

Report for: Licensing Sub Committee – 30TH April 2026

Title: Consideration of an objection to Temporary Event Notices at Red Carpet Restaurant and Bar, 99 West Green Road Tottenham, London, N15
TENS 1 – proposed event dates :9th-10th May 2026
TENS 2 – proposed event dates: 14th -17th May 2026

Report authorised by: Daliah Barrett, Licensing Team Leader, Regulatory Services

Ward(s) affected: Seven Sisters

Report for Key/ Non Key Decision: Not applicable

1. Describe the issue under consideration

- 1.1 This report sets out details of a temporary event notice which has been given to the Licensing Authority, in respect of which the ASB Noise Team RA has submitted an objection notice.
The notice set out in the Appendix 1 (TENS 1) and Appendix 2 (TENS 2) to this report is to be considered having regard to the Council's Licensing Policy, the licensing objectives and the objection notice received at Appendix 3. The applicant seeks the ability to provide licensable activities from the premises on the dates stipulated. A response to the Noise RA objection was received from the business representative and is shown at Appendix 3A.
- 1.2 The premises does not hold a Premises licence, but has been flagged by residents to the local Authority for noise nuisance and operating into the early hours of the morning. The operator initially submitted an application for a Premises Licensing in December 2025, which was rejected.
The premises was then flagged in March 2026 by residents being impacted by noise And nuisance coming from the premises in the early hours of the morning. As a result of this a warning letter was sent to the operator and ASB Licensing Enforcement were asked to carry out monitoring visit.
- 1.3 The Enforcement Team carried out visits and found non compliance with the Licensing Act 2003. Appendix 5.
- 1.4 An individual (known as the “premises user”) may give notice of a proposal to use premises for a temporary event, engaging in one or more licensable activities for a period of no more than 168 consecutive hours. The Licensing Sub-Committee is required to consider any objection notice received, and must give the premises user a counter-notice under section 105 of the Licensing Act 2003 if it considers it appropriate for the promotion of a licensing objective to do so. The temporary event may not proceed if a counter-notice has been issued.
- 1.5 The Licensing Sub-Committee has responsibility for exercising many of the Council's powers in respect of the Licensing Act 2003. Consideration by the Committee of the notice(s) appended to this report is required because the Temp Event notice has attracted an objection from the ASB Noise RA.
- 1.. The statutory consultation requirement set out in paragraph 3 below has been complied with by the premises user(s), and has resulted in the Noise RA giving an objection notice to the licensing authority. The premises user and the Noise RA have

been invited to the meeting.

1.6

Consideration for LSC

- 2.1 When carrying out its licensing functions, the Sub-Committee shall act with regard to the Council's Licensing Policy, Statutory Guidance, and with a view to promoting the Licensing Objectives. The objectives are:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 2.2 The Sub-Committee must ensure that all licensing decisions have:
- a direct relationship to the promotion of one or more of the 4 licensing objectives;
 - regard to the statement of licensing policy;
 - regard to the Secretary of State's Guidance;
 - there must not be a 'blanket policy' to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded.
- 2.3 Applications must be considered with regard to the principles of fair process and the Human Rights Act.
The purpose of Haringey's Statement of Licensing Policy is to make clear to applicants and relevant representatives the considerations that will be taken into account when determining applications. It is also intended to guide the Licensing Committee when considering licensing applications; however the Licensing Committee must consider each application on its own merit and only allow exceptions to its own policy where the circumstances of the application justify it.
- 2.4 Subject to both the Council's Statement of Licensing Policy and Statutory Guidance having been properly considered a Sub Committee may depart from them if there are good reasons for doing so. Full reasons must be given and Sub-Committees should be aware that such departures could give rise to an appeal or judicial review.
- 2.5 Section 105(2)(b) of the Act requires that the licensing authority must, having regard to the objection notice, give the premises user a counter notice under this section if it considers it, "appropriate for the promotion of a licensing objective to do so." The temporary event may not proceed if a counter-notice has been given.
- 2.6 Section 106A(2) of the Act provides that the licensing authority may impose one or more conditions on the standard TEN if:
- a) it considers it appropriate for the promotion of the licensing objectives to do so;
 - b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of or in any part of the same premises as the TEN;
 - c) the conditions would not be inconsistent with the carrying out of licensable activities under the TEN.
- 2.7 It is considered inappropriate for officers of the Licensing Authority involved in the administration of notices to make recommendations. However, the Committee may choose whether to have regard to any representations made by police officers or Council's Noise Team if they believe that using the premises in accordance with the TEN will undermine the licensing objectives.

At any time prior to the hearing the Council's Noise Team may, with the agreement of the premises user, modify the temporary event notice by making changes to the notice. The objection notice shall be treated as having been withdrawn from the time the temporary event notice is modified. The premises user may also withdraw the notice completely at any time up until 24 hours prior to the proposed start time of the notice.

- 2.8 In accordance with the provisions of Part 3 of Schedule 5 of the Act, where the licensing authority gives a counter-notice under section 105, the premises user may appeal against the decision. Where the authority does not give a counter-notice, the person giving the objection notice may appeal against the decision. In both cases, appeals must be made to a Magistrates Court within 21 days of receiving notification of the decision - however, no appeal can be brought less than 5 working days prior to the first proposed event day.

3. Other considerations

- 3.1 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 to prevent crime and disorder in its area'.

4 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.

5 Use of Appendices

Appendix 1 – TENs 1 app date-9th-10th May 2026
Appendix 2 – TENs 2 app date – 14th-17th May 2026
Appendix 3 - Objection Notice.
Appendix 3A- Response from business.
Appendix 4- Copy of warning letter
Appendix 5- Information from ASB Enforcement Team

6 Background papers

Section 82 Guidance
Haringey Statement of Licensing Policy