

VIRTUAL MEETING

LICENSING SUB-COMMITTEE

DATE AND TIME

TUESDAY 4TH AUGUST, 2020

AT 10.30 AM

TO: MEMBERS OF LICENSING SUB-COMMITTEE (Quorum 3)

Councillors

Linda Freedman
John Marshall
Lachhya Gurung

** The licensing authority will only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one Member being unable to attend, their place will be substituted by another Member taken from the membership of the full Licensing Committee. In the event of this substitution taking place, all parties will be informed of the change of Membership at the beginning of the hearing.*

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Services contact: Pakeezah Rahman Pakeezah.rahman@barnet.gov.uk
07784290745

Media Relations contact: Tristan Garrick 020 8359 2454

PLEASE NOTE:

THIS IS A VIRTUAL MEETING AND MEMBERS OF THE PUBLIC WHO WHICH TO ACCESS THE MEETING CAN DO SO BY LISTENING TO THE LIVE AUDIO-RECORDING OF THE MEETING.

THE AGENDA PACK FOR THIS MEETING IS AVAILABLE HERE

[HTTP://BARNET.MODERNGOV.CO.UK/MGLISTCOMMITTEES.ASPX?BCR=1](http://BARNET.MODERNGOV.CO.UK/MGLISTCOMMITTEES.ASPX?BCR=1)

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	APPOINTMENT OF CHAIRMAN	
2.	ABSENCE OF MEMBERS (IF ANY)	
3.	DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)	
4.	LICENSING SUB-COMMITTEE HEARING PROCEDURE	5 - 8
5.	REPORT OF THE TRADING STANDARDS AND LICENSING MANAGER	9 - 104
6.	MOTION TO EXCLUDE THE PRESS AND PUBLIC	
7.	DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION	
8.	RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE	
9.	ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT	

LONDON BOROUGH OF BARNET

LICENSING SUB COMMITTEE

HEARINGS PROCEDURE

AGENDA ITEM 4

General points

The following procedure is based on Regulations made by the Secretary of State under the Licensing Act 2003 (“the Hearings Regulations”) which may be viewed or downloaded from the website of the Department for Culture, Media and Sport by following links from www.culture.gov.uk

The procedure is intended as a general framework to ensure natural justice and a fair hearing. The conduct of individual hearings may vary slightly according to circumstances and the discretion of the Chairman. In all cases, however, this general framework will be followed.

The procedure allows each party a maximum period of 5 minutes in which to present their case (Regulations 16 & 24). At the end of the time allowed, the Chairman will terminate the presentation and the hearing will proceed in the form of a discussion led by the authority to explore points of dispute. The discussion will not be timed.

The procedure is subject to periodic review and amendment to reflect best practice and relevant legislative changes. An updated version of this procedure is published as soon as possible following any such amendments.

Governance Officer

- To seek nominations for Chairman
- Elect Chairman
- Hand over to the Chairman

Chairman

- Introduces him/herself and Members of the Committee, and outlines their roles.
- Introduces Licensing, Legal and Governance Officer.
- Explains that Legal and Governance Officers will be present during the Committee’s deliberations to advise only, and that the Licensing Officer will be excluded from deliberations.
- Asks parties present to introduce themselves.
- Outlines procedure to be followed.
- Asks all parties to confirm their understanding of the procedure.
- Clarifies any aspect(s) of the procedure where any parties are uncertain or asks Legal or Governance Officer as appropriate to clarify.

Governance Officer

- Informs Committee of absent parties.
- Details persons whom a party is seeking permission to represent them at hearing.
- Panel confer regarding permission.
- Chairman announces decision regarding permission.

Licensing Officer presents the report to the Committee

- Is a statement of the facts including details of the application and operating schedule, relevant policy details, detail representations made, a chronology of events and highlights the points on which the Authority requires clarification.

Applicant

- Presents opening submissions and clarifies points raised by Authority in notice of hearing. Time allowed 5 mins.

Other parties

- Presents opening submissions either in person or by spokes person Time allowed 5 mins per interested party.

Note regarding use of video evidence

Video evidence must be in DVD format and will form part of the relevant party's five minutes opening submission. Any party wishing to use video evidence must submit a copy to the Authority along with sufficient, identical extra copies to serve on all the opposing parties – i.e. if the applicant is submitting it, there must be enough copies for all parties making representations and if a party making representations is submitting it there must be a copy for the applicant. The recording must be edited down to the highlights, containing only relevant matter which relates to the written representation previously submitted. In addition, a description of how, when and where the video was recorded and what it contains must be submitted. These must be supplied to the Authority at least five working days before the hearing.

Members question Licensing Officer on Policy

Discussion

Chairman leads a discussion concentrating on points of dispute:

Chairman asks Applicant what he disputes in other parties' submissions, and asks other parties to comment.

Chairman proceeds through all objectors dealing with all matters of contention.

When Chairman feels all matters have been thoroughly discussed and all parties have been given a fair and equal opportunity to comment and make representations, she/he closes discussion.

Determination

There are two procedures depending on whether or not determination is to be made at the end of the Hearing or within five working days of the Hearing. This later announcement of determination is permitted in terms of the Legislation for certain types of applications.

Chairman informs all present that the Committee will deliberate, that Legal and Governance Officer will remain to advise but will not be part of decision-making process, and that all others must leave (under Regulation 14).

- Parties, apart from Legal and Governance Officer, leave the room.
- The Committee deliberates, with advice as required from Legal and Governance Officer, and reaches a conclusion. The Legal officer may assist, as required, in formulating the wording of the determination.
- Parties return.

- Chairman reads out determination, and advises it will be sent in writing to all parties.
- Opportunity for determination to be clarified by any interested party who is unclear.
- Chairman gives advice about appealing against the determination.
- Chairman thanks all for attending and closes the meeting.

...Within five working days of the hearing

- Chairman explains requirement to determine the Hearing within five working days, and advises that the Committee will proceed to deliberate and announce the determination within that time.
- During deliberations, Legal and Governance Officers remain to advise on law and procedure as required. The Legal Officer may assist, as required, in formulating the wording of the determination. The Licensing Officer plays no part in the determination and withdraws for this part of the proceedings.
- Chairman advises all parties that they will receive written notification of the determination within five working days of the Hearing date, together with general information on how to appeal against the determination.
- Chairman thanks all parties for attending and invites the applicant, objector(s), other party(ies) and the Licensing Officer to leave.

Information on Appealing against the decision

You may at any time before the expiration of a period of 21 days from notification appeal to Willesden Magistrates' Court, 448 High Road London England NW10 2DZ (Telephone 020 8955 0555, DX 110850 Willesden 2) by way of Complaint for an Order. The Court may either dismiss the appeal, substitute for the decision appealed against any other decision which could have been made by the Licensing Authority or remit the case to the Licensing Authority to dispose of it in accordance with the directions of the court, and can make such order as to costs as it thinks fit.

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Licensing Sub-Committee

4th August 2020



Title	Cielo Prlr, 1 Charcot Road, Colindale, London, NW9 5HG
Report of	Trading Standards & Licensing Manager
Wards	Colindale
Status	Public
Urgent	N/A
Key	No
Enclosures	<i>Report of the Licensing Officer</i> <i>Annex 1 – Current Licence</i> <i>Annex 2 – Application Form</i> <i>Annex 3 - Representations</i> <i>Annex 4 – Matters for Decision</i>
Officer Contact Details	Elisabeth Hammond 020 8359 5639 Elisabeth.hammond@barnet.gov.uk

Summary

This report asks the Sub-Committee to consider an application for a Variation Premises Licence, under section 34 of the Licensing Act 2003

Officers Recommendations

1. This report asks the Sub-Committee to consider an application for a Variation Premises Licence, under section 34 of the Licensing Act 2003 for Cielo Prlr, 1 Charcot Road, Colindale, London, NW9 5HG

1. WHY THIS REPORT IS NEEDED

- 1.1 The licensing authority having received valid representations against the application for a variation of a premises licence is expected to hold a hearing to consider those representations. The application can be determined by the licensing authority without a hearing in certain circumstances.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Where a representation is submitted under Section.35(3) of the Licencing Act 2003 the authority must hold a hearing to consider such representations, unless the representation is withdrawn, the applicant or any party or responsible authority who has made a valid representation agrees or where the authority considers that the representations are frivolous or vexatious.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Licensing Sub-Committee is required to give appropriate weight to the representations (including supporting information) presented by all the parties, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's statement of licensing policy and the steps that are appropriate to promote the four licensing objectives.

Having considered those relevant matters, the Licensing Sub-Committee is required to take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are—

- (a) To vary the licence subject to—

(i) conditions that are consistent with the operating schedule accompanying the application modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and

(ii) any condition which must under section 19, 20 or 21 of the Licensing Act 2003 be included in the licence;

- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the variation

For the purposes of 3.1(a) (i) above, the conditions of the licence are modified if any of them are altered or omitted or any new conditions added.

4. POST DECISION IMPLEMENTATION

4.1 The decision will have immediate effect

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 Members are referred to the Council's Licensing Policy for consideration

5.1.2 Timely legal and fair decisions support objectives are contained within the Corporate Plan. In particular in relation to a "successful London borough" by ensuring that only legal, well regulated licensable activities occur within the borough.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 N/A

5.3 Legal and Constitutional References

5.3.1 The Licensing Act 2003 sets out how applications for premises licences should be dealt with where valid representations have been submitted.

5.3.2 Under the Council's Constitution, Article 7, the licensing sub-committee has responsibility delegated to it (from the Licensing Committee) for licensing hearings concerning all licensing matters.

5.4 Risk Management

5.4.1 N/A

5.5 Equalities and Diversity

5.5.1 Licence applications are dealt with according to the provisions of the Licensing Act 2003 and associated Regulations which allow both applications and representations to applications to be made by all sectors.

5.6 Consultation and Engagement

5.6.1 The statutory consultation process has been followed in accordance with the Licensing Act 2003.

6. BACKGROUND PAPERS

6.1 The application and report of the Licensing Officer and appendices are attached to this report.

Officers Report

LICENSING ACT 2003

OFFICERS REPORT

Cielo Prr, 1 Charcot Road, Colindale, NW9 5HG

1. The Applicants

The application before the subcommittee was submitted under Section 34 of the Licensing Act 2003. It is an application for a Variation of a Premises Licence, submitted by Izzet Deniz Erpolat.

2. Application

The original licence was granted on 14th December 2019 following a hearing of the Licensing Sub-Committee, the table below shows the activities and hours they are currently licenced for within the premises.

Sale or supply of alcohol				
Day	Current licence permitted start time	Current licence permitted finish time	Proposed start time	Proposed finish time
Monday	11:00hrs	23:30hrs	11:00hrs	00:30hrs (the following morning)
Tuesday	11:00hrs	23:30hrs	12:00hrs	00:30hrs (the following morning)
Wednesday	11:00hrs	23:30hrs	12:00hrs	00:30hrs (the following morning)
Thursday	11:00hrs	23:30hrs	12:00hrs	00:30hrs (the following morning)
Friday	11:00hrs	01:30hrs (the following morning)	12:00hrs	01:30hrs (the following morning)
Saturday	11:00hrs	01:30hrs (the following morning)	12:00hrs	01:30hrs (the following morning)
Sunday	11:00hrs	23:30hrs	12:00hrs	00:30hrs (the following morning)
Currently only for consumption on the premises			Applying to vary this to allow for sale or consumption on and off the premises	

Provision of Late-Night Refreshment				
Day	Current licence permitted start time	Current licence permitted finish time	Proposed start time	Proposed finish time
Monday	23:00hrs	23:30hrs	23:00hrs	01:00hrs (the following morning)
Tuesday	23:00hrs	23:30hrs	23:00hrs	01:00hrs (the following morning)
Wednesday	23:00hrs	23:30hrs	23:00hrs	01:00hrs (the following morning)
Thursday	23:00hrs	23:30hrs	23:00hrs	01:00hrs (the following morning)
Friday	23:00hrs	01:30hrs (the following morning)	23:00hrs	02:00hrs (the following morning)
Saturday	23:00hrs	01:30hrs (the following morning)	23:00hrs	02:00hrs (the following morning)
Sunday	23:00hrs	23:30hrs	23:00hrs	01:00hrs (the following morning)
Currently only for consumption indoors and outdoors			Applying to vary this to allow for consumption indoors and outdoors	

In addition to amending the hours for sale or supply of alcohol and the provision of late-night refreshment. The application seeks to include the following activities within their premises and the glass structure attached to the premises:

Playing of recorded music Day	Proposed start time	Proposed finish time
Monday	12:00hrs	01:30hrs (the following morning)
Tuesday	12:00hrs	01:30hrs (the following morning)
Wednesday	12:00hrs	01:30hrs (the following morning)
Thursday	12:00hrs	01:30hrs (the following morning)
Friday	12:00hrs	02:00hrs (the following morning)
Saturday	12:00hrs	02:00hrs (the following morning)
Sunday	12:00hrs	00:00hrs (the following morning)
Applying to allow for indoors only		

Playing of live music Day	Proposed start time	Proposed finish time
Monday	12:00hrs	23:00hrs
Tuesday	12:00hrs	23:00hrs
Wednesday	12:00hrs	23:00hrs
Thursday	12:00hrs	23:00hrs
Friday	12:00hrs	01:00hrs (the following morning)
Saturday	12:00hrs	01:00hrs (the following morning)
Sunday	12:00hrs	23:00hrs
Applying to allow for indoors only		

Hours the premises are open to the public Day	Proposed start time	Proposed finish time
Monday	12:00hrs	01:00hrs (the following morning)
Tuesday	12:00hrs	01:00hrs (the following morning)
Wednesday	12:00hrs	01:00hrs (the following morning)
Thursday	12:00hrs	01:00hrs (the following morning)
Friday	12:00hrs	02:00hrs (the following morning)
Saturday	12:00hrs	02:00hrs (the following morning)
Sunday	12:00hrs	01:00hrs (the following morning)

A copy of the original licence can be seen attached to this report in **Annex 1**. A full copy of the variation application form and plans can be seen attached to this report in **Annex 2**

3. Representations

The Licensing Team received 9 valid representations from residents, the resident's representations cover all four of the licensing objectives in respect of the hours and activities applied for. The Licensing Team also received a representation from the Noise Nuisance department acting as a responsible authority. Within Mr Bull's representation he has stated the following: -

"The Noise Nuisance Department have concerns with the premises going past 11pm. The building has very poor sound insulating properties and, in my opinion would severely affect the local neighbourhood with many properties situated above the premises."

The representations can be seen attached to this report in **Annex 3**.

Committee are reminded that the application should be determined under its own merit and although some of the representations allude to concerns regarding planning and traffic issues, Section 14.64 of the Guidance issued under Section 182 of the Licensing Act 2003 states that Licensing committees are not bound by decisions made by a planning committee, and vice versa.

4. Attaching conditions

The operating schedule, which is part of the application, includes certain additional steps that the applicant will take to protect the licensing objectives. These will become enforceable conditions, should the licence be granted. Additional conditions may be attached to the licence if the committee thinks it appropriate.

The Committee must have regard to all of the representations made and the evidence it hears and is asked to note that it may not attach conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

In relation to conditions, the statutory guidance at chapter 10.8 states that "The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

Full Copies of the Councils Statement of Licensing Policy, the Statutory Guidance to the Act and the Council's Guide to Good Practice at Licensed Premises will be available at the Licensing Sub Committee hearing or in advance if required.

Elisabeth Hammond
Licensing Officer

Annex 1 – Original Licence
Annex 2 – Application Form
Annex 3 – Representations
Annex 4 – Matters for Decision

Original Licence

<p><u>Licensing Act 2003</u></p> <p><u>Part A</u></p> <p><u>Premises Licence</u></p> <p><u>Premises Licence Number:</u> LAPRE1/18/59467</p>	<p><u>Licensing Authority:</u> London Borough of Barnet, Community Protection (Regulation) Barnet House 1255 High Road Whetstone London N20 0EJ</p>
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Part 1 – Premises details

<u>Postal address of premises, or if none, ordnance survey reference or description</u> 1 Charcot Road	
<u>Post Town</u> London	<u>Post Code</u> NW9 5HG
<u>Telephone number</u> N/A	

<u>Where the licence is time limited the dates</u> This premises licence is not time limited.

<u>Licensable activities authorised by the licence</u>
<ul style="list-style-type: none"> ●The Sale by Retail of Alcohol ●The Provision of Late Night Refreshment

<u>The times the licence authorises the carrying out of licensable activities</u>	
<u>Provision of late night refreshment</u>	
<u>Standard Days & Timings</u>	
Friday to Saturday	23:00hrs - 01:30hrs
Sunday to Thursday	23:00hrs - 23:30hrs
<u>Sale or supply of Alcohol – On the premises only</u>	
<u>Standard Days & Timings</u>	
Friday to Saturday	11:00hrs - 01:30hrs
Sunday to Thursday	11:00hrs - 23:30hrs

<u>The hours that the premises are open to the public</u>	
<u>Standard Timings</u>	
Friday to Saturday	11:00hrs - 02:00hrs
Sunday to Thursday	11:00hrs - 00:00hrs

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

On the premises only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Hayirola Berkpinar
17A Clockhouse Lane
Romford
RM5 3PH
berkpinar2@aol.com

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

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Hayirola Berkpinar

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 number: 19625

Personal Licence Issuing Authority: London Borough of Havering

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. i. (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).

ii. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- iii. (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 sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible 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.

iv. The responsible person must 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;

(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.”

4. 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 Act Duties 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;

(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 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 paragraph 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

5. All staff involved in licensable activity shall receive training relating to age verification, the licensing objectives and laws relating to the sale of alcohol. This training shall be given at the start of employment (prior to carrying out any licensable activity) and be refreshed at least every 6 months. The training shall be documented and be made available for inspection at the request of police or other responsible authority.
6. The premises shall operate a challenge 25 policy. Anyone attempting to purchase alcohol who appears under the age of 25 years shall be required to produce valid photo ID (such as a photo card driving licence, passport or PASS accredited age verification card) to prove they are 18 years or older. Failure to produce acceptable ID shall result in a refusal of the sale. This refusal shall be documented in the refusals / incident log.
7. Alcohol will only be sold to customers purchasing food.
8. Alcohol will only be consumed by persons seated at a table (with a substantial meal) or kept sealed to be taken away from the premises with a takeaway meal
9. All service of alcohol will be made by waiter/waitress.
10. There will be no vertical drinking

11. A refusals / incidents register shall be maintained at the premises recording
- a) All known incidents of crime and disorder occurring at the premises with dates and times
 - b) Details of occasions when the emergency services are called to the premises
 - c) All refusals of alcohol sales and ejections from the premises.

This register will be available for inspection by a police officer or other authorised officer on request

12. A CCTV system comprising of a multi camera system will be installed at the premises capable of the following;

- a) The head unit (recorder) for storing the images will store such data on a hard drive or a similar quality medium (locally or accessible from a central location)
- b) If the head unit (recorder) is kept on the premises it must be located in a secure cabinet or other secure area, preferably out of the sight and reach of the public.
- c) A CD/DVD burner, USB type device or media storage database (i.e. Cloud) will also form part of the system to facilitate making copies of the footage
- d) The quality of the images must be of a sufficiently high standard to allow identification of the subject matter
- e) Cameras will cover key areas identified by the operator and Police. These will include clear headshots of persons entering the premises, any bar/till areas and areas approach to the toilet facilities
- f) Images must be retained for a minimum period of 31 days before overwriting
- g) The images will be made available in reasonable time on demand by the Police and authorised officers of the London Borough of Barnet
- h) At all times when the premises are open there shall be at least one person who is capable of operating the CCTV system if required to do so by the Police or authorised officers of the London Borough of Barnet
- i) This system will be fully maintained at all times

Annex 3 – Conditions attached after hearing by the licensing authority

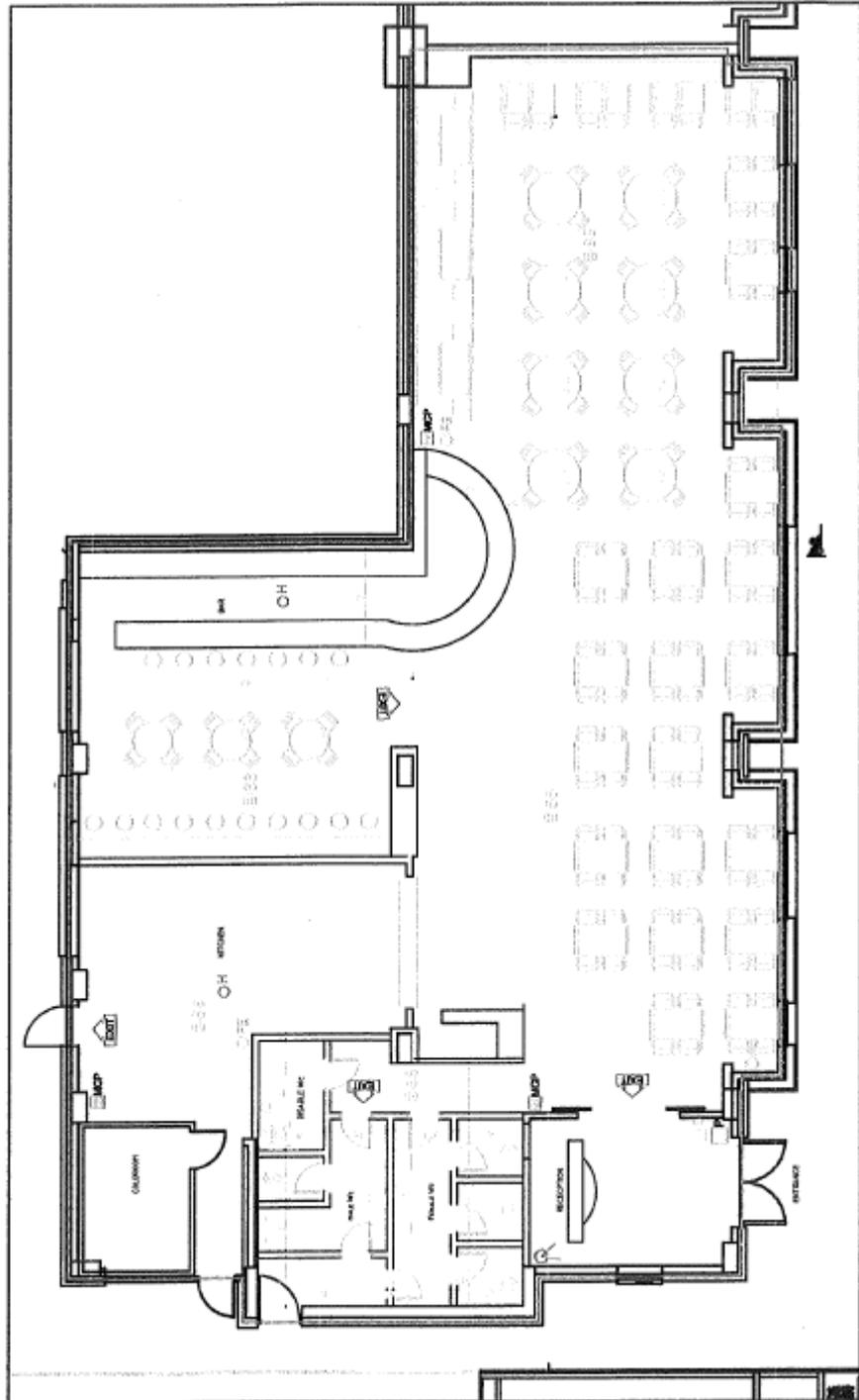
N/A

Annex 4 – Plan

As submitted to the Council with the application for the grant of a premises licence under schedule 8 of the Licensing Act 2003. Reference LAPRE1/18/59467

COLINDALE RESTAURANT

1 CHARCOT ROAD, LONDON
NW9 5HG



Application Form

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We IZZET DENIZ ERPOLAT

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LAPREI/18/59467
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 1 CHARCOT ROAD COLLINDALE			
Post town	LONDON	Postcode	NW9 5HG

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£9043.00

Part 2 - Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	● Downhills Avenue		
Post town	LONDON	Postcode	N17 [REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late-night levy? (Please see guidance note 1) Yes No

Please briefly describe the nature of the proposed variation (Please see guidance note Full Variation application to be able to supply alcohol to be consumed off the premises, play recorded music and perform live music. and provide late night refreshment

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	12:00	23:00			
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Tue	12:00	23:00			
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00	01:00			
Sat	12:00	01:00			
Sun	12:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both -- please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	12:00	01:30			
Tue	12:00	01:30			
Wed	12:00	01:30	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur	12:00	01:30			
Fri	12:00	02:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat	12:00	02:00			
Sun	12:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	01:00	Please give further details here (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	01:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat	23:00	02:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon	11:00	00:30						
Tue	12:00	00:30						
Wed	12:00	00:30						
Thur	12:00	00:30				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	12:00	01:30						
Sat	12:00	01:30						
Sun	12:00	00:30						

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Day	Start	Finish	
Mon	12:00	01:00	
Tue	12:00	01:00	
Wed	12:00	01:00	
Thur	12:00	01:00	
Fri	12:00	02:00	
Sat	12:00	02:00	
Sun	12:00	01:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.
Unfortunately, we have not received it from the council yet it has been over 9 months waiting.

M Describe any additional steps you intend to take to promote the four licensing objectives because of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with attention to:

- a) no selling of alcohol to underage people
- b) no drunk and disorderly behaviour on the premises area
- c) vigilance in preventing the use and sale of illegal drugs at the retail area
- e) no harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.

- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale

- Clear "Challenge-age 25" information to prevent the supply of alcohol to under-age drinkers.

- CCTV system installed with recording option available

As a licensed premise we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

No binge drink promotions will take place

Any person who appeared to be drunk and disorderly will not be permitted to premises

Notices have been in prominent positions to ask patrons to leave quietly

Suitable evacuation plans in case of any emergency

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

Internal and external lighting fixed to promote the public safety objective.
Well trained staff adherence to environmental health requirements.
Training and implementation of underage ID checks.
A logbook or recording system shall be kept upon the premises in which shall be entered particulars of inspections made;
those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The logbook shall be kept available for inspection when required by person authorized by the Licensing Act 2003 or associated legislation.
All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.
Prominent, clear, and eligible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and leave the premises and the area quietly.
Deliveries of goods and necessary for the operation of the business will be carried out at such time or in such a manner as to prevent nuisance and disturbance to nearby residents.
The licensee will ensure that when the business has ceased trading conduct themselves in such a manner to avoid causing disturbances to nearby residents.
Customers will be asked not to stand around loudly talking in the streets outside the premises.
Customers will not be admitted to premises above operating hours. The movement of bins and rubbish outside the premises will be kept to a minimum this will help to reduce the levels of noise produced by the premises.
Any lighting on or the outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

Challenge 25 sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID. (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.
Well trained staff about requirement for the persons identification, age Establishment etc. All the details provided in the Training Record Book available the restaurant unit. Logbook will be kept upon the premises all the time. Nothing belongs existing Health and Safety requirements.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
-



Checklist:

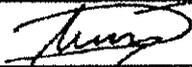
Please tick to indicate agreement

- I have made or enclosed payment of the fee: or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	29-05-2023
Capacity	DPS - Premises Licence holder

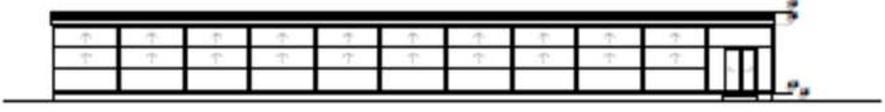
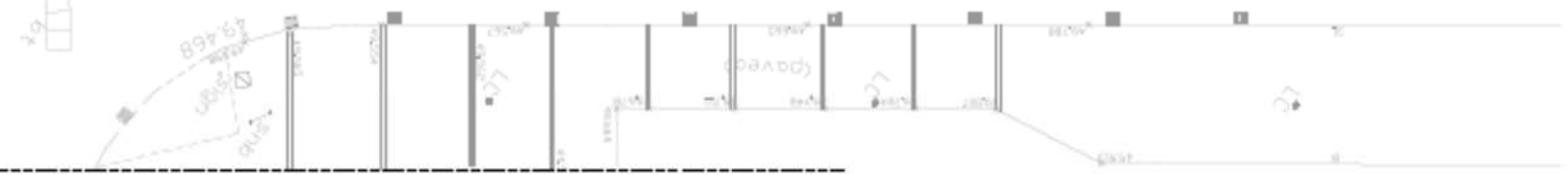
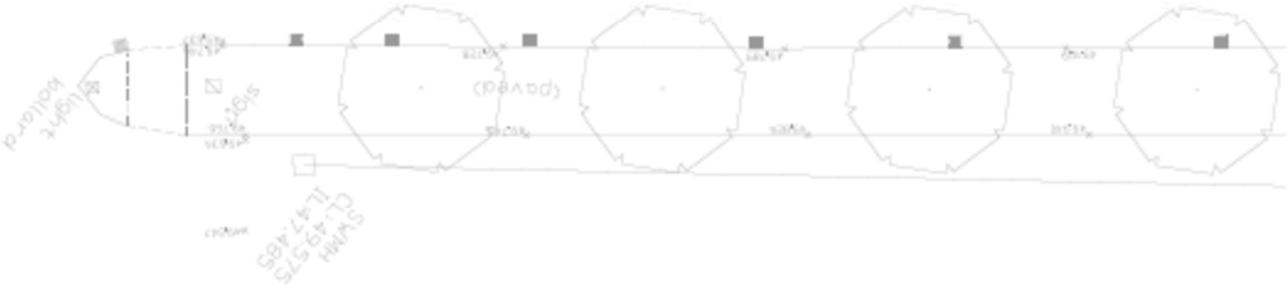
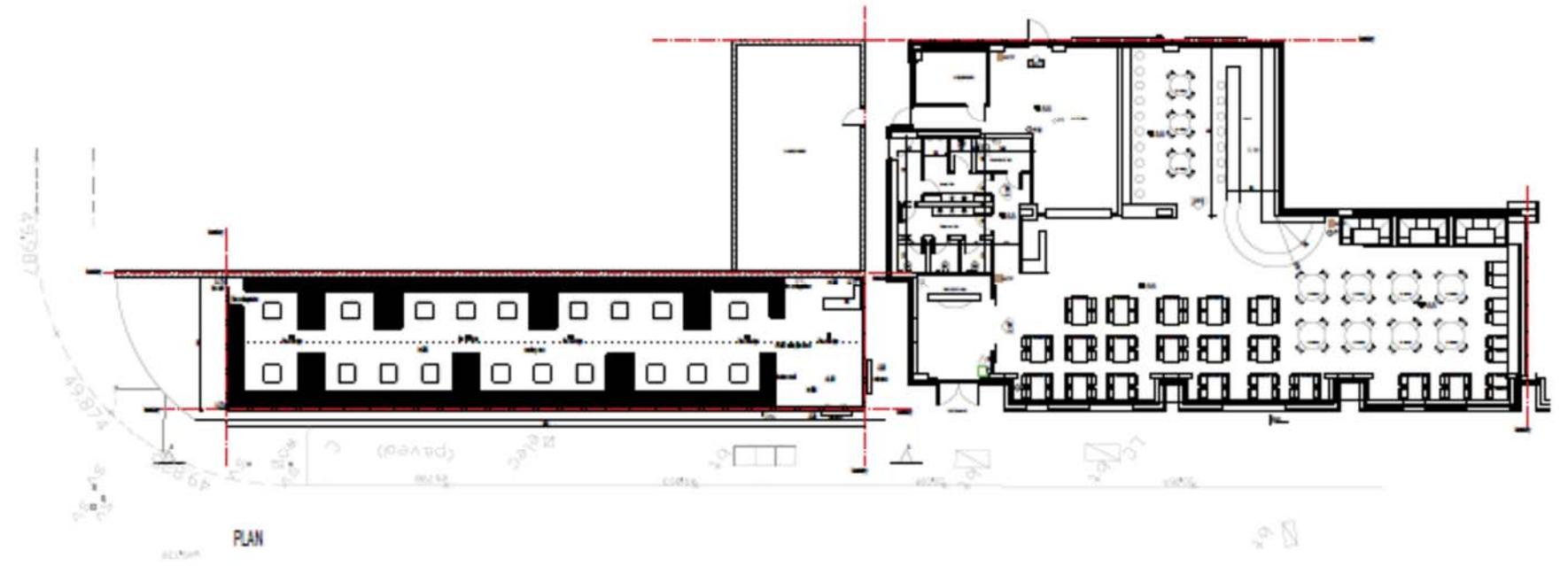
Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

HAYROLA BERK PINAR
 CLOCKHOUSE CAFE

Post town	RONFORD	Post code	RMS 
Telephone number (if any)			



PROJECT	CLAYTON COLLEGE
DESIGNER	ARCHITECTS
DATE	2010
SCALE	1:100
DATE	2010

Representations

Hammond, Elisabeth

Subject: FW: LAPRE1/18/59467 // LAPRE4/20/62862

From: Bardi TFC xxxxxxxxxxxxxxxxxxxxxxxxx
Sent: 08 June 2020 16:14
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Subject: Re: LAPRE1/18/59467 // LAPRE4/20/62862

Hi Elisabeth, thanks for getting back to me

- Prevent of crime and disorder-
- Public safety- *Increased number of cars, illegal parking in residential areas, speeding along a private road, cars racing each other. All of these are a risk to the public. Clients of the lounge leaving at 2am in the morning and the issues that drinking has on people*
- Prevention of public nuisance- *Cielo even with their limited opening hours already causes a large amount of noise for the people who live above the venue. In the summer months when all the windows are open, music can be heard across the estate. By allowing them to serve alcohol you would be exacerbating the problem and encouraging even more people to frequent the bar/hang around outside smoking until late into the evening. A 2am license increases the amount of nuisance already.*
- Protection of children from harm- *There have been many reports from people who live above the bar commenting on noise keeping their children awake and smoke entering their premises.*

Whilst I accept that these are the only reasons you judge whether a property should be given the license, I think you need to take into consideration that you're talking about a property that has been illegally built. It has already had one appeal rejected. I'm not sure how you can ask for a license on a building that shouldn't exist?

Anthony

Thanks

On Mon, 8 Jun 2020 at 15:40, Hammond, Elisabeth <Elisabeth.Hammond@barnet.gov.uk> wrote:

Dear Mr Lombardi

I am the officer dealing with the variation application for 1 Charcot Road.

In order for your representation to be considered valid, it must relate to at least one of the Licensing objectives and how this application or the premises would have an effect on the objectives. These are as follows:-

- Prevent of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Regards,

Elisabeth Hammond

Licensing Officer

Commercial Premises

London Borough of Barnet

8th Floor

2 Bristol Avenue

Colindale

London

NW9 4EW

0208 359 5639



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Due to Covid 19 postal services are intermittent please use email where possible?

From: Bardi TFC xxxxxxxxxxxxxxxxxxxxxxxx
Sent: 04 June 2020 15:27
To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>
Subject: Re: LAPRE1/18/59467 // LAPRE4/20/62862

Hello my concerns relate to the Full Variation that was submitted

My details are as follows: Anthony Lombardi, xx Osler Court, x Charcot Rd, London, Nw9 xxx

Tel: xxxxxxxxxxxx

Thanks

On Tue, 2 Jun 2020 at 15:15, LicensingAdmin <LicensingAdmin@barnet.gov.uk> wrote:

Dear Sir or Madam,

Thank you for your email.

If you would like to raise your concerns with planning, their email address is Planning.Enquiry@barnet.gov.uk. However, if your concerns are regarding the Full Variation that was submitted please provide your name, address and contact details.

Regards,

Licensing Team

Specialist Technical Support Officer for Re

Address: Barnet Council, 8th Floor, 2 Bristol Avenue, Colindale, NW9 4EW

Email: licensingadmin@barnet.gov.uk

Work: Tel: 0208 359 7443

Website: www.capita.co.uk/property

www.re-ltd.co.uk



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Please consider the environment - do you really need to print this email?

RESTRICTED

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From: Bardi TFC xxxxxxxxxxxxxxxxxxxxxxxxx

Sent: 02 June 2020 11:50

To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>

Subject: LAPRE1/18/59467

Hello.

This is a quick email re: New Premises Licence | Licence Superseded | 1 Charcot Road London NW9 5HG

Firstly I'm sure you're aware that the building seeking a licence is already appealing a rejected retrospective planning permission.

There's some great shops in the area. Spaccanapoli, Cosmic Hair, ITJL Mi Bento etc unfortunately the noise, mess and anti social behaviour relating to Cielo PRLR means its not on the list.

Please consider very carefully what a late night drinking establishment would do to a residential area. When the world opens up again, I urge you to visit the area on a Friday night and witness the drag racing, the engine revving and party music pumping out.

This is not a good idea. Cielo wasn't a good idea, hence why they never asked for planning permission until it was built.

Thanks

From: Budurea Cecilia [mailto: [REDACTED]]
Sent: 08 June 2020 14:38
To: Hammond, Elisabeth [REDACTED]
Subject: RE: Notice of representation regarding Variation of Premise License - Cielo P1r 1 Charcot Road, NW9 5WU

Hi Elizabeth,

My full address is as follows:

Flat [REDACTED], Fletcher Court
[REDACTED] Joslin Avenue
London
NW9 [REDACTED]

I believe the points highlighted in my previous email cover the first 3 points

- Prevent of crime and disorder
- Public safety
- Prevention of public nuisance

I and the residents of Fletcher Court have made numerous complaints in July 2019 to the Licensing team about the issues we are facing because this establishment didn't abide by their current license (loud DJ music until 2:00-3:00 am, loud, rowdy patrons, increase in anti-social behaviour, soft drug sellers, littering, car traffic, shisha & charcoal smoke filling our homes, loud employees using the residents car park to smoke and deposit commercial waste). Not to mention that this establishment doesn't have a planning application approved - they have made a retrospective application more than 1 year and a half after they've opened for business and it was rejected.

I am attaching some pictures with the improvised waste disposal bins placed under the residents windows.

My question is: how is it possible for them to have a license when they do not have planning approval for the buildings erected?

Please let me know if you require further information.

Best wishes,
Cecilia Budurea





Sent from Yahoo Mail on Android

On Mon, 8 Jun 2020 at 13:48, Hammond, Elisabeth
<XXXXXXXXXXXXXXXXXXXX> wrote:

Dear Cecilia

In addition to re-sending the consultation to me, please can you also let me know your full address. Please note, in order for your representation to be valid, it must relate to one or more of the full licensing objectives.

Prevent of crime and disorder

- Public safety
- Prevention of public nuisance
- Protection of children from harm

Regards,

Elisabeth Hammond

Licensing Officer

Commercial Premises

London Borough of Barnet

8th Floor

2 Bristol Avenue

Colindale

London

NW9 4EW

0208 359 5639



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STAY AT HOME

PROTECT THE NHS

save lives

Together, WE ARE BARNET

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From: Hammond, Elisabeth
Sent: 08 June 2020 09:41
To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>; XXXXXXXXXXXXXXXXXXXXXXXX
Subject: RE: Notice of representation regarding Variation of Premise License - Cielo Prlr 1 Charcot Road, NW9 5WU

Dear Cecilia Budurea

Thank you for your email.

Please can I ask that you re-send your representation to me, typed out on a new email. The screen shot I have received appears to cut off part way through point 6.

Regards,

Elisabeth Hammond

Licensing Officer

Commercial Premises

London Borough of Barnet

8th Floor

2 Bristol Avenue

Colindale

London

NW9 4EW

0208 359 XXXX

RE

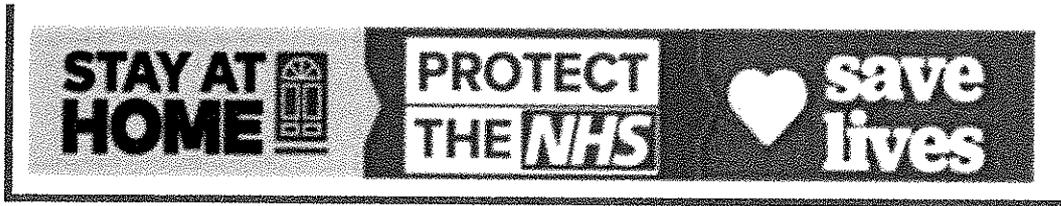
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From: LicensingAdmin
Sent: 01 June 2020 10:39
To: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Subject: FW: Notice of representation regarding Variation of Premise License - Cielo P1r 1 Charcot Road, NW9 5WU

Dear Budurea Cecilia,

Thank you for your email.

We will pass your email onto the appropriate officers.

Regards,

Licensing Team

Customer Service Advsiior for Re

Address: 2 Bristol Avenue, Colindale, NW9 4EW

Email: LicensingAdmin@barnet.gov.uk

Work: 0208 359 7995

Website: www.capita.co.uk/property

www.re-ltd.co.uk



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From: Budurea Cecilia XXXXXXXXXXXXXXXXXXXXXXXX
Sent: 29 May 2020 16:30
To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>
Subject: RE: Notice of representation regarding Variation of Premise License - Cielo Prlr 1 Charcot Road, NW9 5WU

Hi,

I just re-sent it although I am able to see the initial email in my sent



← Notice of representation regar...



me

LicensingAdmin@barnet.gov.uk ...



Monday, 14/05

Dear Sirs,

I am a member of the Pulse Residence community (NW9 5HW) and I oppose to the variation of premise license - Cielo Prlr 1 Charcot Road, NW9 5HW.

Since the opening of this venue in Dec 2018 (without planning permission!), we have seen a significant increase in:

1. Noise (loud music until 2:00-3:00 am in the morning, celebrating patrons, car traffic)
2. Bad odor from the shisha smoke, charcoal grill smoke (<https://www.youtube.com/watch?v=erNsNOqao2c>) and horrendous rubbish smell stored in the rear car park under residents windows (the smell comes into our flats). Also they are leaving the rubbish on the pavement or leaving the refuse shed doors opened. The rubbish attracts rats and foxes.
3. Antisocial behavior (littering, soft drug sellers, vomit, drunk & rowdy patrons)
4. Car traffic congestion, parking in residents designated bays or congesting the 125 bus route.
5. Loud employees smoking in the rear car park under the resident's windows, refuse bags with bottles thrown at 1:00 am in the improvised refuse area waking up people, rotten meat left in bins for days in a row and horrendous smells)
6. In the shisha lounge they are not complying with the Health Act 2006 as they are keeping the



emails.

Sent from Yahoo Mail on Android

On Fri, 29 May 2020 at 16:12, LicensingAdmin

<LicensingAdmin@barnet.gov.uk> wrote:

Dear Budurea Cecilia,

Please resend your email, as we it's a blank page.

Regards,

Licensing Team

Customer Service Advsiior for Re

Address: 2 Bristol Avenue, Colindale, NW9 4EW

Email: LicensingAdmin@barnet.gov.uk

Work: 0208 359 7995

Website: www.capita.co.uk/property

www.re-ltd.co.uk

Re

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From: Budurea Cecilia <XXXXXXXXXXXXXXXXXXXX>
Sent: 28 May 2020 17:06
To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>
Subject: Notice of representation regarding Variation of Premise License - Cielo Prlr 1 Charcot Road, NW9 5WU

Dear Sirs,

Variation of premise license - Cielo Prlr 1 Charcot Road, NW9 5WU I oppose to the

Significant opening of this venue in Dec 2018 (without planning permission!), we have seen a

1. Noise (loud music until 2:00-3:00 am in the morning, celebrating patrons, car traffic)
~~It is a complaint that the noise level is too high and the noise is too loud and it is too late in the night.~~

3. Antisocial behavior (littering, soft drug sellers, vomit, drunk & rowdy patrons)

4. Car traffic congestion, parking in residents designated bays or congesting the 125 bus route.

~~It is a complaint that the noise level is too high and the noise is too loud and it is too late in the night.~~

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~~It is a complaint that the noise level is too high and the noise is too loud and it is too late in the night.~~

I would, therefore, ask you to give this letter your sympathetic attention!

Yours sincerely,

Cecilia Budurea

Fletcher Court, NW9

Hammond, Elisabeth

Subject: FW: Notice of representation regarding Variation of Premise Licence - Cielo Prlr 1 Charcot Road, NW9 5WU

From: Tang Jeremy xxxxxxxxxxxxxxxxxxxxxx
Sent: 06 July 2020 13:01
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Subject: RE: Notice of representation regarding Variation of Premise Licence - Cielo Prlr 1 Charcot Road, NW9 5WU

Dear Elisabeth,

I wish to represent and my address is Flat xx Fletcher Court, xx Josline Ave, London, NW9xxx

Many thanks

Jeremy TC Tang

From: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Sent: 06 July 2020 12:19
To: Tang Jeremy xxxxxxxxxxxxxxxxxxxxxx
Subject: RE: Notice of representation regarding Variation of Premise Licence - Cielo Prlr 1 Charcot Road, NW9 5WU

Dear Jeremy

The last date for representations for the variation application at Cielo Prlr is tomorrow. Should you wish for your representation to be included, we need to know your full residential address details.

Regards

Elisabeth Hammond
Licensing Officer
Commercial Premises
London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639



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Coronavirus (COVID-19): Latest information and advice

For information about how we are working to support our residents, communities and businesses, and the latest advice about council services visit: barnet.gov.uk/covid19

If you, a family member, friend, or close member of your community are in need of urgent help that is **not medical related**, call us on **0808 281 3210** or use our [webform](#).



From: LicensingAdmin
Sent: 28 May 2020 17:01
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Subject: FW: Notice of representation regarding Variation of Premise Licence - Cielo Prr 1 Charcot Road, NW9 5WU

From: Tang Jeremy xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
Sent: 28 May 2020 14:12
To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>
Subject: RE: Notice of representation regarding Variation of Premise Licence - Cielo Prr 1 Charcot Road, NW9 5WU

Dear Elisabeth,

Thank you for your reply. I wish to record my objection for the following reasons: I live directly above the premise.

- **Prevention of crime and disorder** – Since the opening of the premise rowdy & at time violent behaviour can be heard often in the night. My observation is these are often from intoxicated patrons from the premise.
- **Public safety** – The premise is also offering Shisha from their terrace area. The smoke and smell is apparent as soon as you exit Colindale station in certain wind conditions. Especially last summer when their rooftop was open I could smell it from my balcony forcing me to keep windows closed. Arguably the smoke pose a health risks for families passing the road when walking to the
- **Prevention of public nuisance** – Judging from the management behaviour, the requested opening times especially for live and indoor music will no doubt cause noise pollution. Here are some youtube recordings from 2019 before the lockdown:
 - Fri 26 July 2019 at 2300 <https://youtu.be/v3I9woMclCc>
 - 16 Feb 19 at 0030 <https://youtu.be/Xi7vL9zQMN8>
 - 17 Mar 19 at 1am <https://youtu.be/hPfZXHAd9aE>
 - 29 Mar 19 <https://youtu.be/DOrpBSPQIB0>
- **Protection of children from harm** – The way the venue is marketing itself is less of a restaurant but more of a night club that is not suitable in a residential area with young families and children.

Kind regards,

Jeremy Tang

From: LicensingAdmin <LicensingAdmin@barnet.gov.uk>
Sent: 28 May 2020 13:21
To: Tang Jeremy xxxxxxxxxxxxxxxxxxxxxxxx
Subject: RE: Notice of representation regarding Variation of Premise Licence - Cielo Prr 1 Charcot Road, NW9 5WU

Dear Mr Tang

Thank you for your email.

I can confirm that the application to which that notice applies was withdrawn yesterday. However the applicants have submitted a new variation application and they will be placing an updated notice on the premises outlining what they are looking to change.

They are looking to vary the following:-

- to supply alcohol to be consumed both on and off the premises, provide late night refreshment, play recorded music and perform live music.

The hours they are applying for, for each activity are:-

- **Performance of live music (indoors only)**, Monday – Thursday 12:00hrs until 23:00hrs, Friday & Saturday 12:00hrs until 01:00hrs, and Sunday 12:00hrs until 23:00hrs
- **Playing of recorded music (indoors only)**, Monday – Thursday 12:00hrs until 01:30hrs, Friday & Saturday 12:00hrs until 02:00hrs, and Sunday 12:00hrs until 00:00hrs
- **Provision of late night refreshment (on and off the premises)**, Monday – Thursday 23:00hrs until 01:00hrs, Friday & Saturday 23:00hrs until 02:00hrs, and Sunday 23:00hrs until 01:00hrs
- **Supply of alcohol (on and off the premises)**, Monday 11:00hrs until 00:30hrs, Tuesday – Thursday 12:00hrs until 00:30hrs, Friday & Saturday 12:00hrs until 01:30hrs, and Sunday 12:00hrs until 00:30hrs

For a representation to the variation to be considered valid, it must relate to one or all of the Licensing Objectives laid down in the Licensing Act 2003. These objectives are:-

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

We are unable to take into consideration issues surrounding planning or traffic. Should you wish to object, please do so no later than 24th June 2020.

Regards,

Elisabeth Hammond
Licensing Officer
Commercial Premises
London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639

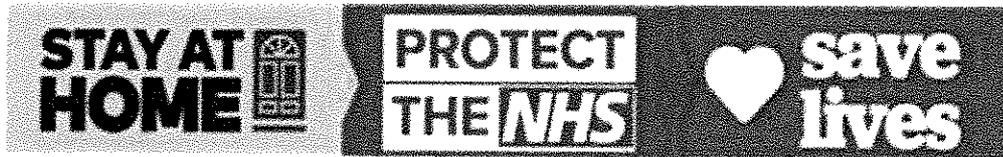


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Coronavirus (COVID-19): Latest information and advice

For information about how we are working to support our residents, communities and businesses, and the latest advice about council services visit: barnet.gov.uk/covid19

If you, a family member, friend, or close member of your community are in need of urgent help that is **not medical related**, contact us through: COVID19support@barnet.gov.uk or call 0808 281 3210.



Due to Covid 19 postal services are intermittent please use email where possible?

From: LicensingAdmin
Sent: 28 May 2020 11:34
To: Tang Jeremy xxxxxxxxxxxxxxxxxxxxxxx
Subject: RE: Notice of representation regarding Variation of Premise Licence - Cielo Prlr 1 Charcot Road, NW9 5WU

Dear Tang Jeremy,

Thank you for your email.

Your email has been passed onto the appropriate officer.

Regards,

Licensing Team
Customer Service Advsiors for Re
Address: 2 Bristol Avenue, Colindale, NW9 4EW
Email: LicensingAdmin@barnet.gov.uk
Work: 0208 359 7995
Website: www.capita.co.uk/property
www.re-ltd.co.uk



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From: Tang Jeremy xxxxxxxxxxxxxxxxxxxxxxx
Sent: 28 May 2020 10:27
To: LicensingAdmin <LicensingAdmin@barnet.gov.uk>
Subject: Notice of representation regarding Variation of Premise Licence - Cielo Prlr 1 Charcot Road, NW9 5WU

Dear Barnet Council,

I saw a note on the premise window of Cielo Prlr 1 Charcot Road, NW9 5WU for the Variation of Premise Licence.

I live in a flat directly above the premise and wish to represent my concerns and that of many of my neighbours:

1. This premise has repeatedly cause noise in our neighbourhood often deep into the early morning 2am
2. The owners ignored building regulations and opened a Shisha terrace without building approval (Planning Ref: 19/3858/FUL)
3. The traffic by the patrons has deteriorated the parking situation and often congest the only drive in entrance into the estate
4. Many patrons cars have loud music and loud motor noise causing noise pollution deep into the night
5. Speaking to the owners of the premise pre lockdown were only replied with empty and half-hearted promises of improvement
6. The recent retrospective building application by the owners were met with 140 objections:

Planning – Application Comments

Help with

19/3858/FUL | Erection of single storey building to be used as a shisha lounge (RETROSPECTIVE APPLICATION) | 1 Charcot Rd London NW9 5HG

Track

Details **Comments (223)** Constraints Documents (233) Related Cases (3) Map

Make a Comment **Public Comments (223)** Consultee Comments (0)

Total Consulted: 444 Comments Received: 223 **Objections: 159** Supporting: 81 View all comments

Sort by Added ▾ Direction Descending ▾ Results per page 10 ▾

1 2 3 4 5 6 7 8 9 10 | Next ▸ Showing 1-10 of 223 Collapse All Expand All

Source: <https://publicaccess.barnet.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=PUHG00JIJH500>

Kind regards,

Jeremy Tang

Image of Notice:

LICENSING ACT 2003
NOTICE OF APPLICATION FOR A VARIATION OF A PREMISES
LICENCE

Notice is hereby given that (a) IZZET DENIZERPOLA?

has / have applied to the Licensing Authority of London Borough of Barnet for a Variation of a Premises Licence to permit

(b) Supply alcohol to be consumed off the premises, by (delivery with food, play recorded music, perform live music

for the premises (c) CIELO PRLR
SHISHA BAR, 1 CHARCOT ROAD NW9 5HG

A register of licensing applications can be inspected at Building 7, North London Business Park, Oakleigh Road South, London, N11 1NP. Appointments to inspect the register can be made by telephoning 020 8359 7995 during office hours.

Any person wishing to submit relevant representations concerning this application must give notice in writing to the London Borough of Barnet, Licensing Team at the address above giving in detail the grounds of the representation no later than

(e) 18/06/2020

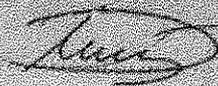
The Council will not entertain representations where the writer requests that his identity remains anonymous. Copies of all representations will be included in the papers presented to the Licensing Authorities Sub Committee and will therefore pass into the public domain.

Representations must relate to one or more of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

It is an offence liable on conviction to a fine up to £5000 under section 158 of the Licensing Act 2003 knowingly or recklessly to make a false statement in connection with an application.

Dated this 21st day of May 2020

Signed



Notes: (a) full name of applicant/club, (b) brief description of licensable activities, (c) name of premises, (d) full postal address of premises, (e) the first date the representation should be written in the format dd/mm/yyyy and calculated as 28 days from the date on which the notice is displayed.

From: Clarke, Cllr Anne [<mailto:Cllr.A.Clarke@Barnet.gov.uk>]

Sent: 30 July 2019 15:45

To: Tang Jeremy

Subject: Re: Colindale station - Noise & Smell complaint coming from Shisha bar Cielo Prr 1 Charcot Road, NW9 5WU

CAUTION: This email originated from outside the organisation.
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr Tang,

Could you give me a couple days with this? I am not familiar with this property as I serve the Childs Hill ward which is in the south of Barnet. I will need to make some queries to the enforcement team and come back to you.

Kind regards,
Anne

Cllr Anne Clarke
Childs Hill Ward

xxxxxxxxxxxxx
twitter @anne_clarke

From: Tang Jeremy
Sent: Tuesday 30 July, 15:17
Subject: FW: Colindale station - Noise & Smell complaint coming from Shisha bar Cielo Prr 1 Charcot Road, NW9 5WU
To: Clarke, Cllr Anne, xxxxxxxxxxxx

Dear Councillor Clarke,

Your contact was given to me by a fellow neighbour (Ann Fitzgerald). I am reaching to you as my attempts to get in contact with Councillors Gilz Zakia and Naga has not returned any replies.

I am writing to object against licence (LAPRE1/18/59467) of Shisha bar next to Colindale station: Cielo Prr 1 Charcot Road, NW9 5WU that opened in Dec 2018 right next to Fletcher Court, a residential flat near Colindale Station.

It has a licence which I hope can be revoked or at the very least have its opening hours reduced to 21:00.

<https://publicaccess.barnet.gov.uk/online-applications/licencingDetails.do?activeTab=hours&keyVal=PGOUSSJI0BS00>

Licensing – Summary

 Help with this page

LAPRE1/18/59467 (New Premises Licence | Current Licence | 1 Charcot Road London NW9 5WG

 Save search  Refine search  Track  Print

Details Comments (0) Documents (0) Related Items (1) Map

Summary Important Dates Opening Hours Activities Conditions Contacts (2) Additional Information

Reference	LAPRE1/18/59467
Type	New
Category	New Premises Licence
Status	Current Licence
Applicant	Mr Hayret Berkpinar
Trading Name	1 Charcot Road
Address	1 Charcot Road London NW9 5WG
Issue Date	Fri 14 Dec 2018
Expiry Date	Not Available

There are 0 documents associated with this licence

Details Comments (0) Documents (0) Related Items (1) Map

Summary Important Dates Opening Hours Activities Conditions Contacts (2) Additional Information

Time Period	From	To
Sunday to Thursday	11:00 AM	12:00 AM
Friday to Saturday	11:00 AM	02:00 AM

Licensing – Activities

[Help with this page](#)

LAPRE1/18/59467 | New Premises Licence | Current Licence | 1 Charcot Road London NWS 5HG

Save search Refine search Track Print

Details Comments (0) Documents (0) Related Items (1) Map

Summary Important Dates Opening Hours **Activities** Conditions Contacts (2) Additional Information

Activity	Location	Indoors/Outdoors	Alcohol Consumed	Capacity	Time Period	From	To
Provision of late night refreshment					Sunday to Thursday	11:00 PM	11:30 PM
Sale or supply of Alcohol					Sunday to Thursday	11:00 AM	11:30 PM
Sale or supply of Alcohol					Friday to Saturday	11:00 AM	01:30 AM
Provision of late night refreshment					Friday to Saturday	11:00 PM	01:30 AM

My objections are based on following reasons:

- 1. Crime and disorder – Since opening of the Shisha bar in Nov 2018 petty crime has increased in the area (vandalism, drunks, drug sellers)**
- 2. Public safety – The health hazard of shisha smoke comes into neighbouring flats through windows and also can be smelled on street level upto 100m away under certain weather conditions**
- 3. Public nuisance - noise of DJ dance music (which is not mentioned in licence) and traffic and celebration patrons affect neighbourhood every weekend**
- 4. Protection of children from harm – Shisha smell constitute a health hazard to families passing by the shisha bar. Open windows of terrace area may entice young people to try smoking shisha**

In addition, the owners of the Shisha bar ignored planning permission and built the terrace area without consultation with public or council. The owners have submitted “Retrospective building consent” Planning Ref: 19/3858/FUL where many of my fellow neighbours have logged in complaints:

<https://publicaccess.barnet.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PUHG00JIJH500>

You will see in the comments at link above that I am not alone with the issues listed:

Mrs Hasitha Kotugoda [REDACTED] (Objects)

Comment submitted date: Tue 30 Jul 2019

Young people creates lot of noise and anti social behaviour due to the place

Mr Kulasinghe Perera [REDACTED] (Objects)

Comment submitted date: Tue 30 Jul 2019

The place create lot of noise and hostile environment at night . Not exactly what I expected th have as my neighbourhood when I bought my property

Mr David Nunez [REDACTED] (Objects)

Comment submitted date: Tue 30 Jul 2019

This business had been nothing but a nuisance for the residents of Colindale. It is noisy and open until 5am some nights. It has caused traffic and illegal parking issues. Fights and anti-social behaviour is common place now. It needs to be shut down for good. Do the right thing for this community and take our considerations seriously, we have to live here.

Mr Taehyun Baek [REDACTED] (Objects)

Comment submitted date: Mon 29 Jul 2019

I would like to make an official complaint of nuisance against "CIELO PRLR" regarding

- (i) Excessive noise during late hours
- (ii) Smoke, fumes or gases from business premises
- (iii) Smells from business premises

I have lived in this apartment complex since December 2017. I am gravely upset and concerned by the level of noise and smoke smells/fumes that come from the business, which can be easily heard and received around the surrounding residency. I understand that the kind of entertainment business will pertain to a certain level of noise and smell thereof. However, it has become a problem for myself (and I am sure other residents) when the level of sound is too excessive and heard too often (nearly every night) until very late hours (at times until 03:00). Customers would often scream and cheer throughout the night, and deep bass beats will resound and vibrate, keeping others and myself awake. I am also certain the level of smoke fumes will be particularly concerning especially for families with young children.

Pursuant to section 79(1) Environmental Protection Act 1990, statutory nuisances include:

- (a) any premises in such a state as to be prejudicial to health or nuisance;
- (b) smoke emitted from premises so as to be prejudicial to health or a nuisance;
- (c) fumes or gages emitted from premises so as to be prejudicial to health or a nuisance;

(g) noise emitted from premises so as to be prejudicial to health or a nuisance;

(h) any other matter declared by any enactment to be a statutory nuisance;

and it shall be the duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisances which ought to be dealt with under section 80 below and, where a complaint of a statutory nuisance is made to it by a person living within its area, to take such steps as are reasonably practicable to investigate the complaint.

I request the local council (or the local authority in charge) to take serious regard to this complaint

Mr Javier Galan [REDACTED] (Objects)

Comment submitted date: Mon 29 Jul 2019

I don't understand how this could have been erected without previous consultation. I guess the positive is that it allows us to expose what a nuisance this really is, instead of sharing fears of what it could be

Indeed it is noisy, especially when they open the windows. With families in nearby buildings, I'm not sure how this is allowed - there are children and working parents who need to catch a good night's sleep.

The smoke from the shishas clearly is not contained and can often be seen heading towards nearby buildings - with the smell it brings.

Furthermore, the clientele clearly has a nasty habit to park their large cars illegally anywhere on double yellows, congesting the traffic even more than what it is today. Neighbours in the Dulis area will have experienced difficulties driven by cars parked

Here are some videos I took to give you an idea of the noise and smell we have to endure:

Fri 26 July 2019 at 2300 <https://youtu.be/v3I9woMclCc>

16 Feb 19 at 0030 <https://youtu.be/Xi7vL9zQMn8>

17 Mar 19 at 1am <https://youtu.be/hPfZXHAD9aE>

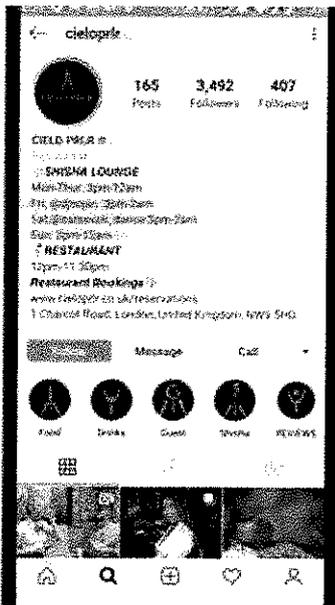
29 Mar 19 <https://youtu.be/DORpBSPQIB0>

Speaking with the management has returned only empty promises (and you can see that their eyes are rolling every time I approach them politely to reduce the noise). Imagine coming back home at 10pm on a Friday after a night shift at work, only wanting to sleep and rest at your own home. However, it is not possible until 2am because of the pumping beats of DJ dance music. It is a hot summer night, but you have to decide whether you want fresh air mixed with shisha smell (as a non-smoker) or endure the sticky heat air in your own bedroom...

I really like to invite you to help us in escalating this issue with the relevant council departments.
Kindest regards,

Jeremy Tang

Images of the establishment offering DJ music until 2am into the night even though their own websites states different times (albeit arguably 1am is still far too late):



<https://www.cieloprle.co.uk/>

WELCOME TO CIELO PRLR

CIELO IS ITALIAN FOR SKY.

OUR TALENTED TEAM OF CHEFS, FRONT OF HOUSE AND FOUNDERS... HAD A VISION TO BRING A NEW TYPE OF DINING EXPERIENCE.

WHERE THE FUSION OF FLAVOURS FROM THEIR DISHES AND COCKTAILS WOULD BE CELEBRATED WITHIN A CONTEMPORARY INTERIOR SETTING.

ALL ARE WELCOME TO ENJOY THE VERY BEST OF TURKISH AND ITALIAN CUISINE AND HOSPITALITY.

From: Tang Jeremy
Sent: 23 July 2019 12:57
To: 'cllr.g.sargeant@barnet.gov.uk'; 'cllr.z.zubairi@barnet.gov.uk'
Subject: Colindale station - Noise & Smell complaint coming from Shisha bar Cielo Prlr 1 & 2 Charcot Road, NW9 5WU

Dear Gill and Zakia,

I am writing to you as I have had no response from Nargus and the Planning Team at Barnet Council.

Please see my email below and I would be very grateful if you can find the time to escalate the issue as I do see many children walking pass the Shisha bar on the way to the green park opposite Colindale station.

Kind regards,

Mr Tang

From: Tang Jeremy
Sent: 15 July 2019 12:51
To: 'Cllr.n.narenthira@barnet.gov.uk'
Cc: 'planning.consultation@barnet.gov.uk'; xxxxxxxxxxxxxxxxx
Subject: Noise & Smell complaint - premise at Cielo Prlr 1 & 2 Charcot Road, NW9 5WU

Dear Nargus and Barnet Planning team,

I wish to report 4 types of complaint against Shisha bar Cielo Prlr located at 1 & 2 Charcot Road, NW9 5WU (I live in a flat 2 floors above this premise. I moved in Nov 2018 and this Shisha opened in Dec 2018).

The four complains I have are:

1. Bad shisha smoke smell when the terrace windows & roof is open. The smell of shisha often is noticeable when walking past the establishment and sometime under certain wind/weather condition it is coming through the windows into my flat and at my balcony

2. As far as I can see, the establishment often ignores the opening times that were agreed in its licence application (see below)
3. Since the opening of this establishment, a lot of rather noisy cars (both motor noise and radio noise) and groups of people have started to come into this residential area (often parking on the double yellow road right in front of the premise. From anecdotal evidence, speaking with neighbours we feel crime has increased in the area (2 street robberies, 3 occurrences of a drug seller offering goods, 1 vandalism act at a local shop by drunks).
4. Finally, and by far the most intruding issue for me, is the loud OUTDOOR recorded music every Fri, Sat and Sun evenings late into the night (often into 1am) from the "outdoor" terrace area. The pumping beats of Club and Dance music is depriving me of my right to quiet and peaceful enjoyment in my own home deep into the night.

This is in contradiction to the licence application I found on <https://barnet.moderngov.co.uk/documents/s41982/agenda.pdf> - (which states Indoor only Fri & Sat until midnight and Sun until 2230) > Arguably the TERRACE shisha area is an "Outdoor area" or otherwise the Shisha selling would be against the licensing (Forcing the establishment to open up windows and roof would not help with the shisha odour issue though).

Timings

Provision of live music – **remove from application**
Provision of Dance – **remove from application**

Provision of recorded music (Indoors only)

Monday – Thursday 1000 – 2200

Friday – Saturday 1000 – 0000

Sunday 1100 – 2200

Seasonal variations:

Until midnight on any day preceding a bank holiday

New Year's Eve until 0200

Late Night Refreshment

Friday – Saturday 2300 – 0000

Seasonal variations:

Until midnight on any day preceding a bank holiday

New Year's Eve until 0200

Supply of alcohol (amend to: On sales only)

Monday – Thursday 1000 – 2200

Friday – Saturday 1000 – 0000

Sunday 1100 – 2200

Seasonal variations:

Until midnight on any day preceding a bank holiday

8

New Year's Eve until 0200

Hours open to the public

Monday – Thursday 0700 – 2230

Friday – Saturday 0700 – 0030

Sunday 0800 – 2230

Seasonal variations:

Until 0030 on any day preceding a bank holiday

New Year's Eve until 0230

Further proofs – Videos with BBC time stamps on TV and noise coming from Cielo Prlr "outdoor" terrace:

16 Feb 19 at 0030 <https://youtu.be/Xi7vL9zQMN8>

17 Mar 19 at 1am <https://youtu.be/hPfZXHAd9aE>

29 Mar 19 <https://youtu.be/DOrpBSPQIB0>

The noise is definitely audible when windows are closed. The Barnet noise team has come a few times to my flat and logged the issue.

I have attempted several times to speak with the management and usually get a response in the line of "we will turn down volume" (albeit often still audible after promise)

I have attached a signed petition by my fellow neighbours who experience the same issues (back in March 2019).

Kind regards

Mr Tang
Resident at xx Fletcher Court ,xx Joslin Ave, NW9xxx

Jeremy TC Tang

xxxxxxxxxxxxxxxx

Hammond, Elisabeth

Subject: FW: Cielo P1r 1 Charcot NW9 5HG

From: Paul Chu (BT) xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Sent: 07 July 2020 10:49

To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>

Cc: Hooton, John <John.Hooton@Barnet.gov.uk>; Shaw, Cath <Cath.Shaw@Barnet.gov.uk>; Zubairi, Cllr Zakhia <Cllr.Z.Zubairi@Barnet.gov.uk>; Sargeant, Cllr Gill <Cllr.G.Sargeant@barnet.gov.uk>; Narenthira, Cllr Nagus <Cllr.N.Narenthira@Barnet.gov.uk>; LicensingAdmin <LicensingAdmin@barnet.gov.uk>

Subject: RE: Cielo P1r 1 Charcot NW9 5HG

Dear Elisabeth

Please find below my comments but I have to point out that the failure of your system suggests to me that the Council has not been receiving any comments on licensing applications, and meaning the the Council might have been approving licensing applications without reviewing comments submitted through the webform. **This is a very serious governance issue.**

Anyway, please find below my comments based on my recollection of what I submitted late last night:

“This venue is located in a highly densed residential neighbourhood populated with young families and key workers working shifts.

This venue has been causing nuisance to the neighbourhood by their customers, and I am aware that the Council’s environmental team has been visiting this venue following complaints from residents about the loud music and broadcast of sporting events before the Covid-19 lockdown.

Since the opening of this venue, residents have noticed an increased number of unusual characters and disposed canisters of laughing gas in the area.

It has also been noted that the customers at this venue were seen driving on Charcot Road at high speed with very loud music being played – road safety issue and nuisance.

There are two supermarkets selling alcohol for off-premises consumption, and two other restaurants nearby serving alcohol on site to responsible customers.

As mentioned above, the venue is located in a highly densed residential neighbourhood populated with young families and key workers working shifts. The sale of hot food and alcohol for consumption after 11pm either on or off premises, and the licence to play music of any kind after 11pm will cause detrimental effect to the neighbours / residents immediately above and nearby who rightly deserve a peaceful environment after a hard day at work.

It is therefore in my opinion that the venue should **not** be allowed to:

- Serve / sell hot food after 11pm for consumption within the premises
- Serve / sell hot food after 11pm for consumption off the premises
- Serve / sell alcohol after 11pm for consumption within the premises
- Serve / sell alcohol at all times for consumption off the premises

Kind regards
Paul Chu

Sent from [Mail](#) for Windows 10

From: [Hammond, Elisabeth](#)
Sent: 07 July 2020 08:47
To: Paul Chu
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Hi Paul,

Please send your comments to me, as today is the last date for representations.

Regards

Elisabeth Hammond
Licensing Officer
Commercial Premises
London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639



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If you, a family member, friend, or close member of your community are in need of urgent help that is **not medical related**, call us on **0808 281 3210** or use our [webform](#).



From: Paul Chu (BTxxxxxxxxxxxxxxxxx)
Sent: 06 July 2020 20:36
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Cc: Sargeant, Cllr Gill <Cllr.G.Sargeant@barnet.gov.uk>
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Hi Elisabeth

I have just submitted my comments against LAPRE4/20/62862 but I have received the following screen after my submission, saying that the emails were not sent to the Licencing Team.

In fact it would appear that I am not the only person who has experienced the same problem.

✓ **Your comments have been submitted.**

- Your comments will be registered against this application.
- We were unable to send an e-mail confirmation to the address inthemix@btopenworld.com.
- We were unable to send a notification e-mail to the address licensingadmin@barnet.gov.uk.
- We were unable to send an e-mail to the case officer.
- We were unable to send an e-mail confirmation to the address licensingadmin@barnet.gov.uk.

LAPRE4/20/62862 | Full Variation | Licence Superseded | 1 Charcot Road London NW9 5HG

Sent from [Mail](#) for Windows 10

From: [Hammond, Elisabeth](#)

Sent: 15 June 2020 09:12

To: Paul Chu

Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Hi Paul

I can confirm the reference number for the withdrawn application was - LAPRE4/20/62852

The reference number for the current application, who's last date for representations is now 7th July 2020 is - LAPRE4/20/62862.

Regards,

Elisabeth Hammond
Licensing Officer
Commercial Premises
London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639



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If you, a family member, friend, or close member of your community are in need of urgent help that is **not medical related**, contact us through: COVID19support@barnet.gov.uk or call 0808 281 3210.



Due to Covid 19 postal services are intermittent please use email where possible?

From: Paul Chu xxxxxxxxxxxxxxxxxxxxxxxx
Sent: 10 June 2020 19:47
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Cc: Cudjoe, Zekiel <Zekiel.Cudjoe@Barnet.gov.uk>; Sargeant, Cllr Gill <Cllr.G.Sargeant@barnet.gov.uk>
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Dear Elisabeth

Thanks for the update.

Can you please confirm the reference number(s) for the following:

- Withdrawn
- New variation

The reason for asking is that both LAPRE4/20/62862 and LAPRE4/20/62852 do not contain the deadline for consultation.

Kind regards
Paul

Sent from [Mail](#) for Windows 10

From: [Hammond, Elisabeth](#)
Sent: 10 June 2020 16:44
To: Paul Chu
Cc: [Cudjoe, Zekiel](#); [Sargeant, Cllr Gill](#)
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Dear Paul

Apologies, I have been on leave and have been catching up with emails.

On the premises relates to activities taking place within the structure of the premises itself. I can confirm that the applicant has now amended their plan for the variation application to include the outside structure.

Please let me know if you would like to withdraw your original representation and if you will submit a new one, or if you would like to carry the representation over?

Regards,

Elisabeth Hammond
Licensing Officer
Commercial Premises

London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639



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Due to Covid 19 postal services are intermittent please use email where possible?

From: Paul Chu xx
Sent: 03 June 2020 19:38
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Cc: Cudjoe, Zekiel <Zekiel.Cudjoe@Barnet.gov.uk>; Sargeant, Cllr Gill <Cllr.G.Sargeant@barnet.gov.uk>
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Dear Elisabeth

In order to submit my comments accordingly, I will much appreciate it if you can reply to me on the questions that I raised in my email below.

Kind regards
Paul

Sent from [Mail](#) for Windows 10

From: Paul Chu
Sent: 28 May 2020 14:35
To: [Hammond, Elisabeth](#)
Cc: [Cudjoe, Zekiel](#); [Gill Sargeant - Councillor](#)
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Dear Elisabeth

Many thanks for the update. I am now very confused as the licencing portal now shows two separate applications rather than a variation to the application validated on 21st May:

Licensing – Activities

[Help with this page](#)

[LAPRE4/20/62852](#) | Full Variation | Licence Superseded | 1 Charcot Road London NW9 5HG

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Activity	Location	Indoors/Outdoors	Alcohol Consumed	Capacity	Time Period	From	To
Sale or supply of Alcohol					Sunday	12:00 PM	12:00 AM
Sale or supply of Alcohol					Monday to Thursday	12:00 PM	12:00 AM
Sale or supply of Alcohol					Friday to Saturday	12:00 PM	01:30 AM

Licensing – Activities

[Help with this page](#)

[LAPRE4/20/62862](#) | Full Variation | Licence Superseded | 1 Charcot Road London NW9 5HG

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[Summary](#) | [Important Dates](#) | [Opening Hours](#) | **[Activities](#)** | [Conditions](#) | [Contacts \(1\)](#) | [Additional Information](#)

Activity	Location	Indoors/Outdoors	Alcohol Consumed	Capacity	Time Period	From	To
Provision of late night refreshment					Friday to Saturday	11:00 AM	01:30 AM
Provision of late night refreshment					Sunday to Thursday	11:00 PM	11:30 PM
Sale or supply of Alcohol			On Premises		Tuesday to Thursday	12:00 PM	12:30 AM
Sale or supply of Alcohol			On Premises		Friday to Saturday	12:00 PM	01:30 PM
Playing of recorded music			On Premises		Monday to Thursday	12:00 PM	11:00 PM
Playing of recorded music			On Premises		Friday to Saturday	12:00 PM	01:00 AM
Playing of recorded music			On Premises		Sunday	12:00 PM	11:00 PM
Sale or supply of Alcohol			On Premises		Monday	11:00 AM	12:30 AM

The information supplied by the Council website does not provide the exact activities listed in your email below. In fact it is very misleading as there is no mention of “off premises” consumption of alcohol in either applications.

Can you also please explain whether “on premises” will also include the shisha lounge (an outbuilding which is structurally separated from the restaurant itself)?

Kind regards
Paul

Sent from [Mail](#) for Windows 10

From: [Hammond, Elisabeth](#)
Sent: 28 May 2020 13:59
To: Paul Chu
Cc: [Cudjoe, Zekiel](#)
Subject: RE: Cielo Prlr 1 Charcot NW9 5HG

Dear Paul

The applicants have submitted a new variation application and they will be placing an updated notice on the premises outlining what they are looking to change.

They are looking to vary the following:-

- to supply alcohol to be consumed both on and off the premises, provide late night refreshment, play recorded music and perform live music.

The hours they are applying for, for each activity are:-

- **Performance of live music (indoors only)**, Monday – Thursday 12:00hrs until 23:00hrs, Friday & Saturday 12:00hrs until 01:00hrs, and Sunday 12:00hrs until 23:00hrs
- **Playing of recorded music (indoors only)**, Monday – Thursday 12:00hrs until 01:30hrs, Friday & Saturday 12:00hrs until 02:00hrs, and Sunday 12:00hrs until 00:00hrs
- **Provision of late night refreshment (on and off the premises)**, Monday – Thursday 23:00hrs until 01:00hrs, Friday & Saturday 23:00hrs until 02:00hrs, and Sunday 23:00hrs until 01:00hrs
- **Supply of alcohol (on and off the premises)**, Monday 11:00hrs until 00:30hrs, Tuesday – Thursday 12:00hrs until 00:30hrs, Friday & Saturday 12:00hrs until 01:30hrs, and Sunday 12:00hrs until 00:30hrs

For a representation to the variation to be considered valid, it must relate to at least one or all of the Licensing Objectives laid down in the Licensing Act 2003. These objectives are:-

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

We are unable to take into consideration issues surrounding planning or traffic. Should you wish to object, please do so to licensingadmin@barnet.gov.uk no later than **24th June 2020**.

Regards,

Elisabeth Hammond
Licensing Officer
Commercial Premises
London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639



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Due to Covid 19 postal services are intermittent please use email where possible?

From: Paul Chu xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
Sent: 28 May 2020 09:46
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Subject: RE: Cielo Prr 1 Charcot NW9 5HG

Dear Elisabeth

Thank you for your email.

I will await the information presented in the new application before I make the decision.

Will you be able to write to me when their new application has been submitted please?

Kind regards
Paul

Sent from [Mail](#) for Windows 10

From: [Hammond, Elisabeth](#)
Sent: 27 May 2020 13:15
To: Paul Chu
Subject: Cielo Prr 1 Charcot NW9 5HG

Dear Mr Chu

Thank you for your comments regarding the variation application for the above premises.

I just wanted to let you know, that the applicant has withdrawn this application but their intention is to put in a new form to resolve some issues that occurred on the original application.

Please could you let me know if you wish your representation to be carried over to the new application? Alternatively, if you would like to withdraw the representation and then submit a new one once the updated application comes in, please let me know.

Regards,

Elisabeth Hammond
Licensing Officer
Commercial Premises
London Borough of Barnet
8th Floor
2 Bristol Avenue
Colindale
London
NW9 4EW
0208 359 5639



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Due to Covid 19 postal services are intermittent please use email where possible?

Dennington Park Road
London
NW6

14 June 2020

(Owner of property in: Boswell Court, Charcot Road, London, NW9

London Borough of Barnet
2 Bristol Avenue
Colindale
NW94EW

Dear Sir or Madam,

I am writing in relation to the licence application for 1 Charcot Road, NW95HG raised on 09/06/2020.

The notice advises that "A full variation application to be able to supply alcohol to be consumed off the premises, play recorded music, perform live music, and provide night refreshments" has been applied for by Izzet Deniz Erpolat.

I would like to notify Barnet Licencing team of my concern and objection in relation to the issuing of this licence and continued operation of this business – specifically the shisha lounge that has been erected on the site of the restaurant's original car park at 1 Charcot Road and I believe this application refers to.

Up until recently I have been an owner occupier of an flat Boswell Court on Charcot Road. As of September 2019 I still own it but now let the property out. My decision to move to a different area is partially due to the continued operation of the Shisha Lounge at 1 Charcot Road which has had a detrimental impact on the local area and seems to operate in complete disregard to planning and licencing.

My objections to the shisha lounge at 1 Charcot Road are elaborated below.

Public nuisance:

- The shisha lounge cannot physically operate in a way that does not somehow cause a public nuisance. With the open roof and walls of the shisha lounge there is literally no sound proofing of any noise created, or indeed smell.
- Both the smell and noise generated present a significant public nuisance to local residents.
- My experience of the shisha lounge operating is that apart from supplying alcohol they already do all of what's requested in the revised licence application until sometimes 2am in complete disregard of residential neighbours. This also makes a mockery of the licencing process.
- This is not a business that operates for the benefit and with the interests of the wider community as evidenced by the parking issues created by building over the premises' original car park and causing the overflow to park elsewhere in areas allocated for residents (security try to enforce this

but it has added to the resources required to run the estate through more patrols and they cannot enforce the rules at all times leaving some residents without spaces in the evenings)

- It is not a business that is relevant to the local area which comprises mostly young families, yet it sits in a location right at the heart of the Colindale regeneration area, next to the underground station – changing the nature of the area away from being a family friendly one.
- The management of the establishment have not endeared themselves to the community or shown any interest of wanting to act in a way that will positively benefit the area. In early 2019, on confronting the persons in charge of the establishment for the second time, after being personally disturbed late one Friday night (c.00:00) and raising with him the issue of noise pollution emanating from the Shisha lounge at a late hour he told me it was nothing to do with me and to close my windows and that he was allowed to operate on such a basis. On advising them that my windows were closed, that I shouldn't have to anyway and that I didn't think they should be operating with such disregard to local residents they became quite intimidating and one person told me to 'move' if it was a problem. The noise and nuisance continued.

Prevention of crime and disorder:

- A large number of patrons are now attracted to the area late at night driving cars and creating noise in a residential area at a time when people often with young families are trying to rest and sleep.
- The operation of this business has brought serious parking issues to an area already highly congested and lacking resident parking space. Because the car park for the adjoining restaurant mentioned has been built over entirely with the Shisha lounge construction, visitors to the establishment are now parking on the road and in resident spaces nearby with seemingly little regard for the parking rules. I have heard from the Estate security that there have been instances of double yellow lines being painted over, parking permits photocopied, as well as CCTV cameras on Charcot Road obscured as the parking situation has been exacerbated.

Public Safety and Protection of Children from Harm

- Loud and fast cars can be heard speeding up and down Charcot Road late into Friday and Saturday night. This was not a common occurrence before the existence of the shisha lounge. This is a safety and public nuisance issue.
- Due to the late night operation and high number of patrons frequenting the area there is an increased risk to the area of proliferation of illicit substances in the vicinity. This is not desired or appropriate in an area where lots of children are being brought up.

Planning matter:

- I would also like to draw attention to a planning application refusal of November 2019 for the same property (Ref: 19/3858/FUL).

- A shisha lounge has been erected on the site of the property's car park without planning permission. Planning permission was retrospectively applied for and was denied by Barnet council. I have attached the refusal notice.
- It surprises me that they are able to apply for a license in light of this. The business has been operating with absolutely no concern for its neighbours in breach of its current licence. It causes noise pollution, smell pollution (from the shisha) and traffic and antisocial behaviour issues sometimes well past midnight in what is a primarily residential area. It has detracted hugely from the state of the area since opening.

It is unthinkable to imagine that Barnet should allow a licence for such a business given its history of disregard for planning, licencing and neighbours.

I strongly urge you to look into the evidence gathered that led to the refusal of the planning permission. The negative impact of this business on the quality of life in the local area is strongly felt and expressed. It is not a good image to continue to have this sit at the centre of a regeneration area which I understand to be looking at promoting Colindale as an area for families to grow, for healthy lives and creating an enjoyable place to live.

Please, I urge you to not wave this through as a result of any lightened licensing restrictions post-Covid. Please link in with the planning teams who have refused the retrospective planning application after listening to the very legitimate local concerns.

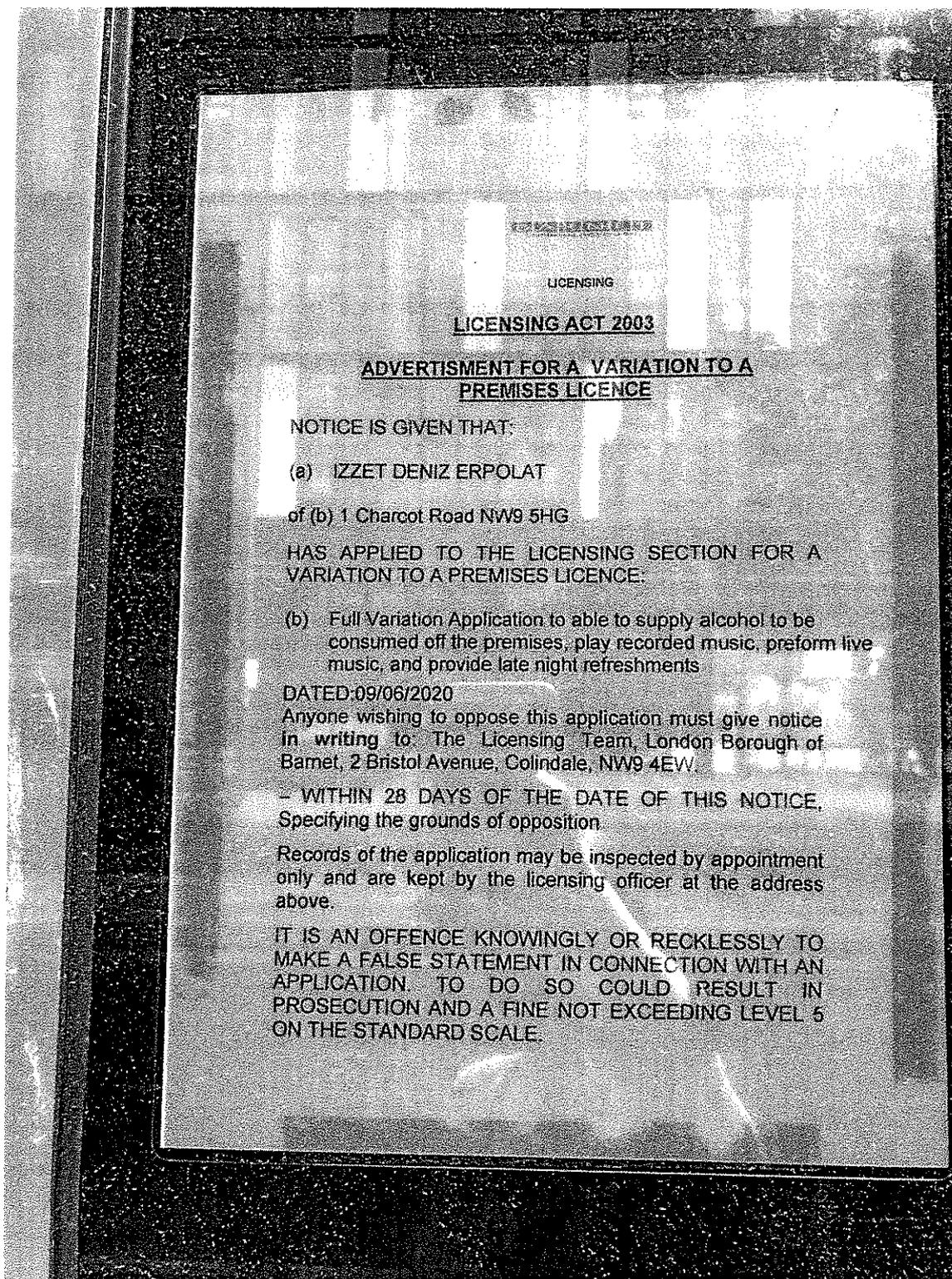
Thank you for your consideration of my concerns raised.

Yours faithfully,

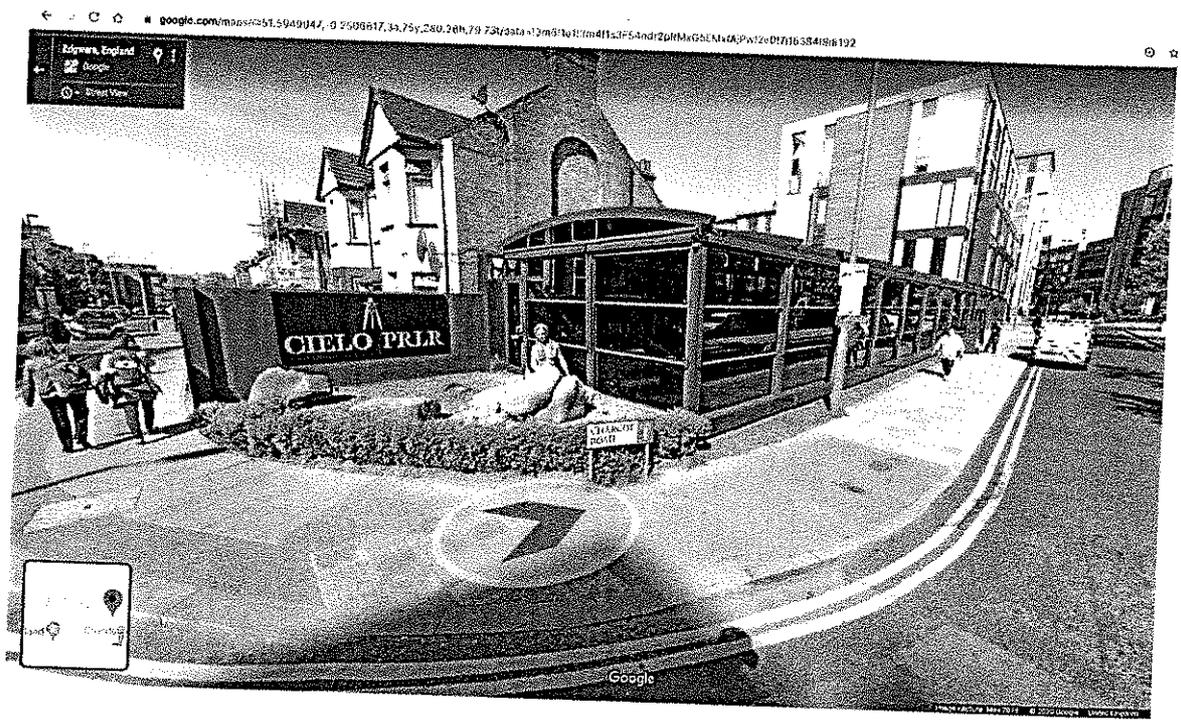
Joe Douglas

1 Attachment – Planning application refusal: Ref: 19/3858/FUL

Letter in relation to the below:



On this building that has had retrospective planning permission refused (the Shisha lounge):



M J Flannery

Flat [REDACTED]

Fletcher Court

[REDACTED] Joslin Avenue

Colindale

London NW9 [REDACTED]

29th May 2020

Re: 1 Chalcott Road, NW9 5HG – Variation of Premises licence.

I am writing to you with my following objects to the variation of premises licence for Izett Deniz Erpolat:

- 1) The application for the playing of recorded music, live music and to provide late night refreshments is not appropriate in such a heavy built up residential area. We have had problems with this business before when they built a shisha lounge without planning permission, they played loud music, had live music acts and stayed open until 4-5am for boxing fights from America without having the appropriate licences to do so, this caused severe noise, parking problems and anti social behaviour.
- 2) Their staff and clients use the Fletcher court secure car park for smoking, chatting and the noise of smashing bottles to rear of our residential block of flats, this causes severe noise problems to the residential residents and we fear that this will happen again if this licence extension is granted for the restaurant next to the shisha lounge.
- 3) There has been anti social behaviour from their clients and reports of drug dealing at the lounge.
- 4) This is a restaurant with flats above and flats surrounding this property on all sides with rear facing bedrooms in our block, therefore any music or late night licences will affect all these flats badly.
- 5) The volume of traffic is very bad at most times and extra traffic caused by this licence extension would cause even more problems.
- 6) This business has been operating for over 12 months now and they have shown in this time, they have no regard for the residential neighbours, the council rules and regulations or parking regulations, they even painted out the double yellow parking lines outside their premises with black paint.

To some up this restaurant should not be granted this licence variation, as this restaurant is in a highly densely residential area and furthermore should not be open after 11.00pm at night to mitigate the noise, traffic problems and the anti social behaviour occurring.

Yours sincerely,



Michael J. Flannery.

Comments for Licensing Application LAPRE4/20/62862

Application Summary

Application Number: LAPRE4/20/62862

Address: 1 Charcot Road London NW9 5HG

Proposal: Full Variation

Case Officer: Elisabeth Hammond

Customer Details

Name: Miss Alexandra Trebulova

Address: Flat [REDACTED], Boswell Court, [REDACTED] Charcot Road, London NW9 [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

- Children and Safety
- Crime and Disorder
- Crime and Nuisance
- Crime and Safety
- Nuisance and Safety
- Public Safety

Comment:6:33 PM on 06 Jul 2020 This parlour has been erected illegally. The residents together (incl. me) suspect there are illegal activities going on in the back of the restaurant (i.e prostitution and drugs).

The shesha bar and restaurant is already loud and a nuisance to the neighbourhood. I have safety concerns for young people in the neighbourhood. I am concerned for myself too. My balcony faces the street where I can see the parlour.

It does not fit into the Neighbourhood that I bought into in 2015.

I strongly object.

Hammond, Elisabeth

Subject: FW: Licence Application LAPRE4/20/62862

From: Robert Chohan XXXXXXXXXXXXXXXXXXXX
Sent: 07 July 2020 12:40
To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>
Subject: Re: Licence Application LAPRE4/20/62862

Dear Ms Hammond,

Thank you for your reply. My flat number is XX. Thank you for confirming the address won't be visible on the paperwork.

Kind regards,

Robert Chohan



Virus-free. www.avg.com

On Tue, 7 Jul 2020 at 12:26, Hammond, Elisabeth <Elisabeth.Hammond@barnet.gov.uk> wrote:

Dear Robert

Thank you for your email.

In order for your representation to be considered valid, we would need to know your flat address please. This information will not be visible on the hearing paperwork, but we do need to know it at this stage.

Regards

Elisabeth Hammond

Licensing Officer

Commercial Premises

London Borough of Barnet

8th Floor

2 Bristol Avenue

Colindale

London

NW9 4EW

0208 359 5639



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From: Robert Chohan [mailto:XXXXXXXXXXXXX]

Sent: 07 July 2020 11:40

To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>

Cc: Narenthira, Cllr Nagus <Cllr.N.Narenthira@Barnet.gov.uk>; Sargeant, Cllr Gill <Cllr.G.Sargeant@barnet.gov.uk>;
Zubairi, Cllr Zakia <Cllr.Z.Zubairi@Barnet.gov.uk>

Subject: Licence Application LAPRE4/20/62862

Dear Ms Hammond,

With regards to the above application, I would like to state that I Object to any alcohol licence being granted that enables the business operator to serve alcoholic drinks for consumption outside the premises.

As a community we have already had many problems, for which I am sure the council is aware, related to anti-social behaviour, noise pollution, litter and general hygiene concerns all due to the operation of the business in question.

Granting a license that allows for outdoor consumption of alcohol would mean the problems the residential community faces would deteriorate further.

Previous examples already communicated: shouting/screaming outdoors at night; vomit; drug use; litter; threatening behaviour towards local residents by staff members when complaints are made directly to the establishment; noise pollution from excessively loud music played well after the existing licence permits.

Taking past problems into account, along with known contraventions of the existing entertainment licence and the establishment's blatant dismissal of the rules and their responsibility to the community, the establishment have demonstrated they simply are not a considerate business or one that operates with any level of corporate responsibility. There is no reason to believe they would then operate in a manner that does not cause unrest within the local community.

My address is at Flat xx, XX Needleman Close, London NW9 XXX

Kind regards,

Robert Chohan

Hammond, Elisabeth

Subject: FW: OBJECTION to License Application Case Reference: LAPRE4/20/62862

From: Samir Mehdi [mailto:xxxxxxxxxxxxxxxxx]

Sent: 07 July 2020 13:38

To: Hammond, Elisabeth <Elisabeth.Hammond@Barnet.gov.uk>; LicensingAdmin <LicensingAdmin@barnet.gov.uk>

Cc: Sargeant, Cllr Gill <Cllr.G.Sargeant@barnet.gov.uk>; Zubairi, Cllr Zakia <Cllr.Z.Zubairi@Barnet.gov.uk>; Narenthira, Cllr Nagus <Cllr.N.Narenthira@Barnet.gov.uk>

Subject: OBJECTION to License Application Case Reference: LAPRE4/20/62862

Subject: License Application Case Reference: LAPRE4/20/62862 (License variation application for Cielo Prrl, 1 Charcot Road)
Comment: OBJECT

Dear Elisabeth

With regards to the above application, I write to object to the application. My comments are submitted via email since at the time of writing, the Barnet website is unable to accept comments in relation to this application. My full details are at the end of this email and therefore I anticipate my comments will be taken into consideration in good faith. I am a local resident living in the Edition development, across the road from the applicants premises. I note the status of this application states: "License superseded" although I cannot see any subsequent application. If there is indeed one, my comments of objection are the same for that too.

The application wishes to extend the provision/sale of alcohol to outside the premises. I assume this is in relation to the (illegal) shisha bar constructed adjacent to the restaurant residing at 1 Charcot Road, as the only other outdoor space would be Charcot Road itself. I note that the retrospective planning application relating to the Shisha Bar single storey building (Ref: 19/3858/FUL) has been dismissed at appeal level (APP/N5090/W/19/3242144) and therefore this license application relates, at least in part, to a structure that has less than 3 months before which it should be demolished.

In any case, I still object to this License application on the following grounds:

- 1) The provision of alcohol outside of the restaurant at 1 Charcot Road will have a detrimental impact on children and their safety. The location of the proposed outdoor provision of alcohol is in a heavily residential area housing numerous families with young children and is totally out of keeping with the character of the local area.
- 2) The local community has already faced many issues with the Shisha bar, not least anti-social behaviour, flagrant disregard for rules, noise pollution, litter and general disregard for neighbours living adjacent to structure. The council is fully aware of the high number of noise complaints from this unit. This problem will only be exacerbated should this license variation be allowed. As a reminder, for the Shisha bar to function as intended, the roof and side walls must remain open (not to say this is legal either, as windows cannot be close able per legislation), therefore the likely increased noise owing to the supply of alcohol to this unit will only increase the aforementioned issues.
- 3) For the reasons mentioned in point 2, the application for performance of live /recorded music "indoors" is grossly inaccurate. This structure cannot ever be defined as an indoor structure due to its openings and therefore noise from such music will have a hugely detrimental impact on those living near to the structure. Given the excessively late opening times suggested, this will have a severe impact on the residential nature of the surroundings. Adults and children alike will suffer from excess noise pollution. Once again, the Council should reference the many noise complaints it has received already from this establishment and acknowledge that the opening hours are extend far beyond the stated hours on a routine basis.

4) The provision of alcohol outdoors will likely result in a detrimental impact on public safety

Considering all of the pre-existing issues that are already faced owing to this unit, the fact that the owners built a structure without planning permission and the issues identified above, there is no just cause to accept this license application.

I hope the Council can ensure the local community is safeguarded and that the quiet enjoyment of our homes is not compromised in anyway.

Mr. Samir Mehdi
xx Ledger Court
xx Chronicle Avenue
London
NW9xxx

XXXXXXXXXXXXXXXXXXXX

Development & Regulatory Services
The London Borough of Barnet
Community Protection (Regulation)
2 Bristol Avenue, Colindale
London, NW9 4EW

Tel: 020 8359 [REDACTED]

Ref: LAPRE4/20/62862

Noise Nuisance Make Representations to the following Premises Licence Variation

Sect 100 of the Licensing Act 2003

Application Given to Noise Nuisance:	2 nd June 2020
Premises:	Cielo Prlr, 1 Charcot Road London NW9 5HG
Person:	Mr Izzet Deniz Erpolat
Event:	LAPRE4/20/62862
Date:	
Time:	

The Noise Nuisance Department are satisfied that allowing the premises to be used in accordance with the notice submitted would undermine the licensing objective of the Prevention of Public Nuisance.

Our records show that there have been many complaints of noise and nuisance from this premises with the most recent one being received on 6th December 2019. The complaint was made concerning loud music being audible outside the boundary of the premises.

The Noise Nuisance Department have concerns with the premises going past 11pm. The building has very poor sound insulating properties and, in my opinion would severely affect the local neighbourhood with many properties situated above the premises.

We have concerns that people attending this premises are likely to cause unreasonably high levels of noise nuisance when they leave the premises. This concern is also heightened by this is also being a time when most of the local residents would be asleep.

I hope this matter will be resolved without the need for a hearing and encourage the premises user to contact us to see if a mutually agreeable solution can be reached and our objection can be withdrawn.

However, if the premises user or their appointed representative does not engage with the Noise Nuisance Department and provide the information and reassurances to fully promote the licensing objective identified above, I would respectfully request that the Licensing Sub Committee rejects the notice.

Yours Sincerely,

Simon Bull
Environmental Health Technical Officer

Matters for Decision

MATTERS FOR DECISION

Cielo Prr, 1 Charcot Road, Colindale, London NW9 5HG

To allow the Supply of Alcohol - for consumption both on and off the premises

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	11:00	00:30			
Tuesday	12:00	00:30			
Wednesday	12:00	00:30			
Thursday	12:00	00:30			
Friday	12:00	01:30			
Saturday	12:00	01:30			
Sunday	12:00	00:30			

Added conditions, if any:

Reasons for decisions above:

To allow the Provision of Late Night Refreshment - for consumption both indoors and outdoors

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	23:00	01:00			
Tuesday	23:00	01:00			
Wednesday	23:00	01:00			
Thursday	23:00	01:00			
Friday	23:00	02:00			
Saturday	23:00	02:00			
Sunday	23:00	01:00			

Added conditions, if any:

Reasons for decisions above:

To allow the Provision of Recorded Music - indoors only

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	12:00	01:30			
Tuesday	12:00	01:30			
Wednesday	12:00	01:30			
Thursday	12:00	01:30			
Friday	12:00	02:00			
Saturday	12:00	02:00			
Sunday	12:00	00:00			

Added conditions, if any:

Reasons for decisions above:

To allow the Provision of Live Music - indoors only

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	12:00	23:00			
Tuesday	12:00	23:00			
Wednesday	12:00	23:00			
Thursday	12:00	23:00			
Friday	12:00	01:00			
Saturday	12:00	01:00			
Sunday	12:00	23:00			

Added conditions, if any:

Reasons for decisions above:

To allow the premises to remain open to the public

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	12:00	01:00			
Tuesday	12:00	01:00			
Wednesday	12:00	01:00			
Thursday	12:00	01:00			
Friday	12:00	02:00			
Saturday	12:00	02:00			
Sunday	12:00	01:00			

Added conditions, if any:

Reasons for decisions above: