

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 \(haringey.gov.uk\)](#)