Report for: Licensing Sub Committee – 23rd November 2026

Title: Consideration of an objection to a Temporary Event Notice
Spirit Embassy 117A Bruce Grove London N17
1st flr - 29th November 2026.

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

Ward(s) affected: Bruce Castle

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 and Met Police have submitted an objection notice.
The notice set out in the Appendix 1 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 2. The Notice relates to a proposed event on Sunday 29th November.
It is required to permit licensable activities between midnight and 3am for 300 people, with alcohol sales, regulated entertainment and Late night refreshment.

A copy o the ASB Noise RA and Met Police objection is attached at Appendix 2. The LSC should note that the form sets out that there is preparation from 10pm to until midnight when the premises will open to the public.
The premises has had the benefit of TENs in similar situations previousy which have led to Crime and disorder from a previous event in November .

1.2 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.

1.3 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 and Met Police.

1.4 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 Police and Noise RA have been invited to the meeting.

1.5 The premises user is required to give a copy of any temporary event notice to the

Police and Noise Team no later than 10 working days before the first day of the proposed event. If either body is satisfied that allowing the premises to be used in accordance with the notice would undermine any of the licensing objectives, they must give an objection notice to the licensing authority and to the premises user within three days of receiving the copy of the notice. It is also possible to give a late TEN with between 5 and 10 working days notice, however if an objection notice is given the event cannot proceed.
An applicants failure to comply with the consultation requirement would invalidate the Notice. The Act does not make provision for further consultation with any other responsible authorities or interested parties.There is no public notice requirement.

2 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 Police or 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 application and supporting documents
Appendix 2 – Refusal letter /objection from RAs

6 Background papers

Section 82 Guidance
Haringey Statement of Licensing Policy