

NOTICE OF MEETING

SPECIAL LICENSING SUB COMMITTEE

Thursday, 30th November, 2023, 7.00 pm - Microsoft Teams (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillor Anna Abela (Chair), Councillor Sheila Peacock, Councillor Nick da Costa

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. URGENT BUSINESS

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. SUMMARY OF PROCEDURE

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003.

6. OBJECTION TO A TEMPORARY EVENT NOTICE AT DISTRICT 22, 83 MAYES ROAD, LONDON, N22 (NOEL PARK) (PAGES 1 - 50)

To consider an objection to a temporary event notice.

Nazyer Choudhury, Principal Committee Co-ordinator
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Email: nazyer.choudhury@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Friday, 24 November 2023

Report for: Special Licensing Sub Committee - 27 November 2023

Item number: 6

Title: Consideration of an Objection to a Temporary Event Notice – District 22 – 83 Mayes Road, London, N22

Report authorised by : Daliah Barrett-Licensing Team Leader – Regulatory Services.

Ward(s) affected: Noel Park

Report for Key/ Non-Key Decision: Not applicable

1. **Describe the issue under consideration.**

1.1 To consider an objection submitted by the Metropolitan Police in relation to a Temporary Event Notice (TEN) for the premises at District 22 – 39 Mayes Road London N22.

1.2 **The Temporary Event:**

1.3 The Notice was submitted by Mr Meritan Jashari

1.4 The Temporary Event Notice was received on the 14th October 2023 and is attached to this report at Appendix A.

1.5 The event is described as follows:

- Restaurant and Public House located in Mayes Road. Ground floor the building.
- A celebration of Albanian Independence Day
- To enable use of the rear garden area
- To accommodate restaurant bookings
- Security personnel will be on duty both evenings to ensure an orderly ingress, egress and dispersal of guests away from the premises.
- PLEASE NOTE that the applicant has successfully run 14 previous events this year on the back of a Temporary Event Notice over a period of 19 days at District 22 including the use of the rear garden area.

1.6 The details of the licensable activities on the notice are as follows:

- Friday 1st December 2023 / Saturday 2nd December 2023
- Sale of alcohol from 22:30 hours to 00:00 hours each day
- Late Night Refreshment from 23:00 hours until 00:00 hours each day
- Guests will be permitted 30 minutes drinking up .

- The sale by retail of alcohol (consumption on the premises)
 - The provision of late-night refreshment
 - The number of people at anyone time at the event is 120 people

1.7 The Notice was served to the relevant Responsible Authorities on the 15th November 2023.

2.0 **Reasons for referral**

- 2.1 A representation was received from the Met Police on 15th November 2023 and a copy is attached at Appendix B.
- 2.2 The Notice giver and the Met Police Service have been invited to attend the hearing. A copy of the objection notice is attached to this report labelled Appendix C.

3.0 Recommendation

- 3.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

3.2 Options open to the Committee

- 3.3 To acknowledge the Temporary Event Notice, allowing the event to go ahead the proposed date as per the notice submitted.
- 3.4 To give the premises user a counter notice if it considers it necessary for the promotion of the Licensing Objectives.

4 The Legal position

- 4.1 A Chief Police Officer or Environmental Health of the Local Authority may object to a Temporary Event Notice within 3 working days of receiving the Notice.
- 4.2 Where such an objection is received, the relevant licensing authority must
- (a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and
 - (b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the relevant licensing objective to do so.

5.0 Background

- 5.1 The operators have applied twice in recent years to extend the hours for licensable activity at the premises. Most recently in January 2023 the LSC determined partially grant a variation but refused the outside space to be used beyond 22:00 to ensure the prevention of public nuisance objective would be upheld:

"Having considered the application and heard from all the parties, the Committee decided to:

REFUSE the application to remove the condition "Conditions on the area at the back the premises: The back shisha area to be closed at 2230 each day".

For the avoidance of doubt the application to extend the hours to midnight on Sunday to Thursday and 0030 Friday and Saturday for the back shisha area is refused.

GRANT the application to "To extend the permitted hours for the sale of alcohol by retail to commence from 1100 hours each day for consumption ON the premises".

A copy of the resolutions attached at Appendix C.

5.2 The premises has had a number of Temporary Event since the start of the year, these are attached at App D.

6 Use of Appendices

Appendix A - TENS Application.

Appendix B – Objection to the TENSs.

Appendix C – Copy of Resolution from variation application.

Appendix D – List of TENSs for 2023.

7 **Background papers:** [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](#)

[draft statement of licensing policy 2021-26 consultation document.pdf \(haringey.gov.uk\)](#)

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Appendix A

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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	JASHARI
Forenames	Meritan
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
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7. Other contact details	
Telephone numbers	
Daytime	██████████
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	██████████
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
District 22 83 Mayes Road Wood Green London N22 6UP	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	LN/000025837
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Ground floor throughout the building	
Please describe the nature of the premises below. (Please read note 4)	
Restaurant and Public House located in Mayes Road	
Please describe the nature of the event below. (Please read note 5)	
1) Celebration of Albanian Independence Day	

- 2) To enable use of the rear garden area
- 3) To accommodate restaurant bookings

Security personnel will be on duty both evenings to ensure an orderly ingress, egress and dispersal of guests away from the premises.

PLEASE NOTE that the applicant has successfully run 14 previous events this year on the back of a Temporary Event Notice over a period of 19 days at District 22 including the use of the rear garden area.

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
Friday 1 st December 2023 Saturday 2 nd December 2023		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
Sale of alcohol from 22:30 hours to 00:00 hours each day Late Night Refreshment from 23:00 hours until 00:00 hours each day Guests will be permitted 30 minutes drinking up time		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	120	
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

N/a

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Barking & Dagenham	
Licence number	59257	
Date of issue	29/06/2022	
Any further relevant details	N/a	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	14	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		

Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	<i>Meritan Jashari</i>
Date	14 th November 2023
Name of Person signing	Mr Meritan JASHARI

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Notes for Guidance

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any 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) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (subject to an unlimited fine on conviction);
- allowing the sale of alcohol to children under 18 (subject to an unlimited fine on conviction);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (subject to an unlimited fine, on conviction);
- allowing disorderly behaviour on the premises (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- the sale of alcohol to a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- obtaining alcohol for a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (subject to a fine not exceeding level 1 on the standard scale, on conviction); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (subject to a fine not exceeding level 3 on the standard scale, on conviction).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;

- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser

- gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 13

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment — see note 6 above). A temporary event notice may be given for this purpose.

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (15 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 16 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that

business involves carrying on licensable activities) count as if they had been given by the premises user. Note 16 below sets out the definition of an “associate”.

Note 16

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 18

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 19

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and an unlimited fine.

Note 20

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

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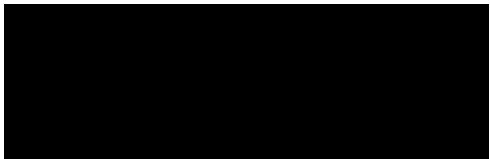
Appendix B

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Licensing Authority
Licensing Team
Environment & Operational Services
Place Directorate
Enfield Council
Silver Street
Enfield
EN1 3ES

Licensing Unit
Edmonton Police Station
462 Fore Street,
London
N9 0PW



15/11/2023

POLICE REPRESENTATION

Application for a Late Temporary event notice
District 22 83 Mayes Road Wood Green London N22 6UP

Temporary event notice. **1st December 2023 – 2nd December 2023**

I wish to make representation on the following
1st December 2023 – 2nd December 2023
The sale by retail of Alcohol 2230 hours to 0000 hours
The provision of late night refreshment 2300 hours to 0000 hours

The nature of the event stated being:

Celebration of Albanian Independence Day, to enable use of the rear garden area
To accommodate restaurant bookings

Police have agree to the below.

1st December 2023 – 2nd December 2023
The sale by retail of Alcohol 2230 hours to 0000 hours
The provision of late night refreshment 2300 hours to 0000 hours

On the condition that the outside garden area will be closed at 2230 hours as stated in annex 3 to be closed at 2230 each day.

If agreed by the applicant we would **withdraw** our representations contingent upon that agreement.

I reserve the right to provide further information to support this representation.

Regards.

Officer: Pantelitsa Yianni 7140NA

Licensing Officer Haringey and Enfield Police

Date: 15/11/2023



Licensing Authority
Licensing Team
Environment & Operational Services
Place Directorate
Enfield Council
Silver Street
Enfield
EN1 3ES

Licensing Unit
Edmonton Police Station
462 Fore Street,
London
N9 0PW

17/11/2023

POLICE REPRESENTATION

Application for a Late Temporary event notice **District 22 83 Mayes Road Wood Green London N22 6UP**

Temporary event notice. **1st December 2023 – 2nd December 2023**

Application submitted by Mr Meritan JASHARI.

I wish to make representation on the following

1st December 2023 – 2nd December 2023

The sale by retail of Alcohol 2230 hours to 0000 hours

The provision of late night refreshment 2300 hours to 0000 hours

The nature of the event stated being:

Celebration of Albanian Independence Day, to enable use of the rear garden area
To accommodate restaurant bookings

I wish to make representation to disallow this application under the Licensing objective of:

PREVENTION OF PUBLIC NUISANCE

PREVENTION OF CRIME AND DISORDER

The applicant is asking to enable use of the rear garden area till 0000 hours

The premises is located on the junction of Mayes Road and Coburg Road. At the side and opposite the premises there are residential homes. Directly opposite the rear garden which is in Coburg Road there is a care home.

The applicant was sent a representation on the 15/11/2023. Police agreed that the event in principle can go ahead with a condition of the garden area to close at 22.30 hours.

This was refused by the applicant.

The premises is shown to have a premises licence number LN/000025837 issued in January 2023 due to a change of DPS.

A variation was submitted on 05/01/2023 which resulted in a hearing adding to the licence annex 3 condition for the rear garden.

On the 30th January 2023 the committee refused to remove the condition on the area at the back of the premises: "The back shisha area to be closed at 2230 each day".

The applicant has been informed of this already as a LATE TENS was received on the 08/11/2023 which was refused by police for prevention of public nuisance.

On the 10/11/2023 the applicant emailed the officer who refused the application stating that they have had 14 tens granted since the beginning of 2023 and for police to withdraw the representation.

The applicant was email back on the 11/11/2023 stating that police will not withdraw their representation. The agent of the applicant called and spoke to the Police Sargent in licensing trying to plea with the late TENS to go ahead. When they were advised this representation would stand due to being a late TENS the agent claimed that the police licence team were lazy and terminated the call.

Information received on the 23/05/2023 that the premises was running without a licence as there licence expired on 17/05/2023 and there was loud music coming from the premises every night which shows a lack of respect for the law.

The last TEN the premises had was on the 29/04/2023 shortly after the premises has been closed and none operational. An email confirming this was received from the Local authority on the 09/11/2023 stating that premises has been closed and non-operational for months.

Although the DPS has changed, the past history of the premises has shown worrying concerns around upholding the licensing objectives.
Below are incidents demonstrating this.

On the 09/04/2022 a member of the local authority was assaulted after they visited the premises to inform the manager they did not have a licence to operate after 11pm. One of the participants got upset approached the LA officer and assaulted them. A fight broke out and 200 people were seen fleeing the location when police arrived. Officers viewed the CCTV and none of the cameras covered the location where the incident took place. The location was as you walk into the premises. This area should have been covered by CCTV.

On the 16/02/2022 cad YR/7704

Police were called to violence against a person. The victim did not wish to proceed in reporting.

On the 02/05/2022 cad YR/7671

Police were called to violence against a person. The victim did not wish to proceed in reporting.

Police are objecting to this TEN for the following reasons:

Police believe that allowing this TEN will cause a Public Nuisance to residents living nearby and the potential for crime and disorder to take place.

Officer: Pantelitsa Yianni 7140NA

Licensing Officer Haringey and Enfield Police

Date: 17/11/2023

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Appendix C

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Residents

Your ref:

Date: 01st February 2023

Our ref:

BY EMAIL

Dear Sirs,

COMMITTEE HEARING RESOLUTION

APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENSE AT DISTRICT 22, 83 MAYES ROAD, WOOD GREEN, LONDON, N22 6TN HEARD ON 30th JANUARY 2023

The Licensing Sub Committee carefully considered the application for the variation of an existing premises licence at **DISTRICT 22, 83 MAYES ROAD, WOOD GREEN, LONDON, N22 6TN**. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, section 182 Guidance, the report pack and additional papers, the applicants and objectors written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to:

1. **REFUSE** the application to remove the condition "Conditions on the area at the back of the premises: The back shisha area to be closed at 2230 each day".

For the avoidance of doubt the application to extend the hours to midnight on Sunday to Thursday and 0030 Friday and Saturday for the back shisha area is refused.

2. **GRANT** the application to "To extend the permitted hours for the sale of alcohol by retail to commence from 1100 hours each day for consumption ON the premises".

REASONS

The Committee gave serious consideration to the submissions made by the applicant & their representative, and to the concerns raised by the objectors both of which were made in writing and orally.

It was clear to the Committee that primary licensing objective being considered was that of the issue of the creation of, or an increase in Public Nuisance through noise nuisance created by the Premises.

The earlier opening hours being requested did not seem to create any strong objections. The main objections came in relation to the potential for noise nuisance late into the evening if the back Shisha area hours were extended.

The Committee did note the point made by the Applicant that no other responsible public body had raised objections and the complaints came from repeat local residents. However, the Committee did not accept that complaints should not be given weight because they were repeat complaints, as Local Authorities routinely advise people to raise complaints and issues where they arise.

The Committee found the objectors as credible witnesses who gave cogent evidence of the noise nuisance suffered by local residents. The documentary evidence listed complaints made, and even though noise officers did not attend on all occasion- complaints were nevertheless made. Complaints were made of loud music, loud talking and cars being revved in the area by the applicant's clientele. As it is open air, the noise carried when there were large numbers of people in the shisha area.

As it is an open shisha area, which already created noise nuisance, increasing the hours to later at night past midnight and with the potential for another hour of dispersal time, noise disturbance could last until 1-2am in the morning. Furthermore, it was noted the last order for food would be 10.30 so the proposed increased hours would be purely for alcohol consumption and so the potential for nuisance behaviour could increase.

The Committee noted that the noise management plan submitted was not the most recent version, and that a further one had been supplied to the Licensing Authority. However, the Committee could not accept without expert evidence that noise levels were 60-61 decibels or even that those were acceptable levels of noise. There was no information to provide to substantiate that information and was not part of the noise management plan. It was noted the Applicant was taking steps by using its own monitors and apps- but again this was not independent information.

For the reasons given above this application is partly granted in respect of the earlier hours but refused in respect of the later hours at the back shisha area.

Appeal Rights

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

Yours sincerely,

Daliah Barrett-Williams
Licensing Team Leader

Licensing Team
Level 4, Alexandra House
Station Road
London, N22 8HQ

T 020 8489 8232
E licensing@haringey.gov.uk
www.haringey.gov.uk

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PREMISES LICENCE

Receipt: SMYAC00240090

Premises Licence Number: LN/000025837

This Premises Licence has been issued by:

**The Licensing Authority, London Borough of Haringey,
4th Floor Alexandra House, 10 Station Road,
Wood Green, London N22 7TR**

Signature:

Date: 7th September 2022
Variation: 30th January 2023

Part 1 – PREMISES DETAILS

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

**DISTRICT 22
83 MAYES ROAD
WOOD GREEN
LONDON
N22 6UP**

Telephone:

Where the Licence is time limited, the dates:

Not applicable

Licensable activities authorised by the Licence:

Supply of Alcohol

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

Sunday to Thursday 1100 to 2330
Friday and Saturday 1100 to 0000

The opening hours of the premises:

Sunday to Thursday 0800 to 0000
Friday and Saturday 0800 to 0030

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

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

LICENSING ACT 2003
Sec 24

Part 2

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

District 22 Ltd
83 Mayes Road
Wood Green
London
N22 6UP

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

14059393

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

Meritan Jashari

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

Issued by:

The London Borough of Barking & Dagenham

Annex 1 –Mandatory Conditions

Supply of alcohol

1. No supply of alcohol may be made under the premises licence;

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

5. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises 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 person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

6. The responsible person 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

Annex 1 –Mandatory Conditions

(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.

7. Prohibition on Sale of Alcohol below Cost of Duty plus VAT

(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^{ll} is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) —permitted price^{ll} is the price found by applying the formula —

$$P = D + (D \times V)$$

Where —

(i) P is the permitted price,

(ii) D is the rate 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^{ll} 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^{ll} 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^{ll} 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 this 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) (a) Sub-paragraph (b) below applies where the permitted price given by Paragraph (b) of paragraph (2) on a day (—the first day^{ll}) would be different from the permitted price on the next day (—the second day^{ll}) as a result of a change to the rate of duty or value added tax.

(b) 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.

Exhibition of films.

1. Admission of children to the exhibition of any film is to be restricted in accordance with the recommendations made by the specified film classification body.

2. Where —

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Annex 1 –Mandatory Conditions

3. In this section –

—childrenll means persons aged under 18; and —film classification bodyll means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door supervision.

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 – Conditions consistent with the Operating Schedule

General – all four licensing objectives (b,c,d,e): A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

A CCTV system will be installed at the premises covering the entrance, the external area and all internal areas.

An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the Local Authority

All staff members engaged, or to be engaged, on the premises shall receive full training pertinent to the Licensing Act Staff Training regarding the 4 x License Objectives.

THE PREVENTION OF CRIME AND DISORDER

A digital CCTV system recommended to be installed in the premises complying with the following criteria:

- (a) Camera(s) must be sited to observe the entrance doors from both inside and outside.
- (b) Camera(s) on the entrance must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification. (c) Camera(s) must be sited to cover all areas to which the public have access, excluding toilets if on site.
- (c) Provide a linked record of the date, time of any image.
- (d) Provide HD digital quality images in colour during opening times.
- (e) Have a monitor to review images and recorded quality.
- (f) Be regularly maintained to ensure continuous quality of image capture and retention.
- (g) Member of staff trained in operating CCTV at venue during times open to the public.
- (h) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (f) any visit by a relevant authority or emergency service

The premises shall operate a zero-tolerance policy to the supply and use of drugs.

Anyone who appears to be drunk or intoxicated shall not be allowed entry to the premises and those who have gained entry will be escorted from the business immediately.

PUBLIC SAFETY

There shall be no vertical drinking at the premises. Table service only.

The premises will have a refusal book or electronic system to record all refusals of sales, this must be made available to the police and local authority officers upon reasonable request.

The Business will have a fire and health and safety risk assessment.

Annex 2 – Conditions consistent with the Operating Schedule

THE PREVENTION OF PUBLIC NUISANCE

Deliveries and waste collection will be done within the times recommended by the Local Council.

During the hours of operation, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

Clear and legible notices will be prominently displayed at the exit to remind customers to leave quietly and have regard to neighbours.

Conditions & Terminal hour for use of the front area of the Premises

Monday to Sunday 21:00 hours

Smoking area in front of the premises to be limited to 6 persons.

All patrons occupying the area outside the front of the premises to go indoors by 21:00 hours everyday.

Door Supervisors:

Door Supervisors must be present from 21:00 hours Friday to Saturday until close of the business and/or until all patrons have dispersed, whichever is the latter.

Conditions on the area at the back of the premises:

The back shisha area to be closed at 22:30 each day.

Noise management Plan- Controlling Noise Emissions

- The Licence Holder shall devise and implement fully a Noise Management Plan to be agreed in writing by the Noise and Nuisance Team. The Plan should detail all noise control measures to be implemented. This should be informed or devised by an expert in acoustics and provided no later than 28 days after the issues of the licence.
- Music played at the premises shall be limited to background level only until the approved noise control measures as outlined in the Noise Management Plan are implemented.
- All external doors, windows and the retractable roof shall be kept closed at any time when regulated entertainment is taking place.
- No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.
- All speakers should be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.
- The regulated entertainment licensable activity shall conclude 30 minutes before the premises is due to close to prevent excessive noise breakout as the premises empties.

Control Noise from Patrons

- Notices will be prominently displayed at the exit requesting patrons respect local residents and leave the area quietly.
- Staff and Door Supervisors shall actively monitor and control patrons queuing, leaving and entering the premises to ensure they leave the area quickly and quietly. Staff and Door Supervisors shall actively discourage loitering or waiting outside the premises after closing.
- The Licence Holder shall conduct regular assessments (externally and around the full perimeter) of the noise coming from the premises whilst it opens for business and

Annex 2 – Conditions consistent with the Operating Schedule

shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents.

- A written record shall be made of those assessments in a logbook kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action. This record must be made available at all times for inspection by council officers.
- The Applicant will provide a dedicated hotline for residents to raise any complaints with the premises/business owners.

THE PROTECTION OF CHILDREN

A 'Challenge 25' policy will be in operation at the premises with operate signage on display throughout the premises.

All staff members engaged, or to be engaged, on the premises shall receive full training pertinent to the Licensing Act, specifically regarding age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. This shall take place every 6 months.

All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either Police Officers or an authorised officer of the Local Authority.

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

Resolved 22nd September 2022

The Committee gave serious consideration to the submissions by the applicant & their representative, and to the concerns raised by the objectors again both of which were made in writing and orally.

It was noted that there had been complaints about breach of License regulations concerning these premises over a number of years. However, it was noted those complaints did concern previous owners. It was also noted that there was a new management team and that they had put forward proposals to alleviate those concerns and complaints. In some instances the Committee has gone beyond those proposals and added further restrictions as detailed above in terms of timing and closing hours, which also seeks to balance the concerns of both the applicants and objectors.

It was noted that the applicant would ensure security staff would be present, that a noise management plan would be agreed with the Environmental Protection Team. They had made those proposals themselves and had also agreed the Police recommendations. This demonstrated to the Sub-Committee a willingness to engage with the issues and concerns raised.

The Committee's decision in respect of the hours granted for opening, alcohol sales and the restriction on the activities at the front and back of the premises, along with the noise conditions proposed take into consideration the objections raised.

With the resulting grant the Committee is of the view that an appropriate balance has been struck between the wishes of the applicant, the objections of local residents and the overriding licensing objectives with the conditions proposed.

Resolved Variation 30th January 2023

Having considered the application and heard from all the parties, the Committee decided to:

1. **REFUSE** the application to remove the condition "Conditions on the area at the back of the premises: The back shisha area to be closed at 2230 each day".

For the avoidance of doubt the application to extend the hours to midnight on Sunday to Thursday and 0030 Friday and Saturday for the back shisha area is refused.

2. **GRANT** the application to "To extend the permitted hours for the sale of alcohol by retail to commence from 1100 hours each day for consumption ON the premises".

REASONS

The Committee gave serious consideration to the submissions made by the applicant & their representative, and to the concerns raised by the objectors both of which were made in writing and orally.

It was clear to the Committee that primary licensing objective being considered was that of the issue of the creation of, or an increase in Public Nuisance through noise nuisance created by the Premises.

The earlier opening hours being requested did not seem to create any strong objections. The main objections came in relation to the potential for noise nuisance late into the evening if the back Shisha area hours were extended.

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

The Committee did note the point made by the Applicant that no other responsible public body had raised objections and the complaints came from repeat local residents. However, the Committee did not accept that complaints should not be given weight because they were repeat complaints, as Local Authorities routinely advise people to raise complaints and issues where they arise.

The Committee found the objectors as credible witnesses who gave cogent evidence of the noise nuisance suffered by local residents. The documentary evidence listed complaints made, and even though noise officers did not attend on all occasion- complaints were nevertheless made. Complaints were made of loud music, loud talking and cars being revved in the area by the applicant's clientele. As it is open air, the noise carried when there were large numbers of people in the shisha area.

As it is an open shisha area, which already created noise nuisance, increasing the hours to later at night past midnight and with the potential for another hour of dispersal time, noise disturbance could last until 1-2am in the morning. Furthermore, it was noted the last order for food would be 10.30 so the proposed increased hours would be purely for alcohol consumption and so the potential for nuisance behaviour could increase.

The Committee noted that the noise management plan submitted was not the most recent version, and that a further one had been supplied to the Licensing Authority. However, the Committee could not accept without expert evidence that noise levels were 60-61 decibels or even that those were acceptable levels of noise. There was no information to provide to substantiate that information and was not part of the noise management plan. It was noted the Applicant was taking steps by using its own monitors and apps- but again this was not independent information.

For the reasons given above this application is partly granted in respect of the earlier hours but refused in respect of the later hours at the back shisha area.

Annex 4 – Plans



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Appendix D

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APP D

Event times/activities	Personal Licence Holder Y/N	Address of Premises	Type of Premises	Date of Application	Event Start	Event End	Total Days
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	05/01/2023	13/01/2023	14/01/2023	2
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	05/01/2023	20/01/2023	21/01/2023	2
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	05/01/2023	26/01/2023	28/01/2023	3
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	02/02/2023	10/02/2023	11/02/2023	2
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	16/02/2023	25/02/2023	25/02/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	16/02/2023	04/03/2023	04/03/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	23/02/2023	11/03/2023	11/03/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	02/03/2023	18/03/2023	18/03/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	17/03/2023	25/03/2023	25/03/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	17/03/2023	01/04/2023	01/04/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	31/03/2023	08/03/2023	08/03/2023	1

The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	31/03/2023	15/04/2023	15/04/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	12/04/2023	22/04/2023	22/04/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	12/04/2023	29/04/2023	29/04/2023	1
The sale by retail of alcohol and the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP	Public House	14/11/2023	01/12/2023	02/12/2023	1