

The application seeks the following:

Details of the application are as follows:

Late Night Refreshment
Monday to Sunday 2300 to 0130

Supply of Alcohol
Monday to Sunday 1100 to 0130

Supply of alcohol ON and OFF the premises

Hours open to the public
Monday to Sunday 0800 to 0200

To vary the layout of the premises in accordance with the plans submitted by the applicant to incorporate an additional shop unit to expand the restaurant space.

To add OFF sales to the operation of the premises.

- 1.2 The application form and plan is attached as Appendix A.
Appendix A1- Copy of current premises licence
- 1.3 Consultation has been carried out in accordance with the Licensing Act 2003. The application has been advertised in the form of a premises notice and a newspaper advertisement and the relevant responsible authorities have been consulted with.
Letters of representation have been received from interested 'Other' parties. The representations refer to:
Noise from customers using the outside areas of the premises
Noise from patrons leaving the premises
The representations are attached as Appendix B.
- 1.4 Representations have been received from Environmental Health regarding potential noise from customers arriving and leaving the premises and customers utilising the outside area. The representation is attached as Appendix C.
Representation have been received from the Licensing Authority also see Appendix D.

2 Recommendations

In considering the representations received and what is appropriate for the promotion of the licensing objectives, the steps the Sub-Committee can take are:

- Grant the application as requested
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates
- Reject the whole or part of the application

- 2.1 Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must be appropriate in order to promote the licensing objectives.

3. Background

- 3.1 The premises has applied for a provisional statement to increase the floor space of the

restaurant. The application also seeks the ability to do OFF sales as well as ON sales and to increase hours for licensable activity.

The premises has operated with a premises licence since August 2015 under the same licence holder.

3.2 During the consultation period representations were received from Enforcement Response, the Licensing Service, and other parties.

3.3 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious. There was a representation from nine residents. The residents representations also highlight the fact that the premises does not have the correct planning permission at this time.

4. Policy Implications

4.1 The decision should be made with regard to the Secretary of the State's guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the Policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal / challenge is increased.

4.2 Equalities impact

At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

5. Other considerations

5.1 Human Rights

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- o Article 8 – Right to respect for private and family life.
- o Article 1 of the First Protocol – Protection of Property
- o Article 6(1) – Right to a fair hearing.
- o Article 10 – Freedom of Expression

6 Use of Appendices

Appendix A- Application form

Appendix A1- Current premises licence

Appendix B – Copy of Representations from residents

Appendix C- Enforcement Response representation

Appendix D- Licensing Authority Representation

Background papers: Section 82 Guidance
Haringey Statement of Licensing policy

Appendix A- Application Form



* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="La Lunna"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

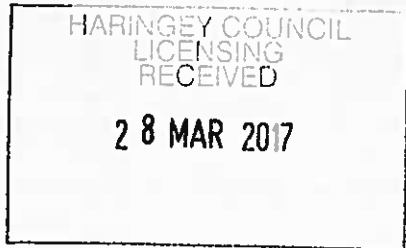
Are you an agent acting on behalf of the applicant?

Yes
 No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	<input type="text" value="Mr Ayhan"/>
* Family name	<input type="text" value="Turan"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>



Include country code.

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	53
Street	Stoke Newington High Street
District	
City or town	London
County or administrative area	
Postcode	N16 8EL
Country	United Kingdom

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PREMISES DETAILS

I/we, as named in section 1, apply for a provisional statement under section 29 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal address of premises.

Building number or name	462-464
Street	Muswell Hill Broadway
District	Hornsey
City or town	London
County or administrative area	
Postcode	N10 1BS
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	57,500

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

What is your nature of interest in the premises?

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SCHEDULE OF WORK

Is the premises:

- About to be constructed
- Being extended or altered

Give details of the work and attach plans of the work being done or about to be done at the premises

The Premises Licence holder at 462 Muswell Hill Broadway secured tenancy at 464 Muswell Hill Broadway. He will be expanding his operation as shown on proposed plans.

Continued from previous page...

Give particulars of the premises to which the application relates. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing section 16 and your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Please refer to the plans enclosed.

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PROVISION OF PLAYS

Will you be providing plays?

Yes No

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PROVISION OF FILMS

Will you be providing films?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING SIMILAR TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

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PROVISION OF LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

Give further details here

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

N/A

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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SUPPLY OF ALCOHOL

Will you be supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start 09:00

End 00:00

Start

End

TUESDAY

Start 09:00

End 00:00

Start

End

WEDNESDAY

Start 09:00

End 00:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If you wish people to be able to consume alcohol on the premises, tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, tick 'off the premises'. If you wish people to be able to do both, tick 'both'

State any seasonal variations for the supply of alcohol

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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ADULT ENTERTAINMENT

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, gambling machines etc.

N/A

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 09:00

End 00:30

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 09:00

End 00:30

Start

End

WEDNESDAY

Start 09:00

End 00:30

Start

End

THURSDAY

Start 09:00

End 00:30

Start

End

FRIDAY

Start 09:00

End 02:00

Start

End

SATURDAY

Start 09:00

End 02:00

Start

End

SUNDAY

Start 09:00

End 00:30

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

list below here steps you will take to promote all four licensing objectives together.

Please see below

b) The prevention of crime and disorder

1) A) A CCTV SYSTEM COVERING THE INTERIOR & EXTERIOR OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

B) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.

C) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.

D) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST. COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST

2) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- A) ALL CRIMES REPORTED,
- B) LOST PROPERTY,
- C) ALL EJECTIONS OF CUSTOMERS,
- D) ANY COMPLAINTS RECEIVED,
- E) ANY INCIDENTS OF DISORDER,
- F) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- G) ANY FAULTS IN THE CCTV,
- H) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

3) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:

- A) THAT CCTV ARE IN OPERATION;

Continued from previous page...

- B) OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES & THE OPENING TIMES OF THE PREMISES;
- C) NOT TO LITTER;

c) Public safety

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED. ALL STAFF WILL RECEIVE APPROPRIATE FIRE SAFETY TRAINING AND REFRESHER TRAINING.

d) The prevention of public nuisance

- 1) THE FRONT OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEEPED AT CLOSE.
- 2) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR
- 3) NO DELIVERIES WILL BE RECEIVED OR RUBBISH REMOVED FROM THE PREMISES BETWEEN 21.00 & 07.00.
- 4) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS
- 5) A PHONE NUMBER FOR THE PREMISES SHALL BE MADE AVAILABLE IF REQUIRED UPON REQUEST TO THE POLICE, ANY OTHER RESPONSIBLE AUTHORITY OR ANY LOCAL RESIDENT TO EXPRESS ANY CONCERNS CAUSED BY THE OPERATION OF THE PREMISES. ANY COMPLAINTS AND THE OUTCOME WILL BE RECORDED IN THE INCIDENT BOOK.

e) The protection of children from harm

- 1) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY AND ONLY A VALID PASSPORT, PHOTO DRIVING LICENCE, HM FORCES PHOTOGRAPHIC ID CARD OR PROOF OF AGE CARD WITH THE PASS LOGO OR HOLOGRAM ON IT MAY BE ACCEPTED AS PROOF OF AGE.
- 2) ALL REFUSALS OF THE SALE OF ALCOHOL SHALL BE RECORDED IN THE REFUSALS SECTION OF THE INCIDENT BOOK. THE INCIDENT BOOK SHALL BE KEPT AND PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST
- 3) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.
- 4) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON REQUEST.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £315

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/haringey/apply-2> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

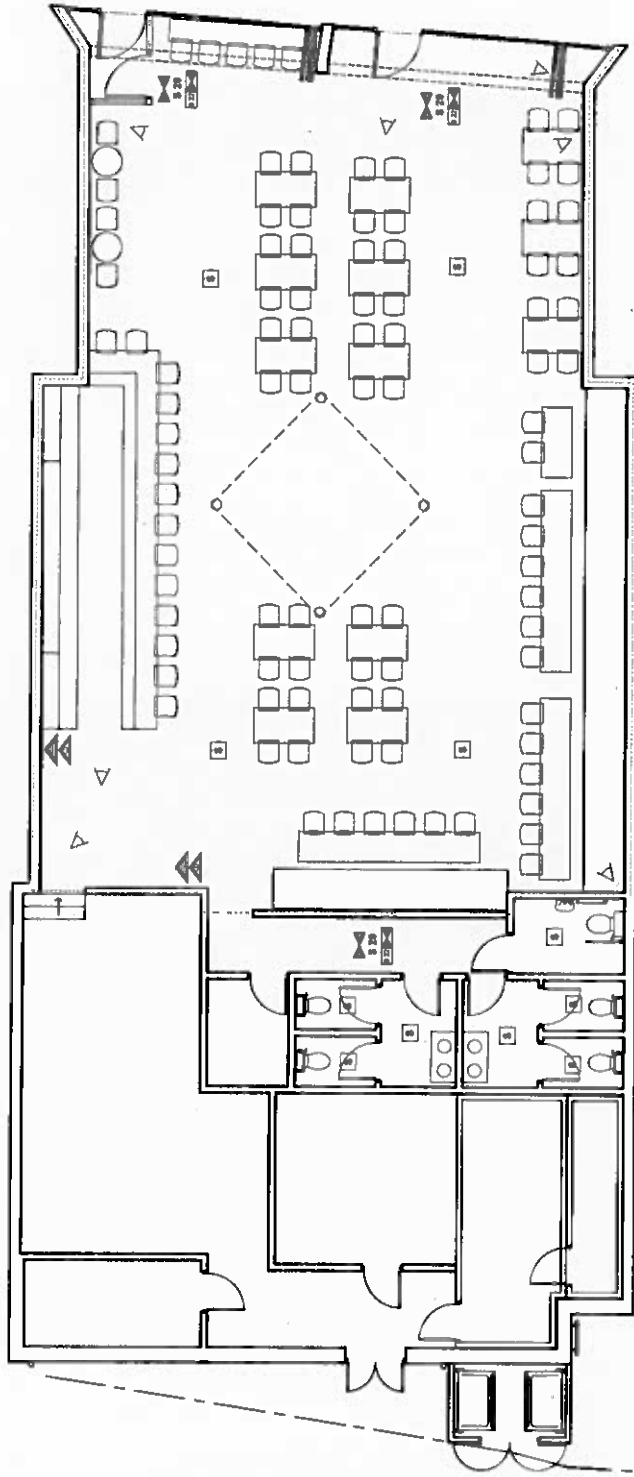
Schedule of Works

For 462-464 Muswell Hill Broadway, London N10 1BS

The applicant Mr Ayhan Turan currently has A3 Premises at 462 Muswell Hill Broadway. He recently acquired 464 Muswell Hill Broadway.

He has following schedule of works for amalgamation of 462-464 Muswell Hill

28 th March 2017	Exchange of the lease
30 th March 2017	Clearing up the previous tenants leftovers
1 st April 2017	Building extension at the rear site of 464 Muswell Hill to align the rear site to the 462 Muswell Hill
30 th April 2017	Demolishing party wall between 462 – 464 Muswell Hill and beam installation
15 th May 2017	Completion of electricity, gas, water works
20 th May 2017	Completion of Painting, Flooring
25 th May 2016	Completion of restaurant fittings
30 th May 2016	Opening



- LEGEND
- WC AREA
 - FRIDGES
 - AMBIT OF LICENSED PREMISES
 - SAFETY LIGHTS
 - SMOKE DETECTOR
 - CCTV
 - FIRE ESCAPE KEEP CLEAR
 - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LT. WATER FIRE EXTINGUISHER

NARTS

Voice of Turkish & Kurdish Food Industry in Britain

85 Rook, Broomfield Hill Street, London W11 1BS
 Tel: 020 7241 9638 | Email: 02040144300 | www.narts.org.uk | info@narts.org.uk

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462 - 464 Muswell Hill		Revision note	Date
Proposed Ground Floor Plan		Rev/No	
Designed by EDE	Checked by MHR	Approved by - date 27/03/2017	Scale 1:100 @A3
		Total Area 218 sqm	Sheet 1

Appendix A1- Copy of current premises licence

PREMISES LICENCE

Receipt: SELMS00002196

Premises Licence Number: LN/000014657

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
Alexandra House, Level 6, 10 Station Road,
Wood Green London, N22 7TR**

Signature:.....

Date: 4th August 2015

Part 1 – PREMISES DETAILS

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

**LA LUNNA
462 MUSWELL HILL BROADWAY
HORNSEY
LONDON N10 1BS**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

Late Night Refreshment

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

Supply of Alcohol

Monday to Sunday 0900 to 0000

Late Night Refreshment

Monday to Sunday 2300 to 0000

The opening hours of the premises:

Monday to Sunday 0900 to 0030

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

Supply of alcohol for consumption **ON** the premises

Part 2

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

Ayhan Turan
4 Dogan Terrace
Trinity Road
London
N22 8LB

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

Not applicable

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

Ayhan Turan
4 Dogan Terrace
Trinity Road
London
N22 8LB

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

Personal Licence: LN/000015119
Issued by: London Borough of Haringey

Annex 1 –Mandatory Conditions

1. 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.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3.
 - (1) The responsible person must 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.
 - 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 in a manner which carries a significant risk of undermining a licensing objective;
 - 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 in a manner which carries a significant risk of undermining a licensing objective;
 - d) 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.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

Annex 1 –Mandatory Conditions

- (3) 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 either:-
- (a) a holographic mark or
 - (b) an ultraviolet feature.
6. 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) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

Annex 1 –Mandatory Conditions

- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system will be installed in the premises.

Cameras must be sited to observe the entrance doors from the inside.

Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.

Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.

Provide a linked record of the date, time of any image.

Provide good quality images - colour during opening times.

Have a monitor to review images and recorded quality.

Be regularly maintained to ensure continuous quality of image capture and retention.

Staff trained in operating CCTV.

Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.

An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

All records will be kept for a minimum of 12 months.

PUBLIC SAFETY

All staff will receive training in emergency and general safety precautions.

THE PREVENTION OF PUBLIC NUISANCE

All rubbish will be stored securely in a designated area or bin with a tight fitting lockable lid.

The footway will be cleared of any litter.

Prevention of nuisance from noise / vibration

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties

Annex 2 – Conditions consistent with the Operating Schedule

Structure borne noise

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

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property

Outside Areas

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

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

Deliveries and collections

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

Empty bottles and non-degradable refuse will remain in the premises at the end of trading hours and taken out to the refuse point at the start of the working day rather than at the end of trading when neighbours might be unduly disturbed

Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

Dealing with complaints

A complaints book will be held on the premises to record details of any complaints received from neighbours. The information is to include, where disclosed, the complainant's name, location, date time and subsequent remedial action undertaken. This record must be made available at all times for inspection by council officers

Prevention of Nuisance from Odour

All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.

Prevention of nuisance from light

Illuminated external signage shall be switched off when the premises is closed

Security lights will be positioned to minimise light intrusion to nearby residential premises

THE PROTECTION OF CHILDREN

The premises will implement the 'Challenge 21' policy.

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

Annex 2 – Conditions consistent with the Operating Schedule

- A proof of age standard card system
- A citizen card, supported by the Home Office

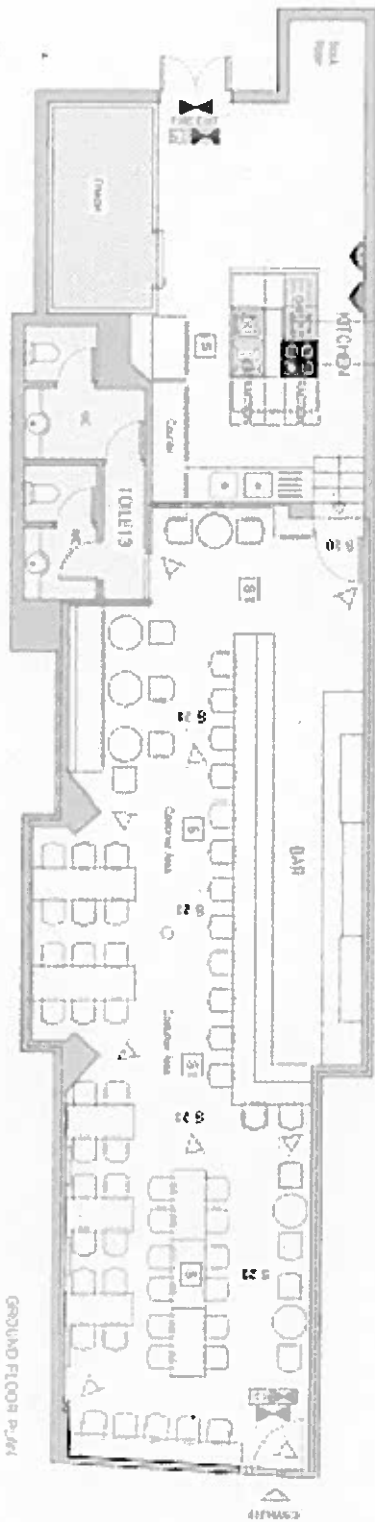
All staff will receive induction and refresher training at least every 3 months including alcohol sales and conditions of the premises licence.

Training records and written records of refused sales will be kept on the premises and made available to the Police and Licensing Authority upon request, such records will be kept for a minimum of 12 months.

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

Not applicable

Annex 4 - Plans



GROUND FLOOR P-01

LEGEND

- VWC AREA
- FR CROSS
- AWRIL OF WORKSHELD PREMISES
- SAFETY LIGHTS
- SMOKE DETECTOR
- CCTV
- FIRE ESCAPE KEEP CLEAR
- FURNITURE
- LUMINATED FINE ESCAPE SIGN (HS 235)
- LARGE SIGN
- FIRE EXTINGUISHER
- WATER FIRE EXTINGUISHER
- FAN

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Any typed dimensions to be taken from the drawings shall be taken from the dimensions indicated on the drawings, not from the printed dimensions.

EBERHART ARCHITECT

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 Phone: 206.461.1111
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Project No.	11-1000(A)	Issue No.	01/05/2013
Scale	1/8" = 1'-0"	Scale	1/8" = 1'-0"
Sheet No.	0638	Sheet No.	H 1

Appendix B- Copy of Representations from residents

HARINGEY COUNCIL
LICENSING
RECEIVED

11 APR 2017

Licensing Team
Level 6, Alexandra House
10 Station Road
Wood Green
N22 7TR

April 8th 2017

Re: Application by Mr Ayhan Turan to extend licensing hours for La LLuna, 462-464 Muswell Hill Broadway, London, N10 1BS

To whom it may concern

I am writing to lodge my objection to the application by Mr Ayhan Turan to extend licensing hours for La Lluna at 462-464 Muswell Hill Broadway.

I live directly opposite 464 Muswell Hill Broadway (formerly Charlotte Murray Hairdressers) and believe that extending the licensing hours will have a detrimental affect on myself and my neighbours.

Living on a main road, I am used to ambient traffic noise, which is minimal after midnight anyway, but if the licensing hours are extended to 12.30 during the week and until 2.00 am on Friday and Saturday, the noise levels of people leaving the premises will be intolerable. Added to that will be minicabs and cars picking up people.

Already in the summer months, there are large groups of people congregated outside La Lluna smoking and chatting until closing time with all the noise attendant to that. (None of the other restaurants on this part of the Broadway have patrons who do this.) At the moment, this is tolerable but until 2.00am with people who have been drinking all evening would constitute unwarranted noise pollution.

This is a heavily residential part of Muswell Hill Broadway. As well as the flats directly above La Lluna and on either side, there is a block of ten houses opposite (where I live), again largely residential in use. People, myself included, bought or rented their property with the reasonable expectation that there wouldn't be a bar open to the early hours of the morning in the immediate vicinity.

One of the only other late night establishments in Muswell Hill Broadway, the Solitaire Bar (272 Muswell Hill Broadway,) does not have flats above it or next to it and is on the roundabout so doesn't have neighbours opposite either. It's also worth mentioning that this nightclub has had many incidences of anti-social behaviour, including a recent shooting, and it's not unreasonable to assume that these same problems will occur in a bar where alcohol is available until 1.30 am, especially if the Solitaire loses its license.

In the fourteen years since I've lived at my property, I have had several unpleasant incidents due to people under the influence of alcohol, which they have consumed elsewhere in Muswell Hill. For example, one night I was woken up by the Fire Brigade who were putting out a fire that someone had set in my recycling bin.

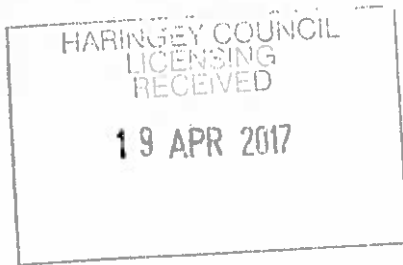
More recently, I had a drunk woman try to force her way into my flat at 10.30pm on a Saturday night to use the toilet. When I refused, she urinated in my neighbour's garden while the men she was with hurled abuse at me. (This was reported to the police via Twitter.)

I am very concerned that these sorts of incidents will escalate if the bar directly opposite me is able to serve alcohol for a longer time and that people will hang about in the immediate vicinity after La Lluna shuts. On the weekends this could be until 2.30 to 3.00 am with people talking, shrieking, fighting, cabs tooting their horns.

While I have lodged no objection to Mr Turan's application for change of use to 464 Muswell Hill Broadway from hairdresser to bar/restaurant and can put up with current licensing and opening hours, I really urge the licensing team to refuse this application.

I don't believe this is a suitable area for a late night bar (I doubt that many people would be using La Lluna to purchase food until 2.00am) and that it is no benefit to the neighbourhood. On the contrary, the noise levels and potential for anti-social behaviour will negatively impact our sleep and quality of life.

Yours faithfully



Licensing Team
Level 6, Alexandra House
10 Station Road
Wood Green
N22 7TR

11 April 2017

Re: Application by Mr Ayhan Turan to extend licensing hours for La Lluna,
462-464 Muswell Hill Broadway, London, N10 1BS

To whom it may concern

I am writing to lodge my objection to the application to extend licensing hours for La Lluna at 462-464 Muswell Hill Broadway.

I live at living directly above La Lluna at 462-464 Muswell Hill Broadway. Since La Lluna started operating, we have had on-going issues with the restaurant. These issues include:

- noise transmission from the restaurant
- noise from patrons outside of the restaurant (including anti-social behaviour)
- noise from the external mechanical ventilation/cooling systems
- odour from the restaurant (transmitting through the floor and from the mechanical services)
- a noticeable reduction in the fire resistance between the restaurant and our flat

We have had an on-going discussion, over the last two years, with the both the Freeholder, Chesterhill Investments Ltd, and the owners of the restaurant who had promised to undertake works to mitigate this. However, no works have occurred.

We have recently considered applying for a licence review to be carried out as the current operation of the restaurant is a nuisance to us. We have no issue with having a restaurant below us, however, request that mitigation works are carried out to address the issues listed above.

Noise transmission from the restaurant

During the refurbishment of the restaurant, works were carried out to the ceiling. On the first day of opening the noise transmission through the floor was very loud and very disturbing. The restaurant would play music from the opening hours sometimes past their closing time, up until 2am. Over the last two years the music was turned up almost every day to celebrate someone's birthday.

It should also be noted that it is not only music that can be heard, but also normal conversation, which means that even when the operating hours are finished we can clearly hear the restaurant being cleaned, or management having conversations, which has in the past kept us awake until 2am.

We regularly have to complain directly to the restaurant, requesting that they reduce the music levels. It is recommended that the Licensing Team request a copy of their complaints book, which under their licence they are obligated to have and update. If it does exist, and is actually updated, you will see the frequency of our complaints to them with regards to the noise. If they have not kept records, a list of the complaints can be provided by myself.

When we do not see any positive response from the restaurant in regards to managing their noise levels, we call out the Haringey Council Enforcement Response. We have had Enforcement Response visit our property a number of times in the last two years. Different officers had different subjective opinions of whether the levels constituted noise nuisance. After nearly two years of visits to our premises, one Enforcement Response officer brought along a copy of the Licence Condition for La Luna (LN/000014657) which clearly states the following in Annex 2:

"The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property".

As music is clearly audible within our property, we feel that the restaurant does not comply with this condition.

The restaurant have recently had a Notice under Section 80 of the Environmental Protection Act 1990 served to them for noise nuisance.

I work as an acoustic consultant and have measured noise levels coming from the restaurant below. The noise levels range from L_{Aeq} 35-45 dB within the bedrooms. In new developments, the structure would be designed such that music transmission should not exceed L_{Aeq} 20-25 dB (*Institute of Acoustics Good Practice Guide on the Control of Noise from Pubs and Clubs 2003*). The current levels are approximately 15-20 dB higher than what would generally be recommended. Subjectively an increase of 10 dB is double the volume, and 20 dB would be four times the volume.

We are concerned that an extension in the operating hours would encourage people greater numbers to go to the restaurant late at night when the local pubs close. With an increase in the number of intoxicated patrons noise levels within the venue will significantly increase. It is likely that the restaurant would play music at a much higher volume such that it is audible above the increase hubbub.

We consistently have to get enforcement response out to deal with our complaints.

Any extension in the operating hours would not only stop us from being able to enjoy the use of our property but would also mean that Enforcement Response would need to be called out every weekend.

Noise from patrons outside of the restaurant (including anti-social behaviour)

During the evening particularly during the summer people congregate outside of the restaurant, either to eat out side or chat when they have finished their meals. There are also smokers who shelter in our entrance porch who drop cigarette butts and other rubbish in the porch. We currently see no management of these issues.

It should be noted that Muswell Hill Broadway is actually a quiet street past midnight, with infrequent traffic movement. Should the restaurant operate until 2am this would encourage people to this area once the pubs have closed. This will bring additional issues of noise from people congregating outside, smoking and cabs waiting around in the streets to pick people up.

If the operating times were to would run till 2am we would see many more people congregating outside of our property causing additional noise and litter.

Noise from the external mechanical ventilation/cooling systems

There are two items of plant that are associate with the restaurant, these include a kitchen extract fan and an item of heat rejection plant. The kitchen extract fan is located approximately 3m away from my bedroom window. The heat rejection plant is located approximately 5m away.

The kitchen extract fan operates from early in the morning till around closing time. The fan is mounted in such a way that it causes vibration that transmits into our structure which in turn causes additional noise within our apartment.

The heat rejection plant operates at continuously during the daytime and intermittently during the night.

I have undertaken measurements of the noise at my window. The results of the monitoring are shown graphically in Figure 1.

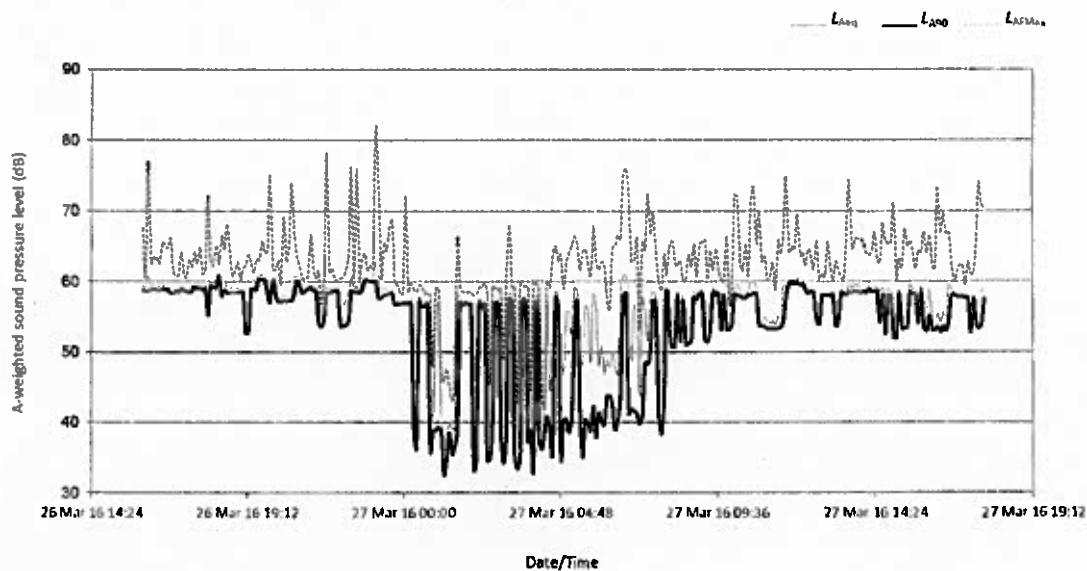


Figure 1 Results of unattended noise monitoring

When the plant is operating the noise levels at my window are around 58 dB(A), when the plant shuts off at night the background noise level is around 32-38 dB(A).

It can be seen during the night time that the heat rejection plant operates intermittently, switching on and off during the night.

If new items of plant were to be installed Haringey Council would require them to be such that they do not exceed 5 dB below the background noise level. Therefore, the plant would have to operate at 27 dB(A). In comparison the plant is approximately 30 dB louder than it should be. An assessment in accordance with British Standard 4142: 2014 *Methods for rating and assessing industrial and commercial sound* clearly indicates that the plant noise causes a significant adverse impact.

This issue and the measurements and assessment has been raised with the Restaurant owners, the Freeholder and Enforcement response, but to date we have had no success with regards to mitigating the noise.

Annex 2 of the Licence Condition for La Luna (LN/000014657) clearly states "All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise".

As the noise level is clearly causing a disturbance, we feel that the restaurant does not comply with this condition.

Odour from the restaurant (transmitting through the floor and from the mechanical services)

Some days when I return to my flat I can smell food odour. We have to air out our flat get rid of the smell. The restaurant kitchen extract fan, has ductwork that is not properly sealed, and is located in next to our bathroom window. We require this window to be open to provide purge ventilation of humidity control.

Annex 2 of the Licence Condition for La Luna (LN/000014657) clearly states "All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour".

As we are affected by odour from the cooking of food which requires us to have to air out our property, we feel that the restaurant does not comply with this condition.

A noticeable reduction in the fire resistance between the restaurant and our flat

As part of the works that were carried out the fire encasement of the structural beams was removed. Due to this we can feel draughts through parts of the floor. In the event of a fire we would be affected by smoke inhalation and the structure would have limited fire protection.

This issue has been reported to Haringey Council Building Control. The response from Building Control was that as they do not know what the condition of the fire resistance was prior to the refurbishment they are unwilling to require the restaurant to undertake any action

This is a significant life safety issue that no one wants to take responsibility for.

Summary

In summary, we are already experiencing on-going issues due to the refurbishment and the operation of La Lluna.

The restaurant does not even meet the requirements set out in the existing licence conditions.

Any extension in their operating hours would cause further nuisance for the reasons described above.

We would recommend instead of increasing their operating hours that the Licensing Team require the restaurant to undertake works to deal with the above issues and bring their operation in line with the current licence requirements. If this is not considered as part of this application, we will seek a separate licence review.

If you require any further information please let me know.

Regards

Tel

Email:

Subject: Objection to Planning/Licensing Approval La Lunna (462-465 Muswell Hill Broadway)

To whom it may concern (Licensing Team),

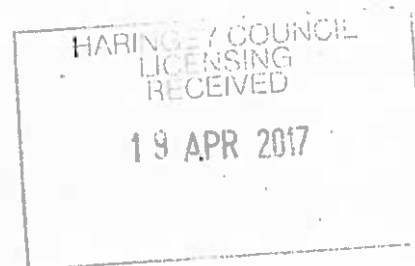
I would register my objection to the recent planning/Licensing applications submitted by Mr Ayhan Turan (La Lunna 462-464 Muswell Hill Broadway). My objections are two fold:

Extension of opening hours till 02:00. I believe this will have a disproportionate impact upon the peace of an already noisy road. I often have to work early mornings on Saturday and Sunday and the addition of a late licence to the property below will affect my sleep.

Extension of existing capacity of La Lunna, into newly vacated property. I believe the Broadway is already over-saturated with restaurants and an addition risks overwhelming the ability of existing services (waste removal etc).

I would encourage the council to reject the application.

Yours sincerely



Email:

Subject: Objection to Planning/Licensing Approval La Luna (462-465 Muswell Hill Broadway)

To whom it may concern (Licensing Team),

I would like to register my objection to the recent planning/Licensing applications submitted by Mr Ayhan Turan (La Lunna 462-464 Muswell Hill Broadway). My objections are two fold:

- Extension of opening hours till 02:00. I believe this will have a disproportionate impact upon the peace of an already noisy road. I often have to work early mornings on Saturday and Sunday and the addition of a late licence to the property below will affect my sleep.
- Extension of existing capacity of La Lunna, into newly vacated property. I believe the Broadway is already over-saturated with restaurants and an addition risks overwhelming the ability of existing services (waste removal etc).

I would encourage the council to reject the application.

Yours sincerely



HARINGEY COUNCIL
LICENSING
RECEIVED

24 APR 2017

LICENSING ACT 2003

-

REPRESENTATION FORM

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

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

Personal Details

Name.....

.....

Address:-

.....

Postcode ..

Licence application you wish to make a representation on
You do not need to answer all of the questions in this section, but please give as much information as you can:

Application Number.....

Name of Licensee Ayhan Turan.

Name of Premises (if applicable) La Luna

Premises Address (where the Licence will take effect) 462-464

Muswell Hill Broadway

.....

Postcode N10 1BS

Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations,

Representations and Appeals for Premises Licences and Club Premises Certificates).

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

The Prevention of Crime and Disorder We are concerned that a late night drinking venue will attract disorderly behaviour.

Public Safety N/A

The Prevention of Public Nuisance We are very concerned of the impact of a late night venue on our road. Firstly the noise coming from the venue after midnight if it is turned into a late night bar. Secondly we are very worried about the noise and disturbance from late night revellers. We do not feel it is appropriate for a restaurant in a very residential area to have late night license. We object to La Luna being open till 02:00 on Fridays and Saturdays.

The Protection of Children from Harm

I, _____, hereby declare that all information I have submitted is true and correct.

Signed: MPost CLGraham

Date: 24-04-2017

Please send completed form to:
Haringey Council Licensing Team
Alexandra House,
Level 6, 10 Station Road,
Wood Green
London, N22 7TR

Mobile

• Email

Licensing Team
Level 6, Alexandra House
10 Station Road
Wood Green
N22 7TR
licensing@haringey.gov.uk

24/04/2017

Dear Sir/Madam

**Ref: Application by Mr Ayhan Turan to extend licensing hours for La LLuna, 462-464
Muswell Hill Broadway, London, N10 1BS**

I am writing to object to the application to extend licensing hours for La Lluna at 462-464 Muswell Hill Broadway. I live at no [REDACTED]
We have experienced over the last 2 years noise nuisance until late at night. The ceiling has not been properly sound and fire insulated (please note that we are Architects) and despite several requests, this has been ignored by the restaurant owner. The sound transmission reaches up to the 2nd floor and has kept us awake until 2am in the morning.

The La Lluna is more a bar than a restaurant and it will attract more people who wish to continue drinking into the early hours of the morning. It will likely impact negatively on the whole area with more drunken behaviour. We had the following nuisances in our recessed entrance porch which is adjacent to La Luna:

- The entrance porch is used for smoking and as an ashtray
- We have found 4 times vomit on the floor which we had to clean up
- One evening we came home at 11.30pm (La Lluna was still open) we have found a couple having sex in our entrance porch

A bar which is open until late night/ early morning is not suitable for a residential area.

For the reasons above I strongly object to extend the licencing hours.

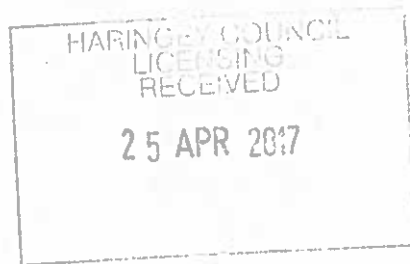
Yours sincerely

[REDACTED]

Tel
Mob

24th April 2017

The Licensing Team
Level 6 Alexandra House
10 Station Road
Wood Green
London N22 7TR



Dear Licensing Team,

Application of Mr Ayhan Turan for the premises known as

La Lluna, 462-464 Muswell Hill Broadway, London N10 1BS

Sale of Alcohol for consumption on the premise

Sunday to Thursday from 09:00 to 00:00

Friday and Saturday from 09:00 to 01:30 on the following morning

Late night refreshment

Sunday to Thursday from 09:00 to 00:30

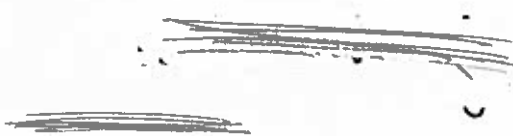
Friday and Saturday from 09:00 to 02:00

I would like to object to the extension of La Lluna's opening hours from the existing 11pm during the week and midnight on Fridays and Saturdays because of the likely increase in noise nuisance. I do not object to the earlier hour of 9am each day.

There are residential flats above the shops and restaurants along our stretch of the Broadway and residential houses opposite. My bedroom is above Keats Estate Agents at the junction of the Broadway, Colney Hatch Lane and Muswell Road, facing on to an area with free parking in the evenings and overlooking a corner where groups of people stop to chat before going their different ways. I've learned, over forty years, to blot out the sounds of traffic but even normal conversations carry remarkably well at night. This problem will presumably be greater for those living closer to La Lluna, with customers congregating on the pavement outside as they arrive and leave and people coming out to smoke. There are also bedrooms overlooking the rear of the premises.

In addition, the entrance porches to the flats, mine included, are likely to receive further gifts of cigarette ends and urine.

Yours sincerely,





RUNWOOD HOMES
SENIOR LIVING

Your care in our hands

COUNCIL
LICENSING
RECEIVED

25 APR 2017

22/04/2017

Dear Licensing Team,

We write to object to the application made by the restaurant/bar La Luna on 462-464 Maxwell Hill Broadway.

We do not object to extending it to the ground floor of the shop unit adjacent which was recently vacated by a hairdresser.

We do object to extending it's opening hours till past midnight. We are very concerned about the noise caused by late night patrons and activity on our street at this time of the night.

We are concerned that a late night licence will attract people who want to primarily drink and this will cause activity which we feel is not appropriate for such a residential area.



INVESTOR IN PEOPLE

We understood La Luna to be primarily a restaurant, but will it serve food to this late too? And we are also worried about music played loudly at the venue till 02:00. Again we do not feel this is appropriate for the area and its immediate residents.

In summary: we object to the application of a late licence on Friday and Saturday due to concerns about the noise coming from the venue after midnight and crowds that will be attracted to a late night venue and the noise they will make on our street.

Yours sincerely,



Anderson Chanel

From:
Sent: 29 March 2017 23:31
To: Licensing; Michael Hickey; jb1471@gmail.com
Subject: 462-464 Muswell Hill Broadway Provisional Statement application comments

Categories: Purple Category

To whom this concerns,

My name is _____ and I live at _____. I have recently found out that the restaurant 'La Lluna' at 462-464 Muswell Hill Broadway is looking to extend their opening hours from midnight till 2am on Saturdays. I am one of the residents who live above the restaurant.

Since the renovation of 462 Muswell Hill Broadway and the opening of La Lluna in July 2015, we have had continuous issues with La Lluna. These issues include:

- noise transmission from the restaurant
- noise from patrons outside of the restaurant (including anti-social behaviour)
- noise from the external mechanical ventilation/cooling systems
- odour from the restaurant (transmitting through the floor and from the mechanical services)
- a noticeable reduction in the fire resistance between the restaurant and our flat

We have had ongoing discussion, over the last two years, with the both the Freeholder, Chesterhill Investments Ltd, and the owners of the restaurant who had promised to undertake works to mitigate some of the above. However, no works have occurred to date.

We have recently considered applying for a licence review to be carried out as the current operation of the restaurant is causing us constant nuisance. We have no issue with having a restaurant below us, however, we request that mitigation works are carried out to address the issues listed above and that the operating hours are not extended.

Noise transmission from the restaurant

During the refurbishment of the restaurant, works were carried out to the ceiling, including removal of parts of the ceiling and reinstatement of a visual ceiling. On the first day of opening the noise transmission through the floor was very loud and very disturbing. The restaurant would play music from the opening hours to past their closing time, on some occasions up until 2am. We used to hear the music turn up every day when they would play music for someone's birthday. They have tried recently to control the levels of music, but even tonight I have had to tell them to turn it down.

It should also be noted that it is not only music that can be heard, but conversation. Which means that even when the operating hours are finished we can clearly hear the restaurant being cleaned, or management having conversations, which has in the past kept us awake till 2am. Prior to the La Lluna refurbishment we were not able to hear conversation from the operation of the previous restaurant. This shows the poor level of sound insulation that has resulted due to the La Lluna refurbishment.

We have Enforcement Response visit our property a number of times in the last two years. Different officers had different opinions as to where the levels constituted a noise nuisance, and depending on the time of the visit. After nearly two years one officer finally brought along a copy of the Licence Condition for La Luna (LN/000014657) which clearly states the following in Annex 2, "*The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property*". We have recently had a Notice under Section 80 of the Environmental Protection Act 1990 served against them for noise nuisance observed at 23:30. It is recommended that you consult with Enforcement Response to get a history of the complaints.

I work as an acoustic consultant and have objectively measured noise levels coming from the restaurant below. The noise levels range from L_{Aeq} 35-45 dB(A) within the bedrooms, this is approximately 15-20 dB higher than what would generally be recommended for a new development to significantly reduce the likelihood of noise nuisance. Subjectively an increase of 10 dB is double the volume, and 20 dB would be four times the volume.

We cannot sleep while the restaurant is operating and have to wait till at least 30 minutes after the closing time till we can actually sleep.

We are also concerned that the late night hours would further encourage people to go to the restaurant late at night after the pubs close, with a large number of intoxicated patrons visiting which would further increase level of noise generated within the space. The restaurant would then likely play music at a much higher volume. In all this proposal is not be acceptable!

We consistently have to get enforcement response out to deal with our complaints. Any extension in the operating hours would not only stop us from being able to enjoy the use of our property but would also mean that Enforcement Response would need to be called out every weekend.

Noise from patrons outside of the restaurant (including anti-social behaviour)

During the evening particularly during the summer people congregate outside of the restaurant, either to eat out side or chat when they have finished their meals. There are also smokers who shelter in our entrance porch dumping cigarette butts and other rubbish in the porch. We currently see no management of these issues.

If the operating times were to would run till 2am we would see many more people congregating outside of our property causing additional noise and litter. This would not be acceptable.

Noise from the external mechanical ventilation/cooling systems

There are two items of plant that are associate with the restaurant, these include a kitchen extract fan and an item of heat rejection plant. The kitchen extract fan is located approximately 3m away from by bedroom window. The heat rejection plant is located approximately 5m away.

The kitchen extract fan operates from early in the morning till around closing time. The fan is mounted in such a way that it causes vibration that transmits into our structure which in turn causes additional noise within our apartment.

The heat rejection plant operates at continuously during the daytime and intermittently during the night.

When the plant is operating the noise levels at my window are around 58 dB(A), when the plant shuts off at night the background noise level is around 32-38 dB(A). If new items of plant were to be installed Haringey Council would require them to be such that they do not exceed 5 dB below the lowest measured background noise level. Therefore, the plant would have to operate at 27 dB(A). In comparison the plant is approximately 30 dB louder than it should be. This has been pointed out to the Restaurant owners, the Freeholder and Enforcement response but we have had no success in regards to mitigating the noise.

Annex 2 of the Licence Condition for La Luna (LN/000014657) which clearly states "*All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise*". As the noise level is clearly causing a disturbance, with reference to BS4142: *Methods for rating and assessing industrial and commercial sound*, we feel that the restaurant does not comply with this condition.

Odour from the restaurant (transmitting through the floor and from the mechanical services)

Some days when I come back to our flat I can smell food odour. We have to air our flat to rid our flat of these smells. The kitchen extract fan which has ductwork that is not properly sealed in next to our bathroom window that we require to stay open for purge ventilation of humidity.

Annex 2 of the Licence Condition for La Luna (LN/000014657) which clearly states "All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour". As we are affected by odour from the cooking of food which requires us to have to air out our property, we feel that the restaurant does not comply with this condition.

A noticeable reduction in the fire resistance between the restaurant and our flat

As part of the works that were carried out the fire encasement of the structural beams was removed. We can also feel draughts through parts of the floor. In the event of a fire we would be affected by smoke inhalation and the structure would have limited fire protection. This has been reported to Haringey Council Building Control, but they said that as they do not know what the previous condition was they are unwilling to act on the current conditions. This is a significant health and safety issue.

Summary

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We are already experiencing ongoing issues with La Luna, who are not even abiding by the current licence conditions imposed on them. Any extension in their operating hours would cause further nuisance for the reasons described above.

We would recommend that you also request a copy of their complaints book, which under their Licence they are obligated to have and update. If it exists and is updated you will see the frequency of our complaints to them with regards to the noise. If they have not kept records these can be provided by myself.

We would recommend instead of increasing their operating hours that they are required to undertake works to deal with the above issues and bring their operation in line with the licence requirements. If this is not considered as part of this application, we will request a separate licence review.

I would like to request that someone replies to this email to acknowledge that the email has been received and past to the relevant persons.

If you require any further information or have any comments please let me know.

Regards

Appendix C- Representations from Environmental Health

Licensing Consultation

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation: George Roberts

Our Reference: WK/000379588

Date: 25th April 2017

Premises: La Lunna, 462-464 Muswell Hill Broadway, Hornsey, London, N10 1BS

Type of application: Provisional Statement

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

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

- airborne entertainment noise
- Structure borne noise or vibrations from entertainment
- Noise generated by patrons in external areas of the premises
- Noise from patrons exiting the premises
- Noise from plant and machinery
- Cooking odour

Supporting Information

Date reported & time	Subject	Observations & Time	Outcome	Our Ref
10/2/17 20:35 hrs	Loud Music	@21:44 hrs loud music amounting to a statutory nuisance was witnessed in complainant's property	Noise warning letter issued dated 13/2/17	WK333642 (8)
18/3/17 23:30 hrs	Loud Music	@00:15 hrs loud music amounting to a statutory nuisance was witnessed in complainant's property - @0035 officer entered restaurant and spoke to manager to discuss issues and premises closed straight away	Noise abatement notice issued & Licensing warning letter issued re Premises open beyond permitted time on license + Music heard in residential premises nearby + Speaker observed to be sited directly above main entrance door	WK333642 (10)

This representation recommends that the following alterations/conditions to the operating schedule:

Prevention of nuisance from noise / vibration

All doors and windows will remain closed during the licensed regulated entertainment activities or in any event after 11pm. The entrance door will be fitted with a self-closing device and staff required to ensure that it is not propped open. A member of staff shall be made responsible to ensure the door is opened for as brief a period as possible. Where necessary adequate and suitable mechanical ventilation should be provided to public areas

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

Structure borne noise

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

Sound limits

The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property

Outside Areas

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

Signs shall be displayed on the frontage requesting patrons to recognise the residential nature of the area and conduct their behaviour accordingly. The management must reserve the right to ask patrons to move inside the premises or leave if it is felt that they could be disturbing neighbours

Plant and machinery

All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise

Patrons entering/exiting premises.

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

Prevention of Nuisance from Odour

All ventilation and extraction systems shall be correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from odour.

Appendix D- Representations from Licensing Authority

Anderson Chanel

From: Barrett Daliah
Sent: 25 April 2017 18:30
To: Licensing
Subject: FW: Rep LA LUNNA 462 – 464 Muswell Hill Broadway London N10

We are making representation against the application for La Lunna 462 – 464 Muswell Hill Broadway London N10.

The main reason for making the representation is that the premises has had some complaints against it due to noise emanating from the operation of the venue. The late night operation of the venue being sought by the applicant is likely to impact on local residents.

The application seeks the following:

Late Night Refreshment

Sunday to Thursday 2300 to 0000 hours
Saturday to Friday 2300 to 0200 hours

Supply of Alcohol

Sunday to Thursday 0900 to 0000 hours
Saturday to Friday 0900 to 0130 hours

For consumption ON the premises

Opening Hours

Sunday to Thursday 0900 to 0030 hours
Saturday to Friday 0900 to 0200 hours

It is concerning that the new applicant has submitted an application seeking such late hours at a venue that has now been shown to not be suited for such hours due to the likelihood of noise nuisance on nearby residents.

The Home Office Guidance issued under Section 182 Guidance places a requirement on applicants to demonstrate when setting out steps they propose to take to promote the licensing objectives that they understand the area .

The Council Statement of Licensing Policy advises the following in this instance:

53 LICENSING HOURS

The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

80 THE PREVENTION OF PUBLIC NUISANCE

Licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise to a range of nuisances that may potentially impact on people living, working or sleeping in the vicinity of the premises. Principal concerns relate to noise nuisance, light pollution and noxious smells.

This authority expects applicants for premises licences and club premises certificates to have made relevant enquiries about the local area and prepare their operating schedule on the basis of a risk assessment of the potential sources of nuisance posed to the local community by their intended operation. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive proposals to manage any potential risks.

We cannot support the application in its current request, we ask the LSC to consider the following amendments to the application:

Opening hours:

Sunday to Thursday: 1000 to 2300

Friday to Saturday: 1000 to 0000 hours

Supply of alcohol:

Sunday to Thursday: 1000 to 2230

Friday to Saturday: 1000 to 23.30 hours

Provision of late night refreshment:

Friday to Sunday: 2300 to 2330

It is unclear from the plans and the application where the external smoking area will be. There is the potential for noise from patrons in this area causing nuisance to residents from people noise or smoke nuisance.

Daliah Barrett
Licensing Team Leader



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