

**Report for:** Licensing Sub Committee 30<sup>th</sup> January 2023

**Item number:**

**Title:** Variation Premises Application – DISTRICT 22, 83 MAYES ROAD,  
WOOD GREEN, LONDON N22 6TN

**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 This report relates to an application for a Variation application submitted by District 22 Ltd at the above named premises. The application seeks the following:

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

**To remove the following condition:**

Conditions on the area at the back of the premises: The back shisha area to be closed at 2230 each day.

**To be replaced with:**

The back shisha area to be closed at midnight Sunday to Thursday; and on the Friday and Saturday trading session until 0030 hours the following day.

- 1.2 The application form and plan and noise management plan are attached as Appendix 1. A copy of the existing Premises Licence is attached as Appendix 2.

- 1.3 Representation have been received from:

Other Parties –These are attached as Appendix 3.  
No representations received from Responsible Authorities

**2 Recommendations**

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

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

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

to promote the licensing objectives.

### 3. Background

3.1 The premises has operated as a public house for many years, in 2016 the original licence was reviewed and times of licensable activity was reduced in order to ensure that the prevention of public nuisance and prevention of crime and disorder objection were promoted.

3.2 The LSC determined the following:

Opening hours were reduced to:

Monday to Sunday: 1000 to 0000

Supply of alcohol:

Monday to Sunday: 1000 to 2330

Live music and recorded music:

Monday to Sunday: 1000 to 2330

Provision of late night refreshment:

Monday to Sunday: 2300 to 2330

The outside shisha area is to close and all customers are to be asked to come inside by 2230, Monday to Sunday.

The business subsequently closed and the Premises licence lapsed due to the holder becoming insolvent.

3.3 The new operators applied for a new Premises Licence in September 2022, which Received representations from Responsible Authorities and Other persons. The LSC determined to grant a Premises License as shown at Appendix 2 in October 2022. District 22 Ltd now seek to extend the hours to those shown in section 1.1.

3.4 Since the new licence has been granted the operators have applied for 7 Temporary Event Notices to enable the premises to operate until midnight.

Applicant Name	Event times/activities	Personal Licence Holder Y/S	Address of Premises	Date of Application	Event Start	Event End	Total Days	Late TEN's
Meritan Jashari	The sale by retail of alcohol and late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP.	14/11/2022	27/11/2022	28/11/2022	3	Yes
Meritan Jashari	The sale by retail of alcohol, the provision of late night refreshment	Yes	District 22, 83 Mayes Road, Wood	08/12/2022	15/12/2022	17/12/2022	3	Yes

	from 2230 to 0000		Green, London, N22 6UP.					
Meritan Jashari	The sale by retail of alcohol, the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP.	08/12/2022	22/12/2022	24/12/2022	3	
Meritan Jashari	The sale by retail of alcohol, the provision of late night refreshment from 2230 to 0000	Yes	District 22, 83 Mayes Road, Wood Green, London, N22 6UP.	08/12/2022	29/12/2022	31/12/2022	3	
Meritan Jashari	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	05/01/2023	13/01/2023	14/01/2023	2	Yes
Meritan Jashari	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	05/01/2023	20/01/2023	21/01/2023	2	
Meritan Jashari	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	05/01/2023	26/01/2023	28/01/2023	3	

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

3.6 Just for back ground info the premises has PP to operate as Public House and there are no conditions attached to the PP relating to hours of operation. The shisha area does not have Planning permission as this was refused in 2022.

#### 4. Policy Implications

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

#### 4.2 Equalities impact

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

## **5. Other considerations**

### **5.1 Human Rights**

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

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

## **6 Use of Appendices**

**Appendix 1- Application form**

**Appendix 2 –Copy of Premises Licence**

**Appendix 3- Residential representation.**

**Background papers: Section 82 Guidance**

**Haringey Statement of Licensing policy**