

COMMITTEE :
Licensing Sub-Committee
16 December 2015

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT : Giving a Temporary Event Notice	
PREMISES : Royal Venue, 1 Jute Lane, ENFIELD, EN3 7PJ	
WARD : Enfield Highway	

1 **LICENSING HISTORY & CURRENT POSITION :**

- 1.1 Please refer to the Licensing Sub-Committee report for the new premises licence application for the full licensing history, which will be heard at the same time for the Temporary Event Notice (TEN) application.
- 1.2 On 24 August 2015, the Metropolitan Police submitted a summary review application, and at the hearing on 16 September 2015, the Licensing Sub-Committee **RESOLVED** it appropriate for the promotion of the licensing objectives to **REVOKE** the licence.
- 1.3 The Chairman made the following statement:
- 1.4 “Having read, heard, and fully considered the written and oral submissions of all parties, the Licensing Sub-Committee has determined that revocation of the licence is appropriate - and necessary – for the effective promotion of the licensing objectives.
- 1.5 It is the view of the sub-committee that the Metropolitan Police Service, in bringing this summary review, and the Licensing Authority in supporting it, have each made their respective cases in full. The Licensing Sub-Committee was fully persuaded by the arguments advanced and the evidence submitted to support the case for revocation...
- 1.6 ... Reinforcing the decision to revoke, the Licensing Sub-Committee applied strong weight to the statutory Home Office Guidance at sections 11.27 and 11.28 which states that revocation, even in the first instance, may be deemed appropriate in the event of serious criminality and actual crime and disorder taking place on licensed premises.
- 1.7 This was not the first time that these premises, in various guises, had been subject to review on account of serious criminal incidents occurring at the venue. We were further influenced by evidence of reported breaches of significant conditions, both over time as well as those evidenced on the night, particularly relating to controlling entry into the venue, that were said to have not been in compliance. If effectively managed, and indeed if the general management was properly exercised, the stabbing incidents which

directly led to this review might have been prevented and the licensing objectives not so undermined.

- 1.8 These management failures were deemed as major aggravating factors in persuading the sub-committee to arrive at its decision.”
- 1.9 The premises does not hold a premises licence.
- 1.10 A new premises licence application was received on 19 October 2015, and is also to be determined by this Licensing Sub-Committee.

2 **TEMPORARY EVENT NOTICE :**

- 2.1 On 8 December 2015 **Mr Agron Xhauri** (via Dadds Solicitors) gave notice to the Council in respect of a proposed event at the premises from 20:00 on Thursday 24 December 2015 to 03:30 on Friday 25 December 2015. The notice is for the provision of late night refreshment, supply of alcohol and regulated entertainment.
- 2.2 A copy of the Temporary Event Notice is attached as Annex 01.

3 **OBJECTION NOTICE :**

- 3.1 **Metropolitan Police:** The Police believe that allowing the premises to be used in accordance with the Temporary Event Notice will undermine the licensing objectives. On 10 December 2015 the Police gave an Objection Notice.
- 3.2 A copy of the Objection Notice is attached as Annex 02.
- 3.3 **Environmental Health Responsible Authority:** The authority believes that allowing the premises to be used in accordance with the Temporary Event Notice will undermine the licensing objectives. On 10 December 2015 the authority gave an Objection Notice.
- 3.4 A copy of the Objection Notice is attached as Annex 03.
- 3.5 The applicant has confirmed that he does not wish to withdraw the TEN application. However, if the committee are minded to grant the premises licence application at the hearing, the applicant will withdraw the TEN application.

4 **RELEVANT LAW, GUIDANCE & POLICIES :**

4.1 The paragraphs below are extracted from the Licensing Act 2003 ('Act').

General Principles :

4.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].

4.3 The licensing objectives are :

4.3.1 the prevention of crime and disorder;

4.3.2 public safety;

4.3.3 the prevention of public nuisance; &

4.3.4 the protection of children from harm [Act s.4(2)].

Decision :

4.4 Having heard all of the representations (from all parties) the Licensing Sub-Committee must, having regard to the Objection Notices, give the premises user a Counter Notice (to stop the event) if it considers it appropriate for the promotion of the licensing objectives to do so [Act s.105].

4.5 Where the Sub-Committee decides not to give a Counter Notice the Sub-Committee may impose one or more conditions on the TEN if: the Sub-Committee considers it appropriate for the promotion of the licensing objectives to do so; the conditions are also imposed on a premises licence that has effect in respect of the same premises; and the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice [Act s.106A].

Background Papers :
None other than any identified within the report.

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