue and follows them to see a fight across the road with victim being hit across the head with a plank of wood. Victim claims Romanians attacked him for no reason.

**2827159/14: Assault:** This relates to the Affray above. When Police arrived and tried to stop above fighting suspect kicked the officer causing reddening and pain.

**2823481/14: GBH:** On Saturday 18th October 2014 at 0004 suspect saw victim inside venue. Victim had been accused of sexually assaulting suspect's sister 2 years previously. Suspect approached victim and admits being abusive and grabbing hold of victim. Victim retaliates by hitting suspect twice across the head with a pint glass he had in his hand. Suspect punches and kicks victim in retaliation.

**2827338/14: Possession of Cannabis:** On Saturday 29th November 2014 at 2340 Police enter venue to conduct a routine licensing visit. An SIA Door Supervisor informs them that as they entered he saw suspect drop a bag of cannabis on the floor. Suspected admitted the drugs were his for personal use.

**2827341/14: Possession Other:** At same time as above whilst officers are dealing with suspect an SIA Door Supervisor informs them he has just searched a male trying to enter venue and found a packet of white powder. Suspect told Police the bag contained either ketamine or amphetamine, suspect drunk / drugged and spoke limited English so he was difficult to understand.

**2806169/15: Racially Aggravated Harassment:** On Wednesday 18th March 2015 at 0001 Police were at venue dealing with an allegation that on investigation they believed false. Suspect, a friend of person making allegation, appeared drunk and was abusive to Police particularly targeting a Greek officer due to his surname on his uniform. Suspect arrested for drunk and disorderly and taken outside venue. Whilst outside venue awaiting transport suspect made a number of racist remarks to officer.

**CAD 1080:** On 1st January 2015 at 0130 Police received a call from someone at venue saying there was a fight. On arrival Police found two groups of males and females shouting at each other but no fighting.

It appears from noise complaints and crimes that this venue is most vulnerable between 2400 and closure on Friday and Saturdays which is when the owner / DPS is mostly not

present to ensure that his orders and the Conditions on the Premises Licence are fully adhered to and to intervene when security staff require management support in dealing with clients. His lack of communication with local residents, including a regular complainant regarding noise has resulted in these matters continuing for some years and finally resulting in a Review. The building of residential flats in the immediate vicinity of venue has increased the need for strict noise control at venue as stipulated in the Premises Licence.

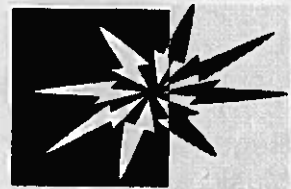
Should the venue continue to operate under its present licensed hours it needs strict control by a D.P.S or manager who ensures Conditions are abided by and can be contacted by residents should there be noise pollution which means someone present at the venue until closure, particularly on Friday and Saturday nights. If this cannot be achieved I suggest the licensed hours of the venue are reduced.

Yours sincerely,

Mark Greaves

Licensing Officer Haringey Police

**APPENDIX 3 – ENVIROMENTAL HEALTH- ENFORCEMENT RESPONSE  
REPRESENTATION**



**Haringey Council**

**Licensing Consultation**

**To: Licensing Officer  
From: Enforcement Response Officer (Noise)**

**Name of Officer preparing representation:  
Derek Pearce: Team Leader Enforcement Response**

**Our Reference: WK323826**

**Date: 10<sup>th</sup> July 2015**

**Premises: The Fountain Public House, 125-127 West Green Road, N15 5DE**

**Type of application: Review**

---

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 Review Application

**Supporting Information**

I have examined our database of complaints etc for the following brief summary of recent activity

- 15/7/13 advisory letter sent re: complaints of loud music
- 30/9/13 advisory letter sent re: complaints of noise from beer garden
- 29/10/13 advisory letter sent re: complaints of loud music and noise from beer garden
- 8/11/13 letter sent re: possible review
- 25/11/13 response from Licensee re: proposed changes they would make
- 8/8/14 proactive visit made re: noise at rear
- 24/8/14 complaint received re: noise at rear
- 19/9/14 Noise and licensing warning re: loud music etc
- 3/10/14 Visit re: works undertaken to provide a noise lobby.
- 21/2/15 proactive visit re: alleged use of beer garden beyond permitted hours. Licensee responds that use of beer garden not permitted after 11pm but this does not apply to the smoking area.
- 3/4/15 visit made and letter sent re: use of fire exit.

Licensable activities authorised by the current Licence:

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

Supply of Alcohol

Provision of Late Night Refreshment

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

Supply of Alcohol

Monday to Wednesday 1100 to 0000

Thursday 1100 to 0100

Friday & Saturday 1100 to 0200

Sunday 1200 to 0000

Good Friday 1200 to 2230

Christmas Day 1200 to 1500 and 1900 to 2230

Regulated Entertainment

Monday to Wednesday 1100 to 0000

Thursday 1100 to 0100

Friday & Saturday 1100 to 0200

Sunday 1200 to 0000

Provision of Late Night Refreshment

Sunday to Wednesday 2300 to 0030

Thursday 2300 to 0130

Friday & Saturday 2300 to 0230

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

**Current conditions under THE PREVENTION OF PUBLIC NUISANCE**

Phone number is left with local residents for them to contact us should any problems arise.

Doors and windows are securely shut at 23.00.

Beer Garden to be closed by 23.00 (no amplified music in this area)

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. It will be a responsibility of the Premises Licence holder to request assistance, in writing and to ensure that the limiter is working effectively.

No music to be heard at the boundary of the nearest residential premises.

Staff to monitor the outside areas to ensure that patrons are not causing a public nuisance

All doors and windows to remain closed whilst there is regulated entertainment.

Members of staff to monitor doors to ensure that they are not open for any length of time

Speakers to be mounted onto anti vibration matt's

At closing time staff to ensure that patrons leave in a quiet and courteous manner.

The licensing sub-committee having heard all evidence may wish to make changes to the operating hours e.g.

That the premises closes no later than midnight

That regulated entertainment ceases at midnight.

Reason: to avoid late night disturbance to residents caused by patrons leaving the premises.

This representation recommends alterations/conditions to the operating schedule:

#### Proposed conditions under THE PREVENTION OF PUBLIC NUISANCE

##### Dealing with complaints

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken.

This record must be made available at all times for inspection by council officers

Regular liaison meetings will be held where specifically requested by residents to enable neighbours to raise concerns about any aspect of the licensed activities. Meetings to be held monthly where residents wish to meet with the Premises Licence holder or their representative.

A phone number to be made available to local residents for them to make contact should any problems arise.

Doors and windows are securely shut at 23.00.

External areas to be closed by 23.00 (no amplified music in this area)

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

Staff to monitor the outside areas to ensure that patrons are not causing a public nuisance.

All doors and windows to remain closed whilst there is regulated entertainment.

Members of staff to monitor doors to ensure that they are not open for any length of time

Floor mounted speakers to be mounted onto anti vibration mats and all wall mounted speakers to be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties

At closing time staff to ensure that patrons leave in a quiet and courteous manner.

**APPENDIX 4 -- SECRETARY OF STATE'S GUIDANCE**

## 11. Reviews

### The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.5 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.



- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written representation. The licensing authority may also agree in advance that the representation need not be given in writing.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

### **Repetitious grounds of review**

- 11.12 A repetitious ground is one that is identical or substantially similar to.
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
  - representations considered by the licensing authority when the premises licence or certificate was granted; or
  - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website ([www.legislation.gov.uk](http://www.legislation.gov.uk)). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

### **Powers of a licensing authority on the determination of a review**

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
  - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;

- suspend the licence for a period not exceeding three months;
  - revoke the licence.
- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

### **Reviews arising in connection with crime**

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
  - for the sale and distribution of illegal firearms;
  - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
  - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
  - for prostitution or the sale of unlawful pornography;
  - by organised groups of paedophiles to groom children;
  - as the base for the organisation of criminal activity, particularly by gangs;
  - for the organisation of racist activity or the promotion of racist attacks;
  - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
  - for unlawful gambling; and
  - for the sale of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

### **Review of a premises licence following closure order**

- 11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:
- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;

- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- day (there must be five clear working days between the giving of the notice and the start of the hearing).

### **Review of a premises licence following persistent sales of alcohol to children**

**11.30** Where persistent sales of alcohol to children have occurred at premises, responsible authorities should consider applying for a review of the licence, whether there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this outcome is appropriate. Responsible authorities should consider taking steps to ensure that a review of the licence is routine in these circumstances.

**APPENDIX 5 – THE PREVENTION OF CRIME AND DISORDER POLICY STATEMENT**

## Operating Schedule

The operating schedule is part of the application for a premises licence and should contain information so that others can assess whether the steps a business intends to take will satisfy the licensing objectives. As such it is asking the applicant how their business will be run. This is an 'assessment of the risks' by the applicant and what control measures or actions are proposed to stop this risk. This must be specific to the premises and activities detailed in the application and not general in nature.

The operating schedule must include and consider:

- what activities are planned at the premises;
- the times during which the applicant proposes that the activities are to take place;
- any other times during which the applicant proposes that the premises are to be open to the public;
- where the applicant wishes the licence to have effect for a limited period, that period must be detailed;
- details of the Designated Premises Supervisor and a copy of the personal licence;
- if the activities include sale of alcohol, whether such sales are proposed to be for the consumption on the premises or off the premises, or both;
- the steps which the applicant proposes to take to promote each of the licensing objectives - See guidance below

(further items may be required from time to time if the Government so directs)

## The Licensing Objectives

Operating Schedules must clearly satisfy the four licensing objectives. This is considered in more detail below with each of the objectives in turn.

### 1. The prevention of crime and disorder

Licensees have the responsibility to take steps to prevent crime and disorder. The Council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Such considerations should not only look at issues within the premises, but also matters related to the vicinity of the premises. Listed below are provisions that may be used if applicable.

The record of compliance with respect to the items contained in this section will be considered by the Licensing Sub Committee.

Applicants are expected to demonstrate how these will assist in their premises:

- Registered door supervisors - How they will be used in the premises, what they will be asked to do and what they are seeking to achieve. (NB Door Supervisors must be licensed by the Security Industry Authority);
- Use of CCTV - How CCTV will be used and monitored to help prevent crime and disorder;
- The use of responsible drinking promotions - what will and will not be used by the premises to promote custom;
- Stopping the sale of alcohol to those under 18 years of age- how will the business achieve this. (Of equal concern for both on licences and off licences)
- Promoting of safer drinking (including the use of drink when driving) - what will the business specifically do, policy, practices, how may they assist customers to achieve this;
- Have effective protocols in place to deal with intoxicated patrons and/or persons under the influence of illegal drugs and the supply of illegal drugs. The issue of spiking drinks should also be considered. (This may include for example, co-ordination and participation in a local pubwatch scheme);
- Adequate search facilities - how this will operate;
- Methods to discourage drinking of alcohol (supplied for consumption on the premises) in a public place in the vicinity of the premises;
- Procedures to deal with violence and/or anti-social behaviour including any crime which discriminates against any sectors of the community;
- X • Methods to discourage the handling and distribution of stolen, counterfeit or other illegal goods;
- Addressing prostitution or indecency at the premises;
- Ensuring adequate training given to staff in crime prevention measures
- Procedures for risk assessing promotions and events where the event is likely to attract customers that may heighten the possibility of violence and/or disorder and include plans to minimise such risks
- Utilising good practices outlined in the British Beer & Pub Association publication- Drugs and Pubs: A Guide for Licensees.

## 2 Public safety

Licensees have the responsibility to take steps towards protecting public safety. The council will expect applicants to consider various steps and provisions in their Operating Schedule to help in achieving this objective. Listed below are provisions that may be used if applicable. Applicants are expected to demonstrate how these will assist in their premises: