

**Report for:** Licensing Sub Committee 15<sup>th</sup> December 2025

**Item number:** 7

**Title:** Application for a Review of a Premises Licence at: Chez Nicky, 295 West Green Road London N15

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

**Ward(s) affected:** St Anns

**Report for Key/Non-Key Decision:** Not applicable

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

- 1.1 The application is submitted by Haringey Noise & Nuisance Team Responsible Authority due to the prevention of public nuisance objectives being impacted from noise which was affecting nearby residents. The review application is at App A.

**1.2 The application currently permits the following:**

Recorded Music - Friday to Saturday 2300 to 0030

Late Night Refreshment - Friday to Saturday 2300 to 0030

Christmas Eve, Christmas Day, New Year's Eve and New Year's Day from 2300 to 0130 hours.

Sale of Alcohol

Sunday to Thursday 1100 to 2330

Friday to Saturday 1100 to 0030

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

The opening hours of the premises:

Sunday to Thursday 0700 to 0000

Friday to Saturday 0700 to 0100

The area at the rear does not form part of the licensed area.

**1.4 Representations have been received from:**

**Representation in support of the review from Residents– App B**

**Representations in support of Chez Nicky – App B1**

**1.5 Recommendation**

Before determining the application, the authority must hold a hearing to consider it and any relevant representations.

(3) The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.

(4) The steps are—

(a) to modify the conditions of the licence;

(b) to exclude a licensable activity from the scope of the licence;

(c) to remove the designated premises supervisor;

(d) to suspend the licence for a period not exceeding three months;

(e) to revoke the licence;

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.

## **2 Background**

2.1 The premises is located in a terrace of shops with residential above and to the rear. A copy of the existing licence is attached at App C. The current premises licence restricts the use of the rear area. Mr Lemba has continually used the rear area since the granting of the licence. Mr Lemba has now obtained Planning Permission for the use of the rear area.

2.2 A retrospective Planning application to use the internal rear space to provide 44 additional seats. Roof alterations to include thermal and acoustic insulation. Installation of a green roof.

2.3 Conditions: (3) 1 2 3 The solid/green roof hereby approved shall be installed in full within six months of the date of this decision, unless otherwise agreed in writing with the Local Planning Authority. The green roof must be constructed in accordance with the details shown on the approved plans and shall comply with the performance and installation criteria set out in BS 8616:2019 – Green Roofs.

Reason: To rectify an existing breach of planning and to safeguard the residential amenity of neighbouring occupiers through enhanced acoustic and environmental protection. The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission. Reason: For the avoidance of doubt and in the interests of proper planning.

Patrons and visitors to the restaurant, as extended, shall not use the rear access door facing onto Olive Grove for entry or exit, with the rear access used solely for servicing and deliveries and not used to provide general access to or from Olive Grove. Smoking by patrons or visitors shall also not be permitted on Olive Grove.

Reason: To protect the amenities of neighbouring residents by preventing undue disturbance, increased activity, or environmental nuisance in the vicinity of Olive

Grove and beyond.

- 2.4 Mr Lemba has also applied to vary the Premises Licence to incorporate the rear area and to increase hours of licensable activity.

### **3 Licensing Policy**

- 3.1 In reviewing a licence the Licensing Sub-Committee will consider, and take into account, the complaints history of the premises and all other relevant information.
- 3.2 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. The Sub-Committee does not have the power to judge the criminality or otherwise of any issue. The Sub-Committee's role is to ensure the promotion of the crime prevention objective
- 3.3 Where reviews arise in respect of these criminal activities and the Sub-Committee determines that the crime prevention objective is being undermined, It is expected that revocation of the licence – even in the first instance – should Be seriously considered.
- 3.4 This Licensing Authority, in determining what action to take, will seek to establish the cause of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be appropriate and proportionate. Appendix D – Review section 182 Guidance.

### **3.5 Other considerations**

- 3.6 Section 17 of the Crime and Disorder Act 1998 states: 'Without prejudice to any other obligation imposed on it; it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can prevent crime and disorder in its area'.

### **3.6 Human Rights**

- 3.7 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 Other considerations**

**Section 17 of the Crime and Disorder Act 1998** states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those function on, and the need to do all that it reasonably can prevent crime and disorder in its area".

### **6.1 Human Rights**

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

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- Article 1 of the First Protocol – Protection of Property

- Article 6(1) – Right to a fair hearing.
- Article 10 – Freedom of Expression

## **7 Use of Appendices**

**Noise & Nuisance Review - Appendix A**  
**Representation from Resident - App B**  
**Representations in support of Chez Nicky – B1**  
**Copy of current Premises Lic – App C**  
**Section 182 Review Guidance - App D**

**Background papers: Section 82 Guidance – New version November 2025**  
[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](#)

**Haringey Statement of Licensing policy**

New National Licensing Policy framework - [National Licensing Policy Framework for the hospitality and leisure sectors \(web version\) - GOV.UK](#)