

**Application for a Premises License at Traditional Cafe & Tea House, 78 Myddleton Road, Wood Green, London, N22 8NQ - 7<sup>th</sup> May 2024**

The Licensing Sub Committee carefully considered the application for a Premises License at Traditional Cafe & Tea House, 78 Myddleton Road, Wood Green, London, N22 8NQ. It was clarified at the beginning of the meeting that this was a new application and not a variation. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack, and the applicant's and objector's representations.

Having considered the application and heard from all the parties, the Committee decided to **GRANT** the application subject to the conditions below:

**1. Sale of alcohol ON the Premises**

Monday to Friday- 1800 hours to 2200 hours

Saturday & Sunday – 1000 hours to 2200 hours.

**2. Hours open to the Public**

Monday Sunday- 0900 hours to 2230 hours

**Conditions:**

1. The premises cannot be operated as a social club for men only.
2. The premises shall open to the general public at the hours shown above.
3. Place menus in the windows where these are clearly visible
4. Alcohol shall only be sold ancillary to patrons consuming a meal and seated at tables.
5. No gambling will be permitted on site.
6. No gaming machines permitted on site.
7. The windows of the premises will be clear to enable a view from the street into the premises.
  
8. All staff involved in the sale of alcohol shall receive induction and refresher training relating to the sale of alcohol and the times and conditions of the premises licence.
9. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises.

These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

10. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location:
  - (a) At the entrance to the Premises;
  - (b) Behind the bar;
  - (c) In any other area where alcohol can be purchased by a customer.
11. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
12. No alcoholic drinks or glass containers shall be taken out onto the public highway.
13. The premises licence holder shall ensure that the area immediately outside the premises is kept clean and free from smoking related litter at all material times to the satisfaction of the Licensing Authority.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. A digital CCTV system to be installed in the premises.
  - A. Cameras must be sited to observe the entrance doors from both inside and outside.
  - B. 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.
  - C. Cameras must be sited to cover all areas to which the public have access including any outside smoking areas.
  - D. Provide a linked record of the date, time of any image.
  - E. good quality images - colour during opening times.
  - F. Have a monitor to review images and recorded quality.
  - G. Be regularly maintained to ensure continuous quality of image capture and retention.
  - H. Member of staff trained in operating CCTV at venue during times open to the public.
  - I. 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

17. An incident logbook shall be kept at the Premises and made available on request to a police officer or authorised officer of the Licensing Authority. The logbook shall record the following:

- (a) all crimes reported to the venue;
- (b) All ejections of patrons;
- (c) Any complaints received;
- (d) Any incidents of disorder at or associated with the premises.
- (e) All seizures of drugs and offensive weapons;
- (f) Any faults in the CCTV system

## **REASONS:**

The committee gave serious consideration to the submissions by the Applicant and to the concerns raised by the objectors. It was noted that the Police and the Local Authority had raised objections to the application, but had proposed amended conditions to the application, which the applicant had agreed to. It was noted, to the credit of the applicant that he had agreed those conditions prior to the hearing. As such, those conditions are incorporated in the grant of this application.

Although the application has been granted, it has not been granted in full. In particular, the hours for the sale of alcohol have been limited to between 6:00 PM and 10:00 PM on weekdays.

The committee heard very serious and credible objections from residents and a Councillor for the ward who spoke on behalf of other residents who had indicated that they were worried about speaking and objecting to this particular application. Counsellor Arkell informed the Committee that the application should be rejected on the basis that it would likely only be frequented by men, despite the Applicant's representations that it was not a men's only club. The objectors also informed that there had been issues of harassment and an intimidating atmosphere on the street, particularly towards women, and that a safer neighbourhood meeting had been arranged to discuss the situation on the street. During questioning Councillor Arkell accepted the safer neighbourhoods meeting was not held specifically in relation to this establishment, but in relation to the general atmosphere on 78 Myddleton Road, due to the fact that there were already two similar establishments on the street.

Finally, there were also concerns about the fact that the hours requested would be nearly all day, which would entail groups of men drinking and smoking in an establishment right next to a nursery. Further and similar objections were raised by Caroline Simpson who concurred with the representations by Counsellor Arkell.

Mr Lambrou in support of his application and following questioning both from objectors and the committee indicated that he had been running licenced premises for some 30 years without any complaints. He explained that most of his patrons were elderly,

perhaps from 70 to 90 years old and that there had not been any complaints from neighbours.

He confirmed that the alcohol would be served with a meal and so that would avoid any potential for drunkenness or rowdy behaviour. He acknowledged that few women attended his establishment and the potential for an unwelcoming atmosphere, but that by accepting the agreed conditions those concerns had been addressed and that in fact his establishment was open to all.

He explained that the opaque windows would be dealt with and that he was waiting on issues surrounding planning permission but he has agreed to conditions to make the windows transparent. Furthermore, he also agreed that he would put menus in the windows which would make the venue more inviting for all parties, and not only to a male crowd.

He also indicated that he had not received any complaints from the nursery next to him and that his elderly clientele and patrons had a personal interest in ensuring the area was safe for women and children.

The Committee after having heard both from the applicant and the objectors took into account all of the factors and noted the serious concerns raised by the objectors, but accepted the assurances given by the applicant in terms of the steps that would be taken and the conditions that have been agreed which would reduce the risk of it becoming a men only club, late drinking or creating an intimidating atmosphere.

The limitation on serving alcohol to only 6pm-10pm during weekdays is tied to the fact that the nursery would be open throughout the day during weekdays and with the aim of achieving the licensing objective of “protecting children from harm”. The grant of the extended hours during the week is consistent with that.

In light of the above, it was deemed that a grant of the application with the above variations and conditions balanced the interest of the applicants, the residents and the licencing objectives.

### **Appeal rights.**

This decision is open to appeal to the Magistrates Court within the period of 21 days, beginning on the day upon which the applicant is notified of the decision. Stop. This decision does not take effect until the end of the appeal. Or, in the event that an appeal has been lodged, until their appeal is dispensed with.

**Application for a Premises License at The Victoria Tottenham, 34 Scotland Green, Tottenham, London, N17 9TT - 7<sup>th</sup> May 2024**

The Licensing Sub Committee carefully considered the application for a variation of the Premises License at The Victoria Tottenham, 34 Scotland Green, Tottenham, London, N17 9TT. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack, the applicant's and objectors' written representations.

Having considered the application and heard from all the parties, the Committee decided to **GRANT** the application and was satisfied that the Licence could be varied to include the following:

**1. Regulated Entertainment: recorded music**

Friday- to 1000 to 0030.

**2. Late Night Refreshment**

Friday- to 1000 to 0030.

**3. Sale of alcohol.**

Friday- to 1000 to 0030.

Supply of alcohol ON the Premises

**4. Hours open to the public**

Friday 1000 to 0100

**CONDITONS**

**Prevention of crime & disorder**

- A digital CCTV system to be installed in the premises and cameras must be sited to observe the entrance doors from both inside and outside.
- 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.
- 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.
- Member of staff trained in operating CCTV at venue during times open to the public.
- 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 logbook shall be kept at the Premises and made available on request to a police officer or authorised officer of the Licensing Authority. The logbook shall record the following and should be completed within 24 hours of the incident:
  - (a) all crimes reported to the IN
  - (b) All ejections of patrons;
  - (c) Any complaints received;
  - (d) Any incidents of disorder at or associated with the premises.
  - (e) All seizures of drugs and 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.

**Prevention of public nuisance**

- Amplified music and bass shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
- No music will be played in, or for the benefit of patrons in any external areas of the premises, including the rear garden.
- The use of the rear garden area shall terminate at 2230 hrs on days when regulated entertainment is being provided.
- All windows and external doors shall be kept closed after 22:30 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

Patrons must not drink from glass bottles or glasses outside of the Premises.

### **The Protection of Children from harm**

- A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed prominently within the Premises – including in a visible location: (a) At the entrance to the Premises; (b) Behind the bar; (c) In any other area where alcohol can be purchased by a customer.
- A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

### **REASONS**

The Committee gave serious consideration to the application and heard from the supporters of the applicant who were present at the hearing, as well as the written objections presented to the committee.

The committee acknowledged the strength of the application in terms of the positive impact the applicant's business has had on the surrounding area and that there was strong support for the application.

In response to issues of concern raised by the written objections, the Councillors queried the applicant over various issues. The committee acknowledged in response to questioning that the business had policies in place, for the late night dispersal of Patrons, for clearing away litter, and for patrons waiting for taxis not to have to wait outside. The Committee acknowledged that the urination may not be directly as a result of patrons from the applicant's business. The committee acknowledged the offer by the applicant to clear away litter from outside its premises regardless of who it was generated by. They also stated that they provide plastic glasses to be taken outside already.

However, the Committee noted that there was a serious concern about the impact to residents of increasing the hours on the one remaining evening (Friday) as requested. The applicant already has increased hours for the other days. It was also noted that there were 2 other pubs with late hours. The objections related to the increased noise from patrons late into the evening, the associated litter, and patrons gathering outside of the property late into the night either to drink or smoke outside of the premises.

The committee did note that the applicant had engaged with residents and had put forward a plan to limit noise using the plans described above as well as having a noise limiter, which is already being used.

The Committee had regard to the Haringey Council's policy, which states *"although the council will treat each 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 would be given to imposing stricter conditions in respect of noise control."*

It was noted that this was a dense residential area and that there were already two other similar pubs in the area, which is a cul-de-sac. In order to balance the rights of the applicant and the residents and having considered the licencing policy, it was agreed that the application should be granted, but with a reduction in the hours requested to 00:30 with closing hours at 01:00 rather than 01:30 as had been requested. The committee noted that the later closing hours would inevitably mean more noise from patrons drinking and smoking, possibly outside of the premises later into the night which would impact on the quality of life for the neighbouring residents.

In light of the above, it was deemed that a grant of the application with the above variations and conditions balanced the interest of the applicants, the residents and the licencing objectives.

### **Appeal rights**

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.



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