

**Temporary Event Counternotice  
served pursuant to s105(2)(b)  
Chez Nicky  
295 West Green Road London N15 3PA**

**Hearing 14 August 2025 at 19:45pm**

The Panel carefully considered the Temporary Event Notice ("TEN") served by the Applicant dated 31 July 2025, the representations from the Metropolitan Police and Council Noise Team and the Applicant made both orally and in writing and prior to and at the meeting, the Council's Statement of Licensing Policy and the Home Office guidance under section 182 of the Licensing Act 2003.

**Date applied for: 16 to 20 August 2025**

The TEN was served in respect of the following licensable activities and times on those dates:

<b>Activity:</b>	<b>16 Aug</b>	<b>17 Aug</b>	<b>18 Aug</b>	<b>19 Aug</b>	<b>20 Aug</b>
<b>Late Night Refreshment</b>	<b>0000-0300</b>	<b>0000-0230</b>	<b>0000-0130</b>	<b>0000-0130</b>	<b>0000-0200</b>
<b>Supply of Alcohol on the Premises only</b>	<b>1400-0030</b>	<b>1400-0030</b>	<b>1400-2330</b>	<b>1400-2330</b>	<b>1400-2330</b>

**for up to 65 people in each case**

**The Panel Resolved:**

That to allow the licensable activities stated in the TEN would undermine the licensing objectives of prevention of crime and disorder and the prevention of public nuisance.  
That it therefore considers it appropriate to give Counternotice; which has the effect that the licensable activities set out above ("the activities") shall not be permitted

**Reasons**

The premises is situated on West Green Road N15, on a retail parade with residential premises above and residential streets behind.  
The existing premises Licensee is Chez Nicky Limited, and designated premises supervisor (DPS) is Mampasi Lemba.  
Mr Lemba gave evidence to the panel.

The operating schedule permitted by the existing licence is as follows:

**Recorded Music**

Friday to Saturday 2300 to 0030

**Late Night Refreshment**

Friday to Saturday 2300 to 0030

**Supply of Alcohol**

Sunday to Thursday 1100 to 2330

Friday & Saturday 1100 to 0030

**Christmas Eve, Christmas Day, New Years' Eve and New Year's Day 1100 to 0130 hours.**

**The opening hours of the premises:**

Sunday to Thursday 0700 to 0000

Friday & Saturday 0700 to 0100

**Christmas Eve, Christmas Day, New Years' Eve and New Year's Day from 1000 to 0200 hours.**

The Licence excludes use of the rear of the premises for licensable activities.

***Responsible authorities***

Objections were made by two Responsible Authorities: the Police, and the Local Authority Noise Team on the grounds that the licensing objectives of Public Safety, Prevention of Crime and Disorder, Protection of Children and Prevention of Public Nuisance (in the case of the Police), and the Prevention of Public Nuisance (in the case of the Noise Team), would be undermined.

The Police issued an objection notice on the ground of multiple breaches of licence conditions, stating that the most recent call to the Police had been at 0300 on 19 July 2025 when the premises had been playing loud music; albeit in evidence at the hearing the Police acknowledged that officers had not been able positively to attribute the noise to the premises.

The Noise Team issued an objection notice on the ground of multiple noise complaints and more generally repeated breaches of Licence Conditions in operating beyond permitted hours.

Further, at the hearing the Noise Team gave evidence that on repeated occasions, when attending the premises to deal with noise complaints, they had noted use of the rear of the premises for licensable activities, namely consumption of alcohol – a further breach of the licence conditions.

***The Licensee***

Mr Lemba gave evidence to the Panel. He alluded to having given a number of TENs, particularly late TENs, on which he said he had heard nothing from the Council and he had therefore assumed that they were effective.

He gave evidence that the business as it was would not survive without the use of TENs routinely to allow him to operate late and use the rear of the premises.

***Licensing officer***

The licensing officer gave evidence that she had responded to each TEN served by the Licensee by email, and that the Licensee had generally responded to the emails she sent to him.

**The panel**

The panel retired and considered the TEN, the objections and the evidence given.

It accepted the evidence given by the Noise Team.

It did not accept the Licensee's claim that he had not received objections to the TENs he had served. It followed that on each occasion he had used the rear of the premises, or operated beyond the hours permitted by his licence, his breach of licence had been knowing.

The Panel was concerned by the Licensee's admission that his business at the premises was not financially viable without operating beyond the terms of his licence under TENs; and considered that the responsible approach would have been to seek a variation of the licence rather than try to circumvent licence conditions by the use of TENs.

The Panel had no confidence that the Licensee was taking seriously his obligation to uphold the licensing objectives and resolved to serve Counternotice preventing the event detailed in the TEN taking place.